

# WESTERN AUSTRALIAN GOVERNMENT Gazette



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JOHN A. STRIJK,  
Government Printer.

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**PROCLAMATIONS**


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**AA101****CIVIL AVIATION (CARRIERS' LIABILITY) AMENDMENT ACT 1996**

(No. 80 of 1996)

## PROCLAMATION

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

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

I, the Governor, acting under section 3 of the *Civil Aviation (Carriers' Liability) Amendment Act 1996*, and with the advice and consent of the Executive Council, fix 1 September 1998 as the day on which the provisions of that Act come into operation.

Given under my hand and the Public Seal of the State on 25 August 1998.

By Command of the Governor,

MURRAY CRIDDLE, Minister for Transport.

GOD SAVE THE QUEEN !

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**AGRICULTURE**


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**AG401\*****AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976**

Agriculture Protection Board,  
South Perth.

Pursuant to the powers granted by sections 15(3) and 15(2) of the Agriculture and Related Resources Protection Act 1976, the Agriculture Protection Board hereby;

- a) cancels the appointments of the persons listed,
- b) appoints the persons listed to be members of the Zone Control Authorities shown, to serve until the first day in August in the year specified, and;
- c) appoints deputy members.

**Cancellation of Appointments**

Name	ZCA
Toni Mioceovich	10
Brett McKay	9
Michael Thurkle	3

**New appointments**

Name	ZCA	Retires
Peter Carter	10	2001

**Re appointments**

Name	ZCA	Retires
Rex Ward	9	2001
Eugene George Mc Mahon	1	2001
Beverley Millar	10	2001
Keith Wright	1	2001
Gil Cassir	10	2001
John Koeys	1	2001
William Edward Johns	3	2001

**Appointment of deputy members**

Name	Members name	ZCA	Represents
Roni Oma	Kevin Smith	10	LGA

Dated 25 August, 1998.

KERYL ENRIGHT, Chairman, Agriculture Protection Board.

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**CONTRACT AND MANAGEMENT SERVICE**

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**CE401****PUBLIC WORKS ACT 1902**

## DELEGATION UNDER SECTION 5A(a)

I, Michael Francis Board, Minister for Works for Western Australia, in my capacity as Minister for Works under section 5(3) of the Public Works Act 1902 ("the Act") delegate, under section 5A(a) of the Act, to the person for the time being holding or acting in the office of Chief Executive Officer of the Department of Contract and Management Services all of my powers under the Act except the power of delegation and the powers under Part 1A and Section 10 of the Act.

The delegation dated 9 October 1995 to the Executive Director of the Building Management Authority, notice of which was published in the *Gazette* dated 27 October 1995 at page 4946, is hereby revoked.

Dated the 19th day of August 1998.

Signed—

MIKE BOARD, Minister for Works.

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**CE402****PUBLIC WORKS ACT 1902**

## AUTHORISATION

I, Michael Francis Board, Minister for Works for Western Australia, in my capacity as Minister for Works under section 5(3) of the Public Works Act 1902 ("the Act") authorise the person for the time being holding or acting in the office of Manager, Corporate Risk of the Department of Contract and Management Services to act on my behalf in all matters in contracts and any dispute or legal action where the Minister for Works is the Principal, defendant or plaintiff.

The delegation dated 9 October 1995 to the Manager, Contracts and Risk Management of the Building Management Authority, notice of which was published in the *Gazette* dated 27 October 1995 at page 4946, is hereby revoked.

Dated the 19th day of August 1998.

Signed—

MIKE BOARD, Minister for Works.

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**CE403****PUBLIC WORKS ACT 1902**

## AUTHORISATION

I, Michael Francis Board, Minister for Works for Western Australia, in my capacity as Minister for Works under section 5(3) of the Public Works Act 1902 ("the Act") authorise the person for the time being holding or acting in the office of Compliance Officer, Tendering Branch of the Department of Contract and Management Services to sign contracts on my behalf.

The delegation dated 9 October 1995 to the Contracts Officer of the Building Management Authority, notice of which was published in the *Gazette* dated 27 October 1995 at page 4947, is hereby revoked.

Dated the 19th day of August 1998.

Signed—

MIKE BOARD, Minister for Works.

**FISHERIES**

**FI301\***

Fishing and Related Industries Compensation (Marine Reserves) Act  
1997

**Fishing and Related Industries  
Compensation (Marine Reserves)  
Regulations 1998**

Made by the deputy of the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Fishing and Related Industries Compensation (Marine Reserves) Regulations 1998*.

**2. Time prescribed for the purpose of section 5(7)**

For the purpose of section 5(7) of the Act, the prescribed time is 30 days.

**3. Application to Minister for compensation**

- (1) An application to the Minister for compensation under section 7(1) must be in the form of Form 1 in Schedule 1.
- (2) An application may be dealt with notwithstanding that the application has not been made substantially in the prescribed form.

**Schedule 1 — Forms**

[r. 3]

Form 1

*Fishing and Related Industries Compensation (Marine Reserves) Act 1997*

**APPLICATION FOR COMPENSATION**

Application<sup>1</sup> is made to the Minister for Fisheries by .....  
.....  
.....of.....  
..... for compensation under section 5  
of the Act.<sup>2</sup>

<b>Details of authorization<sup>3</sup> held by the applicant</b>	
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<b>Event<sup>4</sup> on which the claim for compensation is based</b>	
---	--

<b>Amount of compensation claimed<sup>5</sup></b>	\$
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<b>Manner in which amount of compensation claimed was calculated</b>	
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Dated: .....

.....

**Applicant**

**NOTES**

1. An application must be made within the period specified in the notice of the event published by the Minister for Fisheries.
2. Within 30 days after receiving this application, the Minister for Fisheries may advise you in writing as to whether or not the Minister considers that you are entitled to compensation under the Act. If the Minister considers that you are entitled to compensation, the Minister must conduct negotiations with you with a view to settling the amount of the compensation. If you and the Minister agree on the amount of compensation, the Minister must enter into an agreement with you setting out the terms of the agreement.

If an agreement on the amount of compensation has not been entered into within 60 days of advice to you that the Minister considers that you are entitled to compensation, you or the Minister may apply to the Fisheries Adjustment Compensation Tribunal for a determination of the amount of compensation. An agreement as to the amount of compensation may be entered into even though an application has been made to the Tribunal.

If the Minister advises you that he or she does not consider that you are entitled to compensation, you may apply to the Tribunal to —

- (a) determine whether or not you are entitled to compensation; and
- (b) if you are entitled to compensation, the amount of the compensation payable to you.

An application to the Tribunal cannot be made later than 21 days after the day on which the advice is received from the Minister.

If you do not receive advice from the Minister, within 30 days of the Minister receiving the application, that you are entitled to compensation, you may apply to the Tribunal to —

- (a) determine whether or not you are entitled to compensation; and
- (b) if you are entitled to compensation, the amount of the compensation payable to you.

An application to the Tribunal cannot be made later than 21 days after the expiration of the period within which the Minister is to advise you whether or not he or she considers that you are entitled to compensation.

An agreement as to the amount of compensation may be entered into even though an application has been made to the Tribunal.

3. The types of authorization in respect of which an application for compensation may be made by you are —
  - (a) an aquaculture lease;
  - (b) an aquaculture licence;
  - (c) a commercial fishing licence;

- (d) a fishing boat licence;
  - (e) a fish processor's licence;
  - (f) a managed fishery licence;
  - (g) an interim managed fishery permit;
  - (h) a farm lease;
  - (i) a hatchery licence;
  - (j) a hatchery permit;
  - (k) a pearling licence; or
  - (l) a pearling permit.
4. A claim by you for an entitlement to compensation under the Act can be based on the following events —
- (a) the coming into operation of section 10 of the Acts Amendment (Marine Reserves) Act 1997;
  - (b) the coming into operation of an order under section 13 (1) of the Conservation and Land Management Act 1984 constituting or adding to a marine nature reserve or marine park;
  - (c) the coming into operation under Division 1 of Part V of the Conservation and Land Management Act 1984 of —
    - (i) an amendment to a management plan; or
    - (ii) a substituted management plan,
 so that the renewal of an authorization would no longer be consistent with a management plan;
  - (d) the classification of an area of a marine park by notice under section 62 of the Conservation and Land Management Act 1984 as —
    - (i) a sanctuary area;
    - (ii) a recreation area; or
    - (iii) a special purpose area which, or that part of a special purpose area which, the Minister for the Environment has declared in the notice to be an area where a commercial activity specified in the notice would be incompatible with a conservation purpose specified in the notice.
5. You are entitled to fair compensation for any loss suffered as a result of the event on which the claim for compensation is based.

By Command of the deputy of the Governor,  
M. C. WAUCHOPE, Clerk of the Executive Council.

**FI401\***

**FISH RESOURCES MANAGEMENT ACT 1994**  
NORTHERN DEMERSAL SCALEFISH INTERIM MANAGED FISHERY  
MANAGEMENT PLAN AMENDMENT 1998

FD 951/98 [228]

Made by the Minister under section 54.

**Citation**

1. This amendment may be cited as the *Northern Demersal Scalefish Interim Managed Fishery Management Plan Amendment 1998*.

**Principal Plan**

2. In this amendment the *Northern Demersal Scalefish Interim Managed Fishery Management Plan 1997\** is referred to as the principal Plan.

**Clause 21 amended**

3. Clause 21 of the principal Plan is amended by—

(a) inserting after sub-clause (1) the following—

“(1a) Notwithstanding sub-clause (1) if the Executive Director on the advice of the Director Research is of the opinion that it is in the better interests of the Fishery to do so, the Executive Director may during a licensing period, and with the approval of the Minister make a further determination of the capacity of the Fishery.”;

- (b) in sub-clause (4) by inserting after “sub-clause (1)” the following—  
“or (1a)”; and
- (c) in sub-clause (4) by inserting after “previous determination” the following—  
“provided that nothing in this paragraph is to be taken to affect the validity of an allocation of entitlement made in respect of a prior determination under sub-clause (1)”.

