



**WESTERN
AUSTRALIAN
GOVERNMENT
Gazette**



PERTH, FRIDAY, 30 AUGUST 1996 No. 123

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

Publishing Details

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

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

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JOHN A. STRIJK,
Acting Government Printer.

PROCLAMATIONS

AA101

SUPREME COURT AMENDMENT ACT 1996

(No. 3 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.
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I, the Governor, acting under section 2 of the Supreme Court Amendment Act 1996, and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on 27 August 1996.

By His Excellency's Command,

PETER FOSS, Attorney General.

GOD SAVE THE QUEEN !

AA102

SUPREME COURT ACT 1935

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.
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I, the Governor, acting under section 118 (3) of the Supreme Court Act 1935, and with the advice and consent of the Executive Council, declare that, on and from the day on which the Supreme Court Amendment Act 1996 comes into operation, for the purposes of section 118 (2) of the Supreme Court Act 1935—

- (a) the amount in relation to wearing apparel of the defendant or other person is \$1 000;
- (b) the amount in relation to wearing apparel of the defendant's wife is \$1 000;
- (c) the amount in relation to wearing apparel of each member of the defendant's family dependent on him is \$1 000;
- (d) the aggregate amount in relation to furniture and effects (including beds and bedding) used for domestic purposes is \$2 000; and
- (e) the amount in relation to implements of trade is \$1 000.

Given under my hand and the Public Seal of the State on 27 August 1996.

By His Excellency's Command,

KEVIN PRINCE, A/Attorney General.

GOD SAVE THE QUEEN !

AGRICULTURE

AG401

AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976

Agriculture Protection Board,
South Perth.

Acting pursuant to the powers granted by section 35 and 36 of the Agriculture and Related Resources Protection Act 1976, the Agriculture Protection Board hereby—

- (i) Declares Pennycress (*Thlaspi arvense*) to be a declared plant and assigns it to categories P1 and P2 for the whole state.

Dated 30 August 1996.

K. ENRIGHT, Chairman,
Agriculture Protection Board.

EDUCATION

ED401

MURDOCH UNIVERSITY ACT 1973Office of the Minister for Education,
Perth 1996.

It is hereby notified that the Governor in Executive Council acting under the provisions of section 25 of the Murdoch University Act 1973 has approved an amendment to Statute No. 3 as set out in the attached schedule.

COLIN J. BARNETT, Minister for Education.
J. PRITCHARD, Clerk of the Council.Murdoch University
Schedule

Amendment to Statute No. 3—School of Study

That Statute No. 3 be amended by changing the name of the School of Social Sciences to the "School of Social Sciences and Psychology".

ELECTRICITY

EG301

**ELECTRICITY ACT 1945
ELECTRICITY AMENDMENT REGULATIONS 1996**

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

Citation

1. These regulations may be cited as the *Electricity Amendment Regulations 1996*.

Commencement

2. These regulations come into operation on the day that is 3 months after the day on which they are published in the *Gazette*.

Regulation 316A of *Electricity Act Regulations 1947* inserted

3. After regulation 316 of the *Electricity Act Regulations 1947** the following regulation is inserted —

“

Vegetation control work near overhead power lines

316A. (1) A person performing vegetation control work for reward shall not do so within the danger zone of overhead power lines unless exempted by subregulation (4).

(2) The danger zone of an overhead power line is anywhere that —

- (a) is at the same height as, higher than, or not more than the specified distance lower than, the power line conductors; and

- (b) is directly above or below, or not more than the specified distance to either side of, the power line conductors.
- (3) The specified distance is —
- (a) 3 metres for an overhead power line carrying electricity at a nominal voltage of not more than 33 000 volts; and
- (b) 6 metres for an overhead power line carrying electricity at a nominal voltage of more than 33 000 volts.
- (4) A person is exempt from subregulation (1) if —
- (a) the person —
- (i) has been trained in electrical linework to the satisfaction of the Director; or
- (ii) has been trained in vegetation control work by a person or training authority approved by the Director by notice published in the *Gazette*; and
- (b) the work is carried out in accordance with —
- (i) the electrical safety requirements described in the *Code of Practice for Personnel Electrical Safety for Vegetation Control Work Near Live Powerlines* issued by the Director (as from time to time amended and for the time being in force); or
- (ii) such other safety requirements as the Director has approved in writing.
- (5) For the purposes of this regulation —
- (a) **“overhead power lines”** means overhead lines for the transmission of electrical energy;
- “conductors”** includes active or neutral conductors (whether bare, insulated or double insulated), catenary supported conductors, neutral screened conductors, and aerial bundled cable;
- (b) a reference to performing work includes a reference to assisting to perform work;
- (c) performing work in the course of employment is to be regarded as being for reward; and
- (d) vegetation control work is performed within a danger zone if any part of —
- (i) the vegetation; or
- (ii) the body of, or any tool, vehicle, or other equipment used by, a person performing the work,
- comes within the danger zone at any time while the work is being performed.

[* Reprinted as authorized 21 August 1968.
For amendments to 29 May 1996 see 1995 Index to Legislation of
Western Australia, Table 4, pp. 67-9.]

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

J. PRITCHARD, Clerk of the Council.

EG401**ELECTRICITY ACT 1945****ELECTRICITY ACT REGULATIONS 1947****Approval of Training Authority for Vegetation Control Work**

It is hereby notified for public information that the following organisation has been approved as a training authority for the purposes of subparagraph (ii) of regulation 316A (4) (a) of the Electricity Act Regulations 1947—

The Tree Guild of WA Incorporated

Dated this 30th day of August 1996.

ALBERT KOENIG, Director of Energy Safety,
Office of Energy.

