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# — PART 1 —

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## CONSUMER AND EMPLOYMENT PROTECTION

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CE301\*

Construction Industry Portable Paid Long Service Leave Act 1985

### Construction Industry Portable Paid Long Service Leave Amendment Regulations 2005

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Construction Industry Portable Paid Long Service Leave Amendment Regulations 2005*.

**2. The regulations amended**

The amendment in these regulations is to the *Construction Industry Portable Paid Long Service Leave Regulations 1986\**.

[\* *Reprint 2 as at 3 January 2003.*

*For amendments to 10 June 2005 see Western Australian Legislation Information Tables for 2004, Table 4, p. 60.]*

**3. Regulation 5A amended**

Regulation 5A is amended after paragraph (iia) by inserting the following paragraph —

“

- (iib) the *Construction Industry Long Service Leave and Benefits Act 2005* (Northern Territory);

”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

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**JUSTICE**

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JU301\*

Magistrates Court Act 2004

**Magistrates Court (General) Amendment  
Rules 2005**

Made by the Magistrates Court.

**1. Citation**

These rules are the *Magistrates Court (General) Amendment Rules 2005*.

**2. The rules amended**

The amendments in these rules are to the *Magistrates Court (General) Rules 2005\**.

[\* Published in Gazette 28 April 2005, p. 1605-49.]

**3. Rule 13 amended**

Rule 13(6) is amended by deleting “is the person”.

**4. Part 9 inserted**

After Part 8 the following Part is inserted —

“

**Part 9 — Miscellaneous****56. Title and address**

In court and in relation to court proceedings, a magistrate is entitled —

- (a) to be addressed as “Your Honour”; and
- (b) to be referred to as “His Honour” or “Her Honour”.

”.

Dated: 30th June 2005.

STEVEN HEATH  
Chief Magistrate

E. WOODS  
Deputy Chief Magistrate

P. G. COCKRAM  
Magistrate

G. CICCHINI  
Magistrate

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## LOCAL GOVERNMENT

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LG301\*

### LOCAL GOVERNMENT ACT 1995

*Shire of Esperance*

#### PARKING AND PARKING FACILITIES AMENDMENT LOCAL LAW 2005

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Esperance resolved on 28 June 2005 to make the following amendments to the Parking and Parking Facilities Local Law as gazetted on 21 June 2002.

#### 1. Citation

This Local Law may be cited as the *Parking and Parking Facilities Amendment Local Law 2005*.

#### 2. The Local Law amended

These amendments are to the Parking and Parking Facilities Local Law\*.

[\* Published in the *Government Gazette* on 21 June 2002, pages 2925 to 2927]

#### 3. Clause 2.3 amended

Clause 2.3 is amended by deleting subclause (3) and inserting instead—

“(3) Notwithstanding the provisions of subclause 1(b)—

- (a) a driver may park a vehicle in a parking stall or station (except in a parking area for people with disabilities) for twice the length of time allowed, provided that—
  - (i) the driver's vehicle displays an ACROD sticker; and
  - (ii) a person with disabilities to which that ACROD sticker relates is either the driver of or a passenger in the vehicle;
- (b) a person may park a motorcycle in a parking stall set apart for other vehicles, other than a parking stall set apart for buses, commercial vehicles and taxis.”.

#### 4. Clause 3.1 amended

Clause 3.1 is amended by inserting the following subclause after subclause (5)—

“(6) Notwithstanding the provisions of subclauses (1)(a), (3)(b) and (4) a person may park a motorcycle in a parking stall set apart for other vehicles, other than a parking stall set apart for buses, commercial vehicles and taxis.”.

#### 5. Clause 7.3 amended

Clause 7.3 is amended by deleting the first word “An” and inserting instead the words—

“Except as provided in clauses 2.3(3)(b) and 3.1(6), an”.

The common seal of the SHIRE OF ESPERANCE was affixed by authority of a resolution of the Council in the presence of—

I. S. MICKEL (JP), Shire President.  
M. ARCHER, Chief Executive Officer.

Date: 29th June 2005.

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**POLICE**

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PO301\*

Public Order in Streets Act 1984

**Public Order in Streets (Authorised Officers)  
Determination 2005**

Made by the Commissioner of Police under section 6 of the Act.

**1. Citation**

This determination is the *Public Order in Streets (Authorised Officers) Determination 2005*.

**2. Revocation**

The *Public Meetings and Processions (Authorised Officers) Determination 2004* is revoked.

**3. Delegation**

For the purposes of section 6 of the Act, the Commissioner delegates the duties imposed and the powers conferred upon the Commissioner to a person holding a position specified in Schedule 1 Column 1 in relation to the part of the State referred to in Schedule 1 Column 2 corresponding to that position.

**Schedule 1 — Delegates under section 6 of the Act**

[cl. 3]

**Table**

<b>Column 1</b>	<b>Column 2</b>
Deputy Commissioner	The whole of the State.
Assistant Commissioner (Traffic Operations and Support)	The whole of the State.
Divisional Superintendent (Traffic Support)	The whole of the State.
Inspector Support Operations (Traffic Support)	The whole of the State.
Inspector Traffic Services (Traffic Support)	The whole of the State.
Superintendent and Inspector Kimberley District	The area consisting of the local government districts of Broome, Derby-West Kimberley, Halls Creek, Wyndham-East Kimberley, and all islands adjacent to those districts.

Column 1	Column 2
Superintendent and Inspector Pilbara District	<p>The area consisting of all the land bounded by a line starting from a point on the seashore where the northern boundary of East Pilbara local government district meets the seashore and extending —</p> <ul style="list-style-type: none"> <li>• generally easterly, southerly and easterly along that boundary to its intersection with the Western Australia/Northern Territory Border;</li> <li>• then south along that border to the intersection of the northern boundary of Ngaanyatjaraku local government district;</li> <li>• then west along that boundary to its intersection with the northern boundary of Wiluna local government district;</li> <li>• then west, south and west along that boundary to its intersection with the eastern boundary of the Meekatharra local government district;</li> <li>• then generally south-westerly along that boundary to its intersection with the northern boundary of Marymia pastoral lease;</li> <li>• then west, south and west along that boundary to its intersection with the northern boundary of Three Rivers pastoral lease;</li> <li>• then west along that boundary to its intersection with the northern boundary of an unnamed area;</li> <li>• then west along that boundary to its intersection with the eastern boundary of Mingah Springs pastoral lease;</li> <li>• then north and westerly along that boundary to its intersection with the eastern boundary of Mulgul pastoral lease;</li> <li>• then north, west and north along that boundary to its intersection with the western boundary of Tangadee pastoral lease;</li> <li>• then north along that boundary to its intersection with the southern boundary of Mt Vernon pastoral lease;</li> </ul>

Column 1	Column 2
Superintendent and Inspector Mid West Gascoyne District	<ul style="list-style-type: none"> <li>• then generally north-westerly and westerly along that boundary to its intersection with the eastern boundary of Upper Gascoyne local government district;</li> <li>• then generally westerly along that boundary to the eastern boundary of Carnarvon local government district;</li> <li>• then generally north-westerly, westerly and northerly along that boundary to the southern boundary of Marrilla pastoral lease;</li> <li>• then west along that boundary to its intersection with the western boundary of Winning pastoral lease;</li> <li>• then south along that boundary to its intersection with the northern boundary of Mia Mia pastoral lease;</li> <li>• then west, south and west along that boundary to its intersection with the eastern boundary of Warroora pastoral lease;</li> <li>• then generally northerly and west along that boundary to its intersection with the seashore;</li> <li>• then generally northerly and north-easterly along the seashore to the starting point,</li> </ul> <p>and all islands adjacent to that land.</p>
	<p>The area consisting of all the land bounded by a line from a point on the seashore where the southern boundary of Cardabia pastoral lease meets the seashore and extending —</p> <ul style="list-style-type: none"> <li>• east and south along that boundary to its intersection with the northern boundary of Mia Mia pastoral lease;</li> <li>• then west, north and west along that boundary to its intersection with the western boundary of Winning pastoral lease;</li> <li>• then north along that boundary to its intersection with the southern boundary of Marrilla pastoral lease;</li> </ul>



Column 1	Column 2
	<ul style="list-style-type: none"> <li>• then east along that boundary to its intersection with the eastern boundary of Carnarvon local government district;</li> <li>• then generally southerly and easterly along that boundary to its intersection with the northern boundary of Upper Gascoyne local government district;</li> <li>• then generally easterly along that boundary to its intersection with the western boundary of Meekatharra local government district;</li> <li>• then south, east and south along that boundary to its intersection with the most southern boundary of Mt Vernon pastoral lease;</li> <li>• then generally easterly and south-easterly along that boundary to its intersection with the western boundary of Tangadee pastoral lease;</li> <li>• then south along that boundary to its intersection with the eastern boundary of Mulgul pastoral lease;</li> <li>• then south, east and south along that boundary to its intersection with the northern boundary of Mingah Springs pastoral lease;</li> <li>• then easterly and southerly along that boundary to its intersection with the northern boundary of an unnamed area;</li> <li>• then east along that boundary to its intersection with the northern boundary of Three Rivers pastoral lease;</li> <li>• then east along that boundary to its intersection with the northern boundary of Marymia pastoral lease;</li> <li>• then east, north and east along that boundary to its intersection with the eastern boundary of Meekatharra local government district;</li> <li>• then generally north-easterly along that boundary to its intersection with the northern boundary of Wiluna local government district;</li> </ul>

Column 1	Column 2
Superintendent and Inspector Goldfields Esperance District	<ul style="list-style-type: none"> <li>• then east, north and east along that boundary to the western boundary of Ngaanyatjaraku local government district;</li> <li>• then south along that boundary to the northern boundary of Laverton local government district;</li> <li>• then generally west and southerly along that boundary to the northern boundary of Leonora local government district;</li> <li>• then west along that boundary to the eastern boundary of Sandstone local government district;</li> <li>• then generally southerly and south-westerly along that boundary to its intersection with the northern boundary of Mt Marshall local government district;</li> <li>• then generally westerly and south-westerly along that boundary to its intersection with the northern boundary of Dalwallinu local government district;</li> <li>• then generally westerly, southerly and westerly along that boundary to its intersection with the eastern boundary of Coorow local government district;</li> <li>• then generally southerly and westerly along that boundary to its intersection with the seashore;</li> <li>• then generally northerly along the seashore to the starting point, and all islands adjacent to that land.</li> </ul> <p>The area consisting of the local government districts of Coolgardie, Dundas, Esperance, Kalgoorlie-Boulder, Laverton, Leonora, Menzies, Ngaanyatjaraku, Ravensthorpe, Yilgarn, and all islands adjacent to those districts.</p>
Superintendent and Inspector Wheatbelt District	<p>The area consisting of the local government districts of Beverley, Bruce Rock, Chittering, Cunderdin, Dalwalinu, Dandaragan, Dowerin, Gingin, Goomalling, Kellerberrin, Koorda, Merredin, Moora,</p>

Column 1	Column 2
Superintendent and Inspector Great Southern District	<p>Mt Marshall, Mukinbudin, Northam Town, Northam Shire, Nungarin, Quairading, Tammin, Toodyay, Trayning, Victoria Plains, Westonia, Wongan Balidu, Wyalkatchem, York, and all islands adjacent to those districts.</p> <p>The area consisting of —</p> <ul style="list-style-type: none"> <li>the local government districts of Albany, Brookton, Broomehill, Corrigin, Cranbrook, Cuballing, Denmark, Dumbleyung, Gnowangerup, Jerramungup, Katanning, Kent, Kojonup, Kondinin, Kulin, Lake Grace, Narembeen, Narrogin Town, Narrogin Shire, Plantagenet, Tambellup, Wagin, Wandering, West Arthur, Wickepin, Williams, Woodanilling, and all islands adjacent to those districts; and</li> <li>the localities of Walpole, Walpole West and North Walpole in the Manjimup local government district, and all islands adjacent to those localities.</li> </ul>
Superintendent and Inspector Peel District	<p>The area consisting of the local government districts of Boddington, Mandurah, Murray, Serpentine-Jarrahdale, Waroona, and all islands adjacent to those districts.</p>
Superintendent and Inspector South West District	<p>The area consisting of —</p> <ul style="list-style-type: none"> <li>the local government districts of Augusta-Margaret River, Boyup Brook, Bridgetown-Greenbushes, Bunbury, Busselton, Capel, Collie, Dardanup, Donnybrook-Balingup, Harvey, Nannup; and</li> <li>the local government district of Manjimup, excluding the localities of Walpole, Walpole West and North Walpole,</li> </ul> <p>and all islands adjacent to those districts.</p>
Superintendent and Inspector Central Metropolitan District	<p>The area consisting of all the land bounded by a line starting from a point on the seashore where the southern boundary of Scarborough</p>

Column 1	Column 2
	<p>locality intersects the seashore and extending —</p> <ul style="list-style-type: none"> <li>generally easterly along that boundary to its intersection with the western boundary of Wembley Downs locality;</li> <li>then generally southerly, easterly and south-easterly along that boundary to its intersection with the northern boundary of Floreat locality;</li> <li>then generally south-easterly and northerly along that boundary to its intersection with the southern boundary of Churchlands locality;</li> <li>then east, south-east and east along that boundary to its intersection with the western boundary of Wembley locality;</li> <li>then north, east and north-easterly along that boundary to its intersection with the southern boundary of Glendalough locality;</li> <li>then generally east, north and easterly along that boundary to its intersection with the western boundary of Mt Hawthorn locality;</li> <li>then generally northerly along that boundary and easterly along the northern boundary of Mt Hawthorn locality to its intersection with the northern boundary of North Perth locality;</li> <li>then generally easterly and south-easterly along that boundary to its intersection with the western boundary of Mt Lawley locality;</li> <li>then generally southerly, easterly and south-easterly along that boundary to its intersection with the right bank of the Swan River and onwards to the centre of the Swan River;</li> <li>then downstream along the centre of the Swan River, the centre of the south eastern channel adjacent to Heirisson Island and again along the centre of the</li> </ul>

Column 1	Column 2
Superintendent and Inspector North West Metropolitan District	<p>Swan River to a point adjacent to where the northern boundary of North Fremantle locality meets the right bank of the Swan River and onwards to that point;</p> <ul style="list-style-type: none"> <li>• then generally north-westerly and westerly along that boundary to its intersection with the seashore;</li> <li>• then generally northerly along the seashore to the starting point, and all islands adjacent to that land.</li> </ul> <p>The area consisting of the Joondalup and Wanneroo local government districts and all islands adjacent to that land.</p>
Superintendent and Inspector East Metropolitan District	<p>The area consisting of all the land bounded by a line starting from a point where the northern and western boundaries of Swan local government district meet and extending —</p> <ul style="list-style-type: none"> <li>• generally easterly and southerly along the northern boundary to its intersection with the northern boundary of Mundaring local government district;</li> <li>• then generally southerly and westerly along that boundary to its intersection with the eastern boundary of Kalamunda local government district;</li> <li>• then generally southerly and westerly and north-westerly along that boundary to its intersection with the eastern boundary of Welshpool locality;</li> <li>• then northerly along that boundary to its intersection with the eastern boundary of Kewdale locality;</li> <li>• then north-easterly and north-westerly along that boundary to its intersection with the eastern boundary of Perth Airport locality;</li> <li>• then generally north-easterly and north-westerly along that boundary to its intersection with the eastern boundary of Redcliffe locality;</li> <li>• then north-westerly along that boundary and the eastern</li> </ul>

Column 1	Column 2
Superintendent and Inspector West Metropolitan District	<p>boundary of Ascot locality to the intersection of those boundaries with the left bank of the Swan River;</p> <ul style="list-style-type: none"> <li>• then onwards across the river to the centre of the Swan River;</li> <li>• then downstream along the centre of the Swan River to a point adjacent to where the western boundary of Bassendean local government district meets the Swan River and onwards to that point;</li> <li>• then generally north-westerly and northerly along that boundary to its intersection with the western boundary of Swan local government district;</li> <li>• then north and west along that boundary to its intersection with the eastern boundary of Noranda locality;</li> <li>• then northerly and easterly along that boundary to its intersection with the western boundary of Swan local government district;</li> <li>• then generally northerly along that boundary to the starting point.</li> </ul>
	<p>The area consisting of all the land bounded by a line starting from a point on the seashore where the northern boundary of Stirling local government district intersects the seashore and extending —</p> <ul style="list-style-type: none"> <li>• generally easterly along that boundary to its intersection with the eastern boundary of Swan local government district;</li> <li>• then generally southerly along that boundary to its intersection with the northern boundary of Noranda locality;</li> <li>• then generally easterly and southerly along that boundary to its intersection with the northern boundary of Bayswater local government district;</li> <li>• then generally easterly, southerly and south-easterly along that boundary to its intersection with the right bank of the Swan River</li> </ul>

Column 1	Column 2
	<p>and onwards to the centre of the Swan River;</p> <ul style="list-style-type: none"> <li>• then downstream along the centre of the Swan River to a point adjacent to where the southern boundary of Mt Lawley meets the right bank of the Swan River and onwards to that point;</li> <li>• then generally north-westerly along that boundary to its intersection with the eastern boundary of North Perth locality;</li> <li>• then northerly, north-westerly and westerly along that boundary to its intersection with the northern boundary of Mt Hawthorn locality;</li> <li>• then generally westerly and southerly along that boundary to its intersection with the northern boundary of Wembley locality;</li> <li>• then generally westerly and south-westerly along that boundary to its intersection with the eastern boundary of Churchlands locality;</li> <li>• then south along that boundary to its intersection with the northern boundary of Floreat locality;</li> <li>• then west, north-west and west along that boundary to its intersection with the eastern boundary of Wembley Downs locality;</li> <li>• then generally southerly and north-westerly along that boundary to its intersection with the eastern boundary of City Beach locality;</li> <li>• then generally northerly, west and north along that boundary to its intersection with the southern boundary of Scarborough locality;</li> <li>• then west along that boundary to the intersection of that boundary with the seashore;</li> <li>• then generally northerly along the seashore to the starting point,</li> </ul> <p>and all islands adjacent to that land.</p>

Column 1	Column 2
Superintendent and Inspector South East Metropolitan District	<p>The area consisting of all the land bounded by a line starting from a point on the left bank of the Swan River where the eastern boundary of Ascot locality intersects the river and extending —</p> <ul style="list-style-type: none"> <li>• south-easterly along that boundary to its intersection with the eastern boundary of Redcliffe locality;</li> <li>• then south-easterly along that boundary to its intersection with Perth Airport locality;</li> <li>• then generally north-easterly, south-easterly and south-westerly along that boundary to its intersection with the north-eastern boundary of Kewdale locality;</li> <li>• then south-easterly along that boundary to its intersection with the western boundary of Wattle Grove locality;</li> <li>• then south-westerly and south along that boundary to its intersection with the north-eastern boundary of Kenwick;</li> <li>• then generally south-easterly, north-easterly and south-easterly along that boundary to its intersection with the western boundary of Orange Grove locality;</li> <li>• then generally north-easterly and south-easterly along that boundary to its intersection with the northern boundary of Martin locality;</li> <li>• then generally easterly and southerly along that boundary to its intersection with the northern boundary of Armadale local government district;</li> <li>• then generally easterly, southerly, south-easterly, and westerly along that boundary to its intersection with the northern boundary of Serpentine-Jarrahdale local government district;</li> </ul>



Column 1	Column 2
<p>Superintendent and Inspector South Metropolitan District</p>	<ul style="list-style-type: none"> <li>• then generally westerly, south-westerly, westerly, northerly and westerly along that boundary to its intersection with the western boundary of Forrestdale locality;</li> <li>• then north and north-easterly along that boundary to its intersection with the southern boundary of Canning Vale locality;</li> <li>• then generally north-westerly and north-easterly along that boundary to its intersection with the eastern boundary of Leeming locality;</li> <li>• then north-westerly and north-easterly along that boundary to its intersection with the southern boundary of Willetton locality;</li> <li>• then north-westerly and westerly along that boundary to the southern boundary of Rossmoyne locality;</li> <li>• then westerly, south-westerly, westerly and north along that boundary to the left bank of Bull Creek and onwards to the centre of Bull Creek;</li> <li>• then generally northerly along the centre of Bull Creek to where it meets the Canning River and onwards to the centre of Canning River;</li> <li>• then generally northerly along the centre of the Canning River to where Canning River meets the Swan River and onwards to the centre of the Swan River;</li> <li>• then upstream along the centre of the Swan River, the centre of the south-eastern channel adjacent to Heirisson Island and again the centre of the Swan River to a point adjacent to the starting point and onwards to that point.</li> </ul>
	<p>The area consisting of all the land bounded by a line starting from a point on the seashore where the northern boundary of North</p>

Column 1	Column 2
	<p>Fremantle locality intersects the seashore and extending —</p> <ul style="list-style-type: none"> <li>generally easterly and south-easterly along that boundary to its intersection with the right bank of the Swan River and onwards across to the centre of the Swan River;</li> <li>then upstream along the centre of the Swan River to a point adjacent to where the Swan River meets the Canning River and onwards to that point;</li> <li>then upstream along the centre of the Canning River to a point adjacent to where Canning River meets Bull Creek and onwards to the centre of Bull Creek;</li> <li>then generally southerly along the centre of Bull Creek to a point adjacent to the eastern boundary of Brentwood locality;</li> <li>then south to the eastern boundary of Brentwood locality and onwards along that boundary to its intersection with the northern boundary of Bull Creek locality;</li> <li>then easterly, north-easterly and east along that boundary to its intersection with the western boundary of Willetton locality;</li> <li>then southerly along that boundary to its intersection with the northern boundary of Leeming locality;</li> <li>then generally easterly and south-easterly along that boundary to its intersection with the eastern boundary of Cockburn local government district;</li> <li>then generally south-easterly, south-westerly and southerly along that boundary to its intersection with the eastern boundary of Kwinana local government district;</li> <li>then generally southerly along that boundary to its intersection with the eastern boundary of the Rockingham local government district;</li> </ul>

Column 1	Column 2
	<ul style="list-style-type: none"><li>• then generally southerly and westerly along that boundary to its intersection with the seashore;</li><li>• then generally northerly along the seashore to the starting point, and all islands adjacent to that land.</li></ul>

KARL J. O'CALLAGHAN APM, Commissioner of Police.