**Clause 22 amended**

4. Clause 22 of the principal Plan is amended by inserting after sub-clause (4) the following—
- “(5) Where during the first licensing period, in accordance with subclause 21(1a) the Executive Director has made a further determination of the capacity of the fishery, the Executive Director upon application, may allocate any additional fish trap units or line units to permits by reference to the formulae in subclauses (3) and (4), taking into account previous unit allocations, the number of exhausted units, additional units available for allocation and the number of permits issued at that time, provided that the number of units allocated pursuant to this subclause when aggregated with units previously issued, must not exceed the capacity of the fishery determined in accordance with clause 21.
- (6) Where during the first licensing period, by virtue of the operation of Part 14 of the Act, a person becomes entitled to the issue of a permit, the Executive Director may allocate units to that permit by reference to the formulae in subclauses (3) and (4), taking into account the number of permits and units previously issued or allocated, and the number of units available for allocation, provided that the number of units allocated pursuant to this subclause when aggregated with units previously issued, must not exceed the capacity of the fishery determined in accordance with Clause 21.
- (7) Where during the first licensing period, the Executive Director allocates units to permits in accordance with subclauses (5) or (6), for the purpose of calculating unit values in subsequent licensing periods referred to in clause 24, those units shall be taken to have the values which they would have had, had they been allocated at the commencement of this Plan.”.

**Clause 23 amended**

5. Clause 23 of the principal Plan is amended in each of sub-clauses (1), (2) and (3) by deleting “per hour”.

[\*Published in the Gazette of 9 December 1997.]

Dated this 15th day of August 1998.

MONTY HOUSE, Minister for Fisheries.

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**JUSTICE**

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JM301\*

Fines, Penalties and Infringement Notices Enforcement Act 1994

## **Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 1998**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 1998*.

**2. The regulations amended**

The amendments in these regulations are to the *Fines, Penalties and Infringement Notices Enforcement Regulations 1994\**.

[\* Published in Gazette 30 December 1994, pp. 7232-41.  
For amendments to 30 July 1998 see 1997 Index to  
Legislation of Western Australia, Table 4, p. 79 and Gazette  
23 January 1998.]



**3. Regulation 9 amended**

Regulation 9(3) is repealed and the following subregulation is inserted instead —

“

- (3) Enforcement fees in Schedule 2, Part C are prescribed for the purposes of Part 7 of the Act, and are calculated in accordance with that Part of Schedule 2.

”.

**4. Schedule 2 Part B amended**

Schedule 2, Part B, item 2 is amended by deleting “\$30.00” and inserting instead —

“ \$52.00 ”.

**5. Schedule 2 Part C amended**

Schedule 2, Part C, item 13 is amended by deleting “\$0.70 per kilometre.” and inserting instead —

“

the rate per kilometre, one way, that is prescribed as a travelling fee for the service of documents in the *Justices Act (Courts of Petty Sessions Fees) Regulations*.

”.

By Command of the Governor,

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

**JM302\***

Justices Act 1902

## **Justices Act (Courts of Petty Sessions Fees) Amendment Regulations 1998**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Justices Act (Courts of Petty Sessions Fees) Amendment Regulations 1998*.

**2. The regulations amended**

The amendments in these regulations are to the *Justices Act (Courts of Petty Sessions Fees) Regulations\**.

[\* Reprinted as authorized 28 September 1982.  
For amendments to 4 August 1998 see 1997 Index to  
Legislation of Western Australia, Table 4, p. 155.]

### 3. **First Schedule deleted and a Schedule inserted instead**

The First Schedule is deleted and the following Schedule inserted instead —

“

#### **First Schedule**

		\$
1.	For every complaint or application other than an application set out in item 11 .....	38.00
2.	For every summons to defendant .....	6.00
3.	For every order or conviction drawn up .....	12.00
4.	For every copy of an order, conviction, complaint or application (at any stage of proceedings).....	6.40
	Note:	
	(a) Where an order, conviction, complaint or application has several matters alleged, the fee is \$6.40 PLUS \$1.00 for a copy of each annexure. (No additional fee for certification of “AND FURTHER” is required)	
	(b) Fee for copy of complaint is not payable where circumstances under regulation 3(2a) exist	
5.	For every search in the records .....	10.00
6.	For every summons to witness .....	6.00
7.	For service of summons or order of court .....	13.50
8.	For a warrant of any kind —	
	(a) issue thereof .....	22.00
	(b) execution thereof .....	30.00
9.	Travelling fee on service of a summons or order of Court or on execution of a warrant — for each kilometre (one way only) .....	0.75
10.	For copies of documents —	
	(a) depositions, transcripts, or a Magistrate’s notes of evidence — for each page .....	4.00
	(b) second or subsequent copies of documents referred to in paragraph (a) — for each page .....	1.00
	But in either case a minimum fee of \$13.00 is to be paid for each page of a document other than a document referred to in item 3 or 4 ( <i>Not payable if indictable offence</i> )	
11.	For an application for an extraordinary drivers licence (under section 76 of the Road Traffic Act 1976 .....	90.00

12. For certifying that a document, including a document referred to in item 3 or 4, is a true copy — in addition to any other fee ..... 5.00

”.

By Command of the Governor,

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

**JM303\***

Justices Act 1902

Road Traffic Act 1974

## **Justices Act (Extraordinary Licences) Amendment Regulations 1998**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Justices Act (Extraordinary Licences) Amendment Regulations 1998*.

**2. The regulations amended**

The amendments in these regulations are to the *Justices Act (Extraordinary Licences) Regulations 1977\**.

[\* *Published 20 May 1977, pp. 1502-6.*  
*For amendments to 30 July 1998 see 1997 Index to Legislation of Western Australia, Table 4, pp. 155-6.*]

**3. Regulation 4 amended**

Regulation 4(6) is amended by deleting “A fee of \$75.00” and inserting instead —

“

The fee prescribed in the First Schedule of the Justices Act (Courts of Petty Sessions Fees) Regulations

”.

By Command of the Governor,

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

JM304\*

Local Courts Act 1904

## Local Court Amendment Rules (No. 2) 1998

Made by the Governor in Executive Council.

### 1. Citation

These rules may be cited as the *Local Court Amendment Rules (No. 2) 1998*.

### 2. Commencement

These rules take effect one month after their publication in the *Government Gazette*.

### 3. The rules amended

The amendments in these rules are to the *Local Court Rules 1961*\*.

[\* *Reprinted 26 February 1996.*  
*For amendments to 17 June 1998 see 1997 Index to Legislation of Western Australia, Table 4, p. 168.*]

### 4. Appendix amended

- (1) Part II of the Appendix is amended, under the heading "BAILIFF FEES", in each item listed in column 1 of the Table to this rule by deleting the amount set out opposite that provision in column 2 of the Table and substituting instead the amount in column 3 of the Table.

Table

Column 1	Column 2	Column 3
Item 1(a)	\$13.50	\$15.00
Item 1(b)	\$18.90	\$21.00
Item 2(c)	\$13.50	\$21.00
Item 2(d)	\$13.50	\$21.00
Item 3(b)(i)	\$4.50	\$5.00
Item 3(b)(ii)(I)	\$4.50	\$5.00
Item 3(b)(ii)(II)	\$1.50	\$1.70
Item 3(b)(ii)(III)	\$4.50	\$5.00
Item 5	\$30.00	\$47.00
Item 7	\$80.00	\$90.00
Item 8(a)	\$100.00.	\$150.00.
Item 9	\$3.00	\$3.30
Item 13	\$27.00	\$29.50

- (2) Part II of the Appendix is amended, under the heading “BAILIFF FEES” —

- (a) by deleting items 2(a) and 2(b) and inserting instead —

“

2. (a) Warrant Fee which includes execution, (attempted execution), initial attendance, initial enquiry, seizure of goods, service of any notice and returns, investigation, appraisal of seizable goods, arrest and conveying a debtor to court when executing a bench warrant or chamber warrant, and eviction when executing a warrant of possession. \$40.00

”;

- (b) by deleting item 4 and inserting instead —

“

4. Preparation for Sale  
 Provided the clerk is satisfied duties have been carried out, the following fees are allowed:  
 For each REVS or other official record search (personalty) \$5.00  
 Bill of Sale and Encumbrance search (personalty) \$10.00  
 Encumbrance Investigation (realty) \$45.00  
 Implementation of an advertising program (realty or personalty) \$55.00

”;

- (c) in item 8(b) by inserting after “Delivery” —

“ (Replevin) ”; and

- (d) by deleting item 14(a) and inserting instead —

“

14. (a) Attendance on a Judgment Summons hearing or related matter —  
 Where the Bailiff is situated at Albany, Armadale, Bunbury, Fremantle, Geraldton, Joondalup, Midland, Kalgoorlie, or Rockingham \$2.00  
 Other situations \$1.00

”.

By Command of the Governor,

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

JM305\*

Local Courts Act 1904

## Local Court Amendment Rules (No. 3) 1998

Made by the Governor in Executive Council.

### 1. Citation

These rules may be cited as the *Local Court Amendment Rules (No. 3) 1998*.

### 2. Commencement

These rules take effect one month after their publication in the *Government Gazette*.

### 3. The rules amended

The amendments in these rules are to the *Local Court Rules 1961*\*.

[\* Reprinted 26 February 1996.  
For amendments to 4 August 1998 see 1997 Index to  
*Legislation of Western Australia, Table 4, p. 168.*]

### 4. Appendix, Part II amended

The division of Part II of the Appendix headed "Table of Court Fees" is deleted and the following division is inserted instead —

“

Table of Court Fees

Service	Claim not exceeding \$5 000	Claim exceeding \$5 000 but not exceeding \$10 000	Claim exceeding \$10 000
1. For entering any plaint, including an action for a small debt;	\$44.00	\$90.00	178.00
For commencing proceedings under the MWSS&D Act Part VIII (6)(iii), for each parcel of land; or	\$44.00	\$90.00	178.00
For filing any originating summons	\$44.00	\$90.00	178.00

2.	Defence, set-off or counter-claim; (one fee payable irrespective of number of defendants) or Chambers Application filed by a defendant	\$34.00 (irrespective of value of claim)		
		\$34.00 (irrespective of value of claim)		
3.	Hearing fee, including trial fee, or hearing in Chambers, or on any matter listed (not payable for small debts or residential tenancies proceedings or hearing of set-off or counter-claim) (Payable only where the person applying is the plaintiff) Garnishee proceedings where hearing fee not previously collected	\$55.00	\$111.00	\$189.00
		\$55.00	\$111.00	\$189.00
4.	Application for summary judgment (s. 47A)	\$44.00	\$89.00	\$133.00
5.	Enforcement proceedings of any kind, including warrant under the MWSS&D Act or Restraint of Debtors Act (only one fee is payable for the issue of any one or more processes)	\$22.00	\$44.00	\$89.00
6.	Examination of witness <i>de bene esse</i> before a clerk – for the first hour or part thereof for every subsequent hour or part thereof	\$16.00	\$31.00	\$47.00
		\$10.00	\$21.00	\$31.00
7.	Appeal motion, application or proceeding within jurisdiction that is not specifically provided for (includes hearing fee, summons to witness and issue of order) Stating case for Supreme Court	\$55.00	\$111.00	\$189.00
		\$84.00	irrespective of value of claim	
8.	Miscellaneous fees to be paid irrespective of value of claim —			
(a)	Search	\$10.00	(but where search made by recognized reporting service .... \$1.00)	
(b)	Service of summons authorized by post, inclusive of postage	\$16.00		
(c)	Issue of any duplicate document or order under O. 38 r. 21 or r. 22	\$12.00		
(d)	Issue of any photocopies of other documents	\$1.00	per page (an additional fee of \$5.00 is to be paid per document for certifying that the document is a true copy)	

