



WESTERN
AUSTRALIAN
GOVERNMENT

Gazette

2403



PERTH, TUESDAY, 20 MAY 1997 No. 74

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.30 PM

PUBLISHING DETAILS

The Western Australian *Government Gazette* is published by State Law Publisher for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances (changes to this arrangement will be advertised beforehand on the inside cover).

Special *Government Gazettes* and Extraordinary *Government Gazettes* are published periodically, all gazettes are included in the subscription price.

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

JOHN A. STRIJK,
Government Printer.

CENSORSHIP

CS401***CENSORSHIP ACT 1996**

I, CHERYL LYNN EDWARDES, being the Minister administering the Censorship Act 1996, acting in the exercise of the powers conferred by Section 15 of that Act, do hereby determine that the publications specified in the schedule below shall be classified as refused publications for the purposes of that Act.

Dated this 14th day of May 1997.

CHERYL LYNN EDWARDES, Minister for Employment & Training.

Schedule

6 May 1997

Refused Classification

Title or Description	Publisher
Lady Anita F Vol 4 No 7	Dino

CENSORSHIP ACT 1996

I, CHERYL LYNN EDWARDES, being the Minister administering the Censorship Act 1996, acting in the exercise of the powers conferred by Section 15 of that Act, do hereby determine that the publications specified in the schedule below shall be classified as restricted publications for the purposes of that Act.

Dated this 8th day of May 1997.

CHERYL LYNN EDWARDES, Minister for Employment & Training.

Schedule

6 May 1997

Restricted Classification

Title or Description	Publisher
40+ Holiday 1995	Eton Publishing Co
40+ May 1997	Blair Publishing Inc
50+ Mar 1997	Blair Publishing Inc
50+ May 1997	Blair Publishing Inc
Adam Gay Video (XXX Showcase Special Edition) Feb 1997 Vol 4 No 8	Knight Publishing Corp
Adam Gay Video (XXX Showcase Special Edition) Mar 1997 Vol 4 No 9	Knight Publishing Corp
Bad Moon Rising	Gourmet Hardball
Best of Mature Fatties, The Iss 2	Not Known
Best of Naughty Forties, The Iss 1	Sheptonhurst Ltd
Best of Oriental Girls, The No 1	Not Known
Best of Park Lane, The Iss 3	Gold Star Publications Ltd
Best of Rustler, The Iss 2	Gold Star Publications Ltd
Best of Rustler, The Iss 3	Gold Star Publications Ltd
Best of Whitehouse, The Iss 2	Sheptonhurst Ltd
Catalina Video Presents Leather Lust	Gourmet Publications
Celebrity Sex '96	ACP Publishing Pty Ltd
Celebrity Sleuth Vol 10 No 2	Broadcast Communications Inc
Club (The Best of) 1997 No 118	Paragon Publishing Inc
Club Mar 1997 Vol 23 No 2	Paragon Publishing Inc
Club Apr 1997	Paragon Publishing Inc
Club International Mar 1997 Vol 21 Iss 3	Paragon Publishing Inc
Continental Close Ups Iss 122	Gold Star Publications Ltd
Continental Spreads Iss 120	Sports Newspapers Ltd
Continental Spreads Iss 121	Gold Star Publications Ltd
Derriere Iss 20	Gold Star Publications Ltd