Date: 27th June 2005.

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## PREMIER AND CABINET

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PC301\*

Supreme Court Act 1935

### Acting Attorney General Designation Order 2005

Made by the Governor in Executive Council.

**1. Citation**

This order is the *Acting Attorney General Designation Order 2005*.

**2. Minister designated**

Under the *Supreme Court Act 1935* section 154, the Honourable Robert Charles Kucera, the Minister for Disability Services; Sport and Recreation; Citizenship and Multicultural Interests; Seniors, is designated as the Minister of the State —

- (a) who may exercise the powers referred to in section 154(3) of that Act; and
- (b) by, to or with reference to whom acts may be done under section 154(4) of that Act,

during the period 23 July to 7 August 2005 (both dates inclusive).

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

## — PART 2 —

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### CONSUMER AND EMPLOYMENT PROTECTION

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CE401

#### CHARITABLE COLLECTIONS ACT 1946

##### REVOCATION OF LICENCES

I, John Kobelke being the Minister administering the *Charitable Collections Act 1946*, acting in the exercise of the powers conferred by subsection (3) of section 12 of that Act, hereby give notice that I have revoked the licence of the organisation listed below—

- TEACH FOUNDATION LIMITED

Dated this 29th day of June 2005.

JOHN KOBELKE MLA, Minister for Consumer and  
Employment Protection.

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### CONSERVATION

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CO401\*

#### CONSERVATION AND LAND MANAGEMENT ACT 1984

##### *Canning River Regional Park*

##### PROPOSED AMENDMENT TO MANAGEMENT PLAN 1997-2007

The Conservation Commission of Western Australia advises that an amendment is proposed to the Canning River Regional Park Management Plan. The amendment is reflective of the increased recreational use of the area and will enable the Department of Conservation and Land Management to construct a higher grade path (Dual Use Path), should the need arise, in the following areas—

- Riverton Bridge, along the existing firebreak, to the end of Watts Road, Wilson.
- East end of Surrey Road, along the park boundary and existing firebreaks, to the end of Canning River Gardens, Wilson.

This proposal is open for public comment. The closing date for submissions is 23 September 2005.

A copy of the proposed amendment (including Recreation Master Plan and proposal details) for the Canning River Regional Park Management Plan (1997-2007) may be obtained from—

Department of Conservation and Land Management, Regional Parks Unit, Level 1, 4-6 Short Street, Fremantle WA 6959 (Ph: 9431 6500)

Department of Conservation and Land Management NatureBase webpage:  
<http://www.naturebase.net/haveyoursay>

Submissions should be directed to the Executive Director, Att: Regional Parks Unit Coordinator, Department of Conservation and Land Management, PO Box 1535, Fremantle WA 6959.

KEIRAN McNAMARA, Executive Director,  
Department of Conservation and Land Management.

JOHN BAILEY, Chairman,  
Conservation Commission of Western Australia.

## EDUCATION AND TRAINING

ED401\*

### SCHOOL EDUCATION ACT 1999 REGISTERED NON-GOVERNMENT SCHOOLS—2005

Department of Education Services,  
Office of Non-Government and International Education.

The following lists of schools approved for the current year are published in accordance with Sections 156 and 169 of the School Education Act 1999—

K indicates that the school is registered to provide education for students in their pre-compulsory education period (Kindergarten level).

PP indicates that the school is registered to provide education for students in their pre-compulsory education period (Pre-Primary level).

P indicates that the school is registered to provide education for students in their compulsory education period (Primary level).

LS indicates that the school is registered to provide education for students in their compulsory education period (Lower Secondary level).

US indicates that the school is registered to provide education for students in their post-compulsory education period (Upper Secondary level).

Education Level/s			School Name		Location	
Catholic Education Office of WA System Schools						
		P	LS	US	Aquinas College	Manning
			LS	US	Aranmore Catholic College	Leederville
K	PP	P			Aranmore Catholic Primary School	Leederville
K	PP	P			Assumption Catholic Primary School	Mandurah
K	PP	P			Banksia Grove Catholic Primary School	Banksia Grove
K	PP	P			Birlirr Ngawiyiwu Catholic School	Via Halls Creek
K	PP	P			Brighton Catholic Primary School	Butler
			LS	US	Bunbury Catholic College	Bunbury
			LS	US	Catholic Agricultural College	Bindoon
			LS	US	Chisholm Catholic College	Bedford
K	PP	P			Christ The King School	Beaconsfield
			LS		Christian Brothers Agricultural School	Tardun
			LS	US	Christian Brothers College	Fremantle
			LS	US	Clontarf Aboriginal College	Bentley
			LS	US	Corpus Christi College	Bateman
K	PP	P			Currambine Catholic Primary School	Currambine
K	PP	P			Dawesville Catholic Primary School	Coodanup
	PP	P	LS		Djarindjin Lombadina Catholic School	Lombadina
			LS	US	Emmanuel Catholic College	Yangebup
K	PP	P			Good Shepherd Catholic School	Lockridge
K	PP	P			Good Shepherd School	Kelmscott
K	PP	P			Holy Name School	Carlisle
K	PP	P			Holy Rosary School	Derby
K	PP	P			Holy Rosary School	Doubleview
K	PP	P			Holy Spirit School	City Beach
K	PP	P			Infant Jesus School	Morley
			LS	US	Iona Presentation College	Mosman Park
K	PP	P			Iona Primary School	Mosman Park
			LS	US	Irene McCormack Catholic College	Butler
			LS	US	John Paul College	Kalgoorlie
K	PP	P	LS		John Pujajangka Piyirn School	Lake Gregory Station
K	PP	P	LS	US	John XXIII College	Claremont
K	PP	P	LS	US	Kearnan College	Manjimup
			LS	US	Kolbe Catholic College	Rockingham

Education Level/s				School Name		Location
K	PP	P	LS		Kururrungku Catholic Education Centre	Via Halls Creek
			LS	US	La Salle College	Viveash
K	PP	P			Leschenault Catholic Primary School	Australind
K	PP	P			Liwara Catholic Primary School	Greenwood
K	PP	P			Loreto Primary School	Nedlands
			LS	US	Lumen Christi College	Gosnells
K	PP	P	LS		Luurnpa Catholic School	Via Halls Creek
			LS	US	Mackillop Catholic College	Bussetton
K	PP	P			Majella Catholic Primary School	Balga
K	PP	P	LS	US	Mandurah Catholic College	Coodanup
K	PP	P			Mary Mackillop Catholic Community School	Ballajura
K	PP	P			Marys Mount Primary School	Gooseberry Hill
K	PP	P			Mater Christi Catholic Primary School	Yangebup
			LS	US	Mater Dei College	Edgewater
K	PP	P			Matthew Gibney Catholic Primary School	High Wycombe
			LS	US	Mazenod College	Lesmurdie
K	PP	P			Mel Maria Catholic Primary School	Attadale
			LS	US	Mercedes College	Perth
K	PP	P	LS	US	Mercy College	Koondoola
			LS	US	Nagle Catholic College	Geraldton
K	PP	P	LS	US	Newman College	Churchlands
K	PP	P	LS		Ngalangangpum School	Via Kununurra
K	PP	P			Notre Dame School	Cloverdale
K	PP	P			Orana Catholic School	Willetton
K	PP	P			Our Lady of Fatima School	Palmyra
K	PP	P			Our Lady of Good Counsel School	Karrinyup
K	PP	P			Our Lady of Grace School	North Beach
K	PP	P			Our Lady of Lourdes School	Dardanup
K	PP	P			Our Lady of Lourdes School	Nollamara
K	PP	P			Our Lady of Mercy Primary School	Girrawheen
K	PP	P			Our Lady of Mount Carmel School	Hilton
K	PP	P			Our Lady of Mount Carmel School	Mullewa
K	PP	P			Our Lady of the Cape Primary School	Dunsborough
K	PP	P			Our Lady Star of the Sea Catholic Primary School	Esperance
K	PP	P			Our Ladys Assumption School	Dianella
K	PP	P			Padbury Catholic Primary School	Padbury
			LS	US	Prendiville Catholic College	Ocean Reef
K	PP	P			Queen of Apostles School	Riverton
K	PP	P			Sacred Heart Catholic School	Goomalling
			LS	US	Sacred Heart College	Sorrento
K	PP	P			Sacred Heart Primary School	Highgate
K	PP	P			Sacred Heart Primary School	Thornlie
K	PP	P	LS		Sacred Heart School	Beagle Bay
K	PP	P			Sacred Heart School	Mundaring
K	PP	P			Santa Clara School	Bentley
			LS	US	Santa Maria College	Attadale
			LS	US	Servite College	Tuart Hill
			LS	US	Seton Catholic College	Samson
K	PP	P			St Andrews Catholic Primary School	Clarkson
K	PP	P			St Annes School	Harvey
K	PP	P			St Anthonys School	Greenmount

Education Level/s			School Name		Location	
K	PP	P			St Anthonys School	Wanneroo
K	PP	P			St Augustines School	Rivervale
K	PP	P			St Benedicts School	Applecross
K	PP	P			St Bernadettes Catholic Primary School	Port Kennedy
K	PP	P			St Bernards School	Kojonup
K	PP	P	LS	US	St Brigids College	Lesmurdie
K	PP	P			St Brigids Primary School	Middle Swan
K	PP	P			St Brigids School	Bridgetown
K	PP	P			St Brigids School	Collie
K	PP	P			St Cecilias Catholic Primary School	Port Hedland
			LS	US	St Clares School	Lathlain
K	PP	P			St Columbas Catholic Primary School	South Perth
K	PP	P			St Columbas Primary School	Bayswater
K	PP	P			St Denis School	Joondanna
K	PP	P			St Dominics School	Innaloo
K	PP	P			St Emilies Catholic Primary School	Canning Vale
K	PP	P			St Francis Xavier Primary School	Geraldton
K	PP	P			St Gerards Primary School	Westminster
K	PP	P			St Helenas Catholic Primary School	Ellenbrook
K	PP	P			St Jeromes School	Munster
K	PP	P			St Johns School	Rangeway
K	PP	P			St Johns School	Scarborough
K	PP	P	LS	US	St Josephs College	Albany
K	PP	P			St Josephs Primary School	Bunbury
K	PP	P			St Josephs School	Boulder
K	PP	P			St Josephs School	Busselton
K	PP	P			St Josephs School	Kununurra
K	PP	P			St Josephs School	Moora
K	PP	P	LS		St Josephs School	Northam
K	PP	P			St Josephs School	Pemberton
K	PP	P			St Josephs School	Pinjarra
K	PP	P			St Josephs School	Queens Park
K	PP	P			St Josephs School	Southern Cross
K	PP	P			St Josephs School	Waroona
K	PP	P			St Josephs School	Wyndham
K	PP	P			St Judes Catholic School	Langford
K	PP	P			St Kieran Catholic Primary School	Tuart Hill
K	PP	P			St Lawrence Primary School	Balcatta
K	PP	P			St Lawrences Primary School	Geraldton
K	PP	P			St Lukes Catholic Primary School	Woodvale
			LS	US	St Lukes College	Karratha
K	PP	P			St Maria Gorettis Catholic School	Redcliffe
K	PP	P	LS		St Mary Star of the Sea Catholic School	Carnarvon
K	PP	P			St Marys Catholic Primary School	Bunbury
K	PP	P			St Marys Catholic School	Boyup Brook
K	PP	P	LS	US	St Marys College	Broome
K	PP	P			St Marys Primary School	Kalgoorlie
K	PP	P			St Marys School	Donnybrook
K	PP	P			St Marys School	Merredin
K	PP	P			St Marys School	Northampton
K	PP	P			St Matthews School	Narrogin
K	PP	P			St Michaels School	Bassendean
K	PP	P			St Michaels School	Brunswick Junction
K	PP	P			St Munchins School	Gosnells
			LS	US	St Norbert College	Queens Park

Education Level/s					School Name	Location
K	PP	P			St Patricks Primary School	Fremantle
	PP	P			St Patricks School	Katanning
K	PP	P			St Pauls Primary School	Karratha
K	PP	P			St Pauls Primary School	Mount Lawley
K	PP	P			St Peters Primary School	Bedford
K	PP	P			St Pius X School	Manning
K	PP	P			St Simon Peter Catholic Primary School	Ocean Reef
K	PP	P			St Thomas More Catholic Primary School	Margaret River
K	PP	P			St Thomas Primary School	Claremont
K	PP	P			St Vincents School	Parmelia
K	PP	P			Star of the Sea School	Rockingham
		P	LS	US	Trinity College	East Perth
K	PP	P	LS	US	Ursula Frayne Catholic College	Victoria Park
K	PP	P			Wanalirri Catholic School	Via Derby
K	PP	P			Warlawurru Catholic School	Via Halls Creek
K	PP	P			Whitford Catholic Primary School	Hillarys
K	PP	P			Xavier Catholic School	Brookdale
K	PP	P			Yidarra Catholic Primary School	Bateman
Non-Systemic Schools						
K	PP	P	LS	US	Aboriginal Community College	Gnangara
				US	Alexander Technology Institute	Perth
K	PP	P			Al-Hidayah Islamic School	Bentley
K	PP	P	LS	US	All Saints College	Bull Creek
K	PP	P	LS	US	Armadale Christian College	Bedforddale
K	PP	P			Armadale Seventh-day Adventist School	Brookdale
K	PP				Association for the Blind Kindergarten	Victoria Park
				US	Australian Institute for University Studies	Joondalup
K	PP	P	LS	US	Australian Islamic College (Kewdale)	Kewdale
K	PP	P	LS		Australian Islamic College (North of the River)	Dianella
K	PP	P	LS		Australian Islamic College (Perth)	Thornlie
K	PP	P	LS	US	Australian School for International Education	Carine
K	PP				Banksia Montessori School	Dianella
K	PP	P			Beechboro Christian School	Beechboro
K	PP	P	LS		Bethel Christian School	Albany
		P	LS	US	Bible Baptist Christian Academy	Mount Helena
K	PP	P			Blue Gum Montessori School	Bibra Lake
K	PP	P			Bold Park Community School	Wembley
K					Borden Kindergarten	Borden
K	PP	P	LS	US	Bunbury Cathedral Grammar School	Gelorup
K	PP	P			Bunbury Community School	Picton
	PP	P			Bunbury John Calvin School	Bunbury
K	PP	P			Byford John Calvin School	Byford
K	PP	P	LS	US	Carey Baptist College	Forrestdale
			LS	US	Carmel Adventist College	Carmel
K	PP	P			Carmel Adventist College Primary School	Bickley
K	PP	P	LS	US	Carmel School	Dianella
K	PP	P			Carnarvon Christian School	Carnarvon
K	PP	P			Casa Mia Montessori Community School	Bassendean



Education Level/s					School Name	Location
K	PP	P			Child Side School	Boyanup
	PP	P	LS	US	Christ Church Grammar School	Claremont
K	PP	P	LS	US	Christian Aboriginal Parent-Directed School	Coolgardie
K	PP	P			Christian Aboriginal Parent-Directed School Kurrawang	Kurrawang
K	PP	P			Chrysalis Montessori School	Glendalough
K					Conon Road Kindergarten	Applecross
K	PP				Coolabaroo Neighbourhood Centre	Thornlie
K	PP	P	LS		Cornerstone Christian College	Busselton
			LS	US	Corridors College	Midland
K	PP	P	LS		Culunga Aboriginal Community School	West Swan
K	PP	P	LS	US	Dale Christian School	Armadale
	PP	P	LS		Divine Mercy College	Yangebup
K	PP	P	LS	US	El Shaddai College	Wellard
K	PP	P	LS		Ellenbrook Christian College	Ellenbrook
K	PP	P			Emmanuel Christian Community School	Girrawheen
K	PP	P			Esperance Christian Primary School	Esperance
K					First Steps Independent Kindergarten	Kardinya
K	PP	P			Forrestfield Christian School	Forrestfield
K	PP	P	LS	US	Foundation Christian College	Mandurah
K	PP	P	LS	US	Frederick Irwin Anglican School	Mandurah
K	PP	P	LS		Georgiana Molloy Anglican School	Busselton
K	PP	P	LS	US	Geraldton Grammar School	Geraldton
K	PP	P			Golden Hill Steiner School	Denmark
K	PP	P	LS		Goldfields Baptist College	O'Connor
K	PP	P	LS	US	Grace Christian School	Glen Iris
K	PP	P	LS	US	Great Southern Grammar	Albany
K	PP	P	LS	US	Guildford Grammar School	Guildford
K	PP	P			Gumnut Montessori School	Claremont
		P	LS	US	Hale School	Wembley Downs
K	PP	P			Helena College Junior School	Darlington
		P	LS	US	Helena College Senior School	Glen Forrest
K					Hensman Street Pre-School	South Perth
	PP	P	LS	US	Hope Christian College	Roelands
		P	LS	US	John Calvin Christian College	Armadale
	PP	P	LS		John Calvin School	Albany
K	PP	P	LS	US	John Septimus Roe Anglican Community School	Mirrabooka
K	PP	P	LS	US	John Wollaston Anglican Community School	Kelmscott
K	PP	P			Kalamunda Christian School	Walliston
		P	LS		Karalundi Aboriginal Education Centre	Via Meekatharra
K	PP	P			Kelmscott John Calvin School	Kelmscott
	PP	P			Kerry Street Community School	Hamilton Hill
		P	LS	US	KIDS Open Learning School	Maylands
K	PP	P	LS	US	Kingsway Christian College	Landsdale
K	PP	P			Kingsway Christian College—Merriwa	Merriwa
K	PP	P	LS	US	Kulkarriya Community School	Noonkanbah Station
K	PP	P			Kwinana Christian School	Calista
	PP	P	LS	US	Lake Joondalup Baptist College	Joondalup
K	PP	P			Lance Holt School	Fremantle
K	PP	P			Landsdale Gardens Christian School	Landsdale

Education Level/s					School Name	Location
K	PP	P	LS		Langford Islamic College	Langford
K	PP	P	LS	US	Living Waters Lutheran College	Warnbro
			LS		Mandurah Baptist College	Lakelands
K	PP	P	LS	US	Maranatha Christian College	Waikiki
K	PP	P			Margaret River Montessori School	Margaret River
K	PP	P	LS	US	Methodist Ladies College	Claremont
K	PP	P			Midland Christian School	Middle Swan
K	PP	P			Moerlina School	Mt Claremont
	PP	P	LS		Mukinbudin Christian Community School	Mukinbudin
K	PP	P	LS		Mundaring Christian College	Mundaring
			LS	US	Murdoch College	Murdoch
K	PP	P	LS	US	Muslim Ladies College of Australia	Kenwick
K	PP	P			New Life College	Hamilton Hill
		P	LS	US	Nollamara Christian Academy	Nollamara
K	PP	P	LS		Nyikina Mangala Community School	via Derby
K	PP	P			Nyindamurra Family School of Creativity	Forest Grove
K	PP	P	LS		Ocean Forest Lutheran College	Dalyellup
K					Ongerup Kindergarten	Ongerup
K	PP	P			Parklands School	Albany
K					Parkwood Kindergarten	Parkwood
K	PP	P	LS		Parnngurr Community School	Via Newman
K	PP	P	LS	US	Penrhos College	Como
K	PP	P	LS	US	Perth College	Mount Lawley
K	PP	P			Perth Montessori School	Burswood
K	PP	P	LS		Perth Waldorf School	Bibra Lake
K	PP	P	LS	US	Peter Moyes Anglican Community School	Mindarie
				US	Phoenix Academy	Fremantle
		P	LS		Phoenix West Vocational College	Geraldton
K	PP	P			Pioneer Village School	Armadale
			LS	US	Port Community High School	Hamilton Hill
	PP	P	LS	US	Presbyterian Ladies College	Peppermint Grove
K	PP	P	LS		Purnululu Aboriginal Community Independent School	Via Kununurra
K	PP	P	LS	US	Quinns Baptist College	Mindarie
K	PP	P	LS	US	Rawa Community School	Via Newman
K	PP	P			Regent College	Victoria Park
K	PP	P	LS	US	Rehoboth Christian School	Kenwick
K	PP	P			Riverlands School	West Swan
K	PP	P			Riverside Community School	Victoria Park
K	PP	P			Rockingham John Calvin School	Baldivis
K	PP	P			Rockingham Montessori School	Rockingham
		P	LS	US	Scotch College	Swanbourne
			LS	US	Somerville Baptist College	Murdoch
K	PP	P	LS	US	Southlands Christian College	Albany
			LS	US	Sowilo Community High School	Cannington
K	PP	P			Spirit of Play Community Early Learning Centre	Denmark
K	PP	P	LS	US	St Andrews Grammar	Dianella
K	PP	P	LS	US	St Hildas Anglican School for Girls	Mosman Park
K	PP	P	LS	US	St Marks Anglican Community School	Hillarys
K	PP	P	LS	US	St Marys Anglican Girls School	Karrinyup
	PP	P	LS	US	St Stephens School	Duncraig
K	PP	P	LS	US	Strathalbyn Christian College	Geraldton

Education Level/s				School Name		Location
	PP	P	LS		Strelley Community School	Via Port Hedland
			LS	US	Swan Christian College	Middle Swan
			LS	US	Taylor's College	O'Connor
K	PP	P			The Beehive Montessori School	Mosman Park
P		LS		The Japanese School in Perth	Scarborough	
K	PP	P	LS	US	The Montessori School	Kingsley
K	PP	P			The Quintilian School	Mt Claremont
K	PP	P			The Silver Tree Steiner School	Parkerville
K	PP	P			The Speech and Hearing Centre for Children	Wembley
K	PP	P	LS	US	Thornlie Christian College	Southern River
K	PP	P	LS	US	Tranby College	Baldivis
K	PP	P	LS		Treetops Montessori School	Darlington
K	PP	P			Unity Christian School	Australind
K	PP	P	LS	US	Wesley College	South Perth
K	PP	P			West Coast Steiner School	Nollamara
			LS	US	Winthrop Baptist College	Murdoch
				US	Wongutha Christian Aboriginal Parent-Directed	Gibson
	School					
K	PP	P			Woodbury Boston Primary School	Kronkup
			LS	US	Woodthorpe Drive Secondary School	Willetton
K	PP	P	LS		Wulungarra Community School	Via Fitzroy Crossing
K	PP	P	LS		Yakanarra Community School	Via Fitzroy Crossing
K	PP	P			Yallingup Steiner School	Yallingup
K	PP	P	LS		Yiyili Aboriginal Community School	Via Fitzroy Crossing

## HEALTH

HE401\*

### MEDICAL ACT 1894

#### THE MEDICAL BOARD OF WESTERN AUSTRALIA

##### Orders of the Board

Inquiry No: 1760-99

Date Heard: 29 June 2005

Date Delivered: 30 June 2005

In the matter of the medical act 1894, as amended and in the matter of Dr Gary Hastwell and in the matter of an inquiry conducted by the Medical Board of Western Australia pursuant to section 13 of the Medical Act.

