



**WESTERN  
AUSTRALIAN  
GOVERNMENT**  
**Gazette**



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JOHN A. STRIJK,  
Acting Government Printer.

## PROCLAMATIONS

AA101

### LAND ACT 1933

#### CLASSIFICATION OF RESERVED LANDS

##### PROCLAMATION

WESTERN AUSTRALIA P. M. Jeffery, Governor. [L.S.]	}	By His Excellency Major General Philip Michael Jeffery, Officer of the Order of Australia, Military Cross, Governor of the State of Western Australia.
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DOLA File 759/996.

Under Section 31(1)(a) of the Land Act 1933, I, the Governor acting with the advice and consent of the Executive Council, hereby classify as of Class "A" Reserve No. 44309 comprising Perth Lot 976 with an area of 26 475 cubic metres for the designated purpose of "Forrest Place (Basement Reserve)".

Local Authority—City of Perth.

Given under my hand and the Seal of the State on 21 May 1996.

By His Excellency's Command,

G. D. KIERATH, Minister for Lands.

GOD SAVE THE QUEEN !

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### LAND ACT 1933

#### CLASSIFICATION OF RESERVED LANDS

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WESTERN AUSTRALIA P. M. Jeffery, Governor. [L.S.]	}	By His Excellency Major General Philip Michael Jeffery, Officer of the Order of Australia, Military Cross, Governor of the State of Western Australia.
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DOLA File 758/996.

Under Section 31(1)(a) of the Land Act 1933, I, the Governor acting with the advice and consent of the Executive Council, hereby classify as of Class "A" Reserve No. 44312 comprising Perth Lot 969 with an area of 8 986 square metres for the designated purpose of "City Station Complex Reserve".

Local Authority—City of Perth.

Given under my hand and the Seal of the State on 21 May 1996.

By His Excellency's Command,

G. D. KIERATH, Minister for Lands.

GOD SAVE THE QUEEN !

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### LAND ACT 1933

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DOLA File 757/996.

Under Section 31(1)(a) of the Land Act 1933, I, the Governor acting with the advice and consent of the Executive Council, hereby classify as of Class "A" Reserve No. 44311 comprising Perth Lot 977 with an area of 32 765 cubic metres for the designated purpose of "Forrest Place (Ground Level Reserve)".

Local Authority—City of Perth.

Given under my hand and the Seal of the State on 21 May 1996.

By His Excellency's Command,

G. D. KIERATH, Minister for Lands.

GOD SAVE THE QUEEN !

**LAND ACT 1933**  
**CLASSIFICATION OF RESERVED LANDS**  
**PROCLAMATION**

WESTERN AUSTRALIA } By His Excellency Major General Philip Michael  
P. M. Jeffery, } Jeffery, Officer of the Order of Australia, Military  
Governor. } Cross, Governor of the State of Western  
[L.S.] } Australia.

DOLA File 756/996.

Under Section 31(1)(a) of the Land Act 1933, I, the Governor acting with the advice and consent of the Executive Council, hereby classify as of Class "A" Reserve No. 44310 comprising Perth Lots 978 and 1000 with an area of about 61 738 cubic metres for the designated purpose of "Forrest Place (Upper Level Reserve)".

Local Authority—City of Perth.

Given under my hand and the Seal of the State on 21 May 1996.

By His Excellency's Command,

G. D. KIERATH, Minister for Lands.

GOD SAVE THE QUEEN !

**AA102**

**TRANSFER OF LAND ACT 1893**  
**TRANSFER OF LAND (REVESTMENT)**  
**PROCLAMATION**

WESTERN AUSTRALIA } By His Excellency Major General Philip Michael  
P. M. Jeffery, } Jeffery, Officer of the Order of Australia, Military  
Governor. } Cross, Governor of the State of Western  
[L.S.] } Australia.

DOLA File 5735/950V11.

Under Section 243 of the Transfer of Land Act 1893, I, the Governor acting with the advice and consent of the Executive Council, do hereby revest in Her Majesty as of her former estate, the land described in the schedules to this Proclamation.

Schedule I

DOLA File	Description of Land	Certificate of Title	
		Volume	Folio
499/983	Lot 7 on Diagram 64376 (now Mullewa Lot 262)	1583	208
2779/995	Lot 1009 on Diagram 89016 (now Canning Location 4043).	2049	810
674/995	Lot 18 on Plan 13827 (now Murray Location 1954).	404	151A
1324/989	Lot 5 the subject of Diagram 75687 (now Murray Location 1922).	1955	238
3204/995	Wiluna Town Lot 19 (now Wiluna Lot 1503).	1055	650
1610/995	Lot 439 on Plan 14909 (now Canning Location 4005).	1691	971
768/996	Lot 441 on Plan 14909 (now Canning Location 14907).	1691	972
768/996	Lot 441 on Plan 14909 (now Canning Location 4006).	1691	973
2784/995	Lot 6 on Plan 18674 (now Nelson Location 18674).	2042	803
2792/995	Lot 440 on Plan 20660 (now Plantagenet Location 7843).	2047	698
412/996	Lot 84 on Plan 20776 (now Swan Location 12542).	2048	135
1515/995	Lot 482 on Plan 20691 (now Swan Location 12504).	2047	750
1598/995	Lot 50 on Plan 17437 (now Sussex Location 5024).	1920	116
2483/983	Portion of Collie Agricultural Area Lot 54 and being the portion coloured blue and marked "Drain Reserve" on Diagram 65430 (now Collie Agricultural Area Lot 91).	1662	987
1327/995	Lot 837 on Diagram 67039 (now Tom Price Lot 329).	1704	905
1305/995	Lot 255 on Plan 14719 (now Tom Price Lot 328).	1704	931

## Schedule II

DOLA File	Description of Land
682/993	Portion of Kwinana Lot E7 and being the land coloured brown and marked Pedestrian Accessway on Plan 10734 and being part of the land comprised in Certificate of Title Volume 1399 Folio 415.

Given under my hand and the Seal of the State on 21 May 1996.

By His Excellency's Command,

G. D. KIERATH, Minister for Lands.

GOD SAVE THE QUEEN !

## AA103

**TRANSFER OF LAND ACT 1893**  
**TRANSFER OF LAND (REVESTMENT)**

PROCLAMATION

WESTERN AUSTRALIA  
P. M. Jeffery,  
Governor.  
[L.S.]

} By His Excellency Major General Philip Michael  
Jeffery, Officer of the Order of Australia, Military  
Cross, Governor of the State of Western  
Australia.

DOLA File 5735/950V18.

Under Section 243 of the Transfer of Land Act 1893, I, the Governor acting with the advice and consent of the Executive Council, do hereby revest in Her Majesty as of her former estate, the land described in the schedule to this proclamation.

SCHEDULE

DOLA File	Description of Land	Certificate of Title	
		Volume	Folio
757/996	Lot 55 the subject of Diagram 77913. (Now portion of Perth Lot 977).	1906	277
759/996	Lot 1 the subject of Plan 18238. (Now portion of Perth Lot 976).	1965	316
759/996	Lot 2 the subject of Plan 18239. (Now portion of Perth Lot 976).	1965	318
756/996	Lot 3 the subject of Plan 18240. (Now portion of Perth Lot 978).	1965	317
1056/991	Portion of Perth Building Lot W2. (Now portion of Perth Lot 1066).	40	382
1056/991	Portion of Perth Town Lots W3 and W4. (Now portion of Perth Lot 1066).	488	183
1056/991	Portion of each of Perth Town Lots W3 and W4 and being part of the land on Diagram 748. (Now portion of Perth Lot 1066).	1821	404
1056/991	The eastern portion of Perth Building Lot Y96. (Now portion of Perth Lot 1066).	6	193
1056/991	Portion of Perth Building Lot Y99. (Now portion of Perth Lot 1066).	66	41
1056/991	Portions of Perth Building Lot Y95 plan deposited No. 937. (Now portion of Perth Lot 1066).	65	43
1056/991	The southwestern moiety of Perth Building Lot Y22. (Now portion of Perth Lot 1066).	16	170
1056/991	Portion of each of Perth Town Lots W3 and W4 and being part of the land on Diagram 2641.	1821	407
1056/991	Perth Building Lot Y100.	1	4
1056/991	Portion of Perth Building Lot Y95 numbered 1 Plan deposited 937.	73	168
1056/991	Portion of Perth Town Lot Y95. (Now portion of Perth Lot 1066).	2058	215

DOLA File	Description of Land	Certificate of Title	
		Volume	Folio
1056/991	Portion of Perth Town Lot Y95. (Now portion of Perth Lot 1066).	2058	216
1056/991	Portion of Perth Town Lot Y98. (Now portion of Perth lot 1066).	2058	217
1056/991	Portion of Perth Town Lot Y100. (Now portion of Perth Lot 1066).	2058	218

Given under my hand and the Seal of the State on 21 May 1996.

By His Excellency's Command,

G. D. KIERATH, Minister for Lands.

GOD SAVE THE QUEEN !

## CONSERVATION AND LAND MANAGEMENT

### CM301

#### CONSERVATION AND LAND MANAGEMENT ACT 1984

#### FOREST MANAGEMENT AMENDMENT REGULATIONS (No. 2) 1996

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

#### Citation

1. These regulations may be cited as the *Forest Management Amendment Regulations (No. 2) 1996*.

#### Regulation 101 amended

2. Regulation 101 (1) of the *Forest Management Regulations 1993\** is amended by deleting paragraph (a) and substituting the following paragraph —

“

- (a) remove more than one tonne of firewood from public firewood areas —
- (ii) in any 60 day period between 1 June and 30 September; or
- (ii) on any one occasion between 1 October and 31 May; or

”

[\* *Published in Gazette 9 February 1993, pp.1119-1201.*  
For amendments to 29 April 1996 see *Gazette 28 April 1995, pp. 1459-60 and 23 January 1996, p. 272.*]

By Command of the Lieutenant-Governor and deputy of the Governor,

J. PRITCHARD, Clerk of the Council.

### CM302

#### CONSERVATION AND LAND MANAGEMENT ACT 1984

#### FOREST MANAGEMENT AMENDMENT REGULATIONS (No. 3) 1996

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

#### Citation

1. These regulations may be cited as the *Forest Management Amendment Regulations (No. 3) 1996*.

**Regulation 128C amended**

2. Regulation 128C (3) of the *Forest Management Regulations 1993\** is amended by deleting "subregulation (2) (c)" and substituting the following —

" subregulation (2) (b) ".

[\* *Published in Gazette 9 February 1993, pp. 1119-1201.*  
*For amendments to 9 April 1996 see 1994 Index to Legislation of Western Australia, Table 4, p. 43, and Gazette 28 April 1995, pp. 1459-60.*]

By Command of the Lieutenant-Governor and deputy of the Governor,

J. PRITCHARD, Clerk of the Council.

## ELECTORAL COMMISSION

EL401

### MARKETING OF MEAT ACT 1971

#### WESTERN AUSTRALIAN MEAT MARKETING CORPORATION (ELECTIONS) REGULATIONS 1974

(Regulation 14)

In accordance with regulation 14 (1) of the *Western Australian Meat Marketing Corporation (Elections) Regulations 1974* I declare that at the close of nominations, Robert Vernon Hamersley was elected as a lamb producer member of the Western Australian Meat Marketing Corporation on 17 May 1996.

Dated 22 May 1996.

JUSTIN HARBORD, Returning Officer.  
 Western Australian Electoral Commission  
 4th Floor, 480 Hay Street,  
 Perth WA 6000.

## FAIR TRADING

FT401

### IN THE MATTER OF THE COMPANIES (CO-OPERATIVE) ACT, 1943-1982 IN THE MATTER OF AUSTRALIAN TRAVEL AGENTS CO-OPERATIVE LTD

Notice is hereby given that, pursuant to Section 26 (1) of the abovenamed Act, a Certificate of Incorporation, as a Limited Company, has this day been issued to Australian Travel Agents Co-operative Ltd.

Dated this 10th day of May 1996.

A Person Authorised by the Commissioner for  
 Corporate Affairs in Western Australia.

## JUSTICE

JM401

### EX OFFICIO JUSTICE OF THE PEACE

It is hereby notified for public information that Leister James Dickson has been appointed under section 9 of the Justices Act 1902 to be a Justice of the Peace for the Magisterial District of Mitchell during his term of office as Shire President.

RICHARD FOSTER, Executive Director, Courts Division.

### EX OFFICIO JUSTICE OF THE PEACE

It is hereby notified for public information that Harold Murray Lang has been appointed under section 9 of the Justices Act 1902 to be a Justice of the Peace for the Magisterial District of Williams during his term of office as Shire President.

RICHARD FOSTER, Executive Director, Courts Division.

**JM402****DECLARATIONS AND ATTESTATIONS ACT 1913**

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

Judith Mary Pearson of 15 Hobbs Avenue, Como and City of Bayswater, 61 Broun Avenue, Bayswater.  
Kelvin Kenneth Cooper of 7 Brome Street, Gosnells and St John Ambulance Australia, 209 Great Eastern Highway, Belmont.

Dante Maribbay of 6 Seaspray Crescent, Ballajura and Damayang Filipino Inc, Lotteries House, 79 Stirling Street, Perth.

Lynette Belle Gibb of 1590 Stoneville Road, Stoneville and Perth Jewish Aged Home Society Inc, 119 Cresswell Road, Dianella.

Suzanne Kathryn McLeod of 9/11 Airlie Street, Claremont and City of Melville, Almondbury Road, Booragoon.

Colin David Bahn of 9 Edmonton Place, Kingsley and Perth Jewish Aged Home Society Inc, 119 Cresswell Road, Dianella.

Vadivale Vaidiyakymar of 70 Prescott Drive, Murdoch and Town of Kwinana, PO Box 21, Kwinana.

RICHARD FOSTER, Executive Director, Courts Division.

## LAND ADMINISTRATION

**LA101***CORRECTION*

DOLA File 4091/968v3.

In the notice at page 1252 of the *Government Gazette* dated 19 March 1996 in respect to Reserve No. 33549—

- i) delete the words “containing 2100 square metres”
- ii) amend 2.8112 hectares to read 2.9490 hectares

A. A. SKINNER, Chief Executive.

**LA201****LAND ACT 1933****ORDERS IN COUNCIL****(REVOCAION OF VESTINGS)**

By the direction of His Excellency the Governor under Section 34B(1), the following Orders in Council and associated Vesting Orders are revoked.

DOLA File 3293/967.

Order in Council gazetted on 18 November 1988 vesting Reserve No. 9804 (Meekatharra Lot 67) in The State Energy Commission of Western Australia for the designated purpose of “Housing”.

Local Authority—Shire of Meekatharra.

DOLA File 409/964.

Order in Council gazetted on 6 November 1987 vesting Reserve No. 27336 (Swan Location 7842) in the City of Belmont for the designated purpose of “Public Recreation”.

DOLA File 952/964.

Order in Council gazetted on 9 September 1988 vesting Reserve No. 27738 (Swan Location 7926) in the City of Belmont for the designated purpose of “Public Recreation”.

DOLA File 4438/965.

Order in Council gazetted on 19 August 1988 vesting Reserve No. 28790 (Swan Location 8246) in the City of Belmont for the designated purpose of “Public Recreation”

DOLA File 2518/934v3.

Order in Council gazetted on 25 April 1969 vesting Reserve No. 29760 in the Minister for Native Welfare for the designated purpose of “Native Housing”.

Local Authority—City of Kalgoorlie-Boulder.

DOLA File 1427/973.

Order in Council gazetted on 6 October 1989 vesting Reserve No. 32742 (Kalgoorlie Lot 4836) in the City of Kalgoorlie-Boulder for the designated purpose of “Kindergarten Site”.



DOLA File 866/986.

Order in Council gazetted on 4 April 1986 vesting Reserve No. 39424 (Swan Location 10754) in the Cancer Foundation of Western Australia for the designated purpose of "Hospice Site".

Local Authority—City of Nedlands.

DOLA File 1413/995.

Order in Council gazetted on 19 September 1995 vesting Reserve No. 43572 (Hamersley Lot 34) in the City of Stirling for the designated purpose of "Public Recreation".

JOHN PRITCHARD, Clerk of the Council.

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**LA202**

**LAND ACT 1933**  
**ORDERS IN COUNCIL**  
(Vesting of Reserves)

By the direction of His Excellency the Governor under Section 33(2), the following reserves have been vested.

DOLA File 2828/952.

Class "A" Reserve No 23563 (Swan Location 5392) vested in the Recreation, Camps and Reserve Board for the designated purpose of "Recreation (National Fitness)" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty one (21) years from the date of the lease.

Local Authority—City of Wanneroo.

DOLA File 321/932V9.

Reserve No 27853 (Cockburn Sound Locations 2056, 2057, 2058, 2059 and 2600) vested in the Recreation, Camps and Reserve Board for the designated purpose of "Recreation" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty one (21) years from the date of the lease.

Local Authority—City of Rockingham.

DOLA File 1893/965.

Reserve No 27931 (Wandering Lot 22) vested in the Shire of Wandering for the designated purpose of "Shire Council Office".

DOLA File 3805/966V2.

Reserve No 29543 (Canning Location 3610) vested in the Recreation, Camps and Reserve Board for the designated purpose of "Recreation, Education and Government Purposes and for any purpose incidental to all or any of the aforesaid Purposes" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty one (21) years from the date of the lease.

Local Authority—City of Melville.

DOLA File 1427/973.

Reserve No 32742 (Kalgoorlie Lot 4836) vested in the Minister for Education for the designated purpose of "Kindergarten Site" with power, to lease the whole or any portion thereof for any term.

Local Authority—City of Kalgoorlie-Boulder.

DOLA File 457/952V3.

Reserve No 38291 (Strachan Lot 83) vested in the Recreation, Camps and Reserve Board for the designated purpose of "Recreation" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty one (21) years from the date of the lease.

Local Authority—Shire of Manjimup.

DOLA File 866/986.

Reserve No 39424 (Swan Locations 9770 and 10754) vested in the Cancer Foundation of Western Australia for the designated purpose of "Hospice Site".

Local Authority—City of Nedlands.

DOLA File 3408/980V9.

Reserve No 40184 (Clarence Lots 146, 148, 149 and 153) vested in the Recreation, Camps and Reserve Board for the designated purpose of "Recreation and Conservation" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty one (21) years from the date of the lease.

