

# WESTERN AUSTRALIAN GOVERNMENT Gazette



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Industrial Gazette .....	12.50
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- Easter or Christmas editions etc—these notices appear approximately 4 weeks prior to any change.
- Extraordinary gazettes not circulated to all subscribers—these notices appear in the following general edition of the gazette.

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

JOHN A. STRIJK,  
Government Printer.

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## INDUSTRIAL RELATIONS

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IR301\*

### INDUSTRIAL RELATIONS ACT 1979

#### INDUSTRIAL RELATIONS (PRE-STRIKE BALLOTS) REGULATIONS 1997

Made by The Western Australian Industrial Relations Commission.

#### Citation

1. These regulations may be cited as the *Industrial Relations (Pre-strike Ballots) Regulations 1997*.

#### Commencement

2. These regulations come into operation on the day on which Part 3 of the *Labour Relations Legislation Amendment Act 1997* comes into operation.

#### Interpretation

3. In these regulations, unless the contrary intention appears—

“polling place” means—

- (a) in the case of a pre-strike ballot at which the principal method of casting votes is by voting in person, a place at which votes are cast in person;
- (b) in the case of a pre-strike ballot at which the method of casting votes is by post, delivery or telephone, a place at which votes are delivered or recorded;

“scrutineer” includes a scrutineer appointed by the Commission under section 97H (3) of the Act.

#### Declaration of Branch as related Federal body

4. An application to the Full Bench for a declaration under section 97 (2)—

- (a) may be made by—
  - (i) the Registrar;
  - (ii) the Council, the Chamber, the Mines and Metals Association or the Minister;
  - (iii) any organization or association; or
  - (iv) any employer whose employees are members of the Branch;and
- (b) is to be in writing in the form of Form 1 in the Schedule to the Industrial Relations Commission Regulations, 1985 and is to set out in detail the grounds of such application.

#### Appointment of scrutineers and declarations by them

5. (1) An—

- (a) organization of employees whose members are entitled to vote in a pre-strike ballot; and
- (b) employer whose employees are entitled to vote in a pre-strike ballot,

may, by written notice given to the person conducting the pre-strike ballot in duplicate in the form of Form 1 Schedule 1, appoint one or more scrutineers to attend during a pre-strike ballot at any polling place specified in the notice.

(2) A person who has not reached the age of 18 is not to act as a scrutineer.

(3) The person conducting the pre-strike ballot is to endorse an acknowledgment of the appointment of a scrutineer on the duplicate notice of appointment and give it back to the person who made the appointment who is to give it to the person appointed.

(4) Before beginning to act as a scrutineer a person is to make a declaration on the duplicate notice of appointment given to him or her under subregulation (3) before—

- (a) a justice;
- (b) a person who has authority under the Declarations and Attestations Act 1913 to take statutory declarations; or
- (c) the person conducting the pre-strike ballot.

#### Verification of appointment

6. (1) When a scrutineer has arrived at a polling place the person conducting the pre-strike ballot may request the scrutineer to produce for inspection the duplicate notice of appointment given to the scrutineer under regulation 5 (3).

(2) A scrutineer is to comply with a request under subregulation (1).

(3) A scrutineer must wear a badge or other article that identifies him or her as a scrutineer at all times while acting as a scrutineer.

#### Rights of scrutineers

7. The rights of a scrutineer in relation to a pre-strike ballot are as follows—

- (a) to enter and be in any polling place specified in his or her notice of appointment at any time before the close of voting;

- (b) while in the polling place, to observe the conduct of the pre-strike ballot and ascertain whether the Act is being complied with;
- (c) to leave the polling place at any time;
- (d) to observe the checking of absent and postal voting papers and the recording of votes;
- (e) to be present after the close of voting when ballot boxes are opened and during the counting of the votes so as to observe all proceedings at the count.

#### Restrictions on scrutineers

##### 8. A scrutineer—

- (a) is not to be in any polling place specified in his or her notice of appointment if another scrutineer appointed by the same person is also there except where one of them is only there to cast or deliver his or her vote;
- (b) is not to take any part in the conduct of the pre-strike ballot;
- (c) is to comply with reasonable requests made by a person conducting the pre-strike ballot; and
- (d) in exercising the rights given by regulation 7 (d) and (e), is to comply with directions given by the person conducting the pre-strike ballot.

#### Declaration and notice of result

9. The person conducting a pre-strike ballot is to publicly declare the result of the ballot within the time and in the manner specified by the Commission at the time it ordered that the pre-strike ballot be held.

#### Notice of intention to strike

10. For the purposes of section 97I(4), notice under section 97I(2) or (3) of intention to participate in a strike is to be given at least 48 hours before participation in the strike by the member.

### SCHEDULE

#### Form. Appointment of Scrutineer - Original copy

*Industrial Relations (Pre-strike Ballots) Regulations 1997, reg. 5*

## APPOINTMENT OF SCRUTINEER

To be completed by person appointing scrutineer. See notes on how to complete this form.

<b>Person appointing Scrutineer</b>	Full name:
	Address:

<b>Scrutineer</b>	Full name:
	Address:
	Phone numbers (H): _____ (W): _____
	Fax Number: _____ Email: _____

<b>Pre-strike ballot</b>	Order of Commission
	Date of ballot:
	Polling place(s):

<b>Signature of person appointing scrutineer:</b>	Date:
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#### Notes

<b>Where to send this form</b>	When you have completed and signed your part of this form, send both copies of the form to the person conducting the pre-strike ballot or give them to that person.  You may send your form by post, by fax or by other electronic means so long as it is capable of being printed in its entirety, including signatures. If you send it by fax or electronically you should check that it has been received.
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<b>Duplicate copy of form</b>	You must complete 2 copies of this form. The original will be retained by the person conducting the pre-strike ballot. The duplicate will be returned and must be given to and retained by the scrutineer.
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**Form Appointment of Scrutineer - Duplicate copy***Industrial Relations (Pre-strike Ballots) Regulations 1997, reg. 5***APPOINTMENT OF SCRUTINEER**

To be completed by person appointing scrutineer. See notes on how to complete this form.

<b>Person appointing Scrutineer</b>	Full name:
	Address:

<b>Scrutineer</b>	Full name:
	Address:
	Phone numbers (H): _____ (W): _____
	Fax Number: _____ Email: _____

<b>Pre-strike ballot</b>	Order of Commission
	Date of ballot:
	Polling place(s):

<b>Signature of person appointing scrutineer:</b>	Date:
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**ACKNOWLEDGMENT OF APPOINTMENT**

<b>Person conducting pre-strike ballot</b>	Full name:
	Signature:

**DECLARATION BY SCRUTINEER**

To be completed after the notice of appointment has been acknowledged and returned.

<b>Declaration</b> (Making a false declaration is an offence)	I declare that I am at least 18 years of age and will comply with the provisions of the <i>Industrial Relations Act 1979</i> and the <i>Industrial Relations (Pre-strike Ballots) Regulations 1979</i> which relate to scrutineers.	
	Signature:	Date:

<b>Witness</b>	Full name:	
	Office:	
	Signature:	Date:

Dated 31st day of December 1997.

P. J. SHARKEY, President.  
W. S. COLEMAN, Chief Commissioner.  
G. L. FIELDING, Senior Commissioner.  
J. F. GREGOR, Commissioner.  
S. A. CAWLEY, Commissioner.  
R. N. GEORGE, Commissioner.  
A. R. BEECH, Commissioner.  
C. B. PARKS, Commissioner.  
P. E. SCOTT, Commissioner.

**LAND ADMINISTRATION**

LA101\*

*CORRECTION*

The Notice of Resumption appearing on page 7433 of the *Government Gazette* dated 23 December 1997, in the locality of the Town of Port Hedland under the heading "Description of land affected" the area should read "154.6288 hectares" in lieu of "123.2449 hectares."

**LA102**

*CORRECTION*  
SHIRE OF AUGUSTA-MARGARET RIVER  
(Road Closure)

Department of Land Administration,  
Midland, 8 January 1998.

DOLA File Ref: 1446/1997.

In the notice at page 7266 of the *Government Gazette* dated 12 December 1997, under the heading Declaration of Closure of Streets—Shire of Augusta-Margaret River after the words Road No. 12982 add:

“and portion of Road Number 8833 (shown as road widening containing 305m<sup>2</sup>) on Crown Survey Diagram 70730” both.

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

**LA401**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960**

DECLARATION OF CLOSURE OF STREETS

Made by the Minister for Lands

Under Section 288A

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

SCHEDULE

Shire of Donnybrook-Balingup (DOLA File No. 434/996; Closure No. D787).

All that portion of Gemmell Road (Road No. 3867) now comprised in Office of Titles Plan 22217.

Public Plan: Donnybrook (25) N.W.

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

**LA402**

**LICENSED SURVEYORS ACT 1909**

APPOINTMENT OF BOARD

His Excellency the Governor in Executive Council has been pleased to approve, under Section 4 of the Licensed Surveyors Act 1909, the appointment of Cheryl Mirinda Randolph, Colin Neil Shipp, Raymond Joseph Benetti, Barry George Cribb and Anthony John Snow as members of the Land Surveyors Licensing Board for the calendar year ending 31 December, 1998.

H. J. HOUGHTON, Chairman,  
Land Surveyors Licensing Board.

**LB701\***

Schedule No. A66/1997  
Exco No. 1489  
DOLA 3054/1995

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960**

**LAND ACQUISITION AND PUBLIC WORKS ACT 1902**

NOTICE OF RESUMPTION OF LAND

For the purposes of the public work described in the Schedule, the land described in the Schedule (“Description of land affected”) has been set apart, taken or resumed. A plan and a more particular description of the resumed land may be inspected between 8.00 a.m. and 5.00 p.m. on working days at: Department of Land Administration, Midland Square, Midland.

The resumed land shall, by force of the *Land Acquisition and Public Works Act 1902* and *Local Government (Miscellaneous Provisions) Act 1960*, be vested in Her Majesty for the public work, freed and discharged of all trusts, mortgages, charges, obligations, estates, interests, right-of-way, or other easements whatsoever.

## SCHEDULE

Locality/Local Government/Region	Description of land affected	Interest holder/Registered native title claimant	Use/Purpose	Plan	Job Number/Reference
Irwin (Shire)	1. Portion of Victoria Location 10023 set aside as Reserve 24829 for the purpose of "Water Supply" 2. Portion of Victoria Location 11316 set aside as Reserve 36040 for the purpose of "Aerial Landing Ground" 3. Portion of Victoria location 11702 set aside as Reserve 137 for the purpose of "Common" 4. Portion of Victoria Location 9947 set aside as part of Reserve 24496 for the purpose of "Protection of Flora" (31.9752 hectares)	1. Crown 2. Crown—Shire of Irwin as vestee with power to lease with approval of the Minister 3. Crown—Control of Shire of Irwin 4. Crown—National Parks & Nature Conservation Authority as vestee	Widening of George Street and extension and widening of Pye Road (Road No. 17911)	L.A.W.A. 1151	961184 754/1996
Leonora (Shire)	1. Portion of Reserve 12845 set aside for the purpose of "Water" (about 4 hectares) 2. Portion of Reserve 17398 set aside for the purpose of "Stock Route" (about 236 hectares) 3. Portion of Reserve 20476 set aside for the purpose of "Common" (about 24 hectares) 4. Portion of Kaluwiri Location 66 and Nabberu Location 44 subject of Pastoral Lease 3114/872 (Crown Lease 638/1967) Melrose Station (about 377 hectares) 5. Portion of Nabberu Location 31 subject of Pastoral Lease 3114/1060 (Crown Lease 243/1973) Wonganoo Station (about 48 hectares) 6. Portion of Kaluwiri Location 50 subject of Pastoral Lease 3114/1153 (Crown Lease 326/1980) Weebo Station (about 16 hectares)	1. Crown 2. Crown—Sundowner Minerals NL as lessee. 3. Crown—Malcolm John Boladeras and Kathleen Rae Boladeras as lessees 4. Crown—Weebo Pastoral Company Pty Ltd as lessee 5. WALKER Dolly, SCEGHI Keith, CLAUSE Eileen, ELLIOT Rita, WONIABONG Shirley, MUIR Kado, and members of the Tjupan Ngalia Land Council (WC95/58) 6. EVANS, Ted Coomanoo (WC95/1) & (WC95/41) 7. TUCKER Quinton Paul (WC95/32) 8. ASHWIN Raymond William (WC96/8) 9. BARNES Cyril (WC96/58)	Dedication of Darlot Road (Road No. 867) and Wanganoo Road.	Misc. Plan 1733	909615 3286/1988
Serpentine/Jarrahdale (Shire)	Portion of State Forrest No. 22 (1.7198 hectares)	1. Crown—Lands and Forest Commission 2. BODNEY, Christopher Robert. (WC95/86) 3. BROPHO, Robert Charles. (WC95/81) 4. SHEPPARD Daphine Leonie. (WC97/07) 5. NANNUP Frank and WALLEY Terrence Joseph (WC96/100) 6. GARLETT Gregory L. (WC96/103)	Dedication of Jubb road. (Road No. 18808)	Plan 19141	950605 585/1995
Wanneroo (City)	Portion of Swan Location 3323—Reserve 27575 "National Park" (10.0016 hectares).	1. Crown—National Parks and Nature Conservation Authority as vestee. 2. BROPHO Robert Charles (WC95/81) 3. BODNEY Christopher Robert (WC95/86) 4. GARLETT Gregory (WC96/103)	1. Ground Water Treatment Plant—Reservation in the Water Corporation 2. Easement for access	Diagram 92531, Misc. Diagram E 911	972221 2103/1963

Dated 30th December 1997.