Before: Professor C. A. Michael AO, MD, FRCOG, FRACOG, DDU (Chair); Mr N. J Mullany LLB (Hons), BCL ; Professor B. A. R Stokes AM, MB BS, FRACS, FRCS; Dr R. Capolingua MB BS; Ms A. White.

The Board makes the following orders—

- (1) The Practitioner is hereby reprimanded;
- (2) The Practitioner is fined the sum of \$6,000.00;
- (3) The fine imposed on the Practitioner is to be paid within 30 days of this order;
- (4) The Practitioner is to provide the following undertakings—
  - (a) He will be of good behaviour for a period of two years;
  - (b) Save where an emergency arises intra operatively which necessitates the immediate repair of damage to the bladder, bowel or ureter of a patient in the interests of her

health, he shall not perform or attempt to perform any resection of, or repair of damage to, the bladder, bowel or ureter, including vesico-vaginal fistula unless—

- (i) he has obtained an opinion from a urologist or surgeon that he is capable of performing or attempting to perform the procedure unaided; or
  - (ii) he has obtained an opinion from a urologist or surgeon that he is capable of performing or attempting to perform the procedure with the assistance of a urologist or surgeon and that assistance has been provided.
- (5) The Practitioner is to pay 50% of the reasonable costs of the Inquiry to be agreed or, if not agreed, to be determined by the Board following the receipt of written submissions to be filed by the parties within 30 days of this order.

Dated the 30th day of June 2005.

(Sgd) Registrar Medical Board.

**HE402\***

**HEALTH ACT 1911**  
**APPOINTMENTS**

Department of Health WA,  
Perth, 30 June 2005.

In accordance with the provisions of section 28 of the *Health Act 1911*, the appointment of the following persons as Environmental Health Officers is approved.

<b>Environmental Health Officer</b>	<b>Date Effective</b>	<b>Local Government</b>
Khang Phan	8 June 2005	Shire of Mundaring
Trevor Brandy	10 June 2005	Shire of Mullewa
Elena Boull	10 June 2005	Shire of Mullewa
Neil Flood	4 July 2005	North Eastern Wheatbelt Health Scheme
Richard Brookes	4 July 2005	Shire of Dundas
Reza Rassard	4 July 2005	Shire of Dundas
Nigel Hume	4 July 2005-31 December 2005	Shire of Coolgardie
Jaala Downes	4 July 2005-11 January 2006	Town of Victoria Park

Dr. M. STEVENS, Executive Director, Public Health.

## JUSTICE

**JU401\***

**JUSTICES OF THE PEACE ACT 2004**

**APPOINTMENTS**

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the following to the office of Justice of the Peace for the State of Western Australia—

Michelle Anne Jenkins of Unit 6, 8 Bethnall Green, Joondalup  
Michelle Louise McAnuff of 7 Douro Road, South Fremantle  
Ian Graham Webber of Area C Mine Site, c/- BHP, Newman

RAY WARNES, A/Executive Director, Court Services.

**JU402\***

**DECLARATIONS AND ATTESTATIONS ACT 1913**

**APPOINTMENT**

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

Tingguang Song of 28 Brolga Promenade, Willetton

RAY WARNES, A/Executive Director, Court Services.

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**LOCAL GOVERNMENT**

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**LG401\*****DOG ACT 1976****COLOUR OF DOG REGISTRATION TAGS**

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

**TABLE**

<b>Registration Period Ending</b>	<b>Colour</b>
31 October 2006	Yellow
31 October 2007	Red
31 October 2008	Blue

JOHN BOWLER MLA, Minister for Local Government and  
Regional Development; Land Information;  
Goldfields-Esperance; Great Southern.

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**LG402\*****BUSH FIRES ACT 1954***Shire of Bridgetown-Greenbushes***APPOINTMENT OF FIRE CONTROL OFFICER**

It is hereby notified for public information that in accordance with section 38 of the Act, the Shire of Bridgetown-Greenbushes has appointed Mr Gregory John Kennedy as Fire Control Officer for the Greenbushes Bush Fire Brigade effective from 30 June 2005.

The previous appointment of Mr Phillip Prunster is hereby cancelled.

T. P. CLYNCH, Chief Executive Officer.

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**LG403****LOCAL GOVERNMENT ACT 1995****LOCAL GOVERNMENT (FINANCIAL MANAGEMENT)  
REGULATIONS 1996**

[Reg. 72]

*Shire of Trayning***TAKING POSSESSION OF LAND**

To: Robert Andrew Kemp

Notice is hereby given that the sum of \$1,301.17 having been unpaid to the Shire of Trayning for a period of three years for rates in respect of the land situated at Lot 124 Thompson Road, Kununoppin and being Lot 124 on Plan 86479 and C/T Vol 847 Fol 155.

The Local Government has taken possession of the land pursuant to section 6.64(1)d of the *Local Government Act 1995* and in accordance with that section intends to cause the land to be transferred to the Shire of Trayning.

Signed for and on behalf of the Shire of Trayning this 30th day of June 2005.

BRIAN W. SEALE JP, Chief Executive Officer.

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**MARINE/MARITIME**

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**MX401\*****WESTERN AUSTRALIAN MARINE ACT 1982****NAVIGABLE WATERS REGULATIONS****RESTRICTED SPEED AREAS—ALL VESSELS**

Practice Times

2005 Avon Descent

Department for Planning and Infrastructure,  
Fremantle WA, 8 July 2005.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982* the department by this notice revokes sub-paragraphs a(1) and b(1)(i) of the notice published in the *Government Gazette* on 25 October 1991 relating to the maximum speeds of four and five knots in the upper reaches of the Swan River.

Also, acting pursuant to the powers conferred by Section 115A of the *Western Australian Marine Act 1982*, the department by this notice exempts all vessels, as detailed below, from the provisions of Regulation 48 of the Navigable Waters Regulations.

Providing however that such revocations shall only apply from upstream of the Middle Swan Bridge to Bells Bridge and from Posselt's Ford to Northam Weir between the hours of 0800 and 1200 on Saturday 30 July 2005 and 1200 to 1800 on Sunday 31 July 2005 and is applicable only to those bona fide entrants of the 2005 Avon Descent participating in practice for that event and only during allocated practice times defined by the Northam Avon Descent Association in accordance with the events rules.

After 1800 hours on Sunday 31 July 2005 the speed limits will be re-established in accordance with the terms of the Gazettal notice issued on 25 October 1991 and Regulation 48 of the Navigable Waters Regulations.

GREG MARTIN, Chief Executive Officer,  
Department for Planning and Infrastructure.

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**MX402\*****WESTERN AUSTRALIAN MARINE ACT 1982****NAVIGABLE WATERS REGULATIONS****RESTRICTED SPEED AREAS—ALL VESSELS**

2005 Avon Descent

Department for Planning and Infrastructure,  
Fremantle WA, 8 July 2005.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982* the department by this notice revokes sub-paragraphs a(1), b(1)(i), d(1)(iii) and d(1)(iv) of the notice published in the *Government Gazette* on 25 October 1991 relating to restricted speed areas for all vessels on the Swan River.

Also, acting pursuant to the powers conferred by Section 115A of the *Western Australian Marine Act 1982*, the department by this notice exempts all vessels, as detailed below, from the provisions of Regulation 48 of the Navigable Waters Regulations.

Providing however that such revocations shall only apply to official bona fide vessels associated with the 2005 Avon Descent, between the hours of 0800 and 1730 on Saturday 6 August and Sunday 7 August 2005 and will not apply to normal traffic.

After 1730 hours on Sunday 7 August 2005 the speed limits will be re-established in accordance with the terms of the Gazettal notice issued on 25 October 1991 and Regulation 48 of the Navigable Waters Regulations.

GREG MARTIN, Chief Executive Officer,  
Department for Planning and Infrastructure.

MX403\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**NAVIGABLE WATERS REGULATIONS**  
**RESTRICTED SPEED AREAS—ALL VESSELS**  
2005 Avon Descent Media Launch

Department for Planning and Infrastructure,  
Fremantle WA, 8 July 2005.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982* the department by this notice revokes sub-paragraph d(1)(iii) of the notice published in the *Government Gazette* on 25 October 1991 relating to the 8 knot speed area located between the upstream limit of the Belmont Water Ski Area at Maylands and the downstream limit of the water ski area commencing 580 meters upstream of the Garratt Road Bridge, on the Swan River.

Also, acting pursuant to the powers conferred by Section 115A of the *Western Australian Marine Act 1982*, the department by this notice exempts all vessels, as detailed below, from the provisions of Regulation 48 of the Navigable Waters Regulations.

Providing however that such revocations shall only apply to official bona fide vessels associated with the 2005 Avon Descent Media Launch, between the hours of 0800 and 0900 on Thursday 4 August 2005 and will not apply to normal traffic.

After 0900 hours on Thursday 4 August 2005 the speed limits will be re-established in accordance with the terms of the Gazettal notice issued on 25 October 1991 and Regulation 48 of the Navigable Waters Regulations.

GREG MARTIN, Chief Executive Officer,  
Department for Planning and Infrastructure.

MX404\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**NAVIGABLE WATERS REGULATIONS**  
**RESTRICTED SPEED AREAS—ALL VESSELS**  
2005 Avon Descent Time Trial Sprint  
Kings Meadow Oval to Burswood—Swan River

Department for Planning and Infrastructure,  
Fremantle WA, 8 July 2005.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982*, the department by this notice revokes sub-paragraphs (b)(1)(i), d(1)(iii) and d(1)(iv) of Notice MH401 as published in the *Government Gazette* on 25 October 1991 relating to restricted speed areas for all vessels on the Swan River

Also, acting pursuant to the powers conferred by Section 115A of the *Western Australian Marine Act 1982*, the department by this notice exempts all vessels, as detailed below, from the provisions of Regulation 48 of the Navigable Waters Regulations.

Provided that such revocations shall only apply to official bona-fide vessels associated with the 2005 Avon Descent, PDRC Time Trial Sprint that will run from Kings Meadow Oval, Guildford to the Water Sports Centre, Burswood between the hours of 1130 hours to 1430 hours Sunday 24 July 2005.

After 1430 hours on Sunday 24 July 2005 the speed limits will be re-established in accordance with the terms of the Gazette Notice issued on 25 October 1991 and Regulation 48 of the Navigable Waters Regulations.

GREG MARTIN, Chief Executive Officer,  
Department for Planning and Infrastructure.

MX405\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**CLOSURE OF NAVIGABLE WATERS—PERSONAL WATERCRAFT**  
Water Ski Areas

Department for Planning and Infrastructure,  
Fremantle WA, 8 July 2005.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982* the Department of Planning and Infrastructure by this notice amends Notice TR401 as published in the *Government Gazette* on 15 November 2002, to include the Lake Dumbleyung, Water Ski Area in the "Exception List".

GREG MARTIN, Chief Executive Officer,  
Department for Planning and Infrastructure.

MX406\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**PERSONAL WATERCRAFT—CLOSURE OF WATERS TO NAVIGATION**  
Leschenault Estuary  
City of Bunbury

Department for Planning and Infrastructure,  
Fremantle WA, 8 July 2005.

Acting pursuant to the powers conferred by Section 66 of the Western Australian Marine Act 1982, the department by this notice amends Notice TR401 as published in the *Government Gazette* on 19 November 2004. The paragraph in relation to the Leschenault Estuary is hereby amended to the following—

**Leschenault Estuary:** Closed to navigation by personal watercraft—All those waters of the Leschenault Estuary to the east of a line commencing at the Turkey Point boat launching ramp and extending to the eastern extremity of the sea wall on the northern shore of “The Cut” **UNLESS** transiting through the Leschenault Estuary directly to or from the Collie River to open waters.

GREG MARTIN, Chief Executive Officer,  
Department for Planning and Infrastructure.

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## MINERALS AND PETROLEUM

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MP401\*

**PETROLEUM (SUBMERGED LANDS) ACT 1982**  
**SURRENDER OF EXPLORATION PERMIT TP20**

The surrender of Exploration Permit No. TP20 has been registered and will take effect on the date this Notice appears in the *Government Gazette*.

W. L. TINAPPLE, Director Petroleum and Royalties Division.

MP402\*

Commonwealth of Australia  
**PETROLEUM (SUBMERGED LANDS) ACT 1967**  
**APPLICATION FOR A PIPELINE LICENCE**

I, William Lee Tinapple, Director of the Petroleum and Royalties Division in the Department of Industry and Resources for the State of Western Australia being the officer for the time being, which holds certain powers and functions of the Designated Authority under the above Act, by virtue of an instrument of delegation dated 26 March 2004 and published in the *Government Gazette* of Western Australia on 2 April 2004, give notice pursuant to Section 94(e) of the Petroleum (Submerged Lands) Act 1967 that an application has been received from—

WOODSIDE ENERGY PTY LTD  
BP DEVELOPMENTS AUSTRALIA PTY LTD  
CHEVRONTEXACO AUSTRALIA PTY LTD  
BHP BILLITON PETROLEUM (NORTH WEST SHELF) PTY LTD  
SHELL DEVELOPMENT (AUSTRALIA) PTY LTD  
JAPAN AUSTRALIA LNG (MIMI) PTY LTD

for a licence to construct and operate a pipeline for the conveyance of petroleum from four wells in the Perseus field at or about latitude -19° 31' 11.707" longitude 116° 06' 41.01011" to the Goodwyn A Platform at or about latitude 19° 39' 07.937" longitude 115° 55' 47.028"

\* *The above co-ordinates are GDA94.*

Dated this 5th day of July 2005.

W. L. TINAPPLE, Director Petroleum and Royalties Division.

MP403\*

**PETROLEUM PIPELINES ACT 1969**  
**VARIATION OF PIPELINE LICENCE**

Pipeline Licence PL39 held by Origin Energy Pipelines Pty Ltd, has been varied by instrument of Variation 10P/04-54, to authorise the Licensee to construct and operate a takeoff to provide gas to the Hovea Facility Black Start Project.

W. L. TINAPPLE, Director Petroleum and Royalties Division.



**MP404****MINING ACT 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Industry and Resources,  
Mt Magnet.

In accordance with Regulation 49(2)(c) of the Mining Act 1978-1983 notice is hereby given that the licences are liable to forfeiture under the provision of Section 96(1)(a) for breach of covenant, viz, late lodgement of Form 5 Report on Operations.

G. CALDER SM, Warden.

To be heard in the Warden's Court Mt Magnet on Thursday 11th August 2005.

**EAST MURCHISON MINERAL FIELD****Black Range District**

P57/970

Bennett, John

**MURCHISON MINERAL FIELD****Mt Magnet District**

P58/787

Tenham Pty Ltd

**MP405****MINING ACT 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Industry and Resources,  
Mt Magnet.

In accordance with Regulation 49(2)(c) of the Mining Act 1978-1983 notice is hereby given that the licences are liable to forfeiture under the provision of Section 96(1)(a) for breach of covenant, viz, non-compliance with expenditure conditions.

G. CALDER SM, Warden.

To be heard in the Warden's Court Mt Magnet on Thursday 11th August 2005.

**YALGOO MINERAL FIELD**

P59/1646—Anglo Australian Resources NL

P59/1647—Anglo Australian Resources NL

**MP407****MINING ACT 1978****INSTRUMENT OF EXEMPTION OF LAND—EXTENSION OF PERIOD**

The Minister for State Development pursuant to the powers conferred on him by Section 19 of the Mining Act 1978, hereby extends the exemptions as detailed hereunder, for further periods expiring on 14 August 2007 from Divisions 1 to 5 of Part IV of the Mining Act 1978.

Location: South of Kununurra

<b>Description of Land</b> (Tengraph Notation)	<b>Original Exemption</b> <b>Declared</b>	<b>Government</b> <b>Gazette</b>	<b>Area</b>
S19/176	15 August 2003	29 August 2003	26,242.6772 ha
S19/177	7 October 2003	24 October 2003	285.2947 ha
S19/181	1 April 2004	8 April 2004	10,032.7638 ha

Dated at Perth this 1st day of July 2005.

ALAN CARPENTER MLA, Minister for State Development.

**MP406****MINING ACT 1978****INSTRUMENT OF EXEMPTION OF LAND—EXTENSION OF PERIOD**

The Minister for State Development pursuant to the powers conferred on him by Section 19 of the Mining Act 1978, hereby extends for a further period of two years expiring on 29 June 2007 the exemption initially granted on 30 June 1999 and published in the *Government Gazette* dated 9 July 1999 of those areas described hereunder from Divisions 1 to 5 of Part IV of the Mining Act 1978.

**DESCRIPTION**

Green Swamp, Carlton Plain and Mantinea Flat, Ord Irrigation Area; those portions of land, not being private land or land the subject of mining tenement or application for a mining tenement designated S19/138 and described as follows—

<u>Primary Number</u>	<u>Graticular Block</u>
Darwin 3055	q, r, s, t, u, v, w, x, y, z
3056	q, r, s, t, u, v, w, x, y, z
3057	k, o, p, q, r, s, t, u, v, w, x, y, z
3058	c, f, g, h, l, m, q, u, v, z
3059	Q
3129	a, b, c, d
3130	b, c, d, e, f, g, h, j, k, n, o, p, r, s, t, u, v, w, x, y, z

Dated at Perth this 29th day of June 2005.

ALAN CARPENTER MLA, Minister for State Development.

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## **PLANNING AND INFRASTRUCTURE**

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**PI401\*****TOWN PLANNING AND DEVELOPMENT ACT 1928****APPROVED TOWN PLANNING SCHEME AMENDMENT***Shire of Murray***Town Planning Scheme No. 4—Amendment No. 180**

Ref: 853/6/16/7 Pt 180

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the Shire of Murray town planning scheme amendment on 3 July 2005 for the purpose of—

1. Rezoning Lot 9 South Street, corner of South Western Highway, North Dandalup, from “Commercial” zone to “Residential (R10)” and transferring Lot 4482 South West Highway from the “Commercial” Zone to the “Primary Regional Roads” reservation.
2. Amending the Scheme maps accordingly.

N. H. NANCARROW, President.  
N. LEACH, Chief Executive Officer.

**PI402\*****TOWN PLANNING AND DEVELOPMENT ACT 1928****APPROVED TOWN PLANNING SCHEME AMENDMENT***Shire of York***Town Planning Scheme No. 2—Amendment No. 15**

Ref: 853/4/34/2 Pt 15

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the Shire of York town planning scheme amendment on 3 July 2005 for the purpose of—

1. Rezoning Lots 7 and 8 Avon Terrace, York from ‘Residential’ to ‘Town Centre’.
2. Rezoning Lots 20 and 21 Monger Street from ‘Residential’ to ‘Mixed Business’.

G. TROY, President.  
R P HOOPER, Chief Executive Officer.

PI701\*

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

Town Planning Scheme No. 1

Ref: 853/5/18/1

It is hereby notified for public information, in accordance with section 7 of the *Town Planning and Development Act 1928* (as amended) that the Minister for Planning and Infrastructure approved the Shire of Woodanilling Town Planning Scheme No. 1 on 3 July 2005, the scheme text of which is published as a Schedule annexed hereto.

