

WESTERN
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Gazette

5209



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Hansard	11.40
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IMPORTANT NOTICE

Periodically notices are published indicating a variation in normal publishing arrangements:

- Easter or Christmas editions etc—these notices appear approximately 4 weeks prior to any change.
- Extraordinary gazettes not circulated to all subscribers—these notices appear in the following general edition of the gazette.

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.

FIRE BRIGADES**FB401****WESTERN AUSTRALIAN FIRE BRIGADES SUPERANNUATION ACT 1985**

The following have been appointed/elected to both the Western Australian Fire Brigades Superannuation Board and the Western Australian Disablement Benefits Board, with the exception of Mr D. P. Richards who has been elected to the Superannuation Board only.

MEMBERS

Mr D. Barton (Appointed) 19/8/1993-18/8/1996.

Mr G. Clifford (Elected) 19/8/1993-18/8/1994.

ALTERNATE (To both Boards)

Mr R. Jones (Appointed) 19/8/1993-18/8/1996.

ALTERNATE (To the Superannuation Board only)

Mr D. P. Richards (Elected) 19/8/1993-18/8/1994.

LAND ADMINISTRATION**LA401****LAND ACT 1933****DEPARTMENT OF LAND ADMINISTRATION**

It is hereby notified that it is intended to Grant a Special Lease over Numalgun Locations 5, 6 and 7 to Waralaei (Broome Hill) Pty Ltd and Alf Barrett Pty Ltd under section 116 of the Land Act 1933 for the purpose of "Cropping and Grazing" for a term of twenty-three (23) years and nine (9) months.

A. A. SKINNER, Chief Executive.

LA402**LAND ACT 1933****SPECIAL LEASE**

Department of Land Administration.

It is hereby notified that it is intended to Grant a Special Lease over Easton Location 3 to Pearls Pty Ltd under section 116 of the Land Act 1933 for the purpose of "Accommodation and Other Buildings in Support of the Cultured Pearl Industry" for a term of fifty (50) years.

A. A. SKINNER, Chief Executive.

LB301**PUBLIC WORKS ACT 1902****SALE OF LANDS**

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

Land

File No. 2126/958.

Broome Lot 267 comprising Reserve 25154 as is shown on DOLA OP Broome 36/2.

Land

File No. 2706/906.

Popanyinning Lot 322 comprising Reserve 42841 as is shown on DOLA Diagram 91257.

Dated this 14th day of September, 1993

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

LB701

File No. 1476/1991.
Ex.Co.No. 1467.

LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902
LAND RESUMPTION

Road Widening—Great Eastern Highway—Shire of Swan

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Swan passed at a meeting of the Council held on or about May 1991 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 fourteenth day of September 1993, been set apart, taken or resumed for the purpose of the following public work, namely: Road Widening—Great Eastern Highway—Shire of Swan.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Diagram 90518 which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Choon Huat Neo and Sydal Wee	C. H. Neo and S. Wee	Portion of Swan Location 16 and being part of Lot 23 on Diagram 69667 being part of the land contained in Certifi- cate of Title Volume 1756 Folio 82	55 m ²

Certified correct this 3rd day of September 1993.

GEORGE CASH, Minister for Lands.

Dated this 14th day of September 1993.

FRANCIS BURT, Governor in Executive Council.

LB702

File No. MRWA 42-245-I
Ex.Co. No. 1155
DOLA: 1401/1980.

PUBLIC WORKS ACT 1902
LAND RESUMPTION

Road Widening—Peel Terrace/Fitzgerald Street Intersection

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 Northam 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 20th day of July 1993, been set apart, taken, or resumed for the purposes of the following public work, namely: Road Widening—Peel Terrace/Fitzgerald Street Intersection—Town of Northam.

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 the plans specified in the Schedule, which may be inspected at Main Roads Western Australia, Waterloo Crescent, East Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description.

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

Schedule

Plan MR No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
93-12	Jules Nominees Pty Ltd	Elders IXL Limited Lessees vide Caveat E408426 and Gelene Holdings Pty Ltd Lessees vide Caveat D862248.	Portion of Northam Town Lot 37 now comprised in Diagram 84059 and being part of the land comprised in Certificate of Title Volume 1184 Folio 998.	16 m ²
93-13	Central District Motors Pty Ltd	Central District Motors Pty Ltd and Commissioner of Main Roads	Portion of Northam Town Lot 56 and being part of Lot 341 on Diagram 67184 now comprised in Diagram 84059 and being part of the land comprised in Certificate of Title Volume 1694 Folio 274.	24 m ²
93-14	Stannick Investments Pty Ltd	Commissioner of Main Roads	Portion of Northam Town Lot 55 and being part of Lot 340 on Diagram 67183 now comprised in Diagram 84059 and being part of the land comprised in Certificate of Title Volume 1695 Folio 158.	36 m ²

Certified correct this 14th day of June 1993.

ERIC CHARLTON, Minister for Transport.

Dated this 20th day of July 1993.

FRANCIS BURT, Governor in Executive Council.

Road Dedication

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

By Order of the Minister for Lands.

Dated this 21st day of September 1993.

A. SKINNER, Chief Executive.

LB801

File No. 837/1993.
Ex. Co. No. 1469.

LOCAL GOVERNMENT ACT 1960

PUBLIC WORKS ACT 1902

LAND ACQUISITION

Rights-of-Way—City of Perth

Notice is hereby given, and it is hereby declared, that the several pieces or parcels of land described in the Schedule hereto, being all in the Swan District have, in pursuance of the written consent under the Local Government Act 1960 and approval under Section 17 (1) of the Public Works Act 1902 (as amended) of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 14th day of September 1993, been compulsorily taken and set apart for the purpose of the following public work, namely—Rights-of-Way—City of Perth.

And further notice is hereby given that the said pieces or parcels of land so taken and set apart are shown marked off on L.T.O. Plans 2503 (2), 2503 (1) which may be inspected at the Department of Land Administration, Midland. 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 City of Perth for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Charles Leonard Worsley Clifton, as Executor of the Will of Rebecca Catherine James. Edward Horne Wittenoom and James Albert Hicks	City of Perth by Notice of Entry	The Right-of-Way on Plan 2503 (2) bounded by Matlock, Ellesmere, Coogee and Woodstock Streets and that portion of Right-of-Way on Plan 2503 (1) bounded by Coogee, Woodstock and Flinders Streets and Scarborough Beach Road and being part of the Land remaining in Certificate of Title Volume 253 Folio 42 and Certificate of Title Volume 9 Folio 125.	910 m ² from Plan 2503 (2) and 1666 m ² from Plan 2503 (1)

Certified correct this 7th day of September 1993.

GEORGE CASH, Minister for Lands.

Dated this 14th day of September 1993.

FRANCIS BURT, Governor in Executive Council.

LB802

File No. 1391/1982.
Ex. Co. No. 1465.

LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902
LAND ACQUISITION
Rights-of-Way—City of Perth

Notice is hereby given, and it is hereby declared, that the several pieces or parcels of land described in the Schedule hereto, being all in the Perthshire District have, in-pursuance of the written consent under the Local Government Act 1960 and approval under Section 17 (1) of the Public Works Act 1902 (as amended) of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 14th day of September 1993, been compulsorily taken and set apart for the purpose of the following public work, namely—Rights-of-Way—City of Perth.

And further notice is hereby given that the said pieces or parcels of land so taken and set apart are shown marked off on Plan L.A., W.A. 928 which may be inspected at the Department of Land Administration, Midland. 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 City of Perth for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

No. on Plan L.A., W.A. No. 928	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
	James Albert Hicks	City of Perth By Notice of Entry	Firstly The Row coloured Brown on Plan 2358 bounded by Salisbury Street and Shakespeare Street abutting Lots 61 to 72, and Secondly	692 m ²

Schedule—*continued*

No. on Plan L.A., W.A. No. 928	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
			The Row coloured Brown on Plan 2358 bounded by Shakespeare, Salisbury and Loftus Streets and Anzac Road, together being part of the land remaining in Certificate of Title Volume 457 Folio 50.	1370 m ²
			Portion of the Right of Way coloured Brown on Plan 2287 extending North of Franklin Street being part of the Land Remaining in Certificate of Title Volume 213 Folio 64.	266 m ²

Certified correct this 3rd day of September 1993.

GEORGE CASH, Minister for Lands.

Dated this 14th day of September 1993.

FRANCIS BURT, Governor in Executive Council.

LB803

File No. 710/1993, 714/1993, 718/1993.
Ex. Co. No. 1466.

LOCAL GOVERNMENT ACT 1960

PUBLIC WORKS ACT 1902

LAND ACQUISITION

Rights-of-Way—City of Perth

Notice is hereby given, and it is hereby declared, that the several pieces or parcels of land described in the Schedule hereto, being all in the Perth Town, Swan, Perthshire District have, in pursuance of the written consent under the Local Government Act 1960 and approval under Section 17 (1) of the Public Works Act 1902 (as amended) of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 14th day of September 1993, been compulsorily taken and set apart for the purpose of the following public work, namely—Rights-of-Way—City of Perth.

And further notice is hereby given that the said pieces or parcels of land so taken and set apart are shown marked off on Plans 133 (3), 861 and 1777 which may be inspected at the Department of Land Administration, Midland. 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 City of Perth for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
William McCourt, Thomas Blencowe, William Moses and James Tate	City of Perth by Notice of Entry	The Rights-of-Way on Plan 133 (3) bounded by Railway Parade, Cambridge and McCourt Streets and St Leonards Avenue and being part of the Land remaining in Certificate of Title Volume 32 Folio 240.	2865 m ²

Schedule—*continued*

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Albert Edward Fawdry	City of Perth by Notice of Entry	The Right-of-Way coloured Brown on Plan 1777 between Bourke and Thompson Streets and being part of the Land remaining in Certificate of Title Volume 108 Folio 105.	237 m ²
John Dewar	City of Perth by Notice of Entry	The Right-of-Way coloured Brown on Plan 861 extending between Brisbane Terrace and Robinson Avenue and being part of the Land remaining in Certificate of Title Volume 45 Folio 245.	111 m ²

Certified correct this 3rd day of September 1993.