Local Authority—City of Cockburn.

DOLA File 943/991.

Reserve No 42009 (Clarence Lot 154) vested in the Recreation, Camps and Reserve Board for the designated purpose of "Caravan Park, Chalets and Camping" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding thirty (30) years from the date of the lease.

Local Authority—City of Cockburn.

DOLA File 1515/995.

Reserve No 43658 (Swan Locations 12384 and 12504) vested in the Shire of Mundaring for the designated purpose of "Public Recreation".

DOLA File 1324/989.

Reserve No 44300 (Murray Location 1922) vested in the City of Mandurah for the designated purpose of "Public Recreation".

DOLA File 674/995.

Reserve No 44301 (Murray Location 1954) vested in the City of Mandurah for the designated purpose of "Drainage".

DOLA File 1610/995.

Reserve No 44303 (Canning Location 4005) vested in the Water Corporation for the designated purpose of "Water Supply".

Local Authority—City of Canning.

DOLA File 768/996.

Reserve No 44304 (Canning Locations 4006 and 4007) vested in the Water Corporation for the designated purpose of "Water Supply".

Local Authority—City of Canning.

DOLA File 412/996

Reserve No 44305 (Swan Location 12542) vested in the Shire of Swan for the designated purpose of "Drainage".

DOLA File 2784/995.

Reserve No 44306 (Nelson Location 13484) vested in the Shire of Boyup Brook for the designated purpose of "Public Recreation".

DOLA File 2792/995.

Reserve No 44307 (Plantagenet Location 7843) vested in the Town of Albany for the designated purpose of "Public Recreation".

DOLA File 1056/991.

Reserve No 44308 (Perth Lot 1066) vested in the Minister for Western Australian Government Railways for "Railway Purposes".

DOLA File 759/996.

Reserve No 44309 (Perth Lot 976) vested in the City of Perth for the designated purpose of "Forrest Place (Basement Reserve)" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty one (21) years from the date of the lease unless otherwise provided for in the Enabling Agreement and the Forrest Place and City Station Development Act 1985, Development Plan Agreement and subject to the following conditions:—

1. Any work, undertaking or thing which the City of Perth is authorised by law to provide, carry out or undertake.
2. Parking.
3. Vehicle and pedestrian access.
4. Provision of places for:—
  - (a) storage of goods and merchandise; and
  - (b) letting upon lease.

DOLA File 756/996.

Reserve No 44310 Perth Lots 978 and 1000) vested in the City of Perth for the designated purpose of "Forrest Place (Upper Level Reserve)" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty one (21) years from the date of the lease unless otherwise provided for in the Enabling Agreement and the Forrest Place and City Station Development Act 1985, Development Plan Agreement and subject to the following conditions:—

1. Any work, undertaking or thing which the City of Perth is authorised by law to provide, carry out or undertake.
2. Pedestrian access.
3. Provision of places for:—
  - (a) meetings;
  - (b) cultural, educational and recreational activities;
  - (c) exhibitions, displays and demonstrations;

- (d) civic, State and national functions and events;
- (e) use by stallholders, traders, photographers and entertainers; and
- (f) letting upon lease.

DOLA File 757/996.

Reserve No 44311 (Perth Lot 977) vested in the City of Perth for the designated purpose of "Forrest Place (Ground Level Reserve)" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty one (21) years from the date of the lease unless otherwise provided for in the Enabling Agreement and the Forrest Place and City Station Development Act 1985, Development Plan Agreement and subject to the following conditions:—

1. Any work, undertaking or thing which the City of Perth is authorised by law to provide, carry out or undertake.
2. Pedestrian access.
3. Provision of places for:—
  - (a) meetings;
  - (b) cultural, educational and recreational activities;
  - (c) exhibitions, displays and demonstrations;
  - (d) civic, state and national functions and events;
  - (e) use by stallholders, traders, photographers and entertainers; and
  - (f) letting upon lease.

DOLA File 758/996.

Reserve No 44312 (Perth Lot 969) vested in the City of Perth for the designated purpose of "City Station Complex Reserve" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty one (21) years from the date of the lease unless otherwise provided in the Enabling Agreement and the Forrest Place and City Station Development Act 1985, Development Plan Agreement and subject to the following conditions:—

1. Any work, undertaking or thing which the City of Perth is authorised by law to provide carry out or undertake.
2. Parking.
3. Vehicle and Pedestrian access.
4. Provision of places for:—
  - (a) meetings;
  - (b) cultural, educational and recreational activities;
  - (c) exhibitions, displays and demonstrations;
  - (d) civic, State and national functions and events;
  - (e) storage of goods and merchandise;
  - (f) use by stallholders, traders, photographers and entertainers;
  - (g) use in connection with the City Railway Station; and
  - (h) letting upon lease.

DOLA File 2483/983.

Reserve No 44313 (Collie Agricultural Area Lot 91) vested in the City of Bunbury for the designated purpose of "Drainage".

DOLA File 1598/995.

Reserve No 44314 (Sussex Location 5024) vested in the Shire of Busselton for the designated purpose of "Public Recreation".

DOLA File 1305/995.

Reserve No 44316 (Tom Price Lot 328) vested in the Shire of Ashburton for the designated purpose of "Drainage".

DOLA File 1327/995.

Reserve No 44317 (Tom Price Lot 329) vested in the Shire of Ashburton for the designated purpose of "Drainage".

DOLA File 983/996.

Reserve No 44318 (Hannans Suburban Area Lot 171) vested in the Water Corporation for the designated purpose of "Service Corridor".

DOLA File 499/983.

Reserve No 44319 (Mullewa Lot 262) vested in the Shire of Mullewa for the designated purpose of "Public Recreation".

DOLA File 2779/995.

Reserve No 44324 (Canning Location 4043) vested in the City of Armadale for the designated purpose of "Drainage".

DOLA File 2130/993.

Reserve No 44328 (Lynton Lot 45) vested in the Shire of Northampton for the designated purpose of "Historic Quarry and Farm" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty one (21) years from the date of the lease.

DOLA File 8000/906V2.

Reserve No 44337 (Avon Location 22069) vested in the Shire of Toodyay for the designated purpose of "Quarry".

DOLA File 2707/990.

Reserve No 44338 (Swan Location 12553) vested in the City of Wanneroo for the designated purpose of "Recreation (Golf Course)" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty one (21) years from the date of the lease.

JOHN PRITCHARD, Clerk of the Council.

## LA401

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

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

#### SCHEDULE

1. City of Armadale (DOLA File No. 594/995; Closure No. A531).

All that portion of road bounded by lines commencing at the westernmost northwestern corner of Lot 45 of Canning Location 32, as shown on Land Titles Office Diagram 48096 and extending 359 degrees 58 minutes 5.99 metres; thence 89 degrees 43 minutes 5.99 metres to the northernmost northwestern corner of the last mentioned lot and thence southwesterly along the northwestern boundary of that lot to the starting point.

Public Plan: Perth 2000 BG34/25.06.

2. Shire of Busselton (DOLA File No. 807/1996).

Road No. 18809—All that portion of vacant Crown land as shown coloured mid brown on Crown Survey Diagram 92683.

Public Plan: BF29(10) 4.7.

3. Shire of Harvey (DOLA File No. 1891/995; Closure No. H120).

All that portion of unnamed road starting from the prolongation northwesterly of the northernmost southwestern boundary of the southern severance of Lot 49 of Wellington Location 1, as shown on Land Titles Office Diagram 87173, and extending northeasterly and southeasterly along northwestern and northeastern boundaries of that severance to the prolongation northeasterly of the northernmost northeastern boundary of that severance.

Public Plan: BG30(10) 2.8.

4. City of Rockingham (DOLA File No. 2790/994; Closure No. R222).

- a) The whole of the unnamed road, being 20.12 metres wide, commencing at the prolongation southerly of the western boundary of Cockburn Sound Location 427 and extending easterly along the southern boundary of that location to terminate at a northwestern side of Mandurah Road.
- b) The whole of the unnamed road, being 20.12 metres wide, commencing at the prolongation southerly of the western boundary of the northern severance of Cockburn Sound Location 220 and extending easterly along the southern boundary of that severance to terminate a northwestern side of Mandurah Road.

Public Plans: BG33(2) 08.30, 08.31, 09.31 & (10)2.6.

5. Shire of Roebourne (DOLA File No. 766/993; Closure No. R224).

All that portion of Stephen Street now contained in Roebourne Lot 779 the subject of Crown Survey Plan 18470.

Public Plans: BJ65(2) 10.22 and 10.23.

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

**LA402****FORREST PLACE AND CITY STATION DEVELOPMENT ACT**

(SECTION 11(2)) AND

**LOCAL GOVERNMENT ACT 1960**

(SECTION 288A)

**DECLARATION OF CLOSURE OF STREETS**Made by the Minister for Planning  
and the Minister for Lands

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

**SCHEDULE**

City of Perth (DOLA File 2296/984 V3; Closure No. P818).

Portion of Wellington Street (Road No. 16214), the whole of Forrest Place and portion of Murray Street as shown bordered blue on Crown Plan No. 18477.

Public Plan: BG34(2) 13.25.

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

**LA701****LAND ACT 1933****RESERVATION NOTICES**

Made by His Excellency the Governor under Section 29.

The Crown Lands described below have been set apart as public reserves.

DOLA File 1324/989.

Reserve No. 44300 comprising Murray Location 1922 (formerly Lot 5 the subject of Diagram 75687) with an area of 3.0188 hectares for the designated purpose of "Public Recreation".

Section 20A.

Public Plans: BF32 (2) 40.28 and 40. 29. Dawesville Road.

Local Authority—City of Mandurah.

DOLA File 674/995.

Reserve No. 44301 comprising Murray Location 1954 (formerly Lot 18 on Plan 13827) with an area of 1912 square metres for the designated purpose of "Drainage".

Section 20A.

Public Plans: BG32 (2) 1.27 and 1.28. Wilderness Drive.

Local Authority—City of Mandurah.

DOLA File 1001/996.

Reserve No. 44302 comprising Merredin Lots 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1408, 1409, 1410, 1411 and 1412 with an area of 2.6045 hectares on Land Administration Plan 18511 for the designated purpose of "Use and Requirements of the Minister for Works".

Public Plans: BK35 (2) 36.36 and 36.37. Allbeury Street

Local Authority—Shire of Merredin.

DOLA File 1610/995.

Reserve No. 44303 comprising Canning Location 4005 (formerly Lot 439 on Plan 14909) with an area of 212 square metres for the designated purpose of "Water Supply".

Section 20A

Public Plan: BG (2) 15.12. Torres Place.

Local Authority—City of Canning.

DOLA File 768/996.

Reserve No. 44304 comprising Canning Locations 4006 and 4007 (formerly Lots 441 and 440 respectively on Plan 14909) with an area of 60 square metres for the designated purpose of "Water Supply".

Section 20A

Public Plans: BG34 (1) 29.24 and 30.24. Elliott Place and Musgrave Court.

Local Authority—City of Canning.

DOLA File 412/996.

Reserve No. 44305 comprising Swan Location 12542 (formerly Lot 84 on Plan 20776) with an area of 1794 square metres for the designated purpose of "Drainage".

Section 20A.

Public Plan: BG34 (2) 23.34. Kurrden Way.

Local Authority—Shire of Swan.

DOLA File 2784/995.

Reserve No. 44306 comprising Nelson Location 13484 (formerly Lot 6 on Plan 18674) with an area of 1.0044 hectares for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: Boyup Brook SE (25). Terry Road.

Local Authority—Shire of Boyup Brook.

DOLA File 2792/995.

Reserve No. 44307 comprising Plantagenet Location 7843 (formerly Lot 440 on lan 20660) with an area of 1000 square metres for the designated purpose of "Public Recreation".

Section 20A

Public Plans: BK26 (2) 09.06 and 10.06. Mueller Street.

Local Authority—Town of Albany.

DOLA File 1056/991.

Reserve No. 44308 comprising Perth Lot 1066 with an area of 4.5340 hectares on Land Administration Plan 18741 for "Railway Purposes".

Public Plan: BG34 (2) 13.25. Roe Street.

Local Authority—City of Perth.

DOLA File 759/996.

Reserve No. 44309 comprising Perth Lot 976 (formerly Lots 1 and 2 the subject of Plans 18238 and 18239 respectively) with an area of 26475 cubic metres on Land Administration Plan 17434 for the designated purpose of "Forrest Place (Basement Reserve)".

Public Plan: BG34 (2) 13.25. Wellington Street.

Local Authority—City of Perth.

DOLA File 756/996.

Reserve No. 44310 comprising Perth Lots 978 and 1000 (portion formerly Lot 3 the subject of Plan 18240) with an area of about 61,738 cubic metres on Land Administration Plans 17434 and 17436 for the designated purpose of "Forrest Place (Upper Level Reserve)".

Public Plan: BG34 (2) 13.25. Wellington Street.

Local Authority—City of Perth.

DOLA File 757/996.

Reserve No. 44311 comprising Perth Lot 977 (portion formerly portion Lot 55 the subject of Diagram 77913) with an area of 32765 cubic metres on Land Administration Plan 17435 for the designated purpose of "Forrest Place (Ground Level Reserve)".

Public Plan: BG34 (2) 13.25. Wellington Street.

Local Authority—City of Perth.

DOLA File 758/996.

Reserve No. 44312 comprising Perth Lot 969 with an area of 8986 square metres on Land Administration Plan 17521 for the designated purpose of "City Station Complex Reserve".

Public Plan: BG34 (2) 13.25. Roe Street.

Local Authority—City of Perth.

DOLA File 2483/983.

Reserve No. 44313 comprising Collie Agricultural Area Lot 91 (formerly the portion coloured blue and marked "Drain Reserve" on Diagram 65430) with an area of 316 square metres for the designated purpose of "Drainage".

Section 20A

Public Plan: BG30 (2) 05.30. near Dryandra Court.

Local Authority—City of Bunbury.

DOLA File 1598/995.

Reserve No. 44314 comprising Sussex Location 5024 (formerly Lot 50 on Plan 17437) with an area of 2120 square metres for the designated purpose of "Public Recreation".

Section 20A

Public Plan: BF29 (2) 27.38. Groyne Road.

Local Authority—Shire of Busselton.

DOLA File 1305/995.

Reserve No. 44316 comprising Tom Price Lot 328 (formerly Lot 255 on Plan 14719) with an area of 400 square metres for the designated purpose of "Drainage".

Public Plan: BK60 (2) 11.10. Doradeen Road..

Local Authority—Shire of Ashburton.

DOLA File 1327/995.

Reserve No. 44317 comprising Tom Price Lot 329 (formerly Lot 837 on Diagram 67039) with an area of 1456 square metres for the designated purpose of "Drainage".

Public Plan: BK60 (2) 12.10. East Road.

Local Authority—Shire of Ashburton.

DOLA File 983/996.

Reserve No. 44318 comprising Hannans Suburban Area Lot 171 with an area of 191 square metres on Land Administration Diagram 92202 for the designated purpose of "Service Corridor".

Public Plan: CF37 (2) 28.40. Sloss Place.

Local Authority—City of Kalgoorlie-Boulder.

DOLA File 499/983

Reserve No. 44319 comprising Mullewa Lot 262 (formerly Lot 7 on Diagram 64376) with an area of 1.4326 hectares for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BF44 (2) 29.03. Near Fry Street.

Local Authority—Shire of Mullewa.

DOLA File 2779/995.

Reserve No. 44324 comprising Canning Location 4043(formerly Lot 1009 on Diagram 89016) with an area of 1530 square metres for the designated purpose of "Drainage".

Section 20A

Public Plan: BG33 (2) 23.40. Richon Heights.

Local Authority—City of Armadale.

DOLA File 2130/993.

Reserve No. 44328 comprising Lynton Lot 45 with an area of 7890 square metres on Land Administration Diagram 91977 for the designated purpose of "Historic Quarry and Farm".

Public Plan: BD44 (2) 35.37. Henderson Terrace.

Local Authority—Shire of Northampton.

DOLA File 8000/906V2.

Reserve No. 44337 comprising Avon Location 22069 with an area of 2529 square metres on Land Administration Diagram 42414 for the designated purpose of "Quarry".

Public Plans: BH35 (5) 2.13 and 2.14. Julimar Road.

Local Authority—Shire of Toodyay.

DOLA File 2707/990.

Reserve No. 44338 comprising Swan Location 12553 with an area of 2.0329 hectares on Land Administration Reserve Diagram 1388 for the designated purpose of "Recreation (Golf Course)".

Public Plans BG35 (10) 2.3 and (2) 8.12. Tranquil Drive.

Local Authority—City of Wanneroo.

A. A. SKINNER, Chief Executive.

**LA801**

**LAND ACT 1933**

**AMENDMENT OF RESERVES**

Made by His Excellency the Governor under Section 37.

The following reserves have been amended.

DOLA File 12416/911.

Reserve No 13267 (Merredin Lots 1378 to 1387 inclusive, 1389 to 1396 inclusive, 1408 to 1412 inclusive, 1414, 1417 and 1420) "Use and Requirements of the Minister for Western Australian Government Railways" to exclude Lots 1378 to 1387 inclusive, 1389 to 1396 inclusive and 1408 to 1412 inclusive and of its area being reduced to 7.9704 hectares accordingly

Public Plans: BK35 (2)36.36 and 36.37. Allbeury Street.

Local Authority—Shire of Merredin.

DOLA File 6037/948.

Reserve No 22874 (Kukerin Lots 122, 123, 124 and 125) "Railway Purposes" to exclude Lots 122 and 123 and of its area being reduced to 2024 square metres accordingly.

Public Plan: Kukerin TS. Scaddan Street.

Local Authority—Shire of Dumbleyung.

DOLA File 2733/963.

Reserve No 27549 (Carnarvon Lots 659, 660, 661 and 662) "Government Requirements (Public Works Department)" to exclude Lots 661 and 662 and of its area being reduced to 2023 square metres accordingly.

Public Plan: AN54 (2) 09.07. Robinson Street.

Local Authority—Shire of Carnarvon.

DOLA File 2593/976v2.