- |     |   |   |
|-----|---|---|
| (e) | Copies of transcript of proceedings or notes of evidence supplied to a party to the proceedings | \$4.00 per page, and where second or subsequent copies are provided to the same applicant ... \$1.00 per page<br><i>(Minimum fee of \$13.00 is payable)</i> |
|-----|---|---|

- 
- |    |              |  |
|----|--------------|--|
| 9. | Taxing Costs | For the first \$1 000 of a bill —<br>\$0.05 for each \$1.00 of the amount of the filed bill<br><i>(amounts of less than \$1.00 to be disregarded);</i><br>For any part of a bill exceeding \$1 000 —<br>\$0.025 for each \$1.00 in excess of \$1 000.<br><i>(Minimum fee of \$10.00 is payable regardless of amount of bill)</i> |
|----|--------------|--|
- 

”.

By Command of the Governor,

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

JM306\*

Restraint of Debtors Act 1984

## Restraint of Debtors Amendment Regulations 1998

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Restraint of Debtors Amendment Regulations 1998*.

**2. Commencement**

These regulations come into operation on the day on which the *Local Court Amendment Rules (No. 3) 1998* come into operation or the day of their publication, whichever is the later.

**3. The regulations amended**

The amendments in these regulations are to the *Restraint of Debtors Regulations 1986*\*.

[\* *Published 4 July 1986, pp. 2286-90.*  
*For amendments to 31 July 1998 see 1997 Index to Legislation of Western Australia, Table 4, p. 228.*]



**4. Regulation 13 replaced**

Regulation 13 is repealed and the following regulation is inserted instead —

“

**13. Fee**

The fee to be paid in respect to enforcement proceedings under these regulations (i.e. the issue of a summons, or the execution or attempted execution of a warrant) is the fee set out in Part II of the Appendix to the *Local Court Rules 1961* under the heading “Table of Court Fees”.

”.

By Command of the Governor,

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

**JM401****JUSTICES ACT 1902**

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

Mr Ian Basil Fitzgerald of 28 Aspendale Street, Nyabing  
to the office of Justice of the Peace for the State of Western Australia.

RICHARD FOSTER, Executive Director, Court Services.

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**LOCAL GOVERNMENT**


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**LG101***CORRECTION***LOCAL GOVERNMENT ACT 1995****HEALTH ACT 1911***Shire of Harvey*

## Memorandum of Imposing Rates and Charges

It is hereby notified for public information that an error was made in the general rates of the Shire of Harvey Memorandum of Imposing Rates and Charges notices, published in the *Government Gazette* on the 31st July 1998, on page 3945.

General rates is corrected by amending 0.0040 cents in the dollar on Unimproved Valuations to 0.400 cents in the dollar on Unimproved Valuations.

J. W. OFFER, President.  
K. J. LEECE, Chief Executive Officer.

**LG301****LOCAL GOVERNMENT ACT, 1995***City of Cockburn*

LOCAL LAW TO AMEND THE CITY OF COCKBURN (LOCAL GOVERNMENT ACT)  
LOCAL LAWS

Pursuant to the powers conferred upon it by the abovementioned Act and other powers enabling it, the Council of the City of Cockburn hereby records having resolved on 18 August, 1998 to amend Part XIV, Division 1, of the City of Cockburn (Local Government Act) Local Laws, as published in the *Government Gazette* on 14th October, 1994, as follows—

1. Clause 14.1 is to become Clause 14.1.1.

2. By inserting after Clause 14.1.1, the following—

14.1.2. A member of the Western Australian Police Service, either with or without a warrant, is authorised to arrest and remove persons offending against Part IV of these Local Laws.

Dated this 18th day of August, 1998.

The Common Seal of the City of Cockburn was hereunto affixed by authority of Council in the presence of—

J. P. GRLJUSICH, Mayor.  
R. W. BROWN, Chief Executive Officer.

## LG401

### SHIRE OF SWAN

It is hereby notified for public information that Gavin Eva has been appointed Ranger for the Shire of Swan, and Rob Stirk has been appointed Field Services Officer for the Shire of Swan, for the following purposes—

- (1) Local Government Act 1995
- (2) Dog Act 1976
- (3) Litter Act 1979
- (4) Bush Fires Act 1954
- (5) Off Road Vehicles Act 1978

and for the purpose of control and supervision of any of the Local Laws of Council, including—

- (1) By-law relating to parking
- (2) By-law relating to dogs
- (3) By-law relating to litter

E. W. T. LUMSDEN, Chief Executive Officer.

## LG402

### SHIRE OF DUNDAS

#### Application for Revestment of Land to Crown

Shire of Dundas,  
PO Box 163, Norseman WA 6443.

Notice of intent is hereby given that Council will make application to the Minister for Local Government in accordance with Section 6.74 of the Local Government Act 1995, to have the following land revested in the Crown—

Name of owners and other people to have on Estate of Interest in the land.	Description of Land referred to, including title references.
Hunt, Ailsa	Norseman Townsite Lot 158, Brockman Street, being certificate of title V1062 F813
Beilby, Esma Gladys	Norseman Townsite Lot 308 Angove Street, being certificate of title V1047 F896
Blanch, Colin James	Norseman Townsite Lot 782 Prinsep Street, being certificate of title V1886 F114
Leeder, Stanley Frederick Official Trustee in Bankruptcy (caveat F244264) Registrar, Department of Land Administration (Caveat G256602)	Norseman Townsite Lot 191 Simon Street, being certificate of title V1063 F480

The abovementioned persons to who this notice of intent is addressed may, within 30 days from the date of this notice, lodge an objection to the revestment.

Dated Tuesday, 18 August 1998.

E. A. GILBERT, Chief Executive Officer.

**LG403****LOCAL GOVERNMENT ACT 1995  
BUSH FIRES ACT 1954***Shire of Wandering*

It is hereby notified for public information that the following Officers have been appointed under the provisions of the Bush Fires Act by the Wandering Shire Council on 20th August 1998—

Bush Fire Control Officers— J. S. Watts  
C. C. Page

These appointments are in addition to those made on 21st May 1998.

M. G. OLIVER, Chief Executive Officer.

**LG404****SHIRE OF WYNDHAM-EAST KIMBERLEY**

## Authorised Officers

It is hereby notified for public information that the following have been appointed pursuant to the following Acts and have been authorised to enforce the following Acts, Regulations and Local laws.

Mr Glen Vickers

Officer under the provisions of the Local Government Act 1995  
Registered Officer under provisions of the Dog Act 1976  
Authorised person under the provisions of the Dog Act 1976  
Authorised Officer under the provisions of the Control of Vehicles Act (ORV)  
Fire Control Officer under the provisions of the Bush Fires Act 1954  
Authorised Officer under the provisions of the Litter Act 1979  
Authorised person under the provisions of the Caravan Parks and Camping Grounds Act 1995

The appointment of Mr Leslie Vladich is hereby cancelled.

Mr Richard Brookes, Mr Cliff Casey and Ms Liesl Thayne have been appointed as authorised persons under the provisions of the Caravan Parks and Camping Grounds Act 1995.

A. HAMMOND, Chief Executive Officer.

**LG405****SHIRE OF BRIDGETOWN-GREENBUSHES**

## Ranger

It is hereby notified for public information that Mr John Mataboni has been appointed Ranger for the Shire of Bridgetown-Greenbushes for the period 31 August 1998 to 10 November 1998 inclusive and is an Authorised Officer to enforce the following Acts, Regulations and Council By-laws—

1. Dog Act 1976 and Regulations
2. Local Government Act 1995
3. Litter Act 1979 and Regulations
4. Bush Fires Act 1954 and Regulations
5. Council By-Laws

A. G. MACNISH, Chief Executive Officer.

**LG406****LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960***Town of Vincent*

## CLOSURE OF PRIVATE STREET

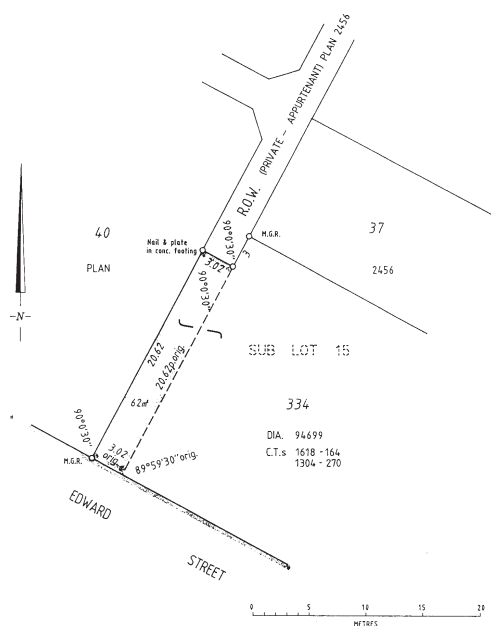
Department of Local Government,  
Perth 28 August 1998.

LG: V4-12

It is hereby notified for public information that deputy of the Governor has approved under section 297A of the *Local Government (Miscellaneous Provisions) Act 1960*, the resolution passed by the Town of Vincent that portion of the private street which is described as being portion of Perth Suburban Lot 15, being portion of the land coloured brown on Plan 2456 and being part of the land contained in Certificate of Title Volume 377 Folio 169A be closed, and the land contained therein be amalgamated with adjoining Lot 334 Edward Street, East Perth, as shown in the Schedule hereunder.

JOHN LYNCH, Executive Director, Department of Local Government.