H. R. THOMSON, President.

B. K. KNIGHT, Chief Executive Officer.

**SCHEDULE****SCHEME DETAILS***Shire of Woodanilling*

TOWN PLANNING SCHEME No.1

District Zoning Scheme

The Shire of Woodanilling under the powers conferred by the *Town Planning and Development Act 1928* makes the following Town Planning Scheme.

**TABLE OF CONTENTS**

- Part 1 **Preliminary**—sets out the Scheme title, responsible authority for implementing the Scheme, definitions used in the Scheme, Scheme area, contents, purpose, aims and relationship to other Schemes and laws.
- Part 2 **Local Planning Policy Framework**—sets out the relationship between the Scheme and the Local Planning Strategy and the procedures for preparing and adopting Local Planning Policies.
- Part 3 **Reserves**—sets out the reserves which apply in the Scheme area and related provisions.
- Part 4 **Zones and the use of land**—sets out the zones which apply in the Scheme area and the uses which may require approval or may be prohibited.
- Part 5 **General development requirements**—sets out the planning requirements which may apply to a particular use or development in a zone.
- Part 6 **Special control areas**—sets out particular provisions which may apply in addition to the zone requirements and generally concerns landscape, environmental, built form, and land and site management issues.
- Part 7 **Heritage protection**—sets out special provisions which apply to heritage places and areas.
- Part 8 **Development of land**—sets out the circumstances under which approval is required for the development of land as distinct from the use of land.
- Part 9 **Applications for planning approval**—sets out the procedure for applying for planning approval including both the use and development of land.
- Part 10 **Procedure for dealing with applications**—sets out the procedure for dealing with applications for planning approval and the matters to be taken into account.
- Part 11 **Enforcement and administration**—sets out the general provisions for the administration and enforcement of the Scheme.

**Schedules**

- Schedule 1 Dictionary of defined words and expressions  
     General definitions  
     Land use definitions
- Schedule 2 Additional uses
- Schedule 3 Restricted uses
- Schedule 4 Special use zones
- Schedule 5 Exempted advertisements
- Schedule 6 Form of application for planning approval
- Schedule 7 Additional information for advertisements
- Schedule 8 Notice of public advertisement of planning proposal
- Schedule 9 Notice of determination on application for planning approval
- Schedule 10 Environmental conditions

**PART 1—PRELIMINARY****1.1. Citation**

1.1.1. The Shire of Woodanilling Scheme No. 1 (“**the Scheme**”) comes into operation on its Gazettal date.

1.1.2. There were no previous Schemes over this area.

**1.2. Responsible authority**

The Shire of Woodanilling is the responsible authority for implementing the Scheme.

**1.3. Scheme area**

The Scheme applies to the Scheme area which covers all of the local government district of the Shire of Woodanilling as shown on the Scheme Map.

**1.4. Contents of Scheme**

The Scheme comprises—

- (a) the Scheme Text;
- (b) the Scheme Map (sheets 1-3).

*Note: The Scheme Map comprises an overall map that covers the entire Shire and two maps which focus on the area of higher intensity.*

**1.5. Purposes of Scheme**

The purposes of the Scheme are to—

- (a) set out the local government's planning aims and intentions for the Scheme area;
- (b) set aside land as reserves for public purposes;
- (c) zone land within the Scheme area for the purposes defined in the Scheme;
- (d) control and guide land use and development;
- (e) set out procedures for the assessment and determination of planning applications;
- (f) make provision for the administration and enforcement of the Scheme;
- (g) address other matters set out in the First Schedule to the Town Planning Act;
- (h) to ensure that urban development can be adequately and efficiently serviced; and
- (i) that compatible land uses are achieved adjacent to or where specified, within Special Control Areas.

**1.6. The aims of the Scheme**

The aims of the Scheme are—

- To assist the effective implementation of regional plans and policies including the State Planning Strategy.
- To ensure there is sufficient supply of serviced and suitable land for housing, employment, commercial activities, community facilities, recreation and open space.
- To provide for housing choice and variety with a community identity and high levels of amenity.
- To assist employment and economic growth by facilitating the timely provision of suitable land for retail, commercial, industrial, entertainment and tourist developments, as well as providing opportunities for home based employment.
- To facilitate an integrated network of open space catering for active and passive recreation, consistent with the needs of the community.
- To promote the sustainable use of rural land for agricultural purposes whilst accommodating other rural activities.
- To protect and enhance the environmental values and natural resources of the Scheme area and to promote ecologically sustainable land use and development.
- To safeguard and enhance the character and amenity of the built and natural environment of the Scheme area.
- To promote the compatible use of land surrounding essential infrastructure.
- To promote the use of water sensitive urban design principles.

**1.7. Definitions**

1.7.1. Unless the context otherwise requires, words and expressions used in the Scheme have the same meaning as they have—

- (a) in the Town Planning Act; or
- (b) if they are not defined in that Act—
  - (i) in the Dictionary of defined words and expressions in Schedule 1; or
  - (ii) in the Residential Planning Codes.

1.7.2. If there is a conflict between the meaning of a word or expression in the Dictionary of defined words and expressions in Schedule 1 and the meaning of that word or expression in the Residential Planning Codes—

- (a) in the case of a residential development, the definition in the Residential Planning Codes prevails; and
- (b) in any other case the definition in the Dictionary prevails.

1.7.3. Notes, and instructions printed in italics, are not part of the Scheme.

**1.8. Relationship with local laws**

Where a provision of the Scheme is inconsistent with a local law, the provision of the Scheme prevails.

**1.9. Relationship with other schemes**

By the way of information, the following other Schemes of the Shire of Woodanilling are, at the Gazettal date of the Scheme, complementary to the Scheme—

There are no other Schemes of the Shire of Woodanilling which apply to the Scheme area.

**PART 2—LOCAL PLANNING POLICY FRAMEWORK****2.1. Local Planning Strategy**

This Scheme has not been prepared in conjunction with a Local Planning Strategy.

**2.2. Local Planning Policies**

The local government may prepare a Local Planning Policy in respect of any matter related to the planning and development of the Scheme area so as to apply—

- (a) generally or for a particular class or classes of matters; and
- (b) throughout the Scheme area or in one or more parts of the Scheme area,

and may amend or add to or rescind the Policy.

**2.3. Relationship of Local Planning Policies to Scheme**

2.3.1. If a provision of a Local Planning Policy is inconsistent with the Scheme, the Scheme prevails.

2.3.2. A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

*Note: Local Planning Policies are guidelines used to assist the local government in making decisions under the Scheme. Although Local Planning Policies are not part of the Scheme they must be consistent with, and cannot vary, the intent of the Scheme provisions, including the Residential Planning Codes. In considering an application for planning approval, the local government must have due regard to relevant Local Planning Policies as required under clause 10.2.*

**2.4. Procedure for making or amending a Local Planning Policy**

2.4.1. If a local government resolves to prepare a Local Planning Policy, the local government—

- (a) is to publish a notice of the proposed Policy once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area, giving details of—
  - (i) where the draft Policy may be inspected;
  - (ii) the subject and nature of the draft Policy; and
  - (iii) in what form and during what period (being not less than 21 days from the day the notice is published) submissions may be made;
- (b) may publish a notice of the proposed Policy in such other manner and carry out such other consultation as the local government considers appropriate.

2.4.2. After the expiry of the period within which submissions may be made, the local government is to—

- (a) review the proposed Policy in the light of any submissions made; and
- (b) resolve to adopt the Policy with or without modification, or not to proceed with the Policy.

2.4.3. If the local government resolves to adopt the Policy, the local government is to—

- (a) publish notice of the Policy once in a newspaper circulating in the Scheme area; and
- (b) if, in the opinion of the local government, the Policy affects the interests of the Commission, forward a copy of the Policy to the Commission.

2.4.4. A Policy has effect on publication of a notice under clause 2.4.3(a).

2.4.5. A copy of each Local Planning Policy, as amended from time to time, is to be kept and made available for public inspection during business hours at the offices of the local government.

2.4.6. Clauses 2.4.1 to 2.4.5, with any necessary changes, apply to the amendment of a Local Planning Policy.

**2.5. Revocation of Local Planning Policy**

A Local Planning Policy may be revoked by—

- (a) the adoption by a local government of a new Policy under clause 2.4 that is expressed to supersede the existing Local Planning Policy; or
- (b) publication of a notice of revocation by the local government once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area.

**PART 3—RESERVES****3.1. Reserves**

Certain lands within the Scheme area are classified as Local Reserves.

**3.2. Local Reserves**

“Local Reserves” are delineated and depicted on the Scheme Map according to the legend on the Scheme Map.

### 3.3. Use and development of Local Reserves

3.3.1. Except where provided for in Clause 8.2 (g) a person must not—

- (a) use a Local Reserve; or
- (b) commence or carry out development on a Local Reserve,

without first having obtained planning approval under Part 9 of the Scheme.

3.3.2. In determining an application for planning approval the local government is to have due regard to—

- (a) the matters set out in clause 10.2; and
- (b) the ultimate purpose intended for the Reserve.

3.3.3. In the case of land reserved for the purposes of a public authority, the local government is to consult with that authority before determining an application for planning approval.

## PART 4—ZONES AND THE USE OF LAND

### 4.1. Zones

4.1.1. The Scheme area is classified into the zones shown on the Scheme Map.

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

### 4.2. Objectives of the zones

The objectives of the zones are—

- Residential Zone  
To provide for residential development at a range of densities with a variety of housing to meet the needs of different household types through the application of the Residential Planning Codes.
- Commercial Zone  
To provide for retail shopping, office and commercial development, and social, recreational and community activities servicing the town as a whole.
- Industrial Zone  
To provide for manufacturing industry, the storage and distribution of goods and associated uses, which by the nature of their operations should be separated from residential areas.
- Regional Rural Zone  
To provide for a range of rural pursuits such as broadacre and diversified farming which are compatible with the capability of the land and retain the rural character and amenity of the locality. Specific objectives are as follows—
  - To ensure the continuation of broad-acre farming as the principle land use in the District and encourage where appropriate the retention and expansion of agricultural activities;
  - To protect the potential of agricultural land for primary production and to preserve the landscape and character of the rural areas;
  - To consider other non-rural uses where they can be shown to be of benefit to the District and not detrimental to the natural resources or the environment;
  - To provide for a range of rural pursuits such as broad-acre and diversified farming which are compatible with the capability of the land and retain the rural amenity and character of the locality;
  - To provide for a range of commercial and light industrial land uses that are appropriately located and will not cause land conflicts or adverse impacts on the amenity and character of the zone;
  - To prevent the fragmentation of broad-acre farming properties through the process of subdivision;
  - To protect broad-acre agricultural land from land degradation and any further loss of biodiversity by—
    - (i) Minimising the clearing of remnant vegetation on public and private lands;
    - (ii) Encouraging the retention and protection of existing remnant vegetation;
    - (iii) Encouraging the development and protection of corridors of native vegetation;
    - (iv) Encouraging the development of environmentally acceptable surface and sub-surface drainage;
    - (v) Encouraging the rehabilitation of salt affected land;
    - (vi) Controlling the introduction and spread of alien species of flora and fauna;
    - (vii) Encouraging soil conservation through the application of cultural vegetational land management measures.
- Local Rural Zone  
To provide for a mix of residential and business related uses in a rural setting which achieves a high standard of visual amenity, facilitates landscape protection and conservation and will not cause land use conflicts or adverse impacts on the amenity and character of the zone.

### 4.3. Zoning Table

4.3.1. The Zoning Table indicates, subject to the provisions of the Scheme, the uses permitted in the Scheme area in the various zones. The permissibility of any uses is determined by cross reference between the list of use classes on the left hand side of the Zoning Table and the list of zones at the top of the Zoning Table (Table 1).

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

- ‘P’ means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme;
- ‘D’ means that the use is not permitted unless the local government has exercised its discretion by granting planning approval;
- ‘A’ means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4;
- ‘X’ means a use that is not permitted by the Scheme.

4.3.3. A change in the use of land from one use to another is permitted if—

- (a) the local government has exercised its discretion by granting planning approval;
- (b) the change is to a use which is designated with the symbol ‘P’ in the cross reference to that zone in the Zoning Table and the proposed use complies with all the relevant development standards and any requirements of the Scheme;
- (c) the change is an extension of a use within the boundary of the lot which does not change the predominant use of the lot; or
- (d) the change is to an incidental use that does not change the predominant use of the land.

*Note: 1. The planning approval of the local government is required for the development of land in addition to any approval granted for the use of land. In normal circumstances one application is made for both the use and development of land.*

*2. The local government will not refuse a ‘P’ use because of the unsuitability of the use for the zone but may impose conditions on the use of the land to comply with any relevant development standards or requirements of the Scheme, and may refuse or impose conditions on any development of the land.*

*3. In considering a ‘D’ or ‘A’ use, the local government will have regard to the matters set out in clause 10.2.*

*4. The local government must refuse to approve any ‘X’ use of land. Approval to an ‘X’ use of land may only proceed by way of an amendment to the Scheme.*

### 4.4. Interpretation of the Zoning Table

4.4.1. Where a specific use is mentioned in the Zoning Table, it is deemed to be excluded from the general terms used to describe any other use.

4.4.2. If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may—

- (a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;
- (b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval; or
- (c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.

### 4.5. Additional uses

Despite anything contained in the Zoning Table, the land specified in Schedule 2 may be used for the specific use or uses that are listed in addition to any uses permissible in the zone in which the land is situated subject to the conditions set out in Schedule 2 with respect to that land.

*Note: An additional use is a land use that is permitted on a specific portion of land in addition to the uses already permissible in that zone that applies to the land.*

### 4.6. Restricted uses

Despite anything contained in the Zoning Table, the land specified in Schedule 3 may only be used for the specific use or uses that are listed and subject to the conditions set out in Schedule 3 with respect to that land.

*Note: A restricted use is the only use or uses that is permitted on a specific portion of land and other uses that would otherwise be permissible in the zone are not permitted.*

### 4.7. Special use zones

4.7.1. Special use zones are set out in Schedule 4 and are in addition to the zones in the Zoning Table.

4.7.2. A person must not use any land, or any structure or buildings on land, in a special use zone except for the purpose set out against that land in Schedule 4 and subject to compliance with any conditions set out in Schedule 4 with respect to that land.

*Note: Special use zones apply to special categories of land use which do not comfortably sit within any other zone in the Scheme.*

**TABLE 1: Zoning Table**

P—Permitted    D—LG Discretion    A—Advertising    X—Not Permitted

Use Class		Zones					
		Residential	Commercial	Industrial	Special Use	Regional Rural	Local Rural
1	Aged & Dependent Persons Dwelling	P	A	X		A	A
2	Agriculture—Extensive	X	X	X		P	P
3	Agriculture—Intensive	X	X	X		D	D
4	Agro Forestry	X	X	X		P	A
5	Ancillary Accommodation	D	D	X		D	D
6	Animal Establishment	X	X	X		P	A
7	Animal Husbandry Intensive	X	X	X		D	X
8	Bed And Breakfast	A	X	X		D	D
9	Betting Agency	X	A	X		X	X
10	Caravan Park	X	A	X		A	D
11	Caretaker's Dwelling	X	X	D		X	X
12	Car Park	X	P	P		D	D
13	Cemeteries/Crematoria	X	X	X		A	X
14	Child Care Premises	A	D	X		X	A
15	Civic Use	A	A	A		A	A
16	Club Premises	X	A	X		A	A
17	Community Purpose	P	P	P		P	P
18	Consulting Room	A	P	X		A	A
19	Corrective Institution	X	X	X		X	X
20	Dog Kennels	X	X	X		A	X
21	Dry Cleaning Premises	X	P	P		X	X
22	Educational Establishment	A	A	A		A	A
23	Exhibition Centre	X	D	X		A	A
24	Family Day Care	A	D	X		D	A
25	Fast Food Outlet	X	D	X		X	X
26	Fuel Depot	X	X	A		X	X
27	Funeral Parlour	X	X	A		X	X
28	Home Business	A	D	X		D	A
29	Home Occupation	P	D	X		P	P
30	Home Office	P	D	X		P	P
31	Hotel	X	D	X		X	X
32	Industry—Mining	X	X	X		A	X
33	Industry Extractive	X	X	X		A	X
34	Industry General	X	X	A		X	X
35	Industry Hazardous	X	X	X		X	X
36	Industry Light	X	A	P		D	X
37	Industry Noxious	X	X	X		A	X
38	Industry Rural	X	X	A		D	A
39	Industry Service	X	D	P		A	X
40	Motel	X	A	X		X	X
41	Motor Vehicle Repair	X	X	A		X	X
42	Motor Vehicle Sales	X	A	X		X	X
43	Motor Vehicle Wrecking	X	X	X		A	X
44	Night Club	X	A	X		X	X
45	Office	A	A	X		A	A



Use Class	Zones					
	Residential	Commercial	Industrial	Special Use	Regional Rural	Local Rural
46 Place Of Worship	A	A	X		A	A
47 Plantation	X	X	X		D	X
48 Public Amusement	X	A	X		A	X
49 Public Utility	P	P	P		P	P
50 Reception Centre	X	A	A		A	A
51 Recreation Private	X	D	X		D	A
52 Residential—Group Dwelling	D	D	X		D	D
53 Residential—Multiple Dwelling	X	X	X		X	X
54 Residential—Single House	P	A	X		P	D
55 Residential Building	A	A	X		A	A
56 Restaurant	A	A	X		A	A
57 Restricted Premises	X	X	X		X	X
58 Rural Home Business	X	X	X		D	A
59 Rural Pursuit	D	A	A		P	D
60 Service Station	X	A	A		X	X
61 Shop	X	P	X		X	X
62 Showroom	X	P	D		X	X
63 Sportsground	X	X	X		A	X
64 Tavern	X	D	X		X	X
65 Telecommunications Infrastructure	D	D	D		D	D
66 Tourist Accommodation	A	A	X		D	A
67 Transient Workforce Accommodation	X	A	X		D	X
68 Transport Depot	X	A	P		D	A
69 Veterinary Centre	X	A	A		D	A
70 Warehouse	X	D	D		A	X
71 Winery	X	A	A		D	A
72 Zoological Gardens	X	X	X		A	A

#### 4.8. Non-conforming uses

Except as otherwise provided in the Scheme, no provision of the Scheme is to be taken to prevent—

- the continued use of any land for the purpose for which it was being lawfully used immediately prior to the Gazettal date;
- the carrying out of any development on that land for which, immediately prior to the Gazettal date, an approval or approvals, lawfully required to authorize the development to be carried out, were duly obtained and are current; or
- subject to clause 11.2.1, the continued display of advertisements which were lawfully erected, placed or displayed prior to the Gazettal date.

*Note: "Land" has the same meaning as in the Town Planning Act and includes houses, buildings and other works and structures.*

#### 4.9. Extensions and changes to a non-conforming use

4.9.1. A person must not—

- alter or extend a non-conforming use;
- erect, alter or extend a building used in conjunction with or in furtherance of a non-conforming use; or
- change the use of land from a non-conforming use to another non-conforming use,

without first having applied for and obtained planning approval under the Scheme.

4.9.2. An application for planning approval under this clause is to be advertised in accordance with clause 9.4.

4.9.3. Where an application is for a change of use from an existing non-conforming use to another non-conforming use, the local government is not to grant its planning approval unless the proposed use is less detrimental to the amenity of the locality than the existing non-conforming use and is, in the opinion of the local government, closer to the intended purpose of the zone.

#### **4.10. Discontinuance of non-conforming use**

Where a non-conforming use of any land has been discontinued for a period of 6 months the land must not be used after that period otherwise than in conformity with the provisions of the Scheme.

#### **4.11. Termination of a non-conforming use**

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

*Note: Section 13 of the Town Planning Act enables the local government to purchase, or, with the consent of the Governor, compulsorily acquire land for the purpose of a town planning scheme, subject to Part 9 of the Land Administration Act 1997, that section and the Scheme.*

#### **4.12. Destruction of non-conforming use buildings**

If a building used for a non-conforming use is destroyed to 75% or more of its value, the building is not to be repaired, rebuilt, altered or added to for the purpose of being used for a non-conforming use or in a manner not permitted by the Scheme, except with the planning approval of the local government.

### **PART 5—GENERAL DEVELOPMENT REQUIREMENTS**

#### **5.1. Compliance with development standards and requirements**

Any development of land is to comply with the provisions of the Scheme and should be in accordance with planning policy.

#### **5.2. Residential Planning Codes**

5.2.1. A copy of the Residential Planning Codes is to be kept and made available for public inspection at the offices of the local government.

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

5.2.3. The Residential Planning Codes density applicable to land within the Scheme area is to be determined by reference to the Residential Planning Codes density number superimposed on the particular areas contained within the borders shown on the Scheme Map or where such an area abuts another area having a Residential Planning Code density, as being contained within the area defined by the centre-line of those borders.

#### **5.3. Special application of Residential Planning Codes**

There are no exclusions or variations to the Residential Planning Codes which apply to the Scheme.

#### **5.4. Restrictive covenants**

5.4.1. Subject to clause 5.4.2, a restrictive covenant affecting any land in the Scheme area by which, or the effect of which is that, the number of residential dwellings which may be constructed on the land is limited or restricted to less than that permitted by the Scheme, is hereby extinguished or varied to the extent that it is inconsistent with the provisions of the Residential Planning Codes which apply under the Scheme.

5.4.2. Where clause 5.4.1. operates to extinguish or vary a restrictive covenant the local government is not to grant planning approval to the development of the land which would, but for the operation of clause 5.4.1, have been prohibited unless the application has been dealt with as an 'A' use and has complied with all of the advertising requirements of clause 9.4.