GEORGE CASH, Minister for Lands.

Dated this 14th day of September 1993.

FRANCIS BURT, Governor in Executive Council.

LB901

File No. 742/1993.

PUBLIC WORKS ACT 1902
NOTICE OF INTENTION TO TAKE OR RESUME LAND
 Rights-of-Way—City of Perth

The Minister for Works hereby gives notice in accordance with the provisions of section 17 (2) of the Public Works Act 1902 (as amended) that it is intended to take or resume under section 17 (1) of that Act, the pieces or parcels of land described in the Schedule hereto, and being all in the Perth District, for the purpose of the following public work, namely, Rights-of-Way—City of Perth and that the said pieces or parcels of land are marked off on Plan 672, 1106 (1), 1106 (2) which may be inspected at the office of the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description.

Schedule

No. on Plan L.A., W.A. No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
	Alexander Forrest	City of Perth by Notice of Entry	Portion of Perth Town Lots N146 and N150 being the "Lane" on Plan 672 bounded by William, Mary and Beaufort Streets being part of the Land remaining in Certificate of Title Volume 166 Folio 160.	1 174 m ²
	William Britnall and Samuel William Copley	City of Perth by Notice of Entry	Portion of Perth Town Lots N145 and N151 being the Rights-of-Way on Plans 1106 (1) and 1106 (2) extending northwards from Chatsworth Road being part of the Land remaining in Certificate of Title Volume 211 Folio 174.	198 m ²

Dated this 10th day of September 1993.

GEORGE CASH, Minister for Lands.

LOCAL GOVERNMENT

LG301

CITY OF PERTH PARKING FACILITIES ACT 1956

City of Perth Parking Facilities By-law

Amendment

In pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the Municipality of the City of Perth hereby records having resolved on 19 July 1993 to make and submit for approval by the Minister and subsequent confirmation by the Governor that the City of Perth Parking Facilities By-law be amended as follows:—

That the Third Schedule be amended:—

1. Parking Station 1, 2, 3 and 25
 - (a) by deleting in column 4 the amount "\$4.00" and substituting the amount "\$4.50";
 - (b) by inserting in column 4 the following new paragraph after the word "hour":—
"Motorcycle Parking from 8.00 am to 6.00 pm Monday to Friday inclusive—
\$12.00 per calendar month or part thereof";
 - (c) by deleting in column 5 all the words and figures and substituting the words "Not Applicable";
2. Parking Station 3B
 - (a) by deleting in column 4 the amount "\$3.50" and substituting the amount "\$4.00";
3. Parking Station 8
 - (a) by deleting in column 4 the amount "\$3.50" and substituting the amount "\$4.00";
 - (b) by deleting in column 5 all the words and figures and substituting the words "Not Applicable".

Dated this 29th day of July 1993.

The Common Seal of the City of Perth was hereunto affixed in the presence of:

R. G. WITHERS, Lord Mayor.

R. F. DAWSON, Chief Executive/Town Clerk.

Recommended:—

ERIC CHARLTON, Minister for Transport.

Approved by His Excellency the Governor in Executive Council this 14th day of September 1993.

M. C. WAUCHOPE, Clerk of the Council.

LG501

LOCAL GOVERNMENT ACT 1960

HEALTH ACT 1911

Shire of Toodyay

Memorandum of Imposing Rates 1993/94

To whom it may concern:

At a meeting of the Council of the Shire of Toodyay held on August 17, 1993, it was resolved that the rates and charges specified hereunder should be imposed on all rateable property within the district of the Shire of Toodyay in accordance with the provisions of the Local Government Act 1960 and the Health Act 1911 as amended.

Dated this 18th day of August 1993.

R. SOMERS, President.
R. J. MILLAR, Shire Clerk.

Schedule of Rates and Charges Levied

General Rate:

Gross Rental Values:

Central Ward 8.7000 cents in the dollar

Rural Areas 8.7000 cents in the dollar

Unimproved Values:

Rural Zones 0.9108 cents in the dollar
Special Rural Zones 0.7227 cents in the dollar

Minimum Rate:**Gross Rental Values:**

Central Ward \$250.00 per Lot
Rural Areas \$250.00 per Assessment

Unimproved Values:

Rural Zones \$250.00 per Assessment
Special Rural Zones \$250.00 per Assessment

Rubbish Rate:

\$70.00 per annum for weekly removal of 1 standard 140 or 240 litre bin.

Waste Transfer Station Rate:

\$43.00 per annum on each assessment to recover the cost of operation of Council's Waste Transfer Station and the disposal of refuse, except where adjoining assessments held by one family can be demonstrated as being on a contiguous use basis.

Discount:

A 10 per cent discount will be allowed on current general rates and minimum rates paid in full on or before 4.00pm, September 30, 1993.

Penalty:

A penalty of 10 per cent will be applied to all rates unpaid after January 31, 1994, except for those owed by eligible pensioners.

LG701**BUSH FIRES ACT 1954***City of Rockingham*

Notice to all Owners and/or Occupiers of Land in the City of Rockingham

Pursuant to the powers contained in Section 33 of the above Act you are hereby required on or before the 30th day of November 1993 to clear of ALL FLAMMABLE MATERIAL, firebreaks not less than three metres wide on rural land owned or occupied by you, and not less than two metres wide on townsite land (i.e., land within a townsite or within any other area subdivided for residential purposes) owned or occupied by you and thereafter to maintain the firebreaks clear of all flammable material up to and including the 14th day of March 1994.

1. Immediately inside all external boundaries of the land.
2. Immediately surrounding all buildings, haystacks and fuel ramps situated on the land; and
3. Immediately surrounding any drum or drums, situated on the land, which are normally used for the storage of fuel whether they contain fuel or not.

If it is considered to be impracticable for any reason to clear firebreaks as required by this notice, you may apply to the Council or its duly authorised Officer not later than the 5th day of November 1993 for permission to provide firebreaks in alternative positions on the land.

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

Failure to comply with this notice subject the offender to the penalties prescribed in the Bush Fires Act, 1954-87, and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this notice, if it is not carried out by the owner or occupier by the date required by this notice.

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

NOTE: The prohibited burning time for the City of Rockingham is 1 December to 14 March inclusive.

Firebreaks constructed by mowing are not acceptable.

The restricted burning period in each year (all dates inclusive) is:
19 October to 30 November.

15 March to 26 April.

Permits are required to be obtained from the Chief Bush Fire Control Officer prior to burning off during the restricted burning periods.

It is the responsibility of the owner of the land to ensure that firebreaks have been constructed and maintained. The penalty for failing to comply with this notice is a fine not exceeding \$1 000 and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this notice if it is not carried out by the owner or occupier by the date required by this notice.

By order of the Council,

G. G. HOLLAND, Town Clerk.

LG702

BUSH FIRES ACT 1954
FIRE BREAK NOTICE
City of Canning

Notice to all Owners and/or Occupiers of Land in the Municipality of the City of Canning pursuant to the powers contained in section 33 of the above Act, you are hereby required on or before 1st day of December 1993 or within fourteen days of the date of your becoming owner or occupier should this be after the 1st day of December, 1993 and thereafter up to and including the 31st day of March, 1994 to have, and maintain a fire break, clear of inflammable material, at least 3 metres wide immediately inside all external boundaries of each single lot owned or occupied by you and also immediately surrounding all buildings situated on the land.

All land situated within the Western Australian Fire Brigades Board District of 1 012 square metres or less is exempt from the above requirements but Council does retain the right to remove any fire hazard at the owner and/or occupiers expense following failure of an owner and/or occupier to comply with the requisitions of an order in writing to clear a fire hazard or fire break in accordance with section 33 of the Act.

Where land is greater than 1 012 square metres, a three metre fire break is required as per this fire break notice.

The penalty for failing to comply with this notice is a fine of not more than \$1 000 and a person in default may also receive an infringement notice of \$80 and be liable, whether prosecuted or not, to pay the cost of performing the work directed in this notice if it is not carried out by the owner or occupier by the date required by this notice.

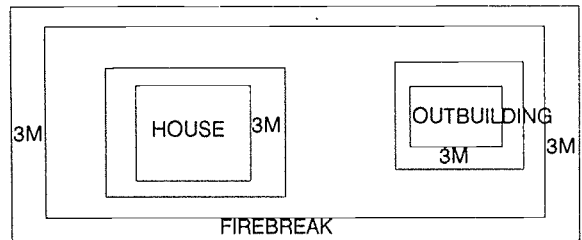
If the requirements of this notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act.

The following sketch has been prepared to show how the fire rules should be applied. Burning permits to be obtained from the City of Canning Patrol Section 8.30 am to 5.00 pm weekdays only. Fines of up to \$1 000 are applicable where burning is carried out without the required burning permit.

Permit Required	Total Ban	Permit Required
1 November 14 December	15 December 31 March	1 April 30 April

Note: Council has the power to vary these dates as per the Bush Fires Act 1954.

Shows width of fire breaks to be provided on land around any building thereon



All fire breaks must be completed on or before the 1st December and maintained until the 31st March following. Council may take action to have the necessary work carried out and recover the cost from you or make this a charge against the property. In addition you could be liable to a penalty of up to \$1 000 should action be taken under section 33 of the Bush Fires Act.

I. F. KINNER, Chief Executive/Town Clerk.

PLANNING AND URBAN DEVELOPMENT**PD401****TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION***Shire of Beverley*

Town Planning Scheme No. 2—Amendment No. 1

Ref: 853/4/5/2, Pt. 1.