Restricted Classification—*continued*

Title or Description	Publisher
Exclusive Iss 178	Gold Star Publications Ltd
Fiesta (Shaven Havens Special) No 7	Galaxy Publications Ltd
Fiesta (Black Label Special) Vol 3 Iss 2	Galaxy Publications Ltd
Fotogirls Vol 8 Iss 12	Galaxy Publications Ltd
Fox Jul 1997 Vol 16 No 1	Montcalm Publishing Corporation
Freeway Iss 155	Not Known
Hard Core No 68	Color-Climax Corporation
Helen Duval (Third Edition) No 3	Helen Duval Entertainment
Journal of Love, The Iss 208	Gold Star Publications Ltd
Journal of Love, The Iss 209	Gold Star Publications Ltd
Journal of Love, The Iss 210	Gold Star Publications Ltd
Journal of Love, The Iss 211	Gold Star Publications Ltd
Lesbian Lusts (Extra) Iss 14	Gold Star Publications Ltd
Lipstick No 11	Kevin James
Man Handlers Vol 1 No 1	Gourmet Editions
Manshots Mar 1997 Vol 9 No 5	Firsthand Ltd
Manshots Apr 1997 Vol 9 No 6	Firsthand Ltd
Mayfair Vol 1 No 1	MCM Magazine Publishing Pty Ltd
Mayfair Vol 1 No 2	MCM Magazine Publishing Pty Ltd
New Direction Iss 292	Gold Star Publications Ltd
Older 'N Bolder & Nastier Feb 1995	Eton Publishing Company
Parade No 246	Gold Star Publications Ltd
Penthouse Vol 30 No 7	Northern & Shell Plc
Penthouse Vol 30 No 11	Northern & Shell Plc
Penthouse Vol 31 No 2	Northern & Shell Plc
Pirate No 43	Milcap Publishing Group AB
Prowl No 33	Prowler Press
Red Light Review Iss 7	Not Known
Teazer Vol 2 Iss 4	Galaxy Publications Ltd
Triple X No 17	Milcap Publishing Group AB
Two Blue Vol 1 Iss 7	Galaxy Publications Ltd
Very Best of Penthouse Letters, The 1995 Iss 6	Northern & Shell Plc
Very best of Penthouse Letters, The 1995 Iss 8	Northern & Shell Plc
Visions of Fantasy Presents Beastly Boys No 4	VOF
Visions of Fantasy Presents Best Buddies No 4	VOF
Visions of Fantasy Presents Bing, Bang Boom No 1	VOF
Visions of Fantasy Presents Boys-R-U's No 1	VOF
Visions of Fantasy Presents Direct Male No 1	VOF
Visions of Fantasy Presents Direct Male No 2	VOF
Visions of Fantasy Presents Dongmeisters No 2	VOF
Visions of Fantasy Presents Flyboys No 1	VOF
Visions of Fantasy Presents Horndogs No 1	VOF
Visions of Fantasy Presents Horndogs No 2	VOF
Visions of Fantasy Presents Meat Market Mingle No 1	VOF
Visions of Fantasy Presents Men-4-Men No 2	VOF
Visions of Fantasy Presents Pocket Rockets No 1	VOF
Visions of Fantasy Presents Power Towers No 2	VOF
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Zipper Iss 1	Zipper Publication

CENSORSHIP ACT 1996

I, CHERYL LYNN EDWARDES, being the Minister administering the Censorship Act 1996, acting in the exercise of the powers conferred by Section 15 of that Act, do hereby determine that the publications specified in the schedule below shall be classified as unrestricted publications for the purposes of that Act.

Dated this 8th day of May 1997.

CHERYL LYNN EDWARDES, Minister for Employment & Training.

Schedule
6 May 1997
Unrestricted Classification

Title or Description	Publisher
Australian Penthouse (State) Jun 1997 Vol 18 No 6 (Not Only) Blue No 5	Penthouse Publications Ltd Studio Magazines Pty Ltd
Playboy's Book of Lingerie May-Jun 1997 Vol 55	Playboy Press
Playboy's Sexy Latin Ladies May 1997	Playboy Press

FAIR TRADING

FT401

SUNDAY ENTERTAINMENTS ACT 1979

NOTICE

I, Doug Shave, Minister for Fair Trading, acting pursuant to section 3(2) of the Sunday Entertainments Act 1979 do hereby declare that the provisions of section 3(1) of the Act shall not apply to or in relation to any person involved in operating the Ravenswood International Raceway at Old Mandurah Road, Ravenswood, between 4.00 pm and 12.00 midnight on Good Friday, 10 April 1998.

DOUG SHAVE, Minister for Lands; Fair Trading;
Parliamentary and Electoral Affairs.

MAIN ROADS

MA101

CORRECTION

File No. MRWA 42-43-H

LAND ACQUISITION AND PUBLIC WORKS ACT 1902

NOTICE OF INTENTION TO TAKE OR RESUME LAND

An error occurred in the notice published under the above heading in the *Government Gazette* No. 62 dated Thursday, 24 April 1997 on page 2074.

In the third item under the heading "Occupier or Reputed Occupier" delete "M. R. Gillingham" and insert "Commissioner of Main Roads vide Caveat G331261".

In the fourth item, delete all details.

D. R. WARNER, Director Corporate Services.

PLANNING

PD401*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF BAYSWATER

TOWN PLANNING SCHEME NO 21—AMENDMENT NO 64

Ref: 853/2/14/25 Pt 64

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Bayswater Town Planning Scheme Amendment on May 12, 1997 for the purpose of rezoning Lot 18 McWhae Gardens, Bayswater from "Special Purpose—Aged Persons Accommodation (R30)" to "Residential R20".