#### **5.5. Variations to site and development standards and requirements**

5.5.1. Except for development in respect of which the Residential Planning Codes apply, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the local government may, despite the non-compliance, approve the application unconditionally or subject to such conditions as the local government thinks fit.

5.5.2. In considering an application for planning approval under this clause, where, in the opinion of the local government, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is the subject of consideration for the variation, the local government is to—

- (a) consult the affected parties by following one or more of the provisions for advertising uses under clause 9.4; and
- (b) have regard to any expressed views prior to making its determination to grant the variation.

5.5.3. The power conferred by this clause may only be exercised if the local government is satisfied that—

- (a) approval of the proposed development would be appropriate having regard to the criteria set out in clause 10.2; and
- (b) the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

#### **5.6. Environmental conditions**

There are no environmental conditions imposed by the Minister for Environment which apply to the Scheme.

### 5.7. Site and Development Requirements

5.7.1 The Development Table (Table 2) sets out the site and development requirements for various land uses in the Scheme area.

5.7.2. A person shall not develop or use any land or erect, use or adapt any building unless car parking spaces in accordance with the Development Table or as specified by the Council are provided and such spaces are constructed and maintained in accordance with the requirements of the Council.

5.7.3. The Council in determining applications for any development may require such development to comply generally with the standards required for development in that zone as required in the Development Table to ensure that the scale, nature, design, general appearance and impact of such uses is compatible with the intentions for the development in that zone and the objectives of the Scheme.

### 5.8. Relocated Residential Dwellings

#### 5.8.1. Relocated Residential Buildings

Within the Scheme area a building may not be placed on a lot and occupied as a dwelling following transportation as a whole or as parts of a building unless in the opinion of the Council, such a building is in a satisfactory condition and will not detrimentally affect the amenity of the area; or the building has been specifically constructed as a transportable dwelling.

### 5.9. General Appearance of Buildings

No person shall without written approval of the council erect a building which by virtue of colour or type of materials, architectural style, height or bulk, ornamental or general appearance, has an exterior design which is out of harmony with existing buildings or the landscape character of the area.

### 5.10. Height and Appearance of Buildings

Any buildings in excess of two storeys or a height of 8 metres above natural ground level requires the approval of Council.

Council may approve buildings which exceed the height specified after considering information provided and any submissions made by persons owning or having an interest in land affected directly or indirectly by the proposed building—

- Will be in harmony with the general character of buildings in the locality.
- Will not be detrimental to the amenity or character of the locality or the quality of environment or the townscape.
- Will observe the required setbacks from the boundaries of the lot on which it is to be constructed and will not prejudice the siting, design, aspect and privacy of buildings on other nearby lots.
- Will not impair the potential for development of other vacant blocks in the vicinity with particular regard to amenity, aspect and views.
- Has been designed in harmony with the natural land form of the site.

### 5.11. Regional Rural Zone

The Regional Rural Zone is intended primarily for the preservation of agriculturally productive land. Land classified as Regional Rural Zone within the Scheme Area is capable of high levels of agricultural production and is therefore a valuable resource worthy of protection. The local government shall therefore seek to ensure that no action is taken to jeopardise this potential.

The local government may *also* permit the development of other non-rural land uses including *limited* commercial and industrial uses in the Regional Rural Zone, *but only* where they can be appropriately located, will not cause land use conflicts, will not have an adverse impact upon the amenity and character of the zone and can be shown to be of benefit to the District.

5.11.1. In considering applications in the Regional Rural Zone the local government shall have regard to the objectives for that zone as specified in Clause 4.2.

5.11.2. The local government will favourably consider applications for the adjustment of lot boundaries in the Regional Rural Zone where the application, if approved, will not result in the creation of one or more additional lots.

5.11.3. The local government does not recognize precedent resulting from subdivision created in the early days of settlement of the District as a reason for it to support further subdivision in the Regional Rural Zone.

5.11.4. The existence of more than one dwelling house on a lot classified Regional Rural Zone shall not be constructed as a basis for the local government's support to the subdivision of the lot.

5.11.5. The development of more than one single dwelling house within the Regional Rural zone requires the approval of Council.

5.11.6. The minimum setback from all lot boundaries for any building on a lot zoned Regional Rural shall be 20 metres except for buildings used for commercial or industrial purposes which *may* be setback *a further distance* in accordance with the specific requirements of the local government as determined on a case-by-case basis.

5.11.7. The development of non-rural uses in the Regional Rural Zone is required to be set well back from roads and screened from public view to the satisfaction of the Local Government.

5.11.8. In considering an application for planning consent for a non-rural use in the Regional Rural Zone the local government shall have regard for the impact of the proposed development on the

surrounding road network, streetscape, local amenities and adjoining residents and may impose conditions relating but not limited to the following matters—

- (i) Building appearance, height and scale;
- (ii) Building materials;
- (iii) Building location including boundary setbacks;
- (iv) Landscaping and visual screening;
- (v) Vehicle access and parking;
- (vi) Location of open storage areas;
- (vii) Control of dust, noise, odour and vibration;
- (viii) Management of wastes and stormwater disposal;
- (ix) Fire management;
- (x) Advertising signage.

5.11.9. Applications for planning consent for the development of non-rural uses in the Regional Rural Zone that have potential to cause land use conflicts or adverse impacts upon the visual amenity and character of the locality will not be approved by the local government unless it can be demonstrated to the satisfaction of the local government that such usage can be suitably managed so as to minimize any detrimental impacts.

## 5.12. Local Rural Zone

5.12.1. In considering applications in the Local Rural Zone the local government shall have regard to the objectives for that zone as specified in Clause 4.2.

5.12.2. All development in the Local Rural Zone shall be conducted in a manner that preserves local amenity and the natural landscape and rural character of the zone by minimising the clearing of remnant vegetation and promoting revegetation measures.

5.12.3. Tree planting or other approved landscaping may be required to be established and maintained within the front building setback area or other areas of a lot where the preservation of privacy or amenity is considered by the local government to be desirable.

5.12.4. The minimum setback from lot boundaries for any building in the Local Rural Zone shall be 10 metres to any front and rear boundary and five metres to any side boundary.

5.12.5. No person shall on land classified as Local Rural Zone—

- (i) Develop or establish or allow to develop the land for non-residential purposes unless a residence is first erected;
- (ii) Allow a house to be occupied by any person other than the owner or manager or an employee of the commercial or the commercial or industrial use;
- (iii) Establish or permit to establish more than one business or industry to operate from each lot;
- (iv) Develop or allow the development of a residence *that precludes* vehicle access to the rear of the lot with a minimum width of five (5) metres.

5.12.6. In considering any application for planning consent in the Local Rural Zone the local government shall have regard for the impact of the proposed development on the streetscape, local amenities and adjoining residents and may impose conditions relating but not limited to the following matters—

- (i) Building appearance, height and scale;
- (ii) Building materials;
- (iii) Building location including boundary setbacks;
- (iv) Landscaping and visual screening;
- (v) Vehicle access and parking;
- (vi) Location of open storage areas;
- (vii) Control of dust, noise, odour and vibration;
- (viii) Management of wastes and stormwater disposal;
- (ix) Fire management;
- (x) Hours of operation;
- (xi) Advertising signage.

5.12.7. Applications for planning consent for development in the Local Rural Zone that have potential to cause land use conflicts or adverse impacts upon the visual amenity and character of the locality will not be approved by the local government unless it can be demonstrated to the satisfaction of the local government that such usage can be suitably managed so as to minimize any detrimental impacts.

5.12.8. The Council will not generally recommend approval of applications for further subdivision within the Local Rural zone except where such subdivision is—

- Consistent with the policies of the Western Australian Planning Commission;
- Is a boundary realignment and no additional lots are created;
- An amalgamation; or
- Where development associated with subdivision would not necessitate the clearing of any remnant vegetation.

5.12.9. The development of more than one single swelling house within the Local Rural zone requires the approval of Council.

5.12.10. The presence of more than one dwelling unit on a lot in the Local Rural Zone shall not be considered by itself to be sufficient grounds for subdivision.

5.12.11. In order to conserve the rural environment or features of natural beauty within the Local Rural zone all trees shall be retained unless their removal is authorised by the Local Government.

The approval of the Local Government is required for the clearing of indigenous trees or other substantial vegetation except for the clearing of vegetation which is—

- (i) dead, diseased or dangerous;
- (ii) necessary for any firebreak required by law;
- (iii) for the purpose of access to an approved dwelling or outbuildings;
- (iv) within a defined building envelope and limited to that;
- (v) necessary for the construction of a dwelling, outbuildings and an area of 20m width surrounding the dwelling for the purpose of bush fire protection.

### **5.13. Caretaker's Dwellings**

The provisions of this clause apply for all caretaker's dwellings in the Industrial Zone—

- (i) a caretaker's dwelling is not to be developed and/or occupied on a lot unless that lot has been developed and is being used in accordance with the Scheme;
- (ii) only one caretaker's dwelling is to be permitted on a lot; for the purposes of this clause "lot" excludes a strata lot or survey-strata lot created under the Strata Titles Act 1985;
- (iii) a caravan park home is not permitted as a caretaker's dwelling for either permanent or temporary occupation;
- (iv) a caretaker's dwelling is to be screened and/or fenced from the street frontage of the lot to the satisfaction of the local government and wherever possible is to be sited at the rear of other buildings on the lot;
- (v) a caretaker's dwelling is to contain one bedroom only within a total floor area that does not exceed 100 square metres measured from the external face of walls; and
- (vi) open verandahs may be permitted but must not be enclosed by any means unless the total floor area remains within the 100 square metres referred to in paragraph (v).

### **5.14. Development on Lots Abutting Unconstructed Roads or with no Gazetted Road Access**

Notwithstanding anything else appearing in the Scheme, planning approval is required for development of land abutting an unconstructed road or a lot which does not have frontage to a constructed road. In considering such an application the Council shall either—

- (i) refuse the application until the road has been constructed or access by means of a constructed road is provided as the case may be; or
- (ii) grant the application subject to a condition requiring the applicant to pay a sum of money in or towards payment of the cost or estimated cost of construction of the road or part thereof and any other conditions it thinks fit to impose; or
- (iii) require such other arrangements are made for permanent access as shall be to the satisfaction of the Council.

### **5.15. Tourist Development**

In considering an application for tourist development (including Caravan Park, Farm Stay, Motel, Tourist Accommodation etc) the Council shall have regard to—

- (i) the objectives of the zone;
- (ii) the likely impact upon surrounding development;
- (iii) the scale and intensity of the development;
- (iv) appropriate setbacks to existing or proposed agricultural uses;
- (v) the effect that existing or proposed agricultural uses could have on the proposal;
- (vi) provision of services for the development including water supply, on site effluent disposal, solid waste disposal and electricity;
- (vii) access to and from the site;
- (viii) impact of the development upon landscape values;
- (ix) protection of remnant vegetation; and
- (x) fire management.

**TABLE 2: SITE AND DEVELOPMENT REQUIREMENTS TABLE \*\***

Control Use	Minimum Boundary Setback (metres)			Maximum Plot Ratio	Minimum landscape Area %	Minimum Number of Car Parking Bays
	Front	Rear Average	Sides			
Club	*	*	*	0.5	**	1 for every 45 sqm of gross floor area
Consulting Room	*	*	*	0.4 in Res Zone 0.5 elsewhere	30 in Res Zone	1 for every 30 sqm of gross floor area plus 1 for each person employed
Day Care Centre	7.5	7.5	*	*	*	1 for every employee.
Educational Establishment	9.0	7.5	5.0	*	30	1 per full time employee, plus bays for students as determined by the Council.
Fast Food Outlet	*	*	*	*	*	*
Funeral Parlour	*	*	*	*	10	As determined by the Council (minimum 6).
Hall	*	*	*	*	10	1 to every 4 persons whom the building is designed to accommodate.
Hospital	9.0	7.5	5.0	0.5	20	1 per 4 beds and 1 per employee.
Hostel	7.5	7.5	*	*	30	1 per dwelling
Hotel / Tavern	*	*	*	*	10	1 for every bedroom plus 1 per 4 sqm bar and lounge area
Industry Service	7.5	7.5	*	*	10	1 per 2 employees
Industry Light	7.5	7.5	*	*	10	1 per 2 employees.
Industry General	7.5	7.5	*	*	15	1 per 2 employees.
Motel	9.0	7.5	3 per storey	1.0	30	1 per unit, plus 3 spaces per 25sqm of service
Office	*	*	*	*	*	1 for every 30sqm plot ratio area
Professional Office	*	*	*	*	*	1 for every 30sqm plot ratio area.
Reception Centre	*	*	*	0.5	30	1 for every 4 persons whom the building is designed to accommodate.
Restaurant	*	*	*	*	*	1 for every 10sqm of gross floor area or 1 for every 4 seats provided, whichever is the greater.
Service Station	7.5	7.5	*	*	5	1 for every working bay, plus 1 for each person employed on site.
Shop	*	*	*	*	*	1 for every 15sqm of gross floor area.
Showroom	*	*	*	*	10	1 for every 100sqm of gross floor area.
Vehicle Sales	*	*	*	*	5	1 for every 250sqm of sales area, plus 1 for every person employed on site.
Veterinary Centre	*	*	*	*	30	1 for every 10msq gross floor area, plus 1 for each person employed.

**NOTES**

(i) \* means 'to be determined by the Council' in each particular case

(ii) Landscaping to be generally at the street frontage

\*\* This table is intended as a guideline and may be varied at the discretion of the Shire Council

**PART 6—SPECIAL CONTROL AREAS****6.1. Operation of special control areas**

There are no special control areas which apply to the Scheme.

**PART 7—HERITAGE PROTECTION****7.1. Heritage List**

7.1.1. The local government is to establish and maintain a Heritage List to identify those places within the Scheme area which are of cultural heritage significance and worthy of conservation under the provisions of the Scheme, together with a description of each place and the reasons for its entry.

7.1.2. In the preparation of the Heritage List the local government is to—

- (a) have regard to the municipal inventory prepared by the local government under section 45 of the *Heritage of Western Australia Act 1990*; and
- (b) include on the Heritage List such of the entries on the municipal inventory as it considers to be appropriate.

7.1.3. In considering a proposal to include a place on the Heritage List the local government is to—

- (a) notify in writing the owner and occupier of the place and provide them with a copy of the description proposed to be used under clause 7.1.1 and the reasons for the proposed entry;
- (b) invite submissions on the proposal from the owner and occupier of the place within 21 days of the day the notice is served;
- (c) carry out such other consultations as it thinks fit; and
- (d) consider any submissions made and resolve to enter the place on the Heritage List with or without modification or reject the proposal after consideration of the submissions.

7.1.4. Where a place is included on the Heritage List, the local government is to give notice of the inclusion to the Commission, the Heritage Council of Western Australia and to the owner and occupier of the place.

7.1.5. The local government is to keep a copy of the Heritage List with the Scheme documents for public inspection.

7.1.6. The local government may remove or modify the entry of a place on the Heritage List by following the procedures set out in clause 7.1.3.

*Note: 1. The purpose and intent of the heritage provisions are—*

- (a) to facilitate the conservation of places of heritage value; and*
- (b) to ensure as far as possible that development occurs with due regard to heritage values.*

*2. A “place” is defined in Schedule 1 and may include works, buildings and contents of buildings.*

**7.2. Designation of a heritage area**

7.2.1. If, in the opinion of the local government, special planning control is needed to conserve and enhance the cultural heritage significance and character of an area, the local government may, by resolution, designate that area as a heritage area.

7.2.2. The local government is to—

- (a) adopt for each heritage area a Local Planning Policy which is to comprise—
  - (i) a map showing the boundaries of the heritage area;
  - (ii) a record of places of heritage significance; and
  - (iii) objectives and guidelines for the conservation of the heritage area;and
- (b) keep a copy of the Local Planning Policy for any designated heritage area with the Scheme documents for public inspection.

7.2.3. If a local government proposes to designate an area as a heritage area, the local government is to—

- (a) notify in writing each owner of land affected by the proposed designation and provide the owner with a copy of the proposed Local Planning Policy for the heritage area;
- (b) advertise the proposal by—
  - (i) publishing a notice of the proposed designation once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area;
  - (ii) erecting a sign giving notice of the proposed designation in a prominent location in the area that would be affected by the designation; and
  - (iii) such other methods as the local government considers appropriate to ensure widespread notice of the proposal;and
- (c) carry out such other consultation as the local government considers appropriate.

7.2.4. Notice of a proposal under clause 7.2.3(b) is to specify—

- (a) the area subject of the proposed designation;
- (b) where the proposed Local Planning Policy which will apply to the proposed heritage area may be inspected; and

- (c) in what form and in what period (being not less than 21 days from the day the notice is published or the sign is erected, as the case requires) submissions may be made.

7.2.5. After the expiry of the period within which submissions may be made, the local government is to—

- (a) review the proposed designation in the light of any submissions made; and
- (b) resolve to adopt the designation with or without modification, or not to proceed with the designation.

7.2.6. If the local government resolves to adopt the designation, the local government is to forward a copy of the designation to the Heritage Council of Western Australia, the Commission and each owner of land affected by the designation.

7.2.7. The local government may modify or revoke a designation of a heritage area.

7.2.8. Clauses 7.2.3 to 7.2.6 apply, with any necessary changes, to the amendment of a designation of a heritage area.

### 7.3. Heritage agreements

The local government may, in accordance with the *Heritage of Western Australia Act 1990*, enter into a heritage agreement with an owner or occupier of land or a building for the purpose of binding the land or affecting the use of the land or building insofar as the interest of that owner or occupier permits.

*Note: 1. A heritage agreement may include a covenant intended to run with the land relating to the development or use of the land or any part of the land.*

- 2. Detailed provisions relating to heritage agreements are set out in the Heritage of Western Australia Act 1990.*

### 7.4. Heritage assessment

Despite any existing assessment on record, the local government may require a heritage assessment to be carried out prior to the approval of any development proposed in a heritage area or in respect of a heritage place listed on the Heritage List.

### 7.5. Variations to Scheme provisions for a heritage place or heritage area

Where desirable to—

- (a) facilitate the conservation of a heritage place entered in the Register of Places under the *Heritage of Western Australia Act 1990* or listed in the Heritage List under clause 7.1.1; or
- (b) enhance or preserve heritage values in a heritage area designated under clause 7.2.1,

the local government may vary any site or development requirement specified in the Scheme or the Residential Planning Codes by following the procedures set out in clause 5.5.2.

## PART 8—DEVELOPMENT OF LAND

### 8.1. Requirement for approval to commence development

Subject to clause 8.2, all development on land zoned and reserved under the Scheme requires the prior approval of the local government. A person must not commence or carry out any development without first having applied for and obtained the planning approval of the local government under Part 9.

*Note: 1. The planning approval of the local government is required for both the development of land (subject of this Part) and the use of land (subject of Part 4).*

- 2. Development includes the erection, placement and display of any advertisements.*

### 8.2. Permitted development

Except as otherwise provided in the Scheme, for the purposes of the Scheme the following development does not require the planning approval of local government—

- (a) the carrying out of any building or work which affects only the interior of a building and which does not materially affect the external appearance of the building except where the building is—
  - (i) located in a place that has been entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*;
  - (ii) the subject of an order under Part 6 of the *Heritage of Western Australia Act 1990*; or
  - (iii) included on the Heritage List under clause 7.1 of the Scheme;
- (b) the erection on a lot of a single house including any extension, ancillary outbuildings and swimming pools, except where—
  - (i) the proposal requires the exercise of a discretion by the local government under the Scheme to vary the provisions of the Residential Planning Codes; or
  - (ii) the development will be located in a heritage area designated under the Scheme;
  - (iii) is a dwelling which exceeds 8 metres in height;
  - (iv) is an ancillary out building which exceeds an area of 72sqm and/or exceeds 4 metres in height.
  - (v) is a single house on a lot with unconstructed road access or no gazetted road access.



- (c) the demolition of any building or structure except where the building or structure is—
  - (i) located in a place that has been entered in the Register of Places under the *Heritage of Western Australia Act 1990*;
  - (ii) the subject of an order under Part 6 of the *Heritage of Western Australia Act 1990*;
  - (iii) included on the Heritage List under clause 7.1 of the Scheme; or
  - (iv) located within a heritage area designated under the Scheme;
- (d) a home office;
- (e) any works which are temporary and in existence for less than 48 hours or such longer time as the local government agrees; and
- (f) any of the exempted classes of advertisements listed in Schedule 5 except in respect of a place included in the Heritage List or in a heritage area.
- (g) Development on Reserved land owned or vested in a public authority if the land is used—
  - (i) For the purpose for which is reserved under the Scheme;
  - (ii) For any purpose for which it was lawfully used before the coming into force of the Scheme;
  - (iii) For any purpose for which the land may be lawfully used by the public authority including—
    - Works for the purpose of or in connection with the supply of water, electricity, gas, or the drainage treatment of waste, water or sewerage; and
    - Works on land reserved for Railway Purposes or in connection with a railway.

*Note: Development carried out in accordance with a subdivision approval granted by the Commission is exempt under section 20D of the Town Planning Act.*

### 8.3. Amending or revoking a planning approval

The local government may, on written application from the owner of land in respect of which planning approval has been granted, revoke or amend the planning approval, prior to the commencement of the use or development subject of the planning approval.

### 8.4. Unauthorized existing developments

8.4.1. The local government may grant planning approval to a use or development already commenced or carried out regardless of when it was commenced or carried out, if the development conforms to the provisions of the Scheme.