Notice is hereby given that the Shire of Beverley has prepared the abovementioned scheme amendment for the purpose of varying the R-Codes applicable to land in the vicinity of Vincent, Brooking, Burt and Grosser Streets in Beverley.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Vincent Street, Beverley, 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 October 19, 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before October 19, 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.

K. L. BYERS, Shire Clerk.

PD402**TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION***Shire of Coolgardie*

Town Planning Scheme No. 4—Amendment No. 3

Ref: 853/11/4/6, Pt. 3.

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

- (i) rezoning the eastern portion of Mt Burges Station, as shown on the Scheme Amendment Map, from "Rural/Mining" to "Special Use—Mungari Industrial Park" and amending Schedule II—Schedule of Uses in Special Use Zone and the Scheme Map accordingly;
- (ii) adding a new notation "Special Control Area" to the Scheme Map and including the land within 1 kilometre of the Zone "Special Use—Mungari Industrial Park" within the "Special Control Area" as shown on the Scheme Amendment Map;
- (iii) adding two new clauses 5.11.4 and 5.11.5 to the Scheme Text relating to development within the Zone "Special Use—Mungari Industrial Park" and the "Special Control Area".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Bayley Street, Coolgardie, 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 November 2, 1993.

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

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

P. J. HUGHSON, Shire Clerk.

PD403

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Gingin

Town Planning Scheme No. 8—Amendment No. 17

Ref: 853/3/8/10, Pt. 17.

Notice is hereby given that the Shire of Gingin has prepared the abovementioned scheme amendment for the purpose of providing for soil conservation provisions within the Scheme Text.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 7 Brookman Street, Gingin, 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 October 19, 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before October 19, 1993.

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

A. W. HORTIN, Shire Clerk.

PD404

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Town Planning Scheme No. 2—Amendment No. 37

Ref: 853/10/5/3, Pt. 37.

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

1. rezoning Murchison Location 161 from Parks and Recreation Reserve to Special Use Zone (Historic Place and Tourist Accommodation); and
2. adding to Appendix No. 5—Schedule of Special Use Zones:—

Item No. 14—Murchison Location 16, together with appropriate provisions.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 42 Hughes Street, Denham, 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 October 19, 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before October 19, 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.

M. G. OLIVER, Shire Clerk.

PD405

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Swan

Town Planning Scheme No. 9—Amendment No. 207

Ref: 853/2/21/10, Pt. 207.

Notice is hereby given that the Shire of Swan has prepared the abovementioned scheme amendment for the purpose of amending Appendix 6 of the Shire of Swan Town Planning Scheme No. 9 Scheme Text "Special Purpose Zones" by modifying the Special Conditions relating to the Resort to assist in the management of the Resort and to reflect more accurately the conditions that relate to the Vines Resort Club and its Members.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Administration Centre, Corner Great Northern Highway and Bishop Road, Middle Swan 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 November 2, 1993.

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

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

E. W. LUMSDEN, Town Clerk.

PD406

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

City of Cockburn

District Zoning Scheme No. 2—Amendment No. 86

Ref: 853/2/23/19, Pt. 86.

Notice is hereby given that the City of Cockburn has prepared the abovementioned scheme amendment for the purpose of:

1. rezoning portions of Jandakot Agricultural Area Lots Pt. 150, 161, Pt. 215 and Pt. 221 Tapper and Bartram Roads, Jandakot from Residential R15 to Residential R5, Residential R30, Residential R40, Commercial, Parks and Recreation and Public Purposes—Primary School as depicted on the Scheme Amendment Map; and amending the Scheme Maps accordingly.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 9 Coleville Crescent, Spearwood and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including November 2, 1993.

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

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

R. W. BROWN, Town Clerk.

PD407

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Town Planning Scheme No. 3—Amendment No. 113

Ref: 853/2/17/10, Pt. 113.

Notice is hereby given that the City of Melville has prepared the abovementioned scheme amendment for the purpose of:

1. Lot 1 (823-825) Canning Highway, Ardross from Local Open Space to Residential B; and
2. Lot 5 (816) Canning Highway, Applecross from Public Use Reserve to Residential A.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Almondbury Road, Ardross, 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 November 2, 1993.

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

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

G. G. HUNT, Town Clerk.

PD707

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

Town Planning Scheme No. 4—Dampier

Ref: 853/8/5/5.

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 Roebourne Town Planning Scheme No. 4—Dampier on August 14, 1993—the Scheme Text of which is published as a Schedule annexed hereto.

R. N. MUNDY, President.

F. GOW, Shire Clerk.

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PART I—PRELIMINARY

1.1 Citation

This Town Planning Scheme may be cited as the Shire of Roebourne Scheme No.4—Dampier hereinafter called 'the Scheme' and shall come into operation on the publication of the Scheme and notice of the Minister's Final Approval thereof in the *Government Gazette*.

1.2 Responsible Authority

The Authority responsible for implementing the Scheme is the Council of the Shire of Roebourne hereinafter called 'the Council'.

1.3 Scheme Area

The Scheme shall apply to the whole of the area of land contained within the inner edge of the broken black border on the Scheme Map, which area is hereinafter called the "Scheme Area".

1.4 Contents of Scheme

The Scheme comprises:

- (a) This Scheme Text;
- (b) The Scheme Map;
- (c) Land Use Map.

1.5 Arrangement of Scheme Text

The Scheme Text is divided into the following parts—

- Part I—Preliminary
- Part II—Reserves
- Part III—Zones
- Part IV—Non-Conforming Uses
- Part V—Development Requirements
- Part VI—Planning Consent
- Part VII—Administration

1.6 Scheme Objectives

The general objectives of the Scheme are;

- (a) to reserve certain portions of land required for public purposes;
- (b) to zone the balance of the land within the Scheme Area for the purposes described in the Scheme so as to strategically promote the orderly and proper development of land by making suitable provisions for the use of land within the Scheme Area;
- (c) to define the uses and types of development to be permitted on land within the Scheme Area;
- (d) to control and regulate the development of land, erection of buildings and carrying out of works in such a manner as to maintain a high standard of health, safety, amenity, convenience, economy and environment appropriate to a modern town;
- (e) generally to secure the amenity, health and convenience of the land within the Scheme Area and the persons using it;
- (f) to make provision for other matters incidental to orderly and proper planning and land use.

1.7 Interpretations

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

1.7.2 In the Scheme unless the context otherwise requires, or unless it is otherwise provided herein, words and expressions have the respective meanings given to them in Appendix 3 and the Residential Planning Codes.

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

PART II—RESERVES

2.1 Scheme Reserves

The lands shown as Scheme Reserves on the Scheme Map, hereinafter called 'Reserves' are lands reserved under the Scheme for the purposes shown on the Scheme Map.

There are three types of 'Reserves';

- (a) Public Purposes (as marked on the Scheme Map);
- (b) Parks and Recreation;
- (c) Drainage and Recreation.

2.2 Matters to be Considered by Council

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

2.3 Drainage and Recreation Reserves

2.3.1 It is the policy of the Council to permit the use of parts of the drainage and recreation reserves for the purpose of landscaping and recreational uses provided that;

- (a) the land drainage function in such reserves is not impeded;
- (b) there is no interference with public access and use;
- (c) any landscaping or use of the reserve does not adversely affect the amenity of the locality;
- (d) any work carried out in the reserve is carried out without expense to the Council; and
- (e) the Council shall not be responsible for making good any damage to or deterioration of any landscaping or other work carried out in those areas.

The following further provisions shall apply in relation to the exercise by Council of its development control powers in relation to any work in or use of such reserves:

- (a) No person shall carry out any landscaping or other work within any part of the reserve unless that part immediately adjoins land owned or occupied by that person;
- (b) No landscaping or other work shall be carried out in any part of a reserve which will prevent public access to and use of that or any other part of the reserve;
- (c) No work of a structural kind or the placing or removal of fill shall be carried out in the reserve without the prior written approval of the Council;
- (d) No person shall carry out any work in or use the reserve in such a way as to interfere with the flow of water through the reserve;
- (e) No officer of the Council or any other person or body entering the reserve with the authority of the Council and/or carrying out work in the reserve on behalf of or with the authority of the Council with or without machines shall be responsible in any way for any damage to any planting or other landscaping work or structure whatsoever within the reserve.

2.3.2 Council Rights of Removal of Structure—Improvements

The Council may remove or order to be removed any structure or vegetation which, in its opinion, inhibits the proper drainage of the area.

In so ordering any person to remove a structure or vegetation, the Council may require that person to make good any change or interference to the drainage system.

2.3.3 Right of Access by Authorised Servicing Authority

Notwithstanding the above nothing shall prevent any authorised servicing authority or its agent to gain access to public utilities for the purpose of inspection, maintenance, repair or relocation of any public utility.

2.3.4 Council Consideration of Application

Council may consider any application in accordance with Appendix 1 for use of part or parts of this reserve and may only give approval for the land contained by the rear boundary of the lot and the prolongation of the side boundaries to the nearest road reserve or other legally defined lot.

Before any works or improvements may be carried out by an applicant or their agents Council shall approve the proposals with any amendments it sees fit and notify the applicant in writing.

2.4 Compensation

2.4.1 Where the Council refuses Planning Consent for the development of a Reserve on the ground that the land is reserved for Local Authority purposes or for the purposes shown on the Scheme Map, or grants consent subject to conditions that are unacceptable to the applicant the owner of the land may, if the land is injuriously affected thereby, claim compensation for such injurious affection.