Reserve No 34707 (Canning District) "Public Utility Services, Parkland and Recreation" to comprise Location 2909 as surveyed and shown on Land Administration Diagram 92639 and of its area being increased (recalculated) to 832 square metres accordingly.

Public Plan: BG34 (2) 16.14. Willeri Drive.

Local Authority—City of Canning.

DOLA File 866/986.

Reserve No 39424 (Swan Location 10754) "Hospice Site" to include Location 9770 as surveyed and shown on Land Administration Diagram 82896 and of its area being increased to 1.8392 hectares accordingly.

Public Plans: BG34 (2) 9.24 and 9.25. Bedbrook Place.

Local Authority—City of Nedlands.

DOLA File 4603/989.

Reserve No 41278 (Kalgoorlie Lots 3768, 3885, 4869, 4870 and Hannans Suburban Area Lots 169 and 170) "Parkland and Drainage" to exclude that portion containing 191 square metres now comprised in Suburban Area Lot 171 as surveyed and shown bordered red on Land Administration Diagram 92202 and of its area being reduced to (and the area of Lot 4869 recalculated) 7.7081 hectares accordingly.

Public Plans: CF37 (2) 28.39 and 28.40

Local Authority—City of Kalgoorlie-Boulder.

DOLA File 1515/995.

Reserve No 43658 (Swan Location 12384) "Public Recreation" to include Location 12504 (formerly Lot 482 on Plan 20691) and of its area being increased to 1.4135 hectares accordingly.

Public Plan: BG34 (2) 23.29. Robinia Rise.

Local Authority—Shire of Mundaring.

A. A. SKINNER, Chief Executive.

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## LA901

### LAND ACT 1933

#### CHANGE OF PURPOSE OF RESERVES

Made by His Excellency the Governor under Section 37.

The purpose of the following reserves have been changed.

DOLA File 9636/899V2.

Reserve No 6952 (Donnybrook Lot 237) being changed from "Railway Housing" to "Use and Requirements of the Minister for Works".

Public Plan: BG30 (2) 12.04. Hunter Street.

Local Authority—Shire of Donnybrook-Balingup.

DOLA File 3293/967.

Reserve No 9804 (Meekatharra Lot 67) being changed from "Housing" to "Use and Requirements of the Electricity Corporation".

Public Plan: BL49 (2) 13.17. Hill Street.

Local Authority—Shire of Meekatharra.

DOLA File 6037/948.

Reserve No 22874 (Kukerin Lots 124 and 125) being changed from "Railway Purposes" to "Use and Requirements of the Minister for Works".

Public Plan: Kukerin TS. Scaddan Street.

Local Authority—Shire of Dumbleyung.



DOLA File 2733/963.

Reserve No 27549 (Carnarvon Lots 659 and 660) being changed from "Government Requirements (Public Works Department)" to "Use and Requirements of the Government Employees Housing Authority".

Public Plan: AN54 (2) 09.07. Robinson Street.

Local Authority—Shire of Carnarvon.

DOLA File 409/964.

Reserve No 27336 (Swan Location 7842) being changed from "Public Recreation" to "Use and Requirements of the City of Belmont".

Public Plan: BG34 (2) 18.25. Epsom Avenue.

DOLA File 952/964.

Reserve No 27738 (Swan Location 7926) being changed from "Public Recreation" to "Use and Requirements of the City of Belmont".

Public Plan: BG34 (2) 18.25. Keymer Street.

DOLA File 4438/965.

Reserve No 28790 (Swan Location 8246) being changed from "Public Recreation" to "Use and Requirements of the City of Belmont".

Public Plan: BG34 (2) 18.22. Penryn Street.

DOLA File 990/968.

Reserve No 35857 (Dalwallinu Lot 337) "Housing (Railways)" to "Use and Requirements of the Minister for Works".

Public Plan: BH39 (2) 20.10. Shannon Street.

Local Authority—Shire of Dalwallinu.

A. A. SKINNER, Chief Executive.

## LB201

### LAND ACT 1933 CANCELLATION OF RESERVES

Made by His Excellency the Governor under Section 37.

The following reserves have been cancelled.

DOLA File 4919/897v2.

Reserve No 3990 (Black Flag Lot 213) "Public Utility".

Public Plan: Black Flag Town Site. Liberty and Standard Streets.

Local Authority—City of Kalgoorlie-Boulder.

DOLA File 8689/896V2.

Reserve No 3992 (Black Flag Lot 214) "Recreation".

Public Plan: Black Flag Townsite. Liberty Street.

Local Authority—City of Kalgoorlie-Boulder.

DOLA File 4919/897v2.

Reserve No 4164 (Black Flag Lots 4 and 5) "Public Utility".

Public Plan: Black Flag Town Site. Proprietary Street.

Local Authority—City of Kalgoorlie-Boulder.

DOLA File 4919/897v2.

Reserve No 4172 (Black Flag Lot 210) "Public Utility".

Public Plan: Black Flag Town Site. Proprietary Street.

Local Authority—City of Kalgoorlie-Boulder.

DOLA File 10284/897v2.

Reserve No 5187 (Black Flag Lot 6) "Church of England".

Public Plan: Black Flag Town site. Proprietary Street.

Local Authority—City of Kalgoorlie-Boulder.

DOLA File 4171/965.

Reserve No 27957 (Morawa Lot 327) "Native Housing".

Public Plan: BG42 (2) 21.09 Neagle Street.

Local Authority—Shire of Morawa.

DOLA File 2518/934v3.

Reserve No 29760 (Geraldton Lot 1981) "Native Housing".

Public Plan: BE43 (2) 16.14. Diosma Street.

Local Authority—City of Geraldton.

DOLA File 1631/969.

Reserve No 31939 (Canning Location 3886) "Use and Requirements of the City of Gosnells"

Public Plan: BG34 (2) 22.10. James Street.

DOLA File 1413/995.

Reserve No 43572 (Hamersley Lot 34) "Public Recreation".

Public Plan: BG34 (2) 08.35. Corander Gardens.

Local Authority—City of Stirling.

DOLA File 2587/986.

Reserve No 44003 (Dalwallinu Lot 347) "Use and Requirements of the Government Employees Housing Authority".

Public Plan: BH39 (2) 20.10. Bell Street.

Local Authority—Shire of Dalwallinu.

DOLA File 3195/995.

Reserve No 44053 (Margaret River Lot 254) "Use and Requirements of the Minister for Works".

Public Plan: BF29 (2) 9.02. Le Souef Street.

Local Authority—Shire of Augusta-Margaret River.

DOLA File 1578/993.

Reserve No 44104 (Swan Locations 12451, 12452, 12453, 12454 and 12475) "Use and Requirements of the Western Australian Planning Commission".

Public Plans: BG35 (10) 4.1, (2) 19.02, 19.03 and 19.04. Gnangara Road.

Local Authority—Shire of Swan.

A. A. SKINNER, Chief Executive.

## LB301

### LAND ACQUISITION AND PUBLIC WORKS ACT 1902

#### SALE OF LAND

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

#### LAND

File No. 693/996.

— Wellington Location 2479 as shown on DOLA Diagram 34397 and being the whole of the land comprised in Certificate of Title Volume 1033 Folio 780.

— Portion of Wellington Location 1383 being Lot 2 as shown on Diagram 62426 and being the whole of the land comprised in Certificate of Title Volume 1634 Folio 502.

— Nelson Location 928 as shown on DOLA Diagram 2852 and being the whole of the land comprised in Certificate of Title Volume 1765 Folio 30.

— Portion of Nelson Location 84 as shown on DOLA Diagram 81/42 and being the whole of the land comprised in Certificate of Title Volume 1765 Folio 31.

File No. 1031/996.

Portion of Nelson Location 12030 and being Lot 146 as shown on Plan 9497 and being the whole of the land comprised in Certificate of Title Volume 1472 Folio 936.

File No. 1059/996.

Portion of Leschenault Location 26 and being Lot 353 as shown on Plan 12361 and being the whole of the land comprised in Certificate of Title Volume 1497 Folio 697.

File No. 1091/976V2.

Portion of Reserve 38189 as shown coloured green on LAWA Plan 1150, being portion of Cockburn Sound Location 2545.

File No. 3057/995.

Portion of Mount Barker Lot 175 comprising portion of Reserve 10338 and being the subject of DOLA Diagram 92686.

File No. 6037/948.

Kukerin Lots 124 and 125 comprising Reserve 22874 as shown on DOLA Diagram Narrogin 2806.

File No. 9639/899V2.

Donnybrook Lot 237 comprising Reserve 6952 as shown on DOLA Plan Donnybrook 74/4.

Dated this 21st day of May 1996.

A. A. SKINNER, Chief Executive.

## LB401

**LOCAL GOVERNMENT ACT 1960**  
**DECLARATION OF PUBLIC STREETS**  
**ORDERS OF THE MINISTER FOR LANDS**  
 Made under Section 288

At the request of the local government nominated, the portions of land specified in the Notice are now declared to be absolutely dedicated as a public street.

NOTICE

Shire of Swan (DOLA File No. 782/993).

Road No. 18842. The whole of the land in:—

- i) Certificate of Title Volume 1900 Folio 152—portion of Swan Location K1 and being Lot 3 the subject of Diagram 79382.
- ii) Certificate of Title Volume 1904 Folio 513—portion of Swan Location K1 and being Lot 11 on Diagram 79558.
- iii) Certificate of Title Volume 1913 Folio 86—portion of Swan Location K1 and being Lot 12 on Diagram 79559.
- iv) Certificate of Title Volume 1913 Folio 87—portion of Swan Location K1 and being Lot 13 on Diagram 79559.

Public Plans: BG34(2) 15.34, 15.35, 16.34 & 16.35.

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

## LOCAL GOVERNMENT

## LG401

**LOCAL GOVERNMENT ACT 1960**

*Town of Port Hedland*

**SCALE OF FEES**

It is hereby notified for public information that in accordance with Section 191A of the Local Government Act the Scale of Fees for Aircraft Movements at the Port Hedland International Airport are as follows—

**Aircraft Movements**

**Visiting Aircraft**

All International Flights:	\$6.00 per 1 000 kgs.
National Flights:	\$6.00 per 1 000 kgs up to 20 000 kgs. \$19.00 per 1 000 kgs over 20 000 kgs.
Parking Fee:	First two nights free, thereafter \$3.00 night.

**Locally Based Aircraft**

Locally based aircraft can opt for an Annual Rate or Daily Rate.

Annual Rate:	\$560.00 per 1 000 kg Certified Maximum. Take Off Weight. This charge allows for an unlimited number of take-offs, landings circuits and no parking fee.
Daily Rate:	Nil.

JOAN ROBERTS, Chief Executive Officer/Town Clerk.

**LG402****LOCAL GOVERNMENT ACT 1960***Shire of Three Springs***ANNUAL FEE REVIEW****1996/97 FEES AND CHARGES**

At its May 1996 meeting Council reviewed and set its fees and charges for the 1996/97 year in accordance with section 191A of the Local Government Act 1960.

The fees and charges relate to—

- Hall Hire Fees and Bonds
- Photocopying, Duplicating and Fascimile charges
- Yakabout paper advertising fees and sale price
- Swimming Pool Charges

and are available for public inspection at the Shire Office during normal office hours.

G. J. LITTLE, Shire Clerk.

**LG403****DOG ACT 1976***Shire of Wagin*

It is hereby notified for public information that the following persons have been appointed under the provisions of the Dog Act 1976 for the municipality of the Shire of Wagin—

- Registration Officers—P. E. Blake, M. L. Griffiths, A. M. Polish
- Authorised Officers—M. A. Parker, K. G. Ginn, G. A. Ninyette, C. A. Warren.

All previous appointments are hereby cancelled.

Dated this 22nd day of May 1996.

M. A. PARKER, Shire Clerk.

**LG404****DOG ACT 1976***Shire of Williams*

Notice is hereby given that the following persons have been appointed under the provisions of the Dog Act 1976.

- |                             |                             |
|-----------------------------|-----------------------------|
| Authorised Persons          | Registration Officers       |
| Vincenzo Epiro              | Vincenzo Epiro              |
| Brendon Strickland Gardiner | Brendon Strickland Gardiner |
| Williams Edward McCallum    | Sharon Marie Wilkie         |
| Mark Ronald Willcocks       | Leisa Maree Payne           |

All previous appointments are hereby cancelled.

V. EPIRO, Shire Clerk.

**LG405****DOG ACT 1976***Shire of Manjimup*

It is hereby notified for public information that the following persons have been appointed under the provisions of the Dog Act 1976 as Registration Officers for the Municipality of Manjimup—

- |                  |                        |
|------------------|------------------------|
| Mr John Cain     | Mr Anthony Middleton   |
| Ms Audrey Bell   | Ms Kristy Walter       |
| Mrs Nicole Booth | Ms Ann Louise Sargison |
| Mr Brett Lappan  | Mr Mark Wilson         |

All previous appointments are hereby cancelled.

G. FITZGERALD, Chief Executive Officer/Shire Clerk.

**LG501**

**LOCAL GOVERNMENT ACT 1960**  
*Municipality of the Shire of Coolgardie*  
**MEMORANDUM OF IMPOSING RATES**

At a meeting of the Coolgardie Shire Council, held on 24 August 1995, it was resolved that the rates and charges specified hereunder shall be imposed on all rateable property within the municipality in accordance with the provisions of the Local Government Act and the Country Towns Sewerage Act 1948.

W. M. INGHAM, President.  
P. J. HUGHSON, Shire Clerk.

Schedule of Rates and Charges Levied	
Gross Rental Value	5.6041 cents in the dollar except that area in the specified area (sewer district) within the Coolgardie Ward where the rate is 6.6041 cents in the dollar.
Unimproved Value, Pastoral	13.6058 cents in the dollar.
Unimproved Value, Mining	8.7567 cents in the dollar.
Unimproved Value, Other	3.6966 cents in the dollar.
Minimum Rate:	\$150.00 plus in the specified area (sewer district) within the Coolgardie Ward an additional minimum sewer rate minimum of \$5.00 applies.
Pedestal Charge	\$60.00 per pedestal.
Discount	A discount of 10% on all current rates paid in full on or before the due date indicated on the assessment notice.
Penalty	A penalty of 10% will be charged on all rates which are outstanding as indicated on the assessment notice.
Rubbish Charges	240 litre bins—\$110.00 Bulk Bins—\$440.00.

**LG901**

**LOCAL GOVERNMENT ACT 1960**  
*Shire of Wagin*  
**NOTICE OF INTENTION TO BORROW**

Proposed Loan No. 123—\$240 000

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

\$240 000 for a term of twenty (20) years repayable at the office of the Council by forty (40) half yearly instalments of principal and interest.

Purpose: Construction of a Medical Centre.

Plans, specifications and estimates as required by section 609 of the Act, are available for inspection at the office of the Council during business hours for a period of 35 days after publication of this notice.

Dated 28th May 1996.

J. M. NALDER, President.  
M. A. PARKER, Shire Clerk.

**PLANNING**

**PD401**

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**SCHEME AMENDMENT AVAILABLE FOR INSPECTION**  
*City of Kalgoorlie-Boulder*

Joint Town Planning Scheme—Amendment No. 104

Ref: 853/11/3/2, Pt 104.

Notice is hereby given that the City of Kalgoorlie-Boulder has prepared the abovementioned scheme amendment for the purpose of rezoning Lots 41-43, 62-64, 8, Pt 65, 66 & 67 Great Eastern Highway, Kalgoorlie from 'Extensive Development' to 'Office/Showroom/Warehouse'.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Davidson Street, Kalgoorlie, and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 9 July 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 9 July 1996.

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

L. P. STRUGNELL, Town Clerk.

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**PD402**

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

*Shire of Busselton*

Town Planning Scheme No. 5—Amendment No. 406

Ref: 853/6/6/6, Pt 406.

Notice is hereby given that the Shire of Busselton has prepared the abovementioned scheme amendment for the purpose of—

1. rezoning Lot 8 Bell Drive, Broadwater from 'General Farming' to 'Restricted Use'.
2. amending the Scheme Text by adding to 'Appendix V—Restricted Use Zones' Lot 8 Bell Drive, Broadwater and including provisions relating to residential densities, the location of group housing sites and permitted uses.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Southern Drive, Busselton, and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 9 July 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 9 July 1996.

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

I. STUBBS, Shire Clerk.

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**PD403**

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

*Shire of Ravensthorpe*

Town Planning Scheme No. 4—Amendment No. 10

Ref: 853/5/20/6, Pt 10.

Notice is hereby given that the Shire of Ravensthorpe has prepared the abovementioned scheme amendment for the purpose of amending the Scheme Text to insert provisions relating to the development of single dwelling houses and modifying provisions which may fetter the Commission in its role in the subdivision process.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 20 Morgans Street, Ravensthorpe, and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 9 July 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 9 July 1996.

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.

B. R. HULLAND, Shire Clerk.

**PD404**

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

*Shire of Wyndham-East Kimberley*

Town Planning Scheme No. 4—Amendment No. 34

Ref: 853/7/5/6, Pt 34.

Notice is hereby given that the Shire of Wyndham-East Kimberley has prepared the abovementioned scheme amendment for the purpose of—

1. creating a new zone—Rural Industry zone.
2. rezoning portion of King Location 319 north west of Mulligans Lagoon Road and King Location 443, from Rural A to Rural Industry Zone.
3. rezoning portion of King Location 319 south of Mulligans Lagoon Road, from Rural A to Rural B Zone.
4. modifying the Scheme Text and Scheme Maps accordingly.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Coolibah Drive, Kununurra, and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 9 July 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 9 July 1996.

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. HAMMOND, Shire Clerk.