Schedule  
Diagram No. 95971



LG407\*

**LOCAL GOVERNMENT ACT 1995  
HEALTH ACT 1911**

*SHIRE OF PLANTAGENET*

MEMORANDUM OF IMPOSING RATES

At a meeting of the Shire of Plantagenet held on the 18th August 1998, it was resolved that the rates and charges specified hereunder, should be imposed on all rateable properties within the district for the period 1 July 1998 to 30 June 1999 in accordance with the provisions of the abovementioned Acts.  
24th August 1998.

K. M. FORBES, President.  
C. G. JACKSON, Chief Executive Officer

General Rates

Unimproved Values—0.9736 cents in the dollar  
Gross Rental Values—7.4680 cents in the dollar

Minimum Rates

Unimproved Value properties  
\$264.00 each rural farmland assessment  
Gross Rental Properties  
\$264.00 each identifiable lot/location within the Mount Barker, Kendenup, Narrikup, Rocky Gully Townsite

Discount

Five (5) per cent discount will be allowed on current rates in full and received at the office of the Shire by 4.15pm on Friday 30th September 1998.

Instalment Payment Interest Rate

A charge of 6.5% per annum, calculated by simple interest as from 30th September 1998.

Late payment Interest Rate

A charge of 13% per annum calculated daily, by simple interest as from 5 October 1998

Administration Fee

A charge of \$5.00 per instalment notice for rates and services levied

Due Dates for payment of Rates & Services Levied 1998/99 on instalments—

30 September 1998  
30 November 1998  
30 January 1999  
30 March 1999

**Rubbish Charges**

\$115.00 per annum, per bin service for each property situated with the townsites of Mount Barker, Kendenup and Narrikup.

\$115.00 per annum, on owner/occupiers of all rateable business houses within the townsites of Mount Barker, Kendenup and Narrikup within the provision of the Health Act 1911.

**Service Charge**

\$30.00 per annum for each property situated in the Kendenup townsite for the purchase of a Firetruck for Kendenup Townsite.

**LG501****BUSH FIRES ACT 1954**

(Section 33)

*Shire of Carnamah*

Notice to Owners and Occupiers of Land within the Shire of Carnamah

Pursuant to the powers conferred by the above Act, you are hereby required on or before 19th October 1998 to remove from the land owned or occupied by you all inflammable material, or to clear firebreaks in accordance with the following schedule, and thereafter maintain such land or firebreaks clear of inflammable material up to and including 31st May 1999.

## Schedule

## (i) Rural Land—

- (a) Provide a firebreak, not less than 3 metres wide adjacent to and inside all external boundaries of the land;
- (b) Provide encircling firebreaks, not less than 3 metres wide, within 100 metres of all buildings, haystacks and fuel pumps.

## (ii) Carnamah and Eneabba Townsites—

- (a) Vacant lots of less than .202 hectares—clean the whole area;
- (b) Lots exceeding .202 hectares—provide firebreaks not less than 2 metres wide, adjacent to and inside the external boundary of the land, and around the immediate vicinity of buildings; and
- (c) Stored fuel, oil and flammable materials shall be protected from fire as prescribed in the Explosives and Dangerous Goods Act 1961, and the Flammable Liquids Regulations 1967.

(iii) If for any reason it is considered by the owner or the occupier of the land that it is impractical to comply with the requirements of this notice, a request may be made to Council to approve alternative fire protection measures. Such application shall be accompanied by a sketch or drawing of the proposed variations, and should be lodged at the Council offices not later than 4th October 1998.

Where approval of a proposed variation is not granted by Council you shall comply with the requirements of this notice.

The penalty for non-compliance with this notice is a maximum of \$1000 and notwithstanding prosecution, Council may enter on the land and carry out the requisite works at the owner/occupier's expense.

Dated this 15th day of July 1998.

By Order of the Council

M. L. CROFT, Chief Executive Officer.

**LG502\*****BUSH FIRES ACT 1954***Shire of Greenough***BUSH FIRE CONTROL**

Notice to All Owners and/or Occupiers of Land in the Shire of Greenough

Pursuant to the powers contained in Section 33 of the above Act, you are required on or before the sixth (6) day of October 1998 and thereafter up to and including the first (1) day of May the following year for ALL land within the Shire of Greenough; or within fourteen (14) days of the date of your becoming an owner or occupier of land, to install a firebreak clear of all flammable material in accordance with the following—

- 1 Where the area of land is zero point two (0.2) hectares or less, all flammable material on the land shall be removed from the whole of the land or slashed to a height not exceeding seven point five (7.5) centimetres.
- 2 If a property is greater than zero point two (0.2) hectares, firebreaks are required within twenty (20) metres inside and along the whole of the external boundaries of the said lands owned or occupied by you.

- 3 Around and within twenty (20) metres of the perimeter of each building, haystack, and any standing crop, on such lands so as to completely enclose thereof with such a firebreak.
- 4 When any of such lands adjoin a road such lands and along the common boundary of such lands and such roads.

Please note: Firebreaks must not be less than two point four (2.4) metres in width.

- 5 In addition to any firebreaks required in paragraphs (1), (2), (3) and (4) herein, you shall clear off all flammable material from the whole of the land occupied by drums used for storage of flammable liquid, whether the drums contained flammable liquid or not, including any land on which ramps for holding the drums are constructed, and an area outside the land so occupied to a distance of not less than three (3) metres.

If it is considered impracticable for any reason to clear or remove flammable material from the land in Rural areas as required by the Notice, you may apply to Council or its duly Authorised Officer, no later than 15th September 1998 for permission to provide firebreaks in alternative positions or to take alternative action to abate the fire hazard on the land. If permission is not granted by Council or its duly Authorised Officer, you are to comply with the requirements of the Notice.

Flammable materials is defined for the purposes of this Notice to include bush, dry grasses, timber, boxes, cartons, paper and similar flammable materials, rubbish and also any combustible matters, but does not include green standing trees, or growing bushes and plants in gardens or lawns.

The penalty for failing to comply with this Notice is a fine not exceeding one thousand dollars (\$1,000) and a person in default is liable, whether prosecuted or not, to pay the cost of performing the work directed in this Notice if it is not carried out by the owner or occupier by the date required by this Notice. If the requirements of this Notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act.

Firebreaks must be installed, maintained and cleared of flammable materials up to and including first (1st) May.

Dated 28 August 1998.

By Order of Council,

W. T. PERRY, Chief Executive Officer.  
PO Box 21, Geraldton WA 6531.

## MINERALS AND ENERGY

### MN401

#### MINING ACT 1978

#### NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Minerals and Energy,  
Marble Bar WA 6760.

In accordance with Regulation 49(2)(c) of the Mining Act 1978 notice is hereby given that the Miscellaneous Licences are liable to forfeiture under the provisions of section 96(1)(a) for breach of covenant, viz. non-payment of rent.

A. BLOEMEN SM, Warden.

To be heard in the Warden's Court, Marble Bar on the 22nd October 1998.

#### PILBARA MINERAL FIELD

P45/2250—Elazac Mining Pty Ltd

P45/2251—Elazac Mining Pty Ltd; Haoma Mining NL; WMC Resources Ltd

P45/2355—Lynas Gold NL

#### WEST PILBARA MINERAL FIELD

P47/888—North, Donald Edward

### MN402

#### MINING ACT 1978

#### INSTRUMENT OF EXEMPTION OF LAND

#### Notice of Cancellation

Pursuant to section 19(1)(b) of the Mining Act 1978, I hereby partially cancel the Exemption designated 'S19/50' in Tengraph and published in the *Government Gazette* on 12 July 1996 by deleting those portions of Land shaded 'yellow' on the plan at page 16 of Department of Minerals and Energy File No. 7246/87.

Dated at Perth this 10th day of August 1998.

NORMAN MOORE, Minister for Mines.

**MN403\***

COMMONWEALTH OF AUSTRALIA  
**PETROLEUM (SUBMERGED LANDS) ACT 1967**

SECTION 37(1)

DECLARATION OF A LOCATION

I, William Lee Tinapple, Director Petroleum Operations Division of the Department of Minerals and Energy for the State of Western Australia, being the officer for the time being which holds certain powers and function of the Commonwealth-Western Australia Offshore Petroleum Joint Authority in respect of the area specified as being adjacent to the State of Western Australia by virtue of an instrument of delegation dated 5 March 1997 and published in the *Government Gazette* of Western Australia on 17 October 1997, do by the publication of this instrument the *Government Gazette*, declare the following blocks to be a location for the purpose of Part III of the Act.

**Brunswick Bay Map Sheet**

Block No.	Field	Location No.
2208	Gwydion	1SL/98-9

These blocks are the subject of Exploration Permit No. WA-239-P held by:

BHP PETROLEUM (AUSTRALIA) PTY LTD  
CEICO BROWSE INC  
TEIKOKU OIL (YAMPI) CO. LTD  
SOUTHERN DIAMOND RESOURCES (WA-239-P) PTY LTD  
SANTOS (BOL) PTY LTD

Dated this 21st day of August 1998.

W. L. TINAPPLE, Director, Petroleum Operations Division.

**MN404\***

STATE OF WESTERN AUSTRALIA

**PETROLEUM ACT 1967**

Notice of Grant and Determination of Exploration Permits

Exploration Permit Nos. EP413 and EP414 have been granted to Premier (Perth Basin) Ltd, Dudley Joe Hughes, Victoria Winifred Burns, John Kevin Geary, Dan Allen Hughes, Alan Robert Hughes, Boral Energy Developments Pty Limited, Rothschild Australia Petroleum NL, Cladium Mining Pty Ltd, Euro Pacific Energy Pty Ltd and Phoenix Energy Pty Limited to have effect from 17 August 1998 to 3 September 1998.

Exploration Permit No. EP100 has been determined on 17 August 1998 in accordance with Section 37A.

W. L. TINAPPLE, Director Petroleum Operations Division.

## PLANNING

**PD401\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

*CITY OF ALBANY*

TOWN PLANNING SCHEME No. 1A—AMENDMENT No. 114

Ref: 853/5/2/15, Pt 114.

Notice is hereby given that the local government of the City of Albany has prepared the abovementioned scheme amendment for the purpose of rezoning Lots 10, 11 and Pt 151, Albany Highway, Albany, from "Residential" and "Industry" to "Tourist—Residential".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 221 York Street, Albany and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including October 9, 1998.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before October 9, 1998.

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

E. H. KELLY, Chief Executive Officer.

**PD402****TOWN PLANNING AND DEVELOPMENT ACT 1928**

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*CITY OF ALBANY*

## TOWN PLANNING SCHEME No. 3—AMENDMENT No. 152

Ref: 853/5/4/5, Pt 152.