EG402**ELECTRICITY ACT 1945****ELECTRICITY ACT REGULATIONS 1947****Recognition of Electrical Lineworker Training for Vegetation Control Purposes**

It is hereby notified for public information that the following persons are deemed as having been trained in electrical linework to the satisfaction of the Director of Energy Safety—

- all persons currently employed as electrical linespersons by Western Power Corporation, and
- any person who has been trained in general electrical linework by an Australian electricity supply organisation that at that time was a member of the Electricity Supply Association of Australia,

in accordance with the requirements of Regulation 316A "Vegetation Control Work Near Overhead Powerlines", effective from 1 December 1996.

Other persons wishing to have their training recognised for the purposes of this regulation may apply to the Director.

It should be noted that under Regulation 316A all vegetation control work is required to comply with the "Code of Practice for Personnel Electrical Safety for Vegetation Control Work Near Live Power Lines", issued by this office.

Dated this 30th day of August 1996.

ALBERT KOENIG, Director of Energy Safety,
Office of Energy.

FISHERIES**FI301****FISH RESOURCES MANAGEMENT ACT 1994****FISH RESOURCES MANAGEMENT AMENDMENT
REGULATIONS 1996**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Fish Resources Management Amendment Regulations 1996*.

Principal regulations

2. In these regulations the *Fish Resources Management Regulations 1995** are referred to as the principal regulations.

[* *Published in Gazette 29 September 1995, pp. 4503-635.*
For amendments to 12 August 1996 see 1995 Index to Legislation of Western Australia, Table 4, p. 90.]

Regulation 19 amended

3. Regulation 19 (1) of the principal regulations is amended —

- (a) after paragraph (c), by deleting “and”;
- (b) at the end of paragraph (d), by deleting the full stop and substituting the following —
“ ; and ”; and
- (c) after paragraph (d), by inserting the following paragraph —
“
(e) twice the bag limit of pink snapper specified under regulation 30B for the Perth pink snapper breeding ground.
”.

Regulation 20 amended

4. (1) Regulation 20 (2) (a) of the principal regulations is amended by deleting “species” and substituting the following —

“ class ”.

(2) Regulation 20 (2) of the principal regulations is amended in item 10 of the Table to that regulation by inserting after “Pink” the following —

“
(other than pink snapper to which the bag limit specified under regulation 30B for the Perth pink snapper breeding ground applies)
”.

Division 4A of Part 4 inserted

5. Part 4 of the principal regulations is amended after Division 4 by inserting the following Division —

“

Division 4A — Bag limits for Perth pink snapper breeding ground

Perth pink snapper breeding ground

30A. In this Division —

“**Perth pink snapper breeding ground**” means the waters of the Indian Ocean and all estuaries, between 31° 30' south latitude (southern wall of the Two Rocks marina) and 32° 31.22' south latitude (Robert Point);

“**Perth pink snapper breeding ground land zone**” means all land between 31° 30' south latitude (southern wall of the Two Rocks marina) and 32° 31.22' south latitude (Robert Point) and on the seaward side of a line that is 200m to the landward side of the high water mark of the waters within the Perth pink snapper breeding ground.

Bag limit for Perth pink snapper breeding ground

30B. (1) For the purposes of section 50 of the Act, the bag limit appearing directly opposite an item in Part 5 of Schedule 3 is the bag limit in respect of fish of the class referred to in that item.

(2) The bag limit prescribed under this regulation applies to a person —

- (a) taking pink snapper from the Perth pink snapper breeding ground; or

- (b) bringing pink snapper onto land in the Perth pink snapper breeding ground land zone,

during the period beginning on 1 September in any year and ending on 31 December in that year.

- (3) This regulation does not affect the bag limit for pink snapper prescribed under regulation 15.

”

Regulation 152 amended

6. Regulation 152 (2) (b) of the principal regulations is amended by deleting “113°” and substituting the following —

“ 133° ”.

Schedule 2 amended

7. Schedule 2 to the principal regulations is amended in Division 3 of Part 2 by deleting the item commencing “Mullet, Sea” and substituting the following item —

“

Mullet, Sea —

- (a) when taken by the holder of a commercial fishing licence —

- (i) from the waters of the Shark Bay Beach Seine and Mesh Net Managed Fishery 300
- (ii) from any other area 240

- (b) when taken by any other person —

”

Schedule 3 amended

8. Schedule 3 to the principal regulations is amended after Part 4 by inserting the following Part —

“

PART 5 — BAG LIMIT FOR PERTH PINK SNAPPER BREEDING GROUND

[Reg. 30B]

Fish	Bag limit for one day
Pink snapper in excess of 700 mm in length	2

”

Schedule 7 amended

9. Schedule 7 to the principal regulations is amended —

- (a) in the table entitled “MARINE OR FLUVIO-MARINE FISH” —

- (i) in the item commencing “Dolphinfish”, by deleting “*hippurus*” and substituting the following —

“ *hippurus* ”; and

- (ii) in the item commencing "Shark, Whale", by deleting "*Rhincodon*" and substituting the following —
 " *Rhiniodon* "; and
- (b) in the table entitled "CRUSTACEANS", in the item commencing "Rock Lobster, Tropical", by deleting "*Panulinus*" and substituting the following —
 " *Panulirus* ".

Schedule 9 amended

10. Schedule 9 to the principal regulations is amended under the heading "*Category 2 Fish*" in the item commencing "Crab, Blue Mud", by deleting "Blue" and substituting the following —

" Brown ".

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

FI401

FISH RESOURCES MANAGEMENT ACT 1994

WINDY HARBOUR-AUGUSTA ROCK LOBSTER MANAGEMENT PLAN AMENDMENT 1996

FD 328/86.

Made by the Minister under subsection 54(2).

Citation

1. This instrument may be cited as the *Windy Harbour-Augusta Rock Lobster Management Plan Amendment 1996*.

Principal Plan

2. In this instrument the *Windy Harbour-Augusta Rock Lobster Management Plan 1987** is referred to as the principal plan.