8.4.2. Development which was unlawfully commenced is not rendered lawful by the occurrence of any subsequent event except the granting of planning approval, and the continuation of the development unlawfully commenced is taken to be lawful upon the grant of planning approval.

*Note: 1. Applications for approval to an existing development are made under Part 9.*

- 2. The approval by the local government of an existing development does not affect the power of the local government to take appropriate action for a breach of the Scheme or the Act in respect of the commencement or carrying out of development without planning approval.*

## PART 9—APPLICATIONS FOR PLANNING APPROVAL

### 9.1. Form of application

9.1.1. An application for approval for one or more of the following—

- (a) a use or commencement of development on a Local Reserve under clause 3.4;
- (b) commencement of a 'P' use which does not comply with all relevant development standards and requirements of the Scheme as referred to in clause 4.3.2;
- (c) commencement of a 'D' use or an 'A' use as referred to in clause 4.3.2;
- (d) commencement of a use not listed in the Zoning Table under clause 4.4.2(b);
- (e) alteration or extension of a non-conforming use under clause 4.9;
- (f) a change of a non-conforming use under clause 4.9;
- (g) continuation of a non-conforming use under clause 4.12;
- (h) variation of a site or development requirement under clause 5.5;
- (i) commencement of development under clause 8.1;
- (j) continuation of development already commenced or carried out under clause 8.4;
- (k) a subsequent planning approval pursuant to an approval under clause 10.8.1; and
- (l) the erection, placement or display of an advertisement,

is, subject to clause 9.1.2, to be made in the form prescribed in Schedule 6 and is to be signed by the owner, and accompanied by such plans and other information as is required under the Scheme.

9.1.2. An application for the erection, placement or display of an advertisement is to be accompanied by the additional information set out in the form prescribed in Schedule 7.

## 9.2. Accompanying material

Unless the local government waives any particular requirement every application for planning approval is to be accompanied by—

- (a) a plan or plans to a scale of not less than 1:500 showing—
  - (i) the location of the site including street names, lot numbers, north point and the dimensions of the site;
  - (ii) the existing and proposed ground levels over the whole of the land the subject of the application and the location, height and type of all existing structures, and structures and vegetation proposed to be removed;
  - (iii) the existing and proposed use of the site, including proposed hours of operation, and buildings and structures to be erected on the site;
  - (iv) the existing and proposed means of access for pedestrians and vehicles to and from 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 open storage or trade display area and particulars of the manner in which it is proposed to develop the same; and
  - (viii) the nature and extent of any open space and landscaping proposed for the site;
- (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 specialist studies that local government may require the applicant to undertake in support of the application such as traffic, heritage, environmental, engineering or urban design studies; and
- (d) any other plan or information that the local government may require to enable the application to be determined.

## 9.3. Additional material for heritage matters

Where an application relates to a place entered on the Heritage List or within a heritage area, the local government may require an applicant to provide one or more of the following to assist the local government in its determination of the application—

- (a) street elevations drawn to a scale not smaller than 1:100 showing the proposed development and the whole of the existing development on each lot immediately adjoining the land the subject of the application, and drawn as one continuous elevation;
- (b) a detailed schedule of all finishes, including materials and colours of the proposed development and, unless the local government exempts the applicant from the requirement or any part of it, the finishes of the existing developments on the subject lot and on each lot immediately adjoining the subject lot.

## 9.4. Advertising of applications

9.4.1. Where an application is made for planning approval to commence a use or commence or carry out development which involves a use which is—

- (a) an 'A' use as referred to in clause 4.3.2; or
- (b) a use not listed in the Zoning Table,

the local government is not to grant approval to that application unless notice is given in accordance with clause 9.4.3.

9.4.2. Despite clause 9.4.1, where application is made for a purpose other than a purpose referred to in that clause, the local government may require notice to be given in accordance with clause 9.4.3.

9.4.3. The local government may give notice or require the applicant to give notice of an application for planning approval in one or more of the following ways—

- (a) notice of the proposed use or development served on nearby owners and occupiers who, in the opinion of the local government, are likely to be affected by the granting of planning approval, stating that submissions may be made to the local government by a specified date being not less than 14 days from the day the notice is served;
- (b) notice of the proposed use or development published in a newspaper circulating in the Scheme area stating that submissions may be made to the local government by a specified day being not less than 14 days from the day the notice is published;
- (c) a sign or signs displaying notice of the proposed use or development to be erected in a conspicuous position on the land for a period of not less than 14 days from the day the notice is erected.

9.4.4. The notice referred to in clause 9.4.3(a) and (b) is to be in the form prescribed in Schedule 8 with such modifications as are considered appropriate by the local government.

9.4.5. Any person may inspect the application for planning approval referred to in the notice and the material accompanying that application at the offices of the local government.

9.4.6. After the expiration of the specified period from the serving of notice of the application for planning approval, the publication of the notice or the erection of a sign or signs, whichever is the later, the local government is to consider and determine the application.

**PART 10—PROCEDURE FOR DEALING WITH APPLICATIONS****10.1. Consultation with other authorities**

10.1.1. In considering an application for planning approval the local government may consult with any other statutory, public or planning authority it considers appropriate.

10.1.2. In the case of land reserved under the Scheme for the purposes of a public authority, the local government is to consult that authority before making its determination.

**10.2. Matters to be considered by local government**

The local government in considering an application for planning approval is to have due regard to such of the following matters as are in the opinion of the local government relevant to the use or development the subject of the application—

- (a) the aims and provisions of the Scheme and any other relevant town planning schemes operating within the Scheme area;
- (b) the requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, which has been granted consent for public submissions to be sought;
- (c) any approved statement of planning policy of the Commission;
- (d) any approved environmental protection policy under the *Environmental Protection Act 1986*;
- (e) any relevant policy or strategy of the Commission and any relevant policy adopted by the Government of the State;
- (f) any Local Planning Policy adopted by the local government under clause 2.4, any heritage policy statement for a designated heritage area adopted under clause 7.2.2, and any other plan or guideline adopted by the local government under the Scheme;
- (g) in the case of land reserved under the Scheme, the ultimate purpose intended for the reserve;
- (h) the conservation of any place that has been entered in the Register within the meaning of the *Heritage of Western Australia Act 1990*, or which is included in the Heritage List under clause 7.1, and the effect of the proposal on the character or appearance of a heritage area;
- (i) the compatibility of a use or development with its setting;
- (j) any social issues that have an effect on the amenity of the locality;
- (k) the cultural significance of any place or area affected by the development;
- (l) the likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment;
- (m) whether the land to which the application relates is unsuitable for the proposal by reason of it being, or being likely to be, subject to flooding, tidal inundation, subsidence, landslip, bush fire or any other risk;
- (n) the preservation of the amenity of the locality;
- (o) the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;
- (p) whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles;
- (q) the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (r) whether public transport services are necessary and, if so, whether they are available and adequate for the proposal;
- (s) whether public utility services are available and adequate for the proposal;
- (t) whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
- (u) whether adequate provision has been made for access by disabled persons;
- (v) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- (w) whether the proposal is likely to cause soil erosion or land degradation;
- (x) the potential loss of any community service or benefit resulting from the planning approval;
- (y) any relevant submissions received on the application;
- (z) the comments or submissions received from any authority consulted under clause 10.1.1;
- (za) any other planning consideration the local government considers relevant.

**10.3. Determination of applications**

In determining an application for planning approval the local government may—

- (a) grant its approval with or without conditions; or
- (b) refuse to grant its approval.

**10.4. Form and date of determination**

10.4.1. As soon as practicable after making a determination in relation to the application, the local government is to convey its determination to the applicant in the form prescribed in Schedule 9 and the date of determination is to be the date given in the notice of the local government's determination.

10.4.2. Where the local government refuses an application for planning approval the local government is to give reasons for its refusal.

**10.5. Term of planning approval**

10.5.1. Where the local government grants planning approval for the development of land—

- (a) the development approved is to be substantially commenced within 2 years, or such other period as specified in the approval, after the date of the determination; and
- (b) the approval lapses if the development has not substantially commenced before the expiration of that period.

10.5.2. A written request may be made to the local government for an extension of the term of planning approval at any time prior to the expiry of the approval period in clause 10.5.1.

**10.6. Temporary planning approval**

Where the local government grants planning approval, the local government may impose conditions limiting the period of time for which the approval is granted.

*Note: A temporary planning approval is where the local government grants approval for a limited period, for example, where the land may be required for some other purpose in the future, and is different to the term of the planning approval which is the period within which the development must commence.*

**10.7. Scope of planning approval**

Planning approval may be granted—

- (a) for the use or development for which the approval is sought;
- (b) for that use or development, except for a specified part or aspect of that use or development; or
- (c) for a specified part or aspect of that use or development.

**10.8. Approval subject to later approval of details**

10.8.1. Where an application is for a development that includes the carrying out of any building or works, the local government may grant approval subject to matters requiring the subsequent planning approval of the local government. These matters may include the siting, design, external appearance of the buildings, means of access, landscaping, and such other matters as the local government thinks fit.

10.8.2. In respect of an approval requiring subsequent planning approval, the local government may require such further details as it thinks fit prior to considering the application.

10.8.3. Where the local government has granted approval subject to matters requiring the later planning approval of the local government, an application for approval of those matters must be made not later than 2 years after the date of the determination of the first approval, or such other period as is specified in the approval.

**10.9. Deemed refusal**

10.9.1. Subject to clause 10.9.2, an application for planning approval is deemed to have been refused if a determination in respect of that application is not conveyed to the applicant by the local government within 60 days of the receipt of the application by the local government, or within such further time as is agreed in writing between the applicant and the local government.

10.9.2. An application for planning approval which is the subject of a notice under clause 9.4 is deemed to be refused where a determination in respect of that application is not conveyed to the applicant by the local government within 90 days of the receipt of the application by the local government, or within such further time as is agreed in writing between the applicant and the local government.

10.9.3. Despite an application for planning approval being deemed to have been refused, the local government may issue a determination in respect of the application at any time after the expiry of the period specified in clause 10.9.1 or 10.9.2, as the case requires, and that determination is as valid and effective from the date of determination as if it had been made before the period expired.

**10.10. Appeals**

An applicant aggrieved by a determination of the local government in respect of the exercise of a discretionary power under the Scheme may appeal under Part V of the Town Planning Act.

**PART 11—ENFORCEMENT AND ADMINISTRATION****11.1. Powers of the local government**

11.1.1. The local government in implementing the Scheme has the power to—

- (a) enter into an agreement with any owner, occupier or other person having an interest in land affected by the provisions of the Scheme in respect of any matter pertaining to the Scheme;
- (b) acquire any land or buildings within the Scheme area under the provisions of the Scheme or the Town Planning Act; and

- (c) deal with or dispose of any land which it has acquired under the provisions of the Scheme or the Town Planning Act in accordance with the law and for such purpose may make such agreements with other owners as it considers fit.

11.1.2. An employee of the local government authorized by the local government may, at all reasonable times and with such assistance as may be required, enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed.

#### **11.2. Removal and repair of existing advertisements**

11.2.1. Where an existing advertisement at, or at any time after, the coming into force of the Scheme, is, in the opinion of the local government, in conflict with the amenity of the locality, the local government may by written notice (giving clear reasons) require the advertiser to remove, relocate, repair, adapt or otherwise modify the advertisement.

11.2.2. Where, in the opinion of the local government, an advertisement has deteriorated to a point where it is in conflict with the aims of the Scheme or it ceases to be effective for the purpose for which it was erected or displayed, the local government may by written notice require the advertiser to—

- (a) repair, repaint or otherwise restore the advertisement to a standard specified by the local government in the notice; or
- (b) remove the advertisement.

11.2.3. For the purpose of clauses 11.2.1 and 11.2.2 any notice is to be served on the advertiser and is to specify—

- (a) the advertisement the subject of the notice;
- (b) full details of the action or alternative courses of action to be taken by the advertiser to comply with the notice; and
- (c) the period, being not less than 60 days from the date of the local government's determination, within which the action specified is to be completed by the advertiser.

11.2.4. A person on whom notice is served under this clause may appeal under Part V of the Town Planning Act against the determination of the local government.

#### **11.3. Delegation of functions**

11.3.1. The local government may, in writing and either generally or as otherwise provided by the instrument of delegation, delegate to a committee or the CEO, within the meaning of those expressions under the *Local Government Act 1995*, the exercise of any of its powers or the discharge of any of its duties under the Scheme, other than this power of delegation.

11.3.2. The CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 11.3.1.

11.3.3. The exercise of the power of delegation under clause 11.3.1 requires a decision of an absolute majority as if the power had been exercised under the *Local Government Act 1995*.

11.3.4. Sections 5.45 and 5.46 of the *Local Government Act 1995* and the regulations referred to in section 5.46 apply to a delegation made under this clause as if the delegation were a delegation under Division 4 of Part 5 of that Act.

#### **11.4. Person must comply with provisions of Scheme**

A person must not—

- (a) contravene or fail to comply with the provisions of the Scheme;
- (b) use any land or commence or continue to carry out any development within the Scheme area—
  - (i) otherwise than in accordance with the Scheme;
  - (ii) unless all approvals required by the Scheme have been granted and issued;
  - (iii) otherwise than in accordance with any conditions imposed upon the grant and the issue of any approval required by the Scheme; and
  - (iv) otherwise than in accordance with any standards laid down and any requirements prescribed by the Scheme or determined by the local government under the Scheme with respect to that building or that use.

*Note: Section 10(4) of the Town Planning Act provides that a person who—*

- (a) contravenes or fails to comply with the provisions of a town planning scheme; or*
- (b) commences or continues to carry out any development which is required to comply with a town planning scheme otherwise than in accordance with that scheme or otherwise than in accordance with any condition imposed with respect to the development by the responsible authority pursuant to its powers under that scheme,*

*is guilty of an offence.*

*Penalty: \$50 000, and a daily penalty of \$5 000.*

#### **11.5. Compensation**

11.5.1. A person whose land or property is injuriously affected by the making or amendment of the Scheme may make a claim for compensation under section 11(1) of the Town Planning Act—

- (a) in any case, within 6 months of the date of publication of notice of the approval of the Scheme or the amendment, as the case requires, in accordance with the *Town Planning Regulations 1967*; or

- (b) where the land has been reserved for a public purpose and—
- (i) an application made under the Scheme for approval to carry out development on the land is refused; or
  - (ii) an application made under the Scheme for approval to carry out development on the land is granted subject to conditions that have the effect of permitting the land to be used or developed for no purpose other than a public purpose,

not later than 6 months after the application is refused or the permission granted.

11.5.2. A person whose land or property is injuriously affected by the making of a Scheme may not claim compensation for that injurious affection more than once under clause 11.5.1.

1. A claim for compensation under section 11(1) of the Town Planning Act may be made in the Form No. 7 in Appendix A of the *Town Planning Regulations 1967*.

#### 11.6. Purchase or taking of land

11.6.1. If, where compensation for injurious affection is claimed under the Town Planning Act, the local government elects to purchase or take the land compulsorily the local government is to give written notice of that election to the claimant within 3 months of the claim for compensation being made.

11.6.2. The local government may deal with or dispose of land acquired by it for the purpose of a Local Reserve upon such terms and conditions as it thinks fit but the land must be used, and preserved, for a use compatible with the purpose for which it is reserved.

*Note: Section 13 of the Town Planning Act empowers the local government to purchase or compulsorily acquire land comprised in a scheme.*

#### 11.7. Notice for removal of certain buildings

11.7.1. Under section 10(1) of the Town Planning Act, 28 days written notice is prescribed as the notice to be given for the removal of a building or other work referred to in that subsection.

11.7.2. The local government may recover expenses under section 10(2) of the Town Planning Act in a court of competent jurisdiction.

### SCHEDULE 1—DICTIONARY OF DEFINED WORDS AND EXPRESSIONS

[cl. 1.7]

#### 1. General definitions

In the Scheme—

“**advertisement**” means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and includes any hoarding or similar structure used, or adapted for use, for the display of advertisements. The term includes any airborne device anchored to any land or building and any vehicle or trailer or other similar object placed or located so as to serve the purpose of advertising;

“**amenity**” means all those factors which combine to form the character of an area and include the present and likely future amenity;

“**building envelope**” means an area of land within a lot marked on a plan approved by the responsible authority within which all buildings and effluent disposal facilities on the lot must be contained;

“**conservation**” has the same meaning as in the *Heritage of Western Australia Act 1990*;

“**cultural heritage significance**” has the same meaning as in the *Heritage of Western Australia Act 1990*;

“**floor area**” has the same meaning as in the *Building Code of Australia 1996* published by the Australian Building Codes Board;

“**frontage**” when used in relation to a building that is used for—

- (a) residential purposes, has the same meaning as in the Residential Planning Codes; and
- (b) purposes other than residential purposes, means the road alignment at the front of a lot and, if a lot abuts 2 or more roads, the one to which the building or proposed building faces;

“**Gazettal date**” in relation to a Scheme, means the date on which the Scheme is published in the *Gazette* under section 7(3) of the Town Planning Act;

“**height**” when used in relation to a building that is used for—

- (a) residential purposes, has the same meaning as in the Residential Planning Codes; or
- (b) purposes other than residential purposes, means the maximum vertical distance between the ground level and the finished roof height directly above;

“**incidental use**” means a use of premises which is ancillary and subordinate to the predominant use;

“**local government**” means the Shire of Woodanilling;

“**Local Planning Strategy**” means the Local Planning Strategy in respect of the Scheme, as endorsed by the Commission under regulation 12B of the *Town Planning Regulations 1967* and amended from time to time;

“**lot**” has the same meaning as in the Town Planning Act but does not include a strata or survey strata lot;

“**minerals**” has the same meaning as in the *Mining Act 1978*;

“**net lettable area (nla)**” means the area of all floors within the internal finished surfaces of permanent walls but excludes the following areas—

- (a) all stairs, toilets, cleaner’s cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;
- (b) lobbies between lifts facing other lifts serving the same floor;
- (c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;
- (d) areas set aside for the provision of facilities or services to the floor or building where such facilities are not for the exclusive use of occupiers of the floor or building;

“**non-conforming use**” has the same meaning as it has in section 12(2)(a) of the Town Planning Act;

“**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;
- (b) is a person to whom the Crown has lawfully contracted to grant the fee simple of that 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 from the land, whether as beneficial owner, trustee, mortgagee in possession or otherwise;

“**place**” in Part 7 (Heritage Protection) has the same meaning as it has in the *Heritage of Western Australia Act 1990*;

“**plot ratio**” in the case of residential dwellings has the same meaning as in the Residential Planning Codes;

“**precinct**” means a definable area where particular planning policies, guidelines or standards apply;

“**predominant use**” means the primary use of premises to which all other uses carried out on the premises are subordinate, incidental or ancillary;

“**premises**” means land or buildings;

“**Residential Planning Codes**” means the Residential Planning Codes in Appendix 2 to the Western Australian Planning Commission Statement of Planning Policy No. 1, as amended from time to time;

“**retail**” means the sale or hire of goods or services to the public;

“**substantially commenced**” means that work or development the subject of planning approval has been begun by the performance of some substantial part of that work or development;

“**Town Planning Act**” means the *Town Planning and Development Act 1928*;

“**wholesale**” means the sale of goods or materials to be sold by others;

“**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 use and development of land, but does not include a reserve or special control area.