DOUG SHAVE MLA, Minister for Lands.

Dated 30th December 1997.

DAVID KINGSLEY MALCOLM, Lieutenant-Governor  
and deputy of the Governor in Executive Council.

## ROAD DEDICATION

It is hereby notified that the Minister for Lands has approved, pursuant to section 288 of the *Local Government (Miscellaneous Provisions) Act 1960*, the dedication as public street the roads in the various Municipalities as described in the abovementioned resumption notices.

By Order of the Minister for Lands,

Dated this 13th day of January 1998.

A. A. SKINNER, Chief Executive.

**LB702\***

**LAND ACQUISITION AND PUBLIC WORKS ACT 1902  
NATIVE TITLE ACT 1993 (COMMONWEALTH)**

**NOTICE OF INTENTION**

To Take Land to Grant Estates, Interests and Rights Under Written Law

The Minister for Works gives notice in accordance with section 17(2) of the *Land Acquisition and Public Works Act 1902* and section 29 of the *Native Title Act 1993 (Cth)* that it is intended to compulsorily to take under section 17(1) of the *Land Acquisition and Public Works Act 1902* the land described in the Schedule ("Description of land affected") to grant estates, interests and rights under written law. The intended action is authorised by an order of the Governor under section 33C of the *Land Acquisition and Public Works Act 1902*.

**SCHEDULE**

Locality/Local Government/Region	Description of land affected	Interest holder/Registered native title claimant	Use/Purpose	Plan	Job Number/Reference
Kondinin (Shire)	Portion Hyden Townsite being vacant Crown land (2.6606 hectares).	1. Crown. 2. GARLETT, Gregory L (WC96/103). 3. MORICH, Patricia M, COYNE, Dallas J, DEAN, Averil, WYNSLEY, Joyce M, MORICH, Noel, WOODS, Treasy, WILLIAMS, Jack, WOODS, Lisa, WILLIAMS, Lancel (WC96/105). 4. DEMPSTER, Rita & Others(WC96/109). 5. McHENRY, Winnie on behalf of the Balladong people (WC97/56). 6. COLLARD Donald & COLLARD Sylvia R (WC97/85).	1. Subdivisional development including the provision of services (such as power, water, roads) and land for housing. 2. Sale of lots.	Diagram 92843	955287 2177/1968
Leonora (Shire)	1. Portion Leonora Townsite being vacant Crown land (4.4312 hectares). 2. Leonora Lot 944 set aside as Reserve 33508 for the purpose of "Parking" (2185 square metres). 3. Leonora Lot 971 set aside as Reserve 33509 for the purpose of "Recreation" (4.7545 hectares). 4. Leonora Lot 1274 being vacant Crown land (1.1088 hectares). 5. Leonora Lots 896 to 903 inc. being vacant Crown land (6385 square metres).	1. Crown. 2. Crown—Shire of Leonora as vestee. 3. TUCKER, Quinton Paul (WC95/32). 4. EVANS, Ted Coomanoo (WC95/1). 5. ASHWIN, Raymond (WC96/22). 6. PASSMORE, Thomasisha Lila (WC96/42). 7. BARNES, Cyril (WC96/58). 8. LYNCH, Aubrey (WC97/4). 9. HARRIS, Lawrence, HARRIS, Cecily, HARRIS, Gay (WC97/9). 10. BONNEY, Barron (WC97/10). 11. MILANGKA, Vivian W & FARMER Miranda-Lee M (WC97/70).	1. Subdivisional development including the provision of services (such as power, roads, water) and land for light industrial purposes. 2. Sale of lots.	Misc. Diagram 657	953170 1986/1984
Toodyay (Shire)	Portion Avon Location 2648 set aside as Reserve 21713 for the purpose of "Public Utility" (1.6363 hectares).	1. Crown 2. KICKETT Allan Russell (WC96/90). 3. GARLETT Gregory L. (WC96/103). 4. PHILLIPS, Neil Albert (WC97/5). 5. Jenny MOGRIDGE & others on behalf of the Yued families (WC97/71).	Sale for inclusion into Lot 344.	LAWA 1209	954489 3082/1989
Trayning (Shire)	Trayning Lots 164 and 167, being vacant Crown land (6061 square metres).	1. Crown. 2. KICKETT, Allan Russell (WC96/90). 3. GARLETT, Gregoary L (WC96/103). 4. PHILLIPS, Neil Albert (WC97/5). 5. McHENRY Winnie on behalf of the Balladong people (WC97/56).	Sale to the Shire of Trayning for Light Industrial purposes.	Diagram 74763	965467 1786/1976

The plan(s) listed may be inspected at the Department of Land Administration, Midland Square, Midland 6936, telephone (08) 9273 7089.

**NATURE OF ACT:** The compulsory taking of the land to grant estates, interests and rights under written law for the purpose specified in the Schedule (and ancillary purposes).

**COMMENCEMENT OF ACT:** The taking of the land is subject to the procedural requirements of Part 2, Division 3, Subdivision B of the *Native Title Act 1993 (Cth)* and section 17(2) of the *Land Acquisition and Public Works Act 1902*. The taking of the land will proceed if:

- (1) there is no "native title party" (as defined by the *Native Title Act 1993 (Cth)*) in relation to the taking of the land or, if there is a native title party, the taking may validly proceed under the *Native Title Act 1993 (Cth)*; and
- (2) the Minister for Works decides to proceed with the taking upon completion of the procedures provided by section 17(2) of the *Land Acquisition and Public Works Act 1902*.

**Native title parties**—Any person who is a native title party in relation to the taking of the land or who becomes a native title party within two months of when notice of intention to take the land is given, is entitled to the negotiation and procedural rights provided in Part 2, Division 3, Subdivision B of the *Native Title Act 1993 (Cth)*.

The two months within which persons must become a native title party will close on **16 March 1998**.

The expression "native title party" is defined in sections 29, 30 and 253 of the *Native Title Act 1993 (Cth)*. Enquiries regarding becoming a native title party should be directed to the National Native Title Tribunal, 1 Victoria Avenue, Perth or GPO Box 9973, Perth 6001 (telephone (08) 9268 7272).

**Other interest holders**—Persons having or claiming other interests in any of the land may under section 17(2) of the *Land Acquisition and Public Works Act 1902*, lodge an objection in writing to the proposed taking with the Department of Land Administration, PO Box 2222, Midland 6936, no later than **16 March 1998**. Objections must be in the Form of Objection, copies of which are available from the Department of Land Administration telephone (08) 9273 7089 or (08) 9273 7279.

**TIME DURING WHICH THE ACT WILL CONTINUE TO BE DONE**—Following the taking of the land estates or interests to accommodate the use/purpose (as more particularly described in the schedule) will be granted in relation to the land either by public auction, invitation of applications or tenders, private treaty or some other process.

**KIND OF DISTURBANCE TO LAND**—Disturbance to the land may thereafter be caused by the use and/or construction on the land consistent with the purpose(s) specified in the Schedule by the persons receiving the grants.

Enquiries relating to the proposed taking of the land may be directed to the Native Title Unit, Department of Land Administration, PO Box 2222, Midland 6936 (telephone (08) 9273 7089 or (08) 9273 7279).

Dated this 30th day of December 1997.

DOUG SHAVE, Minister for Lands.

LB703\*

## LAND ACQUISITION AND PUBLIC WORKS ACT 1902

### NATIVE TITLE ACT 1993 (COMMONWEALTH)

#### NOTICE OF INTENTION

#### To Take Land For A Public Work

The Minister for Works gives notice in accordance with section 17(2) of the *Land Acquisition and Public Works Act 1902* and section 23 of the *Native Title Act 1993 (Cth)* that it is intended to compulsorily to take under section 17(1) of *Land Acquisition and Public Works Act 1902*, the land described in the Schedule ("Description of land affected") for the respective public work listed.

#### SCHEDULE

Locality/Local Government/Region	Description of land affected	Interest holder/Registered native title claimant	Use/Purpose	Plan	Job Number/Reference
Dalwallinu (Shire).	1. Portion Ninghan Location 4277— Pastoral Lease 3114/529 (Crown Lease 480/1966)— White Wells Station (about 125 hectares). 2. Portion Ninghan Location 4282— Pastoral Lease 398/616 (Crown Lease 6/1977)— Mount Gibson Station (about 400 hectares).	1. Crown—R W Tapper & E J Tapper as lessees. 2. Crown—P J Underwood as lessee. 3. BANDY Dorothy & Others (WC96/98). 4. PHILLIPS Neil Albert (WC96/83). 5. MARTIN Joan Margaret & Others (WC97/72).	Extension of Goodlands Road.	Misc. Diagram 713	975549 2282/1996

SCHEDULE—*continued*

Locality/Local Government/Region	Description of land affected	Interest holder/Registered native title claimant	Use/Purpose	Plan	Job Number/Reference
Derby-West Kimberley (Shire)	1. Portion vacant Crown land (38.3526 hectares). 2. Portion Yurabi Location 74—Pastoral Lease 3114/1257 (Crown Lease 304/1990) Christmas Creek Station (104.6642 hectares) excluding all rights created by the grant of existing mining tenements under the Mining Act 1978.	1. Crown. 2. Crown—Klopper Holdings Pty Ltd as lessee. 3. TIGHE Juluk & Others(WC97/101).	Dedication of road.	Plan 19086, Misc. Plan 1921	955225 2217/1995

The plan(s) listed may be inspected at the office of the Department of Land Administration, Midland Square, Midland 6936, telephone (08) 9273 7089.

**NATURE OF ACT:** The compulsory taking of the land to undertake the public work specified in the Schedule.

**COMMENCEMENT OF ACT:** The taking of the land is subject to the procedural requirements of section 17(2) of the *Land Acquisition and Public Works Act 1902* and section 23(6) of the *Native Title Act 1993 (Cth)*.

The taking of the land will proceed if upon the completion of the procedures provided by section 17(2) of the *Land Acquisition and Public Works Act 1902* the Minister for Works decides to proceed.

Persons having or claiming an interest in any of the land may under section 17(2) of the *Land Acquisition and Public Works Act 1902* lodge an objection in writing to the proposed taking with the Department of Land Administration, PO Box 2222, Midland 6936, no later than **16 March 1998**. Objections must be in the Form of Objection, copies of which are available from the Department of Land Administration telephone (08) 9273 7089 or (08) 9273 7279.

**TIME DURING WHICH THE ACT WILL CONTINUE TO BE DONE:** Following the taking of the land it will be used for the public work specified in the Schedule including the construction of all appropriate improvements.

**KIND OF DISTURBANCE TO LAND:** Disturbance of the land may be caused by the use of and/or construction of improvements on the land for the purpose(s) of the public work specified in the Schedule.

Enquiries relating to the proposed taking of the land may be directed to the Native Title Unit, Department of Land Administration, PO Box 2222, Midland 6936 (telephone (08) 9273 7089 or (08) 9279 7279).

Dated this 2nd day of January 1998.

DOUG SHAVE, Minister for Lands.