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

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

PART III—ZONES

3.1 Zones

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

- Town Centre
- Residential (R12.5 unless otherwise marked)
- Special Site (as marked)
- Pastoral

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

3.2 Zoning Table

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

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

- 'P' means that the use is permitted provided it complies with the relevant standards and requirements laid down in the Scheme and all conditions (if any) imposed by the Council in granting Planning Consent;
- 'AA' means that the Council may, at its discretion, permit the use;
- 'IP' means a use that is not permitted unless such a use is incidental to the predominant use as decided and approved by the Council.

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

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

3.2.5 If a particular use is not mentioned in the list of use classes in the Zoning Table or is not included by reference in the definition of any of the use classes in the Zoning Table, such use shall, for the purpose of the Zoning Table be deemed to be a use that is not permitted unless special approval is granted by the Council (an "AA" use) and shall be dealt with by the Council as an "AA" use.

3.3 Special Site Zone

3.3.1 The Special Site zone is delineated and depicted on the Scheme Map according to the legend thereon.

3.3.2 Land within a Special Site zone may be developed for the purposes specified on the Scheme Map and in Appendix No.4 and for no other purpose.

3.3.3 Development shall comply and be subject to the standards and conditions as specified in Appendix No.4

TABLE 1

USE CLASSES	ZONES			
	Town Centre	Residential	Pastoral	Special Site
COMMERCIAL	Car Park	P	AA	AA
	Dry Cleaning Premises/Laundromat	AA	—	—
	Fish Shop	P	—	—
	Funeral Parlour	AA	—	—
	Health Studio	AA	—	—
	Home Occupation	—	AA	—
	Hotel/Tavern	AA	—	—
	Motel	AA	—	—
	Office	P	—	—
	Private Club	P	—	—
	Professional Office	P	—	—
	Retail Outlet	P	—	—
	Service Station	AA	—	—
	Showroom	P	—	—
Warehouse	AA	—	—	
RESIDENTIAL	Single House	—	P	—
	Grouped Dwelling	—	AA	—
	Multiple Dwelling	AA	AA	—
	Caretaker's Dwelling	AA	—	—
	Residential Building	—	AA	—
COMMUNITY	Civic Building	P	—	—
	Consulting Rooms	P	—	—
	Educational Establishment	P	—	—
	Hospital	AA	—	—
	Public Assembly	P	—	—
	Public Utility	P	P	P
	Public Worship	P	—	—
	Radio and TV Installation	AA	—	—
	Veterinary Clinic	AA	—	—
INDUSTRIAL	Fuel Depot	—	—	—
	Industry—			
	General	—	—	—
	Light	—	—	—
	Service	AA	—	—
Motor Repair Station	AA	—	—	
RECREATION	Public Amusement	AA	—	—
	Public Assembly	P	—	—
	Recreation	P	AA	AA
	Rural Pursuit	—	—	AA

USE TO BE LIMITED TO THAT SPECIFICALLY SHOWN ON THE SCHEME MAP

PART IV—NON-CONFORMING USES

4.1 Non-Conforming Use Rights

No provision of the Scheme shall prevent—

- (a) the continued use of any land or building for the purpose for which it was being lawfully used at the time of coming into force of the Scheme; or
- (b) the carrying out of any development thereon for which, immediately prior to that time, a permit or permits, lawfully required to authorise the development to be carried out, were duly obtained and are current.

4.2 Extension of Non-Conforming Use

A person shall not alter or extend a non-conforming use or erect, alter or extend a building used in conjunction with a non-conforming use without first having applied for and obtained the Planning Consent of the Council under the Scheme and unless in conformity with any other provisions and requirements contained in the Scheme.

4.3 Change of Non-Conforming Use

Notwithstanding anything contained in the Zoning Table the Council may grant its Planning Consent to the change of use of any land from a non-conforming use to another use if the proposed use is, in the opinion of the Council, less detrimental to the amenity of the locality than the non-conforming use and is, in the opinion of the Council, closer to the intended uses of the zone or reserve.

4.4 Discontinuance of Non-Conforming Use

4.4.1 When a non-conforming use of any land or building has been discontinued for a period of six months or more such land or building shall not thereafter be used otherwise than in conformity with the provisions of the Scheme.

4.4.2 The Council may effect the discontinuance of a non-conforming use by the purchase of the affected property, or by the payment of compensation to the owner or the occupier or to both the owner and the occupier of that property, and may enter into an agreement with the owner for that purpose.

4.5 Destruction of Buildings

If any building is, at the gazettal date, being used for a non-conforming use, and is subsequently destroyed or damaged to an extent of 75 percent or more of its value the land on which the building is built shall not thereafter be used otherwise than in conformity with the Scheme, and the buildings shall not be repaired or rebuilt, altered or added to for the purpose of being used for a non-conforming use or in a manner or position not permitted by the Scheme.

PART V—DEVELOPMENT REQUIREMENTS

5.1 Development of Land

5.1.1 Subject to Clause 5. 1. 2 a person shall not commence or carry out development of any land zoned or reserved under the Scheme without first having applied for and obtained the Planning Consent of the Council under the Scheme.

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

- (a) The use of land in a local reserve, where such land is held by the Council or vested in a Public Authority;
 - (i) for the purpose for which the land is reserved under the Scheme; or
 - (ii) in the case of land vested in a Public Authority, for any purpose for which such land may be lawfully used by that authority.
- (b) the erection of a boundary fence except as otherwise required by the Scheme;
- (c) the carrying out of any works on, in, over or under a street or road by a Public Authority acting pursuant to the provisions of any act;
- (d) the carrying out of works for the maintenance, improvement or other alteration of any building, being works which affect only the interior of the building or which do not materially affect the external appearance of the building;
- (e) the carrying out of works urgently necessary in the public safety or for the safety or security of plant or equipment or for the maintenance of essential services.

5.2 Discretion to Modify Development Standards

5.2.1 If the Council is satisfied that a requirement or standard specified in or arising out of this or any succeeding clause of this Scheme is unreasonable or undesirable in the circumstances of a particular case, the Council may at its discretion permit a variation from that requirement or standard for the purpose of that case subject to such conditions as it thinks fit.

5.2.2 Before permitting a variation from any requirement or standard in accordance with clause 5.2.1 the Council may require that the owner and/or developer enter into an agreement with the Council to use or develop the building or land in a particular manner, and in case of a breach of the agreement or of any conditions imposed by the Council in addition to any other remedies open to the Council in respect of such breach, the Council may enforce the requirements of the Scheme as to any requirement or standard varied.

The Council shall not in any event vary a requirement or standard in accordance with clause 5.2.1.

- (a) Unless it has been requested to do so by an applicant in connection with a proposal to commence or carry out development; and
- (b) Unless it has first sought and ascertained the wishes of the owner of the land involved and the owners of all adjoining land and no such owner is opposed to the variation.

5.2.3 Requirements Not Readily Determined by the Scheme

Where in the circumstances of a particular case a requirement or standard cannot readily be determined from a consideration of this Scheme, such requirement or standard shall be determined by the Council. In making such a determination the Council shall have regard to any study or policy relevant to the area or the development in question and may have regard to any other matter relevant to amenity and orderly and proper planning.

5.3 Residential Development : Residential Planning Codes

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

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

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

5.4 Residential Zones

5.4.1 Objectives and Policies

The Residential Zone together with its pattern and allocation throughout the Scheme Area are designed to provide for the development of the Scheme Area in such a way as will promote and safeguard health, safety, convenience, the general welfare and the amenities of residential areas and their inhabitants.

Notwithstanding that a proposed development conforms in all other respects with the requirements of the Scheme, Council may at its discretion refuse to grant approval if in its opinion such development would by its siting, design or construction result in a significant deterioration of the amenity or landscape quality of the town.

5.4.2 Residential Zone—(R12. 5 Code)

Council's Objective is to ensure that the zoned areas provide for low density residential development within an urban area of the highest possible standard, together with other uses and activities compatible with the basic use.

Council policy will therefore be to—

- (a) retain and enhance the residential environment of single residential development;
- (b) permit certain non-residential uses as set out in Table 1 provided that they are of such a nature, siting and activity as to be compatible to the residential character of the zone.
- (c) Additional Facilities

Notwithstanding the provisions of Clause 3.5 of the R Codes, every residential unit shall contain a store room of not less than four square metres in floor area. The store room shall be fully enclosed, form part of the main building structure and have direct ground level access from outside the building, with no direct internal access from the residential unit, or shall be a permanent outbuilding with a minimum floor area of four square metres, to be constructed with either brick or masonry walls, colorbonded or similar roof sheeting, and in accordance with the provisions of the R Codes.

5.4.3 Residential Zone (R50 Code)

Council's Objective is to allow for development of flats and other forms of medium density housing to densities and standards appropriate to the enhancement of the urban environment and to the satisfaction of the various needs of the community.

Council's policy will therefore be—

- (a) to permit multiple unit housing approximate to that of existing similar accommodation in the town;
- (b) to permit development in accordance with the R 50 Code.

5.4.4 Home Occupations

Council's objective is to ensure that any Home Occupation complements the range of services available in the town centre area by providing for that range of activities which for reasons of small scale or marginal commercial viability are not reasonably able to locate in these areas. Home

occupation will not be permitted to promote dispersal of commercial activities throughout the residential areas to the detriment of the economic structure and the social and civic amenity of the town centre established to provide a desirable community focus and convenience.

Council, when giving consideration to an application for a proposed Home Occupation, shall satisfy itself that the proposal will not injuriously affect the amenity of the town centre by causing the disuse or loss of any available services, or be likely to cause undue deterioration of essential services associated with the established or zoned retail/commercial area.

5.5 Town Centre Zone

5.5.1 Objectives and Policies

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

- (a) prepare and amend from time to time an overall strategy plan for the zone which takes into account appropriate disposition of the Town Centre sites, economic servicing and proper standards of civic design, to guide future development.
- (b) approve permitted uses provided these are proposed in accordance with the principles of the overall strategy.