## 2. Land use definitions

In the Scheme—

“**aged & dependent persons dwelling**” means a dwelling specifically designed and/or intended for an Aged or Dependent Person as defined within the Residential Planning Codes;

“**agriculture—extensive**” means premises used for the raising of stock or crops but does not include agriculture—intensive or animal husbandry—intensive;

“**agriculture—intensive**” means premises used for trade or commercial purposes, including outbuildings and earthworks, associated with the following—

- (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
- (b) the establishment and operation of plant or fruit nurseries;
- (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms); or
- (d) aquaculture;

“**agroforestry**” means land used commercially for tree production and agriculture where trees are planted in blocks of more than one hectare;

“**ancillary tourist use**” means land or buildings used for—

- (a) recreation or entertainment;
- (b) consumption of food and/or beverages;
- (c) sale of produce;

- (d) sale of arts and crafts and souvenirs; and/or
  - (e) conducting excursions for tourists, such development and/or activity being restricted in size and prominence as determined by Council, incidental to, and directly related to the predominant use of the land;
- “animal establishment”** means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry—intensive or veterinary centre;
- “animal husbandry—intensive”** means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) and other livestock in feedlots;
- “bed and breakfast”** means a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short-term commercial basis and includes the provision of breakfast;
- “betting agency”** means an office or totalisator agency established under the *Totalisator Agency Board Betting Act 1960*;
- “caravan park”** has the same meaning as in the *Caravan Parks and Camping Grounds Act 1995*;
- “caretaker’s dwelling”** means a dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation or plant;
- “carpark”** means premises used primarily for parking vehicles 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 premises in which cars are displayed for sale;
- “cemeteries/crematoria”** means a building, place or premises as defined under either the *Cemeteries Act 1986* or the *Cremation Act 1929*;
- “child care premises”** has the same meaning as in the *Community Services (Child Care) Regulations 1988*;
- “civic use”** means premises used by a government department, an instrumentality of the Crown, or the local government, for administrative, recreational or other purposes;
- “club premises”** means premises used by a legally constituted club or association or other body of persons united by a common interest;
- “community purpose”** means the use of premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organizations involved in activities for community benefit;
- “consulting rooms”** means premises used by no more than 2 health consultants for the investigation or treatment of human injuries or ailments and for general outpatient care;
- “corrective institution”** means premises used to hold and reform persons committed to it by a court, such as a prison or other type of detention facility;
- “dog kennels”** means any land or buildings used for the boarding and breeding of dogs where such premises are registered or required to be registered by the council, and may include the sale of dogs;
- “dry cleaning premises”** means any land or buildings used for the cleaning of garments and other fabrics by chemical processes;
- “educational establishment”** means premises used for the purposes of education and includes a school, tertiary institution, business college, academy or other educational centre;
- “exhibition centre”** means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature, and includes a museum or art gallery;
- “family day care”** means premises used to provide family day care within the meaning of the *Community Services (Child Care) Regulations 1988*;
- “fast food outlet”** means premises 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 lunch bar;
- “fuel depot”** means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel, but does not include a service station and specifically excludes the sale by retail into a vehicle for final use of such fuel from the premises;
- “funeral parlour”** means premises used to prepare and store bodies for burial or cremation;
- “home business”** means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which—
- (a) does not employ more than 2 people not members of the occupier’s household;
  - (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
  - (c) does not occupy an area greater than 50 square metres;
  - (d) does not involve the retail sale, display or hire of goods of any nature;
  - (e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and



- (f) does not involve the use of an essential service of greater capacity than normally required in the zone;

**“home occupation”** means an occupation (not including a Rural Home Business) carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which—

- (a) does not employ any person not a member of the occupier’s household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 20 square metres;
- (d) does not display a sign exceeding 0.2 square metres;
- (e) does not involve the retail sale, display or hire of goods of any nature;
- (f) in relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- (g) does not involve the use of an essential service of greater capacity than normally required in the zone;

**“home office”** means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which does not—

- (a) entail clients or customers travelling to and from the dwelling;
- (b) involve any advertising signs on the premises; or
- (c) require any external change to the appearance of the dwelling;

**“hotel”** means premises providing accommodation the subject of a hotel licence under the *Liquor Licensing Act 1988*, and may include a betting agency on those premises, but does not include a tavern or motel;

**“industry”** means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes premises on the same land used for—

- (a) the storage of goods;
- (b) the work of administration or accounting;
- (c) the selling of goods by wholesale or retail; or
- (d) the provision of amenities for employees, incidental to any of those industrial operations;

**“industry—extractive”** means an industry which involves the extraction, quarrying or removal of sand, gravel, clay, hard rock, stone or similar material from the land and includes the treatment and storage of those materials, or the manufacture of products from those materials on, or adjacent to, the land from which the materials are extracted, but does not include industry—mining;

**“industry—general”** means an industry other than a cottage, extractive, light, mining, rural or service industry;

**“industry hazardous”** means an industry which, when in operation and when all measures proposed to minimise its impact on the locality have been employed (including measures to isolate the industry from existing or likely future development on other land in the locality), would pose a significant risk in relation to the locality, to human health, life or property, or to the biophysical environment. Examples of such industry include oil refineries and chemical plants but would generally exclude light, rural or service industries;

**“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 do not cause any injury to or adversely affect the amenity of the locality;
- (b) the establishment or conduct of which does not, or will not, impose an undue load on any existing or proposed service for the supply or provision of essential services;

**“industry—mining”** means land used commercially to extract minerals from the land;

**“industry—noxious”** means an industry in which the process involved constitutes an offence trade within the meaning of the *Health Act 1911* (as amended), but does not include fish shops or dry cleaning establishments;

**“industry—rural”** means—

- (a) an industry handling, treating, processing or packing rural products; or
- (b) a workshop servicing plant or equipment used for rural purposes;

**“industry—service”** means—

- (a) an industry—light carried out from premises which may have a retail shop front and from which goods manufactured on the premises may be sold; or
- (b) premises having a retail shop front and used as a depot for receiving goods to be serviced;

**“motel”** means premises used to accommodate patrons in a manner similar to a hotel but in which specific provision is made for the accommodation of patrons with motor vehicles and may comprise premises licensed under the *Liquor Licensing Act 1988*;

**“motor vehicle repair”** means premises used for or in connection with—

- (a) electrical and mechanical repairs, or overhauls, to vehicles; or
- (b) repairs to tyres,

but does not include premises used for recapping or retreading of tyres, panel beating, spray painting or chassis reshaping;

**“motor vehicle sales”** means premises used to sell or hire motor vehicles, boats or caravans;

**“motor vehicle wrecking”** means any land or buildings used for storage, breaking up or dismantling of motor vehicles and includes the sale of secondhand motor vehicle accessories and spare parts;

**“night club”** means premises—

- (a) used for entertainment with or without eating facilities; and
- (b) licensed under the *Liquor Licensing Act 1988*;

**“office”** means premises used for administration, clerical, technical, professional or other like business activities;

**“place of worship”** means premises used for religious activities such as a church, chapel, mosque, synagogue or temple;

**“plantation”** has the same meaning as in the *Code of Practice for Timber Plantations in Western Australia* (1997) published by the Department of Conservation and Land Management and the Australian Forest Growers;

**“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 amusement”** means the use of land as a theatre, a cinema, a dance hall, a skating rink, swimming pool, or a gymnasium or for games;

**“reception centre”** means premises used for functions on formal or ceremonial occasions but not for unhosted use for general entertainment purposes;

**“recreation—private”** means premises used for indoor or outdoor leisure, recreation or sport which are not usually open to the public without charge;

**“residential building”** has the same meaning as in the Residential Planning Codes;

**“restaurant”** means premises where the predominant use is the sale and consumption of food and drinks on the premises and where seating is provided for patrons, and includes a restaurant licensed under the *Liquor Licensing Act 1988*;

**“restricted premises”** means premises used 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 under the *Censorship Act 1996*;
- (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 home business”** means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which—

- (a) does not employ more than 5 people not members of the occupier's household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 200 square metres;
- (d) in relation to vehicles and parking does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of more than 3 vehicles or more than 3.5 tonnes tare weight; and does not involve the use of an essential service of greater capacity than normally required in the zone;

**“rural pursuit”** means any premises used for—

- (a) the rearing or agistment of animals;
- (b) the stabling, agistment or training of horses;
- (c) the growing of trees, plants, shrubs or flowers for replanting in domestic, commercial or industrial gardens; or
- (d) the sale of produce grown solely on the lot,

but does not include agriculture—extensive or agriculture—intensive;

**“service station”** means premises used for—

- (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental/convenience retail nature; and
- (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles,

but does not include premises used for a transport depot, panel beating, spray painting, major repairs or wrecking;

**“shop”** means premises used to sell goods by retail, hire goods, or provide services of a personal nature (including a hairdresser or beauty therapist) but does not include a showroom or fast food outlet;

“**showroom**” means premises used to display, sell by wholesale or retail, or hire, automotive parts and accessories, camping equipment, electrical light fittings, equestrian supplies, floor coverings, furnishings, furniture, household appliances, party supplies, swimming pools or goods of a bulky nature;

“**sportsground**” means land used for any sport, but does not include land within the curtilage of a dwelling, if not used commercially;

“**tavern**” means premises licensed as a tavern under the *Liquor Licensing Act 1988* and used to sell liquor for consumption on the premises;

“**telecommunications infrastructure**” means land used to accommodate any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use in or in connection with, a telecommunications network;

“**tourist accommodation**” means development and associated tourism uses such as retailing and services, where such uses are an integral part of the development and are of a scale appropriate to the needs of the development;

“**transient workforce accommodation**” means a dwelling for the temporary accommodation of transient workers and may be designed to allow transition to another use or may be designed as a permanent facility for transient workers and includes a contractor's camp and dongas;

“**transport depot**” means any land or buildings used for the garaging of motor vehicles used or intended to be used for carrying goods or persons, or for the transfer of goods or persons from one motor vehicle to another of such motor vehicle and includes maintenance, management and repair of the vehicles used, but not of vehicles, and may include overnight accommodation on-site for the transport workers;

“**veterinary centre**” means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders;

“**warehouse**” means premises used to store or display goods and may include sale by wholesale;

“**winery**” means premises used for the production of viticultural produce and may include sale of the produce;

“**zoological gardens**” means any land or buildings used for the keeping, breeding or display of animals and the term includes zoo but does not include a dog kennels or a cattery, animal husbandry or animal keeping;

## SCHEDULE 2—ADDITIONAL USES

[cl. 4.5]

No.	Description of land	Additional Use	Conditions
1.	Lots 55 and 56 Robinson Road, Woodanilling	Service Station Restaurant Shop	The development of any of the uses listed requires the prior approval of Council and will be subject to such conditions as Council stipulates.  The development of a shop shall be ancillary to the existing use of the site as a caravan park or as a Service Station, unless Council is satisfied that it is for tourist purpose ie a gallery.

## SCHEDULE 3—RESTRICTED USES

[cl. 4.6]

No.	Description of land	Restricted use	Conditions

**SCHEDULE 4—SPECIAL USE ZONES**

[cl. 4.7.1]

No.	Description of land	Special use	Conditions

**SCHEDULE 5—EXEMPTED ADVERTISEMENTS**

LAND USE AND/OR DEVELOPMENT	EXEMPTED SIGN <sup>1</sup>	MAXIMUM SIZE
Dwellings	One professional name-plate as appropriate.	0.2m <sup>2</sup>
Home Occupation	One advertisement describing the nature of the home occupation.	0.2m <sup>2</sup>
Places of Worship, Meeting Halls and Places of Public Assembly.	One advertisement detailing the function and/or the activities of the institution concerned.	0.2m <sup>2</sup>
Cinemas, Theatres and Drive-In Theatres	Two signs (illuminated or non-illuminated) detailing the entertainment being presented from time to time at the venue upon which the signs are displayed.	Each advertisement sign not to exceed 5m <sup>2</sup>
Shops, Showrooms and other uses appropriate to a Shopping Area.	All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building subject to compliance with the requirements of the Signs Hoarding and Bill Posting Bylaws.	N/A
Industrial and Warehouse Premises	A maximum of 4 advertisements applied to or affixed to the walls of the building but not including signs which project above the eaves or the ridge of the roof of the building, and excluding signs projecting from a building whether or not those signs are connected to a pole, wall or other building.  A maximum of two free-standing advertisement signs not exceeding 5m in height above ground level.	Total area of any such advertisements, shall not exceed 15m.  Maximum permissible total area shall not exceed 10m <sup>2</sup> and individual advertisement signs shall not exceed 6m <sup>2</sup>
Showroom, race courses, major racing tracks, sports stadia, major sporting grounds and complexes.	All signs provided that, in each case, the advertisement is not visible from outside the complex or facility concerned either from other private land or from public places and streets.	N/A
Public Places and Reserves	(a) Advertisement signs (illuminated and non-illuminated) relating to the functions of government a public authority or council of a local government excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body, and  (b) Advertisement signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a Government department, public authority or the council of a local government, and	N/A  N/A

LAND USE AND/OR DEVELOPMENT	EXEMPTED SIGN <sup>1</sup>	MAXIMUM SIZE
	(c) Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a Statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.	N/A
Railway Property and Reserves	Advertisement signs exhibited on such land provided that each such advertisement is directed only at persons at or upon a railway station.	No sign shall exceed 2m <sup>2</sup> in area.
Advertisements within buildings	All advertisements placed or displayed within buildings which cannot ordinarily be seen by a person outside of those buildings.	N/A
All classes of buildings other than single family dwellings.	One advertisement sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.	0.2m <sup>2</sup>

<sup>1</sup> Includes the change of posters on poster signs to non-illuminated signs unless otherwise stated.

TEMPORARY SIGNS	EXEMPTED SIGN—TYPE AND NUMBER (All non-illuminated unless otherwise stated)	MAXIMUM AREA
Building Construction Sites (advertisement signs displayed only for the duration of the construction) as follows—		
(a) Dwellings.	One Advertisement per street frontage containing details of the project and the contractors undertaking the construction work.	2m <sup>2</sup>
(b) Multiple Dwellings, Shops, Commercial and Industrial projects.	One sign as for (i) above	5m <sup>2</sup>
(c) Large Development or redevelopment projects involving shopping centres, office or other buildings exceeding 3 storeys in height.	One sign as for (i) above	10m <sup>2</sup>
	One additional sign showing the name of the project builder.	5m <sup>2</sup>
Sales of Goods or Livestock	One sign per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any land or within any building upon which the sign is exhibited provided that the land is not normally used for that purpose. Property Transactions. Advertisement signs displayed for the duration of the period over which property transactions are offered and negotiated as follows—	2m <sup>2</sup>
	(a) Dwellings	Each sign shall not exceed an area of 2m <sup>2</sup>

TEMPORARY SIGNS	EXEMPTED SIGN—TYPE AND NUMBER (All non-illuminated unless otherwise stated)	MAXIMUM AREA
	(b) Multiple Dwellings, Shops, Commercial and Industrial Properties.	Each sign shall not exceed an area of 5m <sup>2</sup>
	(c) Large properties comprised of shopping centres, buildings in excess of four storeys and rural properties in excess of 5ha.	Each sign shall not exceed an area of 10m <sup>2</sup>
	(i) One sign for each dwelling on display	2m <sup>2</sup>
	(ii) In addition to (i) above one sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display.	5m <sup>2</sup>

<sup>2</sup> Includes the change of posters on poster signs and applies to non-illuminated signs unless otherwise stated.

## SCHEDULE 6—FORM OF APPLICATION FOR PLANNING APPROVAL

[cl. 9.1.1]

### Application for planning approval

Owner details			
Name:			
Address:		Postcode:	
Phone: (work): (home): (mobile):	Fax:	E-mail:	
Contact person:			
Signature:		Date:	
Signature:		Date:	
<i>The signature of the owner(s) is required on all applications. This application will not proceed without that signature.</i>			
Applicant details			
Name:			
Address:		Postcode:	
Phone: (work): (home): (mobile):	Fax:	E-mail:	
Contact person for correspondence:			
Signature:		Date:	
Property details			
Lot No:	House/Street No:	Location No:	
Diagram or Plan No.:	Certificate of Title Vol. No.:	Folio:	
Diagram or Plan No.:	Certificate of Title Vol. No.:	Folio:	
Title encumbrances (e.g. easements, restrictive covenants):			
Street name:		Suburb:	
Nearest street intersection:			
Existing building/land use:			
Description of proposed development and/or use:			
Nature of any existing buildings and/or use:			
Approximate cost of proposed development:			
Estimated time of completion:			
OFFICE USE ONLY			
Acceptance Officer's initials:		Date received:	
Local government reference no.:			

**SCHEDULE 7—ADDITIONAL INFORMATION FOR ADVERTISEMENTS**

[cl. 9.1.2]

*Note: to be completed in addition to the Application for Planning Approval form*

1.	Description of property upon which advertisement is to be displayed including full details of its proposed position within that property: .....
2.	<p>Details of proposed sign:</p> <p>(a) Type of structure on which advertisement is to be erected (i.e. freestanding, wall mounted, other): .....</p> <p>(b) Height: ..... Width: ..... Depth: .....</p> <p>(c) Colours to be used: .....</p> <p>(d) Height above ground level:  <input type="checkbox"/> (to top of advertisement):  <input type="checkbox"/> (to underside): .....</p> <p>(e) Materials to be used: .....</p> <p>Illuminated: Yes / No          If yes, state whether steady, moving, flashing, alternating, digital, animated or scintillating and state intensity of light source:          .....</p>
3.	Period of time for which advertisement is required: .....
4.	<p>Details of signs (if any) to be removed if this application is approved:          .....          .....          .....</p> <p>Note: This application should be supported by a photograph or photographs of the premises showing superimposed thereon the proposed position for the advertisement and those advertisements to be removed detailed in 4 above.</p> <p>Signature of advertiser(s): .....          (if different from land owners) .....</p> <p>Date: .....</p>

**SCHEDULE 8—NOTICE OF PUBLIC ADVERTISEMENT OF PLANNING PROPOSAL**

[cl. 9.4.4]

**TOWN PLANNING ACT 1928***Shire of Woodanilling*

Notice of public advertisement of planning proposal

The local government has received an application to use and/or develop land for the following purpose and public comments are invited.		
Lot No.:	Street:	Suburb:
Proposal: .....		
.....		
.....		
Details of the proposal are available for inspection at the local government office. Comments on the proposal may be submitted to the local government in writing on or before the ..... day of .....		
Signed:		Dated:
.....		.....
for and on behalf of the Shire of Woodanilling		

# **SCHEDULE 9—NOTICE OF DETERMINATION ON APPLICATION FOR PLANNING APPROVAL**

[cl. 10.4.1]

## **TOWN PLANNING ACT 1928**

*Shire of Woodanilling*

Determination on application for planning approval

Location:	
Lot:	Plan/Diagram:
Vol. No.:	Folio No.:
Application date:	Received on:
Description of proposed development:	
.....	
The application for planning approval is—	
<input type="checkbox"/> granted subject to the following conditions:	
<input type="checkbox"/> refused for the following reasons(s):	
Conditions/reasons for refusal:	
.....	
.....	
.....	
Note 1:	If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.
Note 2:	Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.
Note 3:	If an applicant is aggrieved by this determination there is a right of appeal under Part V of the <i>Town Planning Act 1928</i> . An appeal must be lodged within 60 days of the determination.
Signed:	Dated:
.....	.....
for and on behalf of the Shire of Woodanilling	

# **SCHEDULE 10—ENVIRONMENTAL CONDITIONS**

[cl. 5.6]

Scheme or Amendment No.	Gazettal Date	Environmental Conditions

## ADOPTION

Adopted by resolution of the Council of the Shire of Woodanilling at the meeting of the Council held on the 16th day of July 2002.

H. R. THOMSON, Shire President.

Dated: 16 July 2002.

B. K. KNIGHT, Chief Executive Officer.

Dated: 16 July 2002.



**FINAL APPROVAL**

1. Adopted by resolution of the Council of the Shire of Woodanilling at the meeting of the Council held on the 20th day of May 2003 and the seal of the Municipality was pursuant to that resolution affixed in the presence of—

H. R. THOMSON, Shire President.

Dated: 20 May 2003.

B. K. KNIGHT, Chief Executive Officer.

Dated: 20 May 2003.

2. Recommended/Submitted for Final Approval by the Western Australian Planning Commission—

J. BELL, Delegated under S.20 of WAPC Act 1985.

Dated: 28/6/2005.

3. Final Approval Granted—

ALANNAH MacTIERNAN, Minister for Planning and Infrastructure.

Dated: 3/7/2005.

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**POLICE**

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**PO401\*****ROAD TRAFFIC ACT 1974****TEMPORARY SUSPENSION OF REGULATIONS**

I, Neil Lawrence Royle, Inspector (Traffic Services) being the delegated officer of the Minister for Transport under Section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by Section 83(1) of that Act, and the consent of the Local Authorities having been obtained and nominated for the purposes of:

A Cycle Race-Criterium by members/entrants of the Eastern Goldfields Cycle Club on 4th June 2005 between the hours of 13:00 Hrs and 18:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the carriageway on Hannan Street between Outridge Terrace and Maritana Street in Kalgoorlie.

All participants to wear approved head protection at all times.

A Cycle Race by members/entrants of the Eastern Goldfields Cycle Club on 5th June 2005 between the hours of 10:00 Hrs and 16:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway from Menzies Townsite along Goldfields Highway and into Hannan Street, Kalgoorlie.

All participants to wear approved head protection at all times.

A Cycle Time Trial Race (17 kilometres) by members/entrants of the Australian Time Trials Association on 5th June 2005 between the hours of 07:30 Hrs and 10:00 Hrs, 2nd October 2005 between the hours of 07:30 Hrs and 10:00 Hrs, 7th August 2005 between the hours of 07:30 Hrs and 10:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on Lemnos Street, Brockway Road, Quintillian Drive, Stubbs Terrace, Selby Street in Shenton Park.

All participants to wear approved head protection at all times.

A Cycle Road Race by members/entrants of the Peel District Cycle Club Inc on 6th June 2005 between the hours of 10:00 Hrs and 14:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on Pinjarra-Williams Road between Pinjarra and Dwellingup.

All participants to wear approved head protection at all times.

A Cycle Event by members/entrants of the Cyclewest Promotions/Midland Cycle Club on 19th June 2005 between the hours of 10:00 Hrs and 14:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on Chittering Valley Road, Muchea East/Chittering Road in the Shire of Gingin.

All participants to wear approved head protection at all times.

A Duathlon by members/entrants of the Bunbury Triathlon Club on 26th June 2005 between the hours of 07:30 Hrs and 09:00 Hrs, 17th July 2005 between the hours of 07:30 Hrs and 09:00 Hrs, 7th August 2005 between the hours of 07:30 Hrs and 09:00 Hrs, 4th September 2005 between the hours of 07:30 Hrs and 09:00 Hrs, 25th September 2005 between the hours of 07:30 Hrs and 09:00 Hrs do

hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the carriageway on Pratt Road in Bunbury.

All participants to wear approved head protection at all times for the cycle event.

A Cycle Time Trial by members/entrants of the Peel District Cycling Club on 2nd July 2005 between the hours of 08:00 Hrs and 12:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on Hopelands Road in Serpentine.

All participants to wear approved head protection at all times.

A Perth Marathon by members/entrants of the West Australian Marathon Club on 3rd July 2005 between the hours of 07:30 Hrs and 12:30 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the carriageway on footpath from Water Sports Centre, across Goongoongup Bridge, path to Victory Terrace, Brown Street, footpath over bridge to Claisebrook Cove, path under and across Causeway, path through McCallum Park, path through South Perth, path under Narrows Bridge, path along Freeway, Canning Bridge, Haig Road, Burke Drive, Hislop Road in Perth Area.