Clause 11 amended

3. Clause 11 of the principal plan is amended by—

- (a) inserting "(1)" immediately before "Subject to";
- (b) inserting "subclauses (2) and (3) and " immediately after "Subject to"; and
- (c) inserting the following subclauses immediately after "of that boat."—

"(2) The pot entitlement in respect of a licensed boat shall on 1 September 1996 be reduced to the whole number being nearest to the product of 0.4 and the pot entitlement in respect of the licensed boat immediately before 1 September 1996.

(3) Where on 1 September 1996 a licence specified a condition to the effect that the use of the licensed boat in the Fishery is limited to the period 1 March to 31 May in any year and that condition is deleted, the reduced pot entitlement provided for in subclause (2) shall immediately be further reduced to the whole number being nearest to the product of 0.4 and the reduced pot entitlement."

Clause 12 amended

4. Clause 12 of the principal plan is amended by—

- (a) deleting from subclause (1) the following—
 "and on that transfer the pot entitlement of the boat referred to on the licence shall be reduced by 5 per cent, rounded to the nearest whole number";
- (b) deleting from subclause (2) "under" and substituting "in accordance with";
- (c) inserting "and" in subclause (2) after "to apply";
- (d) deleting from subclause (2) "transferred; and" and substituting "transferred."; and
- (e) deleting from subclause (2) paragraph (c).

Clause 13 amended

5. Clause 13 of the principal plan is amended by—

- (a) deleting from subclause (1) the following—

"but any licensed boat involved in the transfer shall not have a pot entitlement of less than 40 or more than 200 after the transfer"; and

(b) inserting after subclause (2) the following—

“(3) A licence which specifies a nil pot entitlement shall immediately be cancelled.”

[*See Notice No. 279 published in the Gazette of 30 October 1987. For amendments to 6 August 1996 see Notice No. 305 published in the Gazette of 5 February 1988, Notice No. 411 published in the Gazette of 8 September 1989 and Notice No. 471 published in the Gazette of 25 January 1991.]

Dated this 27th day of August 1996.

MONTY HOUSE, Minister for Fisheries.

FAIR TRADING

FT301

SETTLEMENT AGENTS ACT 1981

SETTLEMENT AGENTS AMENDMENT REGULATIONS (No. 3) 1996

Made by His Excellency the Governor in Executive Council.

Citation

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

Regulation renumbered

2. The *Settlement Agents Regulations 1982** are amended in the regulation after regulation 8 by deleting the regulation designation “11.” and substituting the regulation designation “9.”.

[* Reprinted as at 9 April 1996.

For amendments to 1 July 1996 see Gazette 25 June 1996.]

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

FT401

RETAIL TRADING HOURS ACT 1987

RETAIL TRADING HOURS (METROPOLITAN CHRISTMAS TRADING) EXEMPTION ORDER 1996

Made by the Minister for Fair Trading under section 5(1) of the Act.

Citation

1. This order may be cited as the *Retail Trading Hours (Metropolitan Christmas Trading) Exemption Order 1996*.

Application

2. This order applies to all general retail shops in the metropolitan area, including general retail shops affected by the *Retail Trading Hours (Tourist Precincts) Order 1996* [Published in Gazette of 29 March 1996 at p. 1520-1523].

Variation of retail hours

3. General retail shops to which this order applies are exempted from section 12 of the Act on the days specified in column 1 of the Schedule on the conditions that those general retail shops shall be closed during the hours specified opposite and corresponding to those days in column 2 of the Schedule.

	Days	Schedule
		Hours of Closing
Thursday	19 December 1996	until 8am and from and after 9pm
Friday	20 December 1996	until 8am and from and after 9pm
Sunday	22 December 1996	until 12pm and from and after 6pm
Monday	23 December 1996	until 8am and from and after 6pm
Friday	27 December 1996	until 8am and from and after 9pm

CHERYL EDWARDES, Minister for Fair Trading.

FT402**ASSOCIATIONS INCORPORATION ACT 1987**

Section 35

CITY SLICKERS BOOTSCOOT CENTRAL INCORPORATED

Notice is hereby given that the incorporation of the abovementioned association has been cancelled as from the date of this notice.

Dated the 26th day of August 1996.

R. MINEIF, Assistant Commissioner for Corporate Affairs.

FT403**ASSOCIATIONS INCORPORATION ACT 1987**

Section 35

TILT-UP CONSTRUCTION ASSOCIATION OF WESTERN AUSTRALIA INC

Notice is hereby given that the incorporation of the abovementioned association has been cancelled as from the date of this notice.

Dated the 26th day of August 1996.

R. MINEIF, Assistant Commissioner for Corporate Affairs.

INDUSTRIAL RELATIONS**IR401****INDUSTRIAL RELATIONS ACT 1979****NOTICE OF APPOINTMENT OF SENIOR COMMISSIONER TO THE
WESTERN AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION**

His Excellency the Governor in Executive Council has under section 8 of the Industrial Relations Act 1979, appointed Gavin Leonard Fielding, to be Senior Commissioner of the Western Australian Industrial Relations Commission as from and including 17 August 1996.

**NOTICE OF APPOINTMENT OF COMMISSIONER TO THE
WESTERN AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION**

His Excellency the Governor in Executive Council has under section 8 of the Industrial Relations Act 1979, appointed Pamela Elizabeth Scott, to be a Commissioner of the Western Australian Industrial Relations Commission as from and including 17 August 1996.

JUSTICE**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—

Mrs Debra Ann Mutton of "Tara Hill" 217 Lesmurdie Road, Lesmurdie

Ms Terina Grace Hill of 48 Wentletrap Way, Mullaloo and Bentley Health Service, 39 Mills Street, Bentley

Mrs Janene Mary Woods of 12 Clarke Way, Bateman and Unit 1/2 James Street, Bayswater

Mr Gary Wayne Thompson of 11 Lillystone Retreat, Landsdale

to the office of Justice of the Peace for the State of Western Australia.

