

WESTERN AUSTRALIAN GOVERNMENT ALZE



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In all cases notices are published on page 2 and readers are urged to check accordingly prior to contacting State Print.

G. L. DUFFIELD, Director.

CROWN LAW

CW101

PRINTER'S CORRECTION

VALUATION OF LAND REGULATIONS 1979

The reprint under the *Reprints Act 1984* of the above regulations as at 23 April 1993 is corrected as follows —

In the Table of Regulations on page 5 of the reprint under the heading Miscellaneous:

DELETE: "Became effective from date of proclamation of Valuation of Land Regulations 1978",

INSERT: "Became effective from date of proclamation of Valuation of Land Act 1978".

CW401

JUSTICES ACT 1902

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

Approved of the following appointments to the Office of Justice of the Peace for the State of Western Australia—

Stephen John Brown of 45 McDonald Street, Herne Hill

William Peter David Lewis of 16 Newgate Street, Alexander Heights and 47A Kirwan Street, Floreat

Arthur Dix Marshall of Lot 6 Estuary Road, Dawesville and Shop 1A Miami Shopping Village, Old Coast Road, Falcon

Margaret Anne McMurdo of Lot 102 Hope Valley Road, Wandi and 32 St George's Terrace, Perth

Accepted the following resignations from the Office of Justice of the Peace for the State of Western Australia—

Dr Judith Mary Edwards of 25 Fourth Avenue, Bassendean

Patricia Marie Hosking of 533 North Road, Tom Price

Colleen Ann O'Loughlin of 41 Rinaldo Crescent, Coolbellup

Accepted the resignation of Douglas Cheesman of 4 Wandoo Street, Kambalda West from the Office of Justice of the Peace for the Coolgardie Magisterial District.

Accepted the resignation of Patricia Dorothy Ann Donkin of 2 Nanba Street, Newman from the office of Justice of the Peace for the Murchison Magisterial District.

R. E. MONGER, Director Court Services.

CW402

CHILDREN'S COURT OF WESTERN AUSTRALIA ACT (No. 2) 1988

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

Approved of the appointment of the following person as a Member of the Children's Court of Western Australia—

Anthony Smith of MQ 25 Settlement, Christmas Island and Christmas Island Power Authority, Christmas Island.

R. E. MONGER, Director Court Services.

FISHERIES

FI301

FISHERIES ACT 1905

FISHERIES AMENDMENT REGULATIONS (NO. 3) 1993

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the Fisheries Amendment Regulations (No. 3) 1993.

Regulation 3AB amended

- 2. Regulation 3AB of the Fisheries Regulations 1938* is amended in subregulation (3a) by inserting after "marron" the following —
- " and prawns ".
 - [* Reprinted as at 15 September 1988. For amendments to 21 April 1993 see 1991 Index to Legislation of Western Australia, pp. 324-325 and Gazettes of 31 January, 28 February, 27 March, 8 May, 5,16, and 30 June, 28 July and 23 October 1992 and 9 March 1993.]

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

FI302

FISHERIES ACT 1905

FISHERIES AMENDMENT REGULATIONS (NO. 4) 1993

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the Fisheries Amendment Regulations (No. 4) 1993.

The Schedule amended

- 2. The Schedule to the Fisheries Regulations 1938* is amended
 - (a) in item 8 by deleting "215.00" and substituting the following —

 " 130.00 ":
 - (b) in item 10 (a) by deleting "3.50" and substituting the following —

 " 3.00 ":
 - (c) in item 10 (b) by deleting "3.50" and substituting the following
 - " 4.60 "; and

- (d) in item 11 by deleting "12.00" and substituting the following —

 " 13.00 ".
- [* Reprinted as at 15 September 1988.
 For amendments to 7 May 1993 see 1991 Index to Legislation of Western Australia, pp. 324-29, and Gazette of 31 January, 28 February, 27 March, 8 May, 5, 16 and 30 June, 28 July and 23 October 1992 and 9 March and 23 April 1993.]

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

FI401

FISHERIES ACT 1905

Part IIIB-Processing Licence

FD 204/70.

The public is hereby notified that in accordance with section 35CA of the Fisheries Act 1905, I have approved the amendment of the Processors Licence number 1187 issued to Shreeves Frozen Foods to allow the processing of prawns at 10 Stevenage Street, Yanchep, subject to the following conditions—

That the processing establishment subject to this permit-

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

HEALTH

HE301

RADIATION SAFETY ACT 1975

RADIATION SAFETY (GENERAL) AMENDMENT REGULATIONS 1993

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the Radiation Safety (General) Amendment Regulations 1993.

Principal regulations

- 2. In these regulations the Radiation Safety (General) Regulations 1983* are referred to as the principal regulations.
 - [* Published in the Gazette of 21 February 1983 at pp. 555-636. For amendments to 3 March 1993 see 1991 Index to Legislation of Western Australia, p. 460 and Gazettes of 24 January, 26 June and 7 August 1992.]

Schedule IX amended

- 3. Schedule IX to the principal regulations is amended by deleting item 1 and substituting the following item
 - In the case of irradiating apparatus which is operated or used for dental radiography, including panoramic (tomographic) and cephalometric radiography —
 - (a) the x-ray tube shall be enclosed in a housing in such a manner that the absorbed dose rate in air from leakage radiation measured at a distance of 1 metre from the focus of that x-ray tube does not exceed
 - (i) for apparatus used with intra-oral x-ray film, 0.25 milligray in 1 hour; and
 - (ii) for other apparatus, 1 milligray in 1 hour,
 - at every rating specified by the manufacturer for that tube in that housing and, to determine compliance with this condition, measurements may be averaged over an area not larger than 10 000 square mms at a distance of 1 metre from that tube;
 - (b) cones, diaphragms or collimators which serve to limit the useful beam shall be so constructed that, in combination with the x-ray tube housing, they comply with the leakage radiation limits set out in paragraph (a);

- (c) the minimum power capability of apparatus
 - (i) used for
 - (A) dental radiography with intra-oral x-ray film; or
 - (B) lateral oblique radiography of the mandible with extra-oral x-ray film,

or both, shall be 60 kV(peak) at 7 milliamps for 3 seconds;

- (ii) used for dental radiography with intra-oral x-ray film but also used for cephalometric or trans-cranial tempero-mandibular joint radiography, shall be 70 kV(peak) at 10 milliamps for 3 seconds;
- (d) the selected
 - (i) tube potential difference in kV(peak), the x-ray tube current in milliamps (mA) and the exposure time in seconds or fractions of a second; or
 - (ii) kV(peak) and the product of the tube current and exposure time (mAs),

shall be indicated by analogue meters, digital displays or scales, or calibrated permanent markings, but apparatus which provides for object programmed control (exposure selection by diagrammatic representations of the part to be examined) shall indicate the exposure time in seconds on the control panel;

- (e) when object programmed control exposure times can be modified by a further control which can be adjusted to account for variations in the speed of the film used —
 - that control shall be provided with a tool for its adjustment;
 - (ii) that control shall be clearly labelled to indicate its purpose; and
 - (iii) there shall be clearly indicated on or adjacent to that control the setting to be used with "D" speed intra-oral x-ray film;
- (f) all conductors to the primary winding of the high voltage transformer shall be effectively inoperable when the exposure switch is in the OFF position and the failure of any component of the timing circuit or an earth fault shall not lead to the production of xrays;
- (g) the useful x-ray beam shall incorporate filtration so that the half value layer of the useful x-ray beam for a given x-ray tube potential in kV(peak) is not less than the values given in the following table —

TABLE

Design Operating Range	Measured Potential	Half Value Layer	
(kV(peak))	(kV(peak))	(millimetres of aluminium)	
60 to 70	60	1.5	
	70	1.5	

Design Operating	Measured Potential	Half Value Layer	
Range (kV(peak))	(kV(peak))	(millimetres of aluminium)	
Above 70	71	2.1	
	80	2.3	
	90	2.5	
	100	2.7	
	110	3.0	
	120	3.2	
	130	3.5	
	140	3.8	
	150	4.1	

- (h) the exposure timer shall be electronic and the circuit of the apparatus shall be so designed that in the event of any component failure such failure is to a safe condition and does not lead to the x-ray tube becoming energized or continuing to be energized;
- (i) it shall not be possible to initiate an exposure without the exposure timer set to a nominated exposure time greater than zero (or to a projection in the case of an object programmed control) and the exposure control switch shall be protected against accidental operation;
- (j) the apparatus shall incorporate -
 - (i) a visual signal in the form of a yellow light which
 - (A) is clearly visible;
 - (B) is marked as to its function; and
 - (C) illuminates when the x-ray tube is energized;

and

 (ii) an audible signal (discernible from sounds produced by switching devices or contactors during the exposure) which sounds for the duration of the exposure or at its termination,

and both the visual and audible signals shall be -

- (iii) located at the control panel; or
- (iv) in the case of remotely controlled equipment, where those signals could not otherwise be seen or heard, at the position of the operator;
- (k) the exposure control switch shall be so arranged that the operator can remain well outside the useful x-ray beam and at least 2 metres from the x-ray tube and the patient during the exposure, but if this distance cannot be achieved and if the Council so requires, a protective barrier shall be provided;
- (l) where the exposure is initiated by an infra-red or wireless remote control handpiece, that handpiece shall
 - be encoded so that no other remote control handpiece can initiate exposures;
 - (ii) be permanently labelled with a warning identifying the purpose of the handpiece; and
 - (iii) have provision at the control panel for its storage;

- (m) the exposure control switch, including that for infrared or wireless remote control handpieces, shall be "dead man" so that continuous pressure is necessary to maintain the x-ray exposure and it shall not be possible to make repeat exposures without releasing that switch;
- (n) it shall not be possible to initiate an exposure other than for a preset time interval, except in the case of apparatus equipped with an automatic exposure control device, in which case an overriding timer shall be provided to limit the total exposure time —
 - (i) in the case of apparatus used with intra-oral x-ray film for
 - (A) lateral oblique examinations of the mandible; or
 - (B) cephalometric examinations,

to not more than 3 seconds; and

- (ii) in the case of panoramic (tomographic) apparatus, to not more than 20 seconds;
- (o) the accuracy of the timer shall ensure that
 - (i) the measured exposure time is within plus or minus 10% for exposure times greater than or equal to 0.1 second and within plus or minus 20% for exposure times less than 0.1 second, with the exposure time in seconds determined
 - (A) for single phase generators, by counting the total number of pulses in the radiation waveform and multiplying by a factor of 0.02 if half wave rectified or a factor of 0.01 if full wave rectified; and
 - (B) for other generators, from the time the radiation waveform first rises to 65-85% of the kV(peak) until the time at which it finally drops below this value of the final peak;
 - (ii) for any specified combination of selected exposure factors the coefficient of variation (as defined below) of radiation exposure does not exceed 0.05 and compliance with this requirement shall be based on 10 consecutive measurements taken within 60 minutes each with an exposure time of not less than 0.1 seconds.

Coefficient of variation (C) means the ratio of the standard deviation to the mean value of a series of measurements calculated as follows —

$$C = \frac{S}{\overline{X}} = \frac{1}{\overline{X}} \begin{bmatrix} \frac{n}{\sum_{i=1}^{n} (X_i - \overline{X})^2} \\ \frac{i=1}{n-1} \end{bmatrix}^{1/2}$$

Where -

 $X_i = ith measurement$

 \overline{X} = mean value of measurements

S = estimated standard deviation

n = number of measurements;

- (p) the current delivered to the x-ray tube shall be within plus or minus 15% of the indicated value;
- where the tube current can be varied, then for any single value of the x-ray tube voltage in kV(peak) within the range specified for the apparatus, the average ratios of the dose in air (in milligray) to the product of the tube current and exposure time (as mAs) obtained at any 2 tube current settings at the same focal spot size, shall not differ by more than 0.2 times their mean calculated as follows—

$$\mid \overline{K}_1 - \overline{K}_2 \mid \leq 0.2 \times \frac{\overline{K}_1 + \overline{K}_2}{2}$$

Where ---

 \overline{K}_1 and \overline{K}_2 = the average of 10 consecutive measurements of the ratios of the measured values of the dose in air to the mAs;

- (r) the kilovoltage applied to the x-ray tube shall be within plus or minus 5% or plus or minus 5 kV(peak), whichever is the lesser, of the nominal or pre-set value averaged over the first 100 milliseconds of the exposure;
- (s) except for equipment used for panoramic (tomographic) radiography, the x-ray tube head shall remain stationary when placed in position for radiography;
- (t) where a light beam collimator is provided to define the shape and size of the useful x-ray beam
 - the illuminance of the light beam shall not be less than 100 lux at a distance of 1 metre from the focal spot of the x-ray tube or at the plane of the x-ray film, whichever is the lesser;
 - (ii) the contrast (as defined below) at the edge of the illuminated field at the distance referred to in subparagraph (i) shall not be less than 3.

"contrast" means the ratio of the illumination measured 3 mms from the edge of the field towards the centre of the field to the illumination measured 3 mms from the edge of the field away from the centre of the field, using a measuring aperture not greater than 1 mm;

- (iii) the collimator shall be designed so that the irradiated area does not exceed the illuminated area under any conditions and the edges of the irradiated and illuminated areas are coincident to within 10 mm at 100 cms;
- (iv) the collimator shall be attached to the x-ray tube housing so that it cannot be detached without the use of tools;

- (u) for apparatus intended for use with intra-oral x-ray film and which may also be used for lateral oblique examinations of the mandible, the cone, diaphgram or collimator referred to in paragraph (b)
 - (i) shall limit the diameter of the useful beam at the end of that cone, diaphragm or collimator to a diameter not exceeding 60 mm or, if the x-ray beam is not circular, to a maximum diagonal dimension of 60 mm; and
 - (ii) shall be open ended and shall be so constructed that the minimum distance from the outer end to the x-ray tube focus is not less than 200 mm and the internal diameter is greater than the diameter of the useful beam at the outer end;
- (v) for apparatus used for panoramic (tomographic) radiography, the cone, diaphragm or collimator referred to in paragraph (b)
 - (i) shall provide a useful x-ray beam with dimensions not greater than the dimensions of the slot in the secondary collimator immediately adjacent to the x-ray film and that cone or diaphragm shall also restrict the vertical dimension of the useful beam so that it cannot exceed the height of the x-ray film (or its smallest dimension); and
 - (ii) in conjunction with the x-ray tube housing shall limit the distance between the x-ray tube focus and the patient's skin to not less than 150 mm;
- (w) for apparatus used for cephalometric radiography
 - (i) the cone, diaphragm or collimator referred to in paragraph (b) shall restrict the useful beam to the size of the x-ray film and shall not exceed —
 - (A) 180 x 240 mm or 180 mm in diameter for an x-ray film with dimensions of 180 mm x 240 mm; and
 - (B) 240 x 300 mm or 240 mm in diameter for an x-ray film with dimensions of 240 x 300 mm;

- (ii) the x-ray tube and x-ray film shall be so arranged that the x-ray tube focus to film distance is not less than 1.5 metres and the minimum x-ray tube focus to the patient entrance surface is not less than 300 mms;
- (x) where the apparatus is designed
 - exclusively for one of the purposes referred to in paragraph (u) or (v), the cone, diaphragm or collimator shall be attached to the x-ray tube housing so that it cannot be detached without the use of tools;
 - (ii) for more than one such purpose, the cone, diaphragm or collimator selected shall be interlocked so that the use of the apparatus is restricted only to the purpose appropriate to that cone, diaphragm or collimator;
- (y) the x-ray tube assembly shall be marked with
 - (i) the name of the supplier or manufacturer;

- (ii) the type number of the x-ray tube or the x-ray tube assembly;
- (iii) the nominal value of the inherent filtration of the x-ray tube assembly and, where appropriate, the value of any permanently added filtration including that provided by cones, diaphragms or collimators;
- (iv) the position and nominal size of the focal spot or spots;
- (v) the values of the x-ray tube potential in kV(peak) and the tube current where those values are fixed;
- (z) intra-oral x-ray tubes shall not be used;and
- (za) fluoroscopy shall not be used.

Schedule XI amended

- 4. Schedule XI to the principal regulations is amended in item 1 by deleting paragraphs (f) and (g) and substituting the following paragraphs
 - (f) facilities shall be provided to enable the x-ray film taken by that irradiating apparatus to be processed in the manner specified by the manufacturer of that film and
 - for other than dry to dry automatic film processors, those facilities shall include —
 - (A) a non-mercury thermometer with the scale marked at least every 1°C or a digital thermometer accurate to plus or minus 0.2°C;
 - (B) a timer to measure the elapsed developing time which can be set to within plus or minus 15 seconds of the required time prior to development;
 - (C) a time-temperature graph for the developer in use which indicates the appropriate developing time according to the temperature of the developer;
 - (ii) for self-contained processing systems that do not necessarily require a darkroom, those facilities
 - (A) shall have inherent design and construction features which exclude all extraneous light; and any viewing window into a self-contained system shall provide illumination appropriate to the x-ray film in use and shall not visibly increase the density of the x-ray film if exposed to that light for a period equal to twice the normal handling time; and
 - (B) where self-contained processing systems are not specifically designed to process x-ray films other than intra-oral x-ray films, shall not be used for processing other than intra-oral x-ray films;
 - (iii) for the processing of panoramic, cephalometric, or lateral oblique radiographs of the mandible, the person in whose name premises are registered shall comply with the requirements of the publication entitled "Code of Practice for the Use of Panoramic (Tomographic) X-Ray Equipment" issued by the Council in December 1984;

- (iv) where a darkroom is required, those facilities shall include a room that is
 - (A) light tight; and
 - (B) illuminated by a safe light appropriate to the x-ray film being developed and that light shall be installed in a location where the illumination will not visibly increase the density of the x-ray film if exposed to that light for a period equal to twice the normal handling time;

and

(g) where the person in whose name premises are registered intends using a developer and film processing techniques other than those specified by the manufacturer for the x-ray film or films in use, that person shall provide data in a form acceptable to the Council which proves that the use of that developer and those techniques do not have the effect of lowering the speed of the x-ray film when compared with the developer and techniques specified by the manufacturer.

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

HE302

POISONS ACT 1964

POISONS AMENDMENT REGULATIONS 1993

Made by His Excellency the Governor in Executive Council.

Citation

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

Commencement

2. These regulations shall come into operation on the day on which the Poisons (Scheduled Substances) Amendment Order 1993 comes into operation.

Principal regulations

- 3. In these regulations the Poisons Regulations 1965* are referred to as the principal regulations.
 - [* Reprinted in the Gazette of 7 January 1993.]

Regulations 29, 29A and 29B are repealed

4. Regulations 29, 29A and 29B of the principal regulations are repealed.

Regulation 30 amended

- 5. Regulation 30 of the principal regulations is amended by deleting regulations 29 or and substituting the following —
- ' regulation ".

Regulation 38A amended

- 6. Regulation 38A (2) (a) of the principal regulations is amended
 - (a) in subparagraph (i) by deleting "patient at a hospital" and substituting the following
 - " person admitted to a hospital as a patient ";
 - (b) in subparagraph (ii) by deleting "a matron" and substituting the following
 - " the director of nursing "; and
 - (c) in subparagraph (iii) by deleting "patient in a hospital" and substituting the following
 - " person admitted as a patient to a hospital ".

Regulation 38AA inserted

- 7. After regulation 38A of the principal regulations, the following regulation is inserted —
- " Administration of Fourth Schedule drug in hospital
 - 38AA. (1) Subject to subregulation (2) a person, other than a medical practitioner or a dentist, shall not administer a Fourth Schedule drug to a patient in a hospital unless the administration of the drug is authorized in writing on the medication chart of the patient by a medical practitioner or a dentist.
 - (2) A medical practitioner or dentist may verbally authorize the administration of a Fourth Schedule drug and shall within 24 hours of so doing note such authorization in writing on the medication chart of the patient.

Regulation 38J amended

- 8. Regulation 38J of the principal regulations is amended in the Table to the regulation by inserting after the item "4-aminopyridine." the following item —
- " ceftiofur. ".

Regulation 40 amended

- 9. Regulation 40 (1) of the principal regulations is amended in paragraph (f) by deleting "a matron" and substituting the following —
- " the Director of Nursing ".

Regulation 44 amended

- 10. Regulation 44 (5) of the principal regulations is amended
 - (a) in paragraph (f) by deleting "supplied." and substituting the following
 - ' supplied; and "; and
 - (b) by inserting after paragraph (f) the following paragraph
 - " (g) his or her signature against each entry.

Regulation 46 amended

- 11. Regulation 46 of the principal regulations is amended by inserting after subregulation (1) the following subregulation
 - (1a) A person referred to in subregulation (1) shall sign each entry he or she makes in the record.

Regulation 50 amended

- 12. Regulation 50 of the principal regulations is amended
 - (a) in paragraph (b) by deleting "matron" and substituting the following
 - " director of nursing "; and
 - (b) by inserting after paragraph (b) the following paragraphs
 - (c) subject to paragraph (d), a person, other than a medical practitioner or dentist shall not administer a drug of addiction to a patient in a hospital unless the administration of the drug is authorized in writing on the medication chart of the patient by a medical practitioner or a dentist;
 - (d) a medical practitioner or dentist may verbally authorize the administration of a drug of addiction and shall within 24 hours of so doing note such authorization in writing on the medication chart of the patient.

Appendix J amended

- 13. Appendix J to the principal regulations is amended by inserting before the item commencing "HYDROCORTISONE" the following item —
- ". ASTEMIZOLE, when included in the Third Schedule.

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

HE303

POISONS ACT 1964

POISONS (SCHEDULED SUBSTANCES) AMENDMENT ORDER 1993

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

Citation

1. This order may be cited as the Poisons (Scheduled Substances) Amendment Order 1993.

Appendix A amended

- 2. Appendix A to the Poisons Act 1964* is amended
 - (a) in clause 1 by deleting paragraphs (a), (b), (c), (d), (e) and (f) and substituting the following paragraphs
 - (a) that substance prepared from natural sources or artificially;

- every salt, active principle or derivative of the substance and every salt of such an active principle or derivative;
- (c) every alkaloid of the substance and every salt of such alkaloid;
- except where the poison is levomethorphan or levorphanol, every stereoisomer of the substance and every salt of such a stereoisomer;
- (e) a preparation or admixture containing any proportion of the substance; and
- (f) in the case of an Eighth Schedule poison every ester and ether of the substance and every salt of such an ester or ether.
- (b) by inserting after clause 1 the following clause
 - 1A. (1) In a schedule "1 per cent" when used in respect of a substance means
 - (a) in the case of a liquid substance or preparation, a substance or preparation containing 1 gram of the poison or the hazardous substance per 100 millilitres of the substance or preparation; or
 - (b) in the case of a solid or semi-solid substance or preparation, a substance or preparation containing 1 gram of the poison or the hazardous substance per 100 grams of the substance or preparation.
 - (2) Any expression of greater or lesser percentages shall have a corresponding meaning.
 - (3) In the case of morphine or codeine, such percentages shall be calculated as an anhydrous substance.
 - (4) In a schedule a reference to a boiling or distillation temperature means that temperature at an atmospheric pressure of 101.325 kPa (760 mm Hg).
- (c) by deleting clause 2 and substituting the following clause
 - 2. In a schedule "designated solvent" means
 - (a) ACETONE;
 - (b) DIMETHYLFORMAMIDE;
 - (c) HYDROCARBONS (liquid);
 - (d) METHANOL [when included in the Fifth Schedule];
 - (e) METHYL ETHYL KETONE;
 - (f) METHYL ISOAMYL KETONE;
 - (g) METHYL ISOBUTYL KETONE;
 - (h) PHENYL METHYL KETONE;
 - (i) STYRENE;
 - (j) TETRACHLOROETHYLENE; or
 - (k) 1,1,1-TRICHLOROETHANE.