**PD702**

**SHIRE OF WICKEPIN**  
**TOWN PLANNING SCHEME NO. 3**  
**(DISTRICT ZONING SCHEME)**

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

CONTENTS

PART I—PRELIMINARY

PART II—RESERVES

PART III—ZONES

PART IV—NON-CONFORMING USES

PART V—DEVELOPMENT REQUIREMENTS

PART VI—POLICIES AND GENERAL PROVISIONS

PART VII—PLANNING CONSENT

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SCHEDULES

1. INTERPRETATIONS
2. ZONING TABLE
3. SPECIAL USE ZONES
4. DEVELOPMENT TABLE
5. CAR PARKING REQUIREMENTS
6. MINIMUM CAR PARKING LAYOUT AND VISUAL TRUNCATION SPECIFICATIONS
7. PLACES, BUILDINGS, OBJECTS OF HERITAGE VALUE AND NATURAL BEAUTY
8. APPLICATION FOR PLANNING CONSENT
9. NOTICE OF PUBLIC ADVERTISEMENT OF DEVELOPMENT PROPOSED
10. NOTICE OF DECISION ON APPLICATION FOR PLANNING CONSENT

PART I—PRELIMINARY

1.1 CITATION

This Town Planning Scheme may be cited as Shire of Wickepin - Town Planning Scheme No. 3 (District Zoning Scheme) - hereinafter called "The Scheme" and shall come into operation on the publication of notice of the Minister's final approval thereof in the Government Gazette.

## 1.2 RESPONSIBLE AUTHORITY

The responsible Authority for carrying out the Scheme is the Council of the Shire of Wickepin, hereinafter referred to as "The Council".

## 1.3 SCHEME AREA

The Scheme applies to the total land area within the boundary of the Shire of Wickepin.

## 1.4 CONTENTS OF THE SCHEME

The Scheme comprises—

- (a) this Scheme Text
- (b) the Scheme Map (Sheets 1 and 2)

## 1.5 ARRANGEMENT OF THE SCHEME

The Scheme 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—POLICIES AND GENERAL PROVISIONS

PART VII—PLANNING CONSENT

PART VIII—CONSERVATION AND PRESERVATION OF PLACES, BUILDINGS AND OBJECTS OF HERITAGE VALUE, NATURAL BEAUTY AND TOWNSCAPE INTEREST

PART IX—ADMINISTRATION

## 1.6 SCHEME OBJECTIVES

The major objectives of the Scheme are—

1.6.1 To create zones for the purposes of land use control and to provide for the setting aside of land for public use and other matters authorised by the Act.

1.6.2 To formulate development control provisions and adopt policies which enable Council to realistically and responsibly manage development and the environment throughout the Town and Rural Sectors of the Shire.

1.6.3 To secure the Amenity, Health and Convenience of the Scheme Area and the inhabitants thereof.

1.6.4 To preserve, protect and enhance Townscapes and Places/Buildings, Objects of Heritage Value, Historic Interest, Natural Beauty or Scientific Interest, which exist throughout the Shire.

1.6.5 To protect the Alignment of Transportation Routes throughout the Shire, where necessary.

## 1.7 REVOCATION OF EXISTING SCHEME

Shire of Wickepin Town Planning Scheme No. 1 which came into operation by publication in the Government Gazette on the 30th June, 1972, all amendments thereto is hereby revoked.

## 1.8 INTERPRETATION

1.8.1 Except as provided in Clause 1.8.2 and 1.8.3, the words and expressions of the Scheme have their normal and common meaning.

1.8.2 In the Scheme unless the context otherwise requires, or unless it is otherwise provided herein, words and expressions have the respective meanings given to them in Schedule No. 1 and the Residential Planning Codes.

1.8.3 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 The four (4) types of Local Authority Scheme Reserves set out hereunder, are contained within this Scheme Area—

- Recreation
- Public Purposes
- Major Road
- Railway

2.2 Land set aside under the Scheme for the purpose of a reservation, is deemed to be reserved for the purpose indicated on the Scheme map.

2.3 Except as otherwise provided in this part a person shall not carry out any development on land reserved under this Scheme, other than the erection of a boundary fence, of a specification approved by Council, without first applying for and obtaining the Planning Consent of Council.

2.4 In granting either its approval to the specification of a boundary fence or processing any application for planning consent, Council shall have regard to the ultimate purpose intended for the reserve and shall in the case of land reserved for the purpose of a Public Authority confer with that authority before granting its approval or issuing its planning consent.



2.5 Where a Council refuses planning consent for the development of land reserved under the Scheme on the ground that the land is reserved for recreation and or public purposes, or grants consent subject to conditions that are unacceptable to the applicant the owner of the land may, if the land is injuriously affected thereby, claim compensation for such injurious affection.

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

2.7 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—

- + Residential
- + Town Centre
- + Industrial
- + Rural
- + Special Residential
- + Special Use

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

3.1.3 The purpose and intent of the various zones is to set aside land for the following purposes—

- (a) Residential Zone—to contain land primarily for low density (single) residential and associated uses, with attached and group dwelling and selected non-residential uses only permitted with the planning consent of Council, in accordance with the provisions of the Scheme.
- (b) Town Centre Zone—to contain land for the civic, service, retail, office and entertainment uses in the townsites.
- (c) Industrial Zone—to contain land for the industrial uses in the townsites.
- (d) Rural Zone—to provide and protect land for a wide range of rural activity and selected non-rural uses with the planning consent of Council, in accordance with the provisions of the Scheme.
- (e) Special Residential—to contain land for rural smallholdings and low density residential living in a rural environment, in close proximity to the townsites and the services which they provide.
- (f) Special Use Zone—to provide for uses of a specific nature in particular locations throughout the Shire.

#### 3.2 ZONING TABLE

3.2.1 The Zoning Table contained in Schedule No. 2 of this Scheme 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 and Development Classes and the list of Zones.

3.2.2 The symbols used in the cross reference in the zoning table have the following meanings—

- 'P'—means that the use is permitted provided it complies with the relevant standards and requirements laid down in the Scheme and all conditions (if any) imposed by the Council in granting planning consent;
- 'AA'—means that the Council may, at its discretion, permit the use;
- 'SA'—means that the Council may, at its discretion permit the use after Notice of Application has been given in accordance with Clause 7.2;
- 'IP'—means that the use is not permitted unless incidental to the predominant use as decided and approved by Council;
- 'X'—means the use is not permitted.

3.2.3 Where in the zoning table a particular use or development 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.

3.2.4 If the use or development of land for a particular purpose is not specifically mentioned in the zoning table and cannot reasonably be determined as falling within the interpretation of one of the use categories the Council may—

- (a) Determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted, or
- (b) Determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow the advertising procedures of Clause 7.2 in considering an application for planning consent.

#### 3.3 SPECIAL USE ZONE

No person shall use land or any building or structure thereon in a Special Use Zone, except for the purpose set against that land in Schedule No. 3 and subject to compliance with any conditions specified in the Schedule with respect to the land.

## 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% 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 on any land zoned or reserved under the Scheme, without first having applied for and obtained the planning consent of Council.

5.1.2 The planning consent of Council is not required for the development of land, in the following instances—

- (a) The use of land in any 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 the 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 required in the public safety or for the safety and or security of plant or equipment or for the maintenance of essential services.
- (f) The erection of a dwelling house, including ancillary out buildings, in a zone where a dwelling house is permitted by the Scheme and the relevant development standards and requirements of the Scheme are complied with and a building licence is obtained, except where a residence—
  - (i) Abuts any Reserve or major road.
  - (ii) Adjoins any land which is zoned Town Centre and or Industrial.
  - (iii) Is located on Lot or Location which does not enjoy frontage to a dedicated/constructed road reservation.
- (g) The carrying out of rural pursuits in the Rural Zone.

## 5.2 DEVELOPMENT TABLE

5.2.1 The development standards which apply to the various use of land shall be as specified in the tables entitled Development Table—General and Development Table—Outbuildings as contained in Schedule No. 4.

5.2.2 Subject to the provisions of the Scheme no person shall develop any land otherwise than in accordance with the provisions of the Tables specified in Schedule No. 4.

5.2.3 Where a particular land use is not specified in Schedule No. 4, Council may grant its planning consent to that land use, upon such conditions as it thinks fit.

### 5.3 DISCRETION TO MODIFY DEVELOPMENT STANDARDS

Except for development in respect of which the Residential Planning Codes apply under this Scheme, if a development the subject of an application for Planning Consent does not comply with a standard prescribed by the Scheme with respect to minimum lot sizes, building height, setbacks, site coverage, car parking, landscaping and related matters, the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit. The power conferred by this clause may only be exercised if the Council is satisfied that—

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

### 5.4 FIRE PROTECTION

Fire safety of the community will involve planning that addresses the issues of:

- \* Compatible land use planning
- \* Standards of fire cover
- \* Fire protection measures

All subdivisions and/or development proposals within the defines of this Scheme should meet the standards and specifications as laid down by the Local Authority, the Western Australian Planning Commission and the State Authorities responsible for fire safety and protection of the community (ie, the Bush Fires Board and the WA Fire Brigade).

### 5.5 RESIDENTIAL DEVELOPMENT: RESIDENTIAL PLANNING CODES

5.5.1 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.

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

5.5.3 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.

5.5.4 All single residential development shall be in accordance with the R12.5 code unless otherwise coded.

### 5.6 RESIDENTIAL ZONE—RESIDENTIAL PLANNING CODES—VARIATIONS AND SPECIAL APPLICATION

5.6.1 Notwithstanding the provisions of the Residential Planning Codes, a person shall not commence or carry out the development of any land for any purpose within the Residential Zone, unless in conformity with provisions of the Development Tables contained in Schedule No. 4.

5.6.2 Notwithstanding the provisions of the Residential Planning Codes, the building setbacks are to apply, except that in the case of a corner lot, Council may permit a residence to have a setback to the minor street of no less than 3.75m.

5.6.3 No commercial vehicle in excess of three (3) tonnes tare weight shall be permitted on any residential zoned lot without the planning consent of Council except for the purpose of delivering or loading normally associated with domestic residential uses and any such planning consent issued will be valid for a period of 12 months only and subject to renewal by Council for any additional period of 12 months.

5.6.4 Notwithstanding the provisions of the Residential Planning Codes, the size and setbacks relating to outbuildings appurtenant to a residence shall be in conformity with the provisions of Schedule No. 4.

### 5.7 TOWN CENTRE ZONE

In controlling development within the Town Centre Zone, Council's objectives are to—

5.7.1 Encourage development of a high environmental and functional standard serving both the town and rural communities.

5.7.2 Promote convenient and safe shopping facilities and relate these to the wide variety of civic, service, business, entertainment and social functions of the Town Centre.

5.7.3 Encourage the wide range of compatible uses within the Town Centre which are necessary to promote this as a vibrant functional sector in the everyday life of the community it services.

5.7.4 Notwithstanding the development standards set out in the Development Table contained in Schedule No. 4 Council may approve the following variations within the Town Centre Zone—

- (a) A bonus plot ratio of 20% may be granted where Council is satisfied that public open area or areas, courtyards or colonnades or other setbacks or preservation of historical structures warrants the increase in the permissible plot ratio;

- (b) Site coverage up to 100% where Council is satisfied that adequate arrangements have been made in regard to access, car parking, circulation of traffic, safety, servicing, loading and unloading, stormwater drainage, effluent disposal and any other matter which Council deems necessary; and
- (c) A zero building setback from the front boundary where landscaped and paved pedestrian areas are to be provided adjacent to the front boundary, and Council is satisfied that adequate arrangements have been made in regard to access, car parking, circulation of traffic, safety, servicing, loading and unloading.

#### 5.8 INDUSTRIAL ZONE

In controlling development within the Industrial Zone, Council's objectives are to—

5.8.1 Encourage the consolidation and improvement of industrial development into areas which have been appropriately located and controlled for that purpose.

5.8.2 Protect the amenity of zones abutting the industrial zone via the establishment of landscaped buffers and the imposition of landscape conditions on any development approval issued for industrial development.

#### 5.9 RURAL ZONE

In controlling development within the Rural Zone, Council's objectives are to preserve the viability, character and amenity of its rural areas and to ensure that all development proposed within the zone has unrestricted access to a constructed and dedicated public road.

5.9.1 In assessing applications for development and or subdivision within the Rural Zone, Council will consider the following—

- (a) The availability of services required to support the proposed development or subdivision and the economic impact of the provision of, extension or upgrading of those services that may be required;
- (b) The adequacy of the roads, existing or proposed in the area, which may be needed to support the amount of road traffic expected to be generated by the development or subdivision; and
- (c) The need to enforce such conditions as Council deems appropriate in order to minimise any adverse affect the development or subdivision may have on the general environment of the area.

5.9.2 The minimum setback from all lot boundaries for any building on land zoned Rural shall be 20 metres.

5.9.3 No more than one single dwelling house per lot shall be erected unless Council gives its specific approval to Farm Manager or Employee accommodation.

5.9.4 The existence of more than one dwelling house on a lot zoned Rural shall not be construed as a basis for Council support to the subdivision of the lot.

#### 5.10 SPECIAL RESIDENTIAL ZONE

In controlling development within the Special Residential Zone, Council's objectives are to enable persons to work on the land on which they reside, provided the location of any development proposed pays regard to the overall amenity of the zone and the land use proposed is not "Industrial" in definition.

5.10.1 No lot within the zone shall have an area less than 1500 sq m if sewerred or 4000 sq m if unsewered or, unless subdivision design precludes, a frontage to any street, of less than 30 m.

5.10.2 No development will be granted Planning Consent on any lot within the zone, unless a single dwelling exists on the lot, or is to be constructed as the first stage of the development proposal, in a location no closer than, 10 m to any lot frontage, 10 m to any rear boundary or 5 m to any side boundary.

5.10.3 All buildings to be constructed on any lot will be of a material approved by Council and all roof and where approved wall cladding will be finished in non-reflective material (i.e. colourbond).

5.10.4 All fencing proposed on any lot is to be of a material and located in a position approved by Council.

5.10.5 No person shall erect or cause to be erected any building excluding a single residence nearer than 20 m to the front street boundary, 10 m to the rear boundary and 5 m to any side boundary of a lot.

5.10.6 In the case where a lot has more than one street frontage, Council may at its discretion permit the construction of buildings nearer to the street frontage nominated by Council, but not nearer than 10 m to that street or streets.

5.10.7 No person shall use or permit to be used, that land within 20 m from a lot frontage as required in 5.10.5 or 10 m as may be approved in 5.10.6, except for one or more of the following purposes—

- (a) The construction of a single residence and associated outbuildings.
- (b) A means of access and or egress
- (c) Landscaping
- (d) If permission is granted by Council, in writing, advertising and trade display.

5.10.8 All parking or loading and unloading of vehicles associated with any on site activity other than those of a single residential nature, is to take place in the lot area contained behind the 20 metre building line from the lot frontage.

5.10.9 No unsightly material or equipment, which could detract from the amenity of the area in general or adjoining properties in particular, is to be stored on-site unless it is screened in a manner acceptable to Council.

5.10.10 Council as a condition of Planning Consent will require the planting of a minimum of (20) twenty drought resistant native trees capable of growing to a height of at least 5 m, in a position agreed to by the Local Authority.

5.10.11 Any advertising sign proposed on a lot will only be approved by Council if it complies with sign specifications acceptable to Council.

#### 5.11 SPECIAL USE ZONE

In controlling development within a Special Use Zone, notwithstanding any other provision of the Scheme, Council may at its discretion specify additional site requirements in regard to lot area, minimum effective frontage, development type and style, plot ratio, car parking, setbacks and any other provision affecting the development of a Special Use Zoned lot, for the purpose permitted under the provisions of the Scheme.

### PART VI—POLICIES AND GENERAL PROVISIONS

#### 6.1 POLICIES

##### 6.1.1 TOWN PLANNING SCHEME POLICY

In order to achieve the objectives of the Scheme, the 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.

##### 6.1.2 OPERATIVE TOWN PLANNING SCHEME

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

- (a) the Council having prepared and having resolved to adopt a Draft Town Planning Scheme Policy, shall advertise a summary of the Draft Policy once a week for two consecutive weeks in a newspaper circulating in the area giving details of where the Draft Policy may be inspected and where, in what form, and during what period (being not less than 21 days) representations may be made to the Council.
- (b) the Council shall review its Draft Town Planning Scheme Policy in the light of any representations made and shall then decide to finally adopt the Draft Policy with or without amendment, or not proceed with the Draft Policy; and
- (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.

##### 6.1.3 ALTERATION OR RESCINDING OF A TOWN PLANNING SCHEME POLICY

A Town Planning Scheme Policy may only be altered or rescinded by—

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

##### 6.1.4 BINDING OF COUNCIL

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.

##### 6.1.5 CONFLICT BETWEEN POLICY/SCHEME

If there is any conflict between a Policy made or adopted by Council and the provisions of the Scheme, the Scheme prevails.

#### 6.2 POLICY STATEMENTS RELATING TO INDIVIDUAL ZONES

In considering applications for planning consent in each zone laid down under the provisions of the Scheme Council shall have regard to the general Policy detail referred to in the following clauses:

##### 6.2.1 GENERAL TOWNSCAPE, LANDSCAPE AND DEVELOPMENT IMPROVEMENT POLICY

Notwithstanding the specific provisions of the Scheme or any General Policies detailed within the same, Council shall in considering any development proposal have regard to any systems areas designated by the Environmental Protection Authority and/or any Townscape and or Soil Conservation Plan which relates to land within the Shire and may impose conditions relating to the following—

- (a) The need to protect and rehabilitate water courses and catchment areas.
- (b) The need for the preservation of existing trees and nature corridors and the planting of additional trees and other vegetation within all zones and reservations within the Shire, in order to provide shade, aesthetic pleasure, reduce roadside noise, provide habitats for natural fauna, reduce salinity in soil, prevent erosion and assist in the proper balancing of the greenhouse effect.
- (c) The height, bulk and location of buildings in order to preserve a streetscape, enhance views, preserve local character and the amenity of the area generally.
- (d) The preservation of areas or buildings of architectural or historic interest and the development of land abutting the same.

- (e) The best interests of the overall development of the zone and the possible resulting need to either, refuse to support the subdivision of land within the zone, or approve the development of a project submitted for consideration.

#### 6.2.2 GENERAL POLICY—SPECIAL RESIDENTIAL ZONE

In considering applications for planning consent to commence development in the Special Residential Zone, Council shall have regard to—

- (a) The need to provide for a service to the local community, in association with on-site single residential development, which must be constructed as the visual frontage of each lot.
- (b) The need to ensure that the provision of such a service does not cause injury to, or adversely affect the overall amenity of the community, from a living, visual or operational point of view.
- (c) The need to ensure that any project proposed in the zone, is not industrial in nature and does not require the provision of any essential service main of a greater capacity than normally required in a Single Residential zone.
- (d) The need to continuously achieve a desirable “Built Environment” which realistically pays regard to the amenity values of any adjoining resident.
- (e) The best interests of the overall development of the zone and the possible resulting need to either, refuse to support the subdivision of land within the zone, or approve the development of a project submitted for consideration.