RICHARD FOSTER, Executive Director, Courts Division.

JM402**CHILDREN'S COURT OF WESTERN AUSTRALIA ACT 1988**

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the appointment of the following persons as Members of the Children's Court of Western Australia—

Mr John Charles Donald of 6 Warne Street, Merredin and 31 Bates Street, Merredin

Mr Anthony Paul Stanton of 70 Hovea Crescent, Wundowie

RICHARD FOSTER, Executive Director, Courts Services.

LAND ADMINISTRATION

LA401**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960****DECLARATION OF CLOSURE OF STREETS**

Made by the Minister for Lands
Under Section 288A

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

SCHEDULE

1. City of Kalgoorlie-Boulder (DOLA File No. 1273/1995; Closure No. K1126).
All that portion of Salisbury Road as shown bordered blue on Crown Survey Diagram 92723.
Public Plan: CF(2) 29.36.
2. Shire of Augusta-Margaret River (DOLA File No. 1830/1995; Closure No. A524).
All that portion of Hurford Street as shown bordered blue on Crown Survey Diagram 92474.
Public Plan: BF28(2) 15.03.

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

LA402**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960**

**DECLARATION OF PUBLIC STREETS
ORDERS OF THE MINISTER FOR LANDS
Made under Section 288**

At the request of the local government nominated, the portion of land specified in the Schedule is now declared to be absolutely dedicated as a public street.

SCHEDULE

Shire of Kalamunda (DOLA File No. 1639/1996) Road No. 1843—Patricia Road (Widening) The whole of the ROW (27m²) as shown coloured dark brown on Office of Titles Diagram 82589 and being the whole of the land contained in Certificate of Title Volume 1933 Folio 620.
Public Plan: BG 34(2) 24.21.

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

LB401**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960**

**DECLARATION OF PUBLIC STREETS
ORDERS OF THE MINISTER FOR LANDS
Made under Section 288**

At the request of the local government nominated, the portion of land specified in the Schedule is now declared to be absolutely dedicated as a public street.

SCHEDULE

City of Stirling (DOLA File No. 1524/994).

Road No. 18911. All that portion of Right of Way as shown coloured brown on Office of Titles Plan 3697(1) commencing at the eastern side of Stanley Street and extending as delineated on the said plan along the southern boundaries of Lots 1 and 2 (Plan 3697(1)) and Lot 210 (Diagram 42887) terminating at the western side of Westborough Street.

Public Plan: BG34(2) 7.31.

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

LB701**LAND ACQUISITION & PUBLIC WORKS ACT 1902**File No MRWA 42-162-CV2
File No. DOLA 1041/1996

Ex Co No. 0312

**LAND RESUMPTION
ROAD WIDENING—BRAND HIGHWAY
(39.00-51.39 SLK)**

NOTICE is hereby given, and it is hereby declared, that the several pieces or parcels of land described in the Schedule hereto, being all in the Gingin District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 26th day of March 1996, been set apart, taken, or resumed for the purposes of the following public work, namely: Road Widening—Brand Highway—Shire of Gingin.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on the Plans specified in the Schedule, which may be inspected at Main Roads Western Australia, Waterloo Crescent East Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description.

And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way, or other easements whatsoever.

Schedule

Plan MR No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
93-38	Gavin Francis Drew of two undivided third shares and Sheila May Drew of the remaining one undivided third share	Commissioner of Main Roads	Portion of Swan Location 6245 now comprised in Plan 19062 and being part of the land contained in Certificate of Title Volume 1252 Folio 960	4 032 m ²
93-39	Maxwell Harris	Commissioner of Main Roads vide Caveat F264705	Portion of Swan Location 2726 now comprised in Plan 19062 and being part of the land contained in Certificate of Title Volume 1269 Folio 621	1.2514 ha
93-40	Maxwell Harris	Commissioner of Main Roads vide Caveat F264705	Portion of Swan Location 3125 and 2659 now comprised in Plan 19061 and being part of the land contained in Certificate of Title Volume 1091 Folio 521	3.4154 ha
93-41 and 93-42	John Lister Kitson	Commissioner of Main Roads vide Caveat F354106	Portion of Swan Locations 2372 and 2675 now comprised in Plans 19061 and 19060 and being part of the land contained in Certificate of Title Volume 1544 Folio 36	3.5022 ha
93-43	Colin Edward Pattinson and Maureen Katherine Pattinson	Commissioner of Main Roads vide Caveat F264706	Portion of Swan Location 1373 and being part of Lot 1 on Plan 17419 now comprised in Plan 19060 and being part of the land contained in Certificate of Title Volume 1866 Folio 273	4.5664 ha
93-44	Maxwell Harris	Commissioner of Main Roads vide Caveat F264705	Portion of Swan Location 3119 now comprised in Plan 19062 and being part of the land contained in Certificate of Title Volume 1217 Folio 898	4.6083 ha
95-125	F & M Giglia Pty Ltd	Commissioner of Main Roads vide Caveat F746151	Portion of Swan Location 2814 now comprised in Diagram 88608 and being part of the land contained in Certificate of Title Volume 2026 Folio 109	3.5198 ha
95-124	Michael John Harris and Peter James Harris	M J & P J Harris and Commissioner of Main Roads vide Caveat F348709	Portion of Swan Location 2700 now comprised in Diagram 87711 and being part of the land contained in Certificate of Title Volume 1161 Folio 756	7.2763 ha

Schedule—*continued*

Plan MR No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
93-47	Bryton Nominees Pty Ltd	Commissioner of Main Roads vide Caveat F301291	Portion of Swan Location 3098 now comprised in Plan 19060 and being part of the land contained in Certificate of Title Volume 1544 Folio 35	2.4073 ha
93-48	Shire of Gingin	Commissioner of Main Roads vide Caveat F414466	Portion of Swan Location 1373 and being part of Lot 7 the subject of Diagram 46110 now comprised in Plan 19060 and being part of the land contained in Certificate of Title Volume 1392 Folio 36	3.2151 ha

Certified correct this 19th day of March 1996.