J. D'ORAZIO, Mayor.
M. J. CAROSELLA, Chief Executive Officer.

PD402

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
CITY OF COCKBURN
DISTRICT ZONING SCHEME NO 2—AMENDMENT NO 128

Ref: 853/2/23/19 Pt 128

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Cockburn Town Planning Scheme Amendment on May 12, 1997 for the purpose of:

1. amending the "Fourth Schedule—Car Parking Requirements" by deleting Day Care from 'Day Care, Kindergarten and Pre-Schools—10', and including it as 'Child Care Centre—one (1) per 10 children and one (1) per staff member, with a minimum of 10 carbays';
2. adding Clause 5.11 to the Scheme Text:
"5.11 Child Care Centres
5.11.1 For the development of Child Care Centres the minimum lot size shall be 1,250 sq.m";
3. adding Child Care Centre as a Use Class in the "First Schedule—Zoning Table" under Commercial uses, to be classified as a permitted use (P) in the Commercial Zone, a discretionary use (SA) in the Residential Zone, and a prohibited use (X) in all other zones;
4. adding the definition of Child Care Centre to the "Seventh Schedule—Interpretations";
"Child Care Centre: refers to a service for the casual or day to day care of pre-school age children, provided in a building specifically built or modified for that purpose in accordance with the Community Services (Child Care) Regulations 1988."

R. A. LEES, Mayor.
R. W. BROWN, Chief Executive Officer.

PD403

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
CITY OF ROCKINGHAM
TOWN PLANNING SCHEME NO 1—AMENDMENT NO 263

Ref: 853/2/28/1 Pt 263

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Rockingham Town Planning Scheme Amendment on May 12, 1997 for the purpose of:

- (i) Inserting after Clause 5.25(b) of the Scheme Text, the following:

"5.25(c) Development Zone—Warnbro Dunes

Development of land for the purposes of Special Residential within the Warnbro Dunes Estate shall be in accordance with the provisions of the Scheme and Table VIII—Warnbro Dunes Special Residential Precinct; and

- (ii) Inserting in Appendix A of the Scheme, the new Table X as set out below:

Table X—Warnbro Dunes Special Residential Precinct

Column (a) Locality	Column (b) Provisions
Lots 1-128 of Part Lot 7 of Cockburn Sound Location 16, Fendam Street & Herlihy Way, Warnbro	The following provisions shall apply to the land referred to in Column (a): <ol style="list-style-type: none"> 1. Council will generally not recommend approval to further subdivision of the land. 2. In addition to a Building Licence, Council's prior approval to commence development shall be required and such application shall be made on a MRS Form 1 Application for Approval to Commence Development. 3. (a) Only a single dwelling may be erected on the lot with its usual conveniences. A caretakers residence may be constructed within the single dwelling where it can be demonstrated that there is a requirement for such a facility. (b) No building on the lot is to be used for any purposes other than that of a single dwelling. 4. Notwithstanding the provisions of the Australian Building Codes, all buildings shall be constructed within the area shown on the comprehensive plan of development and subdivision plan as the 'Building Envelope'.

Column (a) Locality	Column (b) Provisions
	<p>5. The location of Building Envelopes may be altered by the Council if:</p> <ul style="list-style-type: none"> (a) it receives advice from a qualified environmental consultant that the variation will result in an environmental benefit; and (b) only after consultation with the owners of affected or adjoining properties.
	6. Fencing shall only be erected on the boundary of the Building Envelope, not the property boundary.
	7. Earthworks shall not take place outside the Building Envelope unless to comply with clause 8 or for the purpose referred to in clause 9(b) of this Table.
	8. Firebreaks shall be maintained in accordance with the By-Laws of the Council and the Bush Fires Act 1954.
	9. Clearing of any natural vegetation outside the Building Envelope is prohibited except:
	<ul style="list-style-type: none"> (a) for the purposes of complying with the Bush Fires Act 1954; (b) to construct a vehicle accessway which has received the prior written approval of the Council; and (c) if required to provide a 3 metre wide planting strip of fire retardant vegetation.
	10. No person shall drive a vehicle on that part of the lot outside the Building Envelope in such a way as to cause or be likely to cause damage to vegetation or soil erosion.
	11. The grazing of animals is prohibited.
	12. Every dwelling shall have connected to it a nutrient-fixing effluent disposal system that:
	<ul style="list-style-type: none"> (a) has a vertical separation of 2 or more metres between the base of the leach drain or soak well and the highest recorded groundwater level; and (b) has been approved in writing by the Council.
	13. Any garage, carport or outbuilding constructed on the lot shall be of the same materials as the dwelling building except if the garage, carport or outbuilding is screened from the view of all roads, public accessways or designated areas of public open space.
	14. No natural vegetation within the Building Envelope shall be cleared unless all reasonable measures are immediately taken to prevent soil erosion.
	15. No flammable material, including flammable vegetation, shall be permitted to remain within a distance of 3 metres from the external wall of any habitable building on the lot.
	16. In considering applications for the construction of a building on a lot, Council shall have regard to the following objectives:
	<ul style="list-style-type: none"> (a) the need to prevent the importation of an excessive amount of fill that would raise a building envelope to an artificially high level; and (b) the need to seek a balance between cutting and filling in attaining the proposed finished levels of the property,
	17. (1) If, in the opinion of the Council:
	<ul style="list-style-type: none"> (a) a condition of planning approval is not being, or has not been, complied with; or (b) development is being or has been carried out in contravention of the Scheme or other than in accordance with the approved plans, <p>then the Council shall give to the owner and occupier of the relevant land or building a notice in writing requiring the owner and occupier, or both, to comply with the condition, the Scheme or the approved plans, as the case may be, within a specified period as determined by the Council.</p>