Uses permitted by the Scheme will be subject to conformity with the Town Centre Strategy Plan as adopted by Council from time to time and with other provisions of the Scheme.

5.5.2 Conditions and Standards

Inclusive with the Strategy the following conditions and standards shall apply;

- (a) Plot Ratio and Site Cover
Within this Zone no building shall have a plot ratio exceeding 0.7 and the site cover shall not exceed 50 percent.
- (b) Boundary Setbacks
Within this Zone there shall be no specific front, side or rear setbacks, other than those specified under the Building Code of Australia.
- (c) The Council may permit a building to have a plot ratio above that prescribed in 5.5.2(a) if the development proposed to be carried out—
 - (i) incorporates on the site of the development at street level and adjoining a street an area or areas freely accessible to the public and open to the sky or such an area or areas at some other level in circumstances which the Council considers justify an increase in the permissible plot ratio;
OR
 - (ii) incorporates a courtyard between two streets freely accessible to the public with pedestrian access to such courtyard from one or both streets;
OR
 - (iii) is set back from the side boundaries of the site at such level or levels and at such distances as the Council considers justifies an increase in the permissible plot ratio;
OR
 - (iv) includes a community or other facility or amenity which the Council considers justifies an increase in the permissible plot ratio.

5.5.3 Residential Accommodation

Council may permit a caretaker's residence to be included in any building or on any lot provided that—

- (a) such residence is included in the calculation of the plot ratio and site cover;
- (b) is an incidental purpose to the function of the building.

5.5.4 Car Parking

Where car parking spaces are to be provided they shall be provided, designed, constructed and maintained in accordance with the provisions of Section 5.9 of the Scheme and the approved plan relating thereto.

5.5.5 Loading and Unloading

Where areas for the loading and unloading of vehicles carrying goods or commodities to or from premises are to be provided the same shall be provided and maintained in accordance with the approved plan relating thereto and shall be in addition to any on-site car parking capacity required by the Scheme.

5.5.6 Landscaping

A minimum of 10 percent of the total site shall be set aside for landscaping and shall be developed and maintained in accordance with a plan approved by the Council. Council may permit a portion of the landscape area to be paved provided that it is compatible with the landscape area.

5.6 Special Site Zone

5.6.1 General Aims and Objectives

The Council's intention in controlling development within the Special Sites Zone is to:

- (a) encourage development of a high environmental standard appropriate to the use of the land within the zone;
- (b) promote convenient and safe movement of vehicular and pedestrian traffic;
- (c) protect the amenity of adjacent areas.

5.6.2 Application of Development Standards

Land within the Special Site Zone may be used for the purposes specified in the Scheme Map as applicable to that Zone and for purposes incidental thereto and described in detail in Appendix 4.

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

5.7 Pastoral Zone

5.7.1 General Aims and Objectives

The Council's intention in controlling development within the Pastoral Zone is to:

- (a) maintain the rural character of the land;
- (b) prevent the use of the land for any use incompatible with the existing use and/or which may adversely influence the future expansion of the urban area.

5.8 Transportable Homes/Temporary Buildings

Council shall not permit the erection or placement of any transportable home or other temporary structure within the Scheme Area unless—

- (a) it is for the use or shelter of workmen undertaking a specific project on that particular site;
- (b) it is for a specified time for the completion of the approved project.

5.9 Car Parking Requirements

5.9.1 No person shall develop, redevelop, extend the existing development or change the use of any land within the Scheme area without providing concrete or bitumen sealed, kerbed and marked on-site car parking area, in accordance with the requirements of Appendix 5.

5.9.2 Variations to Car Parking Requirements

Where the Council is satisfied that the special circumstances of a particular development justify such action, and where the Council is satisfied that there will not be any resultant lowering of standards of safety, convenience and visual amenity, it may permit a reduction in the number of car parking spaces required by the table forming part of Clause 5.9.1. Conversely, where the Council is of the opinion that it is necessary to increase the number of car parking spaces required by the table forming part of Clause 5.9.1 in order to maintain desirable standards of safety, convenience, and visual amenity, such extra car parking spaces as the Council considers necessary shall be provided. In imposing such extra car parking requirements, the Council shall explain the reasons for the increase to the owner of the lot.

Where there are two separate developments of different use types and having different hours of peak operation, but being located on the same or adjoining lots, the Council may permit some discounting of the required number of car parking bays on either or both lots, provided that it is satisfied that there would not be any resultant lowering of standards of safety, convenience or visual amenity.

Where a proposed development is located adjacent to a constructed public car park, the Council may, where it is satisfied that there would not be any resultant lowering of standards of safety, convenience or visual amenity, reduce the amount of required on-site car parking for that particular lot by the amount which it considers that public car park serves that lot.

5.9.3 Location and Design of Car Parks

All on-site car parks shall be located in a position whereby they do not unduly detract from the visual amenity of the development on that lot, or the surrounding lots, and shall be so designed as to afford safety, easy and convenient entry and exit parking for vehicles, and movement of pedestrians.

Where it is not satisfied that a carpark location and/or design would satisfy the requirements of the Scheme, the Council may request the submission of a revised plan showing an improved location and/or design of the carparking area. The Council may also require the addition of island planting of landscaping where it considers that the mass area of a carpark is excessive in terms of visual amenity.

5.9.4 Car Parking Dimensions

All car parking bays shall be sealed, kerbed and drained to the satisfaction of the Council.

All car parking bays shall be clearly marked on the sealed surface with white or suitable light coloured painted lines not less than 75mm wide and all driveways shall be similarly marked on the sealed surface.

The following minimum dimensions shall be used for all car parking bays—

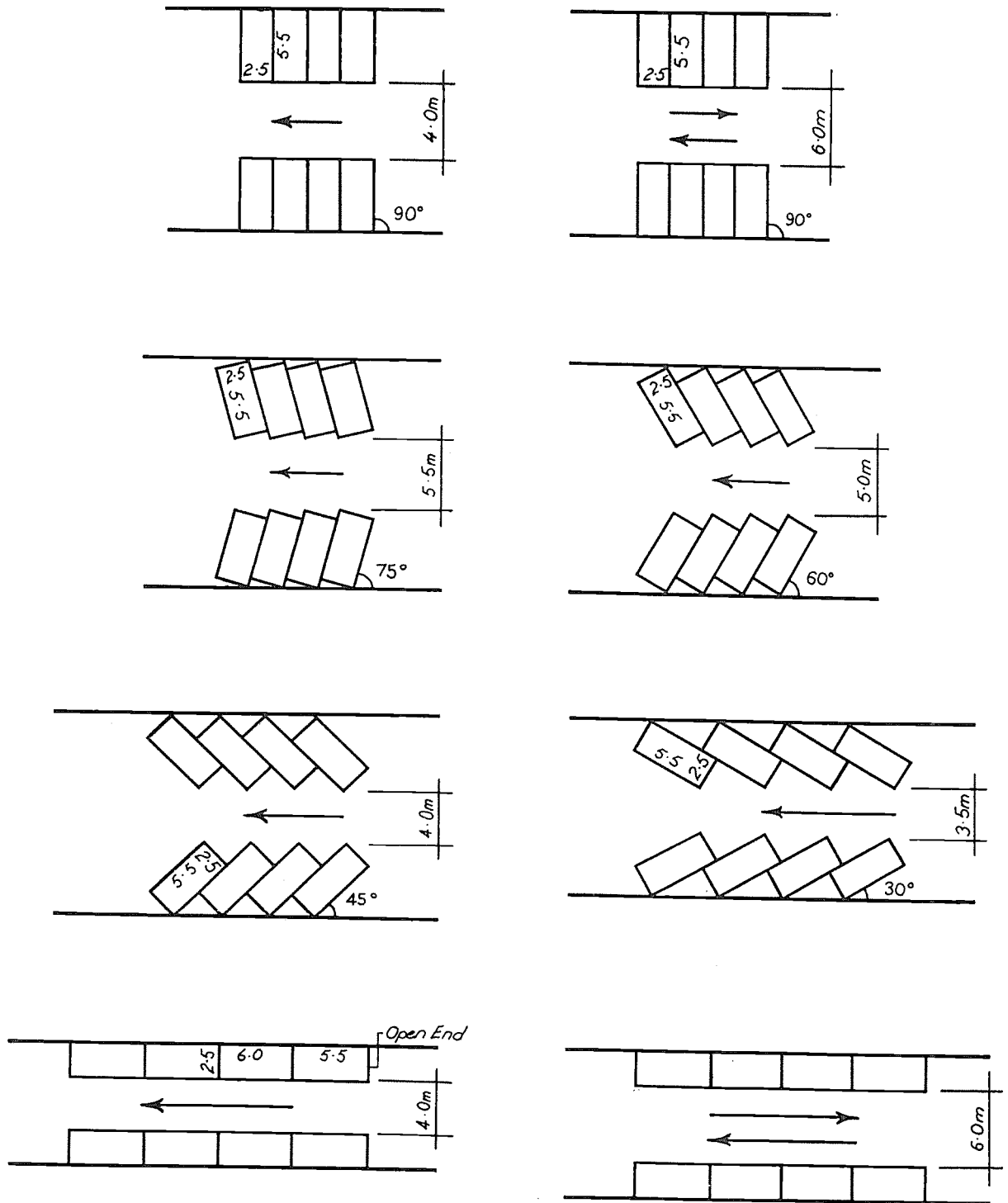
90 deg. and 45 deg. parking angle	5.5 metres x 2.5 metres
Parallel parking	6.0 metres x 2.5 metres or 5.5 metres x 2.5 metres where open ended.

The minimum dimensions of an oversized vehicle parking bay shall be 9.0 metres long x 3.0 metres wide.