ERIC CHARLTON, Minister for Transport.

Dated this 26th day of March 1996.

MICHAEL JEFFERY, Governor in Executive Council.

LB702**LAND ACQUISITION & PUBLIC WORKS ACT 1902**

File No MRWA 42-285-A
File No. DOLA 1199/1996

Ex Co No. 0261

LAND RESUMPTION

ROAD WIDENING—ALBANY PORT ROAD
(HANRAHAN ROAD SECTION 0.38-2.06 SLK)

NOTICE is hereby given, and it is hereby declared, that the several pieces or parcels of land described in the Schedule hereto, being all in the Albany District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 12th day of March 1996, been set apart, taken, or resumed for the purposes of the following public work, namely: Road Widening—Albany Port Road—Shire of Albany.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on the Plans specified in the Schedule, which may be inspected at Main Roads Western Australia, Waterloo Crescent East Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description.

And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way, or other easements whatsoever.

Schedule

Plan MR No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
95-127	The State Housing Commission	The State Housing Commission	Portion of Plantagenet Location 236 now contained in Plan 20816 and being part of the land comprised in Certificate of Title Volume 1563 Folio 059	7 983 m ²
95-128	CSBP and Farmers Ltd	CSBP and Farmers Ltd	Portion of Plantagenet Location 2 and being Lot 5 the subject of Diagram 19929 now contained in Plan 20816 and being part of the land comprised in Certificate of Title Volume 1186 Folio 606	985 m ²
95-129	CSBP and Farmers Ltd	CSBP and Farmers Ltd and Albany Broadcasters Limited on Lease 172/1956	Portion of Plantagenet Location 2 now contained in Plan 20816 and being part of the land comprised in Certificate of Title Volume 1508 Folio 052	9 189 m ²

Certified correct this 5th day of March 1996.

ERIC CHARLTON, Minister for Transport.

Dated this 12th day of March 1996.

MICHAEL JEFFERY, Governor in Executive Council.

LB703**LAND ACQUISITION & PUBLIC WORKS ACT 1902**File No MRWA 42-59-D
File No. DOLA 1578/1996

Ex Co No. 0512

**LAND RESUMPTION
ROAD WIDENING—ALBANY HIGHWAY
AND BLACKWOOD ROAD INTERSECTION**

NOTICE is hereby given, and it is hereby declared, that the several pieces or parcels of land described in the Schedule hereto, being all in the Kojonup District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 21st day of May 1996 been set apart, taken, or resumed for the purposes of the following public work, namely: Road Widening—Intersection of Albany Highway and Blackwood Road—Shire of Kojonup.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on the Plans specified in the Schedule, which may be inspected at Main Roads Western Australia, Waterloo Crescent East Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description.

And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way, or other easements whatsoever.

Schedule

Plan MR No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
96-5	Violet Josephine Matthews	V J Matthews	Portion of Kojonup Location 3 and being Lot 101 and being part of the land contained in Diagram 89110 and comprised in Certificate of Title Volume 1718 Folio 706	155 m ²
96-6	Syd Matthews & Co. Pty. Ltd.	Syd Matthews & Co. Pty. Ltd.	Portion of Kojonup Location 3 and being Lot 15 and being part of the land contained in Diagram 89110 and comprised in Certificate of Title Volume 2040 Folio 689	63 m ²

Certified correct this 14th day of May 1996.

ERIC CHARLTON, Minister for Transport.

Dated this 21st day of May 1996.

MICHAEL JEFFERY, Governor in Executive Council.

LB704SCHEDULE NO: A26/1996
Ex Co No: 0917
DOLA: 70/1996**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960****LAND ACQUISITION AND PUBLIC WORKS ACT 1902****NOTICE OF RESUMPTION OF LAND**

For the purposes of the public work described in the Schedule, the land described in the Schedule ("the resumed land") has been set apart, taken or resumed.

A plan and a more particular description of the resumed land may be inspected between 8.00 a.m. and 5.00 p.m. on working days at: Department of Land Administration, Midland Square, Midland.

The resumed land shall, by force of the Land Acquisition and Public Works Act 1902 and Local Government (Miscellaneous Provisions) Act 1960, be vested in Her Majesty for an estate in fee simple (except those lands being under the Land Act or dedicated or reserved for a public purpose, which will be vested in Her Majesty absolutely) for the public work, freed and discharged of all trusts, mortgages, charges, obligations, estates, interest, right-of-way, or other easements whatsoever.

SCHEDULE

1. Public Work: Extension of Park Street

Local Authority: Town of Narrogin

Plan/Diagram No. showing Land resumed: Diagram 92716

Council Resolution Date: March, 1996. DOLA Ref:2068/1995

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Town of Narrogin	Town of Narrogin	Part of Narrogin Lot 264 set aside as part of "A" Class Reserve 10523 for the purpose of "Civic Centre" and being part of the land contained in Certificate of Title Volume 1908 Folio 583.	2825m ²

2. Public Work: Widening of Sandalwood Road (Road No. 979).

Local Authority: Shire of Gnowangerup

Plan/Diagram No. showing Land resumed: Diagrams 92740 and 92741

Council Resolution Date: 21 September, 1994. DOLA Ref:603/1996

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Judith Ann Moir	J A Moir	Portion of Plantagenet Locations 186 and 504 being part of the land contained in Certificate of Title Volume 1904 Folio 572.	3314m ² (ex Loc. 186) 2046m ² (ex Loc. 504)
Glenmoir Pty. Ltd.	Glenmoir Pty. Ltd.	Portion of Plantagenet Location 3343 being part of the land contained in Certificate of Title Volume 1265 Folio 877.	1537m ²