#### 6.3 GENERAL PROVISIONS

##### 6.3.1 WASTE DISPOSAL

No land within the Scheme Area shall be used for the purposes of storage and or the disposal of rubbish, refuse, car bodies, industrial waste (whether liquid or solid) or any recycled materials or buildings without the written consent of Council.

##### 6.3.2 APPEARANCE OF BUILDINGS AND THE LAND ON WHICH THEY ARE LOCATED

All buildings and the land on which they are located, are to be maintained to the satisfaction of Council and in a manner which preserves the amenity of the surrounding area.

##### 6.3.3 LAND LIABLE TO FLOODING

In any zone laid down under the Scheme, Council will not issue a Planning Consent or Building License Approval for any building or development located on land, which is considered by Council as being liable to flooding or inundation.

##### 6.3.4 ACCESS FOR LOADING AND UNLOADING OF VEHICLES

No person shall use a building for business or industry or for any purpose for which a licence has been granted under the Liquor Licensing Act 1988, unless there is provided a paved access-way for vehicles from a street to the rear of the building for the purpose of loading and unloading.

The access-way shall be so constructed that vehicles using it may return to a street in forward gear.

##### 6.3.5 TRAFFIC ENTRANCES

- (a) The Council may refuse to permit more than one vehicular entrance or exit to or from any lot. The Council may require separate entrances and exits; or may require that entrances and exits be placed in positions nominated by it, if it considers such provision necessary to avoid or to reduce traffic hazards.
- (b) Access to a lot for vehicles shall not be permitted directly to or from major roads where access is available from side or rear streets.
- (c) Where access to a lot abutting a major road is available only from that road, parking, servicing and circulation areas within the lot shall be designed and constructed so as to allow un-hindered movement within the lot and to enable vehicles to enter and leave the site in forward gear.
- (d) In the case of access to any road which is the responsibility of the Main Roads Department, that Department is to be consulted prior to the construction/modification or closure of any vehicular access to such road.

##### 6.3.6 CAR PARKING REQUIREMENTS

- (i) The off street car parking requirements for particular uses are listed in Schedule No. 5.  
Land and buildings shall not be used or developed—
  - (a) For any use mentioned in Schedule No. 5 unless off street parking is provided in accordance with the requirement set out therein; or
  - (b) For any use not mentioned in Schedule No. 5 unless off street parking is provided as determined by Council.
- (ii) All off street parking areas shall be—
  - (a) Designed and laid out generally in accordance with the minimum specifications set out in Schedule No. 6.
  - (b) Paved, marked, drained and maintained to the satisfaction of Council.
  - (c) Integrated with any existing adjoining car park.
- (iii) Where the owner can demonstrate to the satisfaction of the Council that there is not the demand for the number of parking spaces specified in the Schedule No. 5 landscaping may be provided in lieu of car parking spaces not constructed and the landscaping shall be included in calculations as car parking but not as landscaping.

- (iv) In the Town Centre Zone where a developer can satisfy the Council that the minimum car parking requirements cannot be provided on the site the Council may accept a cash payment in lieu of the provision of car parking spaces, but subject to the requirements of this clause—
  - (a) A cash in lieu payment shall be not less than the estimated cost to the owner of providing and constructing the parking spaces required by the Scheme, plus the value as estimated by the Valuer General, or by a licensed Valuer appointed by Council of that area of his land which would have been occupied by the parking spaces; and
  - (b) Payments made under this Clause shall be paid into a special fund to be used to provide public car parks and the Council may use this fund to provide public car parks anywhere in the immediate vicinity as and when required.
- (v) Council may approve an application for development where the number of car parking spaces proposed to be provided is less than the number required pursuant to the Scheme provided that applicants can demonstrate that other off street parking facilities are available to be shared with other land uses operating at different times and provided—
  - (a) The Council is satisfied that no conflict will occur in the operation of land uses for which the joint use of parking facilities is proposed; and
  - (b) Land owners who request sharing of parking facilities enter into a legal agreement for reciprocal rights to parking facilities.

### 6.3.7 LANDSCAPING

The landscaping requirement shown in the Development Table or referred to in the Scheme means an open area designed, developed and maintained as garden planting and areas for pedestrian use. At the discretion of Council natural bushland, swimming pools and areas under covered ways may be included within the landscaping requirement, however garbage collection and handling spaces, and other open storage areas shall not be included. In considering the landscaping requirement of any application for planning consent, the following criteria shall apply—

- (a) Access driveways between a street alignment and any buildings may be included in the landscaping requirement but otherwise car parking areas and driveways shall not be included;
- (b) The Council may in a landscaped area restrict the use of concrete, gravel, pebble and similar hard materials and require in lieu thereof, the planting of drought resistant trees and shrubs of a type that require little maintenance;
- (c) Except where the provisions of the Scheme specify otherwise, a requirement of the landscaping of any development is that one native or locally acceptable tree capable of growing to a height of at least five metres shall be planted for every ten square metres of landscape area. Council may relax this requirement in the case of residential land use;
- (d) Landscaping required pursuant to this Scheme or pursuant to a conditional planning consent shall be carried out at the time of the development or at such other time as may be agreed in writing between the developer and the Council and shall thereafter be permanently maintained to the satisfaction of the Council; and
- (e) A landscaping strip with a minimum width of 2 metres shall be provided between car parking areas and adjoining street boundaries.

### 6.3.8 DEVELOPMENT OF LOTS WITH MORE THAN ONE STREET FRONTAGE

In the case of all zones except the Residential Zone Council shall decide to which street frontage the street setback shall be applied and allow up to a 50% reduction in the street frontage setback to the other street provided that adequate sight lines for traffic are maintained and the requirements of Clause 6.3.9 are complied with.

### 6.3.9 VISUAL TRUNCATION—CORNER LOTS AND VEHICULAR ACCESS WAYS

Except with the approval of the Council, no building, wall, fence or other form of visual obstruction greater than 0.75 metres in height, measured from the natural ground level at the boundary, shall be constructed or placed on a lot within a 15 metre truncation of a street corner as depicted in Schedule No. 6 or within a 3 metre by 1.5 metre truncation of a vehicular accessway as depicted in Schedule No. 6.

### 6.3.10 USE OF LAND BETWEEN STREET ALIGNMENT AND FRONT BUILDING SETBACK

Except as specified elsewhere in the Scheme or in the Residential Planning Codes, no person shall use the land between the street alignment and the front setback, otherwise than for—

- (a) gardens and other landscaping
- (b) access driveways; and
- (c) the parking of any motor vehicle or caravan for periods of not more than eight (8) hours consecutively.

### 6.3.11 HOME OCCUPATIONS

- (i) A person may in compliance with the provisions of the Scheme and with the planning consent of Council, conduct a Home Occupation provided that the Home Occupation complies with the following—
  - (a) It does not cause injury to or prejudicially affect the amenity of the neighborhood including (but without the limiting the generality of the foregoing) injury or prejudicial affection due to the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, waste water or waste products.

- (b) It does not entail the employment of any person not a member of the occupier's family.
  - (c) It does not occupy an area greater than 20 square metres, provided that Council may at its discretion approve of the use of more than 20 metres of area on a lot which has an area of more than 4000 square metres.
  - (d) It 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) It does not, in the opinion of the Council, by reason of its nature or scale, constitute a use that would be more appropriately located in a zone other than a Residential Zone; and
  - (f) It will not, in the opinion of the Council generate a volume of traffic that would prejudice the amenity of the area.
  - (g) It does not display a sign exceeding 0.2 square metres in area.
- (ii) Council's planning consent to carry on a Home Occupation or Industry Cottage shall apart from any specific conditions imposed by Council, be subject to the following general conditions.
- (a) The planning consent shall be personal to the applicant and shall not be transferred to or assigned to any other person;
  - (b) The planning consent shall be cancelled if there is a change in the occupier of the land in respect of which the planning consent was issued.
  - (c) The person to whom approval is granted by the Council to carry on a home occupation or Industry Cottage shall not carry on those activities at any premises other than the land in respect of which the Council's planning consent is granted.
  - (d) A time limit of 12 months after which the home occupation or Industry Cottage must cease unless a further planning consent is granted;
  - (e) If a home occupation or Industry Cottage has been carried on with the planning consent of the Council and if in the opinion of the Council such home occupation or Industry Cottage is causing a nuisance or annoyance to owners or occupiers of land in the neighborhood, the Council may withdraw the planning consent granted by it and after such withdrawal, no person shall upon the subject land carry on a home occupation or Industry Cottage unless a further planning consent to do so is granted by the Council.

### 6.3.12 ADVERTISEMENTS

For the purpose of this Scheme, the erection, placement and display of advertisements and the use of land and buildings for that purpose is development within the definition of the Act, requiring the planning consent of Council.

Applications for Council's consent pursuant to this Part shall be submitted in accordance with the provisions of Clause 7.1 of the Scheme.

## PART VII—PLANNING CONSENT

### 7.1 APPLICATION FOR PLANNING CONSENT

7.1.1 Every application for planning consent shall be made in the form prescribed in Schedule No. 8 to the Scheme, and shall be accompanied by such plans and other information as is required by the Scheme.

7.1.2 Unless Council waives any particular requirement, every application for planning consent shall be accompanied by—

- (a) a plan or plans to a scale of not less than 1:500 showing:
  - (i) street names, lot number(s), north point and the dimensions of the site;
  - (ii) the existing contours of the site and any alteration to these as a result of the proposed development;
  - (iii) the location and proposed use of any existing buildings to be retained, and the location and use of buildings proposed to be erected on the site;
  - (v) the location, number, dimensions and layout of all car parking spaces intended to be provided;
  - (vi) the location and dimensions of any area proposed to be provided for the loading and unloading of vehicles carrying goods or commodities to and from the site, and the means of access to and from those areas;
  - (vii) the location, dimensions and design of any landscaped, open storage or trade display area, and particulars of the manner in which it is proposed to develop the same; and
  - (viii) the location of all trees on-site, and the position of these to be either retained or planted as part of the development proposal.
- (b) Plans, elevations and sections of any building proposed to be erected or altered, and of any building it is intended to retain.
- (c) Any other plan or information that the Council may reasonably require, to enable the application to be determined.

### 7.2 ADVERTISING OF APPLICATIONS

7.2.1 Where an application is made for planning consent to commence or carry out development which involves an 'SA' use, the Council shall not grant consent to that application unless notice of the application is first given in accordance with the provisions of Clause 7.2.3.



7.2.2 Where an application is made for planning consent to commence or carry out development which involves an 'AA' use, or 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 Clause 7.2.3.

7.2.3 Where the Council is required or decides to give notice of an application for planning consent, the Council shall cause one or more of the following to be carried out—

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

7.2.4 The notice referred to in Clause 7.2.3 (a) and (b) be in the form contained in Schedule No. 9 with such modifications as circumstances require.

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

### 7.3 DETERMINATION OF APPLICATIONS

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

7.3.2 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.

7.3.3 The Council shall issue its decision in respect of an application for planning consent in the form prescribed in Schedule No. 10 to the Scheme.

7.3.4 Where the Council approves an application for planning consent under this Scheme the time for which that consent remains valid, is two (2) years, unless otherwise stated on Council's decision on application for planning consent.

### 7.4 DEEMED REFUSAL

7.4.1 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 7.2, the application may be deemed to have been refused.

7.4.2 Where the Council has given notice of an application for planning consent in accordance with Clause 7.2 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.

7.4.3 Notwithstanding that an application for planning consent may be deemed to have been refused under Clause 7.4.1 or 7.4.2, 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 VIII—CONSERVATION AND PRESERVATION OF PLACES, BUILDINGS AND OBJECTS OF HERITAGE VALUE, NATURAL BEAUTY AND TOWNSCAPE INTEREST

### 8.1 SCHEDULE—PLACES, BUILDINGS AND OBJECTS OF HERITAGE VALUE AND NATURAL BEAUTY

8.1.1 The Council considers that the places of heritage value and natural beauty, listed in Schedule No. 7 should be conserved and preserved.

8.1.2 If the Council resolves that any Place, Building or Object not specified in Clause 8.1.1 should be protected by the conservation and preservation provisions of this Part, the Council may initiate an amendment to the Scheme to add the Place, Building or Object to Schedule No. 7.

8.1.3 If the Council resolves that any Place, Building or Object should no longer be protected by the conservation and preservation provisions of this Part, the Council may initiate an amendment to the Scheme to delete the Place, Building or Object from Schedule No. 7.

### 8.2 CONSENT OF THE COUNCIL

8.2.1 Notwithstanding any other provisions contained in this Scheme, a person shall not, without the written consent of the Council permit, commence or carry out any development on, in, adjoining, or in relation to any Place, Building or Object listed in Schedule No. 7 and without in any way limiting the generality of the foregoing shall not—

- (a) clear, excavate or fill any land;
- (b) fell, remove, kill or irreparably damage any tree;
- (c) erect any fence;
- (d) landscape, develop or clear any road verges or front set back area in a manner not approved by Council;

- (e) commence or carry out any development, renovation, modification, refitting, decoration or demolition in, or on any Place, Building or Object; or
- (f) erect any advertising sign.

8.2.2 The provisions of this sub-clause shall not affect any obligation imposed by other provisions of this Scheme Text to apply for and obtain the approval of the Council prior to the commencement or carrying out of any development and the written consent of the Council under this sub-clause is required in addition to any such approval to commence or carry out any development.

8.2.3 If the Council gives its written consent referred to in Clause 8.2.1, this may be given notwithstanding that the development or work involved does not comply with the provisions of the Residential Planning Codes or with any requirement or standard specified in this Scheme Text.

8.2.4 The Council when considering an application for its consent in writing pursuant to the provisions of Clause 8.2.1 may—

- (a) give its consent in writing with or without conditions and limit the time for which that consent remains valid; or
- (b) refuse to give its consent

### 8.3 PURCHASE OR RESUMPTION

The Council may pursuant to the provisions of the Scheme Text and or the Act, acquire any land, buildings or part thereof, that it considers is necessary for the preservation or conservation of any Place, Building or Object listed in Schedule No. 7.

### 8.4 AGREEMENTS

In order to ensure the preservation or conservation of any Place, Building or Object, the Council may enter into agreements with—

- (a) The owners or occupiers of land on or in which the Place, Building or Object listed in Schedule No. 7 is situated;
- (b) the National Trust of Australia (W.A.), or any Society, Body, Organisation, Commission, Person or Government Department.

### 8.5 INJURIOUS AFFECTION

Except where an owner can demonstrate that the Scheme or decisions made pursuant to the Scheme provide grounds to claim compensation for injurious affection by reason of the operation of Sections 11 & 12 of the Act, the inclusion of any Place, Building or Object within Schedule No. 7 of the Scheme shall not, per se, provide the basis for such a claim. Any claim for compensation shall be made within six months of the date of approval of the Scheme or the date of the decision made under the Scheme as the case may require.

### 8.6 TREE PRESERVATION AND PLANTING

The Sub Clauses which follow relate to tree preservation and planting for the purpose of conserving and enhancing the natural beauty, convenience and amenity of all road reservations within the Shire and each zone defined under the scheme, in order to assist Council to realise the following benefits—

- Reduction in soil salinity.
- Prevention of erosion.
- Provision of habitats for native fauna.
- Provision of aesthetic pleasure.
- Reduction of roadside noise.
- Visual amenity of the locality.

8.6.1 No natural vegetation shall be cleared or removed from any road reservation in the Shire whether or not such reservation has been developed with a constructed roadway, without the written approval of Council.

8.6.2 In considering any rezoning or development proposal in any zone specified on the Scheme Map, Council may at its discretion unless otherwise specified in the provisions of the Scheme, require the preservation and or planting of trees as a condition of rezoning and or planning consent.

8.6.3 Areas of Tree Preservation and Planting will be detailed in the minimum landscaping requirements for any development proposal submitted for Council consideration.

8.6.4 Within any area approved for tree preservation purposes as a condition of planning consent, no indigenous tree may be felled without the consent of Council, except—

- (a) where trees are dead, diseased or dangerous;
- (b) for the purpose of a firebreak required by a Regulation or By-law except that in order to preserve the amenity of the area Council may at its discretion vary the position of any required firebreak to avoid destruction of vegetation or due to the physical features of the subject land.

8.6.5 The Council may, by notice served upon individual land owners or upon a subdivider of land within a rural zone, require the preservation of groups and corridors of trees and vegetation and thereafter no landowner shall cut, remove or otherwise destroy any tree and or vegetation unless the Council rescinds the notice or orders.

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

## PART IX—ADMINISTRATION

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

## 9.2 OFFENCES

9.2.1 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;
- (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 or that part, have been and continue to be complied with.

9.2.2 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.

## 9.3 ACT

9.3.1 Twenty Eight days written notice is hereby prescribed as the notice to be given pursuant to Section 10 of the Act.

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

## 9.4 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.

## 9.5 VALUATIONS

9.5.1 Where it is necessary to ascertain the value of any land for the purpose of the Scheme, the value shall be determined by either the Valuer General or at the option of the Council by an independent and competent valuer appointed by the Council.

9.5.2 If an owner shall object to the value so determined he may give notice of such objection to the Council within twenty eight (28) days after having been informed of the said value or the revised value. If the Valuer does not agree to change the value to a figure acceptable to the owner, the value shall be determined by arbitration in accordance with the provisions hereinafter contained, should that owner still wish to contest the valuation concerned.

## 9.6 APPEALS

An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme, may appeal in accordance with Part V of the Act and the Rules and Regulations made pursuant to the Act.

## 9.7 DELEGATION

For the purpose of carrying out and completing the Scheme and to ensure its observance the Council may delegate to a standing committee of the Council or to officers of the Council any of the powers which it is entitled to exercise by virtue of the Scheme.

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SCHEDULE No. 1  
INTERPRETATIONS

ABATTOIR—Means land and buildings used for the slaughter of animals for human consumption and the treatment of carcasses, offal and by-products.

ABSOLUTE MAJORITY—Shall have the same meaning as is given to it in and for the purposes of the Local Government Act 1960 (as amended).