,

";

"

- in the list following the First Schedule under the heading "Excluding, however, the substances hereinbefore mentioned when contained in any of the following" in the item commencing "LUBRICANTS" by deleting "excluding" and substituting the (d) following except (e) in the Second Schedule in the item commencing "ATROPINE" in paragraph (b) by deleting "six," and substituting the (i) following 20, packed in blister or strip packaging in the item commencing "BENZAMINE" in paragraph (c) by deleting "benzamine" and substituting the (ii) following local anaesthetic substances in the item commencing paragraph (c) by deleting (iii) "BENZOCAINE" "benzocaine" substituting the following local anaesthetic substances in the item commencing "BROMPHENIRAMINE" by deleting "compounded" and substituting the (iv) and substituting the following included in the item commencing "BUTYLAMINOBENZOATE" in paragraph (c) by deleting "butylaminobenzoate" and substituting the following — (v) local anaesthetic substances (vi) after the item commencing "CARBETAPENTANE" by inserting the following item -CHLORBUTOL for human use in topical preparations containing 5 per cent or less of chlorbutol. in the item commencing "CHLORPHENIRAMINE" by deleting "compounded" and substituting the (vii) following included (viii) in the item commencing "DEXCHLORPHENIRAMINE" deleting "compounded" and substituting the following included in the item commencing "DIPHENHYDRAMINE" by deleting "compounded" and substituting the (ix)following included in the item commencing "DIPHENYLPYRALINE" by deleting "compounded" and substituting the (x) following included
 - (xi) in the item commencing "DOXYLAMINE" by deleting "compounded" and substituting the following
 - " included ":

- (xii) in the item commencing "IODINE" by inserting after "IODINE" the following
 - " (excluding radiographic contrast media) "
- (xiii) in the item commencing "ISOSORBIDE DINITRATE" by deleting "for therapeutic use" and substituting the following
 - " in oral preparations containing 10 mg or less of isosorbide dinitrate per dosage unit
- (xiv) in the item commencing "LIGNOCAINE" in paragraph (c) by deleting "lignocaine" and substituting the following
 - local anaesthetic substances ";
- (xv) in the item commencing "PHENIRAMINE" in paragraph (b) by deleting "compounded" and substituting the following
 - " included ":
- (xvi) in the item commencing "PROMETHAZINE" in paragraph (b) by deleting "compounded" and substituting the following
 - ' included ":
- (xvii) in the item commencing "THENYLDIAMINE" in paragraph (b) by deleting "compounded" and substituting the following
 - " included ":
- (xviii) in the item commencing "TRIMEPRAZINE" by deleting "compounded" and substituting the following
 - " included ";
- (xix) in the item commencing "TRIPROLIDINE" by deleting "compounded" and substituting the following
 - " included "; and
- in the list following the Second Schedule under the heading "Excluding, however, the substances hereinbefore mentioned when contained in any of the following" in the item commencing "LUBRICANTS" by deleting "excluding" and substituting the following
 - " except ";
- (f) in the Third Schedule -
 - (i) after the item commencing "AMINOPHYLLINE" by inserting the following item
 - ASTEMIZOLE as the only therapeutically active substance in divided preparations for oral use containing 10 mg or less of astemizole per dosage unit in a pack containing 10 or less dosage units.

- (ii) by deleting the item commencing
 - ' DITHRANOL "

- (g) in the Fourth Schedule -
 - (i) in the item commencing "ARSENIC" by inserting after "for" the following
 - " human ";
 - (ii) in the item "ASTEMIZOLE" by inserting after "ASTEMIZOLE" the following
 - 'except when included in the Third Schedule.
 - (iii) by deleting the item "BUPRENORPHINE";
 - (iv) in the item commencing "CHLORBUTOL" by deleting "oral use, except in preparations containing 0.5 per cent or less of chlorbutol as a preservative" and substituting the following
 - " internal use, except
 - (a) when included in the Second Schedule; or
 - (b) in preparations containing 0.5 per cent or less of chlorbutol as a preservative
 - (v) by deleting the item "2-(4-CHLOROPHENYL)-1,2,4-TRIAZOLE{5,1a}-ISOQUINOLINE" and substituting the following item
 - 2-(4-CHLOROPHENYL)-1,2,4-TRIAZOLE-[5,1a]-ISOQUINOLINE
 - (vi) by deleting the item commencing "EPHEDRINE" and substituting the following item —
 - " EPHEDRINE ":
 - (vii) in the item "GROWTH HORMONE" by inserting after "GROWTH HORMONE" the following
 - " (Human) ":
 - (viii) in the item commencing "MERCURY" by inserting after "for" the following
 - " cosmetic or ";
 - (ix) by deleting the item commencing "PHENYLEPHRINE" and substituting the following item
 - " PHENYLEPHRINE
 - (a) in preparations for injection; or
 - (b) in preparations for human ophthalmic use containing 5 per cent or more of phenylephrine.
 - (x) by deleting the item commencing "PITUITARY" and substituting the following item
 - PITUITARY HORMONES except when separately specified in these Schedules.
 - (xi) by inserting after the item "SULFADOXINE" the following item
 - " SULFONAMIDES, except
 - (a) when separately specified in this Schedule;
 - (b) when included in the Sixth Schedule;

- (c) sulphaquinoxaline when incorporated in
 - (i) baits for the destruction of vermin; or
 - (ii) animal feeds containing 200 m g / k g o r l e s s o f sulphaquinoxaline; or
- (d) oryzalin.

";

- (xii) by deleting the item commencing "SULPHONAMIDES";
- (xiii) by inserting in their appropriate alphabetical positions the following items
 - ANISTREPLASE.

AZATHIOPRINE.

CEFTIOFUR.

CLOFAZIMINE.

COLFOSCERIL PALMITATE for human therapeutic use.

CORTICOTROPHIN.

DESFERRIOXAMINE.

DIDANOSINE.

DITHRANOL for human therapeutic use.

DOXAZOSIN.

ENOXACIN.

FLUCONAZOLE.

ISOSORBIDE DINITRATE except when included in the Second Schedule.

ISOSORBIDE MONONITRATE

KETOROLAC TROMETAMOL.

LEVOBUNOLOL.

PERINDOPRIL.

THYMOXAMINE HYDROCHLORIDE.

2

- (xiv) in the list following the Fourth Schedule under the heading "Excluding, however, the substances hereinbefore mentioned when contained in any of the following" in the item commencing "LUBRICANTS" by deleting "excluding" and substituting the following
 - except "
- (h) in the Fifth Schedule
 - (i) in the item commencing "METHYLATED SPIRIT(S)" by deleting "iso butyl" and substituting the following
 - " isobutyl '

- (ii) in the item commencing "METHYL ISO AMYL KETONE" by deleting "ISO AMYL" and substituting the following
 - " ISOAMYL ":
- (iii) in the item commencing "METHYL ISO BUTYL KETONE" by deleting "ISO BUTYL" and substituting the following
 - " ISOBUTYL ":
- (iv) by deleting the item commencing "SODIUM HYDROXIDE" and substituting the following
 - SODIUM HYDROXIDE (excluding its salts and derivatives) in preparations containing 5 per cent or less of sodium hydroxide being —
 - (a) solid preparations the pH of which in a 10 g/L aqueous solution is more than 11.5; or
 - (b) liquid or semi-solid preparations the pH of which is more than is 11.5.
- (v) by inserting in their appropriate alphabetical positions the following items
 - " CYCLOXYDIM.

FENCHLORAZOLE-ETHYL.

LAMBDA-CYHALOTHRIN in aqueous formulations containing 1 per cent or less of lambda-cyhalothrin.

LUFENURON.

- SODIUM HYDROSULPHITE when packed for domestic use except in preparations containing 10 per cent or less of sodium hydrosulphite.
- (vi) in the list following the Fifth Schedule under the heading "Excluding, however, the substances hereinbefore mentioned when contained in any of the following" in the item commencing "LUBRICANTS" by deleting "excluding" and substituting the following —
 - " except ";
- (i) in the Sixth Schedule
 - (i) in the item commencing "DIMETHYL FORMAMIDE" by deleting "DIMETHYL FORMAMIDE" and substituting the following
 - " DIMETHYLFORMAMIDE "
 - (ii) in the item commencing "ISOCYANATES"
 - (A) by deleting "semi-solid polyurethane" and substituting the following
 - " viscous polyurethane adhesives and

":

- (B) by inserting after "isocyanates", in the second place where it occurs, the following
 - " boiling below 300°C "

- (iii) in the item commencing "SELENIUM" in paragraph (b) -
 - (A) by deleting "fertilizer"; and
 - (B) by inserting after "selenium" in the first place where it occurs, the following
 - for application to pasture "
- (iv) by deleting the item "SULPROPHOS" and substituting the following item
 - " SULPHROFOS "; and
- (v) in the list following the Sixth Schedule under the heading "Excluding, however, the substances hereinbefore mentioned when contained in any of the following" in the item commencing "LUBRICANTS" by deleting "excluding" and substituting the following
 - " except "
- (j) in the Seventh Schedule -
 - (i) by deleting the item commencing "ARSENIC" and substituting the following item
 - " ARSENIC except
 - (a) when included in the Fourth or Sixth Schedules;
 - (b) as selenium arsenide in photocopier drums;
 - (c) as 10,10'-oxydiphenoxarsine in silicone rubber mastic containing 120 mg/kg or less of arsenic;
 - (d) in animal feeds containing 75 g/tonne or less of arsenic; or
 - (e) in paints containing 0.1 per cent or less of arsenic when calculated on the non-volatile content of the paint.
 - (ii) by deleting the item commencing "HYDROCYANIC ACID" and substituting the following item —
 - " HYDROCYANIC ACID except
 - (a) when included in the Fourth Schedule; or
 - (b) its salts and derivatives other than cyanides separately specified in this Schedule.
 - (iii) in the item commencing "LAMBDA-CYHALOTHRIN" by inserting after "the" the following
 - " Fifth or ";
 - (iv) by deleting the item commencing "SELENIUM" and substituting the following item —
 - " SELENIUM except
 - (a) when included in the Fifth or Sixth Schedule;
 - (b) as selenium arsenide in photocopier drums;

- (c) as preparations for therapeutic use other than drench concentrates containing 2.5 per cent or less of selenium; or
- (d) in fertilisers containing 200 g/tonne or less of selenium.

and

- (v) by inserting, in their appropriate alphabetical positions, the following
 - " METHOXYETHYLMERCURIC ACETATE.

METHOXYETHYLMERCURIC CHLORIDE.

PHENYLMERCURIC ACETATE except in preparations containing 0.01 per cent or less of mercury as a preservative.

- (k) in the Eighth Schedule by inserting after the item "BUFOTENINE" the following item
 - BUPRENORPHINE
- [* Reprinted as at 18 November 1986. For amendments to 10 December 1992, see 1991 Index to Legislation of Western Australia, pp. 160-61 and Gazettes of 16 April and 7 August 1992.]

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

HE401

HEALTH ACT 1911

Health Department of WA, Perth, 20 May 1993.

8020/93.

The appointment of Mr Glenn Ernest Sargeson and Miss Gabrielle Naomi Snook as Environmental Health Officers to the City of Bayswater effective from 3 May 1993 is approved.

BRIAN DEVINE, delegate of Executive Director Public Health.

HE402

HEALTH ACT 1911

Health Department of WA, Perth, 20 May 1993.

7667/90.

The cancellation of the appointment of Mr Kevin James Pond as an Environmental Health Officer to the City of Rockingham effective from 16 April 1993 is hereby notified.

BRIAN DEVINE, delegate of Executive Director Public Health.

HE403

HEALTH ACT 1911

Health Department of WA, Perth, 18 May 1993.

8432/92.

The cancellation of the appointment of Mr Roger Crouch as an Environmental Health Officer to the Shire of Kojonup effective from 30 April 1993 is hereby notified.

The appointment of Miss Yvette Mortimer as an Environmental Health Officer (Meat) to the Shire of Kojonup effective from 10 May 1993 is approved.

BRIAN DEVINE, delegate of Executive Director Public Health.

HE404

HEALTH ACT 1911

Health Department of WA, Perth, 19 May 1993.

9073/89.

The appointment of Mr David Bernard Barrett as an Environmental Health Officer to the Town of Cottesloe effective for the period 10 May 1993 to August 1993 is approved.

BRIAN DEVINE, delegate of Executive Director Public Health.

HE405

HEALTH ACT 1911

Health Department of WA, Perth, 19 May 1993.

9087/89.

The appointment of Mr Alan Roland James as an Environmental Health Officer (Meat) to the Shire of Plantagenet effective from 3 May 1993 is approved.

BRIAN DEVINE, delegate of Executive Director Public Health.

HE406

HEALTH ACT 1911

Health Department of WA, Perth, 18 May 1993.

8298/92.

The appointment of Mr David Coultas as an Environmental Health Officer to the Shire of Broome effective from 10 May 1993 is approved.

BRIAN DEVINE, delegate of Executive Director Public Health.

HE407

ANATOMY ACT 1930

Health Department of WA, Perth 11 May 1993.

File No. 104/90/3.

ExCo No. 0698.

His Excellency the Governor in Executive Council has granted, under the provisions of the Anatomy Act 1930, licences to the persons named in the Schedule hereunder to practise Anatomy at the University of Western Australia.

RICHARD LUGG, delegate of Executive Director Public Health.

Schedule.

ABDUL HALIM, Siti ABDUL RAHMAN, Razita AFFLECK, Roslyn AHMAD-YUSSOF, Noorafzah ALI, Fiona ALI, Huda ALIEN, Craig ANDERSON, Robyn ANDERSON, Scott ANDERTON, Emma-Lee ANDREWS, Sharon ANGLISS, Caroline ARCHER, Adrian ARCHER, Tiffany ARTHUR, Michelle AUSTIN, Kristan BACK, James BAILEY, Julia BAKER, Robert BALCH, Marissa BANDY, Gregory BAPTISTA, Sheila BARNSLEY, Sarah BATKA, Christopher BAZEN, Jennifer BEARD, Claire BELL, Bradley BERG, Melissa BICKLEY, Belinda BLACK, Mary BODYCOAT, Nicole BONE, Christine BONOMELLI, Maninda BOUDAMES, Slieman BOWEN, Sara BRANS, John BRAY, Melanie BRIALEY, Madeleine BRNJAK, Gemila BROOKE, Celia BROWN, Brooklyn BRYANT, Jayne BURKE, Shane BUTT, Catherine CAKE, Melissa CALDER, Jamie CAMINS, Christina CAPLE, Naomi CAPORN, Fiona CARDENIA, Vincenzo CARTER, Christopher CARVILLE, Kylie CASSETTAI, Rosemarie CATALANO, Dianne CATANIA, Angela

CAUDLE, Travis

CAVANEY, Fiona CHAI, Darren CHALLEN, Dianne CHAN, Kenny CHANDRAN, Nicholas CHAPMAN, Peter CHEETHAM, Craig CHEN, Yvonne CHESSON, Daniel CHIN, Gwendlyn CHINNERY, Liam CHIRANAKORN, Thamanoon CHNG, Hui Hung CHONG, Ee-Fong CHOW, Choi CLAYDEN, Mark CLUNE, Jarrod COATES, Leah COLE, Shona COLLETT, James COLLIS, Raelene COLLOVA, Salvatore CONNOR, Andrew CONNOR, Angela COOK, Glen COOPER, David COOPER, Damian COOTE, Louise COSBY, Mark COWAN, Dennis CRAIN, Elliot CREGAN, Bernard CRESP, Linda CRIBB, Kirsty CRONIN, Lana CROSS, David CRUICKSHANK, Christopher CULLEN, Celia DANIEL, Benjamin DASHLOOTY, Ashraf DAVIES, Bronwyn DAVIS, Anthony DE-VRIES, Samuel DE ALWIS, Manjitha DE GOIS, Brendon DERBYSHIRE, Royce DIMMOCK, Paul DO, Hien DONALD, Scott DONNELLY, Paul DORRINGTON, Nicole DOWLING, Rodney DUFFY, Brendan DUNHAM, Chad DUPUY, Fiona DURLING, Samantha

DUURING, Amanda DUURING, Paul EASTMAN, Anthony EDGECOMBE, Danielle EDWARDS, Jonathon EDWARDS, Natalie EDWARDS, Nicole EDWARDS, Rebecca EFTOS, Jason EGERTON-WARBURTON, Edwina ELDERFIELD, Elizabeth ELLERY, Gavin ELLINGS, Robert ELLIOTT, Lisa ENGELHARD, Katrina FAHIMIAN, Farhad FARRELL, Carl FARROW, Martyn FAWKNER, Lara FEATHERBY, Jason FELTON, David FEMIA, Angelo FIGLIOMENI, Lisa FINNEY, Robert FLAVEL, Ambika FLYNN, Bradley FOO, Fong Fong FORD, Lucas FOSTER, Jennifer FOWERS, Christopher FRANKLYN, Peter FRIDAY, Suzanne FROSH, Michelle FUSSELL, Mark GARTON, Brendon GAULT, David GERSCHWITZ, Jane GIESEMANN, Sascha GILLON, David GOODERSON, Rodney GORDON, Bruce GORMAN, Travis GRASSI, Írene GREEN, Julianne GREEN, Shane GROOM, Susan GURUMOORTHY, Karthy HADFIELD, Lesley HADLOW, Lee HALL, Christine
HALL, Eileen-Joan
HAMPSON, Felicity
HANSEN-KNARHOI, Damon HARPER, Jacqueline HARPER, Narelle HARRINGTON, Simone HARRIS, Justin HART, Frith HART, Nicola HARVEY, Jeromy HAYES, Jemma HEAD, Murray HENDERSON, Perrie HILL, Donald HINE, Lee-Anne HOLMES, Paula HOWDEN, Andrea HOWELL, Smudee HRABAR, Marcelle HUANG, David HUI, Jennie HUMPHRIS, Sharon HUNT, Amanda HURBA, Matthew IANNOPOLLO, Carmel

ILES, Kepa JACKSON, Eryn JACKSON, Eryn
JAKOWYNA, Suzanne
JAMIESON, Sarah
JARVIS, Virginia
JEFFS, Stuart
JENKINSON, Caroline
JENSEN, Arna-Lee
JOHNSON, Genevieve JOSLIN, Rebecca JOUBERT, Yolande KELLY, Carolyn KELLY, Roseanne KELLY, Suzanne KENDALL, Carmen KENNEDY, Elicia KENT, Aaron KHOO, Horng KHOO, Samuel KIRBY, William KIRKHAM, Georgiana KIRKLAND, Donna KLASS, Simon KLIFUNIS, Connie KLVANA, Charles KONG, Heidi KOUGÍANOS, Elizabeth LAKE, Cassandra LAM, Maria LAM, Mydinh LAMONT, Matthew LAN, Rommel LAN, Roinfiel
LAU, Terry
LAURENCE, Nicholas
LAWSON, Clair
LAWTON, Tracy LE, Trung LEE, Chen
LEE, Jia-Shin
LEE, Janice
LEE, Wing
LEECY, Tamazin
LE MERLE, Rene LEVY, Avram LILLYWHITE, Robert LIM, Caroline LIM, Hun LINDQUIST, Carrie LINDSEY, Rebecca LITHGO, Cara LIVINGSTONE, Sally LLOYD, Claudia LLOYD, Deborah LOCK, Peta LOGUE, Melanie LOUGHREY, Robyn LOVE, Jennefer LOWES, Kym LOY, Li-May LUONG, Anh LUONG, Dee-Anna LY, Giang LY, Tina
MACKENDRICK, Andrew MACPHERSON, Rebecca MAGILL, Paul MAHONY, Sarah MANGANO, Jonathan MANNERS, Kristy MARTIN, Natasha MARTIN, Stephanie MATHIESON, Kirsten MATUSIAK, Holly MCCALLUM, Michael

MCCORMACK, Kate MCGREGOR, Lindsay MCKAY, Ryan MCKENNA, Helen MCPHERSON, Nola MEECHAN, Amanda MILLER, Nerillee MILLS, Jason MOHAMAD, Masriza MOHAMMAD SALLEH, Mohd MOSCHILLA, Iole MOSES, James MOSS, Nathan MURDOCH, Richard NEWTON, Michael NG, Andrew NG, Ken NG, Li NGO, Kim Thuy Dung NGO, Nguyet NGUYEN, Hieu NGUYEN, Totam NGUYEN, Tien NIEDZWIADEK-SANECKA, Monika NISBET, Debra NOTARAS, Taso O'BRIEN, Nicole O'BRIEN, Sharyn O'CONNELL, Suzanne O'DONNELL, Clare O'HALLORAN, Katie O'NEILL, Jeremy OGDEN, Courtney OUTRIDGE, Emma OXLEY, Kelly PACECCA, Vincent PAINTER, Susan PANECKI, Margaret PARKER, Tina PEARCE, Natalie PEEL, Melanie PELLE, Liliana
PENSTONE, William
PERUMAL, Rajm
PETERS, Jodi PETRELIS, Marika PHAM, Hang PLASTOW, Kayty POH, Graeme POUNTNEY, Anthony POWELL, Marianne QUAN, Leigh RAFFAN, Phillip RALSTON, Debbie RAMSAY, Claire RAZALI, Masfueh REDHEAD, Karen REDOLATTI, Grazia REE, Melissa REED, Rebecca REES, Anthony REESON, Joanna REILLY, Claire REILLY, Melissa RENTON, Naomi REUTENS, Jacqueline RICHARDSON, Adam RICHARDSON, Jaye RIDDLE, Andrew RISINGER, Emma ROBERTSON, Kane ROBINSON, Kathie ROBINSON, Kristian ROOKE, Michelle

ROSS, Benita

ROSS, Glen ROSS, Ian RYAN, Jessica RYMARSKI, Joanna SADLEIR, Jade SALIMI-KHANEHSARI, Shahram SALTER, Megan SAMBELL, Christine SAMNEH, Haysam SANDERCOCK, Peter SANUSI, Sarliza SAPIENZA, Luisa SARTORI, Nicole SCHELFHOUT, Catherine SCHULTZ, Kristin SEKHON, Anil SEWELL, Felicity SEXTON-FINCK, Durrielle SHARP, Lucinda SHAW, Mark SHERRATT, Faye SHERRIFFS, Natalie SHIER, Matthew SIBSON, Ruth SILICH, Marina SIMMS, Peter SIMPSON, Darren SINGH, Harvinder SIOW, Yvonne SIVWRIGHT, Kerryn SLATER, Kylie SLATER, Nicole SLEEMAN, Sally SLUCHNIAK, Simone SMITH, Joanna SMITH, Kristie SMITH, Michael SMITH, Rachael SOMERS, Monique SONNABEND, Daniel SOUDURE, Sonya SPIERS, Damon STEER, Naomi STESZEWSKI, Blazej STEVENS, Lisa STEVENSON, Larissa STONIER, Penelope SUTHERLAND, Heather SUTTON, Jamie SWAN, Alyssa SWINGLER, Scott SYMINTON, Belinda SZCZESNY, Michael TADDEO, Sonia TAN, Nora TARÁNTO, Michael TELFER, Michelle TEMPANY, Darren THEODORE, Yvette THOMPSON, Suzanne TIMMS, Kristy TOMAN, Cristin TOMICH, Kylie TON, Phuong TONG, Mona TRAN, Hong TRIANTOPOULOS, Thrasivoulos TRINH, Hien TSALIKIS, Kelly TSE, Vivian TSOU, Kuen-Yo TUANG, Roy TUBBY, Kirsten TURNER, Catherine TURNSECK, Anna

UPFOLD, Andrew
VAN DER PEYL, Jacqueline
VAN DRIEL, Natalie
VERRAN, Julie
VIDOT, Jean-Marc
VLADICH, Alan
VU, Chuong
VU, Hong
VUKOMANOVIC, Sonia
VUN, Li Mi
WADDELL, Jerome
WALKER, Tamika
WALLIS, Jane
WALSH, Finnbarr
WALSH, Jennifer
WASS, Eliza
WEBSTER, Peter
WEIR, Erin
WERDER, Amanda
WEST, Tiffany
WHITE, Clayton
WHITE, Michelle

WHITEMAN, Sanchia WIELINGA, Caroline WILLETT, Melissa WILLIAMS, Andrew WILLS, Kiran WISNIÉWSKI, Christopher WOLRIGE, Benjamin WOO, Andrew WOO, Sandra WOOD, Brendan WOOD, Christie WOODHEAD, Kimberley WOODWARD, Danielle WRAY, Adam WROTH, Vikki YAP, Chooi Yee YEOW, Kevin YOON, Laura YOUNG, Marsha ZAFIRIS, Katina ZAGORSKI, Rebecca ZEIN, Sleiman

LAND ADMINISTRATION

LA101

CORRECTION

LAND ACT 1933

Shire of Northampton NAMING OF STREETS

DOLA File: 1352/986

On page 2489 of the Government Gazette dated 21 May 1993 under the subheading Shire of Northampton delete "Percy Street" and insert "Percy Road".

A. A. SKINNER, Chief Executive.

LA401

LOCAL GOVERNMENT ACT 1960

DECLARATION OF CLOSURE OF STREETS

Made by the Minister for Lands Under Section 288A

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

Schedule

- 1. City of Kalgoorlie-Boulder (DOLA File 3061/972); (Closure No. K 1075).
 - (a) All that portion of Tupper Street shown bordered blue on DOLA Crown Survey Diagram 90958.
 - (b) All that portion of Tupper Street now comprised in Boulder Lot 4549 shown bordered red on DOLA Crown Survey Diagram 90958.

Public Plan: CF 37 (2) 30.35, 30.36 (Kalgoorlie-Boulder).

2. City of Rockingham (DOLA File 979/993; Closure No. R212). The whole of Lawson Road, plus widenings, extending southwards from the southwestern side of Dixon Road (Road No. 1607) to its terminus

Public Plan: BG 33 (10) 02.06 (Peel).