**LB704\***

**LAND ACQUISITION AND PUBLIC WORKS ACT 1902  
NATIVE TITLE ACT 1993 (COMMONWEALTH)**

NOTICE OF INTENTION

To Take Land to Grant Estates, Interests and Rights Under Written Law

The Minister for Works gives notice in accordance with section 17(2) of the *Land Acquisition and Public Works Act 1902* and section 29 of the *Native Title Act 1993 (Cth)* that it is intended to compulsorily to take under section 17(1) of the *Land Acquisition and Public Works Act 1902* the land described in the Schedule ("Description of land affected") to grant estates, interests and rights under written law. The intended action is authorised by an order of the Governor under section 33C of the *Land Acquisition and Public Works Act 1902*.

SCHEDULE

Locality/Local Government/Region	Description of land affected	Interest holder/Registered native title claimant	Use/Purpose	Plan	Job Number/Reference
Ashburton (Shire)	1. Portion Lyndon Loc 163 subject of Pastoral Lease 3114/765 (Crown Lease 330/1967) Urala Station (18.9995 hectares). 2. Portions Lyndon Loc 163 and Ashburton Loc 152 subject of Pastoral Lease 3114/661 (Crown Lease 56/1967) Minderoo Station (41.8685 hectares) 3. Vacant Crown land (837 square metres).	1. Crown—HW & DM Cullen as lessees. 2. Crown—DK Forrest Pty Ltd as lessee. 3. HAYES Glenys (WC96/82).	1. Grant of a special lease for the purpose of "Loading Facility". 2. Grant of a special lease for the purpose of "Gas Plant". 3. Easement for gas pipeline. 4. Easement for water pipeline.	Plans 19154 & 19155 Diagram 93176	953964 2082/1995

SCHEDULE—*continued*

Locality/Local Government/Region	Description of land affected	Interest holder/Registered native title claimant	Use/Purpose	Plan	Job Number/Reference
Derby/West Kimberley (Shire)	Yurabi Location 7 being vacant Crown land excluding all rights created by the grant of existing mining tenements under the Mining Act 1978 (537.5048 hectares).	Crown.	1. Inclusion into Yurabi Location 30—Reserve 39301 "Use and Benefit of Aboriginal; Inhabitants". 2. Inclusion into Pastoral Lease 398/810 (Crown Lease 735/1994) Gogo Station.	Misc. Diagram 702	905828 3195/1964
East Pilbara (Shire)	Portion Reserve 2906 "Common" (9880 square metres).	1. Crown—Shire of East Pilbara as vestee. 2. McPHEE Eddie (WC97/45).	Grant of a special lease for "Rural Residential" purposes.	Misc. Diagram 706	941437 2479/1996
Meekatharra (Shire)	Portion Kyarra Location 145 subject of Pastoral Lease 3114/1152 (Crown Lease 289/1981) Belele Station (about 227 hectares).	1. Crown—Bundundea Aboriginal Corporation as lessee. 2. WALLEY Kevin Peter (WC96/26). 3. WALLEY Kevin Peter & OTHERS (WC96/116).	Grant of a lease in Perpetuity to the Bundundea Aboriginal Corporation for the benefit of Aboriginal People.	Misc. Diagram 705	971331 1040/1997
Port Hedland (Town)	Forrest Location 269 being vacant Crown land excluding all rights created by the grant of existing easements within Miscellaneous Diagram 623 (352.8016 hectares).	1. Crown. 2. ROBERTS Teddy & Others (WC97/39).	Grant of a special lease for the purpose of "Grazing".	Misc. Diagram 623	953145 1826/1983
Port Hedland (Town)	Forrest Locations 257, 258, 259 being vacant Crown land (129.2180 hectares).	1. Crown. 2. ROBERTS Teddy & Others (WC97/39).	Grant of special leases for horticultural purposes.	Diagram 92219	914892 0502/1994
Wyndham-East Kimberley (Shire)	Kununurra Lots 2342 - 2347 inc. and 2351—2367 inc. being vacant Crown land and dedicated road (6.7913 hectares).	Crown	1. Subdivisional development including the provision of services (such as power, water, roads) and land for light industrial purposes. 2. Sale of lots.	Plan 17584	950218 0491/1995

The plan(s) listed may be inspected at the Department of Land Administration, Midland Square, Midland 6936, telephone (08) 9273 7089.

**NATURE OF ACT:** The compulsory taking of the land to grant estates, interests and rights under written law for the purpose specified in the Schedule (and ancillary purposes).

**COMMENCEMENT OF ACT:** The taking of the land is subject to the procedural requirements of Part 2, Division 3, Subdivision B of the *Native Title Act 1993 (Cth)* and section 17(2) of the *Land Acquisition and Public Works Act 1902*. The taking of the land will proceed if:

- (1) there is no "native title party" (as defined by the *Native Title Act 1993 (Cth)*) in relation to the taking of the land or, if there is a native title party, the taking may validly proceed under the *Native Title Act 1993 (Cth)*; and
- (2) the Minister for Works decides to proceed with the taking upon completion of the procedures provided by section 17(2) of the *Land Acquisition and Public Works Act 1902*.

**Native title parties**—Any person who is a native title party in relation to the taking of the land or who becomes a native title party within two months of when notice of intention to take the land is given, is entitled to the negotiation and procedural rights provided in Part 2, Division 3, Subdivision B of the *Native Title Act 1993 (Cth)*.

The two months within which persons must become a native title party will close on **16 March 1998**.

The expression "native title party" is defined in sections 29, 30 and 253 of the *Native Title Act 1993 (Cth)*. Enquiries regarding becoming a native title party should be directed to the National Native Title Tribunal, 1 Victoria Avenue, Perth or GPO Box 9973, Perth 6001 (telephone (08) 9268 7272).

**Other interest holders**—Persons having or claiming other interests in any of the land may under section 17(2) of the *Land Acquisition and Public Works Act 1902*, lodge an objection in writing to the proposed taking with the Department of Land Administration, PO Box 2222, Midland 6936, no later than **16 March 1998**. Objections must be in the Form of Objection, copies of which are available from the Department of Land Administration telephone (08) 9273 7089 or (08) 9273 7279.

**TIME DURING WHICH THE ACT WILL CONTINUE TO BE DONE**—Following the taking of the land estates or interests to accommodate the use/purpose (as more particularly described in the schedule) will be granted in relation to the land either by public auction, invitation of applications or tenders, private treaty or some other process.

**KIND OF DISTURBANCE TO LAND**—Disturbance to the land may thereafter be caused by the use and/or construction on the land consistent with the purpose(s) specified in the Schedule by the persons receiving the grants.

Enquiries relating to the proposed taking of the land may be directed to the Native Title Unit, Department of Land Administration, PO Box 2222, Midland 6936 (telephone (08) 9273 7089 or (08) 9273 7279).

Dated this 2nd day of January 1998.

DOUG SHAVE, Minister for Lands.

**LB705\*****LAND ACQUISITION AND PUBLIC WORKS ACT 1902**

## ORDER (Section 9M(2)(b))

## Extension of Notice of Intention Period

The Minister for Works under section 9M(2)(b) of the Land Acquisition and Public Works Act, has authorised the extension of the notice of intention for a further period of 12 months from expiry of the original notice of intention period (or its extended period) for the taking of the land described in the Schedule below—

Locality/Local Government/Region	Use/Purpose	Plan	Job Number/Reference	Original Gazette Date
Beverley (Shire)	Subdivisional development for services and land for Light Industrial purposes.	LAWA 1097	951267 3025/1990	23/1/96
Broome (Shire)	Grant of special lease for horticulture.	LAWA 1084	954064 2085/1995	12/1/96
Carnarvon (Shire)	Subdivisional development for housing, commercial tourism and community purposes.	LAWA 1100	940448 2054/1992	23/1/96
Dandaragan (Shire)	Subdivisional development for services for housing, recreation, community, commercial and tourism purposes.	LAWA 1091	953378 2518/1994	23/1/96
Exmouth (Shire)	Site for multi purpose building development.	LAWA 1080	953176 1788/1995	12/1/96
Jerramungup (Shire)	Boat Harbour development.	LAWA 1069	941965 1038/1992	23/1/96
Port Hedland (Town)	1. Subdivisional development including provision of services (power, roads and water) and land for Light Industrial purposes. 2. Sale of lots.	Plan 18859	913618 1626/1992	23/1/96
Port Hedland (Town)	1. Residential subdivision development sites. 2. Sale of lots to provide services (such as power, roads, water and sewerage) for subdivisional development.	Plan 18667	915963 1184/1994	23/1/96
Port Hedland (Town)	Grant of Special lease for the purpose of a Truck Stop.	LAWA 1094	953510 933/1993	23/1/96

Dated this 31 day of December 1997.

DOUG SHAVE, Minister for Lands.

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## LOCAL GOVERNMENT

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**LG301****LOCAL GOVERNMENT ACT 1995***City of Wanneroo*

## AMENDMENTS TO LOCAL LAWS RELATING TO FENCING AND PRIVATE TENNIS COURT FLOODLIGHTING

In pursuance of the powers conferred upon it by the abovementioned Act, the Joint Commissioners of the City of Wanneroo hereby records having resolved on the 23rd day of December 1997, to make the following amendments to its Local Laws Relating to Fencing and Private Tennis Court Floodlighting as published in the *Government Gazette* on 31 October 1986, including subsequent amendments.

- Local Law 1 is amended by deleting the definition of "Electric Fence" and substituting the following—  
 " "Electric Fence" means a barrier for security or stock control purposes which has one or more electric conductors, insulated from earth to which electric pulses are applied by an Energizer;"
- Local Law 9 (f) is amended by inserting after "Rural," the following—  
 "Special Rural,"

Dated this 7th day of January 1998.

The Common Seal of the City of Wanneroo was hereunto affixed by authority of a resolution of the Joint Commissioners in the presence of—

C. T. ANSELL, Chairman of Commissioners.  
L. O. DELAHAUNTY, Chief Executive Officer.

**LG401****DOG ACT 1976***Shire of Moora*

## APPOINTMENT OF AUTHORISED PERSONS AND REGISTRATION OFFICERS

It is hereby notified for public information that the following persons have been appointed as authorised officers pursuant to the Dog Act 1976—

## Authorised Persons—

Ian Wray

John Hearne

## Registration Officers—

Cynthia Anne Brassington

Narelle Robyn Cox

Michael John Prunster

Denise Marilyn Sutherland

Bernadette Kathleen Rogan

The appointment of Kevin James Butler and Glen Tuohill is hereby cancelled.

J. N. WARNE, Chief Executive Officer.

**LG402**

## SHIRE OF ALBANY

## Appointment of Chief Executive Officer

It is hereby notified for public information that Mr Edward Henry Kelly has been appointed as Acting Chief Executive Officer of the Shire of Albany with effect from 19th January, 1998.

The appointment of Mr Raymond Peter Geraghty as Chief Executive Officer is cancelled from that date.

R. F. DAWSON, Chairman of Commissioners.

**LG403**

## SHIRE OF COOLGARDIE

## Appointment of Chief Executive Officer

It is hereby notified for public information that Hugh James Fraser has been appointed as Chief Executive Officer for the Shire of Coolgardie, effective 19 January 1998.

W. M. INGHAM, President.

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**MAIN ROADS**

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**MA401\***

MRWA 42-64-J

**MAIN ROADS ACT 1930****LAND ACQUISITION AND PUBLIC WORKS ACT 1902**

## NOTICE OF INTENTION TO TAKE OR RESUME LAND

The Minister for Works hereby gives notice, in accordance with the provisions of Section 17 (2) of the Land Acquisition and Public Works Act, 1902 as amended, that it is intended to take or resume under Section 17(1) of that Act the pieces or parcels of land described in the Schedule hereto and being all in the Esperance District, for the purpose of the following public works namely, widening of the South Coast Highway (SLK Section 442.7-444.2) and that the said pieces or parcels of land are marked off on MRWA Drawings 9723-230 to 232 inclusive which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

## Schedule

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx.)
1.	Stephen Ross Daniels and Melda Lorraine Daniels	S R & M L Daniels	Portion of Dalyup Agricultural Area Lot 35 and being part of the land comprised in Certificate of Title Volume 2014 Folio 858	4 024 m <sup>2</sup>
2.	Donald Alexander Paterson and Judith Ann Paterson	D A & J A Paterson	Portion of each of Esperance Locations 558 and 1414 and being Lot 4 the subject of Diagram 78913 and being part of the land comprised in Certificate of Title Volume 2013 Folio 804	1.0155 ha
3.	Douglas McArthur White and Frances Louise White	D M & F L White	Portion of Esperance Location 558 and being part of the land comprised in Certificate of Title Volume 2013 Folio 805	1.3955 ha

Dated this 8th day of January 1998.