All road train parking bays shall be of a size to suit the size of the vehicles to be accommodated, but in no case shall they be less than 15.0 metres long x 4 metres wide.

The following minimum dimensions shall be used for all car park driveway widths—

TABLE 2
DIAGRAM OF CAR PARKING—MINIMUM DIMENSIONS



PART VI—PLANNING CONSENT

6.1 Application for Planning Consent

6.1.1 Every application for Planning Consent shall be made in the form prescribed in Appendix 1 to the Scheme and shall be accompanied by such plans and other information as is required by the Scheme.

6.2 Advertising of Applications

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

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

- (a) notice of the proposed development to be served on the owners and occupiers of land within an area determined by the Council as likely to be affected by the granting of Planning Consent stating that submissions may be made to the Council within twenty-one days of the service of such notice;
- (b) notice of the proposed development to be published in a newspaper circulating in the Scheme area stating that submissions may be made to the Council within twenty-one days from the publication thereof;
- (c) a sign or signs displaying notice of the proposed development to be erected in a conspicuous position on the land for a period of twenty-one days from the date of publication of the notice referred to in paragraph (b) of this clause.

6.2.3 Where an applicant is required to give notice of a proposed development in accordance with the provisions of Clause 6. 2. 2, the Council shall determine the format of that notice and the nature of the information to be contained therein.

In addition the Council may require further plans, sketches, scale models, photographs, or other similar aids to explain the proposed development to be deposited at the offices of the Council for viewing during normal office hours by any persons wishing to tender a submission or objection to the proposed development, during the 21 days advertising period. All costs associated with the advertising and display of a proposed development shall be borne by the applicant.

6.2.4 After expiration of twenty-one days from the serving of notice of the proposed development, the publication of notice or the erection of a sign or signs, whichever is the later, the Council shall consider and determine the application.

6.3 Determination of Applications

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

6.3.2 The Council having regard to any matter which it is required by the Scheme to consider, to the purpose for which the land is reserved, zoned or approved for use under the Scheme, to the purpose for which land in the locality is used, and to the orderly and proper planning of the locality and the preservation of the amenities of the locality, may refuse to approve any application for Planning Consent or may grant its approval unconditionally or subject to such conditions as it thinks fit.

6.3.3 The Council shall issue its decision in respect of an application for Planning Consent in the form prescribed in Schedule 2 to the Scheme.

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

6.4 Deemed Refusal

6.4.1 Where the Council has not within sixty days of the receipt by it of an application for Planning Consent either conveyed its decision to the applicant or given notice of the application in accordance with Clause 6.2 the application may be deemed to have been refused.

6.4.2 Where the Council has given notice of an application for Planning Consent in accordance with Clause 6.2 and where the Council has not within ninety days of receipt by it of the application conveyed its decision to the applicant, the application may be deemed to have been refused.

6.4.3 Notwithstanding that an application for Planning Consent may be deemed to have been refused under Clauses 6.4.1 or 6.4.2 the Council may issue a decision in respect of the application at any time after the expiry of the sixty day or ninety day period specified in those clauses, as the case may be.

PART VII—ADMINISTRATION

7.1 Powers of the Scheme

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

- (a) the Council may enter into an agreement with any owner, occupier or other person having an interest in land affected by the provisions of the Scheme in respect of any matters pertaining to the Scheme;
- (b) the Council may acquire any land or buildings within the district pursuant to the provisions of the Scheme or the Act. The Council may deal with or dispose of any land which it has acquired pursuant to the provisions of the Scheme or the Act in accordance with law and for such purpose may make such agreement with other owners as it considers fit;
- (c) an officer of the Council, authorised by the Council for the purpose, may at all reasonable times enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being served.

7.2 Offences

7.2.1 A person shall not erect, alter or add to or commence to erect, alter or add to a building or use or change the use of any land, building or part of a building for any purpose—

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

7.2.2 A person who fails to comply with any of the provisions of the Scheme is guilty of an offence and without prejudice to any other remedy given herein is liable to the penalties prescribed by the Act.

7.3 Notices

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

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

7.4 Claims for Compensation

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

7.5 Appeals

An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme, except where the Council resolves not to exercise its power to modify standards in accordance with Clause 5. 2, may appeal in accordance with Part V of the Act and the rules and regulations made pursuant to the Act.

7.6 Power to Make Policies

7.6.1 In order to achieve the objectives of the Scheme, Council may make town planning scheme policies relating to parts or all of the scheme area and relating to one or more of the aspects of the control of development and land use.

7.6.2 A town planning scheme policy shall become operative only after the following procedures have been completed:

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

7.6.3 A town planning scheme policy may only be altered or rescinded by:

- (a) Preparation and final adoption of a new policy pursuant to this clause, specifically worded to supersede an existing policy.
- (b) Publication of a formal notice of the alteration or rescission by the Council twice in a newspaper circulating in the area.

7.6.4 A town planning scheme policy shall not bind the Council in respect of any application for planning consent, but the Council shall take into account the provisions of the policy and objectives which the policy was designed to achieve before making its decision.

7.6.5 In determining an application for Planning Consent, Council shall have regard to any Planning Policy adopted under the powers of this Scheme, and may impose conditions of consent in conformity with the requirements of that Policy.

Appendix 1

Shire of Roebourne—Town Planning Scheme No.4 Dampier

PLANNING APPLICATION FORM

APPLICATION FOR APPROVAL TO COMMENCE OR CARRY OUT DEVELOPMENT

Details of Owner of Land on which development proposed) SURNAME:
) OTHER NAMES:
) ADDRESS IN FULL:

SUBMITTED BY:
 ADDRESS FOR CORRESPONDENCE:

LOCATION OF DEVELOPMENT—Lot No. Street
 Locality

EXISTING SITE USE:
 DESCRIPTION OF PROPOSED DEVELOPMENT

DETAILS OF ALL USES PROPOSED TO BE CARRIED ON, IN OR IN RELATION TO THE DEVELOPMENT:

APPROXIMATE COST OF PROPOSED DEVELOPMENT:
 ESTIMATED TIME OF COMPLETION:

Signed by the Owner of the Land Date

NOTE 1: Three copies of the Site Plan and Building Plans of the proposals are to be submitted with this application except where planning approval only is requested, when one copy only of the sketch plans will be required, but in those cases three copies of the Site Plan and Building Plans will be required at the stage of any subsequent application for a building licence.

NOTE 2: This is not an application for a Building Licence. Separate application forms and plans are to be submitted for such, and can only be considered when planning approval has been granted.

Shire of Roebourne—Town Planning Scheme No.4 Dampier

PLANNING APPLICATION FORM (reverse side)

Site plans lodged with this form should contain the following information:

- (a) Title block (containing name and date drawn);
- (b) Scale and north arrow;
- (c) Property lines of building site, dimensioned and contours shown;
- (d) Existing and proposed categories of uses;
- (e) Buildings, existing and proposed, and giving location and size;
- (f) Streets, giving location and name;

- (g) Sufficient detail to identify the lot or lots involved, and details of any easement of restrictive covenant affecting the land;
- (h) Access (driveways etc) existing and proposed;
- (i) Parking areas, designed according to Council's standards as required in the Scheme;
- (j) Fencing, including details of type, location and height;
- (k) Landscaping and screening areas designed in accordance with Council's standards;
- (l) Where relevant, existing structures on abutting properties indicating location, height and uses; and
- (m) Elevations if required, of all structures, including but not limited to all exterior materials and finishes.

The Council may refuse to deal with any application for approval to commence or carry out development where the information contained on the site plans submitted is considered to be of insufficient detail.

Appendix 2

Shire of Roebourne Town Planning Scheme No. 4 Dampier

PLANNING APPROVAL/REFUSAL NOTICE

DECISION ON APPLICATION FOR COUNCIL APPROVAL TO COMMENCE OR CARRY OUT DEVELOPMENT

Details of Application

Owner of Land: SURNAME
 GIVEN NAMES
 ADDRESS

Applicant: NAME
 ADDRESS

Location of Development: Lot No.
 Street
 Locality

Proposed Development
 Proposed Uses

Council Decision

Approval to commence or carry out development in accordance with the application dated
and the attached plan is:

Granted subject to the following conditions:

Refused for the following reasons:

FURTHER CONDITIONS

Subject to any contrary stipulation in the foregoing Conditions (if any) if development is not substantially commenced within twelve months from the date of approval or completed within two years from that date, re-approval must be obtained before commencing or continuing with the development.

Signed:
 Shire Clerk Date

PLEASE NOTE

- (i) A separate application must be made for any alterations or additions to the approved development or for any change of use of the land or buildings thereon.
- (ii) Separate applications must be made for a building licence or any health approvals required under the Health Act, where applicable.
- (iii) Building and health approvals may attach various conditions of approval in their own right.
- (iv) All conditions precedent (i.e. Conditions required to be satisfied prior to the use of the development) must be met prior to Council considering any application and issuing a Certificate of Classification.