3. Town of Kwinana (DOLA File 510/988; Closure No. K1077). All those portions of Medina Avenue, Pace Road and Harley Way now comprising Kwinana Lot 309 shown bordered pink on DOLA Crown Survey Plan 17955.

Public Plan: BG 33 (2) 10.33 (Peel).

4. Shire of Busselton (DOLA File 1472/1971, Closure No. B1325). The whole of Ray Avenue (Road No. 14895) plus widenings as delineated and coloured mid-brown on Crown Survey Diagram 76044. Public Plan: BF 29 (2) 20.35 (Busselton).

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

LA402

LOCAL GOVERNMENT ACT 1960

DECLARATION OF PUBLIC STREETS

Orders of the Minister for Lands Made under Section 288

At the request of the local governments nominated each piece of land specified in the Schedule is now declared to be absolutely dedicated as a public street.

Schedule

- 1. City of Perth (DOLA File 808/993).
 - (a) Road No. 18556 (Randell Place). The whole of the lane as delineated and coloured brown on Office of Titles Plan 614.
 - (b) Road No. 18557 (Randell Lane). The whole of the surveyed way as delineated and coloured brown on Office of Titles Plan 272.

Public Plan: BG 34 (2) 13.26 (Perth).

2. Shire of Upper Gascoyne (DOLA File 597/973V2).

Road No. 18558 (Landor-Mount Augustus Road). A strip of land, excluding the intersecting portion of Road No. 16666, as delineated and coloured mid-brown on DOLA Crown Survey Plan 16601. Public Plan: Mt Phillips 1:250000.

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

LA403

DECLARATION OF CLOSURE OF STREETS

Made by the Minister for Lands Under Section 288A

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

Schedule

Shire of Esperance (DOLA File 1630/981, Closure No. E.258).

All that portion of James Street shown bordered green on Crown Survey Diagram 90964. Public Plan: CG 29 (2) 17:15.

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

LA404

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—

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

Donnelly, Bernard and Martyn John, and Cordwell, Thomas Clive; 3116/8736; Dewit Loc 184; Non payment of rent; 728/928; Dampier 1:25 000.

Taylor, John and Neil Ann Lynette; 338/19773; Kalbarri Lot 644; Non payment of instalments; 909/992; Kalbarri 25.11.

Higson, Clinton Seth; 345B/791; Condingup Lot 104; Non compliance with conditions; 2391/984; Condingup townsite.

Meadon Pty Ltd; 345B/571; South Boulder Lot 1732; Non compliance with conditions; 1287/75; South Boulder 31.33.

A. A. SKINNER, Chief Executive.

LB701

File No. 1263/1991. Ex. Co. No. 0792.

PUBLIC WORKS ACT 1902

LAND RESUMPTION

Livestock Saleyards

Notice is hereby given, and it is hereby declared, that the several pieces or parcels of land described in the Schedule hereto, being all in the Swan 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 25th day of May 1993, been set apart, taken or resumed for the purpose of the following public work, namely, Livestock Saleyards. 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 DOLA Diagram 91145 which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

No. DOLA Diag.	Owner or Reputed Owner		Occupier or Reputed Occupier		Description	Area (Approx)
	Pilsley Pty Ltd	Investments	Pilsley Pty Ltd	Investments	Portion of Swan Location 10802 being that part of Lot 1 on Plan 16497 now shown as Swan Location 11885 the subject of DOLA Diagram 91145 being part of the land contained in Certificate of Title Volume 1810 Folio 449.	9.4173 ha

Certified correct this 5th day of May 1993.

GEORGE CASH, Minister for Lands.

Dated this 25th day of May 1993.

FRANCIS BURT, Governor in Executive Council.

LOCAL GOVERNMENT

LG301

LOCAL GOVERNMENT ACT 1960

LOCAL GOVERNMENT ACCOUNTING AMENDMENT DIRECTIONS 1993

Made by the Minister for Local Government.

1. Citation and Application

- (1) These directions may be cited as The Local Government Accounting Amendment Directions 1993.
- (2) Subject to sub-clause (3) these directions apply on and from 1 July 1993.
- (3) Notwithstanding sub-clause (2) these directions shall not apply to and in relation to a financial year commencing before 1 July 1993.

2 Principal Directions

In these directions, The Local Government Accounting Directions 1985* are referred to as the principal directions.

(* Published in the Government Gazette of 13 June 1985 and amended by notices appearing in the Gazettes of 25 July 1986 and 26 June 1987.)

3 Clause 1A inserted

After clause 1 of the principal directions the following clause is inserted-

"1A. <u>DEFINITIONS</u>

(1) In these directions, unless the contrary intention appears -

"AAS27" means, subject to clause 2 (1), the Australian Accounting Standard AAS27 "Financial Reporting By Local Governments" as prepared by the Public Sector Accounting Standards Board of the Australian Accounting Research Foundation and the Accounting Standards Review Board, and issued by the Australian Accounting Research Foundation on behalf of the Australian Society of Accountants and the Institute of Chartered Accountants in Australia;

"Australian Accounting Concepts" means the Statements of Accounting Concepts as prepared by the Australian Accounting Research Foundation and the Accounting Standards Review Board, and issued by the Australian Accounting Research Foundation on behalf of the Australian Society of Certified Practising Accountants and the Institute of Chartered Accountants in Australia;

"Australian Accounting Practices" means the Statements of Accounting Practice as prepared by the Australian Accounting Research Foundation and the Accounting Standards Review Board, and issued by the Australian Accounting Research Foundation on behalf of the Australian Society of Certified Practising Accountants and the Institute of Chartered Accountants in Australia;

"Australian Accounting Standards" means the Australian Accounting Standards as prepared by the Australian Accounting Research Foundation and the Accounting Standards Review Board, and issued by the Australian Accounting Research Foundation on behalf of the Australian Society of Certified Practising Accountants and the Institute of Chartered Accountants in Australia;

"Australian Accounting Concepts, Standards and Practices" means, collectively, the Australian Accounting Concepts and the Australian Accounting Standards and the Australian Accounting Practices as defined by these directions;

"Balance sheet" means the Statement of Financial Position as required under AAS27;

"Operating Statement" means the Operating Statement required by AAS27;

"Principal Accounting Officer" means the person who from time to time occupies the position designated by the council in accordance with clause 2 (14);

"Statement of Cash Flows" means the Statement of Cash Flows required by Australian Accounting Standard 28 (AAS28);

"Statement of Changes in Equity" means the Statement of Changes in Equity required by AAS27;

"Statement of Financial Position" means the Statement of Financial Position required by AAS27.

(2) For the purpose of satisfying the intentions and principles of the Australian Accounting Concepts, Standards and Practices, the terms "receipts", "revenue" and "income" or "payments", "expense" and "expenditure" wherever mentioned under these directions shall, where the context permits, be applied as being interchangeable.".

4 Clause 2 amended

Clause 2 of the principal directions is amended -

- (a) by repealing sub-clause (1) and substituting the following sub-clause -
 - "(1) Except where these Directions elsewhere prescribe, all accounting and financial reporting procedures and forms shall comply with the requirements of AAS27 and associated Australian Accounting Concepts, Standards and Practices current at 30 November 1992.";
- (b) by repealing sub-clause (2) and substituting the following paragraph -
 - "(2) The budgets and financial reports required under the Act or these directions shall be prepared according to clauses 49, 50 and 51 of these directions.";
- (c) by repealing sub-clause (3) and substituting the following sub-clause -
 - "(3) Where prescribed schedules or their content are mentioned elsewhere within these directions the provisions of clauses 49, 50 and 51 shall prevail.";
- (d) by repealing sub-clause (4);
- (e) in sub-clause (5) by deleting paragraph (b); and
- (f) by inserting after sub-clause (8) the following sub-clauses -
 - "(9) Where there is any conflict between the requirements of the Local Government Act or any other Act of the Parliament of Western Australia and either these directions or the requirements of any Australian Accounting Concept, Australian Accounting Standard or Australian Accounting Practice, the requirements of the relevant Act shall prevail.

(The requirements of any Australian Accounting Concept, Standard or Practice shall be regarded as additional to those of the relevant Act.)

(10) Where there is conflict between the requirements of the Local Government Accounting Directions and the requirements of any Australian Accounting Concept, Australian Accounting Standard or Australian Accounting Practice the requirements of the directions shall prevail.

(The requirements of any Australian Accounting Concept, Standard or Practice shall be regarded as additional to those of the relevant direction.)

- (11) The revenue and expense classifications disclosed in the Operating Statement shall be by function* and activity.
 - (* Note that the Local Government Manual of Accounts [ISBN 0 7309 1327 9] first published by the Department of Local Government in 1986 provides guidance on the various programme titles to be used to describe those functions and activities.)
- (12) Notes to the accounts shall be used to satisfy the AAS27 requirement for the disclosure of revenues and expenses by nature and type. In doing so, the following principles shall apply:-
 - (a) the council shall determine what it considers to be the most appropriate classes of revenues and expenses to be separately disclosed; and
 - (b) the council shall, when determining the appropriate classes under sub-clause (a), include among those classes the separate disclosure of the following items of revenue and expenditure for that year -
 - (i) the total interest expense on borrowing,
 - (ii) the total depreciation charged,
 - (iii) the total of any other non-cash expenses, and
 - (iv) the total of non-cash contributions to revenue.

(13) Fund Accounting

For the purpose of satisfying the requirements of the Local Government Act or any other Act to account for and report upon the various revenues and expenses in separate funds, compliance with the legislation shall be achieved by the council if the method of accounting and financial management:-

- (a) maintains within the general ledger a separate and identifiable Capital Accumulation Account for each of those funds; and
- (b) with the exception of sub-clause (a) of this clause, nothing in these directions shall prohibit a local government from maintaining a general ledger that is otherwise consistent with a single fund accounting approach that facilitates achievement of the consolidation principles of AAS27;

or

- (c) in lieu of sub-clauses (a) and (b) the council may during the year ended 30 June 1994 continue to maintain separate ledgers for each fund specified under the Act; and
- (d) notwithstanding the provisions of sub-clauses (a),(b) and (c), the council shall continue to account for the trust fund as a distinct and separate fund.

(14) Principal Accounting Officer.

Not less frequently than annually the council may resolve that an appropriate officer other than the clerk shall be appointed as the Principal Accounting Officer. The resolution making that appointment shall include the name or title of the officer and the financial year to which the appointment relates. In the event that no appointment is resolved, the Principal Accounting Officer shall be the clerk.".

5 Clause 7 amended

Clause 7 of the principal directions is amended by inserting after subclause (3) the following -

"(4) For the financial year from 1 July 1993 to 30 June 1994, councils which prepare their budgets on a modified format in accordance with clause 49 (3) (b) or prepare their financial reports in accordance with clause 50 (2) and the annual financial statements in accordance with clause 51 of these directions shall not be required to comply with the provisions of sub-clauses (1), (2) and (3) of this clause where such compliance would be impractical because of the single fund nature of the budgets and financial reports and statements.".

6 Clause 25 amended

Clause 25 of the principal directions is amended by repealing sub-clause (2) and substituting the following sub-clause -

"(2) In applying sub-clause (1) the materiality provisions of the Australian Accounting Standards shall apply;".

7 Clause 26 amended

Clause 26 of the principal directions is amended by the following -

- (a) by repealing sub-clause (1) and substituting the following sub-clause -
 - "(1) The Principal Accounting Officer shall cause to be kept at all times a register of the fixed assets under the control of the council and the totals of the principal sections of such register shall correspond with the various amounts in the Statement of Financial Position and any notes which accompany that statement."; and
- (b) in sub-clause (4) (c) by deleting the word "Clerk" and substituting the words "Principal Accounting Officer."; and
- (c) by repealing sub-clauses (2), (6) and (7).

8 Clause 29 amended

Clause 29 of the principal directions is amended in paragraph (c) of sub-clause (2) by deleting the words "as a deferred asset".

9 Clause 41 amended

Clause 41 of the principal directions is amended by repealing sub-clause (8).

10 Clause 44 amended

Clause 44 of the principal directions is amended by repealing sub-clause (7).

11 Clause 49 amended

Clause 49 of the principal directions is repealed and the following clause is substituted -

"49. ANNUAL BUDGETS

- (1) The Principal Accounting Officer shall ensure that all relevant and appropriate documentation is prepared and maintained to such an extent and in such manner and detail as to provide sufficient evidence that:-
 - (a) the budgets were prepared in accordance with proper accounting principles and in accordance with the various budgetary requirements under the Local Government Act or any other relevant Act; and
 - (b) the rates and charges were struck in accordance with proper principles; and
 - (c) the various authorised revenues and expenses can be readily ascertained.
- (2) Notwithstanding sub-clause (1), the council shall, for the purpose of sections 547 and 548 of the Local Government Act, prepare and adopt a budget document that includes not less than the information disclosed in the manner and form prescribed by Schedules numbered 2, 3, 17, 18, 19, 21, 22 and 23 of these directions for the financial year beginning on 1 July 1993.
- (3) For the purpose of sub-clause (2) the council:-
 - (a) may, in addition to Schedules 2, 3, 17, 18, 19, 21, 22 and 23 of these directions, include such other work sheets, documents, statements or reports as it desires to satisfy the requirements of AAS27 or for any other purpose;

- (b) may modify the Schedules mentioned in sub-clause (a) in such manner of the council's choosing as to be consistent with the financial reporting requirements of AAS27 provided that such modified forms are accompanied by appropriately detailed reconciliations or notations that disclose the same principal information that would have been disclosed on the prescribed Schedules had they been produced.
- (4) For the purpose of satisfying the budgetary disclosure information required for specified area rates under section 548 (4) of the Local Government Act and clause 36 of these directions it shall be sufficient for the budget to include a separate table or note that discloses not less than:-
 - (a) the programme within which the budgeted specified area rate revenue and associated expenses are included, and

- (b) the purpose of the specified area rate together with the amount to be levied in the budget year and the amount or amounts levied in one or more previous years but which amounts remained unexpended at the 30 June immediately preceding the budget being adopted, and
- (c) the amounts and nature of the various expenditures proposed from both the revenue in the budget year and the amount of any revenue which remained unexpended from any previous financial year together with an estimate of any amount likely to remain unexpended at the end of the budget year and whether that unexpended amount is, or is intended to be, held in a reserve account.
- (5) A copy of each budget shall within one month of it being adopted by the council be sent by the Principal Accounting Officer to the Chief Executive Officer of the Department of Local Government.".

12 Clause 50 amended

Clause 50 of the principal directions is repealed and the following clause is substituted – $\,$

"50. FINANCIAL REPORTS TO COUNCIL

- (1) (a) For the purpose of satisfying the requirements of section 628 of the Act and clause 2 (2) (a) of these directions, unless a statement under sub-clause (2) or (3) of this clause is prepared, the Principal Accounting Officer shall prepare and present to the council financial statements which present fairly the financial position and the results of the council's operations in the form of Schedules 2, 17, 18, 19, 21, 22 and 23.
 - (b) As from 1 July 1993 the regular or periodic production of all prescribed schedules other than those stated in sub-clause (a) shall be at the discretion of the council.
- (2) In lieu of the various schedules mentioned in sub-clause (1) the monthly financial report may take the form of the Operating Statement required under AAS27 or a modified form of schedule 2 that incorporates the revenues and expenses of all funds provided that in each case the form so used is accompanied by reconciliations or notes that enable a comparison with the original budget documents. (Trust items such as those mentioned in clause 6 of AAS27 shall be separately disclosed by way of note.)
- (3) If the financial reports issued throughout the year or the annual financial statements and any notes which accompany those statements include a comparison between the budget estimates and the actual financial information, the statement or note shall disclose whether the estimates shown are those included in the original budget estimates or whether they represent subsequent revised estimates authorised by council resolutions."

13 Clause 51 amended

Clause 51 of the principal directions is repealed and the following clause is substituted -

"51. ANNUAL FINANCIAL STATEMENTS

- (1) Not later than the 9th day of September in each year the Principal Accounting Officer shall prepare annual financial statements of account in a form consistent with the provisions of AAS27 as at the close of business on the preceding 30 June.
- (2) In addition to the annual financial statements required by sub-clause (1) the Principal Accounting Officer shall include within the annual financial report:-
 - (a) a Statement of Rating Information in the form of Schedule 3A; and
 - (b) a Loan Liability Statement in the form of Schedule 25;
 - (c) a Statement of Budget Performance in the same form as the budget adopted by the council under clause 49, such statement comparing the various incomes, expenditures and opening and closing balances included in the budget with the actual incomes, expenditures and opening and closing balances known to exist at the close of that year on 30 June; and
 - (d) any other information considered relevant by the council.
- (3) Amounts entered in the financial statements may be shown to the nearest dollar.
- (4) As soon as practical after the completion of the annual financial statements the Principal Accounting Officer shall submit them to the auditor for audit. In doing so, the Principal Accounting Officer shall append to the annual financial statements and sign the following declaration:-

STATEMENT BY PRINCIPAL ACCOUNTING OFFICER

The attached financial statements of the . . . (name of local government). . . being the Operating Statement, Statement of Financial Position, Statement of Changes in Equity and Statement of Cash Flows and accompanying Notes for the year ended 30 June 19 are, in my opinion, properly drawn up so as to present fairly the financial position of the . . . (name of local government). . . at 30 June 19 and the results of its operations for the year then ended in accordance with Australian Accounting Standards (except to the extent that these have been varied in the Statement of Accounting Policies in the accompanying notes to the accounts) and comply with the provisions of the Local Government Act 1960 (as amended) and the Local Government Accounting Directions.

Signed	
Name	
Principal Accounting Officer	_
Date	f

14	Schedule 26 repealed
	Schedule 26 of the principal directions is repealed.

15 Schedule 27 repealed

Schedule 27 of the principal directions is repealed.

16 Schedule 3A inserted

After Schedule 3 in the principal directions the following schedule 3A is inserted – $\,$

SCHEDULE 3A

STATEMENT OF RATING INFORMATION

For the Financial Year Ended19..

PARTICULARS	RATEABLE VALUE (\$000)	RATE IN \$ (c.)	YIELD \$	MININ No.	AUMS YIELD \$	TOTAL \$
General Rate GRV						
Residential Commercial Industrial Mining Special Rural Other (Specify) Total GRV						
General Rate UV	======			===	=====	*****
Residential Commercial Industrial Mining Broad Acre Rural Special Rural Other (Specify)						
Ex-G	====== ified Area Ra ratia Rates ND TOTAL L		======	===		

LOCAL GOVERNMENT ACT 1960

The Municipality of the Shire of Leonora By-laws relating to Petrol Pumps

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it the Council of the abovementioned Municipality hereby records having resolved on the 16th day of February 1993 to repeal and submit for confirmation by the Governor the following by-laws:

Petrol Pump By-laws published in the *Government Gazette* on 27 October 1966. Dated this 20th day of April 1993.

W. D. BIGGS, President. J. G. EPIS, Acting Shire Clerk.

Recommended-

PAUL D. OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council the 25th day of May 1993.

D. G. BLIGHT, Clerk of the Council.

LG303

DOG ACT 1976

The Municipality of the Town of Bassendean
By-laws Relating to Dogs

In pursuance of the power conferred upon it by the abovementioned Act and all the powers enabling it, the Council of the abovementioned municipality hereby records having resolved on 27 August 1991, to make and submit for confirmation by the Governor the following by-laws:

- 1. In these by-laws the municipality of the Town of Bassendean By-laws Relating to Dogs published in the *Government Gazette* of 13 July 1984 and as amended from time to time are referred to as the "Principal By-laws".
- 2. By-law 2 of the Principal By-laws is amended by adding after the last line:
 - "Shop" means a shop or other building for the sale of goods by retail or the supply of services direct to the public, including—
 - (a) an eating room, cafe, restaurant, milk of soft-drink bar;
 - (b) a dining room, bar, shop or kiosk portion of a hotel or motel;
 - (c) a hairdresser's or barber's shop, public laundry, or undertaker's establishment;
 - (d) market or sale room, show room or service station. "
- 3. By-law 5 of the Principal By-laws is deleted and substituted with the following:
 - 5. Except in the case of a guide dog, the owner of a dog or any person liable for the control thereof shall prevent that dog entering or being in any of the following places:
 - (a) a public building or shop;
 - (b) a theatre;
 - (c) a house of worship;
 - (d) all that piece of land known as Point Reserve Bassendean comprising Reserve Nos. 9099 and 9100;
 - (e) a public swimming pool and all areas within the boundaries of those premises; and
 - (f) a place in which dogs are prohibited by any other written law operating within the Municipality of the Town of Bassendean. "

4. The Principal By-laws are amended by deleting the second schedule thereto and substituting the following—

Second Schedule Dog exercise areas

2 08 011010100 01101	
Reserve	Permitted Dog Exercise Area
Palmerston Square, Palmerston Street, Bassendean Pickering Park, North Street, Bassendean Pearson Street Reserve, Pearson Street, Ashfield Freeland Way Reserve, Freeland Way, Eden Hill Padbury Court Reserve, Padbury Court, Eden Hill Mary Crescent Reserve, Mary Crescent, Eden Hill Troy Street Reserve, Troy Street, Bassendean Mann Way Reserve, Mann Way, Bassendean Anzac Terrace Reserve, Anzac Terrace, Bassendean Parmelia Way Reserve, Parmelia Way, Bassendean Ashfield Reserve, Fisher Street, Ashfield	Entire Reserve All that portion of the Reserve Number 25430 Location 6851 lying between the western boundary and a parallel line 120 metres to the east. "

5. The principal by-laws are amended by deleting the third schedule thereto and substituting the following:

Third Schedule Offences

	By-la	aw .	Modified Penalty	L
5.	Failure to prevent a dog entering or being in any of the following places:			
	(a)	a public building or shop	\$40.00	
	(b)	a theatre	\$40.00	
	(c)	a house of worship	\$40.00	
	(d)	all that piece of land known as Point Reserve, Bassendean,		
	,	comprising Reserve Nos. 9099 and 9100	\$40.00	
	(e)	a public swimming pool including all the area enclosed		
	• •	within the fencing of the pool; and	\$40.00	
	(f)	a place in which dogs are prohibited by any other written		
	\- /	law operating within the Municipality of the Town of		
		Bassendean	\$40.00	
7.	Pren	nises not capable of effectively confining dog	\$40.00	
8.	Failu	are to remove dog excreta	\$20.00	"

Dated the 27th day of August 1991.

The Common Seal of the Town of Bassendean was hereunto affixed by resolution of the Council in the presence of:—

JOHN B. COX, Mayor.

STEPHEN K. GOODE, General Manager/Town Clerk.

Recommended-

PAUL D. OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on the 25th day of May 1993.

LOCAL GOVERNMENT ACT 1960

The Municipality of the Town of Bassendean

Amendment to By-laws Relating to Parking Facilities

In pursuance of the powers conferred upon it by the abovementioned Act and of all the powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 22nd day of December 1992, to amend and submit for confirmation by His Excellency, the Governor, the following amendments—

- 1. In these by-laws the "Town of Bassendean By-laws Relating to Parking Facilities" adopted by the Town of Bassendean by resolution published in the *Government Gazette* of the 4th September 1992 are referred to as "The Principal By-laws".
- The Principal By-laws are amended in Part 1—Interpretation, as follows— By-law 2 is amended by adding the words "or symbols to that effect" in the

by-law 2 is amended by adding the words "or symbols to that effect" in the following interpretations—

- " No Parking Area "
- in line 2 after the words "in red lettering";
- in line 5 after the words "in red lettering".
- " No Standing Area "
- in line 2 after the words "in red lettering";
- in line 5 after the words "in red lettering".
- " Parking Area '
- in line 2 after the words "in green lettering" and in line 4 after the words "in red lettering"
- and by including the following definition in alphabetical order:
 - "Symbols" includes any symbol specified by the Australian Standard 1742.11 for use in the regulation of parking, and any reference to the wording of any sign in these by-laws shall be also deemed to include a reference to the corresponding symbol. "

Dated the 6th day of April 1993.

The Common Seal of the Town of Bassendean was hereunto affixed by resolution of the Council in the presence of—

JOHN B. COX, Mayor.

STEPHANIE SMITH, General Manager/Town Clerk.

Recommended-

PAUL OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on the 25th day of May 1993

D. G. BLIGHT, Clerk of the Council.

LG305

LOCAL GOVERNMENT ACT 1960

The Municipality of the City of Melville

Amendment to By-laws Relating to Parking Facilities

In pursuance of the powers conferred upon it by the abovementioned Act, and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on 17 September 1991 to make and submit for confirmation by the Governor, the following amendments to its By-laws relating to Parking Facilities, as published in the *Government Gazette* on 18 December 1981.