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 Albany Town Planning Scheme Amendment on August 19, 1998 for the purpose of:

- (i) Rezoning Lots 73 & 74 of Location 377 Gladville Road McKail from the Rural zone to the Special Residential zone;
- (ii) Rezoning Lot 1 of Location 390 Gladville Road McKail from the Rural zone to the Special Residential zone;
- (iii) Amending the Scheme maps accordingly; and
- (iv) Inserting in Schedule 4 to the Scheme, the following identification and Provisions:

Schedule 4 continued

SHIRE OF ALBANY  
TOWN PLANNING SCHEME No. 3  
SPECIAL RESIDENTIAL ZONES  
Provisions Relating to Specified Areas

AREA	LOCALITY	LOT	LOCATION
9.	GLADVILLE ROAD McKAIL	73 & 74 1	377 390

**1.0 PLAN OF SUBDIVISION**

1.1 Subdivision of Special Residential Zone Area 9 shall generally be in accordance with the Subdivision Guide Plan endorsed by the Shire Clerk/CEO.

1.2 Council shall recommend against the further breakdown of lots however, minor variations to the subdivision design, if approved by the Western Australian Planning Commission, may be acceptable.

**2.0 OBJECTIVE OF THE ZONE**

The objective of Special Residential Zone Area No. 9 is to create a spacious residential living environment that enhances the visual amenity of the locality whilst providing a transition or buffer zone between rural pursuits and adjacent residential areas.

**3.0 LANDUSE**

3.1 Within Special Residential Zone Area 9 the following uses are permitted:

- Residential Dwelling House.

3.2 The following uses are not permitted unless the Special Approval of Council is granted:

- Home Occupation
- Public Utility
- Cottage Industry
- Keeping of Stock, subject to Provision 4.0
- Stable, subject to Provision 4.0
- Education Establishment
- Place of Worship
- Other incidental or non defined landuses considered appropriate by Council as being consistent with the objective of the zone.

**4.0 KEEPING OF LIVESTOCK/ANIMALS**

4.1 With the intention of preventing land degradation and practices detrimental to the environmental amenity of the zone, the keeping stock on Lots 17 & 18 as shown on the Subdivision Guide Plan, shall be prohibited whilst the keeping of not more than one heavy beast or two sheep or goats may be permitted on other lots providing these animals are restricted to cleared and fenced areas of the lot.

4.2 Where, in the opinion of Council the continued presence of animals on any portion of land is likely to contribute, or is contributing to the degradation of revegetation and/or residential amenity, dust pollution and/or soil degradation then notice may be served on the owner of the said land, requiring immediate removal of those animals specified in the notice for a period specified in the notice.

When notice has been served on a landowner in accordance with this clause, the Council may also require the land to be fully rehabilitated within 3 months of serving the notice.

In the event that such action is not undertaken, Council may carry out such works as are deemed necessary, with all costs being borne by the landowner.

**5.0 LOCATION OF BUILDINGS AND STRUCTURES**

5.1 No building may be erected closer to the boundary of a lot than:

- (i) from the frontage of a lot—12m
- (ii) from the side or rear boundary of a lot—5m



Council shall show its preference for rear boundary setbacks of 20m so as to provide adequate low fuel areas.

5.2 Notwithstanding 5.1 above, Council may approve a lesser distance when Council is of the opinion that the topography or shape of the lot or vegetation on the lot makes it desirable to vary this provision.

5.3 No building or effluent disposal system shall be located within the Building Exclusion Areas as shown on the Subdivision Guide Plan.

#### 6.0 BUILDING DESIGN, MATERIALS AND COLOUR

6.1 Dwelling houses and all outbuildings shall not exceed 7.5m in height which is measured vertically from the finished ground level.

6.2 No boundary fencing shall be constructed of fibre cement, metal sheeting or wooden picket. Where boundary fencing is utilised, it is to be of rural construction such as post and strand, post and rail (or similar) to the satisfaction of Council.

6.3 Dwellings and outbuildings shall be designed and constructed of materials which allow them to blend into the landscape of the site. Council shall refuse to approve walls and roofs constructed of reflective materials such as unpainted zincalume and off-white colours. Council will be supportive of walls and roofs with green, brown or red tonings in keeping with the amenity of the area.

6.4 Buildings, tanks and structures shall not be permitted within the Building Exclusion Areas designated on the Subdivision Guide Plan.

#### 7.0 VEGETATION AND REVEGETATION PROTECTION

7.1 No clearing of vegetation on Lot 17 or 18, as shown on the Subdivision Guide Plan, shall occur except for:

- (a) clearing as may reasonably be required to construct any approved building and curtilage;
- (b) trees that are dead, diseased or dangerous;
- (c) clearing to gain vehicular access to an approved dwelling or any other clearing which may be approved by the Council.

7.2 Council may request the Commission to impose a condition at the time of subdivision for the revegetation of the areas shown and in the form shown on the Subdivision Guide Plan. Such revegetation shall comprise endemic species approved by Council.

7.3 The clearing of revegetation shall be prohibited.

7.4 Additional revegetation may be required as a condition of development approval.

#### 8.0 WATER SUPPLY

8.1 Council may request the Commission to impose a condition at the time of subdivision for the provision of a reticulated water supply to all lots.

8.2 The construction of bores and the abstraction of groundwater shall require the consent of Council and the Waters & Rivers Commission in consultation with the Department of Minerals & Energy.

#### 9.0 EFFLUENT DISPOSAL

9.1 On site effluent disposal shall be the responsibility of individual landowners.

9.2 All lots shall utilise amended soil or aerobic type effluent disposal systems approved by Council and the Health Department of WA.

9.3 No more than one effluent disposal system will be permitted per lot.

#### 10.0 FIRE MANAGEMENT

10.1 Where lot configuration permits, 20m wide low fuel buffers shall be established and maintained around each dwelling. Low fuel buffers may be shared by adjoining landholdings.

10.2 Access shall be available to the rear of each dwelling curtilage.

10.3 Council may request the Commission to impose a condition at the time of subdivision for a monetary contribution to Council toward fire protection requirements and equipment.

10.4 Council may request the Commission to impose a condition at the time of subdivision requiring that street fire hydrants be installed at intervals of no more than 200m on subdivisional water mains.

#### 11.0 ROADS & ACCESS

11.1 Council may request the Commission to impose a condition at the time of subdivision for the provision of shared crossovers as shown on the Subdivision Guide Plan.

11.2 Council may request the Commission to impose a condition at the time of subdivision for a monetary contribution to the upgrading of Gladville Road and/or McKail Road.

#### 12.0 PUBLIC OPEN SPACE & STORMWATER MANAGEMENT

12.1 Council may request the Commission to impose a condition at the time of subdivision for a contribution toward the improvement of local Public Open Space. Any areas required for stormwater disposal shall not be included within public open space contribution calculations.

12.2 Council may request the Commission to impose a condition at the time of subdivision for the provision and construction of Pedestrian Access Ways as shown on the Subdivision Guide Plan.

12.3 Council may request the Commission to impose a condition at the time of subdivision requiring the preparation and implementation of a detailed assessment and comprehensive design for stormwater disposal. Any areas required for stormwater disposal shall not be included within public open space contribution calculations.

**13.0 NOTIFICATION OF PROSPECTIVE OWNERS**

Provision shall be made to Council's satisfaction to ensure prospective purchasers of land within Special Residential Zone Area No 9 are:

- (i) given a copy of these Special Provisions prior to entering into an agreement to acquire any property; and
- (ii) notified that potential clay mining zones exist in the locality and as a result there is also the potential for associated heavy vehicle movements on local roads.

**14.0 APPLICATIONS FOR DEVELOPMENT APPROVAL**

14.1 Within Special Residential Zone Area 9 the construction of buildings including associated works such as filling, excavation, construction of retaining walls and the removal of vegetation, in accordance with Special Provision 7.0, shall require Planning Scheme Consent.

14.2 Applications for Planning Scheme Consent shall require the submission of:

- (i) a completed "Application for Grant of Planning Scheme Consent" form;
- (ii) three copies of a plan showing the precise location and size of all the buildings proposed and the stormwater management and fire protection measures to be adopted;
- (iii) three scaled elevation plans showing the elevation of the buildings proposed and the materials and colour to be used.

K. MICHAEL, Chairman of Commissioners.  
E. H. KELLY, Chief Executive Officer.

**PD403\*****TOWN PLANNING AND DEVELOPMENT ACT 1928****TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION***CITY OF GOSNELLS***TOWN PLANNING SCHEME No. 1—AMENDMENT No. 502**

Ref: 853/2/25/1, Pt 502.

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

1. Rezoning Lot 5 and portion of Pt Lot 51, 102, 25, Pt Lot 55 Nicholson Road, Canning Vale, from "Composite A" and "Light Industry" to "Light Industry" (Additional Use—Restaurant (AA), Showroom (AA), Offices (AA), Service Station (AA), Professional Rooms/Offices (AA), Betting Agency (AA), Amusement Facility (IP), Bulk Retail Sales (AA)).
2. Amending the Fifth Schedule by adding the above additional uses and permissibilities.
3. Amending the Scheme Text by modifying Clause 53.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 2120 Albany Highway, Gosnells and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including October 9, 1998.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before October 9, 1998.

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

S. HOLTBY, Chief Executive Officer.

**PD404\*****TOWN PLANNING AND DEVELOPMENT ACT 1928****ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT***CITY OF JOONDALUP***TOWN PLANNING SCHEME No. 1—AMENDMENT No. 798**

Ref: 853/2/30/1, Pt 798.

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 Joondalup Town Planning Scheme Amendment on August 18, 1998 for the purpose of rezoning portion of Location 9974 Mitchell Freeway, Connolly from Unzoned to Local Reserve—Parks and Recreation.