Appendix 3
INTERPRETATIONS

- "Absolute Majority" shall have the same meaning as is given to it in and for the purposes of the Local Government Act 1960 (as amended).
- "Act" means the Town Planning and Development Act, 1928 (as amended).
- "Amusement Facility" means land and buildings, open to the public, used for not more than two amusement machines where such use is incidental to the predominant use.
- "Amusement Machine" means a machine, device or games table, mechanically or electronically powered, that releases or makes available balls, discs or other items for projection in or on the machine by the use of springs, flippers, paddles or cues, or electronic devices which are controlled or partly controlled by computer associated with electronic screen(s) operated by one or more players for amusement or recreation.
- "Amusement Parlour" means land and buildings, open to the public, where the predominant use is amusement by amusement machines and where there are more than two amusement machines operating within the premises.
- "Battle-axe lot" means a lot having access to a public road by means of an access strip included in the Certificate of Title of that lot.
- "Betting Agency" means a building operated in accordance with the Totalisator Agency Board Betting Act 1960 (as amended).
- "Builder's Storage Yard" means land and buildings used for the storage of building material, pipes, or other similar items related to any trade; and may include manufacture, assembly and dismantling processes incidental to the predominant use.
- "Building" shall have the same meaning as is given to it in and for the purposes of the Residential Planning Codes.
- "Building Envelope" means an area of land within a lot marked on a plan forming part of the Scheme outside which building development is not permitted.
- "Building Setback" means the shortest horizontal distance between a boundary or other specified point and the position at which a building may be erected.
- "Camping Area" means land used for the lodging of persons in tents or other temporary shelter.
- "Caravan Park" means land and buildings used for the parking of caravans under the By-Laws of the Council or the Caravan Parks and Camping Grounds Regulations, 1974 (as amended) made pursuant to the provisions of the Health Act, 1911-1979 (as amended).
- "Caretaker's Dwelling" means a building used as a dwelling by a person having the care of the building, plant, equipment or grounds associated with an industry, business, office or recreation area carried on or existing on the same site.
- "Cattery" means the use of an approved out-building constructed in accordance with the Health Act Model By-laws Series 'A' Part One—General Sanitary Provisions (as amended) for the purpose of keeping more than three (3) cats over the age of three (3) months.
- "Civic Building" means a building designed, used or intended to be used by a Government Department, an instrumentality of the Crown, or the Council, for administrative, recreational or other purpose.
- "Club Premises" means land and buildings used or designed for use by a legally constituted club or association or other body of persons united by a common interest whether such building or premises be licensed under the provisions of the Liquor Act, 1970 (as amended) or not and which building or premises are not otherwise classified under the provisions of the Scheme.
- "Commission" means the State Planning Commission constituted under the State Planning Commission Act 1985.
- "Consulting Rooms" means a building (other than a hospital or medical centre) used by no more than two practitioners who are legally qualified medical practitioners or dentists, physiotherapists, chiropractors, and persons ordinarily associated with a practitioner, in the prevention or treatment of physical or mental injuries or ailments, and the two practitioners may be of the one profession or any combination of professions or practices.
- "Consulting Rooms Group" means a building (other than a hospital or medical centre) used by more than two practitioners who are legally qualified medical practitioners or dentists, physiotherapists, chiropractors and persons ordinarily associated with a practitioner, in the prevention, investigation or treatment of physical or mental injuries or ailments, and the practitioners may be of the one profession or any combination of professions or practices.
- "Convenience Store" means land and buildings used for the retail sale of convenience goods being those goods commonly sold in supermarkets, delicatessens and newsagents but excluding the sale of petrol and operated during hours which include but which may extend beyond normal trading hours. The buildings associated with a convenience store shall not exceed 200m² gross leasable area.
- "Day Care Centre" means land and buildings used for the daily or occasional care of children in accordance with the Child Welfare (Care Centres) Regulations, 1968 (as amended).
- "Development" shall have the same meaning given it in and for the purposes of the Act.

"Development Authority" means Homeswest, the Department of Land Administration or any other Government Department responsible for the planning subdivision and release of the land concerned.

"District" means the Municipal District of the Shire of Roebourne.

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

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

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

- (a) premises in respect of which a Hotel Licence, a Tavern Licence, a Limited Hotel Licence, a Restaurant Licence, or a Wine House Licence has been granted under the Liquor Act, 1970;
- (b) a house;
- (c) any building or other structure used temporarily for serving meals to the public at any fair, show, military encampment, races or other public sports, games or amusements.

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

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

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

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

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

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

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

"Gross Leasable Area" means in relation to a building, the area of all floors capable of being occupied by a tenant for his exclusive use, which area is measured from the centre lines of joint partitions or walls and from the outside faces of external walls or the building alignment, including shop fronts, basements, mezzanines and storage areas.

"Harbour Installations" means land and buildings used for and incidental to the purposes of loading, unloading and maintaining ships.

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

"Holiday Accommodation" means buildings constructed in accordance with the provisions of Model By-law No.18 (Holiday Accommodation) and used for the short term accommodation of tourists and holiday makers and includes convention centres, halls and other buildings for the amenity of the residents but does not include a Hotel or a Motel.

"Home Occupation" means a business or activity carried on with the written permission of the Council within a dwelling house or the curtilage of a house by a person resident therein or within a domestic outbuilding by a person resident in the dwelling house to which it is appurtenant that:

- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury, or prejudicial affection due to the emission of light, noise, vibration, electrical interferences, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products or the unsightly appearance of the dwelling house or domestic outbuilding or the land on which the business is conducted.
- (b) does not entail employment of any person not a member of the occupier's family;
- (c) does not occupy an area greater than twenty square metres;
- (d) does not require the provision of any essential service main of a greater capacity than normally required in the zone in which it is located.
- (e) does not display a sign exceeding 0.2 m² in area;

- (f) in the opinion of the Council it is compatible with the principal uses to which land in the zone in which it is located may be put and will not in the opinion of the Council generate a volume of traffic that would prejudice the amenity of the area;
- (g) does not entail the presence, use or calling of a vehicle of more than two tonnes tare weight;
- (h) does not entail the presence of more than one commercial vehicle and does not include provision for the fuelling or repairing of motor vehicles within the curtilage of the dwelling house or domestic out-building.
- (i) does not entail the offering for sale or display of motor vehicles, machinery or goods (other than goods manufactured or serviced on the premises); and
- (j) does not entail a source of power other than an electric motor of not more than 0.373 kilowatts (0.5 h.p.).

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

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

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

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

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

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

"Lay Down Area" means an open air storage area used to store or assemble construction materials.

"Liquor Store" means a building the subject of a Store Licence granted under the provisions of the Liquor Act, 1988 (as amended).

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

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

"Marina" means premises at which berths or pens, and fuelling, servicing, repairing, storage (including storage on land) and other facilities for boats are provided, with or without the sale of boating gear and equipment, and includes all jetties, piers, embankments, quays and moorings appurtenant thereto and all offices and storerooms used in connection therewith.

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

"Marine Filling Station" means land and buildings used for the storage and supply of liquid fuels and lubricants for marine craft, but in which no industry is carried on; but does not include a service station.

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

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

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

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

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

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

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

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

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

- "Non-conforming Use" means a use of land which, though lawful immediately prior to the coming into operation of this Scheme, is not in conformity with the Scheme.
- "Nursery" means land and buildings used for the propagation, rearing and sale of products associated with horticultural and garden decor.
- "Pastoral Activity" means the use of land for the open range grazing of livestock, but does not include stabling or agistment of horses, irrigation of pastures or intensive grazing or fattening of livestock.
- "Petrol Filling Station" means land and buildings used for the supply of petroleum products and motor vehicle accessories.
- "Plot Ratio" except for a single house, attached house, grouped dwelling or multiple dwelling where it shall have the same meaning given to it in the Residential Planning Codes, plot ratio means the ratio of the gross total of the areas of all floors to the area of land within the site boundaries, and in calculating the gross total of the areas of all floors the areas shall be measured over any walls provided that lift shafts, stairs, toilets and amenities, external wall thicknesses, plant rooms and the gross floor area of any floor space used for the parking of wheeled vehicles including access to and from that space within the building shall not be included.
- "Poultry Farm" means land and buildings used for hatching, rearing or keeping of poultry for either egg or meat production which does not constitute an offensive trade within the meaning of the Health Act, 1911-1979 (as amended).
- "Prison" shall have the same meaning given to it in and for the purposes of the Prisons Act, 1981 (as amended).
- "Private Hotel" means land and buildings used for residential purposes the subject of a Limited Hotel Licence granted under the provisions of the Liquor Act 1970 (as amended).
- "Public Mall" means any public street or right-of-way designed especially for pedestrians who shall have the right of way and vehicle access shall be restricted to service vehicles at times specified by the Council.
- "Radio and T.V. Installation" means land and buildings used for the transmission, relay and reception of signals and pictures, both commercial and domestic, but does not include domestic radio and television receivers.
- "Reception Centre" means land and buildings used by parties for functions on formal or ceremonious occasions, but not for unhosted use for general entertainment purposes.
- "Reformatory" means land and buildings used for the confinement or detention in custody of juvenile offenders against the law with a view to their reformation.
- "Residential Planning Codes" means the Residential Planning Codes set out in Appendix 2 to the Statement of Planning Policy No. 1, together with any amendments thereto.
- "Restaurant" means a building wherein food is prepared for sale and consumption within the building and the expression shall include a licensed restaurant, and a restaurant at which food for consumption outside the building is sold where the sale of food for consumption outside the building is not the principal part of the business.
- "Retail Outlet" means any building wherein goods are kept exposed or offered for sale by retail, but this does not include a cafe or restaurant, bank, fuel depot, market, service station, petrol filling station, milk depot, marine store, timber yard or land and buildings used for the sale of motor or other vehicles or for any purpose falling within the definition of industry.
- "Salvage Yard" means land and buildings used for the storage and sale of materials salvaged from the erection, demolition, dismantling or renovating of, or fire or flood damage to structures including (but without limiting the generality of the foregoing) buildings, machinery, vehicles and boats.
- "Schedule" means a schedule to the Scheme.
- "Service Station" means land and buildings used for the supply of petroleum products and motor vehicle accessories and for carrying out greasing, tyre repairs and minor mechanical repairs and may include a cafeteria, restaurant or shop incidental to the primary use, but does not include transport depot, panel beating, spray painting, major repairs or wrecking.
- "Showroom" means a building or portion of a building wherein goods are displayed and may be offered for sale, excluding foodstuffs, liquor or beverages, items of clothing or apparel, magazines, newspapers, books or paper products, medicinal or pharmaceutical products, books or paper products, china, glassware or domestic hardware, or items of personal adornment, provided that retail uses shall be limited to an area no greater than 20 per cent of the total gross leasable area.
- "Tavern" means land and buildings the subject of a Tavern Licence granted under the provisions of the Liquor Act, 1988 (as amended).
- "Trade Display" means land and buildings used for the display of trade goods and equipment for the purposes of advertisement.
- "Veterinary Consulting Rooms" means a building in which a veterinary surgeon or veterinarian treats the minor ailments of domestic animals and household pets as patients but in which animals or pets do not remain overnight.
- "Veterinary Hospital" means a building used in connection with the treatment of sick animals and includes the accommodation of sick animals.