- 1. Delete paragraph (ii) in Sub-bylaw 19 (a) and substitute the following—
 - (ii) in the case of a parking station equipped with a ticket issuing machine a ticket or tickets for a period or periods of parking (as determined by reference to the date and time as may be printed on the ticket or tickets) has been purchased from the ticket issuing machine by inserting the appropriate fee or fees and the ticket or tickets issued is displayed in the vehicle on the front dashboard in such a position that the date and time of issue on the ticket or tickets printed by the machine is clearly visible and legible to an inspector examining the ticket or tickets from outside the vehicle.

2. Delete By-law 25.

Dated the 14th day of April 1993.

The Common Seal of the City of Melville was hereto affixed in the presence of-

A. CENIVIVA, Deputy Mayor. GARRY G. HUNT, Town Clerk.

Recommended-

PAUL D. OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in the Executive Council the 25th day of May 1993.

D. G. BLIGHT, Clerk of the Council.

LG306

LOCAL GOVERNMENT ACT 1960

The Municipality of the City of Melville

Amendment to By-laws Relating to Parking Facilities

In pursuance of the powers conferred upon it by the abovementioned Act, and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on 15 December 1992 to make and submit for confirmation by the Governor, the following amendments to its By-laws relating to Parking Facilities, as published in the *Government Gazette* on 18 December 1981.

- 1. By-law 5 to be deleted and replaced with-
 - " 5 (1) Where under these By-laws the standing or parking of vehicles in a street is controlled by a sign then that sign should be read as applying to the part of a street which—
 - (a) lies beyond the sign and in the direction of any arrows that may be included in that sign;
 - (b) lies between the sign and the next sign beyond that sign;
 - (c) is that side of the carriageway of the street nearest to sign; or
 - (2) If a sign specifies that the standing or parking of vehicles is prohibited or restricted in a specified street or streets or in streets bounded by streets nominated in a sign, the sign shall be read as applying to all parts of such street or streets specified on that sign.

Dated the 14th day of April 1993.

The Common Seal of the City of Melville was hereto affixed in the presence of-

A. CENIVIVA, Deputy Mayor. GARRY G. HUNT, Town Clerk.

Recommended-

PAUL D. OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in the Executive Council the 25th day of May 1993.

D. G. BLIGHT, Clerk of the Council.

LOCAL GOVERNMENT ACT 1960

The Municipality of the City of Subiaco
By-law No. 15—Relating to Standing Orders

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 23rd February 1993, to make and submit for confirmation by the Governor the following amendment to By-law No. 15.

- 1. Clause 93—Standing Committees be repealed and replaced by:
 - In addition to such occasional committees as may from time to time be appointed, there shall be three standing committees of the Council, namely:—
 - (a) Business Services Committee
 - (b) Operations Committee
 - (c) Environmental Services Committee "

Dated the 12th day of April 1993.

The Common Seal of the City of Subiaco was hereto affixed by authority of a resolution of the Council in the presence of:

H. E. PASSMORE, Mayor.

J. F. R. McGEOUGH, Town Clerk.

Recommended:

PAUL D. OMODEI, Minister for Local Government.

Dated 12 May 1993.

Approved by His Excellency the Governor in Executive Council the 25th day of May 1993.

D. G. BLIGHT, Clerk of the Council.

LG308

LOCAL GOVERNMENT ACT 1960

SHIRE OF ALBANY (VALUATION AND RATING) ORDER No. 1, 1993

Made by his Excellency the Governor under the provisions of section 533 (17) of the *Local Government Act 1960*.

Citation

1. This Order may be cited as the Shire of Albany (Valuation and Rating) Order No. 1, 1993.

Revocation of Previous Orders

2. The Shire of Albany (Valuation and Rating) Order No. 1, 1991 published in the Government Gazette of 14 June 1991 on page 2894, the Shire of Albany (Valuation and Rating) Order No. 1, 1990 published in the Government Gazette of 25 May, 1990 on page 2416, the Shire of Albany (Valuation and Rating) Order No. 1, 1988 published in the Government Gazette of 27 May, 1988 on pages 1786-7 and the Shire of Albany (Valuation and Rating) Order 1985 published in the Government Gazette of 3 May, 1985 on pages 1561-5.

Commencement

3. This Order shall take effect on and from 1 July, 1993.

Authorisation to use Gross Rental Value

4. The Council of the Shire of Albany is hereby authorised to use valuations on Gross Rental Values for the purpose of rating portions of the municipality which are designated and described in the Schedule to this order.

Schedule

All those portions of land delineated in black and shown bordered in red on Department of Land Administration Miscellaneous Plan 1821 (Sheets 1-13).

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

SHIRE OF MEEKATHARRA

Meekatharra Airport

Pursuant to section 191A of the Local Government Act Aircraft Operators are hereby notified that the following charges will apply to the use of the Meekatharra Airport as from 1 July 1993.

R.P.T. aircraft, and passenger aircraft making technical/refuelling stops at Meekatharra, \$14.00 per tonne of maximum take-off weight.

Dominion Mining Limited and St Barbara Mines Limited, \$1 000.00 per annum.

Owners of single engined aircraft who reside within the Shire of Meekatharra have the option of paying \$25.00 per annum.

Royal Flying Doctor Base operations, exempt.

All other landings \$5.00 per tonne of maximum take-off weight, minimum charge \$5.00.

M. T. HOWIESON, Shire Clerk.

LG402

LOCAL GOVERNMENT ACT 1960

Shire of Donnybrook-Balingup Cemeteries—Schedule of Fees

It is hereby notified for public information that the Council of the Shire of Donnybrook-Ballingup at its meeting held 19th May 1993 resolved to set the following fees for the Donnybrook and Balingup Cemeteries to apply from 1st June 1993.