D. R. WARNER, Executive Director Corporate Services.

**MA402\***

MRWA 42-219-B

**MAIN ROADS ACT 1930**

**LAND ACQUISITION AND PUBLIC WORKS ACT 1902**

**NOTICE OF INTENTION TO TAKE OR RESUME LAND**

The Minister for Works hereby gives notice, in accordance with the provisions of Section 17 (2) of the Land Acquisition and Public Works Act, 1902 as amended, that it is intended to take or resume under Section 17(1) of that Act the pieces or parcels of land described in the Schedule hereto and being all in the Northampton District, for the purpose of the following public works namely, construction of the Port Gregory-Kalbarri Road—Utcha Swamp Section (SLK Section 0.0-42.0) and that the said pieces or parcels of land are marked off on Department of Land Administration Plans 19413, 19415 and 19416 inclusive which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

## Schedule

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx.)
1.	William Hose and Robert James Hose and Honora Mary Hose as Executors of the will and Codicil of Robert James Hose, deceased of one undivided third share and the said William Hose of one undivided third share and the said Robert James Hose of one undivided third share as tenants in common	W Hose, R J Hose & H M Hose as Executors of the will and Codicil of R J Hose, deceased of one undivided third share and the said W Hose of one undivided third share and the said R J Hose of one undivided third share	Portion of Victoria Location 6687 and portion of Victoria Location 6882 now contained in DOLA Plan 19413 and being part of the land comprised in Certificate of Title Volume 1220 Folio 067	9.4922 ha
2.	Crown	B W & M I Hutton	Portion of Victoria Location No. 11491 now contained in DOLA Plan 19415 and being part of the land comprised in Crown Lease 1945/1989	3.7896 ha

Schedule—*continued*

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx.)
3.	Bruce William Hutton and Margrit Hutton of 921 undivided 1250th shares and Grahame Bennett of 329 undivided 1250th shares	B W & M Hutton and G Bennett	Portion of Victoria Location 4829 now contained in DOLA Plan 19415 and being part of the land comprised in Certificate of Title Volume 1876 Folio 3	4.1880 ha
4.	GMA Garnet Pty Ltd	GMA Garnet Pty Ltd	Portion of Victoria Location 3581 now contained in DOLA Plan 19415 and being part of the land comprised in Certificate of Title Volume 1876 Folio 1	7.2045 ha
5.	Graham Keith Simkin and Robin Lilian Simkin	G K & R L Simkin	Portion of Victoria Location 4830 now contained in DOLA Plan 19416 and being part of the land comprised in Certificate of Title Volume 1876 Folio 2	2.4785 ha
6.	Fred William Horsfield and Eliska Horsfield	F W & E H Horsfield	Portion of Victoria Location 4831 and being Lot 1 on Diagram 91564 now contained in DOLA Plan 19416 and being part of the land comprised in Certificate of Title Volume 2087 Folio 83	3.0937 ha
7.	Joan Irene Carr	J I Carr	Portion of Victoria Location 4831 and being Lot 2 on Diagram 91564 now contained in DOLA Plan 19416 and being part of the land comprised in Certificate of Title Volume 2087 Folio 84	1 330 m <sup>2</sup>

Dated this 8th day of January 1998.

D. R. WARNER, Executive Director Corporate Services.

## PLANNING

### PD401

#### TOWN PLANNING AND DEVELOPMENT ACT 1928

##### ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

##### SHIRE OF BUSSELTON

##### TOWN PLANNING SCHEME NO 5—AMENDMENT NO 392

Ref: 853/6/6/6 Pt 392

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Acting Minister for Planning approved the Shire of Busselton Town Planning Scheme Amendment on January 6, 1998 for the purpose of:

1. Rezoning Sussex Locations 3050 and 3808 McLachlan Road from "General Farming" to "Special Rural" as depicted on the Scheme Amendment Map; and
2. Amending the Scheme Text by the insertion in "Appendix X: Special Rural Zones Provisions Relating to Specified Areas" the following:

(A)	(B)
Structure Area of Locality	Special Provisions to refer to (A).

"Sussex Locations 3050 and 3808 McLachlan Road, Yallingup

1. (a) Subdivision shall be generally in accordance with the Subdivision Guide Plan No. 10124 dated 22 March 1997 and attached to the Scheme Amendment Report (Amendment No. 392);

(A) Structure Area of Locality	(B) Special Provisions to refer to (A).
	(b) No further subdivision beyond that provided on the approved Subdivision Guide Plan shall be recommended by Council.
	2. Not more than one dwelling house may be constructed on any lot, other than for Ancillary Accommodation as provided under the Residential Planning Codes, and all dwellings and other buildings so constructed shall comply with the following:
	(a) Where applicable, all buildings shall be confined to the portion of the lot identified as the Controlled Building Location delineated for the lot;
	(b) Other than for lots identified on the Subdivision Guide Plan for the purposes of "Rural Production", all building development on a lot shall be contained within a 25 metre radius for lots of one hectare or larger; as measured from the centre of the main dwelling provided further that where the dwelling is situated within bushland, the gross area cleared for buildings shall not exceed 1000m <sup>2</sup> ;
	(c) Except as otherwise provided for, all buildings shall be setback a minimum of 20 metres from the front and 10 metres from the rear and side boundaries;
	(d) Dwellings and other structures shall not be constructed within 30 metres of any stream or creek; and
	(e) The combined floor area of all buildings on a lot shall not exceed 10% of the area of that lot.
	3. Dwelling houses and all ancillary buildings shall be constructed of non-reflective material (with the exception of glazed areas) and shall comprise either timber, stone, rammed earth, brick or steel construction and shall be of colour(s) and textures which are essentially natural and earthy. All such materials shall be to the satisfaction of the Council and shall be compatible with the rural character of the locality.
	4. Except with the approval of Council, dwelling houses and all ancillary buildings shall be restricted to a maximum height of 7.5 metres measured vertically from natural ground level at any point within the boundary of the building.
	5. No clearing of vegetation shall occur except for the following:
	(a) Clearing to comply with the requirements of the Bush Fires Act 1954 (as amended);
	(b) Clearing within a 20 metres radius, of the centre of the main dwelling as may be reasonably required to construct an approved building and curtilage thereto;
	(c) Clearing to gain vehicular access to the curtilage of an approved dwelling or any other clearing which may be approved by the Council.
	6. Each dwelling house shall be connected to a water storage tank with a minimum capacity of 135 kilolitres and shall be linked to a suitable rainfall catchment with a surface area of not less than 150sqm. Water supply tanks are to be fitted with couplings compatible with Bush Fires Board requirements so that the tank capacity is available for fire fighting purposes at any given time.
	7. Water tanks required by these provisions which are visible from any location outside the allotment on which they are situated, shall be painted an appropriate shade of green in the first instance and shall be suitably screened by planted vegetation to the satisfaction of the Council.
	8. Stock may be permitted on lots providing that this does not require removal of vegetation and that stock numbers are maintained at sustainable levels. Lots containing existing vegetation as shown on the Subdivision Guide Plan shall not be permitted to carry stock unless such vegetation is fenced off to the satisfaction of Council.

(A) Structure Area of Locality	(B) Special Provisions to refer to (A).
	<p>9. Fencing within stands of existing vegetation as identified on the Subdivision Guide Plan will not be permitted. Fencing that is permitted for the purposes of management of pasture areas other than a fence which may be required by Council to be erected around a swimming pool, shall comprise non-electrified stock-proof wire fencing to a maximum height of 1.2 metres above the natural surfaces of the land, with posts of any plantation sourced timber. No fencing shall be constructed within 20 metres from the centre line of any creek or water course. The use of stock proof fencing including electrified wire and ringlock shall be limited to lots identified on any Subdivision Guide Plan as "Rural Production".</p> <p>10. The disposal of liquid and/or solid wastes shall be carried out by the installation of an effluent disposal system approved by the Council. Alternative effluent disposal units shall be used where a 2 metre vertical separation from groundwater cannot be achieved. Effluent disposal areas shall be set back a minimum of 30 metres from any water course or dam or as otherwise approved by Council. No house shall be occupied without the prior approval and installation of such a disposal system.</p> <p>11. No person shall cultivate any land, spray any pesticide or apply any fertiliser within 30 metres from any creek or water course.</p> <p>12. Radio masts, TV antenna, satellite dishes and wind turbines shall be located such that they do not detract from the local visual amenity.</p> <p>13. No dams or lakes shall be created other than those shown on the Subdivision Guide Plan except with the approval of the Council. All dams or lakes shall comply in their design and construction with the provisions of the Rights in Water and Irrigation Act and any Guidelines adopted pursuant to the Act.</p> <p>14. A Fire Management Plan shall be prepared for the land and approved by the Council prior to subdivision. Unless otherwise provided for by the Fire Management Plan, a strategic firebreak to the requirements of the Council shall be constructed along all boundaries of Location 4207.</p> <p>15. Subdividers will be required to contribute to the upgrading of roads required as a consequence of their development in accordance with the Commonage Implementation Policy as adopted by Council and endorsed by the Western Australian Planning Commission."</p>

B. MORGAN, President.  
M. W. SWIFT, Chief Executive Officer.

**PD402**

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*SHIRE OF NANNUP*

TOWN PLANNING SCHEME NO 1—AMENDMENT NO 16

Ref: 853/6/17/1 Pt 16

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Acting Minister for Planning approved the Shire of Nannup Town Planning Scheme Amendment on January 6, 1998 for the purpose of:

1. Rezoning part of Nelson Location 11876, Brockman Highway, Nannup from "Rural" to "Special Rural" as shown on the amending map adopted by the Council;
2. Rezoning part of Nelson Location 11876, Brockman Highway, Nannup from "Rural" to "Special Use" as shown on the amending map adopted by the Council;
3. Renumbering "Schedule 6—Exempted Advertisements Pursuant to Clause 8" as "Schedule 7".
4. Renumbering "Schedule 7—Special Use Sites" as "Schedule 8".

5. Inserting in the Scheme text under Section 1.5—Interpretation, the following:  
 “Arts and Crafts Shop and Studios means any land or buildings used to manufacture, display, and sell works of art or craft.”
6. Amending the Scheme text by adding to columns (a) and (b) respectively the following words in the table under Schedule 5:

(a) Specified Area or Locality	(b) Special Provisions to Refer to (a)
Pt Nelson Location 11876 Brockman Highway Nannup	<ol style="list-style-type: none"> <li>1. Subdivision to be generally in accordance with the Subdivision Guide Plan dated 16 September 1996 attached to the scheme amendment report (Amendment 16).</li> <li>2. No further subdivision of lots will be recommended by Council.</li> <li>3. Council shall recommend the minimum width of public access road servicing the lots to be 20 metres.</li> <li>4. All access to the site shall be taken from the internal public road shown on the approved subdivision plan and no direct access to lots is to be used or made available from Brockman Highway.</li> <li>5. All existing mature and native tree cover shall be retained unless the removal of trees is authorised by the Council in a particular instance to carry out approved development or to comply with the Bush Fires Act.</li> <li>6. A person shall not construct or erect—           <ul style="list-style-type: none"> <li>• a building within 20 metres of any boundary unless, the Council approves the construction of a building within that distance;</li> <li>• a building on any land with a gradient greater than one in four;</li> <li>• a building such that the design, site or materials used would, in the opinion of the Council, create an unacceptably high fire risk.</li> </ul> </li> <li>7. Low fuel areas (areas clear of all flammable material with the exception of live trees) shall be maintained around all buildings for a minimum distance of 20 metres or such distance as the Council may consider reasonable having regard for the slope of the land, adjacent land use and the general vegetation cover of the surrounding land.</li> <li>8. No dwelling house shall be occupied unless it is connected to a water storage tank of a minimum capacity of 135,000 litres, or to an alternative source of water approved by the Council.</li> <li>9. All storm water shall be disposed of on-site.</li> <li>10. A minimum horizontal separation of 30 metres is to be retained between bores and waste water disposal sites.</li> <li>11. Wastewater disposal systems shall not be installed closer than 100 metres to any river, stream or other surface water body.</li> <li>12. Specifications of on-site waste disposal systems to be installed are to be submitted for approval with building plans and no building is to be occupied until the system is installed and operating to the satisfaction of the Council and the Health Department of Western Australia.</li> <li>13. The Council may, by the service of a notice on the owner and occupier of a lot in this area, impose a limit on the number and type of animals that may be kept on that lot, if the Council considers there is a likelihood that adjoining landowners will be inconvenienced or land degradation will occur because of the presence of a greater number of such animals.</li> <li>14. An owner or occupier of land who has received a notice limiting the number of stock able to be kept on the property, shall not permit a greater number of stock to be kept than set out in the notice.</li> <li>15. Light vegetation cover of pasture grasses is to be maintained at all times on ground where stock is kept.</li> </ol>