H. MORGAN, Deputy Chairman of Commissioners.  
L. DELAHAUNTY, Chief Executive Officer.

**PD405****TOWN PLANNING AND DEVELOPMENT ACT 1928**

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*CITY OF ROCKINGHAM*

## TOWN PLANNING SCHEME No. 1—AMENDMENT No. 283

Ref: 853/2/28/1, Pt 283.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Rockingham Town Planning Scheme Amendment on August 18, 1998 for the purpose of:

1. Amending the Scheme Map by rezoning Lots 13, 100 and 101 Saint Albans Road, Baldvis from "Rural" to "Special Rural" zone as depicted in the Scheme Amendment Map.
2. Inserting the following particulars within Table IV of the Scheme Text:

## Amendment Area

Column (a) Locality	Column (b) Provisions
Lots 13, 100 and 101 Saint Albans Road, Baldvis	<p>The following provisions shall apply specifically to the Special Rural Zone Area referred to in Column (a).</p> <ol style="list-style-type: none"> <li>1. Subdivision shall generally be in accordance with the Subdivision Guide Plan certified by the Chief Executive Officer as the subdivision plan relating to the areas as described in Column (a) Locality, and shall form part of the Scheme.</li> <li>2. The Council shall not recommend a lot size than two hectares.</li> <li>3. (a) The following uses are permitted 'P' within the Special Rural Zone as described in Column (a): <ul style="list-style-type: none"> <li>— Single/House/Dwelling</li> </ul> </li> <li>(b) The following uses are not permitted within the Special Rural Zone as described in Column (a) unless approval is granted by the Council 'AA': <ul style="list-style-type: none"> <li>— Agriculture</li> <li>— Home Occupation</li> <li>— Industry Rural</li> <li>— Stables</li> <li>— Veterinary Hospital</li> </ul> </li> <li>(c) All other uses are not permitted.</li> <li>4. The symbols used in subclause a) and b) above shall have the same meaning as those set out in Clause 3.5 of the Scheme Text.</li> <li>5. Within the estate land uses other than as single residence, that are permitted or may be permitted by Council pursuant to the Scheme shall only be permitted when the Council is satisfied, following consultation with the Department of Environmental Protection, that the land use does not involve excessive nutrient application or the clearing of the land.</li> <li>6. With the intention of preserving the existing natural vegetation and mature trees and preventing land use practices detrimental to the locality, the approval of the Council is required for any intensive agricultural pursuit. The Council will have regard to limits on stocking, the vegetation preservation and the effects on the environment of the locality and residents of the estate when considering the application and may, should approval be granted, impose any conditions as practical and may modify or vary such conditions to taken account of seasonal changes.</li> <li>7. On-site effluent disposal systems servicing development on the lots shall be to the specifications of the Local Government. In the event that a nutrient fixing disposal system is not required, every dwelling shall have connected an effluent disposal system that: <ol style="list-style-type: none"> <li>(a) has a vertical separation of 2 or more metres between the base of the effluent disposal system or the irrigation area, and the highest recorded groundwater level;</li> <li>(b) has at least a 100 metre horizontal separation between the effluent disposal system and the existing drains, water courses and water bodies; and</li> <li>(c) has been approved in writing by Council.</li> </ol> </li> <li>8. The land is situated within the Stakehill Groundwater Area and a well license for a bore must be obtained from the Waters and Rivers Commission.</li> </ol>

Column (a) Locality	Column (b) Provisions
	<p>The siting of bores shall be to the requirements of the Commission having regard to the location of any effluent disposal system, water bodies, drains and neighbouring bores.</p>
	<p>9. Stormwater drainage shall be contained on-site to the satisfaction of the Water Corporation and Council. The developer of the estate shall obtain the approval of the Water Corporation and the Council for drainage proposals prior to commencement of site works.</p>
	<p>10. No indigenous vegetation and trees shall be destroyed or cleared unless the developer of the estate or landowner obtains the prior consent in writing of the Council, where such vegetation and trees are dead, diseased or where the clearing is required for the purpose of a firebreak dwelling, outbuilding, fence and/or driveway(s).</p>
	<p>11. The keeping of horses, sheep, goats and other grazing animals shall be subject to the prior approval of Council. Approval to keep animals shall not exceed the stocking rates recommended by the Agriculture Department of Western Australia for the applicable pasture types.</p> <p>Council may approve the grazing of animals provided that Council is satisfied that nutrient input to the land can be controlled and that such will not result in the removal or damage of the vegetation and trees or result in soil erosion and dust pollution. As a condition of approval Council may require the animals to stabled or corralled.</p> <p>Where in the opinion of Council the continued presence of animals on any portion of land in the estate is likely to contribute, or is contributing to dust pollution or soil erosion, notice may be served on the owner of the said land, requiring the immediate removal of the animals specified in the notice for a period specified in the notice.</p>
	<p>12. All development, including the clearing of land, shall be set-back 30 metres from Saint Albans Road, 30 metres from other subdivisional roads and 10 metres from other boundaries, unless otherwise specified in the City of Rockingham Rural Land Strategy.</p>
	<p>13. The developer of the Estate shall maintain the trees and shrubs planted within the Strategic Revegetation Area depicted on the relevant Subdivision Guide Plan, and vegetation to be retained on each lot to the satisfaction of Council until the land as a whole or in lots is sold.</p> <p>Thereafter the new landowner(s) shall be responsible for the maintenance and the replacement (where necessary) of those plants and shrubs planted by the developer and vegetation retained on each lot to the satisfaction of Council.</p>
	<p>14. The developer of the Estate shall notify any prospective purchaser of the requirement for the continued maintenance of the Strategic Revegetation Area and Tree Planting Areas.</p>
	<p>15. Firebreaks shall be constructed and maintained to the satisfaction of the Bush Fires Board of Western Australia and the Council.</p>
	<p>16. The subdivider shall make arrangements satisfactory to Council to ensure that prospective purchasers of lots created will be advised of those provisions of the Local Government's Town Planning Scheme which relate to the use, development and management of the land and the provisions of the Statement of Planning Policy No.2—The Peel Harvey Coastal Attachment.</p>
	<p>17. Only one dwelling shall be constructed on any lot.</p>
	<p>18. All fencing shall be in accordance with Council's fencing by-laws.</p>
	<p>19. The developer of the estate shall, within the Strategic Revegetation Area depicted on the Subdivision Guide Plan, plant indigenous and native trees and shrubs of species and density and distribution to be determined by Council following consultation with the Department of Environmental Protection.</p> <p>Tree planting shall occur and be undertaken to the satisfaction of Council prior to endorsement by the Western Australian Planning Commission of the Diagrams of Survey to create the lots depicted on the Subdivision Guide Plan.</p>

Column (a) Locality	Column (b) Provisions
	20. At the time of building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and a proposal for tree planting and maintenance.
	3. Incorporating the following definition into Clause 1.12 Interpretations: Industry—Rural means an industry handling, treating, processing or packing primary products grown, reared or produced in the locality, and a workshop servicing plant and equipment use for rural purposes in the locality.

C. S. ELLIOTT, Mayor.

G. G. HOLLAND, Chief Executive Officer.

**PD406\*****TOWN PLANNING AND DEVELOPMENT ACT 1928**

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*CITY OF ROCKINGHAM*

## TOWN PLANNING SCHEME NO 1—AMENDMENT NO 298

Ref: 853/2/28/1 Pt 298

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Rockingham Town Planning Scheme Amendment on August 18, 1998 for the purpose of:

1. Rezoning Lots 15 and 33 Churcher Road Baldivis, from 'Rural' to 'Special Rural' as depicted on the Scheme Amendment Map.
2. Incorporating Lots 15 and 33 Churcher Road Baldivis, into 'Column (a) Locality' of Table IV—Amendment No 269 area.

C. S. ELLIOTT, Mayor.

G. G. HOLLAND, Chief Executive Officer.

**PD407\*****TOWN PLANNING AND DEVELOPMENT ACT 1928**

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*CITY OF ROCKINGHAM*

## TOWN PLANNING SCHEME NO 1—AMENDMENT NO 305

Ref: 853/2/28/1 Pt 305

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Rockingham Town Planning Scheme Amendment on August 20, 1998 for the purpose of:

1. Rezoning the portion of closed road reserve adjoining Lot 946 Ware Street, Rockingham from "Local Scheme Reserve—Local Road" to "Residential SR3"; and
2. Rezoning Lots 947, 948 and adjoining portion of closed road reserve (amalgamated as Lot 8) Ware Street, Rockingham from "Residential SR3" and "Local Scheme Reserve—Local Road" to "Development Zone—R30".

C. S. ELLIOTT, Mayor.

J. S. GREEN, A/Chief Executive Officer.

**PD408****TOWN PLANNING AND DEVELOPMENT ACT 1928**

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*CITY OF SOUTH PERTH*

## TOWN PLANNING SCHEME NO 5—AMENDMENT NO 99

Ref: 853/2/11/7 Pt 99

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 South Perth Town Planning Scheme Amendment on August 9, 1998 for the purpose of:

- (i) modifying Table No. 1 by deleting the "CP(18)" symbol from the column headed "Residential R" Zone opposite the Use Class "Student Housing" and substituting in lieu the "AA(18)" symbol;

(ii) deleting Clause 34 and substituting the following—

“34 STUDENT HOUSING

- (1) Except for land in Karawara which lies between Kent Street and Walanna Drive south of Jackson Road, only a Single House or a Grouped Dwelling is to be used for Student Housing.
- (2) No more than 40% of the number of dwellings in any one street shall be utilised for the purposes of Student Housing.
- (3) A building on a lot is not to be used as Student Housing unless—
  - (a) the number of occupiers cars parked on the lot is limited to the number prescribed by the Council when granting Planning Consent in respect of the lot;
  - (b) occupiers of the building do not park their cars on a street or verge abutting land used for a residential purpose within a radius of 500 metres from that building they occupy;
  - (c) the number of parking bays for visitors' cars provided on the lot is not less than the number set out in the following table—

No. of Dwellings	No. of Visitors' Parking Bays
Up to 2	2
3 to 5	3
6 to 8	4
9 to 13	5
14 and above	1 space per 4 dwellings

- (d) the lot and all buildings on the lot are well presented and maintained at or above the standard of presentation and maintenance of the buildings and lots in the same street.
- (4) The Council shall not grant Planning Consent for a building to be used as Student Housing unless it is satisfied that the owner or lessor of the building has taken, or is to take, appropriate measures (including entering into appropriate tenancy agreements) to ensure that the use of the building is likely to comply with the requirements applying to Student Housing.
- (5) If, at any time after the granting of Planning Consent for Student Housing for a particular development, the Council is of the opinion that the development—
  - (a) has not, or is not being, carried out in accordance with—
    - (i) the Planning Consent;
    - (ii) a condition of Planning Consent; or
    - (iii) this Scheme;
  - (b) is causing, or has caused, a nuisance or annoyance to neighbours or owners or occupiers of land in the neighbourhood; or
  - (c) is having, or has had, an adverse effect on the residents or amenities of other property in the neighbourhood,

the Council may give to the owner or occupier of the premises a notice in writing requiring the owner or occupier, or both, within the period specified in the notice, to take or refrain from taking the action set out in the notice.
- (6) If the notice under subclause (3) is not complied with, the Council may, without further notice to the owner or occupier, amend or revoke the Planning Consent.