Danigup Cemeteries to apply from 18t oute 1993.	
1. (a) Land 2.5 m x 1.25 m, where directed by Trustees	\$ 250.00
(b) Sinking Fees—on applicant for a "Form of Order for Burial" for—	200.00
Ordinary grave for an adult	250.00
Grave for any child under seven years	150.00
Grave for any stillborn child	100.00
For each interment of cremated ashes	50.00
2. If the graves are required to be sunk deeper than 1.8 m the following charges shall be payable—	
First additional 30 centimetres	30.00
Second additional 30 centimetres Third additional 30 centimetres	40.00 50.00
And so on in proportion for each additional 30 centimetres	50.00
3. Re-opening fees: Re-opening an ordinary grave for each interment or exhumation—	
(a) Ordinary grave for an adult	250.00
Of a child under seven years of age	150.00
If a stillborn child	100.00
Where removal of kerbing, tiles, grass, etc. is necessary according to time	25.00
required—per man hour at	
(b) Any brick grave	300.00
4. Extra charges for—	50.00
(a) Interment without due notice under By-law 6	50.00
(b) Interment not in usual hours as prescribed by By-law 13, Monday to Friday Saturdays, Sundays and Public Holidays	70.00 100.00
(c) Late arrival at Cemetery gates under By-law 14	50.00
(d) Exhumations	250.00
5. Miscellaneous Charges—	
Permission to erect a headstone and/or kerbing	30.00
Permission to erect a monument	50.00
Permission to erect any nameplate	10.00 5.00
Copy of "Grant of Burial"	5.00
Grave number plate	10.00
Undertaker's annual licence fee	50.00
Undertaker's single licence fee for one interment	10.00
Making a search in register	5.00 5.00
	0.00
Cemeteries—Niche Wall	200.00
1. Single niche, including plaque and standard inscription	
2. Double niche, including plaque and standard inscription	260.00 60.00
~~~~~~ TITATT MATERIAL	00.00

# LOCAL GOVERNMENT ACT 1960

Town of Mosman Park
Rating Exemption

Department of Local Government, Perth 25 May 1993.

LG: MP 5-6.

It is hereby notified for public information that His Excellency the Governor acting pursuant to section 532 (10) of the Local Government Act 1960, has declared exempt from Municipal Rates the land described as being Mosman Park Lot 586, Reserve No. 25213.

JOHN LYNCH, Executive Director, Department of Local Government.

LG404

## **LOCAL GOVERNMENT ACT 1960**

City of Geraldton
CLOSURE OF PRIVATE STREET

Department of Local Government, Perth, 18 May 1993.

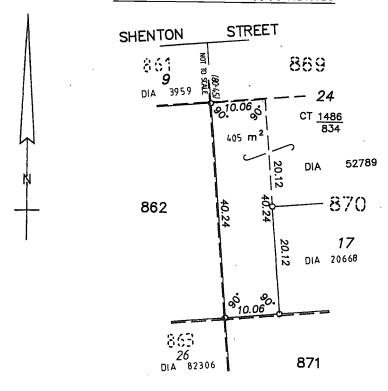
LG: G 4-12

It is hereby notified for public information that His Excellency the Governor has approved under the provisions of section 297A of the Local Government Act, 1960, the resolution passed by the City of Geraldton that the private street which is described as being portion of Geraldton Town Lot 870, being portion of the land coloured brown and marked R.O.W. on Diagram 20668 and being portion of the land contained in Certificate of Title Vol. 1486 Fol. 834, be closed and the land contained therein be amalgamated with adjoining Lot 24 Shenton Street, Geraldton, as shown in the Schedule hereunder.

JOHN LYNCH, Executive Director, Department of Local Government.

Schedule Diagram No. 84228

## LIMITED IN DEPTH TO 60.96 METRES



# **LOCAL GOVERNMENT ACT 1960**

City of Bayswater

#### CLOSURE OF PRIVATE STREET

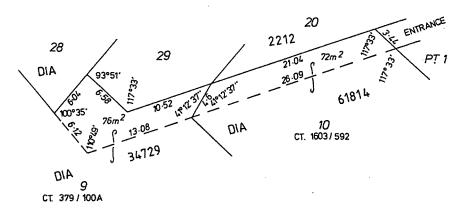
Department of Local Government, Perth, 25 May 1993.

LG: BW 4-12

It is hereby notified for public information that His Excellency the Governor has approved under the provisions of section 297A of the Local Government Act, 1960, the resolution passed by the City of Bayswater that the private street which is described as being portion of Swan Location W, being portion of the land coloured brown and marked Entrance on Diagram 2212 and being portion of the land contained in Certificate of Title Vol. 395 Fol. 173, be closed and the land contained therein be amalgamated with adjoining Lots 9 and 10 Guildford Road, Bayswater, as shown in the Schedule hereunder.

JOHN LYNCH, Executive Director, Department of Local Government.

# Schedule Diagram No. 83978



**LG406** 

## **DOG ACT 1976**

**SECTION 18 (2)** 

Colour of Registration Tags

The Minister for Local Government hereby orders, under section 18 (2) of the Dog Act 1976, that the colour specified in the following table for a registration period shall be the colour of registration tags issued under section 16 (6) of the Act for that period.

Tabl	e
Registration Period Ending	Colour
31 October, 1994	Yellow
31 October, 1995	Red
31 October, 1996	Blue

PAUL D. OMODEI, Minister for Local Government.

# LOCAL GOVERNMENT ACT 1960

Shire of Katanning

Proposed Self Supporting Loan No. 124-\$14 770

Pursuant to section 610 of the Local Government Act 1960, the Shire of Katanning hereby gives notice that it proposes to borrow money by the sale of debenture, repayable at the office of the lender, by equal half yearly instalments of principal and interest for the following terms and

The provision of a self supporting loan (No. 124) to the Wanderers Football Club of \$14 770 over a term of five (5) years for the purpose of upgrading oval floodlighting at the Katanning Regional Recreation Grounds.

Plans, specifications and estimates as required by section 609 are available for inspection at the office of the Council during business hours for thirty five (35) days after publication of this notice. Dated this 24th day of May 1993.

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

# Minerals and Energy

MN401

#### MINING ACT 1978

Notice of Application for an Order for Forfeiture

Department of Minerals and Energy.

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

F. CULLEN, Warden.

To be heard in the Warden's Court, Marble Bar on 9/7/93.

## PILBARA MINERAL FIELD

Marble Bar District

P45/2044—Ball, John Edward; Dhu, Robert Lawrence; Knubel, Heinz; Lockyer, Barry Charles. WEST PILBARA MINERAL FIELD

P47/749—Butler, Raymond John Thomas.

P47/750—Butler, Raymond John Thomas. P47/751—Butler, Raymond John Thomas. P47/752—Butler, Raymond John Thomas. P47/753—Butler, Raymond John Thomas.

P47/754—Butler, Raymond John Thomas. P47/755—Butler, Raymond John Thomas. P47/772—Leyburn Nominees Pty. Ltd.

**MN402** 

## **MINING ACT 1978**

Notice of Intention to Forfeit

Department of Minerals and Energy, Perth, WA 6000.

In accordance with Regulation 50 (b) of the Mining Act 1978, notice is hereby given that unless the rent due on the undermentioned leases and licences is paid on or before 10 June 1993 it is the intention of the Hon Minister for Mines under the provisions of sections 97(1) and 96A(1) of the Mining Act 1978 to forfeit such for breach of covenant, viz, non-payment of rent.

L. RANFORD, Acting Director General.

# Number; Holder; Mineral Field. **EXPLORATION LICENCES**

04/568—Century Metals & Minerals NL; Zenith NL; West Kimberley.

04/763—Borner, John Eric; l'Ons, Martin Eric; Nixon, Thelma Marion; West Kimberley. 04/764—Borner, John Eric; l'ons, Martin Eric; Nixon, Thelma Marion; West Kimberley. 08/121—Ladyman, Christopher Robin; Pownall, Kathleen Mary; Ashburton.

08/529—Bakarra Pty Ltd; Ashburton.

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08/590—Vinton, Carolyn Sarah; Vinton, Frank; Vinton, Gillian Amanda; Vinton, Ingrid Jennifer;
     Vinton, Kathleen May; Ashburton.
09/318—Black Swan Quarries Pty Ltd; Gascoyne.
09/419—McLarty, Peter Richard; McLarty, William James; Gascoyne.
09/426—McLarty, Peter Richard; McLarty, William James; Gascoyne. 09/427—McLarty, Peter Richard; McLarty, William James; Gascoyne. 09/428—McLarty, Peter Richard; McLarty, William James; Gascoyne. 09/428—McLarty, Peter Richard; McLarty, William James; Gascoyne.
09/503—Collins, Ross Montague; Van-Dongen, Rudy; Gascoyne.
09/517—Csak, Jozsef; McCourt, Daniel Patrick; West Australian Gem Exploration Pty Ltd;
     Gascovne.
27/74—Dale, Giles Rodney; Tonkin, Stephen Frederick; Tonkin, Stephen John; North East
     Coolgardie.
28/268—Connell, Garry Patrick; Jones, Jeffrey; North East Coolgardie.
30/45—Nelia Pty Ltd; North Coolgardie.
30/53—Mulga Exploration Pty Ltd; North Coolgardie.
36/145—Epis, James Gregory; Melita Mining NL; East Murchison.
45/1138—Mount Manning Resources Ltd; Pilbara.
45/1209—Troy Resources NL; Pilbara.
46/227—Dillallo, Mario; Fimiston Mining Ltd; Pilbara.
47/558—Hancock Mining Ltd; West Pilbara.
51/335—Menzel, Bruce Walter; Mitchell, Albert Edward; O'Meara, Denis William; Murchison.
51/337—Menzel, Bruce Walter; Mitchell, Albert Edward; O'Meara, Denis William; Murchison.
52/251—Horseshoe Gold Mines Pty Ltd; Peak Hill.
52/430—Peko Exploration Ltd; Peak Hill. 52/520—Peko Exploration Ltd; Peak Hill. 59/409—Vodanovich, Anthony; Yalgoo.
70/890-Yardarino Mining NL; South West.
70/911—Yardarino Mining NL; South West. 70/997—Peko Exploration Ltd; South West.
70/998—Peko Exploration Ltd; South West.
70/999—Peko Exploration Ltd; South West.
77/444—Barcombe Nominees Pty Ltd; Noretel Pty Ltd; Seathorne Pty Ltd; Standale Pty Ltd;
     Yilgarn.
80/1271—Peko Exploration Ltd; Kimberley.
80/1272—Peko Exploration Ltd; Kimberley.
80/1273—Peko Exploration Ltd; Kimberley.
80/1274—Peko Exploration Ltd; Kimberley.
80/1379—Roebuck Resources NL; Kimberley.
80/1380—Roebuck Resources NL; Kimberley.
                                                MINING LEASES
04/276—Carlyon, Karen; Clabburn, Alfred George; West Kimberley.
09/51—Stone Enterprises Pty Ltd; Gascoyne.
15/26—Judd, Laurence Patrick; Schell, John Francis; Coolgardie.
15/305—Coolgardie Gold NL; Coolgardie.
15/353—Sanders, Thomas Stephen; Coolgardie.
16/177—Olden, Malcolm Roy; Coolgardie.
20/216—Newcrest Mining (WA) Ltd; Murchison.
21/50—Bellia, Antoine; DI Nunzio, Phillip Liberato; Murchison.
25/60—Imperial Resources NL; East Coolgardie.
31/111—Thornross Pty Ltd; North Coolgardie.
37/66—Endeavour Resources Ltd; Mt Margaret.
37/326—Wierobiej, Edward Henryk; Mt Margaret.
38/102—Golden Plateau NL; Mt Margaret.
38/111—Ashton Gold (WA) Ltd; Mt Margaret.
38/203—Ashton Gold (WA) Ltd; Mt Margaret.
38/221—Hill, Gregory Horace; Hill, Patrick John; Mt Margaret.
38/271—Hill, Donald Gordon; Hill, Peter Augustine; Mt Margaret.
38/310—Hill, Peter Augustine; Randgren, Roger Norman; Warburton, Robert John; Mt Margaret.
45/526—Gondwana Resources NL; Pilbara.
47/213—Golden Valley Mines NL; Tracer Mining NL; West Pilbara.
52/189—Barrack Exploration Pty Ltd; Peak Hill.
53/82—Foster, Kenneth Harold; Monaco Pino Anthony; East Murchison.
53/176—Cyprus Gold Australia Corporation; Greenstone Gold Mines NL; East Murchison.
59/23—Kismet Gold Mining NL; Yalgoo.
59/86—Cove Mining NL; Richard Read & Associates Pty Ltd; Yalgoo.
70/4—Cusack, Brian John; South West.
70/162—Bristile Ltd; South West.
77/413—Tew, Howard Anthony; Yilgarn.
80/317—Hunt Contracting Co. Pty Ltd; Kimberley.
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80/342—Leech, Kathryn Sandra; Leech, Peter Arthur; Kimberley.

80/344—Hunt Contracting Co. Pty Ltd; Kimberley.

# GENERAL PURPOSE LEASES

38/12—Placer (Granny Smith) Pty Ltd; Mt Margaret.
38/13—Place (Granny Smith) Ptv Ltd: Mt Margaret
38/14—Placer (Granny Smith) Ptv Ltd. Mt Margaret
38/15—Placer (Granny Smith) Ptv Ltd: Mt Margaret
38/16—Placer (Granny Smith) Ptv Ltd: Mt Margaret
38/17—Placer (Granny Smith) Ptv Ltd: Mt. Margaret
38/18—Placer (Granny Smith) Ptv Ltd: Mt Margaret
38/19—Placer (Granny Smith) Pty Ltd; Mt Margaret.

#### **MN403**

# Commonwealth of Australia

# PETROLEUM (SUBMERGED LANDS) ACT 1967

(Section 119)

# PROHIBITION OF ENTRY INTO A SAFETY ZONE

I, Ian Fraser, the Director Petroleum Division of the Department of Minerals and Energy of the said State by instrument of delegation dated 2 March 1993, and pursuant to section 119 of the above Act, hereby prohibit all vessels other than vessels under control of the registered holders of Exploration Permit WA-221-P from entering or remaining in the area of the safety zone without the consent in writing of the Director, Petroleum Division. This safety zone extends to a distance of five hundred metres, measured from each point of the outer edge of the drillship Energy Searcher, whilst conducting petroleum operations at the Araucaria No. 1 well location (latitude 32°12′ 45.507″ South, longitude 115° 21′ 39.032″ East.)

Where an unauthorised vessel enters or remains in the safety zone specified in contravention of this instrument, the owner and the person in command or in charge of the vessel are each guilty of an offence against section 119 of the Act and are punishable, upon conviction, by a fine not exceeding \$100 000 or imprisonment for a term not exceeding 10 years, or both, pursuant to section 119 (3) of the Act.

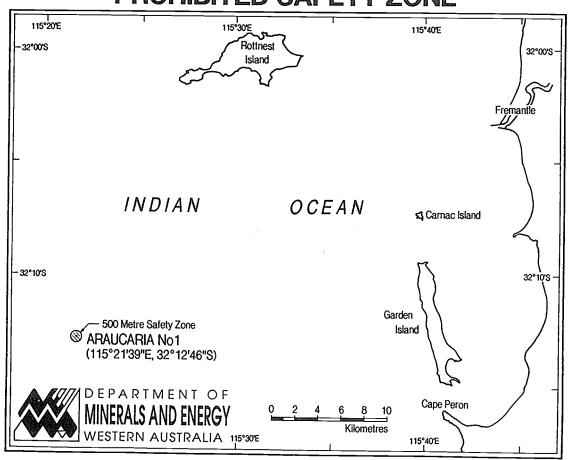
This notice supersedes the Prohibition of Entry into a Safety Zone dated 31 March 1993 as the drillship Energy Searcher has now replaced the previously nominated Maersk Venturer mobile offshore drilling unit.

Dated this 26th day of May 1993.

Made under the Petroleum (Submerged Lands) Act 1967 of the Commonwealth of Australia.

IAN FRASER, Director Petroleum Division.

# PROHIBITED SAFETY ZONE



MN404

#### PETROLEUM ACT 1967

# RENEWAL OF PETROLEUM PRODUCTION LICENCE

Production Licence No. L1, held by West Australian Petroleum Pty Limited of 24th Floor, QV1 Building, 250 St Georges Terrace, Perth WA 6000 has been renewed for twenty one (21) years commencing 18 May 1993.

IAN FRASER, Director Petroleum Division.

**MN405** 

#### PETROLEUM ACT 1967

# RENEWAL OF PETROLEUM PRODUCTION LICENCE

Production Licence No. L2, held by West Australian Petroleum Pty Limited of 24th Floor, QV1 Building, 250 St Georges Terrace, Perth WA 6000 has been renewed for twenty one (21) years commencing 18 May 1993.

IAN FRASER, Director Petroleum Division.

# PLANNING AND URBAN DEVELOPMENT

PD401

# TOWN PLANNING AND DEVELOPMENT ACT 1928

Shire of Carnarvon

INTERIM DEVELOPMENT ORDER Nos. 14 and 15

Ref: 26/10/2/1.

Notice is hereby given that the Honourable Minister for Planning has approved of the extension for twelve months from 1 June 1993 (No. 14) and 28 September 1993 (No. 15) of the Shire of Carnarvon Interim Development Order Nos. 14 and 15, pursuant to the provisions of section 7B of the Town Planning and Development Act 1928.

SARAH ARTHUR, Secretary, Committee for Statutory Procedures.

PD402

# TOWN PLANNING AND DEVELOPMENT ACT 1928

Shire of Greenough

SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Town Planning Scheme No. 4-Amendment No. 48

Ref: 853/3/7/6, Pt. 48.

Notice is hereby given that the Shire of Greenough has prepared the abovementioned scheme amendment for the purpose of modifying the Scheme Text and Map to acknowledge the Narngulu Waste Disposal Site Buffer.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Geraldton/Mt Magnet Road, Utakarra, 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 9 July 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 9 July 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.

W. T. PERRY, Shire Clerk.

# METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959

METROPOLITAN REGION SCHEME S.33A AMENDMENT

Approved Amendment—Land Bounded by Scadden and Iolanthe Streets, Collier Road and Railway Parade, Town of Bassendean

No. 849/33A.

File: 833-2-13-6.

The Hon Minister for Planning has approved, without modification, the abovementioned amendment to the Metropolitan Region Scheme.

The amendment, as shown on Plan No. 4.1154, shall have effect as from the date of publication of this notice in the *Gazette*.

The Plan as approved can be viewed at-

- Department of Planning and Urban Development, 469-489 Wellington Street, Perth WA 6000.
- J. S. Battye Library, Alexander Library Building, Cultural Centre, Francis Street, Northbridge WA 6000.
- Office of the Municipality of the Town of Bassendean, 48 Old Perth Road, Bassendean WA 6054.

GORDON G. SMITH, Secretary.

#### PD404

# METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959 METROPOLITAN REGION SCHEME S.33A AMENDMENT

Approved Amendment—Lot 21 Preston Point Road, Bolton Street and Surbiton Road, East Fremantle

No. 912/33A.

File: 833-2-4-6.

The Hon Minister for Planning has approved, without modification, the abovementioned amendment to the Metropolitan Region Scheme.

The amendment, as shown on Plan No. 3.0661, shall have effect as from the date of publication of this notice in the Gazette.

The Plan as approved can be viewed at-

- Department of Planning and Urban Development, 469-489 Wellington Street, Perth WA 6000.
- J. S. Battye Library, Alexander Library Building, Cultural Centre, Francis Street, Northbridge WA 6000.
- Office of the Municipality of the Town of East Fremantle, 135 Canning Highway, East Fremantle WA 6158.

GORDON G. SMITH, Secretary.

# PD405

# METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959

Shire of Mundaring

# METROPOLITAN REGION SCHEME

Notice of Major Amendment—Transferring Various Separate Areas of Land Between the Rural, Urban and Urban Deferred Zones

File No. 809-2-28-4. Amendment No. 924/33.

- 1. It is hereby notified for public information that the Metropolitan Planning Council at its meeting held on 7 April 1993, resolved in accordance with the provisions of section 33 of the Metropolitan Region Town Planning Scheme Act 1959 to propose an amendment to the Metropolitan Region Scheme and the Hon Minister for Planning has granted preliminary approval to the proposed amendment outlined in the First Schedule hereunder.
- 2. Copies of the maps that form part of the Metropolitan Region Scheme that is proposed to be amended will be available from Monday, 24 May 1993 to Friday, 20 August 1993 for public inspection free of charge during normal office hours, Monday to Friday inclusive of each week except of public holidays at each of the places mentioned in the Second Schedule hereunder.

3. Any person who desires to make a submission either supporting or objecting to any provisions of the proposed amendment may do so on the prescribed Form 6A. Forms for making submissions are available on request from the places where the proposed amendment is on display for public inspection and shall be lodged with the Secretary, State Planning Commission, c/- Department of Planning and Urban Development, 469-489 Wellington Street, Perth WA 6000, on or before 4.30 pm Friday, 20 August 1993.

# First Schedule

The Metropolitan Region Scheme is proposed to be amended by substituting the Urban Zone, the Rural Zone and the Urban Deferred Zone shown on Amending Map Sheet Numbers 13/20m, 14/9m, 16/137m and 17/33m for those corresponding part of Metropolitan Region Scheme Map Sheet Numbers 13, 14, 16 and 17.

The effect of the proposed amendment is to transfer land between the Rural, Urban Deferred and Urban Zones. The purpose of the amendment is to rezone the areas of land to complement zoning proposals within Council's proposed District Zoning Scheme No. 3.

The proposed amendment is depicted on State Planning Commission Plan Numbers 1.2820/1 and 1.2821/1.

# Second Schedule

Public Inspection (during normal office hours).

The Amendment Plan Nos. 1.2820/1 and 1.2821/1 will be available for inspection from Monday, 24 May 1993 to Friday, 20 August 1993 at each of the following places—

(a) Department of Planning and Urban Development 1st Floor Albert Facey House 469-489 Wellington Street Perth WA 6000.

- (b) Council Offices of the municipalities of-
  - (i) City of Perth 27 St. George's Terrace Perth WA 6000.
  - (ii) City of Fremantle Corner Newman and William Streets Fremantle WA 6160.
  - (iii) Shire of Swan Corner Great Northern Highway and Bishop Road Middle Swan WA 6056.
  - (iv) Shire of Mundaring 7000 Great Eastern Highway Mundaring WA 6073.
- (c) J. S. Battye Library Alexander Library Building Cultural Centre Francis Street Northbridge WA 6163.

GORDON G. SMITH, Secretary.

#### PD501

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

City of Canning

Town Planning Scheme No. 16—Amendment No. 407

Ref: 853/2/16/18, Pt. 407.

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 May 23, 1993, for the purpose of rezoning Lots 35 and 36, Canning Location 2 Nos. 1409-11 Albany Highway (Corner Liege Street), Cannington, from "S.R.2" and "Hotel" to "Showroom/Warehouse", as depicted on the amending plan adopted by the Council on the 15th day of December 1986.

M. S. LEKIAS, Mayor.

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

City of Cockburn

District Zoning Scheme No. 2-Amendment No. 54

Ref: 853/2/23/19, Pt. 54.

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 Cockburn Town Planning Scheme Amendment on May 23, 1993, for the purpose of rezoning portion of Pt. Lot 10, Miguel Road, Bibra Lake from "General Industry" to "Light Industry" as depicted in the Scheme Amendment Map.

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

**PD503** 

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

City of Rockingham

Town Planning Scheme No. 1—Amendment No. 232

Ref: 853/2/28/1, Pt. 232.

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 Rockingham Town Planning Scheme Amendment on May 23, 1993, for the purpose of—

- 1. Amending the Interpretation Section (Clause 1.12) of the Scheme Text by-
  - (i) Including the following interpretation after the interpretation of "Private Hotel"—
    - "Private Recreation" means land used for parks, playgrounds, sports arenas, or other grounds for recreation which are not normally open to the public without charge. ".
  - (ii) Including the following interpretations after the interpretation of "Professional Offices"—
    - "Public Amusement" means land and buildings used for the amusement or entertainment of the public, with or without charge; and
      - "Public Worship" means land and buildings used for the religious activities of a church but does not include an institution for primary, secondary or higher education, or a residential training institution. ".
- 2. Amending Appendix A (Zoning Table, Table 1) by deleting the symbol "X" for "Private Recreation", "Public Amusement" and "Public Worship" landuse within the Light Industry Zone, and substituting in its place the symbol "AA".

L. E. SMITH, Mayor. G. G. HOLLAND, Town Clerk.

PD504

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

City of Wanneroo

Town Planning Scheme No. 1-Amendment No. 586

Ref: 853/2/30/1, Pt. 586.

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 Wanneroo Town Planning Scheme Amendment on May 23, 1993, for the purpose of rezoning Lot 11 Whitfords Avenue, Woodvale from Commercial to Mixed Business.

R. F. JOHNSON, Mayor.R. F. COFFEY, Town Clerk.

# TOWN PLANNING AND DEVELOPMENT ACT 1928

APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Wanneroo

Town Planning Scheme No. 1-Amendment No. 637

Ref: 853/2/30/1, Pt. 637.

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 Wanneroo Town Planning Scheme Amendment on May 23, 1993, for the purpose of rezoning Lot 298 Berriman Drive, Wangara from "Service Station" to "Light Industrial".

R. F. JOHNSON, Mayor.

R. F. COFFEY, Town Clerk.

**PD506** 

# TOWN PLANNING AND DEVELOPMENT ACT 1928

APPROVED TOWN PLANNING SCHEME AMENDMENT

Town of East Fremantle

Town Planning Scheme No. 2—Amendment No. 20

Ref: 853/2/4/2, Pt. 20.

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 Town of East Fremantle Town Planning Scheme Amendment on 23 May 1993, for the purpose of amending the Scheme Map to show those lots affected by the deletion of the Canning Highway Reservation and shown as "Roads—Controlled Access Highway" on the Scheme Map into Residential, Mixed Use and Business Zones in accordance with the Scheme Amendment Map.

A. B. SMITH, Mayor. F. M. COLEY, Town Clerk.

**PD507** 

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

Shire of Gnowangerup

Town Planning Scheme No. 1—Amendment No. 1

Ref: 853/5/9/7, Pt. 1.

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 Gnowangerup Town Planning Scheme Amendment on 23 May 1993, for the purpose of rezoning Lot 102 Cecil Street, Gnowangerup from the Residential R15 Zone to the Industrial Zone.

K. E. PECH, President. P. A. ANNING, Shire Clerk.

**PD508** 

# TOWN PLANNING AND DEVELOPMENT ACT 1928 APPROVED TOWN PLANNING SCHEME AMENDMENTS

Shire of Katanning

Town Planning Scheme No. 3-Amendment Nos. 4 and 5

Ref: 853/5/10/3, Pts. 4 and 5.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Katanning Town Planning Scheme Amendment on 23 May 1993, for the purpose of—

Amendment No. 4

Excising Lot 1 Crosby Place, Katanning from the Rural Zone and including it in the Parks and Recreation Reserve.

Amendment No. 5.

Rezoning Lot 451, Corner Harris Street and Rogers Avenue from Private Clubs and Institutions to Residential.

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

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

Shire of Peppermint Grove

Town Planning Scheme No. 3—Amendment No. 7

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

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 Peppermint Grove Town Planning Scheme Amendment on May 23, 1993, for the purpose of amending Clause 3.2 Zoning Table so that to the Commercial Zone the following use classes are designated "AA"—

- Dwelling
- 9 Home Occupation
- 17 Residential Building

Add the following Restricted Uses to Schedule 7-

Lot No.	Street	Zone	Restricted Use Permitted
11 and 12	Johnston	Commercial	Development of the land is restricted to six (6) dwellings in accordance with drawings approved subject to conditions imposed by Council.

J. D. LIDBURY, President. G. D. PARTRIDGE, Shire Clerk.

**PD709** 

# **TOWN PLANNING AND DEVELOPMENT ACT 1928**

APPROVED TOWN PLANNING SCHEME

City of Stirling Town Planning Scheme No. 36

Ref: 853/2/20/38

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Stirling Town Planning Scheme No. 36 on 9 May 1993—the Scheme Text of which is published as a Schedule annexed hereto.

J. G. McNAMARA, Mayor.

G. S. BRAY, Town Clerk.

Schedule City of Stirling Town Planning Scheme No. 36 Part 1-General Provisions

## 1.1 Citation

This Town Planning Scheme may be cited as City of Stirling Town Planning Scheme No. 36 (hereinafter referred to as "the Scheme").

# 1.2 Responsible Authority

The authority responsible for carrying out the Scheme and enforcing the observance of the Scheme is the City of Stirling (hereinafter referred to as "the Council").

The Scheme shall apply to the whole of the land contained within the inner edge of the broken black line shown on the Scheme Maps as the Scheme Area Boundary (hereinafter referred to as "the Scheme Area").

#### 1.4 Arrangement of Scheme

## 1.4.1 Scheme Text

The Scheme Text is divided into the three Parts specified hereunder:

Part 1-General Provisions

Part 2—Implementation Provisions Part 3—Administration Provisions

## 1.4.2 Scheme Maps

The Maps specified hereunder form part of the Scheme:

Scheme Map: Part 1-Land Requirements Scheme Map: Part 2-Design Details

Scheme Map: Part 3—Zones

# 1.5 Scheme Purpose and Objectives

## 1.5.1 The purpose of the Scheme is:

To optimise safe vehicular and pedestrian access to all lots and to provide adequate public open space commensurate with the development of Medium Density Residential dwellings within the Scheme Area.

# 1.5.2 The objectives of the Scheme are:

- (a) To construct, drain and light such roads as are desirable within the Scheme Area to provide for the orderly development of the land and the safe movement of vehicles and pedestrians.
- (b) To undertake such road works as are necessary on streets surrounding the Scheme Area so as to ensure the free and safe movement of vehicles to and from the Scheme Area.
- (c) To provide and suitably develop adequate land within the Scheme Area for the purposes of Public Open Space.
- (d) To make provision for the reallocation of existing rights of way and parcels of open space which by virtue of their location are contrary to the requirements of orderly and proper planning of the Scheme Area.
- (e) To guide the development and aesthetic appearance of the built form within the Scheme Area through the application of special design provisions.

#### 1.6 Relationship of Scheme Text to Scheme Report

The Scheme Report should be read in conjunction with the Scheme Text.

#### 1.7 Clause Headings

The headings to clauses are for reference only and do not affect the construction of the Scheme.

#### 1.8 Statutes

A reference to an Act of Parliament or to a section thereof includes a reference to any Act by which it is re-enacted or amended for the time being in force and also includes all by-laws, regulations and orders made thereunder for the time being in force.

#### 1.9 Interpretation

Terms and expressions used in the Scheme have the meaning assigned to them in and for the purposes of the City of Stirling District Planning Scheme No. 2.

# Part 2—Implementation Provisions

## 2.1 Method of Carrying Out Objectives

The Scheme Maps shall form the basis for the subdivision and development of the Scheme Area. Subject to the provisions of the Scheme, it is the intention that the Council through the powers vested in it by the Scheme undertakes all those works necessary to fulfil the objectives of the Scheme.

#### 2.2 Scheme Works

The following works shall comprise the Scheme Works and shall be deemed to include any works ancillary or incidental thereto or associated therewith.

#### 2.2.1 New Road

The Council shall resume or otherwise acquire the whole of the land shown on the Scheme Maps as being required for the purpose of the new road and construct or cause to be constructed, drain and kerb the new road and provide or cause to be provided adequate footpaths, an entry statement and street lighting to the new road. The design, standard and type of road pavement within the new road reserve shall be to the satisfaction of the Council.

# 2.2.2 Public Open Space

The Council shall resume or otherwise acquire the whole of the land shown on the Scheme Maps as being required for the purposes of Public Open Space and Local Authority Purposes. The Council shall undertake or cause to be undertaken such earthworks, planting, landscaping or other improvements to the said land as are considered appropriate by the Council. The Council shall within the said land construct or cause to be constructed surfaces, as determined appropriate by the Council, suitable for the safe and comfortable passage of pedestrians.

#### 2.2.3 Drainage

The Council shall at the appropriate time or times carry out such drainage works as in its opinion are necessary for the proper drainage of the Scheme Area and may acquire land for that purpose and may set aside land for drainage sumps and compensating basins.

# 2.2.4 Surplus Lands

The Council shall make application to the Department of Land Administration to close or cause to be closed such portions of right of way and cancel or cause to be cancelled such lands vested in the Crown designated on the Scheme Maps as being surplus to the requirements of the Scheme (referred to as Surplus Land) and cause such closed portions or rights of way or cancelled lands to be amalgamated with the lot from which they were excised.