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

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

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

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

APPENDIX 4
SPECIAL SITE SCHEDULE

Lot No.	Street/Location	Use
251	Williams Crescent	Sports Club & Pavilion
254	Williams Crescent	Lay Down Area and Associated Uses
348	Hill Road	Community Use
357	Church Road	Service Station
358	Church Road	Bowling Club
359	Church Road	Sports Pavilion
361	The Esplanade	Boat and Sailing Club
366	Huon Street	Medical Centre and Community Purposes
Undefined Lot	Hospital Drive	Tourist Use
Undefined Lot	New road off The Esplanade	Tourist Use

APPENDIX 5
CAR PARKING REQUIREMENTS

Number	Use Type	Number of Car Parking Spaces
RESIDENTIAL		
1	Single House	As per R Codes, plus one oversized vehicle parking space;
2	Attached House	As per R Codes, plus one oversized vehicle parking space per dwelling unit;
3	Grouped Dwelling	As per R Codes, plus one oversized vehicle parking space per dwelling unit;
4	Multiple Dwelling	As per R Codes, plus one oversized vehicle parking space per two dwelling units;
5	Shared Dwelling	One per permissible bedroom unit plus one oversized vehicle space per two permissible bedroom units;
6	Contractors Camp	Two per three sleeping units, PLUS one oversized vehicle parking bay per 10 sleeping units (minimum two per site) PLUS one road train parking bay per 30 sleeping units (minimum one per site);
7	Caravan Park	Two per caravan bay, plus one per 10 caravan bays for visitors;
8	Chalet Park	Two per chalet unit, plus one per 10 chalet units for visitors;
COMMERCIAL		
9	Retail Outlet	One per 16 square metres of gross leasable area;
10	Offices	One per 30 square metres of gross leasable area;
11	Lunch Bar/Take Away Food Bar	One per two square metres of public floor area; PLUS One space per person employed within the premises at the time of peak operation;
12	Eating House, Restaurant	One per five square metres of dining space; OR One per four persons accommodated; PLUS One per person employed within the premises at the time of peak operation;

APPENDIX 5—*continued*Car Parking Requirements—*continued*

Number	Use Type	Number of Car Parking Spaces
13	Hotel, Motel, Tavern, Night Club/Cabaret	One per two square metres of public drinking area other than a Lounge area or Cocktail Bar area; One per three square metres of Night Club/Cabaret area open to the public; One per four square metres of Lounge area of Cocktail Bar area; One per six square metres of Beer Garden or Games Room; One per five square metres of Convention Room; One per 10 square metres of Dining Room; Two per three Motel or Hotel accommodation units;
14	Car Sales Premises	One per 500 square metres of site area used; PLUS One per 100 square metres of nett floor area; PLUS One per person employed on the premises;
15	Showrooms	Three for the first 200 square metres of nett floor area and one per 100 square metres or part thereof thereafter;
16	Open Air Display and Sales Area	One per 100 square metres of display/sales area; PLUS One per person employed on the premises;
17	Service Station	Three per working bay; PLUS One per person employed on the premises;
PUBLIC FACILITIES		
18	Civic Building	One per 30 square metres of gross floor area;
19	Public Hall, Public Worship, Public Amusement	One per 4.5 square metres of public area OR One per four seats provided or capable of being provided in the public area, whichever provides the greater number of spaces;
20	Public Assembly	One per 10 persons capable of being accommodated;
21	Health Centre, Con- sulting Rooms	Four spaces for each of the first two Consulting Rooms; PLUS Two spaces for each additional consulting room; PLUS Two bays for each extra facility for which a separate person is employed; PLUS One per person employed on the premises at the time of peak operation;
22	Veterinary Clinic	Six per practitioner;
23	Hospital	One per three beds provided; PLUS One per person employed on the premises at the time of peak operation; PLUS Extra bays as appropriate for extra services provided to outpatients;
24	Funeral Parlour	One per four persons accommodated; OR Six spaces whichever provides the greater number;
25	Kindergarten, Child Care Facility	One for every 10 children or part thereof the premises are capable of accommodating at any time; PLUS One per person employed on the premises;
26	Primary School	1.5 per classroom, but not less than 10;
27	Secondary School	Two per classroom; OR One per 20 students attending, whichever provides the greater number of spaces;
28	Tertiary College	One per five students attending;
29	Museum/Library	One per 50 square metres of gross floor area;
30	Health Studio	One per 30 square metres of gross floor area;
31	Bowling Alley	Three per alley;
32	Squash Courts	Two per court;
33	Tennis Courts	Three per court;
34	Swimming Pool	One per 20 square metres of pool area;

APPENDIX 5—*continued*
Car Parking Requirements—*continued*

Number	Use Type	Number of Car Parking Spaces
INDUSTRIAL		
35	Service Industry	One per 50 square metres of gross floor area;
36	Light Industry Gen- eral Industry	Three for the first 200 square metres of gross floor area and one per 100 square metres or part thereof thereafter;
37	Factoryettes	Same as for Light and General Industry, but not less than three per factoryette unit.

NOTE:

Where a particular use type is not listed in this Table the Council shall assess the on-site car parking requirement using similar use types within this table as a guide, but with variations as necessary to suit the individual circumstances of the particular proposal.

—————
ADOPTION

Adopted by resolution of the Council of the Shire of Roebourne at the ordinary meeting of the Council held on the twenty-first day of November 1991.

F. RIEBELING, President.

F. GOW, Shire Clerk.

—————
FINAL APPROVAL

1. Adopted by resolution of the Council of the Shire of Roebourne at the ordinary meeting of the Council held on the twenty-second day of February 1993 and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of:

R. N. MUNDY, President.

F. GOW, Shire Clerk.

—————
This Scheme Text is to be read in conjunction with the approved maps of the Scheme described in clause 1.4 of this Scheme and to which formal approval was given by the Hon. Minister for Planning on the date shown below.

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

Dated 4th August 1993.

M. R. ALLEN, for Chairman.

—————
3. Final approval granted.

Dated 14th August 1993.

RICHARD LEWIS, Hon Minister for Planning.

POLICE**PE401****POLICE AUCTION**

Under the provisions of the Police Act 1892-1982 unclaimed and stolen property will be sold by Public Auction at Kalgoorlie Police Station, Brookman Street, Kalgoorlie at approximately 9.30 am on October 30, 1993.

Auction to be conducted by Stanley Collins, Auctioneer.

B. BULL, Commissioner of Police.

PORT AUTHORITIES**PH401****ALBANY PORT AUTHORITY ACT 1926****NOTICE****Application to Lease**

In accordance with the provision of section 25 of the Albany Port Authority Act 1926, it is hereby advertised that an application has been received from the Albany Waterways Management Authority for the lease of Lot 13 of Port land vested in the Albany Port Authority for a period exceeding three years for the purpose of storage and repair of plant and equipment.

Dated this 26th day of August 1993.

C. R. BERRY, Acting General Manager.

PH403**BUNBURY PORT AUTHORITY ACT 1909****PORT AUTHORITIES****Notice****Application for Lease**

In accordance with the provisions of section 25 of the Bunbury Port Authority Act 1909 it is hereby advertised that an application has been received from Australian Estate Management for the lease of an area of land within the Inner Harbour port area vested in the Bunbury Port Authority for a term exceeding 3 years for the purpose of constructing the new Bunbury Customs House.

Dated 15 September 1993.

D. FIGLIOMENI, General Manager.

STATE TAXATION**SX401****PAY-ROLL TAX ASSESSMENT ACT 1971****NOTICE OF EXEMPTION OF CHARITABLE BODY**

Notice is hereby given under the provisions of section 10 (3) of the Pay-roll Tax Assessment Act, that Southern Aboriginal Corporation is declared to be exempt for the purposes of section 10 (1) (k) of the Act, in relation to its charitable objects.

G. M. EVANS, Minister for Finance.

PUBLIC NOTICES**ZZ201****TRUSTEES ACT 1962**

George Harding Young, late of St David's Retirement Centre, Lawley Crescent, Mt Lawley in the State of Western Australia, Retired, 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 4th August 1993 are required by the Executors Bernard Anton and Peter Christian to send particulars of their claims to 15 Timewell Place, Dianella within one month of the date of publication hereof after which date the Executors may convey or distribute the assets having regard to the claims of which he then has notice.

PETER CHRISTIAN on behalf of the Executors.

ZZ301

INQUIRY AGENTS LICENSING ACT 1954
APPLICATION FOR LICENCE IN THE FIRST INSTANCE

To the Court of Petty Sessions at Perth.

I Sue Jay Dawson of 51 Northstead Street, Scarborough, Phone (H): 341 5377, (W): 227 9266, Occupation Insurance Investigator 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 60 Lindsay Street, Perth.

I am the holder of a current licence issued under the Act.

Dated the 16th day of September 1993.

S. J. DAWSON, Signature of Applicant.

APPOINTMENT OF HEARING

I hereby appoint the 26th day of October 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 16th day of September 1993.

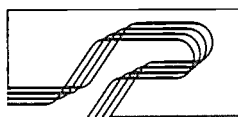
PETER NEEDHAM, Clerk of Petty Sessions.

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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