(a) Specified Area or Locality	(b) Special Provisions to Refer to (a)
	<p>16. At subdivision the Council will request rehabilitation of the site, including the sandpit and the gravel pit. Rehabilitation is to be carried out by—</p> <ul style="list-style-type: none"> <li>• Pushing down the faces of the sand pit to create gentle slopes of approximately 1:5 vertical to horizontal, incorporating earthworks for the road and proposed lots, to create aesthetic variation and interest in the slope and form of the land;</li> <li>• Spreading sand across the gravel pit to a minimum depth of between 300-500 mm; and</li> <li>• Carrying out re-vegetation during the first winter following earthworks with pasture grasses incorporating scattered clumps of indigenous trees to match the existing vegetation on the site.</li> </ul>
	<p>17. At subdivision the Council will request planting of trees on the site. Trees, selected from the list of suggested species contained within the report entitled "Land Capability Study, Lot 11876, Brockman Highway Nannup", by Lindsay Stephens, February 1996, should be planted as tube plants during the winter months of June to August and protected with rabbit guards.</p>
	<p>18. All domestic water supply tanks are to be fitted with a gate valve with a 50mm thread to enable brigade appliances to draw water. The installation of these fittings are to be positioned at the base of the water in the tank so that the total tank capacity is available for fire fighting purposes at any time. Access shall be permitted to these domestic water supplies for emergency fire fighting purposes only.</p>
	<p>19. Building envelopes are to be identified in the application for subdivision of the land.</p>
	<p>20. All buildings to comply with Standards Australia AS3959-1991 "Construction in Bush Fire Prone Areas" and guidelines contained in CSIRO/Standards of Australia information and advice booklet SAA HB 36-1993 "Building in Bush Fire Prone Areas".</p>
	<p>21. The Development Table of Town Planning Scheme No 1 has defined Building Envelopes by setting the following minimum setbacks:</p> <ul style="list-style-type: none"> <li>• 40m from front boundaries;</li> <li>• 40m from rear boundaries; &amp;</li> <li>• 40m from side boundaries.</li> </ul> <p>Notwithstanding the setbacks established by the Development Table, the following additional criteria shall apply in establishing Building Envelopes:</p> <ul style="list-style-type: none"> <li>• 50 metre setback from State Forest;</li> <li>• within the Building Envelope a maximum area of 2000m<sup>2</sup> shall be identified and cleared for development.</li> </ul> <p>The Building Envelope location shall be subject to the approval of Council, with landowners defining the envelope as part of any initial building licence. Where, for the purpose of retaining natural flora, sound environmental reasons or where the physical constraints of a site dictate, Council may set an alternative Building Envelope.</p> <p>All buildings and on-site effluent disposal systems shall be constructed within the Building Envelope.</p>
	<p>22. A Fire Management Plan shall be prepared for the land and approved by Council, the Department of Conservation and Land Management and the Bush Fire Board prior to subdivision.</p>

7. Amending the Scheme text by adding to the respective columns in the table under Schedule 8 the following words:

Description of Land	Permitted Land Use	Special Provisions
Pt Nelson Location 11876 Brockman Highway Nannup, being land approximately 3.59ha in area in the northern portion of Lot 11876 fronting Brockman Highway and approximately 5.095 ha in area located in the south east corner of lot 11876 as depicted on the amending map.	Holiday cottages, Ancillary kiosk and administration facilities.	<ol style="list-style-type: none"> <li>1. On the northern portion of lot 11876 fronting Brockman Highway as depicted on the amending map the following land uses are also permitted with the prior approval of the Council:               <ul style="list-style-type: none"> <li>Arts &amp; crafts shop and studios</li> <li>Eating house</li> <li>Motel</li> <li>Residential building</li> <li>Museum.</li> </ul> </li> <li>2. Subdivision to be generally in accordance with the Subdivision Guide Plan dated 16 September 1996 attached to the scheme amendment report (Amendment 16).</li> <li>3. No further subdivision of lots will be recommended by Council.</li> <li>4. Council shall recommend a minimum width of public access road servicing the lots to be 20 metres.</li> <li>5. All access to the site shall be taken from the internal public road shown on the approved subdivision plan and no direct access to lots is to be used or made available from Brockman Highway.</li> <li>6. No development shall proceed on the land unless an application for planning consent has been submitted together with accompanying plans illustrating:               <ul style="list-style-type: none"> <li>• The location of all existing structures, vegetation cover, water and natural drainage courses, contours,</li> <li>• the location, elevations and floor plans of all proposed buildings, internal road and parking layout, services and fire breaks.</li> <li>• Details of the proposal, including a description of all land uses, possible staging of development, services to be provided, including water supply, effluent disposal, drainage and bushfire protection.</li> </ul> </li> <li>7. All existing mature and native tree cover shall be retained unless the removal of trees is authorised by the Council in a particular instance to carry out approved development or to comply with the Bush Fires Act.</li> <li>8. A person shall not construct or erect a building—               <ul style="list-style-type: none"> <li>• within 20metres of any boundary unless otherwise approved by the Council;</li> <li>• on any land with a gradient greater than one in four</li> <li>• in such a way that the design, site or materials used would, in the opinion of the Council, create an unacceptably high fire risk.</li> </ul> </li> <li>9. Low fuel areas (areas clear of all flammable material with the exception of live trees) shall be maintained around all buildings for a minimum distance of 20 metres or such distance as the Council may consider reasonable having regard for the slope of the land, adjacent land use and the general vegetation cover.</li> </ol>

Description of Land	Permitted Land Use	Special Provisions
		<p>10. Specifications of a reliable and satisfactory potable water supply are to be submitted for approval with building plans for development on the site. No building shall be considered fit for human occupation until the approved system is installed and operating to the satisfaction of the Council and the health Department of Western Australia.</p> <p>11. Specifications of on-site waste disposal systems to be installed are to be submitted for approval with building plans and no building is to be occupied until the system is installed and operating to the satisfaction of the Council and the Health Department of Western Australia.</p> <p>12. A minimum horizontal separation of 30 metres is to be retained between bores and waste water disposal sites.</p> <p>13. Wastewater disposal systems shall not be installed closer than 100 metres to any river, stream or other surface water body.</p> <p>14. All storm water is to be disposed on-site.</p> <p>15. At development the Council will request planting of trees on the site. Trees, selected from the list of suggested species contained within the report entitled 'Land Capability Study, Lot 11876, Brockman Highway Nannup', by Lindsay Stephens, February 1996, should be planted as tube plants during the winter months of June to August and protected with rabbit guards.</p> <p>16. All domestic water supply tanks are to be fitted with a gate valve with a 50mm thread to enable brigade appliances to draw water. The installation of these fittings are to be positioned at the base of the water in the tank so that the total tank capacity is available for fire fighting purposes at any time. Access shall be permitted to these domestic water supplies for emergency fire fighting purposes only.</p> <p>17. All buildings to comply with Standards Australia AS3959-1991 "Construction in Bush Fire Prone Areas" and guidelines contained in CSIRO/Standards of Australia information and advice booklet SAA HB 36-1993 "Building in Bush Fire Prone Areas".</p> <p>18. The Development Table of Town Planning Scheme No 1 has defined Building Envelopes by setting the following minimum setbacks:</p> <ul style="list-style-type: none"> <li>* 40m from front boundaries;</li> <li>* 40m from rear boundaries; &amp;</li> <li>* 40m from side boundaries.</li> </ul> <p>Notwithstanding the setbacks established by the Development Table, the following additional criteria shall apply in establishing Building Envelopes:</p> <ul style="list-style-type: none"> <li>* 50 metre setback from State Forest;</li> <li>* within the Building Envelope a maximum area of 2000m<sup>2</sup> shall be identified and cleared for development.</li> </ul>

Description of Land	Permitted Land Use	Special Provisions
		<p>The Building Envelope location shall be subject to the approval of Council, with landowners defining the envelope as part of any initial building licence. Where, for the purpose of retaining natural flora, sound environmental reasons or where the physical constraints of a site dictate, Council may set an alternative Building Envelope.</p> <p>All buildings and on-site effluent disposal systems shall be constructed within the Building Envelope.</p> <p>19. A Fire Management Plan shall be prepared for the land and approved by Council, the Department of Conservation and Land Management and the Bush Fire Board prior to subdivision.</p>

L. J. DICKSON, President.  
R. W. McCLYMONT, Chief Executive Officer.

## PD701

### TOWN PLANNING AND DEVELOPMENT ACT 1928

#### ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

##### CITY OF STIRLING

##### DISTRICT PLANNING SCHEME NO. 2—AMENDMENT NO. 299

Ref: 853/2/20/34, Pt. 299.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Stirling Town Planning Scheme Amendment on December 21, 1997 for the purpose of—

1. Insert the following new Schedule into the Scheme Text:

“SCHEDULE 11: ADVERTISING SIGN PROVISIONS

1. PURPOSE:

The purpose of this Schedule is to ensure that the display of advertisements on private sites does not adversely impact on the amenity of surrounding land while providing appropriate exposure of activities or services.

In interpreting and applying the provisions of this Schedule regard shall be had to the City of Stirling Advertisement Signs User Manual.

2. DEFINITIONS:

2.1 Advertisement Sign

Advertisement Sign means any word, letter, model, sign, pattern, placard, board, notice device or representation employed wholly or partly for the purposes of advertisement, announcement or direction including any structure used or adapted for the display of advertisements.

2.2 Building Signs

Building Signs are advertisement signs which are attached to or otherwise displayed on a building and include the following:

2.2.1 Above Roof Sign means an advertisement sign which protrudes above the normal roof line with little or no relation to the architectural design of the building, but does not include a Created Roof Sign.

2.2.2 Created Roof Sign means an advertisement sign which is affixed to:

(a) the fascia;

(b) the roof itself; or

(c) forms part of a projection above the eaves or ceiling;

of the building and complements the architectural style of the building, but does not include an Above Roof Sign.

2.2.3 Projecting Sign means an advertisement sign which is attached to a projection or projects more than 300mm from a wall of the building below the eaves or ceiling height.

2.2.4 Wall Sign means an advertisement sign which is affixed to the external part of a wall of the building but does not project more than 300mm from the wall and no part of which is above the lowest point of the eaves or ceiling of the building.

2.2.5 Window Sign means an advertisement sign which is affixed to either the interior or exterior of the glazed area of a window.

### 2.3 Off-Building Signs

Off-Building Signs are advertisement signs which are partly (but not wholly) attached to a building or not attached to a building at all and include the following:

2.3.1 Ground Based Sign means an advertisement sign which is not attached or otherwise affixed to a building and no portion of which is higher than 1.2m above natural ground level.

2.3.2 Hoarding Sign means an advertisement sign which is affixed to a structure having one or more supports where the overall height (inclusive of the supports) is less than the sign's horizontal dimension and portion of the sign is greater than 1.2m above natural ground level.

2.3.3 Panel Sign means an advertisement sign which is affixed to a panel and is greater than 1.2m above natural ground level, but does not include a Pylon Sign.

2.3.4 Product / Vehicle Display Sign means:

- (a) a product or object which is displayed for the purposes of advertisement; or
- (b) an advertisement sign which is applied or otherwise attached or placed on a vehicle. For the purposes of this term a vehicle includes a; car, truck, boat, trailer, caravan, machinery, and the like whether moveable or not.

2.3.5 Pylon Sign means an advertisement sign which is affixed to a structure having one or more supports where the overall height (inclusive of the supports) is greater than the sign's horizontal dimension and portion of the sign is greater than 1.2m above natural ground level.