Where the owner of a lot with which the Surplus Land is to be amalgamated was the owner of that lot at the time the City of Stirling District Planning Scheme No. 2 was gazetted, the Surplus Land shall be credited to that lot free of charge and the owner shall not be responsible for Scheme Costs in respect thereof. Where the owner of a lot to which the Surplus Land is to be amalgamated was not the owner of that lot at the time the City of Stirling District

Planning Scheme No. 2 was gazetted, the value of the Surplus Land shall be levied against that lot as a Scheme Cost and shall be payable by the owner thereof. The monies so owing or paid shall be credited against total Scheme Costs.

#### 2.3 Scheme Costs

All costs or estimated costs either directly or indirectly resulting from the following items shall comprise the Scheme Costs:

2.3.1 The administration costs of the Scheme including an amount to reimburse the Council for all preliminary costs incurred by it in relation to the Scheme prior to the commencement date and for such design, overhead and supervision costs as may be incurred by the Council in the administration of the Scheme. For the purposes of the Scheme, the administration costs shall be a flat fee calculated in accordance with the following formula—

 $AC = 5\% \times (WORKS + SUBDIVISION + LEGAL + INTEREST + COMPLETION)$  where:

"AC" means administration costs;

"WORKS" means costs calculated under Clause 2.3.2

"SUBDIVISION" means costs calculated under Clause 2.3.4

"LEGAL" means costs calculated under Clause 2.3.5

"INTEREST" means costs calculated under Clause 2.3.6

"COMPLETION" means costs calculated under Clause 2.3.7

- 2.3.2 All costs arising from or incidental to the Scheme Works.
- 2.3.3 All compensation payable and costs associated therewith.
- 2.3.4 All costs, fees and expenses incurred by the Councll in the subdivision, resubdivision or amalgamation of land.
- 2.3.5 Legal, conveyancing and valuation costs.
- 2.3.6 Interest paid by the Council in respect of monies raised by the Council in order to carry out the objectives of the Scheme.
- 2.3.7 All costs and expenses which shall be payable by the Council in order to complete the Scheme.

The Council may from time to time estimate any item of Scheme Costs and revise an estimate so made.

# 2.4 Subdivision of Land

- 2.4.1 An owner of land within the Scheme Area who desires to subdivide his land either alone or in conjunction with other owners shall submit to the State Planning Commission or such other body as may from time to time be empowered to approve or approve conditionally plans of subdivision a plan of the proposed subdivision of the land in conformity with the Scheme Maps with such modifications as shall be permitted by the Council.
- 2.4.2 The Council may recommend to the State Planning Commission or such other body as may from time to time be empowered to approve or approve conditionally plans of subdivision after the submission of an individual application for subdivision alterations or variations within the Scheme Area where circumstances justify such action provided that no such alterations or variations shall be permitted if it would impede the subdivision or development of the Scheme Area as a whole.
- 2.4.3 Each owner shall upon the approval of the plan of subdivision of his land arrange for the survey of his land in conformity with the approved plan of subdivision and shall pay the costs of such survey.
- 2.4.4 If prior to the approval of a plan of subdivision the Council shall consider it to be necessary or desirable that an owner's land or any part thereof be surveyed according to the Scheme Maps it may arrange for the survey to be carried out. An owner shall pay to the Council the cost of such survey of his land or part thereof upon the subdivision of the land or at the expiration of three months notice given to him by the Council calling upon him to make such payment whichever shall first happen.
- 2.4.5 For the purposes of the Scheme, Lot 72 Main Street and the portion of Lot Pt 73 Main Street which is within the Scheme Area shall be assessed as if they were a single Lot. The Council shall not issue or cause to be issued an Approval to Commence Development under the provisions of the City of Stirling District Planning Scheme No. 2 unless a condition requiring that Lot 72 and portion of Lot Pt 73 Main Street be amalgamated prior to the issue of a Building Licence forms part of that Approval.

# 2.5 Allocation of Land

- 2.5.1 If, as a consequence of the Scheme Works, a portion of a lot is alienated from the balance of that lot such as to make the development of that portion impractical in the opinion of the Council, or an owner suggests to the Council that the portion would be more appropriately amalgamated with an adjoining lot, then the Council may resume or otherwise acquire that portion of the lot.
- 2.5.2 Where the Council so acquires a portion of a lot, it shall cause that portion to be amalgamated with one or more adjoining lots and all costs of acquisition and amalgamation of the portion shall be charged to the benefiting owner as though they were Scheme Costs.

Where a portion of a lot is amalgamated with two or more lots the costs shall be divided amongst the benefiting owners on the basis of land area received in proportion to the total area of the portion acquired by the Council or by such other method as the Council may determine to be more equitable in the particular circumstances of the case.

#### 2.6 Servicing of Land

2.6.1 The Council in implementing the Scheme shall not be responsible for the provision, extension or upgrading of utility services, infrastructure or carrying out of any development or works, unless otherwise provided for in the Scheme.

2.6.2 The provision, extension or upgrading of any utility service, infrastructure or carrying out of any development or works referred to in Clause 2.6.1, including the payment of any headworks or other fees associated with such services, shall be the responsibility of each respective owner within the Scheme Area.

# 2.7 Development Design Policy

All development within the Scheme Area shall be in accordance with the provisions of the Council's Town Planning Scheme No. 36—Development Design Policy.

#### 2.8 Density

The development of any land within the Scheme Area shall be in conformity with the density shown on the Scheme Map: Part 3—Zones.

#### Part 3-Administration Provisions

# 3.1 Powers and Authorities of Council

In carrying out the objectives of the Scheme the Council shall have the following powers and authorities:

- 3.1.1 To enter and inspect any land within the Scheme Area.
- 3.1.2 To consult with, make agreements or to make arrangements with the owners, occupiers, developers, prospective purchasers, prospective occupiers or any person having an interest in any land within the Scheme Area or other land affected by the Scheme Works.
- 3.1.3 To enter into agreements or to make arrangements with the Department of Planning and Urban Development, the Water Authority of Western Australia, the State Energy Commission, or any other Government instrumentality concerning any matters relating to the Scheme.
- 3.1.4 To purchase or resume land in the Scheme Area.
- 3.1.5 To raise such monies as are necessary for the implementation of the Scheme, including the power to raise monies by means of an overdraft or an advance from the City Municipal Fund.
- 3.1.6 To implement the Scheme progressively, in such part or parts of the Scheme Area as from time to time it determines.
- 3.1.7 To exchange any land in the Scheme Area for the time being owned by the Council as the cost or part cost of acquisition or the cost or part cost of compensation, and to enter into agreements relative to the determination and settling of costs of acquisition or compensation.
- 3.1.8 To demolish or otherwise remove and to re-erect where considered desirable by the Council those buildings and fences, which in the opinion of the Council obstruct the observance or carrying out of the Scheme.
- 3.1.9 To remove or relocate any service facility on lots purchased for public open space purposes.
- 3.1.10 To carry out such other development or works as may be necessary for the implementation of the Scheme.
- 3.1.11 To charge Scheme Costs in accordance with Clause 3.3 of the Scheme to all lots in the Scheme Area and to lodge caveats over any or all lots within the Scheme Area to protect Council's interest in the land.
- 3.1.12 To prohibit any development on land in the Scheme Area where the Council is of the opinion that such development would be contrary to or inhibit or impede the objectives of the Scheme.
- 3.1.13 To prohibit any development on land in the Scheme Area until such time as all Scheme Costs applying to that land have been paid to the Council or other arrangements to the satisfaction of the Council have been made for the payment of the said costs to the Council.

## 3.2 Valuation

Where it is necessary to ascertain the value of any land or portion thereof for the purpose of the Scheme, the value shall be determined by the Valuer General of Western Australia or another licensed Valuer appointed by the Council.

Valuations for any land required for the purposes of the Scheme shall be calculated as the value of such land at the gazettal date of the Scheme.

#### 3.3 Apportionment of Scheme Costs

3.3.1 The Scheme Costs shall be apportioned to each lot within the Scheme Area in accordance with the following formula:

Scheme Costs x Site Development Area Scheme Development Area

#### where:

"Scheme Costs" are the total of all costs associated with the Scheme under the provisions of Clause 2.3;

"Site Development Area" is the area of the lot, in square metres, after completion of the Scheme Works inclusive of any land removed or joined thereto under the provisions of Clauses 2.2.4 and 2.5; and

"Scheme Development Area" is the sum total of the Site Development Area of each lot within the Scheme Area.

For the purposes of this Clause, a "lot" shall not include land required by the Scheme for public roads and public open space (hereinafter referred to as Public Lands).

3.3.2 The apportionment of Scheme Costs under Clause 3.3.1 shall apply to a lot (other than Public Lands) regardless of—

(a) any buildings or improvements either existing or proposed on a lot; or

(b) any subdivision or amalgamation of a lot not being a subdivision or amalgamation carried out under the provisions of and for the purposes of the Scheme.

3.3.3 In addition to the provisions of Clause 3.3.1, monies charged against a lot under the provisions of Clauses 2.2.4 and 2.5 shall be deemed to be a Scheme Cost in respect of that lot. 3.3.4 The Council shall convey by registered mail to the owner of each lot within the Scheme Area the Scheme Costs payable in respect of that lot.

3.4 Staging of the Scheme

3.4.1 The Scheme shall be divided into two stages, namely-

Stage 1-Acquisition and reallocation of land; and

Stage 2-Physical Scheme Works.

3.4.2 For the purposes of the Scheme, the Council shall decide at which point in time Stage 1 and Stage 2 of the Scheme shall be deemed to be effectively completed.

3.5 Payment of Scheme Costs

- 3.5.1 Scheme Costs shall be apportioned to each lot at the conclusion of Stage 1. The Scheme Costs so apportioned shall be paid by the owner of that lot to the Council or by the Council to the owner, as the case may be, in accordance with the provisions of the Scheme set out below and shall consist of the following—
  - (a) Proportional costs for the resumption of land for public open space from Lot Pt 130 on Plan 3038 (Vol. 1094 Fol. 653) and from Swan Location 8682 (Vol. 1339 Fol. 930).
  - (b) Proportional costs for the resumption of other land within the Scheme Area.
  - (c) Proportional costs (estimates) for the physical Scheme Works.
  - (d) Compensation payable to owners for land resumed by the Scheme.
- 3.5.2 Where the apportionment of Scheme Costs for a particular lot results in a credit owing to the owner of that lot, the Council shall pay to the said owner the amount due within sixty (60) days of the date on which the Council issued the notice to the owner of the Scheme Costs apportioned to the lot under Clauses 3.5.1 of the Scheme. All amounts outstanding at the expiration of sixty (60) days shall accrue interest at a rate equivalent to rates of interest then applicable to bank overdrafts at the Commonwealth Bank of Australia from time to time of an equal value.
- 3.5.3 Where the apportionment of Scheme Costs for a particular lot results in a debt owing to the Scheme, the owner of that lot shall pay the amount so owing in accordance with either of the following methods—
  - (a) Method 1: Pay the full amount within sixty (60) days of the date on which the Council issued the notice to the owner of the Scheme Costs apportioned to the lot under Clause 3.5.1 of the Scheme. The amount paid towards physical Scheme Works shall be deposited into an interest bearing account until such time as required for the purposes of the Scheme. All interest so accrued shall be held as a credit on behalf of that particular owner and may be used by the Council towards the payment for any amount debited to that lot as a result of the difference between estimated physical Scheme Works and actual physical Scheme Works.
  - (b) Method 2: Pay the full amount within sixty (60) days of the date on which the Council issues a notice to the owner of the Scheme Costs apportioned to that lot at the completion of Stage 2 of the Scheme. Scheme Costs outstanding at the expiration of sixty (60) days shall be charged interest at a rate equivalent to rates of interest then applicable to bank overdrafts at the Commonwealth Bank of Australia from time to time of an equal value and the interest so charged shall be deemed to be part of the Scheme Costs for the lot.
- 3.5.4 Where an owner undertakes the payment of Scheme Costs in accordance with Clause 3.5.3 (a), no additional interest shall be charged to that lot resulting from moneys raised during Stage 1 of the Scheme.
- 3.5.5 Each lot within the Scheme Area is hereby charged with the payment of Scheme Costs by and the performance of all duties and obligations imposed on each respective owner of the lots in the Scheme Area under the Scheme in favour of the Council such that the Council is entitled to lodge a caveat over each lot to ensure the payment of Scheme Costs and the performance of all duties and obligations by each owner under the Scheme.
- 3.5.6 Where an owner wishes to sell or otherwise transfer a lot within the Scheme Area, the Council shall not agree to the removal of a caveat lodged on that lot to allow the transfer unless the Scheme Costs, or estimated Scheme Costs (as the case may be), apportioned to that lot are paid in full to the Council.

3.5.7. The Council shall not issue or cause to be issued an Approval to Commence Development under the provisions of the City of Stirling District Planning Scheme No. 2 nor issue or cause to be issued a Building Licence for development on any lot within the Scheme Area until such time as all the Scheme Costs are paid to the Council.

3.5.8 Where an owner makes application for subdivision of a lot within the Scheme Area the Council shall recommend to the State Planning Commission that the payment of Scheme Costs form a condition of approval to the subdivision and the Diagram of Survey shall not be cleared by the Council until such time as the aforementioned costs have been paid in full to the Council.

#### 3.6 Compensation

The time limit for the making of claims for compensation pursuant to Section 11 of the Town Planning and Development Act, 1928 (as amended) is six months after the date when notice of the approval of the Scheme is published in the manner prescribed by the Regulations made under the Act.

#### 3.7 Arbitration

3.7.1 Any dispute or difference between an owner and the Council as to the interpretation of the rights of the parties under the Scheme, or in respect of any matter which pursuant to the Scheme may be determined by arbitration, may be referred to the arbitration of a single arbitrator in a manner provided by the Arbitration Act 1895.

3.7.2 Twenty eight days written notice is hereby prescribed as the notice to be given pursuant to Section 10 of the Town Planning and Development Act, 1928 (as amended). Any expenses incurred by the Council under the said section may be recovered from the person in default as a simple contract debt in such Court of Civil Jurisdiction as is competent to deal with the amount of the claim.

Adoption (Regulation 13 (1))

Adopted by resolution of the Council of the City of Stirling at a meeting of the Council held on the 18th day of February 1992.

JAMES McNAMARA, Mayor. G. S. BRAY, Town Clerk.

Dated 7th April 1993.

Final Approval-

1. Adopted by resolution of the Council of the City of Stirling at a meeting of the Council held on the 20th day of October 1992 and the Seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of:

JAMES McNAMARA, Mayor. G. S. BRAY, Town Clerk.

Dated 7th April 1993.

Recommended for final approval by the State Planning Commission—
 JOHN F. FORBES, for Chairman, State Planning Commission.

 Dated 23rd April 1993.

3. Final Approval granted-

RICHARD LEWIS, Hon. Minister for Planning.

Dated 9th May 1993.

**PD708** 

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

City of Wanneroo

Town Planning Scheme No. 7A—Marangaroo Amendment No. 5

Ref: 853/2/30/8, Pt. 5

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 Wanneroo Town Planning Scheme No. 7A—Marangaroo, Amendment No. 5 on 9 May 1993—the text of which is published as a Schedule annexed hereto.

R. F. JOHNSON, Mayor. R. F. COFFEY, Town Clerk.

# Schedule

# City of Wanneroo

# Town Planning Scheme No. 7A—Marangaroo Scheme

The City of Wanneroo under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act, 1928 (as amended) hereby makes the following Town Planning Scheme.

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# PART 1: GENERAL PROVISIONS Scheme Text

#### Citation

1. This Town Planning Scheme may be cited as City of Wanneroo Town Planning Scheme 7A, Marangaroo Scheme hereinafter called "The Scheme" and shall come into operation on the publication of notice of the Hon. Minister for Planning's final approval thereof in the Government Gazette.

# Responsible Authority

2. The authority responsible for enforcing the observance of this Scheme is the City of Wanneroo hereinafter referred to as "The Council".

#### Maps

3. The following Maps are attached to this Text and form part of the Scheme—

Land Use Map

Amended Scheme Map-Parts A & B

#### Scheme Area

4. The Scheme shall apply to the land indicated in the Amended Scheme Map—Parts A and B and all such land shall be hereinafter referred to as the Scheme Area. The land contained within the inner edge of the broken black line is hereinafter referred to as Part A land and Part 2 of the Scheme Text shall apply to Part A land only. The land contained within the inner edge of the unbroken black line is hereinafter referred to as Part B land and Part 3 of the Scheme Text shall apply to Part B land only. Part 1 of the Scheme Text shall apply to both Parts A and B of the Scheme Area unless otherwise indicated.

#### General Objects

- 5. The General Objects of Parts A and B of the Scheme are-
  - (a) To facilitate and co-ordinate progressive subdivision and development of the land within the Scheme Area.
  - (b) To make provision for suitable roads within the Scheme Area.
  - (c) To ensure the proper drainage of the roads and of those parts of the Scheme Area which require drainage or other such works.
  - (d) To make provision for the creation of drainage reserves and easements.
  - (e) To ensure the provision of reticulated water to and throughout the Scheme Area.
  - (f) To have land within the Scheme Area connected to a sewer, and to provide for sewerage works and facilities both within and outside the Scheme Area where these are necessary for the proper servicing of the Scheme Area.
  - (g) To plan and make provision for land to be used for Public Open Space and Primary School.
  - (h) To carry out initial development of the recreation reserves.
  - To make provision for the apportionment of Scheme Costs amongst owners in an equitable manner.

#### Native Trees

- 6. So far as is practicable and consistent with the economic subdivisional development of land, native trees and shrubs are to be retained. The Council may mark specific trees or groups of trees and these trees are to be retained unless approval is given by Council in writing for their removal. Road Closures
- 7. Council is to initiate action upon the gazettal of final approval of this Scheme for the closure of those roads which are shown as roads on the land use map but are not shown as roads on the Amended Scheme Maps—Parts A and B or are shown thereon as closed roads and the land shall be used for the purpose shown on the Amended Scheme Map—Parts A and B and where the land is to be used for residential development, it shall vest in the adjoining owners or in the Council on behalf of the Scheme as determined by the Council.

#### Powers of Council

- 8. The Council in the conduct and management of the Scheme shall have the following powers—
  - (a) To enter and inspect the land within the area.
  - (b) To make arrangements with the owners or occupiers of any land within the Scheme Area, including the power to raise money on the owner's behalf to implement the Scheme.
  - (c) To extend the time within which any offer of replacement lots may be accepted.
  - (d) To acquire by purchase or otherwise any land within the area.
  - (e) To dispose of any lots to which it becomes entitled as the owner of land within the area at the date of the coming into operation of this Scheme upon such terms and conditions as it may think fit.
  - (f) To transfer any land acquired by it in pursuance of this Scheme as compensation or part compensation and to enter into agreement relative to the determination and settling of compensation.
  - (g) Subject to Clause 26 to make minor variations to the survey design.
  - (h) To lodge Caveats pursuant to the Scheme.

- (i) To enter into agreements with purchasers or prospective purchasers or prospective occupiers of land within the Scheme Area.
- (j) To enter into agreements with the Crown and any Department of the State with reference to the carrying out of any of the objects or works of the Scheme.
- (k) If any owner of land within the Scheme Area does not proceed with the subdivision or development of his land in accordance with the Scheme or by reason of the nature of his land he is unable to subdivide or develop it and his failure to do so in the opinion of the Council will unduly delay the subdivision and development of the Scheme Area the Council may resume or purchase the land of such owner or any part or parts thereof and proceed with the subdivision and development of the said land in accordance with the provisions of the Scheme.
- (l) In the event of the Council exercising its powers under sub-clause (k) it shall have the powers of an owner in the subdivision development and disposal of the said land; if land shall have been resumed and if the owner shall not have been paid compensation by reason of the resumption the Council before selling the land so subdivided and developed shall offer the new lots to the original owner upon his paying to the Council all costs and expenses consequent upon the resumption subdivision or development of the said land and upon his releasing the Council from all claims for compensation in respect of such resumption. The said offer shall be made in writing and if not accepted within one calendar month of the service thereof the Council may proceed with the sale of the subdivided lots.
  - All monies received by it from such sale shall be applied firstly in payment of all costs and expenses consequent upon such subdivision and sale and secondly in payment of all compensation in respect of the resumption of the said land. The balance, if any, of such monies may be retained by the Council and the Council shall make good any deficit.
- (m) If the offer mentioned in sub-clause (1) hereof be not accepted, the Council may retain all or any part of the said land, but if it does so it shall be responsible to pay such costs of subdivision of the said land and compensation for its resumption as are then unpaid.
- (n) To dispose of any lots to which it becomes entitled, whether under sub-clause (k) hereof or otherwise upon such terms and conditions as it may think fit and without limiting the generality of the foregoing, the Council may sell the lots singly or in groups and on the condition that buildings of a specified character with specified parking or other facilities shall within a limited period be constructed thereon or that the land and buildings be used for a specified purpose.
- (o) To transfer any land owned by it or acquired by it pursuant to the Scheme as compensation or part compensation and to enter into agreements relative to the determination and settling of compensation.
- (p) To acquire land for Public Open Space in the vicinity of the Scheme Area.
- (q) To appoint any person, group, company or firm to administer the Scheme on its behalf.
- (r) Subject to Council being satisfied that no one owner or group of owners will be disadvantaged, it may allow both Parts A and B of the Scheme Area to be divided into stages of development it considers to be convenient for the progressive subdivision of land, the provision of services and the carrying out of works and to the apportionment of Scheme Costs
- 9. Twenty-eight days written notice is hereby prescribed as the notice to be given pursuant to Section 10 of the Town Planning and Development Act, 1928 (as amended). Any expenses incurred by the Council under the said section may be recovered from the person in default as a simple contract debt in such Court of Civil Jurisdiction as is competent to deal with the amount of the claim.

# Finance

10. The Council shall do all things necessary in order to raise loans or to provide funds from other sources for the purpose of providing the finance necessary for the implementation of the Scheme. If Council shall be unable to arrange the necessary finance, it shall be under no liability to the owners of land within the Scheme Area or to any other person by reason of its failure to acquire lands or carry out works.

## Arbitration

11. Any dispute or difference between the owners as to their respective rights under the Scheme and any matter which by the terms of this Scheme may be determined by arbitration may be referred to the arbitration of a single arbitrator in the manner provided by the Arbitration Act 1895, or any statutory modification thereof for the time being in force and if the parties fail to agree upon any one single arbitrator he may be nominated by the President for the time being of the West Australian Division of the Australian Institute of Valuers if the dispute or difference concerns a question of valuation of land; or the President for the time being of the Law Society of Western Australia in any other case.

### Change of Zoning

12. The Council may from time to time take action to zone or rezone land included within the Scheme Area.

# Primary School Site and Dwelling

13. The area shown as a Primary School Site on the Scheme Map has been identified for that purpose.

- 14. Each owner of land within Parts A and B of the Scheme Area shall contribute to the provision of the Primary School land and the value of the dwelling that existed thereon. Such contribution is to be assessed on an average *en globo* value in respect of the land and a value of \$8,400 in respect of the dwelling.
- 15. Each owner's proportion of the average *en globo* value of the school site land and value of the dwelling in accordance with Clause 14 is the proportion the nett subdivisible area that each stage and or owners land bears to the whole of the nett subdivisible area of land within both Parts A and B of the Scheme Area.
- 16. If the area of the land the subject of an application for subdivision contains no school site land and dwelling or contains an area of school site land and dwelling which is less than the value of the owners required contribution pursuant to Clauses 14 and 15 hereof, the owner shall prior to the final approval by the State Planning Commission of the subdivision of his land or part thereof, make a cash payment to the Scheme in satisfaction of the owner's liability pursuant to such clauses.
- 17. The Education Department has acquired the Primary School Site and has accepted liability for half the cost of constructing and draining the boundary roads and the cost of providing water and sewerage reticulation services to the site together with the engineering and surveying fees necessary for the construction and installation of these works and services.
- 18. The Council shall pay the amount received from the Education Department in respect of the land acquisition cost to the owners in the proportion referred in Clause 15 hereof and in respect of the works and servicing costs, to the stages and or owners who paid the costs of the roads and services adjoining or serving the School Site proportionately to the amounts paid by them.

#### Overwidth Roads

19. Each owner of land within Parts A and B of the Scheme Area shall contribute to the average en globo value of the land that is required for the overwidth roads (in excess of 20m) within the Scheme. Each owner's proportion of the total average en globo value of the overwidth road land is the proportion the nett subdivisible area that each stage and or owners land bears to the whole of the nett subdivisible area of land within both Parts A and B of the Scheme.

#### Public Open Space

- 20. It is intended that the land coloured green on both Parts A and B of the Scheme Map (the P.O.S. Land) will be reserved for Public Open Space and recreation.
- 21. Each owner of land within the Scheme Area shall contribute to the provision of P.O.S. land shown coloured green on both Parts A and B of the Scheme Map. Such contribution is to be assessed on an average *en globo* value.

#### Service of Notices

22. Any notice to be served or given to an owner pursuant to the Scheme may be sufficiently served if sent to such owner by registered post in an envelope addressed to him at his address appearing in the Rate Book of the Council and a notice so sent shall be deemed to have been served on the day on which it would in the ordinary course of post reach the address to which it was sent.

# PART 2: PROVISIONS APPLICABLE TO PART A LAND

# Scheme Works-Part A

- 23. (a) The Scheme Area shall be re-surveyed in conformity with the design shown on the Scheme Map with such variations as may be approved by the State Planning Commission.
- (b) Roads to Council's specification for roads in residential areas shall be constructed on the land shown as roads on the Scheme Map including any necessary drainage and earthworks. All roads within Part A of the Scheme Area constructed as at the date of coming into operation of the Scheme, within the Scheme Area shall be upgraded to the standard of construction required by Council for new roads in residential areas.