ACT—Means the Town Planning and Development Act 1928 (as amended).

**ADVERTISEMENT**—Means any work, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and includes any hoarding or similar structure used, or adapted for use, for the display of advertisements and advertising signs shall be construed accordingly but does not include—

- (a) An advertising sign of less than 2sqm in area relating to the carrying out of building or similar work on land on which it is displayed, not being land which is normally used for those purposes.
- (b) An advertising sign of less than 2sqm in area announcing a local event of a religious, educational, cultural, political, social or recreational character not promoted or carried on for commercial purposes.
- (c) An advertising sign of less than 2sqm in area relating to the prospective sale or letting of the land or building on which it is displayed.
- (d) An advertising sign exhibited upon any land vested in or owned by the Minister for Railways which is directed only to persons upon or entering a railway station or platform or bus station, and
- (e) Directional signs, street signs and other like signs erected by a Public Authority.

**AGED PERSONS VILLAGE**—Means a building or group of buildings designed for residential occupation by aged persons and includes buildings and parts of buildings used for communal facilities, food preparation, dining, recreation, laundry or medical care.

**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.

**AMENITY BUILDING**—Means a building or part of a building that employees or persons engaged in an industry or business may use for their personal comfort, convenience or enjoyment of leisure as distinct from the work of the industry or business

**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.

**AQUACULTURE**—Means any fish farming operation for which a Fish Farm Licence issued pursuant to the provision of Part V of the Fisheries Act, 1905 (as amended), and the Fisheries Regulations, 1938 (as amended), is required.

**ART GALLERY**—Means premises used for showing works of art.

**ART AND CRAFT STUDIO AND SALES**—Means premises used as a working room by a painter, sculptor, photographer or other craftsperson and includes the sale of art or craft.

**BANK**—Means an establishment for the custody of money paid out on customer demand.

**BATTLE-AXE LOT**—Means a lot having access to public road by means of an access strip included in the Certificate of Title of that lot.

**BED AND BREAKFAST ACCOMMODATION**—Means accommodation provided for hire or reward under the main roof of a dwelling house for not more than four (4) adults or one family in the form of a maximum of two (2) guest bedrooms and one (1) guest bathroom.

**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 adopted by resolution of the Council outside which building development is not permitted.

**BUILDING LINE**—Means the line between which and any public place or public reserve a building may not be erected except by or under the authority of an Act.

**BUILDING SETBACK**—Means the shortest horizontal distance between a boundary or other specified point and the position at which a building may be erected.

**CAMPING AREA**—Means land used for the lodging of persons in tents or other temporary shelter.

**CARAVAN PARK**—Means an area or land specifically set aside for the parking of caravans and park homes or for the erection of camps or bays or tent sites allocated for that purpose.

**CARETAKER'S DWELLING**—Means a building used as a dwelling—

- (a) 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; or
- (b) By a person or persons whose primary employment is the maintenance or management of the operation of the rural pursuit occurring on the land upon which their accommodation is situated.

**CAR PARK**—Means land and buildings used primarily for parking private cars or taxis whether open to the public or not but does not include any part of a public road used for parking or for a taxi rank, or any land or buildings in which cars are displayed for sale.

**CATTERY**—Means the use of an approved outbuilding 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.

**CIVIC USE**—Means land and buildings used by a Government Department, an instrumentality of the Crown, or the Council, for administrative, recreational or other purposes.

**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 buildings or premises be licensed under the provisions of the Liquor Act 1988 (as amended) or not and which building or premises are not otherwise classified under the provisions of the Scheme.

**COMMISSION**—Means the Western Australian Planning Commission constituted under the Western Australian 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, 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 including the sale of petrol and operated during hours which include but which may extend beyond normal trading hours and providing associated parking. The buildings associated with a Convenience Store shall not exceed 200sqm gross leasable area.

**CONVENTION CENTRE**—Means land and buildings used by an assembly of a group with common interests to convey information.

**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**—Means the use or development of any land and includes the erection, construction, alteration or carrying out as the case may be, of any building, excavation or other works on any land.

**DISPLAY HOME CENTRE**—Means a group of two or more dwellings which are intended to be open for public inspection.

**DISTRICT**—Means the Municipal District of the Shire of Wickelipin.

**DOG KENNELS**—Means land and buildings used for the boarding and/or 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 is incidental to the predominant use.

**DRIVE-IN THEATRE**—Means land and buildings used to make provision for an audience to view the entertainment while seated in motor vehicles.

**DRY CLEANING AGENCY**—Means premises used for the collection and delivery of garments and other fabrics to be cleaned at a dry cleaning premises.

**DRY CLEANING PREMISES**—Means land and buildings used for the cleaning of garments and other fabrics by chemical processes.

**DWELLING**—Means a building or portion of a building containing at least one living room and includes rooms, outbuildings (as defined in this Schedule) and other structures attached to or separate from such building but auxiliary thereto; such building or portion thereof being used or intended, adapted or designed to be used for the purpose of human habitation on a permanent basis by—

- (a) A single person;
- (b) A family; or
- (c) No more than six (6) persons who do not comprise a single family.

**EATING HOUSE**—Means any house, building or structure or any part thereof in which meals are served to the public for gain or reward. The term does not include—

- (a) Any premises in respect of which a hotel licence, a limited hotel licence, a tavern licence, a restaurant licence or winehouse licence has been granted under the Liquor Act;
- (b) Any boarding house, lodging house or hostel; or
- (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.

**EDUCATIONAL ESTABLISHMENT**—Means a school, college, university, technical institute, academy or other educational centre, and includes accommodation for students, but does not include a reformatory or institutional home.

**EFFECTIVE FRONTAGE**—Means the width of a lot at the minimum distance from the street alignment at which buildings may be constructed, and shall be calculated as follows—

- (a) Where the side 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; or
- (c) Where a lot is of such irregular proportions or on such steep grade that neither of the foregoing methods can reasonably be applied, such length as determined by the Council.

**EQUESTRIAN CENTRE**—Means land and buildings used for the stabling and exercise of horses and includes facilities for events of a competitive nature.

**FACTORY UNIT BUILDING**—Means an industrial building designed, used or adapted for use as two or more separately occupied production or storage areas.

**FAMILY CARE CENTRE**—Means land and buildings used for the purpose of a Family Care Centre as defined in Child Welfare (Care Centres) Regulations, 1968 (as amended).

**FAST FOOD OUTLET**—Means land and buildings used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation, primarily off the premises, but does not include a fish shop.

**FISH SHOP**—Means a building where wet fish and similar foods are displayed and offered for sale.

**FLOOR AREA**—Shall have the same meaning given to it in and for the purposes of the Building Code of Australia.

**FRONTAGE**—Means boundary line or lines between a site and the street or streets upon which the site abuts.

**FUEL DEPOT**—Means land and buildings used for the storage and sale in bulk of solid or liquid gaseous fuel, but does not include a service station.

**FUNERAL PARLOUR**—Means land and buildings occupied by an undertaker where bodies are stored and prepared for burial or cremation.

**GARDEN CENTRE**—Means land and buildings used for the sale and display of garden products, including garden ornaments, plants, seeds, domestic garden implements and motorised implements and the display but not manufacture of prefabricated garden buildings.

**GAZETTAL DATE**—Means the date of which this Scheme is published in the *Government Gazette*.

**GROSS LEASABLE AREA**—Means in relation to a building, the area of all floors capable of being occupied by a tenant for his exclusive use, which area is measured from the centre lines of joint partitions or walls and from the outside faces of external walls or the building alignment, including shop fronts, basements, mezzanines and storage areas.

**GUEST HOUSE**—Means a residential building for which the primary purpose is short-stay tourist accommodation.

**HEALTH STUDIO**—Means land and buildings designed and equipped for physical exercise, recreation and sporting activities including outdoor recreation.

**HOLIDAY ACCOMMODATION**—Means land and buildings constructed and used for the accommodation of holiday makers and organisations generally in accordance with the Local Government Model By-Laws (Holiday Accommodation) No. 18, and may include, with the approval of Council, uses incidental to the normal function of a holiday accommodation facility.

**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 in accordance with Clause 6.3.11.

**HORTICULTURE**—Means the intensive or extensive cultivation and production of crops, for purposes of trade, commercial reward or gain and involving any form of land irrigation requiring the application of more than one thousand five hundred (1,500) cubic metres of water per annum, and includes—

- (a) Market gardening;
- (b) Orcharding for exotic or native fruit or nut production;
- (c) Turf and lucerne growing;
- (d) Native or exotic plant or flower nurseries; and
- (e) The sale of produce grown solely on the lot.

**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 1988 (as amended).

**INDUSTRY COTTAGE**—Means an industry which produces arts and craft goods which cannot be carried out under the provisions relating to a "home occupation" and that—

- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury, or prejudicial affection, due to the emission of light, noise, vibration, steam, soot, ash, dust, grit, oil, liquid wastes or waste products;

- (b) where operated in a Residential Zone, does not entail the employment of any person not a member of the occupier's family normally resident on the land.
- (c) is conducted in an outbuilding which is compatible to the zone and its amenity and does not occupy an area in excess of 55m<sup>2</sup>;
- (d) does not require the provisions 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 0.2m<sup>2</sup> in area.
- (f) complies with the provisions of Clause 6.3.11 (ii).

**INDUSTRY EXTRACTIVE**—Means an industry which involves—

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

**INDUSTRY GENERAL**—Means an industry other than a cottage, extractive, hazardous, light, noxious, rural or service industry.

**INDUSTRY LIGHT**—Means an industry:

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

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

**INDUSTRY RURAL**—Means an industry handling, treating, processing or packing primary products grown, reared or produced in the locality, and a workshop servicing plant or equipment used for rural purposes in the locality.

**INDUSTRY SERVICE**—Means a light industry carried out on land or in buildings which may have a retail shop front and from which goods manufactured on the premises may be sold; or land and buildings have a retail shop front and used as a depot for receiving goods to be serviced.

**INTENSIVE AGRICULTURE**—Means a horticultural use of rural land which serves to increase production from a given area and includes orchards, vegetable growing and viticulture.

**LAND**—Shall have the same meaning given to it in and for the purposes of, the Act.

**LIQUOR STORE**—Means a building the subject of a Store Licence granted under the provisions of the Liquor Act 1988 (as amended).

**LOCAL SHOP**—Means a shop with or without an attached dwelling wherein the only goods offered for sale are foodstuffs, (normally available from a delicatessen) toiletries, stationery or goods of a similar domestic nature intended for day to day consumption or use by persons living or working in the locality of the shop. Corner store shall have the same meaning.

**LOT**—Shall have the same meaning given to it in and for the purposes of, the Act and 'allotment' has the same meaning.

**MARINE COLLECTOR'S YARD**—Means land and buildings used for the storage of marine stores under the provisions of the Marine Stores Act 1902 (as amended) and 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.

**MILK DEPOT**—Means land and buildings to which milk is delivered for distribution to consumers but in which milk is not processed or pasteurised.

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

**MOBILE HOME PARK**—Means land upon which two or more mobile homes, occupied for dwelling purposes, are located regardless of whether or not a charge is made for such accommodation.

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

**MOTOR CYCLE SALES PREMISES**—Means land and buildings used for the display and sale of motor cycles and accessories, and includes mechanical repairs and minor body work repair of motor cycles to be sold from the premises.

**MOTOR VEHICLE AND MARINE SALES PREMISES**—Means land or buildings used for the display and sale of new or second-hand motor cycles, 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 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 trees, plants, shrubs, or flowers for replanting in domestic, commercial or industrial gardens and plantations.

**OFFICE**—Means a building used for the conduct of administration, the practice of a profession, the carrying on of agencies, banks, typist and secretarial services, and services of a similar nature.

**OPEN AIR DISPLAY**—Means the use of land as a site for the open air display and/or sale of goods and equipment.

**OPEN AIR STORAGE**—Means land and buildings used for the storage of materials in the open air.

**OUTBUILDING**—Means a non-habitable building used in conjunction with a dwelling house and includes a carport, private garage, shed, private workshop or the like, but does not include farm sheds.

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

- (a) Is entitled to the land for an estate in fee simple in possession; or
- (b) Is a person to whom the Crown has lawfully contracted to grant the fee simple of the land;
- (c) Is a lessor or licensee from the Crown; or
- (d) Is entitled to receive or is in receipt of, or if the land were let to a tenant, would be entitled to receive the rents and profits, thereof, whether as a beneficial owner, trustee, mortgagee in possession, or otherwise.

**PIGGERY**—Shall have the same meaning given to it in and for the purposes of the Health Act 1911-1979 (as amended).

**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.

**POTABLE WATER**—Means water in which level of physical, chemical and bacteriological constituents do not exceed the maximum permissible levels set out in 'International Standards for Drinking Water - Third Edition, World Organisation - 1971'.

**POULTRY FARM**—Means land and buildings used for hatching, rearing or keeping of poultry for either egg or meat production and for purposes of trade, commercial reward or gain.

**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 the residential purposes the subject of a Limited Hotel Licence granted under the provisions of the Liquor Act 1988 (as amended).

**PRIVATE RECREATION**—Means land used for parks, gardens, playgrounds, sports arenas, or other grounds for recreation which are not normally open to the public without charge.



**PRODUCE STORE**—Means land and buildings wherein fertilisers and grain are displayed and offered for sale.

**PUBLIC AMUSEMENT**—Means land and buildings used for the amusement or entertainment of the public, with or without charge.

**PUBLIC AUTHORITY**—Shall have the same meaning given to it in and for the purposes of the Act.

**PUBLIC MALL**—Means any public street or right-of-way designed especially for pedestrians who shall have the right of way and vehicle access shall be restricted to service vehicles at times specified by the Council.

**PUBLIC RECREATION**—Means land used for a public park, public gardens, foreshore reserve, playground or other grounds for recreation which are normally open to the public without charge.

**PUBLIC UTILITY**—Means any work or undertaking constructed or maintained by a public authority or the Council as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services.

**PUBLIC WORSHIP PLACE OF**—Means land and buildings used for the religious activities of a church but does not include an institution for primary, secondary, or higher education or a residential training institution.

**RABBITRY**—Means any building, enclosure or yard in which two hundred (200) or more rabbits are kept, reared, bred or fattened for the production of meat, fur or wool for purposes of trade, commercial reward or gain.

**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 ceremonial occasions, but not for unhosted use for general entertainment purposes.

**RECREATIONAL FACILITY**—Means land or buildings designed, used or adapted for use for the purpose of tennis courts, swimming pools, squash courts or centres, gymnasia and skating rinks and for all similar purposes in respect of which a charge may be made for the use thereof.

**RESIDENTIAL BUILDING**—Means a building or portion of a building, together with rooms and out-buildings separate from such building but ancillary thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation—

- (a) Temporarily by two or more persons, or
- (b) Permanently by seven or more persons, who do not comprise a single family; but does not include a hospital or sanatorium, a prison, a hotel, a motel or a residential school.

**RESIDENTIAL PLANNING CODES**—Means the Residential Planning Codes, set out in Appendix 2 to the Statement of Planning Policy No. 1 together with any amendments thereto as published in the Government Gazette on 13th December, 1991.

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

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

**RESTRICTED PREMISES**—Means any premises, part or parts thereof, used or designed to be used primarily for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of—

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

**RURAL PURSUIT**—Means the use of land for any of the purposes set out hereunder and shall include such buildings normally associated therewith—

- (a) Extensive dry land agriculture for crop production;
- (b) Dry land production and pasturing of livestock;
- (c) Production and pasturing of livestock on irrigated lands;
- (d) Plantation growing of trees;
- (e) The sale of produce grown solely on the lot provided that if a roadside stall is used it is approved by Council and the Main Roads Department, where appropriate, and
- (f) The stabling, agistment or training of horses;

but does not include the following except as approved by the Council—

- (i) The keeping of pigs;
- (ii) Poultry farming;
- (iii) The processing, treatment or packing of produce;
- (iv) The breeding, rearing or boarding of domestic pets.

**SALVAGE YARD**—Means land and buildings used for the storage and sale of materials salvaged from the erection, demolition, dismantling or renovating of, or fire or flood damage to structures including, (but without limiting the generality of the foregoing) building, machinery, vehicles and boats.

**SAWMILL**—Means land and buildings where logs or large pieces of timber are sawn but does not include a joinery works unless logs or large pieces of timber are sawn therein.

**SECOND-HAND DWELLING**—Means any building or structure or part thereof used or intended to be used for human habitation and which does not consist of substantially all new material and may be transported or moved to a site for the purpose of re-erection.

**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 mechanical repairs and may include a cafeteria, restaurant or shop incidental to the primary use, but does not include transport depot, panel beating, spray painting, major repairs or wrecking.

**SHOP**—Means a building where in goods are kept, exposed or offered for sale by retail, or within which services of a personal nature are provided and includes a hairdresser, beauty therapist and such similar uses, but does not include a bank, fuel depot, market, service station, milk depot, marine collectors yard, timber yard or land and buildings used for the sale of vehicles or for any purpose falling within the definition of industry.

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

**STABLES**—Means any buildings or land or both on which horses are kept, reared, bred or trained, for private or hobby purposes or for purposes of trade, commercial reward or gain.

**STOCK FEEDLOT**—Means any building, enclosure, yard or paddock in which livestock are kept for reasons associated with the rearing, breeding or fattening of the stock, for purposes of trade, commercial reward or gain at a stock rate in excess of that common for Rural Pursuits operating in the locality.

**TAVERN**—Means land and buildings the subject of a Tavern Licence granted under the provisions of the Liquor Act 1988 ( as amended).

**THEATRE**—Means any land or building where the public may view a theatrical production.

**TRADE DISPLAY**—Means land and buildings used for the display of trade goods and equipment for the purposes of advertisement.

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

**TRANSPORTABLE HOME**—Means any structure designed for human habitation that is partly or wholly prefabricated at any place other than on the lot upon which it is to be erected.

**VETERINARY CONSULTING ROOMS**—Means a building in which a veterinary surgeon or veterinarian treats the minor ailments of domestic animals and household pets as patients but in which animals or pets do not remain overnight.

**VETERINARY HOSPITAL**—Means a building used in connection with the treatment of sick animals and includes the accommodation of sick animals.