2.3.6 Tethered Sign means an advertisement sign which is suspended from or tethered to any structure, tree or pole (with or without supporting framework) and made of paper, plastic, fabric or similar materials. The term includes lighter than air aerial devices, inflatables, bunting, banners, flags and kites.

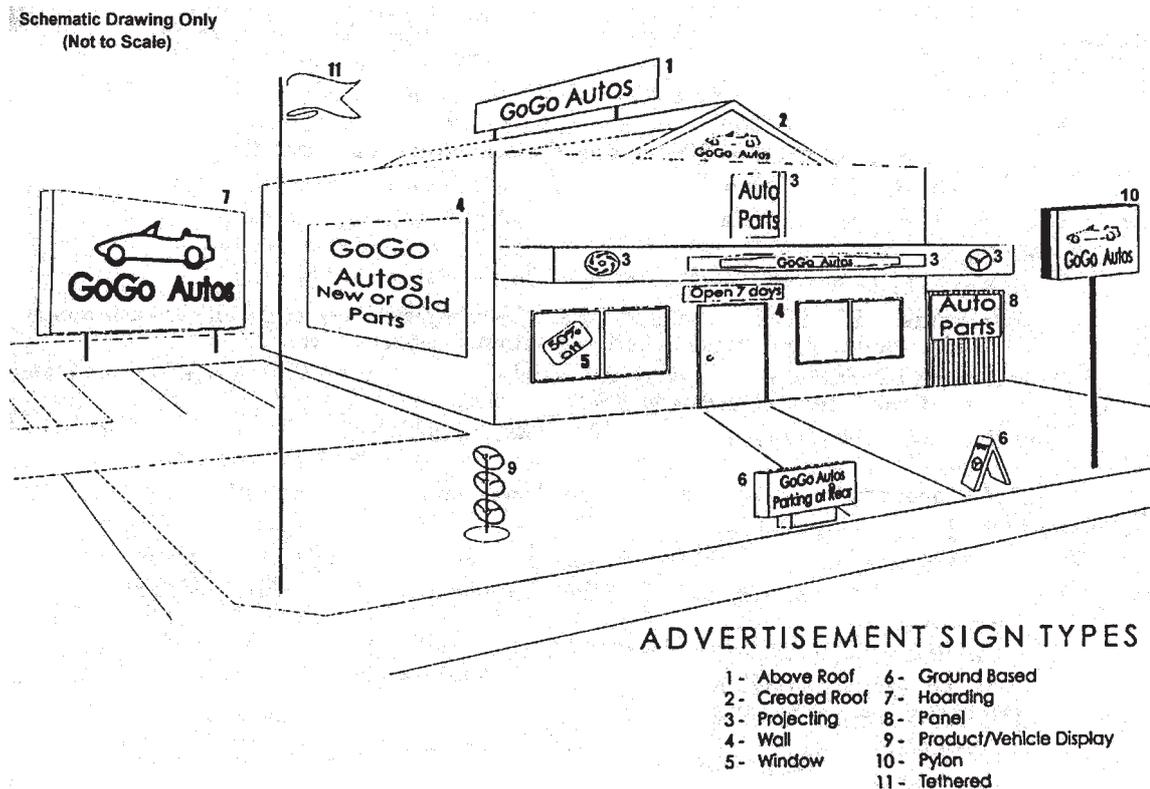
### 2.4 Sign Types Not Listed

If a Sign Type or a particular advertisement sign is not listed or defined, within the general terms of one of the definitions or is not otherwise mentioned in this Schedule, such sign shall be deemed to be a 'Sign Type Not Listed'.

### 2.5 Advertisement Sign Diagram

Diagram 1 illustrates the various sign types defined in Clauses 2.3 and 2.4 of this Schedule. It is intended to clarify the sign type definitions and provide guidance as to the classification of advertisement signs. The sign type definitions in Clauses 2.3 and 2.4 are to be interpreted in accordance with the illustration of the various sign types in Diagram 1.

Diagram 1 : Advertisement Sign Diagram



### 3. STANDARDS

#### 3.1 Applicable Standards

Subject to the provisions of Clause 5.2 of this Schedule, the following standards apply to advertisement signs:

#### 3.2 Standards Common To All Signs

All advertisement signs shall:

- (a) Not pose a threat to public safety or health;
- (b) Not extend beyond any boundary of a lot except with the approval of the Council;
- (c) If they advertise services or products other than those available on the lot, require the submission of a sign strategy acceptable to the Council for the whole site;
- (d) If illuminated:
  - i. not cause a nuisance, by way of light spillage, to abutting sites;
  - ii. not comprise of flashing or running lights;
  - iii. not interfere with or be likely to be confused with traffic control signals; and
  - iv. have a minimum clearance of 2.7m from ground level.

#### 3.3 Above Roof Signs

A maximum of one Above Roof Sign may be placed on a building and shall:

- (a) not extend laterally beyond the external walls of the building;
- (b) comply with the following table:

Height of Roof*	Maximum Projection above Roof	Maximum Area
(m)	(m)	(m <sup>2</sup> )
Below 5.0	2.0	4.5
5.0 to 8.0	3.0	9.0
Over 8.0	4.0	18.0

\*Above natural ground level at the point where the sign is to be placed

#### 3.4 Created Roof Signs

A Created Roof Sign shall:

- (a) be fixed parallel to the facia or portion of the building to which it is attached;
- (b) comply with the following table:

Maximum Height Above Natural Ground Level	Maximum Area
(m)	(m <sup>2</sup> )
Less than 7.5	3.0
7.5 to 9.0	4.5
over 9.0	9.0

- (c) not project more than 300mm from the portion of the building to which it is attached;
- (d) not be within 500mm of either end of the facia, roof or parapet of the building to which it is attached.

#### 3.5 Wall Signs

Wall Signs shall:

- (a) be limited to a maximum number of two such signs on any one wall for each tenancy within a building other than a building within a residential zone;
- (b) not exceed 10m<sup>2</sup> in area in aggregate on any one wall, unless a sign strategy acceptable to the Council for the whole site has been submitted;
- (c) if placed directly over door openings, have a minimum clearance of 2.7m from ground level;
- (d) if attached to the building by means of cables, ropes or the like:
  - i. be non-flammable; or
  - ii. not be erected for more than 14 days in aggregate in any one calendar year;
- (e) if located within a residential zone and attached to a building used predominantly for a residential use:
  - i. not exceed 0.2m<sup>2</sup> in area; and
  - ii. not exceed one sign per lot;
- (f) if located within a residential zone and attached to a building used predominantly for a commercial use:
  - i. not exceed 1.2m<sup>2</sup> in area; and
  - ii. not exceed one sign per lot.

### 3.6 Projecting Signs

#### 3.6.1 All projecting signs shall:

- (a) be limited to a maximum of one Projecting Sign per tenancy on a lot other than any Projecting Signs which are attached to the fascia of a verandah or the like; and
- (b) have a minimum clearance of 2.7m from ground level;

#### 3.6.2 Projecting Signs which are attached to the fascia of a verandah or the like shall:

- (a) not exceed a vertical dimension of 600mm; and
- (b) not project beyond the outer frame or surround of the fascia;

#### 3.6.3 Projecting Signs attached to the underside of a verandah or the like shall:

- (a) not exceed 2.4m in length or exceed a vertical dimension of 500mm;
- (b) not weigh more than 50kg;
- (c) not be within 3.0m of another such sign attached to the underside of the same verandah;
- (d) be at right angles to the front street boundary except on a corner lot where the signs may be placed so as to be visible from both streets;
- (e) not project beyond the outer frame or surround of the verandah.

#### 3.6.4 Projecting Signs attached above a verandah or the like shall:

- (a) not exceed 2.0m in length or exceed a vertical dimension of 500mm;
- (b) not be within 3.0m of another such sign attached above the same verandah; and
- (c) not project beyond the outer frame or surround of the verandah.

#### 3.6.5 Projecting Signs attached directly to a building shall:

- (a) not project more than 1.0m from the wall and not exceed 4.0m<sup>2</sup> in area;
- (b) not be placed within 2.0m of either end of the wall to which they are attached; and
- (c) not project above the top of the wall to which they are attached.

### 3.7 Window Signs

Window Signs shall not cover more than 50% of the glazed area of any one window or exceed 10.0m<sup>2</sup> in area in aggregate per tenancy on a lot.

### 3.8 Pylon Signs

#### 3.8.1 Pylon Signs shall:

- (a) have a minimum clearance of 2.7m from ground level;
- (b) not be more than 6.0m above ground level;
- (c) not exceed 2.5m measured either vertically or horizontally across the face of the sign;
- (d) not be greater than 4.0m<sup>2</sup> in area;
- (e) be limited to a maximum of one sign per street frontage on any one lot.

#### 3.8.2 Notwithstanding the provisions of Clause 3.8.1, where a lot contains more than one tenancy and:

- (a) has an area of up to 0.5 hectares, a pylon sign may, with the approval of the Council, be increased:
  - i. in height to a maximum of 7.0m above ground level; and
  - ii. in area to a maximum of 5.0m<sup>2</sup> with a maximum vertical or horizontal dimension of 3.0m;

or

- (b) has an area greater than 0.5 hectares, a pylon sign may, with the approval of the Council, be increased:
  - i. in height to a maximum of 8.0m above ground level; and
  - ii. in area to a maximum of 6.0m<sup>2</sup> with a maximum vertical or horizontal dimension of 3.0m.

#### 3.8.3 Where a pylon sign displays the street number of the lot and the street number has a minimum dimension of 0.4m, the sign may be increased:

- (a) in height by 1.0m above ground level; and
- (b) in area by 1.0m<sup>2</sup>;

in addition to any increases available under Clause 3.8.2.

#### 3.8.4 The structure to which a pylon sign is affixed shall be comprised only of one or more supports with an aggregate width not exceeding 300mm unless a sign strategy acceptable to the Council for the whole site has been submitted.

### 3.9 Ground Based Signs

#### 3.9.1 Ground Based Signs which, in the opinion of the Council, are portable shall:

- (a) be located wholly within the boundaries of the lot;
- (b) be displayed only during the normal business hours of the business to which the sign relates;
- (c) be limited to a maximum of one sign per tenancy on a lot;
- (d) have no moving parts once the sign is in place;

- (e) predominantly display the word "open"; and
  - (f) have a maximum vertical or horizontal dimension of 1.0m and have an area of not more than 0.6m<sup>2</sup>.
- 3.9.2 Ground Based Signs which, in the opinion of the Council, are not portable shall:
- (a) have a maximum vertical dimension of 1.2m and a maximum area of 1.5m<sup>2</sup>;
  - (b) advertise only products or services available from the lot; and
  - (c) be limited to a maximum of one sign per street frontage on any one lot.
- 3.10 Hoarding Sign
- Hoarding Signs shall:
- (a) have a maximum area of 20.0m<sup>2</sup>;
  - (b) be limited to a maximum of one such sign per street frontage of the lot;
  - (c) not be less than 1.2m or greater than 6.0m from ground level; and
  - (d) not be erected in the area between any building and the front boundary of a lot except with the approval of the Council.
- 3.11 Panel Sign
- Panel Signs shall:
- (a) have a maximum vertical dimension of 2.0m and a maximum area of 5.0m<sup>2</sup>;
  - (b) not, in aggregate, have a combined area greater than 20m<sup>2</sup> per lot;
  - (c) not be less than 1.2m or greater than 6.0m from ground level;
  - (d) not be erected in the area between any building and the front boundary of a lot except with the approval of the Council; and
  - (e) not be within 10m of another panel sign on the same lot.
- 3.12 Tethered Signs
- 3.12.1 Tethered Signs shall:
- (a) be located wholly within the boundaries of the lot;
  - (b) have a maximum vertical dimension of 0.75m and a maximum area of 2.0m<sup>2</sup>;
  - (c) not be less than 2.7m or greater than 8.0m from ground level;
  - (d) be limited to a maximum of one sign per street frontage on any one lot; and
  - (e) not be within 10.0m of a Pylon Sign.
- 3.12.2 Notwithstanding the provisions of sub-clause 3.12.1 b, Tethered Signs which consists of balloon type objects shall:
- (a) not exceed 7.0m in diameter or 9.0m in height; and
  - (b) not be displayed for more than 14 days in aggregate for any one calendar year.
- Furthermore, the advertiser shall supply to the Council prior to erecting such a sign a certificate from a structural engineer certifying that the connection of the balloon type object to the building or lot is of a structurally sound design.
- 3.13 Product Display Signs
- Product Display Signs shall:
- (a) be located wholly within the boundaries of a lot;
  - (b) be placed so as not to cause any interference, whether directly or indirectly, to vehicular traffic or pedestrians;
  - (c) have no moving parts;
  - (d) be limited to a maximum of one sign per street frontage on any one lot; and
  - (e) have a maximum vertical or horizontal dimension of 2.0m.
4. VARIATION OF STANDARDS
- If it is established to the satisfaction of the Council that a particular standard or provision of Clause 3 of this Schedule is unreasonable or undesirable in the particular circumstances of the case, the Council may at its discretion vary the standard or provision subject to such conditions as it thinks fit. Applications for variation of standards shall include a sign strategy for the whole of the subject site.
5. CONTROL OF ADVERTISEMENT SIGNS:
- 5.1 Power to Control Advertisement Signs
- 5.1.1 In addition to the requirements of the Council's Signs, Hoardings and Bill Posting By-Laws, the erection, placement or display of advertisement signs and the use of land or buildings for that purpose requires the prior approval of the Council except where:
- (a) the advertisement signs are exempted under the provisions of Clause 5.4 of this Schedule; or
  - (b) the land is reserved under the Metropolitan Region Scheme.
- 5.1.2 An application for Council's approval, pursuant to Clause 5.1.1 of this Schedule, shall be accompanied by a duly completed 'Advertisement Sign Application Sheet' in the form set out in Appendix 1 of this Schedule.