3. Public Work: Extension of Bay Street (Road No. 18807).

Local Authority: Shire of Katanning

Plan/Diagram No. showing Land resumed: Diagram 92691

Council Resolution Date: 27 June, 1996. DOLA Ref:447/1995

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Crown	Shire of Katanning as vestee	Portion of Katanning Lot 995 set aside as Reserve 27092 for the purpose of "Recreation".	6770m ²

4. Public Work: Creation of public roads, Garden, Grey, Marriot and Crawford Streets and Nicholson Road.

Local Authority: City of Canning

Plan/Diagram No. showing Land resumed: Plan 19133

Council Resolution Date: 13 June, 1995. DOLA Ref:1910/1995

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
N K Grant Holdings Pty. Ltd.	N K Grant Holdings Pty. Ltd.	Portion of Canning Location 5 on Plan 3736 being part of the land remaining in Certificate of Title Volume 1987 Folio 586.	2.7622ha

Dated 6 August 1996.

PAUL D. OMODEI, Acting Minister for Lands.

Dated 13 August 1996.

MICHAEL JEFFERY, Governor in Executive Council.

LB705

SCHEDULE NO: A27/1996

Ex Co No: 0918

DOLA: 70/1996

LOCAL GOVERNMENT ACT 1960
LAND ACQUISITION AND PUBLIC WORKS ACT 1902
NOTICE OF RESUMPTION OF LAND

For the purposes of the public work described in the Schedule, the land described in the Schedule ("the resumed land") has been set apart, taken or resumed.

A plan and a more particular description of the resumed land may be inspected between 8.00 a.m. and 5.00 p.m. on working days at: Department of Land Administration, Midland Square, Midland.

The resumed land shall, by force of the Land Acquisition and Public Works Act 1902 and Local Government (Miscellaneous Provisions) Act 1960, be vested in Her Majesty for an estate in fee simple (except

those lands being under the Land Act or dedicated or reserved for a public purpose, which will be vested in Her Majesty absolutely) for the public work, freed and discharged of all trusts, mortgages, charges, obligations, estates, interest, right-of-way, or other easements whatsoever.

SCHEDULE

1. Public Work: Deviation of Banksia Road (Road No. 15768).

Local Authority: Shire of Ravensthorpe

Plan/Diagram No. showing Land resumed: Diagram 92103

Council Resolution Date: 20 April, 1995. DOLA Ref:661/1993

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Krystal Park Estate Pty. Ltd.	Krystal Park Estate Pty. Ltd.	Portion of Oldfield Location 638 being part of the land contained in Certificate of Title Volume 2046 Folio 393.	1.5354ha
Barrie George Thomas Howell and Ann Howell	B G T Howell and A Howell	Portion of Oldfield Location 97 being part of the land contained in Certificate of Title Volume 1029 Folio 42.	88m ²

2. Public Work: Widening of Sunrise Hill Road (Road No. 5761).

Local Authority: Shire of Esperance

Plan/Diagram No. showing Land resumed: Diagram 92735

Council Resolution Date: 19 February, 1996. DOLA Ref:837/1996

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Robert William Burnside	R W Burnside	Portion of Fitzgerald Location 364 being part of the land contained in Certificate of Title Volume 1189 Folio 431.	5461m ²

3. Public Work: Widening of Arthur Street (Road No. 5669).

Local Authority: Shire of Swan

Plan/Diagram No. showing Land resumed: Diagram 92700

Council Resolution Date: 24 January, 1996. DOLA Ref:781/1996

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Ivo Katich	Shire of Swan by virtue of Caveat G118225	Part of Lot 1 on Diagram 47415 being part of the land contained in Certificate of Title Volume 1890 Folio 645.	50m ²

4. Public Work: Widening of James Road (Road No. 5791).

Local Authority: Shire of Swan

Plan/Diagram No. showing Land resumed: Diagram No. 92631

Council Resolution Date: 20 December, 1995. DOLA Ref:489/1996

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Ratimir Marijan Gomboc and Theresa Christina Gomboc	R M and T C Gomboc	Part of Lot 23 on Plan 3105 (Sheet 2) being part of the land contained in Certificate of Title Volume 1325 Folio 991.	37m ²

Dated 6 August 1996.

PAUL D. OMODEI, Acting Minister for Lands.

Dated 13 August 1996.

MICHAEL JEFFERY, Governor in Executive Council.

ROAD DEDICATION

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

By Order of the Minister for Lands

Dated this 30th day of August 1996.

A. A. SKINNER, Chief Executive.

LB901

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960
LAND ACQUISITION AND PUBLIC WORKS ACT 1902**

File No. 2840/1995

**NOTICE OF INTENTION TO TAKE OR RESUME LAND
EXTENSION OF SUTCLIFFE ROAD—SHIRE OF GREENOUGH**

THE Minister for Works hereby gives notice in accordance with the provisions of section 17(2) of the Land Acquisition and Public Works Act 1902 (as amended) that it is intended to take or resume under section 17(1) of that Act, the piece or parcel of land described in the Schedule hereto, and being in the Victoria District, for the purpose of the following public work, namely, Extension of Sutcliffe Road—Shire of Greenough and that the said piece or parcel of land is marked off on Plan LAWA 1086 which may be inspected at the office of the Department of Land Administration, Midland. The additional information contained in the Schedule after the land description is to define locality only and in no way derogates from the Transfer of Land Act description.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Greyson Nominees Pty Ltd	Greyson Nominees Pty Ltd	Part of Lot 43 on Plan 20100 being part of the land contained in Certificate of Title Volume 2012 Folio 836.	3747m ²

Dated this 14th day of August 1996.

GRAHAM KIERATH, Minister for Lands.

LOCAL GOVERNMENT

LG301

LOCAL GOVERNMENT ACT 1995

**LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) AMENDMENT
REGULATIONS (NO.2) 1996**

Made by His Excellency the Governor in Executive Council.