J. E. HARDWICK, Mayor.  
L. L. METCALF, Chief Executive Officer.

**PD409\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*CITY OF STIRLING*

DISTRICT PLANNING SCHEME NO 2—AMENDMENT NO 321

Ref: 853/2/20/34 Pt 321

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 August 18, 1998 for the purpose of rezoning Lot 2 (H.N.2) corner of Walcott Street and Adair Parade, Coolbinia from “Service Station” to “Special Use Zone—Coffee Lounge and Offices”, and adding the use to Schedule II of the Scheme.

D. C. VALLENLONGA, Mayor.  
M. J. WADSWORTH, Chief Executive Officer.

**PD410\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  
*CITY OF STIRLING*  
DISTRICT PLANNING SCHEME NO 2—AMENDMENT NO 324

Ref: 853/2/20/34 Pt 324

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 August 18, 1998 for the purpose of rezoning Lot 15, H.N. 218 Odin Drive, Stirling from "Rural" to "Low Density Residential R20 and R30".

D. C. VALLENLONGA, Mayor.  
M. J. WADSWORTH, Chief Executive Officer.

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**PD411\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  
*SHIRE OF BROOME*  
TOWN PLANNING SCHEME NO 2—AMENDMENT NO 145

Ref: 853/7/2/3 Pt 145

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 Shire of Broome Town Planning Scheme Amendment on August 19, 1998 for the purpose of rezoning portion of Lot 3 Herbert Street from "Special Sites—Holiday Resort, Convention Centre, Reception Centre and approved Ancillary Uses" to "Residential R40".

D. A. MURRAY, President.  
G. S. POWELL, Chief Executive Officer.

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**PD412\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION  
*SHIRE OF BUSSELTON*  
TOWN PLANNING SCHEME NO 5—AMENDMENT NO 437

Ref: 853/6/6/6 Pt 437

Notice is hereby given that the local government of the Shire of Busselton has prepared the abovementioned scheme amendment for the purpose of including Ptn Location 422 Bunker Bay Road, Bunker Bay in the Additional Use zone to enable permanent residential occupation of up to a maximum of 15% of tourist units developed on the site or 30 units whichever is the least, as "PS" uses under the Scheme.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Southern Drive, Busselton and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including October 9, 1998.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before October 9, 1998.

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

M. W. SWIFT, Chief Executive Officer.

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**PD413\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  
*SHIRE OF ESPERANCE*  
TOWN PLANNING SCHEME NO 22—AMENDMENT NO 23

Ref: 853/11/6/21 Pt 23

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 Shire of Esperance Town Planning Scheme Amendment on August 19, 1998 for the purpose of allowing an additional use

over Lots 247 and 248 Daphne Street and Lot 336 Nugent Street to enable the establishment of a boarding house and including the following in Appendix 5 of the Scheme Text:

LOCATION	BASE ZONE	ADDITIONAL USE	DEVELOPMENT STANDARDS/ CONDITIONS
Lots 247 and 248 Daphne Street and Lot 336 Nugent Street	Residential	Boarding House	As determined by Council

I. S. MICKEL, President.  
B. SPONBERG, A/Chief Executive Officer.

**PD414\*****TOWN PLANNING AND DEVELOPMENT ACT 1928**

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*SHIRE OF GOOMALLING*

## TOWN PLANNING SCHEME NO 3—AMENDMENT NO 1

Ref: 853/4/12/4 Pt 1

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Goomalling Town Planning Scheme Amendment on August 19, 1998 for the purpose of:

1. Rezoning the north-western portion of Lot 43 Main Street, Goomalling, from Service Station to Light Industry;
2. Rezoning the north-western portion of Lot 42 Main Street, Goomalling, from Light Industry to Service Station;
3. Rezoning portion of Crown Reserve 13382, and adjoining land, as depicted on the Scheme Map, from Recreation Reserve to Light Industry;
4. Amending the Scheme Map accordingly.

R. KING, President.  
C. C. KERP, Chief Executive Officer.

**PD415****TOWN PLANNING AND DEVELOPMENT ACT 1928**

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*SHIRE OF NORTHAM*

## TOWN PLANNING SCHEME NO 2—AMENDMENT NO 31

Ref: 853/4/23/2 Pt 31

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 Shire of Northam Town Planning Scheme Amendment on August 23, 1998 for the purpose of:

1. rezoning Lot 8 Avon Location U, Northam-Toodyay Road from "Rural 4" and "Rural 5" to "Special Site".
2. rezoning Lot 56, Avon Location T, Northam-Toodyay Road from "Rural 4" to "Special Site".
3. adding the following permitted uses to the Special Sites in Schedule 3 of the Scheme Text:

Description of Site	Permitted Uses & Conditions of Use where Appropriate
Lots 8 & 56 Northam-Toodyay Road	<p>(a) The following uses are permitted on the site provided they comply with all conditions (if any) imposed by the Council in granting planning consent:</p> <ul style="list-style-type: none"> <li>• Residential School (Higher Education Institutions ie. University) and ancillary accommodation</li> <li>• Prayer centre, conference facilities and ancillary accommodation</li> <li>• Recreation uses</li> <li>• Rural uses</li> </ul> <p>All other uses not listed above shall be deemed to be not permissible on the site.</p>



Description of Site	Permitted Uses & Conditions of Use where Appropriate
	(b) The Council will not support any further subdivision or strata titling of the site.
	(c) An area 30 metres in width (or wider where fringing riparian vegetation exists) up slope from the high water mark of the Avon River on Lot 8, to be set aside as a foreshore reserve prior to any development being approved by Council. No development will be permitted within the 1:100 year flood plain of the Avon River.
	(d) All development shall be in accordance with the Outline Development Plan endorsed by the Council. The Outline Development Plan should address matters such as building envelopes, view sheds, visual amenity, materials, colours and finishes of buildings, building heights, fencing, protection of remnant vegetation, revegetation programme, clearing restrictions, reducing risk of soil erosion, effluent disposal, servicing, road access and road upgrading, and Avon River flood levels.
	(e) A fire management plan shall be prepared for the site prior to the Council granting development approval.

4. amend the Scheme Maps accordingly.

I. J. SHEEHAN, President.  
A. J. MIDDLETON, Chief Executive Officer.

**PD416\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*SHIRE OF ROEBOURNE*

TOWN PLANNING SCHEME NO 7—AMENDMENT NO 1

Ref: 853/8/5/7 Pt 1

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Roebourne Town Planning Scheme Amendment on August 19, 1998 for the purpose of:

1. Rezoning the following lots from "Parks, Recreation and Drainage" to "Commercial":
  - Lot 1 (formerly Lots 171/172) Roe Street
  - Lot 1 (formerly Lots 262/263) Roe Street
  - Lot 3 (formerly Pt Lot 455) Roe Street
  - Lot 4 (formerly Pt Lot 455) Roe Street
  - Lot 173 Roe Street
  - Lot 176 Roe Street
  - Lots 259-261 Roe Street
  - Lot 264 Roe Street
  - Lot 454 Roe Street
2. Amending the Scheme Text to create a new Special Control Area being:
  - "5.4 FLOOD AND STORM SURGE PRONE LAND
    - 5.4.1 When considering applications for planning approval Council shall have regard to information about land prone to 1:100 year flood and storm surge events and may permit, with or without conditions, or refuse proposals at its discretion.
    - 5.4.2 Council shall consult with the relevant agencies regarding the most up-to-date information available about potential flood and storm surge events as relevant to the land subject to particular applications for planning approval.
    - 5.4.3 Council may require applications for planning approval to include an assessment, prepared to its satisfaction, of the impact of potential flood and storm surge events on the proposed development."
3. Amending the Scheme Maps accordingly.

N. TURNER, President.  
T. S. RULAND, Chief Executive Officer.

**PD417\*****TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*SHIRE OF SWAN*

TOWN PLANNING SCHEME NO 9—AMENDMENT NO 315

Ref: 853/2/21/10 Pt 315

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 Shire of Swan Town Planning Scheme Amendment on August 23, 1998 for the purpose of amending the Town Planning Scheme Maps by depicting the boundaries of the Conservation Precinct around West Midland bounded by Great Eastern Highway to the south, Harper Street to the east, the Swan River and Blackadder Creek to the north, and Third Avenue to the west.

A. C. FREWING, Executive Manager Management Services.  
E. W. LUMSDEN, Chief Executive Officer.

**PD418\*****TOWN PLANNING AND DEVELOPMENT ACT 1928**

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

*SHIRE OF SWAN*

TOWN PLANNING SCHEME NO 9—AMENDMENT NO 334

Ref: 853/2/21/10 Pt 334

Notice is hereby given that the local government of the Shire of Swan has prepared the abovementioned scheme amendment for the purpose of amending Appendix 6B of the Scheme Text to provide for "Additional Uses" (Sales and Construction of Transportable Buildings) on Lot 26 Great Northern Highway/Copley Road, Upper Swan.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Midland Square, Midland and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including October 9, 1998.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before October 9, 1998.

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

E. W. LUMSDEN, Chief Executive Officer.

**PD419\*****TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*TOWN OF PORT HEDLAND*

TOWN PLANNING SCHEME NO 4—AMENDMENT NO 47

Ref: 853/8/4/5 Pt 47

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 Town of Port Hedland Town Planning Scheme Amendment on August 20, 1998 for the purpose of:

1. Rezoning part of the Vacant Crown Land south of Anthill Street and east of Pinga Street from "Services Corridor" Zone to "Industry 2" Zone as shown on Scheme Amendment Map.
2. Rezoning part of Pinga Street (corner of Anthill Street) from "Services Corridor" Zone to "Industry 2" Zone.
3. Rezoning part of Pinga Street, part of the Great Northern Highway and Vacant Crown Land from "Services Corridor" Zone to "Highways and Arterial Roads" Reserve as shown on Scheme Amendment Map.
4. Rezoning Port Hedland Lot 5553 from "Services Corridor" Zone to "Industry 2" Zone.