- (c) Part A of the Scheme Area shall be drained and all necessary drainage works shall be carried out.
- (d) All new lots within Part A of the Scheme Area shall be supplied with reticulated water.
- (e) A sewerage reticulation service shall be supplied to all new lots within Part A of the Scheme Area.
- (f) The land coloured green on the Scheme Map shall be set aside for public open space and recreation.
- (g) Initial development, being the clearing and levelling of the recreation reserves to be carried out where it is considered by Council to be desirable or necessary.
- (h) Any levelling and grading within Part A of the Scheme Area will be carried out where it is considered necessary by Council.
- (i) Where necessary existing services shall be re-located.
- (j) Those outbuildings and fences which in the opinion of the Council interfere with the proper development of land within Part A of the Scheme Area according to the new subdivision shall be demolished and removed.
- (k) All new lots created within Part A of the Scheme Area shall be supplied with underground electrical power with the exception of those lots that can be served from existing adjacent overhead lines.

- 24. (1) The area the subject of Amendment No. 3 as shown on the Scheme Amendment Map (in this clause referred to as "the subject area") shall be subdivided in accordance with the design shown thereon subject to any alterations or variations made pursuant to Clause 26.
- (2) The lots created by the subdivision of the subject area that are in addition to those shown on the original Scheme Map are in accordance with sub-clause (1) of this clause saleable lots and shall be dealt with as such.
- (3) The nett proceeds of sale of the additional lots in accordance with sub-clause (2) of this clause shall be applied in or towards payment of the Scheme costs of Part A of the Scheme.

Method of Carrying Out Objects-Part A

- 25. The subdivision of land within Part A of the Scheme Area shall be in accordance with the pre-calculated survey plan of the Part A of the Scheme Area.
- 26. The Council may with the consent of the State Planning Commission permit alterations or variations to the Scheme Map where in its opinion circumstance justify such action provided that no such alteration or variation shall be permitted if in the opinion of the Council it would impede the subdivision and development of the Scheme Area as a whole.
- 27. Where land has been acquired for the widening of the Wanneroo Road Reserve and compensation for the same has not been finalised the owner's interest in the Scheme will be calculated on the area of his land holding prior to the land for the Wanneroo Road widening being acquired.

#### Subdivision—Part A

- 28. The Council shall submit an overall plan of proposed subdivision to the State Planning Commission as required by the Town Planning and Development Act, 1928 (as amended). This plan shall be in the form of the previously mentioned precalculated survey plan of the total Scheme Area.
- 29. The State Planning Commission may refuse to approve a diagram/plan of survey and the Council may not undertake development in certain sections of the Scheme Area until scheme works can be carried out therein or until other sections have been subdivided and/or developed.

# Value of New Lots-Part A

30. The lots created by the re-survey of the Scheme Area in accordance with the Scheme Map (hereinafter called "the new lots") shall be valued as at 4.3.1977 being the date of coming into operation of the Scheme as residential land on the basis that all works to be undertaken as part of the Scheme have been carried out.

#### Valuations—Part A

- 31. (a) The valuations of the lots shown on the Land Use Plan, hereinafter called "old lots" shall be valued as at the 30th day of July, 1973 the date on which the Council received valuations on the "old lots" from the Valuer General.
- (b) The valuations shall be made by the Valuer General of the Valuer General's office, one of his officers or such other valuer being a member of the Australian Institute of Valuers Incorporated, (W.A. Division) as Council determines.
- (c) The basis of valuation will be the unimproved value as defined by Section 533(3) of the Local Government Act, 1960 (as amended).
- (d) If an owner shall object to the value placed on his old lot, he may give notice of such objection to the Council within thirty (30) days after having been served with notice of the said value. If the valuer does not agree to change the value to a figure acceptable to the owner the value shall be determined by arbitration in accordance with the provisions hereinafter contained.
- (e) If a value placed on a lot shall be changed as the result of an objection, the valuer may reconsider the value placed on the other lots and make such revaluations as he considers just and equitable.
- (f) Where a valuation in respect of the old lots is referred to arbitration, it shall be determined by a single arbitrator in the manner provided by the Arbitration Act, 1895, or any statutory modification thereof at the time being in force and if the parties fail to agree on any one single arbitrator, he will be nominated by the President of the Australian Institute of Valuers Incorporated, W.A. Division. The arbitrator shall have regard to matters placed before him in respect of the value to be determined in regard to the values placed on other land in the Scheme Area as the old lot value.

# Owners Value Ratio-Part A

32. From the sum of the values of the new lots shall be deducted the costs or estimated costs of Part A area land and the figure is the net value for the new lots. The owners value ratio is the ratio of the sum of values of the old lots and the net value of the new lots.

#### Owners Interest in Scheme-Part A

33. Each owner of an old lot shall be deemed to be entitled to an interest in the Scheme of a value equal to the value of his old lot increased or decreased as the case may be in the ratio of the owners value ratio as determined in accordance with Clause 32 hereof.

#### Scheme Costs-Part A

- 34. The costs or estimated costs of the following items are herein referred to as Scheme Costs—
  - (a) The administration costs of Part A of the Scheme including an amount to reimburse the Council for such overhead and supervision.
  - (b) All compensation payable and all the costs and expenses of determining and settling compensation.

- (c) The acquisition of any land within or near Part A of the Scheme Area in the event of such land being acquired other than by resumption.
- (d) The cost of the construction and drainage of all roads shown on the Scheme Map to the standard specifications of construction accepted for such works within Part A of the Scheme Area.
- (e) The cost of sewerage works necessary for the connection of the lots within Part A of the Scheme Area to the main Metropolitan sewerage network.
- (f) The cost of water reticulation works necessary for the connection of the lots within Part A of the Scheme Area to the Metropolitan water main network.
- (g) The cost of drainage works necessary for the proper drainage of Part A of the Scheme Area, including all necessary drainage works reservations and easement whether inside or outside Part A of the Scheme Area.
- (h) All legal and valuation fees.
- (i) Cost of the initial parkland reserve development for such land within Part A of the Scheme Area.
- (j) All other costs and expenses which the Council shall be required to meet in order to implement and complete Part A of the Scheme.
- (k) All interest and other charges incurred on money needed to implement Part A of the Scheme.
- (l) The cost of all works necessary to provide all new lots created within Part A of the Scheme Area with an underground electrical power service.
- (m) The acquisition of land required for a primary school site including compensation for any improvements existing on the land as at the date of acquisition.

#### Estimate of Scheme Costs-Part A

35. The Council may from time to time revise the estimate of Scheme Costs and shall advise owners accordingly.

#### Acquisition of Land—Part A

36. The land within the Scheme Area or as much thereof as is necessary to implement the Scheme shall be resumed or otherwise acquired by the Council.

#### Estimate of Compensation-Part A

37. In the event of any claim for compensation not having been settled at the time when Council is ready to transfer lots in pursuance of this Scheme, the Council may estimate the amount of compensation payable and the costs relating thereto and debit the Scheme with the net amount so estimated. In the event of the Council so doing the difference between the estimated and the actual compensation payable shall be received or paid by the Council as the case may be and shall form part of the receipts or expenditure of this Scheme.

# Time Limit for Claims for Compensation-Part A

38. Claims for compensation by reason of the operation of this Scheme shall be made within six months of the coming into operation of the Scheme being 4.3.1977, or the date of the issue of a notice of resumption or the issue of a notice of rescission under Clause 46 hereof whichever is the later.

# Allocation and Disposal of New Lots-Part A

- 39. The new lots created by the re-survey of the area shall be dealt with as follows-
  - (a) Each owner of land within the Scheme Boundary will be offered a new lot or lots.
  - (b) The Council shall set aside sufficient lots (hereinafter called "saleable lots") in order that the costs of the Scheme may be paid from the sale of them.
  - (c) The remaining parts of new lots or value of part new lots shall be apportioned among the owners of the old lots as equitably as possible and offered to such owners, either upon payment of a proportionate part of the new lot valuation by the owner in order that he may obtain a further whole new lot or upon payment to the owner by the Scheme of the proportionate part of a new lot to which the owner is entitled.
  - (d) The offer mentioned in sub-clause (c) hereof must be such that the total value of the replacement lots offered and the new value of any land within the Scheme Area, together with or subject to a payment in money, is equal to the owner's interest in the Scheme as ascertained in accordance with Clause 33 hereof.
  - (e) An owner from whom land has been resumed but to whom no offer of land is made shall be offered a cash payment equal to that owner's interest in the Scheme.

# Nature of Offers-Part A

- 40. The offers mentioned in Clause 39 hereof shall be made in writing to each of the said owners and served by certified post on him at his address as appearing in the Rate Book of the Council and shall specify the new lot or lots the subject of the Offer and for which payment is to be made or received as the case may be and an estimate of any compensation payable to the owner under the Scheme, and the old lot in respect of which the offer is made. It shall also specify the owner's interest in the Scheme, how the offer is calculated, the valuations placed on the said lots and payment to be made or received as the case may be.
- 41. The offer shall specify a date not being less than twenty-eight (28) days after the posting of the said offer within which the offer may be accepted.

- 42. The offer may be accepted by notice in writing to the Council at any time before the date specified in the said offer and if not accepted within such time, shall, subject to Clause 38 hereof, be deemed to have been rejected. No acceptance of the offer shall be deemed a valid acceptance unless all rates and taxes owed by the owner of land within the area specified have been paid.
- 43. The offer of the replacement lot or lots may be accepted and the offer of the remaining lots may be rejected.
- 44. If an owner does not accept an offer wholly or in part Council may vary the offer to a part cash and part replacement lot offer equal to his interest in the Scheme.
- 45. If the offer be wholly accepted it shall be accepted by the owner in full settlement and satisfaction of all claims for compensation in respect of the resumption from him of the old lot in respect of which the offer was made and otherwise in respect of the operation of this Scheme.

#### Registration of Transfers-Part A

- 46. The Council shall cause to be prepared and sent to those owners entitled transfers in respect of each offer of a replacement lot which has been accepted by the owner in accordance with this Scheme. If an owner shall fail to complete the transfer in accordance with the Transfer of Land Act, 1893-1959, and return it to the Council for registration within twenty-eight (28) days after having been called upon to do so by notice served by registered post on the owner at his address last known to the Council (which notice may be served with the transfer) the Council may rescind any agreement whereby such owner is entitled to have the land the subject of the transfer transferred to him and thereupon such owner shall have a claim against the Council only for compensation for the resumption of the land in respect of which the offer of the replacement lot or lots was made and the land subject of the transfer shall be treated as a rejected lot.
- 47. Where the Council is of the opinion that an owner who has accepted the offer of replacement lots made to him has suffered additional damage or inconvenience by reason of the Scheme, the Council shall offer and pay to the owner such sum (if any) acting on the advice of the Valuer General or a valuer appointed under Clause 31 that it considers equitable.

#### Rejected Lots-Part A

48. If an owner does not accept an offer made to him by the Council in accordance with this Scheme or fails to complete a transfer of the said lot in the manner aforesaid, the Council may deal with the lots so affected as hereinafter appears.

#### Sale of Saleable Lots and Rejected Lots—Part A

49. The Council may sell the saleable lots and the rejected lots either by public auction or private contract as a whole or in separate lots upon such terms and conditions as the Council may think fit. In the event of a sale by private contract the price shall not be less than the price recommended by the Valuer General, one of his officers or a valuer being a member of the Australian Institute of Valuers Incorporated, W.A. Division, unless, after submitting the land for sale by public auction or tender that price has not been obtained.

## Valuation of Saleable Lots and Rejected Lots-Part A

50. The Council may acquire all saleable lots, or any individual saleable lot which is not purchased during a normal sale and ascertain the value of them or those unsold from the Valuer General, one of his officers or a valuer being a member of the Australian Institute of Valuers Incorporated, W.A. Division, as determined by Council and credit the Scheme with the value it so ascertained and in that event the lots shall be the property of the Council and may be retained, sold, or otherwise dealt with in such manner as the Council thinks fit.

# Income and Expenditure-Part A

- 51. In the event of money received by the Council from the operation of the Scheme exceeding the total payments and liabilities in respect of the Scheme, the amount of such excess will be distributed amongst the owners from whom land was resumed according to their interest in the Scheme.
- 52. In the event of money received by Council from the operations of the Scheme, not exceeding the total payment and liabilities in respect of the Scheme, the amount of such deficit will be borne by the municipal fund.
- 53. If an owner or other person or persons entitled to an interest in the Scheme cannot be found, the Council may after the expiration of six years from the date on which an offer was made in accordance with Clause 39 hereof, expend the amount of his interest in the Scheme Area and thereafter such owner shall have no claim in respect of such money.

# Encumbrance on Title—Part A

54. In the event of any land in the area being subject to a registered mortgage charge or lease or to a caveat to protect the interest of the purchaser, mortgagee, chargee or lessee, the Council shall not transfer a new lot to the owner unless subject to similar encumbrances or with the consent of all persons entitled to the benefit of the encumbrance.

# PART 3: PROVISIONS APPLICABLE TO PART B LAND:

# Interpretation

- 55. In this Part, the terms used will have the same meanings assigned to them by the Town Planning and Development Act, 1928 (as amended) and additionally the following terms and expressions shall have the meanings assigned to them hereunder;
  - (a) "average *en globo* value" means the average *en globo* value for the resumed land contained within Part A of the Scheme area as established by the Valuer General and that equates to \$18,922 per hectare.

- (b) In Part B the expression—"date of subdivision" means the date upon which final approval is given by the State Planning Commission to a Diagram or Plan of Survey of a proposed subdivision of land to take effect under this Scheme.
- (c) "nett subdivisible area" means the area of land the subject of the proposed subdivision less the portions required for School Site, Flora and Fauna Reserve, and existing residences as at 4.3.1977 being the date of commencement of this Scheme.
- (d) "interest charges" means the rate of interest charged by the National Australia Bank at the ruling Bank interest rate during and for the period such interest accrual occurs pursuant to the provisions of the Scheme.

#### Subdivision and Development—Part B

- 56. As and when owners of land within Part B of the Scheme Area subdivide or develop their land, such subdivision shall conform in general with the subdivisional design shown on the Scheme Map.
- 57. The Council may with the consent of the State Planning Commission, permit departures from the design shown on the Scheme map if it considers the subdivisional design or proposed development to be of an acceptable standard provided that no departure from the design shown on the Scheme Map or diagram/plan of survey shall be permitted if in the opinion of the Council it would impede the subdivision or development of the Scheme Area as a whole.
- 58. Prior to the subdivision of part or all of Part B of the Scheme Area, the land the subject of that subdivision shall be appropriately zoned, under the Council's District Town Planning Scheme prevailing at that time.
- 59. An owner of land within Part B of the Scheme Area who desires to subdivide his land or part thereof, either alone or in conjunction with other owners, shall submit a sketch plan of the proposed subdivision to the State Planning Commission as required by the Town Planning and Development Act, 1928 (as amended), generally in conformity with the Scheme Map, in accordance with the provisions of Clause 56.
- 60. The Council shall not recommend the approval of any plan of subdivision to the State Planning Commission unless the proposals conform generally with the Scheme Map or the proposal will not impede or adversely affect the subdivision of the Scheme Area as a whole.
- 61. Upon the approval of the sketch plan of subdivision of an owner's land he shall arrange for the survey of his land in conformity with the approved plan of subdivision and shall pay the costs of such survey.

# New Roads and Pedestrian Accessways-Part B

- 62. Subject to the following clauses, all new roads and pedestrian accessways as shown on the Scheme Map within the Scheme Area shall be surveyed, constructed, paved and drained at the expense of the owners of the land in which the roads and pedestrian accessways are situated or abut.
- 63. Every owner shall when subdividing his land, make provision on the Plan or Diagram of Survey (as the case may be) that is submitted to the State Planning Commission for final approval for the roads, and pedestrian accessways to be dedicated as such and shall pay the costs of the survey, construction, paving, and drainage of the roads and pedestrian accessways within the land owned by him.
- 64. Where the situation of a road or pedestrian accessway within the Scheme Area is such that in the opinion of the Council it would be fair and equitable that the subdividing owners of adjoining land should each contribute to the cost of the survey, construction, paving or drainage of that road or pedestrian accessway and apportion the value of the land made available for roads and pedestrian accessways, they shall meet the cost thereof prior to the final approval by the State Planning Commission to the subdivision of their land.
- In a situation where such owners are unable to agree upon the proportion of the costs to be so paid, the amount (if any) payable by each owner shall be determined by Arbitration in the manner hereinafter provided.
- 65. The Council may survey, construct, pave and drain any roads and pedestrian accessways within the Scheme Area and acquire so much of an owners land as is necessary for that purpose. If the Council shall do so prior to the subdivision of the lands adjoining such roads or pedestrian accessways, the cost of the survey, construction, paving and drainage of the said road and pedestrian accessways and or compensation and other costs consequent upon the acquisition of the land shall be paid to the Council by each respective owner of land in accordance with the foregoing provisions prior to the final approval by the State Planning Commission to the subdivision of whole or part of his land.
- 66. If an owner shall subdivide his land and if he or his predecessors in title shall have claimed or shall have been paid compensation by reason of the resumption by the Council of the land for a new road or pedestrian accessway within the Scheme Area since the date of coming into operation of the Scheme, he shall before the date of subdivision release the Council from the payment of compensation or repay to the Council the compensation paid by it to him or his predecessors in title as the case may be.
- 67. (a) Where a road has a pavement width exceeding 7.4m an owner is liable for only that part of the road costs as would have been payable if the pavement width had been only 7.4m and the road reserve width only 20m.

- (b) The proportion of the road costs that is in excess of the amount the owner is liable for under sub-clause (a) shall form part of the Scheme Costs and be apportioned in accordance with Clause 87 hereof.
- 68. All roads shall be constructed in accordance with specifications and of materials approved by the Council and in accordance with the Council's standard requirements for subdivisional road construction.
- 69. (a) Where a road adjoins public open space an owner is liable for one half of the road and drainage costs in respect of the section of road that adjoins the public open space, the remaining one half of the road and drainage costs and including one half of the road land value abutting public open space shall form part of the Scheme Costs and be apportioned in accordance with Clause 87 hereof
- (b) This Clause does not apply to the end alignment of a cul-de-sac road if that is the only part of the road which adjoins the public open space.
- (c) If the location of the public open space is changed or the site thereof is cancelled the owners liability under this clause shall be transferred to the new site or cancelled as the case may be.
- (d) Where a road to which this clause applies has been constructed by or on behalf of an owner, the proportion of the cost pursuant to sub-clause (a) hereof that forms part of the Scheme Costs, shall be the amount the Council considers to be a fair and reasonable cost and if there is any dispute between the Council and the owner as to what is a fair and reasonable cost it shall be determined by Arbitration in the manner hereinafter provided.
- (e) Where sufficient moneys to enable the payment to be made have been received by the Council in respect of that portion of the Scheme Costs attributable to roads and drainage, a payment to be made by the Scheme under this clause may be postponed until sufficient moneys have been paid to the Council.

Construction or Improvement of Existing Roads-Part B

- 70. The construction, improvement, widening, or drainage of or other works relating to each road which has been dedicated prior to the coming into operation of the Scheme but is unmade or in the opinion of the Council requires improvement, widening, drainage or other works in order that the road will be of a suitable standard for a residential area shall be carried out by the owner of the land abutting on the road and, subject to Clause 67 (a) and 67 (b), the owner shall pay all road costs in respect thereof or such proportion as the Council determines unless in any particular case the Council decides otherwise.
- 71. An owner of land which abuts a road referred to in the preceding clause shall when subdividing his land pay to the Council prior to the final approval by the State Planning Commission to the subdivision the proportion of the costs or estimated costs of the construction, improvement, widening, drainage or other works relating thereto (not exceeding one half thereof or the proportion not paid by the owner referred to in Clause 70, whichever is the lesser) as determined by the Council.

Sewerage, Drainage, Water Supply and Filling—Part B

- 72. Sewerage services will be made available to the Scheme Area. Each subdividing owner shall be responsible for the costs of reticulation of sewerage services throughout the land owned by him.
- 73. Reticulated water will be made available to the Scheme Area and every subdividing owner shall be responsible for the cost of the reticulation of water supply services throughout the land owned by him.
- 74. Any sewerage works, drainage works and water supply works necessary for the proper servicing and/or drainage of the Scheme Area and the connection of land therein to drains, or water mains shall progressively and at the appropriate times be carried out by and at the cost of the subdividing owner.
- 75. If land requires levelling, filling or other earthworks before it can be subdivided or built upon the cost of those works shall be borne by the owner of the land.
- 76. An owner shall not subdivide his land unless there is a sewer to which all new lots in the proposed subdivision can be connected.

Underground S.E.C. Power-Part B

- 77. All new lots created within the Scheme Area shall be supplied with underground electrical power with the exception of those lots that can be served from existing adjacent overhead lines and the cost of such works shall be borne by the owner of the land.
- 78. Each owner of land within Part B of the Scheme Area shall prior to the final approval by the State Planning Commission to the plan/diagram of subdivision of his land or any part thereof and subject as hereinafter provided, vest in the Crown all that area of land set aside for public open space on the Scheme Map within his ownership or that is shown as a reserve for public open space on sketch plans approved for subdivision by the State Planning Commission in accordance with Clause 57.
- 79. Each owner's proportion of the total average *en globo* value of the P.O.S. land in accordance with Clause 21 is the proportion the nett subdivisible area that each stage and or owners land bears to the whole of the nett subdivisible area of land within both Parts A and B of the Scheme.
- 80. If the area of land the subject of an application for subdivision contains no P.O.S. land or contains an area of P.O.S. land which is less than the value of the owners required contribution pursuant to Clauses 21 and 79 hereof the owner shall prior to the final approval by the State

Planning Commission of the subdivision of his land or part thereof, make a cash payment to the Scheme in satisfaction of the owner's liability pursuant to such clauses.

- 81. If the area of P.O.S. land the subject of an application for subdivision exceeds the owner's liability pursuant to Clauses 21 and 79 hereof, the owner shall receive a cash payment from the Scheme in accordance with Clauses 21 and 79 hereof so as to limit such owner's P.O.S. liability to the average *en globo* value required pursuant to such clauses.
- 82. Where insufficient monies to enable the payment to be made have been received by the Council in respect of P.O.S. land value contributions, a payment to be made by the Scheme pursuant to Clause 81 may be postponed until sufficient monies have been paid to the Council.

#### Resumption—Part B

- 83. The Council may resume as much of an owners land as is necessary to construct roads, pedestrian accessways, and install services for the benefit of the Scheme.
- 84. The Council may at any time exercise the powers conferred by Section 13 of the Town Planning and Development Act, 1928 (as amended).
- 85. When the Council has resumed land for a new road, pedestrian accessway and or the installation of services which the owner of the land would have been required to make available under the Scheme when subdividing his land, the owner shall when subdividing his land—
  - (a) release the Council from any liability to pay compensation therefore; or
  - (b) repay to the Council the amount of any compensation paid by it to the owner or any of his predecessors in title;

as the case may be, before the final approval by the State Planning Commission of his plan of subdivision.

#### Administration—Part B

- 86. Scheme Costs: The cost or estimated costs of the following items are hereinafter referred to as Scheme Costs—
  - (a) The cost of preparation and amendment and administration of Part B of the Scheme including an amount to reimburse the Council for all overhead and management costs as may be incurred in the preparation and implementation of Part B of the Scheme and including all legal costs, planning costs, payments to planning consultants, management and engineering consultants, surveyors and other professional consultants and valuation costs.
  - (b) The cost of any engineering and new lot surveys carried out by the Council within Part B of the Scheme Area.
  - (c) The cost (if any) to the Council of any drainage works necessary for the proper drainage of Part B of the Scheme Area and the acquisition of lands for that purpose.
  - (d) The cost (if any) to the Council of supplying water and or reticulated sewerage throughout Part B of the Scheme Area and of the acquisition of lands for that purpose.
  - (e) The cost (if any) of the survey, construction, paving and drainage of all overwidth (exceeding 7.4m pavement) roads, and acquisition of land for road reserve purposes in excess of 20 metres.
  - (f) All compensation payable and all costs and expenses determining and settling compensation.
  - (g) Subject to Clauses 78 to 82 hereof all costs and expenses of and incidental to the acquisition of the public open space land and the cost of roads and drainage abutting the P.O.S. land and including half, the road land value.