Citation

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

Regulation 86 inserted

2. After regulation 85 of the *Local Government (Financial Management) Regulations 1996** the following regulation is inserted —

“

Transitional provision for fees and charges

86. (1) Where —

- (a) a fee or charge is prescribed for a purpose in a continued by-law; and
- (b) a fee or charge is imposed under section 6.16 for the same purpose,

the fee or charge referred to in paragraph (a) is, from the date of imposition of the fee or charge referred to in paragraph (b), of no further force and effect.

(2) In this regulation —

“**continued by-law**” means a by-law under the *Local Government Act 1960* as in force before 1 July 1996 continued as a local law by clause 33 of Schedule 9.3 of the Act.

(3) This regulation has no effect after 30 June 1998.

[* *Published in Gazette 24 June 1996, pp. 2681-750 and amended in Gazette 28 June 1996, pp. 3169-70.*]

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

LG401

LOCAL GOVERNMENT ACT 1995

Shire of Cue

ANNUAL FEE REVIEW

1996/97 Fees and Charges

The Shire of Cue at its 22 August 1996 Budget Meeting reviewed and sets its fees and charges for 1996/97 period in accordance with Section 6.19 of the Local Government Act 1995.

The fees and charges relating to—

General Administration
Law, Order and Public Safety
Sanitation Charges
Housing
Community Amenities
Recreation and Culture
Aerodromes
Tourism Area Promotion
Private Works

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

A. B. WRIGHT, Chief Executive Officer.

LG402

SHIRE OF KENT

Schedule of Fees and Charges

The Shire of Kent on the 31 July 1996 adopted fees and charges for the provisions of goods and services for the period 1 July 1996 to 30 June 1997.

A full schedule of the fees and charges are available from the Shire Office at Richmond Street, Nyabing.

IAN FITZGERALD, Chief Executive Officer.

LG403

WATER BOARDS ACT 1904

Preliminaries to Construction

Notice of Intention

Notice is hereby given pursuant to Section 41(c) of the above Act, of the intention to undertake the construction of the following works within the Busselton Water Area.

Description and locality of proposed works—

- (i) Drilling and development of a new Water Production Bore at the Boards No. 1 Plant (Kent Street), Busselton.

Plans and specifications may be inspected at the Boards Offices, Unit 1, 8-10 Prince Street, Busselton, for one month following publication of this notice, between the hours of 10.00 am and 4.00 pm.

F. J. PRITCHARD, Chairman.
D. G. McCUTCHEON, Executive Officer.

LG404**WATER BOARDS ACT 1904
BUSSELTON WATER BOARD**

Notice is hereby given under Section 79 of the above Act that the Rate Book for the Busselton Water Board has been made up for the period 1 July 1996 to 30 June 1997 and may be inspected by ratepayers during office hours.

Pursuant to Section 94 of the Water Boards Act No. 4 of 1904, the Busselton Water Board has resolved and the Minister has approved, that the following rates and charges shall apply for the twelve months ending 30 June 1997—

Zone "A" (Busselton)—

Residential—

Standard Supply Charge—\$84.00

Water Consumption Charges—

First 150 kl	34 cents per kilolitre
Next 200 kl	50 cents per kilolitre
Next 200 kl	54 cents per kilolitre
Next 200 kl	63 cents per kilolitre
Next 400 kl	104 cents per kilolitre
Next 400 kl	149 cents per kilolitre
Next 400 kl	177 cents per kilolitre
thereafter	200 cents per kilolitre

Residential Strata Titled Units existing at 1 July 1996—

Rated at 4.18 cents in the dollar of Gross Rental Value.

Commercial and Industrial—

Rated at 2.94 cents in the dollar of Gross Rental Value.

Vacant Land—

Rated at 4.30 cents in the dollar of Gross Rental Value.

Zone "B" (Siesta Park)—

Residential—

Standard Supply Charge—\$86.50

Water Consumption Charges—

First 150 kl	35 cents per kilolitre
Next 200 kl	51.5 cents per kilolitre
Next 200 kl	55.5 cents per kilolitre
Next 200 kl	64.5 cents per kilolitre
Next 400 kl	107 cents per kilolitre
Next 400 kl	153 cents per kilolitre
Next 400 kl	177 cents per kilolitre
thereafter	206 cents per kilolitre

Commercial and Industrial—

Rated at 3.08 cents in the dollar of Gross Rental Value.

Vacant Land—

Rated at 4.38 cents in the dollar of Gross Rental Value.

Zone "A" and Zone "B"—

Rated Land—

Minimum Charge on each assessment in each classification—\$130.00

Water Allowance—1 kilolitre of water for each 46.35 cents of rate paid.

Excess Water and water charge for non-rated properties—51 cents per kilolitre.

Water to properties outside the Board area—63 cents per kilolitre.

Penalty for Overdue Rates and Charges—

A penalty of 10% will be applied to all Rates and Charges classified as arrears at 31 March 1997.

F. J. PRITCHARD, Chairman.
D. G. McCUTCHEON, Executive Officer.

LG405**LOCAL GOVERNMENT ACT 1995***Town of Northam***RATING EXEMPTION**

DLG: N5-6

It is hereby notified for public information that the Minister for Local Government has declared, under the provisions of section 6.26(4) of the Local Government Act 1995, that Lot 52 Mitchell Avenue, Northam be exempt from local government rates.

JOHN LYNCH, Executive Director,
Department of Local Government.

LG406**CEMETERIES ACT 1986***Shire of Dumbleyung*

In pursuance of the powers conferred by Section 53 of the Cemeteries Act 1986, the Council of the Shire of Dumbleyung hereby records having resolved on 8 July 1996 to set the following fees and charges. The fees shall be payable upon application for services detailed hereunder at all cemeteries within the Local Government.