G. J. BLACKMAN, Mayor.  
J. E. ROBERTS, Chief Executive Officer.

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## RACING, GAMING AND LIQUOR

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**RA401****LIQUOR LICENSING ACT 1988**

## SUMMARY OF LIQUOR LICENSING APPLICATIONS

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

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
1428/98	Bronzewing Investments Pty Ltd	Application for the grant of a Liquor Store licence in respect of premises situated in Helena Valley and known as Helena Valley Liquor Store.	20/9/98
1429/98	Supasun Holdings Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Innaloo and known as Agni Fine Cuisine.	16/9/98
1430/98	BKW Co-Operative Limited	Application for the grant of a Liquor Store licence in respect of premises situated in Katanning and known as BKW Liquor.	18/9/98
1431/98	Winterwine Holdings Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Perth and known as Gecko's.	17/9/98

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

G. B. AVES, Director of Liquor Licensing.

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## TRANSPORT

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**TR301\***

## WESTERN AUSTRALIAN MARINE ACT 1982

**W.A. MARINE (CERTIFICATES OF COMPETENCY AND SAFETY MANNING) AMENDMENT REGULATIONS 1998**

Made by the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *W.A. Marine (Certificates of Competency and Safety Manning) Amendment Regulations 1998*.

**Schedule 3 amended**

2. Schedule 3 to the *W.A. Marine (Certificates of Competency and Safety Manning) Regulations 1983\** is amended in the column headed "Fee" in the item relating to regulation 14, by deleting "\$22.00" and substituting the following —

" \$30.00 ".

[\* Reprinted as at 30 July 1997

For amendments to 13 July 1998 see 1997 Index to Legislation of Western Australia, Table 4, p. 304, and Gazette 12 May 1998.]

By Command of the Governor,

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

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**WESTRAIL**


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**WX401****GOVERNMENT RAILWAYS ACT 1904**

## WESTERN AUSTRALIAN GOVERNMENT RAILWAYS

Railways Working Account for quarter ended 30 June 1998 (as required by section 59 of the Government Railways Act).

1. Revenue and Expenditure	\$'000
Revenue .....	104 644
Expenditure .....	91 027
Surplus .....	13 617
2. Fixed Assets	\$'000
At cost less depreciation (as at 30 June 1998) .....	1 141 116

G. WAYNE JAMES, Acting Commissioner of Railways.

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**TENDERS**


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**ZT201**

MAIN ROADS  
WESTERN AUSTRALIA

*Tenders*

Tenders are invited for the following projects.

Information on these Tenders are available from the Contracts Officer, Supply Branch, Don Aitken Centre, Waterloo Crescent, East Perth.

Tender No.	Description	Closing Date
		1998
361C97	Construction of Bridge No. 1293 over Hill River, on Cervantes to Jurien Road, Shire of Dandaragan .....	18 September
60C98	Bituminous Seal, Reseal and Linemarking of Various Sections of Roads, Kimberley Region .....	4 September
117C98	Road Construction, Brookton Highway, Kettle Rock Section, 57.8 to 62.4 SLK, Shire of Beverley .....	22 September
241C98	Supply and Erect Galvanised Chain Wire Mesh Fencing, Busselton Bypass Stage 1 .....	8 September

Executive Director Corporate Services.

**ZT202***Acceptance of Tenders*

Contract No.	Description	Successful Tenderer	Amount \$
948C97	Provision of Vehicle Classifier and Speed Pattern Count Sites in Esperance-Goldfields Area and Associated Data Services	ARRB Transport Research (WA)	141 000.00
82C98	Provision of Services for Interpreting and Processing Vehicle Crash Data	Geoff Trott & Associates	230 000.00
169C98	Supply and Delivery of Sub-Base Material (Limestone), Perth-Bunbury Highway, Preston Section Duplication	Giacci Brothers Pty Ltd	227 850.00
98D3	Purchase and Removal of Steel Formwork, Fuel Tanks, Square Tanks, Various Size RC Pipes, Culverts, Culvert Lids and Base, Road Signs, Garden Shed Components, Armco Railing and Canon Photocopier at Narrogin	Available on Application	

*Acceptance of Tenders—continued*

Contract No.	Description	Successful Tenderer	Amount \$
98D6	Purchase and Removal of the following Items at Kalgoorlie:		
	1988 Lathe	Kevin Holden	3 336.00
	1993 Gen Set	Lyle Murray Scott	5 000.00
	1973 Caravan Sleeper with Air Conditioner		6 000.00
	1973 Caravan Sleeper with Air Conditioner		6 000.00
	1979 Caravan Sleeper with Air Conditioner		6 500.00

Executive Director Corporate Services.

**PUBLIC NOTICES****ZZ101****TRUSTEES ACT 1962**

## NOTICE TO CREDITORS AND CLAIMANTS

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 28 September 1998 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Blankendaal, Martinus Petrus, late of St Francis Nursing Home, 163 Healy Street, Hamilton Hill, died 5/4/98. (DEC 311905 DS4)

Brown, Cecil Roy, late of Alfred Carson Nursing Home, Bay Road, Claremont, died 6/5/98. (DEC 312132 DC2)

Byrne, Kathleen Phyllis, late of 8/198 St Kilda Road, Rivervale, died 27/7/98. (DEC 313090 DL4)

Coffey, Michael, late of 83 Kanowna Avenue, Redcliffe, died 16/6/98. (DEC 312146 DS3)

Cullen, Bernard, late of 1 Lord Street, Bassendean, died 3/8/98. (DEC 313091 DA3)

Doran, Herbert Eugene, late of 20 Caledonian Avenue, Maylands, died 5/8/98. (DEC 313218 DP3)

Fogarty, Bernard Robert, late of 7 Rosher Place, Bayswater, died 27/6/98. (DEC 312233 DL4)

Green, Winifred Gladys, late of 47 Taywood Drive, Wanneroo, died 3/8/98. (DEC 313107 DC2)

Growns, Frederic William, late of 40 Bingfield Road, Medina, died 6/8/98. (DEC 313193 DG2)

Knight, Mary Agnes, late of Craigwood Nursing Home, 29 Gardner Street, Como, died 11/8/98. (DEC 313165 DS3)

Miller, David Kennedy, late of 12 Aberdare Way, Warwick, died 13/3/98. (DEC 309389 DL4)

Morse, Pansy Marjorie, late of Rockingham Nursing Home, 14 Langley Street, Rockingham, died 25/7/98. (DEC 313222 DS4)

Motteram, Annie Elizabeth, late of 1/36 Devon Road, Bassendean, died 12/8/98. (DEC 313105 DL3)

Perrie, Patrick John, late of 52 Westerview Street, Scarborough, died 30/5/98. (DEC 313196 DG4)

Prout, Donal Stanley, late of Rockingham Holiday Village, 147 Dixon Road, Rockingham, died 6/7/98. (DEC 312426 DL4)

Russo, Maria, formerly of 15 Pitt Street, Dianella, late of Italian Community Nursing Home, Kent Road, Marangaroo, died 11/9/97. (DEC 313143 DA3)

Scott, Margaret Elizabeth, late of 3 Biddenden Street, Thornlie, died 29/4/98. (DEC 310647 DS2)

Stewart, George, late of 9 Fontaine Street, Balcatta, died 18/7/98. (DEC 313045 DG2)

Stock, Penelope Anne, also known as Ostoby, Penelope Anne, late of 78 Paterson Street, Mundijong, died 26/7/98. (DEC 313089 DP3)

Stratton, Tracey Leanne, late of 3/832 Canning Highway, Applecross, died 9/7/98. (DEC 312973 DL4)

Thompson, Richard Alfred, late of 3/149 Kenny Street, Bassendean, died 15/8/98. (DEC 313272 DA2)

Travers, Doris Maud, late of 13 Merrittville Village, 65 Bates Street, Merredin, died 21/7/98. (DEC 313256 DC4)

Yardley, Olive Victoria, late of 1 Peel Street, East Guildford, died 1/8/98. (DEC 313230 DS3)

K. E. BRADLEY, Public Trustee,  
Public Trust Office, 565 Hay Street, Perth WA 6000.  
Telephone 9222 6777.

**ZZ201****TRUSTEES ACT 1962****NOTICE TO CREDITORS AND CLAIMANTS**

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the undermentioned deceased person are required to send particulars of their claims to the Executor care of Mayberry, Hammond & Co., 85 Fitzgerald Street, Northam within one (1) calendar month from the date of publication of this Notice at the expiration of which time the Trustee may convey or distribute the assets having regard only to claims of which notice has been given.

Details—

May, Edwin Charles, late of 42 Schofield Street, Eden Hill, Retired Carpenter.

Date of Death: 22nd March 1998.

Dated this 24th day of August 1998.

MESSRS, MAYBERRY, HAMMOND & CO.,  
85 Fitzgerald Street, Northam.  
Solicitors for the Executor.

**ZZ202****TRUSTEES ACT 1962****NOTICE TO CREDITORS AND CLAIMANTS**

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the Estate of the undermentioned deceased persons, are required by Perpetual Trustees W.A. Ltd of 89 St George's Terrace, Perth, to send particulars of their claims to the Company, by the undermentioned date, after which date the said Company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

Claims for the following expire one month after the date of publication hereof.

Andrejew, Angela, late of Craiglea Park Nursing Home, Alday Street, St James WA 6102, Retired Teacher, died 16/6/98.

Baker, Clinton James, late of Cabrini Nursing Home, 111 Guildford Road, Maylands WA 6051, Retired Assistant Technician, died 8/6/98.

Briggs, Florence May, late of 3/7 Sinagra Street, Wanneroo WA 6065, Widow, died 4/8/98.

Davies, Evelyn Deimel, late of Rockingham Nursing Home, 14 Langley Street, Rockingham WA 6168, Widow, died 31/7/98.

Knapp, Pearl Caroline, late of Apartment 24, Parkland Villas, 52 Liege Street, Woodlands WA 6018, Widow, died 16/8/98.

MacLennan, Gordon Hugh, late of 98 Hamersley Road, Subiaco WA 6008, Retired Railway Employee, died 4/8/98.

Meehan, Florence May, late of Unit 22, 10 Hawkin Street, Rockingham WA 6168, Pensioner, died 7/8/98.

Richards-Scully, Ernest Ramsay, late of 237 Edgewater Drive, Edgewater WA 6027, Deputy Head Master, died 24/7/98.

Smith, Rita, late of 26 Burton Road, Esperance WA 6450, Widow, died 4/8/98.

Sullivan, George Patrick, late of Lot 142 Cuncliffe Street, Lancelin WA 6044, Retired Public Servant, died 6/8/98.

Dated this 26th day of August 1998.

P. M. PRINDABLE, Senior Manager, Private Clients.

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