  - (h) Subject to Clauses 13 to 18 hereof all costs and expenses of and incidental to the acquisition and sale of the Primary School Site, dwelling and the cost of roads, drainage, sewerage and water services abutting or serving the school site.
  - (i) Subject to Clauses 93 to 96, all interest accruing from time to time on monies borrowed and or advanced by the Council for the purposes of Part B of the Scheme.
  - (j) All other costs and expenses which the Council or its nominees shall be required to meet in order to implement and complete Part B of the Scheme.

# Payment of Scheme Costs-Part B

- 87. Unless otherwise specified, an owner's proportion of Scheme Costs is the proportion which the nett subdivisible area of his land bears to the whole of the nett subdivisible area of land within Parts A and B of the Scheme Area.
- 88. Notwithstanding Clause 98 hereof each owner of land shall prior to the final approval by the State Planning Commission to the subdivision of the land pay to the Council the owner's proportion of the Scheme Costs pursuant to Clause 86 hereof.
- 89. The Council may from time to time apportion the Scheme Costs or any part thereof between different stages and or owners or groups of owners land in the ratio that the nett subdivisible area of the land in each stage and or owner's or groups of owners land bears to the whole of the nett subdivisible area of land within Parts A and B of the Scheme Area or in such other manner as the Council considers is fair and equitable.

# Estimate of Scheme Costs-Part B

- 90. (a) If any item or items of Scheme Costs have not been paid nor ascertained at the time of subdivision of a parcel of land the Council may cause an estimate of such items or items of Scheme Costs to be made. An estimate of Scheme Costs made by the Council may be revised from time to time and the revised estimate shall be made available by the Council after each revision has been made.
- (b) Each owner's liability for payment of an estimated Scheme Cost item or items is to be discharged in accordance with Clauses 88 and 98 hereof.
- (c) Payment of an estimate by an owner discharges the owner's liability in respect of the item of the Scheme Costs for which the estimate was made.
- (d) If an estimate of the Scheme Costs pertaining to an owner or groups of owners is greater than the amount paid or incurred by the Scheme, Council shall refund the difference to the owner and or owners.
- (e) The Nett/Actual Estimated Scheme Costs as assessed and allocated between the stages and or owners or groups of owners within the Scheme Area to 30 September 1986, are as summarised in the Appendix attached hereto and detailed in Schedule One (1) thereof.

#### Subdivisional Costs—Part B

- 91. Where Council has incurred subdivisional costs up to and including 31 March 1986 in a stage and or owner's or groups of owners land within the Scheme Area, such costs are as summarised in the Appendix attached hereto and detailed in Schedule Two (2) thereof.
- 92. Subject to Clause 98 hereof each subdividing owner shall reimburse and pay to the Council his proportion of the subdivisional costs (if any) referred in Clause 91 hereof, prior to the final approval by the State Planning Commission to the subdivision of his land.

#### Interest-Part B

- 93. Subject to the following clauses each owner shall accept and be liable for the payment of interest charges (if any) on any actual items of Scheme Costs and or subdivisional costs incurred against his land for which an overdraft debit has been raised in reference to any or all of the items of expenditure as detailed in Schedules One and Two of the attached Appendix.
- 94. The interest charges referred in Clause 93 hereof shall become the responsibility and or liability of the owners and or subdividing owner on and from ninety (90) days after the gazettal of Scheme Amendment No. 5 and shall subject to Clause 98 hereof be payable to the Council prior to the final approval by the State Planning Commission to the subdivision of the land.
- 95. The Council shall be responsible and liable for payment of the interest charges on the costs and interest apportioned to and deemed to be the responsibility of the Council as detailed in Schedules One and Two of the attached Appendix.
- 96. The Council shall be responsible and liable for payment of-
  - (a) the costs and interest as detailed in Schedule Three (3) of the attached Appendix; and
  - (b) the interest charges that accrue against the costs and interest referred in (a) above up until the time of settlement.

#### Land Owned or Acquired by Council—Part B

97. All or any of the land now owned or subsequently acquired by the Council within the Scheme Area shall be used by the Council for the implementation and completion of the Scheme (and the Council has all the powers and entitlements of an owner in respect thereof) and if the land acquisition is one for which an owner is required to make land available or for which land may be acquired by the Council hereunder the Council shall be compensated for the value of the land so used

# Discharge of Owners/Council's Liability—Part B

- 98. Each stage and or owner or groups of owners (unless otherwise agreed by Council) within Part B of the Scheme shall pay the total amount to Council and including interest (if any) to fully discharge their respective liability to the Council in respect of their Scheme Costs and or estimated Scheme Costs and subdivisional costs as hereinbefore referred on or before two (2) years from the date of gazettal of Scheme Amendment No. 5.
- 99. The payment referred to in Clause 92 hereof shall be made to the Council irrespective of whether the stage and or owner or groups of owners have undertaken and completed the subdivision of their land.
- 100. Where the Council is required to make a payment to an owner and or groups of owners as detailed in Schedules One, Two, and or Three of the attached Appendix, the Council unless otherwise agreed with the owner or groups of owners shall pay the full amount including interest to the owner and or groups of owners on or before thirty (30) days from gazettal of Scheme Amendment No. 5.
- 101. Owners entitled to receive a payment from the Council pursuant to Clause 100 hereof, shall be entitled to receive interest on the value of such payment at the rate specified in Clause 55 (d) hereof on and from ninety (90) days after the gazettal of Scheme Amendment No. 5.

#### Valuations-Part B

- 102. Where it is necessary to ascertain the value of any land (other than the "average *en globo* value" which has been established) for the purpose of the Scheme, the value shall be determined by either the Valuer of the Valuer General's Office or at the option of the Council by a disinterested and competent valuer being a Fellow or Associate of the West Australian Division of the Australian Institute of Valuers (Incorporated) appointed by the Council.
- 103. When it becomes necessary to make a valuation by reason of an application for consent to a subdivision the person making the application shall pay the costs of the valuation.
- 104. In this Clause the expression "site improvements" means the reclamation of land by drainage or filling, the construction of a retaining wall or other structure or works appertaining thereto, the excavation, grading or levelling of land, the removal of rock, stones, sand and soil and the clearing of timber, scrub or other vegetation.
- 105. For the purposes of the Scheme unless otherwise provided to the contrary the value of the land is the capital amount that an unencumbered estate in fee simple in the land might reasonably be expected to realise upon the sale thereof as one unsubdivided parcel assuming that all improvements thereon (except site improvements) at the time of the valuation had not been made.
- 106. If an owner shall object to the value so determined, he may give notice of such objection to the Council within thirty (30) days after having been informed of the said value or the revised value. If the valuer does not agree to change the value to a figure acceptable to the owner, the value shall be determined by Arbitration in accordance with the provisions hereinafter contained.
- 107. If a valuation made by the valuer shall be changed as the result of an objection the valuer may reconsider the values placed on other lands and make such revaluations as he considers just and equitable. The owners affected by such revaluation shall forthwith be notified of any changes in values.
- 108. The Council may require that a valuation made under this Scheme be revised from time to time notwithstanding, it shall require any valuations made under the Scheme to be revised every five (5) years.

# Agreements with owners-Part B

109. If the Council in anticipation of the Scheme or in order to encourage and facilitate development of land within the Scheme Area shall have entered into an agreement with an owner prior to gazettal of Scheme Amendment No. 5 the rights and obligations of that owner under the Scheme shall in the case of conflict be deemed to have been modified by the terms of the agreement and the terms of the agreement shall prevail.

Adopted by resolution of the Council of the City of Wanneroo at the Special Meeting of the Council held on the 22nd day of October 1986.

R. F. JOHNSON, Mayor.

R. F. COFFEY, Town Clerk.

Adopted for final approval by resolution of the Council of the City of Wanneroo at the Ordinary Meeting of the Council held on the 25th day of November 1992 and The Common Seal of City of Wanneroo was hereunto affixed by authority of a resolution of the Council in the presence of—

R. F. JOHNSON, Mayor.

R. F. COFFEY, Town Clerk.

Recommended/Submitted for Final Approval—

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

Date: 5th May 1993.

Final Approval Granted—

Hon RICHARD LEWIS, Minister for Town Planning.

Date: 9th May 1993.

SCHEDULE ONE

CITY OF WANNEROO—TOWN PLANNING SCHEME No. 7A—MARANGAROO NETT ACTUAL/ESTIMATED SCHEME COSTS

	PART A	ТА							PART B	B	·						
			S	STAGE THREE	ю		0,	STAGE FOUR					ALANCE SC	BALANCE SCHEME AREA			
ITEMS	Stage	Stage	Anex	W.A. Gravel	Zappia	Church of	P.M.Bailey	Galaxy	City of	S.Barin &	Herbert	Ministry of	A & M	A 2. W	Usus	1.42.000	
	One	Two	Pty Ltd	& Paving	Syndicate	Christ		Homes P/L	Wanneroo	H.Wynaden		Education	Ozretich	Nominees P/L	Tromeswest	& 639	Costs
Marangaroo Drive-(1/2) Roads & Drainage	55,565.25	3,861.27	715.90	874.99	503.78	379.48	319.69	881.25	197.92	783.55	1.306.09	13.813.00	477.99	(90 3KB KE)	9 965 10	20.00	10000
Giralt Road—(1/2) Roads & Drainage	12,008.28	15,127.46	1,662.50	2,031.94	1,169.90	896.71	765.43	1,384.08	467.65	1.851.49	5.221 RE	4 584 37	K 897 93	3,000,00	0,200.10	20.00	62,636.24
Parin Road-Roads/Drainage	6,049.73	9,120.71	381.17	465.88	268.23	202.06	170.21	469.21	105.37	417.20	86 38	10:400,4	0,037.33	3,000.98	4,629.69	62.20	60,642.46
1/2 Adjoining (Std) Roads/Drainage	18,917.00	2,334.00	4,648.10	5,681.02	3.270.88	5.866.35	4.942.06	33 434 56	3 059 44	19 119 60	4 350 00		204.00	1,537.90	1,738.48	26.75	21,902.36
1/2 POS/School Site—Roads/Drainage	6,672.00	(2,443.00)	(14,501.07)	11,365,38	(21.251.31)	5.546.07	4 679 95	(5 071 08)	0 000 41	11 451 90	2,000.00		12,240.00	(26,767.00)	33,576.00		117,674.00
Overwidth-Roads/Drainage	2,661.00	6,365.00	919.37	1.123.67	646 96	548 40	469 00	1 221 30	14.269,2	11,401.32	(20,803.00)		(4,705.00)	2,242.00	36,606.00		6,672.00
Land Value—Overwidth Roads	(16.954.00)	(4.052.00)	682.62	834 19	480.99	(517.08)	00:301	1,451.00	200.00	1,132.30	2,180.00		711.00	4,138.00	4,604.00		27,009.00
Land Value-1/2 Adjoining Roads	(2011)	(42,131,00)		07:100	67:00*	(00.110)	(400.00)	16:10	(269.66)	(1,067.60)	(2,001.00)		(1,949.00)	3,072.00	3,419.00		(18,706.00)
Land Value-School Site	(6,356.30)	(2,137,91)	(1.044.95)	(1.277 16)	(735 34)	(498 09)	(360,66)	(1,084.99)	(10 500)	100 000	100000			(6,055.00)	6,205.00		(42,981.00)
Homeswest-House Compensation	1 806 00	1 724 00	24B B1	304 10	175.00	140.40	(990.99)	(1,004.32)	(228.27)	(883.92)	(868.30)		(493.78)	(3,332.81)	(67,897.79)	(206.40)	(87,331.00)
Land Value—P.O.S.	(31 500 00)	17.059.00	(0.698.51)	01.500	60.001	1100 40	120.09	333.44	17.44	306.55	200.00		193.00	1,121.00	(7,153.00)		Nii
P OS Development	9 875 90	00.600.11	(4,000.01)	9,000,04	(6,433.43)	1,190.42	1,002.86	3,372.91	620.85	2,467.96	6,875.00		(00.969'9)	(3,948.00)	14,997.00		N
Compensation	96 96 90	16,000,001	99.999	092.09	338.76	300.38	263.05	697.54	156.65	620.20	1,033.80	-	377.73	2,286.28	2,584.49	39.76	16,939.50
Valuations	23,203.00	130,000.33												2,274.16			221,543,48
- during and the state of the s	434.91	2,379.96	16.97	19.61	11.23	8.67	7.22	19.86	4.47	17.68	29.47	_	10.76	65.15	73.64	1.13	3.099.55
tool Door	40,400.00	6,600.00	4,272.15	6,221.63	3,006.32	373.06	314.28	847.82	194.56	770.28	1,000.00		600.00		2.000.00	i	65 400 00
Legal rees	1,028.75	7,266.98	19.691	196.09	112.32	129.69	109.26	421.67	67.64	267.78	770.38		295.81	653.27	1.065 42	4 83	12 508 40
bank rees	72.70	90.669	10.49	12.81	7.38	6.65	4.77	13.20	2.95	11.68	19.39		7.14	42.88	48.55	92.0	040.40
Overdraft Interest	72,143.14	77,661.46	6,251.60	1,452.42	4,935.85	643.62	542.21	1.298.08	335.66	1,328,92	578.08	(96136)	91 048 79	20.11	00.00	9 6	909.40
Sundries	8,219.95	4,436.33	160.74	196.48	113.12	89.40	75.31	207.61	46.63	184 80	907.71	(00:404)	21.040.12	2,001.10	0,074.00	98.00	159,253.68
Proceeds from Lot Sales	(922,274.28)	(2,728,895.55)					100	10:10	30.0	104:03	17.700		169.42	702.72	781.29	111.84	15,803.14
Selling/Advertising Fees	16.938.88	137.961.92	91.6	11 19	6.45	70	070	77 07		,	-						(3,651,169.83)
Owners Interest Refund				(94 ABK KO)	2	20.1	7.0	# 15	2.12	04.8	13.90		6.11	53.92	34.83	0.54	155,103.34
Owners Equity Payments	72 849 62	823 203 76		(00.004,44)							(45,267.58)			(33,490.14)			(103,243.22)
Owner's Direct Contributions		2	(7,689,10)	(00 307 76)									_				896,053.38
	Scheme Lote		(2001)	(00.001,10)				•	_		(114,295.82)			(22,792.63)			(179,226.35)
Land Value—1/2 POS Roads	10 451 00	0000	1														
Interest on Investments	00:101:01	(20,000,00)	(10.649.61)	1,110.01	(3,800.74)	863.82	727.70	(1,960.61)	450.51	1,783.58	(7,218.00)	_	1,120.00	(2,450.00)	4,946.00		10,451.00
Audit Fee		7.000.00							_								(20,000.00)
Drainage Sump Contribution						-	_					1					7,000.00
Additional Water Cost			-									1,000.00					1,500.00
Additional Drainers Secondary Cost						-								-	6,247.00		6,247.00
Additional Drainage Dewerage Cost		_			_		_			•				(93 850 00)	23,339.00		23,399.00
Credit value liems 31-30												_		(00:000)			(33,860.00)
								-	_	_					_		
TOTAL OWNER'S COSTS	(\$617.723.07) (\$1.476.319.80)	£1 47£ 910 00)	(37 100 00)	C. L. 47 (07 227 704) (37 100 04)	1	_	11 20 014					-					
		(50.510,017,49	(04-102-04)	(24.004,426)	(02	\$0.102,01¢	\$13,690.66	\$36,597.80	\$8,475.34	33,664.66	\$33,554.55 (\$171,482.65)	\$19,636.01	\$30,562.14 (\$129,286.13)		\$80,742.34	\$147.52	\$147.52 (\$2,205,710.54)

CMS URBAN CONSULTANTS 16 NOVEMBER 1989 ACT / ESTCOSTS (WANNEROO No. 3)

SCHEDULE TWO

CITY OF WANNEROO—TOWN PLANNING SCHEME No. 7A—MARANGAROO NETT ACTUAL SUBDIVISIONAL COSTS INCURRED BY COUNCIL TO 31ST MARCH 1986

	PART A	TA							PART B	8							
			ST	STAGE THREE			ST/	STAGE FOUR				B,	BALANCE SCHEME AREA	TEME AREA			Total
ITEMS	Stage One	Stage	Anex V	W.A. Gravel	Zappia ( Syndicate	Church of F Christ	P.M.Bailey H	Galaxy Homes P/L W	City of Wanneroo F	S.Barin & H.Wynaden	Herbert Corporation	Ministry of Education	A. & M. Ozretich	A. & M. Nominees P/L	Homeswest	Lots 638 & 639	Subdivision Cost
				_													
Barthworks		66,477.60						_					_				66,477.60
Subdivisional Roads & Drainage	283,202.09	512,041.59									(4,489.00)		3,526.05	15,628.57	1,050.13		810,959.43
Sewerage Headworks		46,194.00	_					_									46,194.00
Sewerage Reticulation	158,678.77	169,482.47	12,931.03	15,804.61	09'660'6						(12,828.00)		14,874.40		3,131.46		371,174.34
Water Headworks		152,078.00															152,078.00
Water Reticulation	100,983.31	136,090.96	128.02	156.46	60.06	71.86	49.41	140.09	30.58	166.19	(311.46)	5,366.00	23,576.61	6,809.00	5,529.43	8.98	278,885.53
S.E.C. Underground Power	63,300.00	100,862.00		_			_						991.30	3,000.00	208.70		168,362.00
Footpath Construction	75,085.00		_					-			(988.00)						74,097.00
Contingency		20,000.00						_									20,000.00
Surveying	40,968.66	52,340.56	3,566.76	4,359.38	2,509.94	281.01	193.20	547.83	119.59	649.85	2,660.22	800.00	5,177.34	2,449.91	3,302,93	35.13	119,962.31
Engineering		44,386.61									_	3,270.00					47,656.61
Management		94,047.75					_										94,047.75
Owners Interest		63,838.20										261.36	_		_		64,099.56
Drainage Sump			1,067.01	1,304.13	750.86		-				_			_			3,122.00
TOTAL OWNER'S COSTS	\$722,217.83	\$722,217.83 \$1,447,839.74 \$17,692.82		\$21,624.58	\$12,450.49	\$352.87	\$242.61	\$687.92	\$150.17	\$816.04	\$816.04 (\$15,956.24)	\$9,697.36	\$48,145.70	\$27,887.48	\$13,222.65	\$44.11	\$2,307,116.13

CMS URBAN CONSULTANTS ACT/ESTCOSTS (CRE'S WNRO No.3)

\$231,119.77

\$ 959,831.30

# SCHEDULE THREE

# CITY OF WANNEROO DEVELOPMENT SCHEME No.7A MARANGAROO

Appendix To amended Scheme Text

OF WANNEROO
THE CITY OF 1
JE THE
UMMARY OF COSTS THE RESPONSIBILITY OF THE CITY OF WANNEROO
COSTS TH
UMMARY OF
_

																					Debit	Overdraft Account	69	20.136.95		142,171,31		68.811.51			
↔	73,768.74	96,546.07	6,500.00	•				125,206.12	5,829.79	21,747.00	16,895.00	529.18	1,566.26	1,189.30	287,547.30	23,247.00	19,890.00	6,996.00	11,900.00	17,850.00	104,495.76	20,000.00	5,000.00		26,393.27		56,095.94		33,490.14	88,539.40	(91,390.97)
			↔	60,299.46	271,710.26	332,009.72	(206,803.60)		Contribution (Reimburse Stage One)	uo	(Reimburse Stage One)		instruction Contribution			Half Road/Drainage Cost Abutting A. & M. Nominees Land	(Estimate)	L. Land	butting Italian Aged Centre	Abutting D.U.L Land	ance Liabilities	and Amend Scheme	reme	me Costs	9	me Costs	9	me Costs		1.4.86 to 30.9.86	Sale of Scheme Lots
	Roads and Drainage	Reserve Development	Street Lighting	Municipal Fund	On Overdraft to 30.9.83		From Municipal Fund	Payable to 30.9.83	Shortfall in D.U.L Contributi	Shortfall in D.U.L Contribution	Value Overwidth Road Land (Reimburse Stage One)	Unrecoverable from D.U.L	Dept. of Lands & Surveys Construction Contribution	Legal Fees	On Overdraft to 31.3.86	Half Road/Drainage Cost Abu	Road/Drainage Construction (Estimate)	Final B.C. Seal Abutting D.U.L Land	Road/Drainage Const. Cost Abutting Italian Aged Centre	Road/ Drainage Const. Cost Abutting D.U.L Land	Contribution Required to Balance Liabilities	Estimated Cost to Investigate and Amend Scheme	Estimated Cost to Amend Scheme	Refund Overpayment to Scheme Costs	Payment of Interest to 30.9.86	Refund Overpayment to Scheme Costs	Payment of Interest to 30.9.86	Refund Overpayment of Scheme Costs	Payment of Interest 30.9.86	Estimated Cost on Overdraft 1.4.86 to 30.9.86	Estimated Nett Surplus from Sale of Scheme Lots
				•			1	•	1	,	•	,		,					,	,	,		•		•			,	•		,
	Marangaroo Drive	Public Open Space	Marangaroo Drive	Interest	Interest		Less Advances	Nett Interest	Napier Road	Public Open Space	Marangaroo Drive	Subdivisional Costs	Giralt Road	Keall Brinsden	Interest	Marangaroo Drive	Cabrini Road	Parin Road	Kent Road	Wrotham Street	Stage One	Administration	Legal Expenses	W.A. Gravel & Paving	W.A. Gravel & Paving	Herbert Corporation	Herbert Corporation	A. & M. Nominees P/L	A. & M. Nominees P/L	Interest	Less Scheme

TOTAL ASSESSED PAYMENTS DUE FROM SCHEME OVERDRAFT ACCOUNT No. 00 179-2067;

TOTAL ASSESSED CITY OF WANNEROO COSTS TO 30.9.86;

CMS URBAN CONSULTANTS 16TH NOVEMBER 1989 SCH-3 (CRE'S WNRO FILE 1)

#### Public Trust

#### PT401

#### **PUBLIC TRUSTEE ACT 1941**

Section 40: Subsection 4 Common Fund Interest Rates

> Public Trust Office, Perth, 19 May 1993.

Notice is hereby given that the rate of interest payable to the respective estates and trusts, the moneys of which are held in the Common Fund have, as from 1 June 1993, been fixed as follows—

Court Trusts, Minor Trusts, Agency Trusts, Deceased and Uncared-for-Property (in the state of trusteeship or where considered necessary by the Public Trustee) and not otherwise prescribed, Incapable Patients' and Infirm Persons' Estates at the rate of 6.25% per annum. Investment Agencies 5.75%.

Deceased and Uncared-for Property (in course of administration or whilst under investigation); at the rate of 5.25% per annum.

K. E. BRADLEY, Public Trustee.

Approved-

CHERYL EDWARDES, Attorney General.

#### 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
GRANT (	OF LICENCE		
196	Chan William	Application for the grant of a Liquor Store Licence in respect of premises to be situated at 149 Morley Drive East, Morley and known as Acme Liquor Store.	16/6/93
TRANSF	ER OF LICENCE		
291	Febrant Holdings Pty Ltd	Application for the transfer of Liquor Store Licence from Shoalwater Tavern Pty Ltd, in respect of premises known as Oxford Store & Liquor Supply and situated at 256 Oxford Street, Leederville.	2/6/93
292	Malcolm Byas	Application for the transfer of Liquor Store Licence from Booningi Pty Ltd, in respect of premises known as Harrisons Park Centre Liquor Store and situated at 789 Albany Hwy, East Victoria Park.	9/6/93
293	Orebo Pty Ltd	Application for the transfer of Tavern Licence from Austotel Trading Pty Ltd, in respect of the Lynwood Arms Hotel, 558 Metcalfe Rd, Lynwood.	2/6/93
294	H. P. Bartel	Application for the transfer of Restaurant Licence from P. & I. Bartel and I. & I. Barisich, in respect of premises known as Caversham House and situ- ated at Caversham Avenue, Caversham.	26/5/93
295	B. & M. Aspin	Application for the transfer of Tavern Licence from Besta Frenz Pty Ltd, in respect of premises known as Wandering Tavern and situated at 11 Watts Rd, Wandering.	2/6/93

App No.	Applicant	Nature of Application	Last Day for Objections
TRANSF	ER OF LICENCE—cor	ntinued :	
296	M. & O. Daley	Application for the transfer of Restaurant Licence from J. & T. Rogers and M. & O. Daley, in respect of respect of premises known as Tammi's Restaurant and situated at Keesing Street, Port Hedland.	1/6/93
297	Armico Mining Pty Ltd	Application for the transfer of Special Facility Licence from Cyprus Gold Australia Corp, in re- spect of premises known as Gidgee Gold Mine Canteen and situated at Sandstone.	9/6/93
298	John O'Connor	Application for the transfer of Hotel licence from Carlton Hotel Pty Ltd, in respect of premises known as the Carlton Hotel and situated at 248 Hay Street, East Perth.	14/6/93
299	Perth Theatre Trust	Application for the transfer of Special Facility Licence from the Hole in the Wall Theatre Company, in respect of premises known as the Hole in the Wall Theatre and situated at 180 Hamersley Rd, Subiaco.	28/5/93
300	R. W. & W. M. Endebrock-Brown	Application for the transfer of Restaurant Licence from L. Iacobelli in respect of premises known as Vanni's Restaurant and situated at 218 Nicholson Rd, Subiaco.	8/6/93

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

G. B. AVES, Director of Liquor Licensing.

#### TRANSPERTH

#### **TP401**

#### METROPOLITAN (PERTH) PASSENGER TRANSPORT TRUST ACT 1957

Membership of Trust

- I, Eric Charlton, being the Minister administering the Metropolitan (Perth) Passenger Transport Trust Act 1957 appoint in accordance with the provisions of sections 7 (2) and 9 (1) (c) of that Act—
  - 1. Eva Desiree Rita Skira as a Member of the Metropolitan (Perth) Passenger Transport Trust from 24 May 1993 to 30 April 1995.
  - Geoffrey Sherwin as a Member of the Metropolitan (Perth) Passenger Transport Trust from 24 May 1993 to 30 April 1995.

ERIC CHARLTON, Minister for Transport.

#### WESTRAIL

#### WE401

#### WESTERN AUSTRALIAN GOVERNMENT RAILWAYS

Railways Working Account for quarter ended March 31, 1993 (as required by section 59 of the Government Railways Act).

1. Revenue and Expenditure

Revenue	\$'000 90 343
Expenditure	94 335
Deficit	3 992
2. Fixed Assets	
At cost less depreciation	\$'000 874 326

J. I. GILL, Commissioner of Railways.

#### TENDERS

#### **ZT201**

# MAIN ROADS DEPARTMENT Acceptance of Tenders

Contract No.	Description	Successful Tenderer	Amount
212/92	Supply and delivery of traffic signal controllers	Philips Traffic Sys- tems P/L	1 056 250.00
92Q57	Supply and delivery of one (1) only multipurpose welder	Migomag Industries (Aust) Pty Ltd	5 519.00
92Q76	Supply and delivery of one distribution board and one distribution sub board	Keyline Industries P/L (Nth Branch)	9 734.00

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
May 14	388A1993	Supply, delivery and install Radio Paging System for the Health Supply Services	Extended June 3
May 14	108A1993	Microfilm Supplies for various Govt Depts	June 3
May 14	387A1993	Supply, install, test and commission PABX equipment, ancillary equip & assoc. cabling work	June 3
May 21	396A1993	One (1) only ten (10) Tonne Forward Control Tray Top Truck	June 10
May 28	385A1993	Plastic Surgery Microscope for Princess Margaret Hospital	June 17
		Invitation to Register Interest	
May 14	ITRI4/93	Repackaging of Organochlorine Insecticide Waste for the Dept. of Agriculture	June 17
		For Service	
May 21	205A1993	Cleaning of John Curtin Snr. High School—Inspection 3:30 pm Tuesday, June 1, 1993	June 3
May 28	268A1993	Cleaning of Dept of Agriculture—Inspection 9:00 am June 8, 1993	June 17
		For Sale	
May 14	392A1993	1986 Furukawa Loader FL150 (MRWA 9084) (6QG 444) for Main Roads, Welshpool	June 3
May 14	393A1993	1986 John Deere Grader 770A (MRWA 9144) (6QG 451) for Main Roads, Welshpool	June 3
May 14	394A1993	1988 Holden Jackaroo Stn Wgn (6QR 285) for TAFE (DEVET), Broome	June 3
May 14	395A1993	1990 Holden Stn Wgn (6QN 897) and 1990 Toyota Hilux Trayback 4x4 (7QA 152) for Dept of Agriculture,	
		Kununurra	June 3
May 28	397A1993	1980 Chamberlain Loader R1250 (MRWA 4610) (XQK 831) for Main Roads, Welshpool	June 17

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
	Supply & Deli	ivery	
034A1992	Cleaning Products	Various	Details on Request
104A1993	Gases in Cylinders	Various	Details on Request
113A1993	Petroleum Lubricants	Various	Details on Request
	Purchase & Rei	noval	
386A1993	Item 1: 1979 Mercedes Benz Prime Mover (MRD 4407) (XQJ 500)	Mr D. Smith	\$11 550.00
	Item 2: 1973 Bosich Tandem Axle Semi Trailer (MRD 1635) (UQW 527) for Main Roads, Welshpool	Mr D. Smith	\$2 750.00

#### Public Notices

#### **ZZ201**

#### TRUSTEES ACT 1962

In the matter of the Estate of Theodore Hubert Peters late of 10 Bunning Boulevarde, Bunbury in the State of Western Australia, Retired Company Director deceased.

Creditors and other persons having claims to which section 63 of the Trustees Act 1962 relates in respect of the estate of the deceased, who died on the 12th day of April 1993, are required by the executor, Paul Morris Breckler to send the particulars of their claim to Paul M. Breckler, 9 Dargin Place, Greenwood 6024 by the 30th day of June 1993, after which date the Executor may convey or distribute the assets, having regard only to the claims of which he then has had notice.

Dated the 24th day of May 1993.

P. M. BRECKLER.

#### **ZZ202**

#### 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 28th June 1993, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Arnold, William Henry Redvers, late of 31 Williams Road, Nedlands, died 26/4/93.

Beneden, Jan, late of 409 Acton Avenue, Kewdale, died 22/4/93.

Bodycoat, Hazel Agnes, formerly of Murlarli Lodge 25 Mount Henry Road, Manning, late of Craigville Convalescent Hospital, 1 French Street, Melville, died 19/4/93.

Bolger, Edna Eileen, late of 166A Kitchener Road, Alfred Cove, died 28/4/93.

Braley, James, late of 12 Jenkins Street, Coolgardie, died 6/2/93.

Brooks, Enid Ivy, late of 35 Peel Parade, Coodanup, died 18/4/93.

Cornish, Pearl Prior, late of Hamersley Hospital, 441 Rokeby Road, Subiaco, died 29/4/93.

Craghill, Edward Henderson, late of Lemnos Hospital, Stubbs Terrace, Shenton Park, died 6/4/93.

Crocker, Albert Haig, late of 12 Sumpton Street, Hilton, died 10/5/93.

Dale, Norman, late of 31 Williams Road, Nedlands, died 26/3/93.

Dann, Matthias, late of Port Hedland Regional Hospital, formerly of 7 Morgans Street, Port Hedland, died 12/2/93.

Dodman, Grace Lila, late of 2 Rossmoyne Drive, Rossmoyne, died 19/4/93.

Griffiths, Emily, late of 67 Davy Street, Alfred Cove, died 28/4/93.

Hanson, Violet Louisa, late of 26 George Street, Gosnells, died 9/4/93.

Howard, Chanoa Tian, late of 35/56 Edgefield Way, North Beach, died 2/4/93.

Jones, William Norman George, late of Unit 14, 11-13 Drabble Road, Scarborough, died 16/2/93.

Jowett, George Benjamin Keith, formerly of 12A Venus Street, Bateman, late of Southern Cross Nursing Home, Leach Highway, Bateman, died 13/4/93.

McCormack, Gwenneth Phyllis, late of 1/13 Lockhart Street, Como, died 4/4/93.

Moyes, Elsie Nicholson, late of 174 Lancaster House, Air Force Memorial Estate, Bullcreek, died 27/4/93.

Muller, Hans, late of Little Sisters of the Poor Nursing Home, 1 Croesus Street, Kalgoorlie, died 9/11/92.

Radosevich, William James, late of 107 Forrest Street, Kalgoorlie, died 9/4/93.

Rockliff, William George, late of 64 Temple Street, Victoria Park, died 16/3/93.

Smith, Raymond Edward, late of 36/86 Caledonian Avenue, Maylands, died 8/4/93.

Strong, Beryl Gwendoline, late of Unit 2/45 Kinsella Street, Joondanna, died 3/5/93.

Suggett, George, late of 5 High Street, Sorrento, died 25/4/93.

Talboys, Thelma May, late of Rowethorpe, Hillview Terrace, Bentley, died 27/4/93.

Tate, Douglas James, late of 54 Corbett Street, Scarborough, died 25/2/93.

Thurley, Ann, late of Unit 10/90 Forrest Street, North Perth, died 13/4/93.

Van Ross, Robert Michael, late of 213 Fitzgerald Street, Morley, died 3/4/93.

Williams, Clarence Albert, late of 9 Marion Street, Eden Hill, died 9/4/93.

Dated this 24th day of May 1993.

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

#### ZZ301

#### **INQUIRY AGENTS LICENSING ACT 1954**

#### APPLICATION FOR LICENCE IN THE FIRST INSTANCE

To the Court of Petty Sessions at Perth.

I, Philip Eric Alberts, of 2/168 Mounts Bay Road, Perth, Phone Number home (018) 928 007 work 325 2899, Mercantile Agent, having attained the age of twenty-one years, hereby apply on my own behalf for a licence under the abovementioned Act. The principal place of business will be at 3rd Floor, 524 Hay Street, Perth.

Dated the 27th day of April 1993.

P. E. ALBERTS, Signature of Applicant.

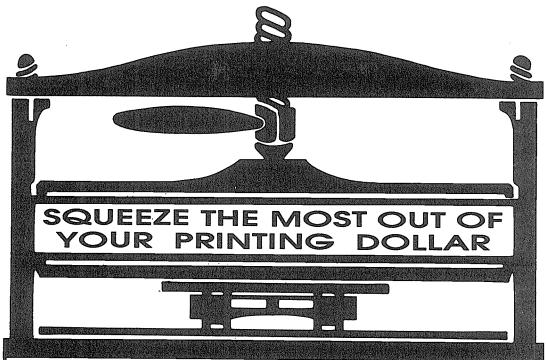
#### Appointment of Hearing

I hereby appoint the 22nd day of June 1993 at 2.15 o'clock in the afternoon as the time for the hearing of the foregoing application at the Court of Petty Sessions at Perth.

Dated the 11th day of May 1993.

PETER NEEDHAM, Clerk of Petty Sessions.

Objection to the granting of the application may be served on the applicant and the Clerk of Petty Sessions at any time prior to seven days before the date appointed for the hearing.



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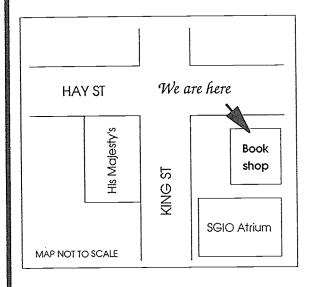
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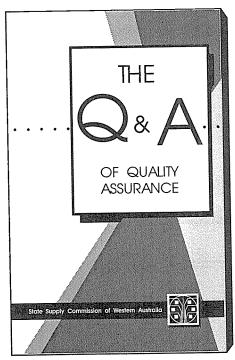
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