5.1.3 The Council in considering an application, pursuant to Clause 5.1.2 of this Schedule, may consult with any authority and may grant its approval to the application with or without conditions or may refuse to grant its approval to the application. Without limiting the generality of the matters which may be taken into account when making a decision upon such an application, the Council shall examine each such application in the light of the objectives of the Scheme and with particular reference to the character and amenity of the surrounding locality including its historic or landscape significance and traffic safety.

5.1.4 The Council shall communicate its decision whether to grant or refuse an application and as to any conditions imposed on an approval in the form set out in Appendix 2 of this Schedule.

5.2 Sign Zoning Table

5.2.1 Subject to Clauses 5.2.2 and 5.2.3, Table 11.1—Sign Zoning Table prescribes the sign types which may be permitted in each zone. The applicability is determined by cross reference between the list of “Sign Types” on the left hand side of the Table and the list of “Zones” on the top of the Table. The symbols used in Table 11.1 have the following meanings:

- (a) “P” means that the sign type is permitted by the Scheme subject to the sign type complying with the standards and provisions set out in this Schedule. Where a sign does not comply with those standards and provisions, an application must be made under Clause 4 of this Schedule for variation of standards and the sign type shall be dealt with as if it were an “SS” symbol in Table 11.1;
- (b) “SS” means that the sign type is not permitted by the Scheme unless a sign strategy, acceptable to the Council, for the whole site is submitted;
- (c) “X” means that the sign type is not permitted by the Scheme.

5.2.2 Where a lot has a non-conforming use in accordance with the provisions of Clause 1.5.1 of the Scheme, the Table 11.1—Sign Zoning Table does not apply in order to prescribe the sign types which may be permitted and the Council shall determine in each case which of the symbols set out in Clause 5.2.1 shall apply to any sign type.

5.2.3 A Sign Type Not Listed is not permitted by the Scheme. However, the Council may determine in which zones, if any, the Sign Type Not Listed may be considered. In such cases, the Sign Type Not Listed shall be treated as an “SS” symbol under Table 11.1.

TABLE 11.1 - SIGN ZONING TABLE

		ZONES																	
		LOW DENSITY RESIDENTIAL (UP TO & INCLUDING R30)	MEDIUM DENSITY RESIDENTIAL (R35 TO R60 INCLUSIVE)	HIGH DENSITY RESIDENTIAL (GREATER THAN R60)	SPECIAL RESIDENTIAL	BUSINESS	RESTRICTIVE BUSINESS	HOTEL	SERVICE STATION	GENERAL INDUSTRIAL	SPECIAL GARDEN INDUSTRIAL	SPECIAL BEACH DEVELOPMENT	MIRROBOKA REGIONAL CENTRE (INCLUDING ALL SUB-ZONES)	PRIVATE INSTITUTIONS	CIVIC	RURAL	PUBLIC AMUSEMENT	SPECIAL USE	
<b>SIGN TYPES</b>	<b>BUILDING</b>																		
	<b>S</b> Above Roof	X	X	X	X	X	X	X	X	SS	SS	X	SS	X	X	X	X	X	
	<b>I</b> Created Roof	X	X	X	X	SS	SS	SS	SS	SS	SS	SS	SS	X	X	X	SS	SS	
	<b>G</b> Wall	SS	SS	SS	SS	P	P	P	P	P	P	SS	P	P	SS	SS	P	SS	
<b>N</b> Projecting	X	X	X	X	P	P	P	P	P	P	SS	P	P	SS	SS	P	SS		
<b>N</b> Window	X	X	X	X	P	P	P	P	P	P	SS	P	P	SS	SS	P	SS		
<b>OFF-BUILDING</b>																			
<b>T</b> Pylon	X	X	X	X	P	P	P	P	P	P	P	P	X	SS	X	SS	SS		
<b>Y</b> Ground Based	SS	SS	SS	SS	P	P	P	P	P	P	P	P	P	P	P	P	P	SS	
<b>P</b> Panel	X	X	X	X	P	P	P	P	P	P	P	P	X	X	X	SS	SS		
<b>E</b> Hoarding	X	X	X	X	SS	SS	SS	SS	SS	SS	X	SS	X	SS	X	SS	SS		
<b>S</b> Tethered	X	X	X	X	SS*	SS*	SS*	SS*	X	X	SS*	SS*	X	X	X	SS*	SS*		
<b>S</b> Product Display	X	X	X	X	X	X	X	X	SS	SS	X	X	X	X	SS	X	SS		

\* Blimps, kites, bunting and lighter than air aerial devices are Not Permitted  
 \*\* Not Permitted in the 'Herdsmen Office Park'

5.3 Site Sign Strategy

5.3.1 Applications for new commercial or industrial type developments, new developments within a commercial or industrial zone, or other applications as required in this Schedule, shall include a sign strategy for the whole of the subject site showing the proposed location and size of all advertisement signs (the actual contents and structural details are not required) for the site. All subsequent applications for advertisement signs must be in accordance with the approved sign strategy.

5.3.2 An application for an advertisement sign on a lot in respect of which there is an approved sign strategy shall be in accordance with the approved sign strategy or shall include a new sign strategy.

5.3.3 In considering any application for an advertisement sign on a lot in respect of which there is an approved sign strategy Council shall have regard to the approved sign strategy.

#### 5.4 Exempted Advertisement Signs

5.4.1 Subject to Clause 5.4.2, an application for Council's approval under Clause 5 of this Schedule, is not required for an advertisement sign listed in Appendix 3 of this Schedule which complies with the requirements set out in Appendix 3.

5.4.2 Clause 5.4.1 does not apply to the erection, placement or display of advertisement signs or the use of land or buildings for that purpose within a Character Protection Area.

### 6 EXISTING ADVERTISEMENT SIGNS

#### 6.1 Continuance of Existing Advertisement Signs

Advertisement signs which:

- (a) were lawfully erected, placed or displayed prior to the approval of this Schedule; or
- (b) may be erected, placed or displayed pursuant to a licence or other approval granted by the Council prior to the gazettal date of this Schedule;

(hereinafter in this Clause referred to as 'existing advertisement signs') may, except as otherwise provided in the Scheme, continue to be displayed or to be erected in accordance with the appropriate licence or approval.

#### 6.2 Discontinuance

Notwithstanding the provisions of Clause 6.1, where the Council considers an advertisement sign conflicts with the purpose of this Schedule, it may by notice in writing pursuant to Clause 8.1 require the advertiser to remove, relocate, adapt, or otherwise modify the advertisement sign in accordance with the conditions and time period specified in the notice.

### 7 MAINTENANCE OF ADVERTISEMENT SIGNS

Where, in the opinion of the Council, an advertisement sign has deteriorated to a point where it conflicts with the purpose of this Schedule or it ceases to be effective for the purpose for which it was erected or displayed, the Council may by notice in writing pursuant to Clause 8.1 require the advertiser to:

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

at no cost to the Council.

### 8 MISCELLANEOUS

#### 8.1 Notices

8.1.1 'The advertiser' shall be interpreted as any person or any group comprised of the land-owner, occupier, licensee or other person having an interest in or drawing benefit from the display of the advertisement sign concerned.

8.1.2 Any notice served pursuant to the provisions of this Schedule shall be served upon the advertiser and shall specify:

- (a) the advertisement sign(s) 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;
- (c) the period, not being less than 60 days, within which the action specified shall be completed by the advertiser.

8.1.3 Any person upon whom a notice is served pursuant to this Schedule may, within a period of 60 days from the date of the notice, appeal in accordance with Part V of the Act. Where any such appeal is lodged, the effect of the notice shall be suspended until the decision to uphold, quash or vary the notice is known and shall thereafter have effect according to that decision.

8.1.4 Any person who fails to comply with the requirements of a notice served pursuant to this Schedule commits an offence as set out in Clause 1.6.2.5 of the Scheme and is liable to the penalties prescribed in section 10(4) of the Act.

8.1.5 If a person whom a notice has been served under this Schedule fails to comply with the requirements of the notice the Council may by its servants or agents enter upon the land on which the advertisement sign the subject of the notice is situated and carry out the requirements of the notice.

8.1.6 The Council may recover the costs of anything it does under Clause 8.1.4 of this Schedule as a debt from the person who failed to comply with the notice.

8.2 Schedule to Prevail

Where any provision of this Schedule is inconsistent with the provisions of the Council's Signs, Hoardings and Bill Posting By-Laws, the provisions of this Schedule shall prevail.

SCHEDULE 11: Appendix 1

City of Stirling

DISTRICT PLANNING SCHEME NO. 2

ADVERTISEMENT SIGN APPLICATION SHEET

- 1. LAND OWNER Surname..... Given Names.....  
Address.....  
.....
- 2. ADVERTISER (Applicant) Company..... Contact Person.....  
Address (for correspondence).....  
.....  
Telephone..... Fax.....
- 3. SITE DETAILS Lot No ..... Street No ..... Street.....  
Locality..... Closest Cross Street.....
- 4. SIGN DETAILS Sign Type..... (see Schedule 11 of District Scheme)  
Permanent No  Yes  If No, for how long.....  
Illuminated No  Yes  If Yes, give details.....

OWNER SIGNATURE..... Date.....

Note: This application must be supported by two sets of site plans and elevations (photographs may also be required) superimposed thereon the proposed position of the advertisement sign.

Office Use Only:

Meets Sign Strategy Yes  No  N/A  Application No. ....  
Zoning..... S. Zon. Table.....  
Comments.....

SCHEDULE 11: Appendix 2

Application No. ....

City of Stirling

DISTRICT PLANNING SCHEME NO. 2

ADVERTISEMENT SIGN APPROVAL/REFUSAL SHEET

- 1. LAND OWNER Surname..... Given Names.....
- 2. ADVERTISER (Applicant) Name/Company.....  
Address.....  
.....
- 3. SITE DETAILS Lot No ..... Street No ..... Unit No .....  
Street..... Locality.....

THE APPLICATION FOR.....DATED.....  
IS.....SUBJECT TO THE SCHEDULE OF CONDITIONS SPECIFIED  
HEREUNDER:

This approval is valid for a period of one year only. If the sign has not been erected within this period, a fresh approval must be obtained before erecting the sign.

Should the advertiser be aggrieved by this decision, a right of appeal may exist pursuant to the provisions of the Metropolitan Region Scheme or Clause 1.6 of the City of Stirling District Planning Scheme No. 2, as the case may be. Such an appeal shall be made in accordance with Part V of the Town Planning and Development Act 1928 (as amended).