A Cycle Event by members/entrants of the Cyclewest Promotions/Midland Cycle Club on 10th July 2005 between the hours of 12:00 Hrs and 17:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on Great Southern Highway between York and Beverley, Beverley Road, Quairading-York Road, Main Street in the Shires of Brookton/Beverley/York.

All participants to wear approved head protection at all times.

A Cycle Time Trial Race by members/entrants of the Australian Time Trials Association on 10th July 2005 between the hours of 07:30 Hrs and 10:00 hrs, 11th September 2005 between the hours of 07:30 Hrs and 10:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on Forrest Drive, Botanical Garden Car Park, Lovekin Drive in Kings Park, Perth.

All participants to wear approved head protection at all times.

A Road Ride—Handicap by members/entrants of the South West Cycle Club Inc on 17th July 2005 between the hours of 09:00 Hrs and 11:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on Marriot Road, Wellesley Road, Old Coast Road, Treasure Road in the Shire of Harvey.

All participants to wear approved head protection at all times.

A Cycling Road Race by members/entrants of the West Coast Masters Cycling Council Inc on 31st July 2005 between the hours of 09:00 Hrs and 12:30 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on Badgerup Road, Lakelands Drive, Sydney Road, Ross Street in the City of Wanneroo.

All participants to wear approved head protection at all times.

A WACF Open Race by members/entrants of the South West Cycle Club Inc on 31st July 2005 between the hours of 08:00 Hrs and 14:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on Ferguson Road and Wellington Mill Road in the Shire of Dardanup.

All participants to wear approved head protection at all times.

A Cycle Race—Anzac Highway by members/entrants of the Eastern Goldfields Cycle Club on 6th August 2005 between the hours of 14:00 Hrs and 15:30 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on Anzac Highway in the Kalgoorlie Area.

All participants to wear approved head protection at all times.

A Cycle Road Race by members/entrants of the Peel District Cycling Club on 7th August 2005 between the hours of 08:30 Hrs and 15:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on Orton Road, Casuarina Road, Mortimer Road, Woolcoot Road, Arundel Drive, Joint Street, Braddock Road, Banksia Road, Lyndon Road, Coyle Road, King Road in Casuarina.

All participants to wear approved head protection at all times.

A Cycle Road Race by members/entrants of the Peel District Cycling Club (Inc) on 7th August 2005 between the hours of 08:30 Hrs and 15:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on Orton Road (Casuarina), Casuarina Road, Mortimer Road, Woolcoot Road, Arundel Drive, Joint Street, Braddock Road, Banksia Road, Lydon Road, Coyle Road, King Road in the Town of Kwinana.

All participants to wear approved head protection at all times.

A Porongurups and Return Handicap by members/entrants of the Albany Cycling Club Inc on 13th August 2005 between the hours of 13:00 Hrs and 17:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on Chester Pass Road, Porongurup Road in the Albany Area.

All participants to wear approved head protection at all times.

A Lake Joondallup 5km and 10km Foot Race by members/entrants of the West Australian Marathon Club on 14th August 2005 between the hours of 08:00 Hrs and 10:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the carriageway on Rotary Park, Scenic Drive, Wanneroo.

A Cycling Road Race by members/entrants of the Collie Cycle Club on 20th August 2005 between the hours of 10:00 Hrs and 17:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on Throssell Street (Collie), Patterson Street, Preston Road (Mumballup), Donnybrook/Boyup Brook Road (Lowden), South West Highway (Donnybrook).

All participants to wear approved head protection at all times.

A Perth 100K Run by members/entrants of the West Australian Marathon Club on 21st August 2005 between the hours of 07:00 Hrs and 13:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the carriageway on Dual Use Path to Windan Bridge, cross Bridge, Footpath to Brown Street, cross Trafalgar Bridge, path to the Causeway, cross Causeway, car park at end of Hurlingham Road, Ranelagh Road, footpath to first bridge across lake, cross bridge to path at the rivers edge and footpath to Burswood Water Sports Centre in the Town of Victoria Park.

A Denmark to Albany Handicap by members/entrants of the Albany Cycling Club Inc on 27th August 2005 between the hours of 13:30 Hrs and 17:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on South Coast Highway in the Denmark/Albany Area.

All participants to wear approved head protection at all times.

A Cycle Race—By Pass Road, Anzac Drive by members/entrants of the Eastern Goldfields Cycle Club on 27th August 2005 between the hours of 14:00 Hrs and 15:30 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on Goldfields Highway, Anzac Drive, Hannan's Street in Kalgoorlie.

All participants to wear approved head protection at all times.

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## PO501

### POLICE ACT 1892

#### POLICE AUCTION

Under the provisions of the Police Act 1892, unclaimed and stolen property will be sold by public auction at Karratha Outdoors and Dive Centre, Lot 1435 Warambie Road Karratha at 11.00 am on Sunday 10th July 2005.

The auction is to be conducted Paul Kensington, Licensed Auctioneer.

K. O'CALLAGHAN, Commissioner of Police,  
Western Australia Police Service.

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## PREMIER AND CABINET

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### PC401\*

#### INTERPRETATION ACT 1984

##### MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the Governor in accordance with Section 52(1)(b) of the Interpretation Act 1984 has approved the following temporary appointment—

Hon A. J. Carpenter MLA to act temporarily in the office of Minister for Tourism; Racing and Gaming; Youth; Peel and the South West in the absence of the Hon M. McGowan MLA for the period 28 to 30 July 2005 (all dates inclusive).

M. C. WAUCHOPE, Director General,  
Department of the Premier and Cabinet.

**PC402\*****APPOINTMENT OF DEPUTY OF THE GOVERNOR**

It is hereby notified for public information that the Governor, under clause XVI of the Letters Patent relating to the Office of Governor of the State of Western Australia dated 14 February 1986, has appointed the Honourable Justice Anthony John Templeman, to be the deputy of the Governor and in that capacity to perform and exercise all the powers and functions of the Governor during the following period (both dates inclusive)—

19 to 22 July 2005

M. C. WAUCHOPE, Director General,  
Department of the Premier and Cabinet.

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**PC403\*****INTERPRETATION ACT 1984****MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Governor in accordance with Section 52(1)(b) of the *Interpretation Act 1984* has approved the following temporary appointments to act temporarily in the office of Minister for Education and Training in the absence of the Hon L Ravlich MLC for the following periods (all dates inclusive)—

Hon J. Bowler MLA—11 to 15 July 2005

Hon J. C. Kobelke—16 to 24 July 2005

M. C. WAUCHOPE, Director General,  
Department of the Premier and Cabinet.

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**PC404\*****INTERPRETATION ACT 1984****MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Governor in accordance with Section 52(1)(b) of the *Interpretation Act 1984* has approved the following temporary appointments to act temporarily in the office of Minister for Agriculture and Forestry; the Midwest and Wheatbelt in the absence of the Hon K M Chance MLC for the period 8 to 23 July 2005 (both dates inclusive)—

Hon E. S. Ripper MLA—8 to 17 July 2005

Hon F. M. Logan MLA—18 to 23 July 2005

M. C. WAUCHOPE, Director General,  
Department of the Premier and Cabinet.

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**RACING, GAMING AND LIQUOR**

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**RG401****GAMING AND WAGERING COMMISSION ACT 1987****APPOINTMENT**

I, Mark McGowan MLA, being the Minister responsible for the administration of the *Gaming and Wagering Commission Act 1987* and acting in accordance with section 12 of that Act, hereby appoint Anthony Macri as a member of the Gaming and Wagering Commission of Western Australia for a term commencing on 1 July 2005 and expiring on 30 June 2008.

MARK MCGOWAN MLA, Minister for Tourism, Racing and  
Gaming; Youth; Peel and the South West.

RG402\*

**LIQUOR LICENSING ACT 1988**  
**LIQUOR LICENSING APPLICATIONS**

The following is a summary of applications received under the *Liquor Licensing Act 1988* and required to be advertised. Any person wishing to obtain more details about any application, or about the objection process, should contact the Department of Racing, Gaming and Liquor, 1st Floor, Hyatt Centre, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
10839	Dianne E Ciprian and John A Ciprian	Application for the grant of a Producer's licence in respect of premises situated in Kalgan and known as Kalgan River Wines	20/7/2005
10841	Margaret River Dreaming Pty Ltd	Application for the grant of a Wholesaler's licence in respect of premises situated in Margaret River and known as Margaret River Dreaming Pty Ltd	21/7/2005
10843	Ogden International Facilities Corporation (Perth) Pty Ltd	Application for the grant of a Special Facility licence in respect of premises situated in Perth and known as Ogden IFC (Perth) Pty Ltd	29/7/2005
<b>APPLICATION FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS</b>			
24203	Billeroo Nominees Pty Ltd	Application for the grant of an extended trading permit—ongoing hours, in respect of premises situated in Leeman and known as Leeman Fuel and Liquor	21/7/2005

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

Dated: 6 July 2005.

P. MINCHIN, Acting Director of Liquor Licensing.

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## **WATER/SEWERAGE**

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WA403\*

**WATER SERVICES LICENSING ACT 1995**

Section 31 (5)

**AMENDMENT OF LICENCE**

Notice is given that the following operating licence has been amended—

Licensee:	Shire of Ravensthorpe
Address:	PO Box 43 Ravensthorpe WA 6346
Classification:	Operating Licence, Non-Potable Water Supply and Sewerage Services
Date of Issue:	6 July 2005
Term of Licence:	Up to and including 29 April 2021
Amendment:	Deletion of the following Operating Area from the licence— <ul style="list-style-type: none"> <li>Hopetoun Sewerage Services Operating Area Plan No. OWR-OA-289A</li> </ul>
Inspection of Licence:	Economic Regulation Authority 6th floor 197 St Georges Terrace Perth WA 6000 <a href="http://www.era.wa.gov.au">http://www.era.wa.gov.au</a>

LYNDON G. ROWE, Chairman.

**WA402\*****WATER SERVICES LICENSING ACT 1995**

## Section 31 (5)

## AMENDMENT OF LICENCE

Notice is given that the following operating licence has been amended—

Licensee: Water Corporation  
Address: PO Box 100  
Leederville WA 6092  
Classification: Operating Licence, Water Supply Services, Sewerage Services, Irrigation Services and Drainage Services  
Date of Issue: 20 June 2005  
Term of Licence: Up to and including 28 June 2021  
Amendment: Licence substituted as a result of the addition of new areas, amendments to the size and basis of water service provision to various Operating Areas. The Water Corporation's water service provision to the Operating Areas listed below has changed from Sole Provider to Non-Exclusive—

- Metropolitan Potable Water Supply Services Operating Area Plan No. OWR-OA-214 (A)
- Metropolitan Sewerage Services Operating Area Plan No. OWR-OA-100 (A)
- Hopetoun Sewerage Services Operating Area Plan No. OWR-OA-296
- Hopetoun Potable Water Supply Services Operating Area Plan No. OWR-OA-116(D)
- Mandurah/Pinjarra Potable Water Supply Services Operating Area Plan No. OWR-OA-283-1(C)
- Margaret River Sewerage Services Operating Area Plan No. OWR-OA-215(C)
- Nilgen Stage 2 Potable Water Supply Services Operating Area Plan No. OWR-OA-295 (A)
- Goldfields and Agricultural Potable Water Supply Services Plan No. OWR-OA-055 (G) (effective 11/6/05)
- Kambalda Sewerage Services Operating Area Plan No. OWR-OA-282 (A) (effective 11/6/05)

Inspection of Licence: Economic Regulation Authority  
6th floor  
197 St Georges Terrace  
Perth WA 6000  
<http://www.era.wa.gov.au>

LYNDON G. ROWE, Chairman.

**WA404\*****ELECTRICITY INDUSTRY ACT 2004**

## Section 23 (1)

## NOTICE OF DECISIONS

Notice is given that the following Generation Licence has been granted—

Licensee: EDWF Holdings 1 Pty Ltd and Griffin Windfarm Pty Ltd *operating as* Emu Downs Wind Farm Joint Venture  
Issue Date: 23 June 2005  
Address of Licensee: EDWF Holdings 1 Pty Ltd      Griffin Windfarm Pty Ltd  
ACN 114 267 748      ABN 46 113 649 068  
Waterfront Place      15th Floor  
L12, 1 Eagle Street      28 The Esplanade  
Brisbane QLD 4000      Perth WA 6000  
Classification: Generating Works  
Term of Licence: Up to and including 18 June 2035  
Area Covered: Emu Downs, Melbourne locations 3841, 3842 and 3863 in the Shire of Dandaragan  
Inspection of Licence: Economic Regulation Authority  
6th Floor  
197 St Georges Terrace  
Perth WA 6000  
<http://www.era.wa.gov.au>

LYNDON G. ROWE, Chairman.

WA401\*

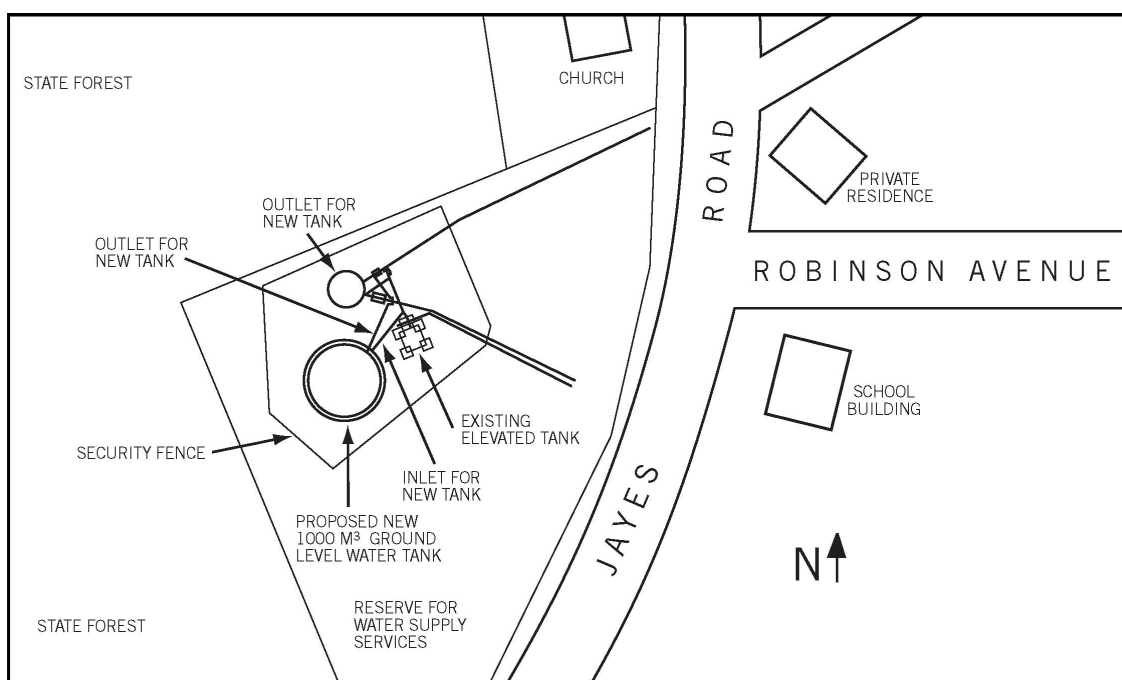
**WATER AGENCIES (POWERS) ACT 1984***Boyup Brook (Shire of Boyup Brook)***WATER SUPPLY IMPROVEMENTS**Authorisation to Construct a 1000m<sup>3</sup> Ground Level Tank

In accordance with the provisions of the *Water Agencies (Powers) Act 1984*, the Water Corporation has been authorised to construct the following works—

- A reinforced concrete ground level water storage tank of approximately 1000 cubic meters capacity, 19.0 metres diameter and 4.0 metres wall height, with a metal sheeted roof of zincalume finish.
- Associated pipework including valves, metres and concrete valve pits.

The location of the proposed works is within Boyup Brook town as shown on the locality plan below.

The works will improve the Boyup Brook Water Supply.




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## DECEASED ESTATES

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ZX401

**TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Jeanette Lankester late of 28 Lydiard Retreat, Canning Vale, 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 deceased who died on 26 March 2005 are required by the Administrator of care of Stables Scott, 8 St George's Terrace, Perth to send particulars of their claims to him by no later than 9 August 2005 after which date he may convey or distribute the assets having regard only to the claims of which he then has notice.

**ZX402****TRUSTEES ACT 1962****DECEASED ESTATES****Notice to Creditors and Claimants**

John Raymond Zimmer late of 3 Raymond Place, Waikiki, Western Australia.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estate of the deceased who died on 10 February 2005 at Hollywood Private Hospital, Nedlands aforesaid are required by the Executor and Trustee of care of Messrs Dwyer Durack Lawyers of 6th Floor, St Martins Tower, 44 St Georges Terrace, Perth to send particulars of their claims to him by 8 August 2005 after which date the Trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

**ZX403****TRUSTEES ACT 1962****DECEASED ESTATES****Notice to Creditors and Claimants**

Notice to Creditors and Claimants of Alan Hilton Revill late of 23/10 Timbercrest Rise, Woodvale, Western Australia, Retired Accountant deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estate of the deceased who died on 9 June 2005 are required by the Trustee ANZ Executors & Trustee Company Limited ABN 33 006 132 332) of Level 21, 530 Collins Street, Melbourne, Vic 3000 to send particulars of their claim to them by 19 August 2005 after which date the Trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

**ZX404****PUBLIC TRUSTEE ACT 1941****ADMINISTERING OF ESTATES**

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 6th day of July 2005.

A. R. McLAREN, Public Trustee,  
565 Hay Street, Perth WA 6000.

<b>Name of Deceased</b>	<b>Address</b>	<b>Date of Death</b>	<b>Date Election Filed</b>
Edwards, Janet Graham DE19744298EM35)	Morley	12/2/2005	22/6/2005
Kordyl, Jan (DE19942380EM37)	Woodlands	23/3/2005	24/6/2005
Miller, Joseph Lawrence (DE33026799EM23)	South Borden	15/5/1998	28/6/2005

**ZX405****TRUSTEES ACT 1962****NOTICE TO CREDITORS AND CLAIMANTS**

Creditors and other persons having claims (to which Section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 8th August 2005 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Armstrong, Robert Francis, late of 30 Cockman Way Orelia, died 18/2/1987, (DE33039425EM15)

Davies, Gloria Kathleen, late of 153 Kianawah Road Lindum Queensland formerly of Goola East Bowes Northampton, died 27/5/2005, (DE19950388EM22)



Ferrone, Maria Crestina, late of 132 Palmerston Street Perth, died 24/5/2005, (DE19802616EM110)  
Garnham, Robert Arthur, late of 28 Harry Street Gosnells, died 9/6/2005, (DE33021500EM37)  
Mack, Harry Frederick, late of R.S.L. Aged Care Facility 51 Alexander Drive Mount Lawley, died 10/6/2005, (DE19904139EM17)  
Mason, Ian Murray, late of Unit 6/23 Myers Street Nedlands, died 12/6/2005, (DE19962725EM23)  
McCormick, James Rutherford, late of 115 Washington Street Victoria Park, died 16/6/2005, (DE33026798EM13)  
McDowall, Andrew Hobson, late of 76-78 Kimberley Street Leederville, died 10/6/2005, (DE30284752EM15)  
McLellan, Delia Mary, late of Flat 10/86 Railway Parade Bayswater, died 13/5/2005, (DE19590867EM37)  
Oldfield, George, late of 34 Lyons Street Cottesloe formerly of Oxford Gardens Nursing Home 30 Regents Park Road Joondalup, died 6/6/2005 (DE19733810EM110)  
Sweeney, Barbara Jenny, late of 31 Ellersdale Avenue Warwick, died 2/6/2005, (DE19903205EM17)

ANTONINA ROSE McLAREN, Public Trustee,  
Public Trust Office, 565 Hay Street, Perth WA 6000.  
Telephone: 9222 6777

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**ZX406**

**TRUSTEES ACT 1962**  
**DECEASED ESTATES**

Notice to Creditors and Claimants

In the matter of Winnie Pash late of Unit 7 Twin Oaks, 85 Martin Road, Mundaring in the State of Western Australia, deceased.

Creditors and other persons who have claims (to which section 63 of the Trustees Act 1962 (as amended) relates) in respect of the estate of the abovementioned deceased who died on 5 January 2005 at Dunedin Hospital Great King Street, Dunedin are required by the Executor of her estate, Michael Ryan of 310 Summit Road, Mundaring in the said State, to send particulars of their claims to him at the address hereunder by 8 August 2005 after which date the Executor may convey or distribute the assets, having regard only to the claims of which he has notice.

Dated this 6th July 2005.

BOSTOCK & RYAN, Solicitors for the Executor.  
4th Floor,  
172 St George's Terrace,  
Perth WA 6000.

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**ZX407**

**TRUSTEES ACT 1962**  
**DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962, relates) in respect of the estate of the undermentioned deceased persons are required by the personal representatives of care of Minter Ellison of Central Park, 152-158 St George's Terrace, Perth to send particulars of their claims to them by the 12th day of August 2005 after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

Mitting, Reginald Thomas Mitting late of Belmont Community Nursing Home, 5 Kemp Place, Riverdale, Western Australia. Died: 16 March 2005

Longden, Edna Isobel Longden late of 40 Kintail Road, Applecross, Western Australia. Died: 16 June 2005

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