**VITICULTURE**—Means land or buildings normally associated with the growing of grapes.

**WAREHOUSE**—Means a building wherein goods are stored and may be offered for sale by wholesale.

**WASTE DISPOSAL**—Means the use of land for the purpose of storage or the disposal of domestic or industrial rubbish, refuse or waste whether liquid or solid.

**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, 1988 (as amended).

**WINERY**—Means land and buildings used in the processing of grapes to produce wine and includes the sale of wine produced on the premises directly to the public.

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

**ZOOLOGICAL GARDENS**—Means land and buildings used for the keeping, breeding or display of fauna and the term includes Zoo but does not include kennels or keeping, breeding or showing of domestic pets.

SCHEDULE No. 2  
ZONING TABLE

	Residential	Town Centre	Industrial	Rural	Special Residential	Special Uses
USE & DEVELOPMENT CLASS						
1	AA	X	X	AA	AA	
2	AA	AA	X	AA	AA	
3	X	P	X	IP	X	
4	X	X	X	SA	X	
5	IP	IP	IP	IP	IP	
6	X	X	X	AA	X	
7	IP	IP	IP	IP	IP	
8	X	AA	AA	X	X	
9	AA	P	X	AA	AA	
10	X	P	AA	SA	X	
11	SA	P	AA	X	SA	
12	SA	P	X	SA	SA	
13	X	X	SA	SA	X	
14	X	AA	AA	X	X	
15	X	X	AA	AA	X	
16	AA	AA	AA	AA	AA	
17	AA	AA	X	AA	AA	
18	X	P	AA	X	X	
19	X	X	AA	SA	X	
20	X	P	AA	X	X	
21	SA	P	X	AA	X	
22	SA	P	X	SA	SA	
23	X	X	X	SA	X	
24	AA	AA	X	AA	AA	
25	SA	AA	X	SA	SA	
26	X	AA	X	X	X	
27	AA	AA	X	AA	AA	
28	X	X	AA	AA	X	
29	X	X	P	X	X	
30	X	X	X	SA	X	
31	X	X	P	X	X	
32	X	X	P	AA	X	
33	X	AA	P	X	X	
34	SA	P	X	X	SA	
35	SA	X	X	P	AA	
36	SA	AA	X	SA	X	
37	SA	AA	X	SA	X	
38	SA	P	AA	X	X	
39	SA	P	X	X	X	
40	X	AA	AA	AA	X	
41	X	P	X	X	X	
42	X	AA	P	X	X	
43	X	X	AA	X	X	
44	X	AA	AA	AA	SA	
45	X	P	IP	IP	IP	
46	X	AA	P	X	X	
47	X	AA	AA	X	X	
48	X	X	X	AA	X	
49	X	X	X	AA	X	
50	SA	AA	X	SA	SA	
51	IP	P	X	IP	IP	
52	X	P	X	X	X	
53	X	P	AA	X	X	
54	SA	P	AA	SA	SA	
55	SA	AA	AA	SA	SA	
56	SA	AA	AA	SA	SA	
57	AA	AA	AA	AA	AA	
58	X	AA	AA	AA	SA	
59	X	AA	AA	AA	X	
60	AA	X	X	AA	AA	
61	P	AA	X	P	P	
62	AA	AA	X	X	X	
63	AA	AA	X	X	X	
64	X	SA	X	X	X	
65	X	AA	AA	AA	X	

As Specified in Schedule No. 3

SCHEDULE No. 2—continued  
ZONING TABLE

	Residential	Town Centre	Industrial	Rural	Special Residential	Special Uses
66 Roads/Rights of Way	P	P	P	P	P	
67 Rural Pursuit	X	X	X	P	AA	
68 Salvage Yard	X	X	AA	X	X	
69 Second Hand Dwelling	SA	X	X	AA	AA	
70 Service Station	X	P	AA	X	X	
71 Shop	X	P	X	X	X	
72 Showroom	X	P	IP	X	X	
73 Stables	X	X	X	P	AA	
74 Take-A-Way Food Outlet	X	P	X	X	X	
75 Trade Display	X	AA	IP	X	X	
76 Transport Depot	X	X	P	AA	X	
77 Veterinary Clinic	X	AA	AA	AA	SA	
78 Veterinary Hospital	X	SA	AA	AA	SA	
79 Warehouse	X	AA	P	X	X	
80 Waste Disposal	X	X	SA	SA	X	
81 Zoological Garden	X	X	X	SA	X	

As Specified in Schedule No. 3

SCHEDULE No. 3  
SPECIAL USE ZONE  
PERMITTED USES

No.	LAND PARTICULARS	PERMITTED USES	DEVELOPMENT STANDARDS CONDITIONS
1.	Lots 10 & 11, Keeping Street, TINCURRIN TOWNSITE	+ Retail Shop + Farm Supplies + Residential R12.5 + Uses Ancillary to the Permitted Uses	As determined by Council.
2.	Lots 1 & 2 corner Railway Avenue and Baylon Street, HARRISMITH TOWNSITE	+ Hotel + Uses Ancillary to the Permitted Use.	As determined by Council.
3.	Lot 9 corner Railway Avenue, South Street HARRISMITH TOWNSITE	+ Place of Public Worship + Uses Ancillary to the Permitted Use	As determined by Council.
4.	Lot 1 of Williams Loc 1610, Wogolin Road and Fisher Street WICKEPIN TOWNSITE	+ Caravan Park + Camping Ground + Uses Ancillary to the Permitted Uses	As determined by Council.
5.	Lots 30 & 31 of Williams Loc 1613 corner Johnston and Henry Streets WICKEPIN TOWNSITE	+ Place of Public Worship + Uses Ancillary to the Permitted Use	As determined by Council.
6.	Lots 3, 4, 40 & 41 of Williams Loc 1613 corner Johnston and Campbell Streets WICKEPIN TOWNSITE	+ Retail Nursery + Uses Ancillary to the Permitted Use	As determined by Council.
7.	Lot 1 of Williams Loc 1613, Johnston Street WICKEPIN TOWNSITE	+ Place of Public Worship + Uses Ancillary to the Permitted Use	As determined by Council.
8.	Lots 12, 13, 14, 15 of Williams Loc 1613, Henry Street and Central Avenue WICKEPIN TOWNSITE	+ Place of Public Worship + Uses Ancillary to the Permitted Use	As determined by Council.

SCHEDULE No. 3—*continued*

No.	LAND PARTICULARS	SPECIAL USE ZONE	
		PERMITTED USES	DEVELOPMENT STANDARDS CONDITIONS
9.	Part Reserve 9610 Sewell Street YEALERING TOWNSITE	+ Caravan Park + Camping Ground + Uses Ancillary to the Permitted Uses	As determined by Council.
10.	Lot 34 Sewell Street YEALERING TOWNSITE	+ Place of Public Worship + Uses Ancillary to the Permitted Use	As determined by Council.
11.	Lots 19 and 20, Congreve and Roberts Streets, YEALERING TOWNSITE	+ Motor Vehicle and Farm Machinery Service/Repairs + Uses Ancillary to the Permitted Uses	As determined by Council.

## SCHEDULE No. 4

## DEVELOPMENT TABLE—GENERAL

Land Use	Min. Lot Area	Min. Effective Frontage (M)	Site Coverage %	Plot Ratio	Boundary Setbacks			Landscaping % of Site to Be Covered
					Front (M)	Rear (M)	Side (M)	
Hotel	7500	80	25	0.5	15	15	10	25
Tavern	4000	50	25	0.5	15	10	10	25
Shop		5	75	0.5	10	5		10
Cafe/ Restaurant		5	75	0.5	10	5		10
Motel	2000	30	40	0.5	10	10	5	25
Service Station	2000	40	35	0.35	10	5	5	10
Petrol Station	1500	40	35	0.35	10	5	5	10
Showrooms		10	75	0.5	15	5	*	10
Warehouse		25	75	0.5	15	5	*	10
Light Industry	1400	25	50	0.35	15	5	*	10
Factory Units	2000	30	50	0.35	15	5	*	10
Salvage Yard	2000	30	50	0.35	15	5	*	15
Veterinary Clinic	1000	20	50	0.35	15	5	5	20
Veterinary Hospital	3000	30	50	0.35	15	10	5	20
Offices			75	0.5	10	5		10
Consulting Rooms			75	0.5	10	5		10

\* 5m on one side and nil on the other except where the development proposed abuts another zone and/or a reservation, when a 5m setback to both boundaries will apply and provided that suitable fire rated materials are used in accordance with the Building Code of Australia

## DEVELOPMENT TABLE—OUTBUILDINGS

Zone	Zincalume On each Cladding Lot			Boundary Setbacks (m)			Other Requirements
	Max. Floor Area (m <sup>2</sup> )	Max. Total Floor Area (m <sup>2</sup> )	Max. Wall Height (m)	Front	Rear	Side	
Special Residential	75	130	4	20	10	5	+ No outbuilding is permitted on a lot which does not contain a residence.

except on a corner lot, where the Min. shall be 10m

DEVELOPMENT TABLE—OUTBUILDINGS—*continued*

Zone	Zincalume On each Cladding Lot		Max. Wall Height (m)	Boundary Setbacks (m)			Other Requirements
	Max. Floor Area (m <sup>2</sup> )	Max. Total Floor Area (m <sup>2</sup> )		Front	Rear	Side	
Residential R12.5	55	75	3	As for a dwelling	As for a dwelling side setback		<ul style="list-style-type: none"> <li>+ See Clause 5.10</li> <li>+ On a lot with an area of 600 sq m where an outbuilding has a floor area greater than 75sq m it shall be clad and roofed in a colourbond type material or painted to blend with the residence on-site, or be of brick construction.</li> <li>+ No outbuilding is permitted on a lot which does not contain a residence.</li> <li>+ Where a parapet wall is proposed written agreement from adjoining owner is required.</li> <li>+ Where an outbuilding has an area greater than 55sq m, it shall be clad and roofed in a colour-bond type material, or painted to blend with the residence on site, or be of brick construction.</li> </ul>

NOTE: For outbuildings in all other zones of the Shire, Boundary setbacks shall be as defined in the Development Table—General.

## SCHEDULE No. 5

## CAR PARKING REQUIREMENTS

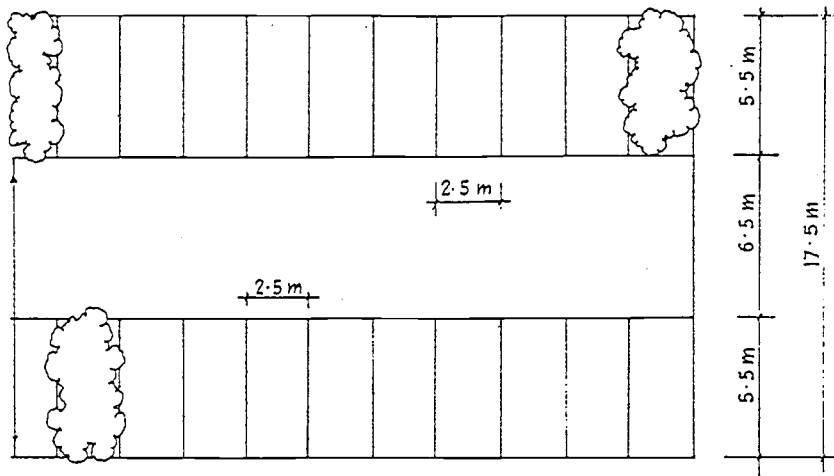
USE	NO. OF PARKING SPACES
Shop	1 for every 20 sq m gross floor area
Office	1 for every 30 sq m gross floor area
Hotel, motel, tavern, club private hotel, lodging house, cafe/restaurant, night club place of public assembly	Where applicable to the particular use:  1 for every 3 sq m of public drinking area other than lounge floor area  1 for every bedroom  1 for every 4 seats which an eating area and lounge area or assembly area is designed to provide.
Place of Worship	1 for every 5 seats in main auditorium
All Industrial Uses	1 for every 50 sq m of gross floor area
Health centre, clinic, consulting rooms	5 for every practitioner
All other uses	At the discretion of Council

NOTE: All parking spaces are to be constructed and maintained to the satisfaction of Council.

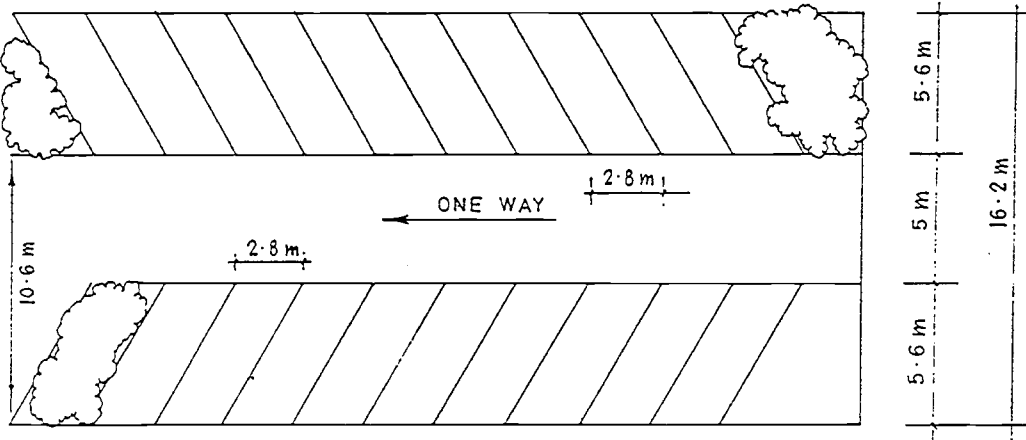
SCHEDULE No. 6

MINIMUM CAR PARKING LAYOUT SPECIFICATIONS

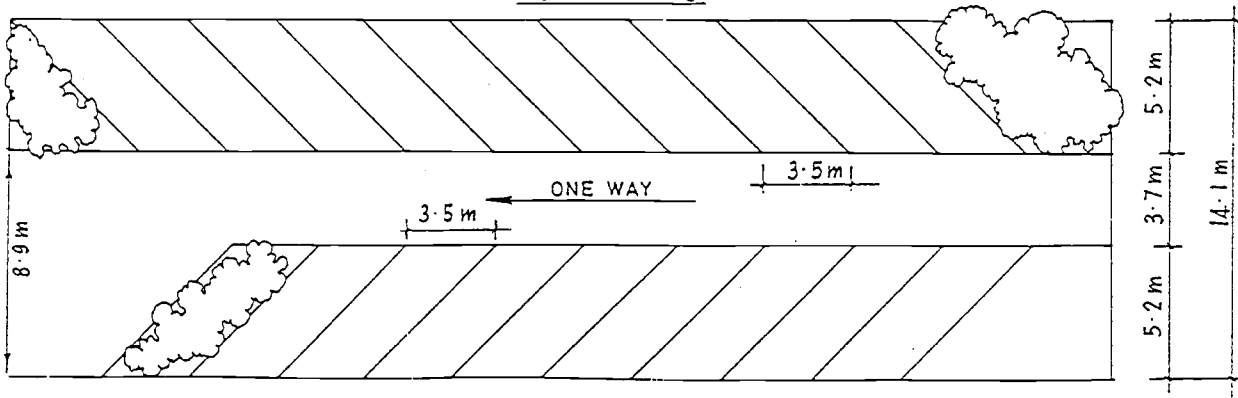
90° PARKING



60° PARKING

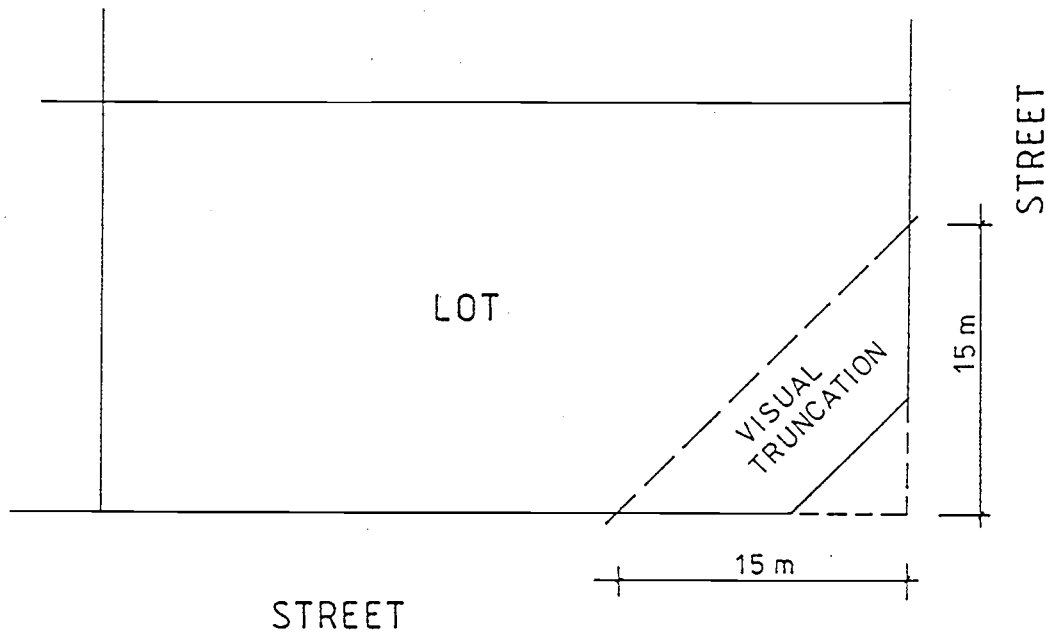


45° PARKING

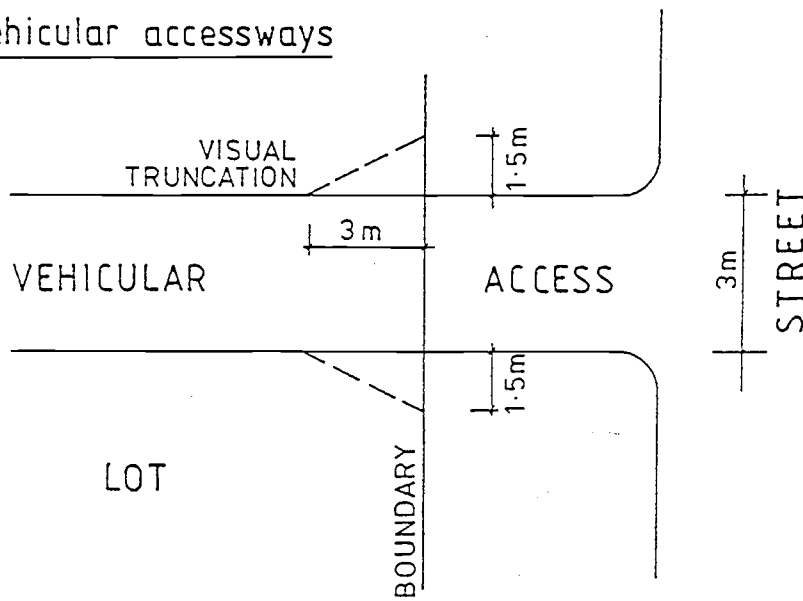


VISUAL TRUNCATION

corner lots



vehicular accessways



SCHEDULE No. 7

PLACES, BUILDINGS AND OBJECTS OF HERITAGE VALUE AND NATURAL BEAUTY

NO.	PLACE	LOCATION	CONDITION/ INTEGRITY	DESCRIPTION	DATE OF CONSTRUCTION
1	Former Deli	Lot 2 Dalton Street Yealering	Fair/Intact	One of the Town's first buildings Fibro/Iron	early 1900's