Column (a) Locality	Column (b) Provisions
	(2) If the notice under subclause (1) is not complied with, an officer of the Council, authorised by the Council for that purpose, may lawfully enter the land to carry out any works necessary to comply with the notice.
	(3) The Council may recover any expenses incurred under subclause (2) in any manner in which it is from time to time entitled to recover rates levied by it under the Local Government Act 1995.

F. W. GARDINER, Mayor.
G. G. HOLLAND, Chief Executive Officer.

PD404

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
CITY OF ROCKINGHAM
TOWN PLANNING SCHEME NO 1—AMENDMENT NO 273

Ref: 853/2/28/1 Pt 273

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Rockingham Town Planning Scheme Amendment on May 12, 1997 for the purpose of:

1. Amending the Scheme Map by rezoning Pt. Lot 12 Mandurah Road, Karnup from "Rural" to "Special Rural" as depicted on the Scheme Amendment Map.
2. Inserting the following particulars within Table IV of the Scheme Text:

Amendment 273 Area

Column (a) Locality	Column (b) Provisions
Pt. Lot 12 Mandurah Road, Karnup.	<p>The following provisions shall apply specifically to the Special Rural Zone Area referred to in column (a):</p> <ol style="list-style-type: none"> 1. Subdivision shall be generally in accordance with the Subdivision Guide Plan certified by the Chief Executive Officer as the subdivision plan relating to the areas as described in Column (a) and shall form part of the Scheme. 2. The Council will not recommend a lot size less than one hectare. 3. (a) The following uses are permitted 'P' within the Special Rural Zone as described in Column (a): <ul style="list-style-type: none"> • Single House/Dwelling (b) The following uses are not permitted within the Special Rural Zone as described in Column (a) unless approval is granted by the Council 'AA': <ul style="list-style-type: none"> • Agriculture • Home Occupation • Industry—Rural • Stables • Veterinary Hospital (c) All other uses are not permitted. 4. The symbols used in Provision 3 (a) and (b) above (ie 'P' & 'AA') shall have the same meaning as those set out in Clause 3.4 of the Scheme Text. 5. Within the estate land uses other than a single residence, that are permitted or may be permitted by Council pursuant to the Scheme shall only be permitted when the Council is satisfied that the land use does not involve excessive nutrient application or the clearing of the land. 6. With the intention of preserving the existing natural vegetation and mature trees and preventing land use practices detrimental to the amenity of the locality, the approval of the Council is required for any intensive agricultural pursuit. The Council will have regard to limits