SCHEDULE OF CONDITIONS:

MANAGER, PLANNING SERVICES

## SCHEDULE 11: Appendix 3

## EXEMPTED ADVERTISEMENT SIGNS PURSUANT TO CLAUSE 5.4

Use/Development	Sign Type	Contents on Sign	Maximum Number	Maximum area
Public Worship, Meeting Halls and Public Assembly	Wall Sign	The function or activities of the Institution	1	0.2m <sup>2</sup>
All Classes of Buildings	Any Sign Type within a Building which cannot be seen from outside of the building	N/A	N/A	N/A
All Classes of Buildings	Wall Sign	The name, number and address of the building	1	0.2m <sup>2</sup>
All Classes of Buildings	Ground Based Sign, Window Sign or Tethered Sign (non-balloon type)	N/A	As per the relevant standards set out in Clause 3 of this Schedule	As per the relevant standards set out in Clause 3 of this Schedule

Advertisement Signs of a Temporary Nature	Number and Conditions (All non-illuminated unless otherwise stated)	Maximum Area of Sign
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Building Construction Sites (advertisement signs displayed only for the duration of the construction) as follows:

a) Dwellings	1 advertisement sign per street frontage containing details of the project and the contractors undertaking the construction work.	1.5m <sup>2</sup>
b) Multiple Dwellings, Shops, Commercial and Industrial Projects	As above	3m <sup>2</sup>
c) Large Development or redevelopment projects involving shopping centres, office or other buildings exceeding 3 storeys in height.	As above plus 1 additional advertisement sign showing the name of the project builder	5m <sup>2</sup> 5m <sup>2</sup>

Display Homes

Advertisement signs displayed for the period over which homes are on display for public inspection.	1 advertisement sign for each dwelling on display plus 1 additional advertisement sign for each group of dwellings displayed by a single project builder giving details of the project building company and the range of dwellings on display.	2m <sup>2</sup> 3m <sup>2</sup>
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Real Estate Signs.

Advertisement signs displayed for the duration of the period over which property transactions are offered and negotiated as follows:

a) Single Houses or Vacant land	1 advertisement sign per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the sign is or the signs are displayed.	1.5m <sup>2</sup>
b) Grouped or Multiple Dwellings, Shops, Commercial and Industrial Properties	As above	3m <sup>2</sup>
c) Large properties comprised of shopping centres, buildings in excess of four storeys and rural properties in excess of 5ha	As above	5m <sup>2</sup>

2. Deleting Clause 1.3.6 HAMILTON LAKES PRECINCT and Clause 1.3.7 MAIN STREET PLAZA PRECINCT.

3. Substituting Clause 1.6.2 PROHIBITION with a new Clause 1.6.2 as follows:

“1.6.2 OFFENCES

Any person who

- 1.6.2.1 uses or develops or causes or permits to be used or developed any land or any building or structure otherwise than in accordance with the provisions of this Scheme;
- 1.6.2.2 fails to comply with or breaches any condition of an approval granted under this Scheme;
- 1.6.2.3 use or develops or causes or permits to be used or developed any land or any building or structure:
  - (a) within the Mirrabooka Regional Centre zone except in accordance with Schedule 8 of this Scheme;

- (b) within the Hamilton Lakes Precinct except in accordance with Schedule 9 of this Scheme; or
  - (c) within the Main Street Plaza area except in accordance with Schedule 10 of this Scheme;
- 1.6.2.4 erects, places or displays or causes or permits the erection, placement or display of an advertisement sign, or uses any land, building or structure for that purpose, otherwise than in accordance with Schedule 11 of this Scheme or fails to comply with or breaches any condition of an approval granted under that Schedule; or
- 1.6.2.5 fails to comply with the requirements of a notice served upon that person under the Scheme,
- commits an offence and is liable to the penalties prescribed in Section 10(4) of the Act.”

D. C. VALLELONGA, President.  
M. J. WADSWORTH, Chief Executive Officer.

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## POLICE

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### PE401

#### ROAD TRAFFIC ACT 1974

I, Peter John Otway, A/Commander (Traffic and Operation Support) 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 purpose of a bicycle race by members/entrants of the Spokes Cycle Club on January 18th, 1998 between the hours of 0900 and 1100 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 hand side of the carriageway on—Edward Street/Walkaway Rd.

All participants to wear approved head protection at all times.

Dated at Perth this 2nd day of January 1998.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

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#### ROAD TRAFFIC ACT 1974

I, Peter John Otway, A/Commander (Traffic and Operation Support) 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 purpose of a bicycle race by members/entrants of the Spokes Cycle Club on January 25th, 1998 between the hours of 0900 and 1100 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 hand side of the carriageway on—Mullewa/Geraldton Rd, Brand H'wy, Rudds Gully Rd, Edward Rd, Walkaway Rd.

All participants to wear approved head protection at all times.

Dated at Perth this 2nd day of January 1998.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

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#### ROAD TRAFFIC ACT 1974

I, Peter John Otway, A/Commander (Traffic and Operation Support) 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 purpose of a bicycle race by members/entrants of the Spokes Cycle Club Inc. on February 1st, 1998 between the hours of 0800 and 1000 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 hand side of the carriageway on—Edward Rd, Mullewa Rd, Moonyoonooka Rd.

All participants to wear approved head protection at all times.

Dated at Perth this 2nd day of January 1998.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

**ROAD TRAFFIC ACT 1974**

I, Peter John Otway, A/Commander (Traffic and Operation Support) 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 purpose of a bicycle race by members/entrants of the Spokes Cycle Club Inc. on February 8th, 1998 between the hours of 0800 and 1020 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 hand side of the carriageway on—Walkaway Rd, Nangety Rd, Ellendale Rd, Allenooka Springs Rd.

All participants to wear approved head protection at all times.

Dated at Perth this 2nd day of January 1998.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

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**ROAD TRAFFIC ACT 1974**

I, Peter John Otway, A/Commander (Traffic and Operation Support) 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 purpose of a cycle race by members/entrants of the Melville Fremantle Cycling Club on March 1st, 8th, 15th and 22nd, 1998 between the hours of 0830 and 1100 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 hand side of the carriageway on—Canvale Road and Wittenburg Drive.

All participants to wear approved head protection at all times.

Dated at Perth this 31st day of December 1997.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

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**ROAD TRAFFIC ACT 1974**

I, Peter John Otway, A/Commander (Traffic and Operation Support) 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 purpose of a cycle race by members/entrants of the Melville Fremantle Cycling Club on March 29th and April 5th and 12th, 1998 between the hours of 0830 and 1100 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 hand side of the carriageway on—Canvale Road and Wittenburg Drive.

All participants to wear approved head protection at all times.

Dated at Perth this 31st day of December 1997.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

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**PE402****ROAD TRAFFIC ACT 1974**

I, Peter John Otway, A/Commander (Traffic and Operation Support) 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 purpose of a time trials by members/entrants of the Australian Time Trials Association on March 15th, 1998 between the hours of 0730 and 1130 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 hand side of the carriageway on—Ennis Avenue, Mandurah Road, Safety Bay Road.

All participants to wear approved head protection at all times.

Dated at Perth this 2nd day of January 1998.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

**PE403****ROAD TRAFFIC ACT 1974**

I, Peter John Otway, A/Commander (Traffic and Operation Support) 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 purpose of a triathlon by members/entrants of the Albany Triathlon Club Inc. on January 11th and February 1st, 1998 between the hours of 0900 and 1100 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 hand side of the carriageway on—Barker Rd, Graham St, Sanford Rd, North Rd, and Albany Hwy.

All participants to wear approved head protection at all times when riding bicycles.

Dated at Perth this 5th day of January 1998.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

**ROAD TRAFFIC ACT 1974**

I, Peter John Otway, A/Commander (Traffic and Operation Support) 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 purpose of a triathlon by members/entrants of the Albany Triathlon Club Inc. on January 18th, 1998 between the hours of 0800 and 1000 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 hand side of the carriageway on—Flinders Pde, Middleton Rd, Golflinks Rd, Troode St, Lower King Rd.

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

Dated at Perth this 5th day of January 1998.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

**ROAD TRAFFIC ACT 1974**

I, Peter John Otway, A/Commander (Traffic and Operation Support) 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 purpose of a triathlon by members/entrants of the Albany Triathlon Club Inc. on February 8th, 1998 between the hours of 0800 and 1000 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 hand side of the carriageway on—Flinder Pde, Middleton Rd, Golflinks Rd, Emu Point Dve, Mermaid Ave.

All participants to wear approved head protection at all times.

Dated at Perth this 5th day of January 1998.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

**ROAD TRAFFIC ACT 1974**

I, Peter John Otway, A/Commander (Traffic and Operation Support) 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 purpose of a triathlon by members/entrants of the Albany Triathlon Club Inc. on February 15th, 1998 between the hours of 0800 and 1000 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 hand side of the carriageway on—Princess Royal Dve, Brunswick Rd.

All participants to wear approved head protection at all times.

Dated at Perth this 5th day of January 1998.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

**ROAD TRAFFIC ACT 1974**

I, Peter John Otway, A/Commander (Traffic and Operation Support) 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 purpose of a triathlon by members/entrants of the Albany Triathlon Club Inc. on February 22nd, 1998 between the hours of 0800 and 1000 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 hand side of the carriageway on—Cunningham St, Mermaid Ave, Emu Point Rd, Troode St, Lower King Rd, Swarbrick St, Clark St, Boongarrie St.

All participants to wear approved head protection at all times.

Dated at Perth this 5th day of January 1998.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

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#### ROAD TRAFFIC ACT 1974

I, Peter John Otway, A/Commander (Traffic and Operation Support) 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 purpose of a triathlon by members/entrants of the Albany Triathlon Club Inc. on March 1st, 1998 between the hours of 0900 and 1100 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 hand side of the carriageway on—Cheynes Beach Rd.

All participants to wear approved head protection at all times.

Dated at Perth this 5th day of January 1998.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

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#### ROAD TRAFFIC ACT 1974

I, Peter John Otway, A/Commander (Traffic and Operation Support) 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 purpose of a triathlon by members/entrants of the Albany Triathlon Club Inc. on March 8th, 1998 between the hours of 0900 and 1100 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 hand side of the carriageway on—Chipana Dve, Chipana Way, Frenchman Bay Rd, Gap Rd, Bayview Rd.

All participants to wear approved head protection at all times.

Dated at Perth this 5th day of January 1998.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

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#### ROAD TRAFFIC ACT 1974

I, Peter John Otway, A/Commander (Traffic and Operation Support) 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 purpose of a triathlon by members/entrants of the Albany Triathlon Club Inc. on March 15th, 1998 between the hours of 0900 and 1100 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 hand side of the carriageway on—Medcalf Rd, Mermaid Ave, Emu Point Dve, Golf Links Rd, Middleton Rd.

All participants to wear approved head protection at all times.

Dated at Perth this 5th day of January 1998.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

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#### ROAD TRAFFIC ACT 1974

I, Peter John Otway, A/Commander (Traffic and Operation Support) 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 purpose of a triathlon by members/entrants of the Albany Triathlon Club Inc. on March 22nd, 1998 between the hours of 0900 and 1100 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 hand side of the carriageway on—Mermaid Ave, Clark St, Swarbrick St, Greeble St, Bedwell St, Roe Pde.

All participants to wear approved head protection at all times.

Dated at Perth this 5th day of January 1998.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

**ROAD TRAFFIC ACT 1974**

I, Peter John Otway, A/Commander (Traffic and Operation Support) 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 purpose of a triathlon by members/entrants of the Albany Triathlon Club Inc. on April 4th, 1998 between the hours of 0900 and 1100 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 hand side of the carriageway on—Nanarup Rd and East Bank Rd.

All participants to wear approved head protection at all times.

Dated at Perth this 5th day of January 1998.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

**ROAD TRAFFIC ACT 1974**

I, Peter John Otway, A/Commander (Traffic and Operation Support) 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 purpose of a triathlon by members/entrants of the Albany Triathlon Club Inc. on April 12th and 19th, 1998 between the hours of 0900 and 1100 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 hand side of the carriageway on—Barker Rd, Graham St, Sanford Rd, North Rd, Albany Hwy.

All participants to wear approved head protection at all times.

Dated at Perth this 5th day of January 1998.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

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**TRANSPORT**

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**TR401****BUNBURY PORT AUTHORITY ACT 1909**

Office of the Minister for Transport,  
Perth.

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

- The appointment of Mr Tom Kuzman as a Member of the Bunbury Port Authority for a period to expire on 30 June 1998.

This appointment is in accordance with the Bunbury Port Authority Act 1909.

ERIC CHARLTON, Minister for Transport.

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