SCHEDULE No. 7—*continued*

## PLACES, BUILDINGS AND OBJECTS OF HERITAGE VALUE AND NATURAL BEAUTY

NO.	PLACE	LOCATION	CONDITION/ INTEGRITY	DESCRIPTION	DATE OF CONSTRUCTION
2	General Store	Lot 3 & 4 Dalton Street Yealering	Fair/Intact	An early building Fibro Walls Iron Roof	approx. 1920
3	Hotel	Lot 6 Dalton Street Yealering	Good/Intact	Good style Double Storey Brick & Iron Roof	1925
4	Butcher Shop	Part Lot 7 Dalton Street Yealering	Fair/Intact	An early building Timber Walls Iron Roof	1920's
5	RSL Flagpole & water fountain	Lot 97 Dalton Street Yealering	Good/Intact	Both of significance Pipe Flagpole	1940's & 1960's
6	Memorial gates	Reserve 9610 Sewell Street Yealering	Good/Intact	Of significance	1940's
7	Old Cemetery	Reserve 9610 West of Townsite Yealering	Poor Repair	Of significance	early 1900's
8	Yealering Lake and 100m wide foreshore	Reserve 9610 Yealering	Surroundings well maintained	Of significance & beauty	
9	Cemetery Site	Reserve 14614 Yealering	Well Maintained	Of significance	early 1900's
10	Croquet Club	Reserve 9610 Yealering	Fair/Intact	Interesting Building Timber Structure	1930's
11	Post Office	Lot 220 Wogolin Road Wickepin	Good	Shows architecture of the time - brick	1906-1908
12	ANZ Bank	Lot 7 Wogolin Road Wickepin	Very Good	Imposing front brick	1920's
13	Wickepin Hotel	Lot 3 Wogolin Road Wickepin	Good	Single story brick, street verandah typical of era.	1910
14	Wickepin Hall	Lot 57 Johnston Street Wickepin	Good	Imposing building front. Focal point of town	Built in 3 stages: 1. 1914 2. 1939 3. 1963
15	Wickepin Railway Station Railway Reserve	Railway Reserve	Average	Historical style of railway station.	1909
16	Old Road Board Hall/Art & Craft Centre	11 Joyner/ Kent Street Wickepin	Reasonable	Historical Brick/Iron	1911
17	Stone Catchment Area/Railway Dam	Reserve 15782	Good	Earth Dam Concrete spillway	1908-1914
18	Tarling Well	Reserve 2401	Good	Historical	1905
19	Old Church (United)	Lot 12 Henry Street Wickepin	Transferred from Kalgoorlie. Also used as a School	Weatherboard/Iron	1920
20	Yarling Brook and Well (and where original springs were)	Lot 63 Richter/ Kent Street Wickepin	Poor	Historical	1895
21	Tincurrin Hall	7 McDougall Street Tincurrin	Fair	Weatherboard/Iron	1930
22	Toolibin Cemetery	Lot 66 Green Road Reserve 15056 Toolibin	Poor	Of significance	1913
23	Toolibin Lake	A Class Reserve 24556 Toolibin	Fair	Freshwater Lake	

SCHEDULE No. 7—*continued*

PLACES, BUILDINGS AND OBJECTS OF HERITAGE VALUE AND NATURAL BEAUTY					
NO.	PLACE	LOCATION	CONDITION/ INTEGRITY	DESCRIPTION	DATE OF CONSTRUCTION
24	Well	Hallidays Road A Class Reserve 4723 Wickepin	Poor Condition	Of Historical significance	
25	Rabbit Proof Fence		Sections still remain in good condition	Rabbit netting fence	1905
26	Wickepin Newsagency		Good	Single storey brick Verandah typical of era	1910-1915
27	Fisher's House	Lot 3 Campbell Street, Wickepin	Fair/Intact	Unique Verandah mud brick & iron	1931
28	Arts & Craft Shop	Lot 106 Wogolin Road Wickepin	Poor	Single Storey brick. Verandah typical of era	1910-1915
29	Gates at Sports Ground	Lot 86 Campbell Street, Wickepin	Fair	Brick	1949-50
30	Old Cemetery Site	Pt Loc 9641 Wickepin	Poor	Of historical significance	1911
31	Honour Board at Shire Hall	Lot 57 Johnston Street	Good	Historical	1920
32	Anglican Church	Lot 1 Johnston Street, Wickepin	Very Good	Weathboard cladding	1922
33	Natural Bush Site	Lot 23 McDougall Street, Tincurrin	Intact	Naturally vegetated site of significance and beauty.	

## SCHEDULE No. 8

## TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)

## SHIRE OF WICKEPIN

## TOWN PLANNING SCHEME No. 3

## APPLICATION FOR PLANNING CONSENT

1. SURNAME OF APPLICANT ..... GIVEN NAMES .....

FULL ADDRESS .....

2. SURNAME OF LANDOWNER ..... GIVEN NAMES .....

(if different from above) .....

3. SUBMITTED BY .....

4. ADDRESS FOR CORRESPONDENCE .....

5. LOCALITY OF DEVELOPMENT .....

6. TITLE DETAILS OF LAND .....

7. NAME OF ROAD SERVING PROPERTY .....

8. STATE TYPE OF DEVELOPMENT .....

NATURE AND SIZE OF ALL BUILDINGS PROPOSED .....

.....

GENERAL TREATMENT OF OPEN PORTIONS OF THE SITE .....

.....

DETAILS OF CAR PARKING AND LANDSCAPING PROPOSALS .....

.....

APPROXIMATE COST OF PROPOSED DEVELOPMENT .....

ESTIMATE TIME FOR CONSTRUCTION .....

.....

SIGNATURE OF OWNER ..... SIGNATURE OF APPLICANT OR AGENT

(Both signatures are required if Applicant is not the Owner)

DATE..... DATE .....

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

SCHEDULE No. 9  
SHIRE OF WICKEPIN  
TOWN PLANNING SCHEME No. 3

NOTICE OF PUBLIC ADVERTISEMENT OF DEVELOPMENT PROPOSAL

It is HEREBY NOTIFIED for public information and comment that the Council has received an application to develop land for the purpose described hereunder:

LAND DESCRIPTION

LOT NO ..... STREET .....  
PROPOSAL .....

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

.....day of .....19.....

SHIRE CLERK

DATE

SCHEDULE No. 10  
TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)  
SHIRE OF WICKEPIN  
TOWN PLANNING SCHEME No. 3  
DECISION ON APPLICATION FOR PLANNING CONSENT

The Council having considered the application:

Dated .....

Submitted by .....

On behalf of .....

hereby advise that it has decided to:

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

subject to the conditions/for the following reasons:

SHIRE CLERK .....

DATE .....

- NOTE: (1) Any Council decision to grant approval is only valid for a period of two (2) years from the date shown on the decision, unless otherwise stated in the decision.
- (2) It is the responsibility of the Owner/Developer to ensure that the provisions of the Aboriginal Heritage Act 1972/80 are complied with, by contacting the Department of Aboriginal Sites, Western Australian Museum, prior to the commencement of any development.

ADOPTION

Adopted by Resolution of the Council of the Shire of Wickepin at the Meeting of the Council held on the 18th day of February, 1994.

Dated the 18th day of February, 1994.

A. W. ASTBURY, President.  
B. W. MEAD, Shire Clerk.

FINAL APPROVAL

1. Adopted by Resolution of the Council of the Shire of Wickepin at the Ordinary Meeting of the Council held on the 15th day of March 1996 and the seal of the Municipality was pursuant to the Resolution hereunto affixed in the presence of:

H. M. LANG, President.  
B. M. MEAD, Shire Clerk.

This Scheme Text is to be read in conjunction with the approved maps 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 Western Australian Planning Commission.

Dated the 24th day of April 1996.

EUGENE FERRARO, for Chairperson.

3. Final approval granted.

Dated the 4th day of May 1996.

RICHARD LEWIS, Hon. Minister for Planning.

**POLICE****PE501****POLICE ACT 1892  
POLICE AUCTION**

Under the provisions of the Police Act 1892-1992, unclaimed found and stolen property will be sold by public auction at Ross's Auctions, 241 Railway Parade, Maylands on Tuesday, 18th June 1996 at 9.00 am.

Auction to be conducted by Mr Frank Lee.

R. FALCONER, Commissioner of Police.

**PE502****POLICE ACT 1892  
POLICE AUCTION**

Under the provisions of the Police Act 1892-1992, unclaimed stolen bicycles will be sold by public auction at Ross's Auctions, 241 Railway Parade, Maylands on Saturday, 29th June 1996 at 9.00 am.

Auction to be conducted by Mr Frank Lee.

R. FALCONER, Commissioner of Police.

**PREMIER AND CABINET****PR401****SUPREME COURT ACT 1935****DESIGNATION OF ACTING ATTORNEY GENERAL ORDER (No. 3) 1996**

Made by His Excellency the Governor in Executive Council under section 154(3) and (4).

The Honourable Eric James Charlton, Minister for Transport, is designated for the purposes of section 154 of the Supreme Court Act 1935 as the Minister of the Crown—

(a) who may exercise the powers referred to in subsection (3) of that section; and

(b) by, to or with reference to whom acts may be done under subsection (4) of that section,

during the period from 24 May to 1 June 1996 (both dates inclusive).

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

**PR402****MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that His Excellency the Governor in accordance with section 52(1)(b) of the Interpretation Act 1984 has approved the following temporary appointment in the place of the Hon P. G. Foss MLC in the period 24 May to 1 June 1996 inclusive—

Minister for Justice; the Environment; the Arts—Hon E. J. Charlton, MLC

M. C. WAUCHOPE, Chief Executive.

**PUBLIC SECTOR MANAGEMENT****PS401****PUBLIC SECTOR MANAGEMENT ACT 1994  
CHIEF EXECUTIVE OFFICER APPOINTMENTS**

The Government of Western Australia is keen to ensure that chief executive officers of all public service departments and agencies are the most suitable for the position. I have therefore decided that it is generally preferable to advertise chief executive officer positions at the expiry of existing appointments to ensure that competitive and merit-based appointments are made. This approach should not, however, be seen as a reflection upon the capacity of current chief executive officers whose terms of appointment have expired. I expect that present occupants will, in most cases, wish to apply for appointment to advertised positions.

Having received and considered relevant advice in respect of the chief executive officer listed below, I Richard Fairfax Court, Minister for Public Sector Management, notify that I have not recommended the reappointment of—

Agency	Title	Name of Current Occupant
Goldfields Esperance Development Commission	Director	Mr Robert John Walster

I shall soon be requesting the Commissioner for Public Sector Standards to act to enable the filling of this vacancy.

RICHARD COURT, Premier and Minister for Public Sector Management.

## STATE REVENUE

**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 the Western Australian Foundation for the Museum of Contemporary Science & Technology is declared 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

**ZZ101**

### PUBLIC TRUSTEE ACT 1941

Notice is hereby given that pursuant to Section 14 of the Public Trustee Act 1941 the Public Trustee has elected to administer the estates of the undermentioned deceased persons.

Dated at Perth the 21st day of May 1996.

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

#### Name of Deceased; Address; Date of Death; Date Election Filed

Dudley, Francis; Midland; 25/10/95; 15/5/96.

Milbergs, Raimonds Rudolf; Bentley; 25/3/96; 15/5/96.

Reynolds, Marjorie Josephine; Katanning; 4/3/96; 17/5/96.

Evans, Ivy; Nedlands; 22/3/96; 17/5/96.

Leonard, Ronald Wesley; Perth; 8/4/96; 17/5/96.

Sandeman, William George Arnott; Maylands; 30/3/96; 17/5/96.

**ZZ201**

### TRUSTEES ACT 1962

#### Notice to Creditors and Claimants

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the estates of the undermentioned deceased persons, are required to send particulars of their claims to Trustees of Western Australia Limited of Level 22, 108 St. George's Terrace, Perth on or before the expiration of one month from the date of publication of this notice after which date the Company may convey or distribute the assets, having regard only to the claims of which it then has notice.

Blue, Erica Bernice late of Unit 26 Camelia Court, 480 Guildford Road, Bayswater, Widow, died 8/4/96.

Feely, Arthur Douglas late of 12 (Lot 215) South Road, Lake Grace, Retired Merchandise Clerk, died 23/3/96.

Forward, Mary Rosamund late of 57 Willis Street, East Victoria Park, Widow, died 1/5/96.

Larsson, Jessie May late of Southern Cross Nursing Home, 529 Leach Highway, Bateman (formerly of 62 Stevens Street, White Gum Valley) Spinster, died 4/3/96.

Smith, Beryl Joyce late of Room 9 "Clifton" RSL War Veterans Home, 51 Alexander Drive, Mt Lawley, Widow, died 14/4/96.

Dated this 24th day of May 1996.

A. J. HALL, Trust Manager.

**ZZ202****TRUSTEES ACT 1962**

## Notice to Creditors and Claimants

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the Estate of James Leslie Noble, deceased, who died on 3rd March 1996, are required to send particulars of their claims to the Executor Damien Gerard Brennan of 41 Kent Street, Busselton, by 30th June 1996, after which date the said Executor may convey or distribute the assets having regard only to the claims of which he then has notice.

Dated this 28th day of May 1996.

DAMIEN GERARD BRENNAN, Executor.

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**ZZ203****TRUSTEES ACT 1962**

Creditors and other persons having claims to which section 63 of the Trustees Act 1962 relates in respect of the estate of Haruyo Williams, late of Unit 1, 21 White Street, Bunbury, Western Australia, Widow, who died on 27th August 1995, are required by the personal representative to send particulars of their claims addressed to the Executors of the Will of Haruyo Williams deceased, care of Young & Young, 5 Spencer Street, Bunbury by the 28th day of June 1996, after which date the personal representative may convey or distribute the assets having regard only to the claims of which the personal representative then has notice.

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**ZZ204****TRUSTEES ACT 1962**

Creditors and other persons having claims to which section 63 of the Trustees Act 1962 relates in respect of the estate of George Frederick Fyfe, late of Unit 24, Ocean Star Villas, Bunbury, Western Australia, Retired Westrail Employee, who died on 7th February 1996, are required by the personal representative to send particulars of their claims addressed to the Executors of the Will of George Frederick Fyfe deceased, care of Young & Young, 5 Spencer Street, Bunbury by the 28th day of June 1996, after which date the personal representative may convey or distribute the assets having regard only to the claims of which the personal representative then has notice.

---

**ZZ205****TRUSTEES ACT 1962**

## NOTICE TO CREDITORS AND CLAIMANTS

Lucy May Gray late of 7 Steere Street, Donnybrook in the State of Western Australia, Widow deceased intestate.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962, relates) in respect of the estate of the abovenamed deceased, who died on the 28th day of December 1991 at Sir Charles Gairdner Hospital, Nedlands and died a widow, are required by the Trustee Graham Victor Rebbeck of Wildmere Road, Donnybrook in the State of Western Australia to send particulars of their claims to him by the 28th day of June 1996 after which date the Trustee may convey or distribute the assets, having regard only to the claims of which he has notice.

Dated this 24th day of May 1996.

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**ZZ301****INQUIRY AGENTS LICENSING ACT 1954**

## APPLICATION FOR LICENCE IN THE FIRST INSTANCE

To the Court of Petty Sessions at Albany.

I, Peter Clarence Masson of 67 Parade Street, Albany WA 6330, Insurance Assessor 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 67 Parade Street, Albany.

Dated the 22nd day of May 1996.

P. C. MASSON, Signature of Applicant.

## Appointment of Hearing

I hereby appoint the 28th day of June 1996 at 10.00 o'clock in the forenoon as the time for the hearing of the foregoing application at the Court of Petty Sessions at Albany.

Dated the 22nd day of May 1996.

CELIA WAUGH, 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.

**ZZ401**

## NOTICE OF DISSOLUTION OF PARTNERSHIP

Take notice that the partnership heretofore subsisting between Bevan Kim Reynolds and Faye Maree Reynolds trading as Midland Spring Manufacturers and carried on from premises at 3 Wildon Street, Bellevue has been dissolved as from the 8th day of May 1996.

Dated this 21st day of May 1996.

FAYE MAREE REYNOLDS.

## Reprinted Regulations

Individual Acts and Regulations are from time to time reprinted under the *Reprints Act 1984* incorporating all amendments up to a particular date.

This program is managed by Parliamentary Counsel's Office, Ministry of Justice.

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Hospitals (Services Charges) Regulations 1984  
Radiation Safety (General) Regulations 1983  
Workers' Compensation and Rehabilitation Regulations 1982  
Occupational Health, Safety and Welfare Regulations 1988  
Supreme Court Rules 1971  
Road Traffic Code 1975  
Stock Brands and Movement Regulations 1972  
Navigable Waters Regulations 1989  
Firearms Regulations 1974  
Building Regulations 1987  
Environmental Protection Regulations 1987  
Police Regulations 1979  
Local Court Rules 1961  
Mining Regulations 1981  
Settlement Agent Regulations 1982  
Metropolitan Water Authority (Miscellaneous) By-laws 1982  
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