Column (a) Locality

Column (b) Provisions

- on stocking, the limited groundwater resources, tree and vegetation preservation and the effects on the environment of the locality and residents of the estate when considering the application and may, should approval be granted, impose any conditions as practical and may modify or vary such conditions to take account of seasonal changes.
7. On-site effluent disposal systems servicing development on the lots shall be to the satisfaction of the Local Authority. In the event that a nutrient fixing effluent disposal system is not required, every dwelling shall have connected to it an effluent disposal system that:
 - (a) has a vertical separation of 2 or more metres between the base of the effluent disposal system or the irrigation area and the highest recorded groundwater level; and
 - (b) has at least a 100 metre horizontal separation between the effluent disposal system and the existing drains, water courses and water bodies; and
 - (c) has been approved in writing by Council.
 8. The land is situated within the Stakehill Groundwater Area and a well license for a bore must be obtained from the Water Corporation.
The siting of bores shall be to the requirements of the Water Corporation having regard to the location of any effluent disposal system, water bodies, drains and neighbouring bores.
 9. Stormwater drainage shall be contained on-site to the satisfaction and specifications of the Water and Rivers Commission and the Council. The developer of the estate shall obtain the approval of the Water and Rivers Commission and the Council for drainage proposals prior to commencement of site works.
 10. No indigenous vegetation and trees shall be destroyed or cleared unless the developer of the estate or landowner obtains the prior consent in writing of the Council, where such vegetation and trees are dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence and/or house driveway(s).
 11. The keeping of horses, sheep, goats and other grazing animals shall be subject to the prior approval of Council. Approval to keep animals shall not exceed the stocking rates recommended by Agriculture, Western Australia for the applicable pasture types.
Council may approve the grazing of animals provided that Council is satisfied that nutrient input to the land can be controlled and that such will not result in the removal or damage of the vegetation and trees or result in soil erosion and dust pollution. As a condition of approval Council may require the animals to be stabled or corralled.
Where in the opinion of Council the continued presence of animals on any portion of land in the estate is likely to contribute, or is contributing to dust pollution or soil erosion, notice may be served on the owner of the said land, requiring the immediate removal of the animals specified in the notice for a period specified in the notice.
 12. All development, including the clearing of land, shall be setback 40 metres from Mandurah Road, 30 metres from other subdivisional roads and 10 metres from other boundaries.
 13. The developer of the Special Rural areas as defined in Column (a) shall maintain the trees and shrubs planted within the Strategic Revegetation Area depicted on the relevant Subdivision Guide Plan, and vegetation to be retained on each lot, to the satisfaction of Council until the land as a whole or in lots is sold. Thereafter the new landowner(s) shall be responsible for the maintenance and the replacement (where necessary) of those plants and shrubs planted by the developer and vegetation retained on each lot to the satisfaction of Council.

Column (a) Locality	Column (b) Provisions
	14. The developer of the Special Rural areas in Column (a) shall notify any prospective purchaser of the requirement for the continued maintenance of the Strategic Revegetation Areas.
	15. Firebreaks shall be constructed and maintained to the satisfaction of the Bushfires Board of Western Australia and the Council.
	16. The subdivider shall make arrangements satisfactory to Council to ensure that prospective purchasers of the lots created will be advised of those provisions of the Local Authority's Town Planning Scheme which relate to the use, development and the management of the land.
	17. Only one dwelling shall be constructed on any lot.
	18. All fencing shall be in accordance with Councils fencing bylaws.

F. W. GARDINER, Mayor.
G. G. HOLLAND, Chief Executive Officer.

PD405*

TOWN PLANNING AND DEVELOPMENT ACT 1928
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
SHIRE OF HARVEY
TOWN PLANNING SCHEME NO 1—AMENDMENT NO 14

Ref: 853/6/12/18 Pt 14

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

- (i) Rezoning portion of Wellington Location 1, Pt Lot 9 Waterloo Road, Roelands from 'Intensive Farming' and 'Place of Landscape Value' to 'Special Residential' and 'Public Purposes (Public Utilities) Reserve';
- (ii) Including portion of Wellington Location 1, Pt Lot 9 Waterloo Road, Roelands in Schedule 3 to the Scheme Text, 'Additional Requirements—Special Residential Zone', under Area 8, Waterloo Road, Roelands;
- (iii) Rezoning Lot 8 corner of Waterloo and Government Roads, Roelands from 'Intensive Farming—Place of Landscape Value' to 'Residential'.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Uduc Road, Harvey 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 July 1, 1997.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before July 1, 1997.

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

K. J. LEECE, Shire Clerk.

PUBLIC NOTICES

ZZ101**PUBLIC TRUSTEE ACT 1941**

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

Dated at Perth the 13th day of May 1997.

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

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

Guttridge, Kenneth Charles; Cannington; 2nd January 1997; 21st March 1997.

Formby, Jean Catherine; Inglewood; 26th January 1997; 21st March 1997.

Enriquez, Antonio; Claremont; 19th February 1997; 26th March 1997.

Sensini, Gerardo; Joondalup; 11th February 1997; 26th March 1997.

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