Nippering Cemetery/Kukerin Cemetery

On application for an Order for Burial and Grant of Right of Burial	\$
Land for grave 2.4m x 1.2m	60.00
Land for grave 2.4m x 2.4m	120.00
Grave Interment Fees	
For interment of an adult	150.00
For interment of a child under the age of 7 years	100.00
For interment of a stillborn child or a child who has not lived longer than 48 hours	100.00
For re-opening an ordinary grave—	
for each interment of an adult	150.00
for each interment of a child under 7	75.00
for interment of a stillborn child or a child who has not lived longer than 48 hours	60.00
Extra charge—	
for each interment in open ground without due notice under By-law 5	50.00
for each interment in private ground without due notice under By-law 5	50.00
for re-opening grave for exhumation—Adult	110.00
Child	70.00
plus 20% for work carried out on Weekends and Public Holidays.	
Niche Wall	
For a single niche, including plaque and standard inscription	138.00
For a double niche, including plaque and standard inscription	209.00
Second inscription	66.00
Miscellaneous	
Plate fee (Cost)	11.00
For permission to erect headstone or monument	30.00
Annual fee payable by Undertaker for use of Cemetery	30.00

R. W. WRIGHT, President.
C. J. PEPPER, Chief Executive Officer.

LG501**LOCAL GOVERNMENT ACT 1995****HEALTH ACT 1911****COUNTRY TOWNS SEWERAGE ACT 1948***Shire of Kent*

Memorandum of Imposing Rates and Charges

To whom it may concern,

At a Special Meeting of the Council of the Shire of Kent held on July 31, 1996 it was resolved that the rates and charges specified in the Schedule hereunder be imposed on all rateable property within the district of the Shire of Kent for the financial year ending June 1997, in accordance with the provisions of the abovementioned Acts.

Dated 19 August 1996.

B. J. MORRELL, President.
I. B. FITZGERALD, Chief Executive Officer.

Schedule of Rates and Charges

General Rate—

Rural (U.V.)—2.8560 cents in the dollar on unimproved values.

Townsites (G.R.V.)—7.9016 cents in the dollar on gross rental values.

Minimum Rate—

(a) \$110.00 per Town lot on gross rental values.

(b) \$110.00 per Rural lot on unimproved values.

Discount—A 10% discount on all current general rates received in full at the Shire Office by 4.00pm, September 16, 1996.

Instalments—Due Dates for payment of rates and services by instalments are—

- (1) 16 September 1996
- (2) 18 November 1996
- (3) 20 January 1997
- (4) 20 March 1997

Rubbish Service—

Domestic—

Standard—\$100.00 per bin, per annum.

Pensioners—\$75.00 per bin, per annum, for registered pensioners.

Commercial—\$100.00 per bin, per annum.

Late Payment Interest Rate—A charge of 10% per annum calculated daily by simple interest will apply from 12 November 1996.

Sewerage Rate—

Nyabing Town—

- (a) 4.24 cents in the dollar on gross rental values within the specified area.
- (b) Non-rateable properties—\$111.35 for the first and \$48.95 for each additional fixtures.
- (c) State and Local Government properties of a commercial nature—\$619 per connection.
- (d) Minimum Sewerage Rate—\$90 per assessment on vacant land and \$123 per assessment on all other rated properties within the specified area.

Pingrup Town—

- (a) 5.03 cents in the dollar on gross rental values within the specified area.
- (b) Non-rateable properties—\$111.35 for the first and \$48.95 for each additional fixture.
- (c) State and Local Government properties of a commercial nature—\$619 per connection.
- (d) Minimum Sewerage Rate—\$90 per assessment on vacant land and \$123 per assessment on all other rated properties within the specified area.

Television Retransmission Levy

Pingrup Township—\$48.40 per annum for each property situated within the designated area.

LG502

LOCAL GOVERNMENT ACT 1995

HEALTH ACT 1911

Shire of Mt Marshall

Memorandum of Imposing Rates and Charges 1996/97

At a Special Meeting of the Mount Marshall Shire Council held on 2 August 1996, it was resolved that the rates and charges specified hereunder shall be imposed on all rateable property within the district of the Municipality in accordance with the provisions of the Local Government Act 1995 and Health Act 1911.

Dated the 22nd day of August 1996.

L. W. O'NEIL, President.
M. SIMMONDS, Chief Executive Officer.

Schedule of Rates and Charges Levied

General Rates—

10.0185 cents in the dollar on Gross Rental Valuations.

6.4586 cents in the dollar on Unimproved Valuations.

Minimum Rate—\$90 per Lot/Location or Assessment.

Specified Area Rate—

1.6630 cents in the dollar on Gross Rental Valuations.

.4353 cents in the dollar on Unimproved Valuations.

Minimum Rate \$20 per Lot/Location or Assessment.

Interest Charges—

6% interest on instalments

12% pa interest on outstanding rates

12% pa on sundry debtors outstanding for 35 days or more

Administration Charges—\$5 on each rate instalment notice.

Discount—A discount of 10% will be allowed on all current rates paid in full within 21 days of the date of issue.

Rubbish Charges—

Domestic—\$90.00/annum/household for the removal of standard rubbish bin/week.

Commercial—\$95.00/annum for the removal of bulk rubbish once/week.

Instalment Plan Option—

Four payments as under—

- (i) 25% of the rates within 35 days
- (ii) 25% of the rates within 2 months of (i)
- (iii) 25% of the rates within 2 months of (ii)
- (iv) 25% of the rates within 2 months of (iii) being 6 months from the expiration of the initial 35 day period and 6 months and 35 days from the date of issue of the notice.

Fees and Charges—A full schedule of the fees and charges is available from the Shire Administration Centre, Monger Street, Bencubbin.

LG503

LOCAL GOVERNMENT ACT 1995
HEALTH ACT 1911

Shire of Ngaanyatjarrku

Memorandum of Imposing Rates and Charges

At a Special Meeting of the Ngaanyatjarraku Shire Council held on 20th August 1996 it was resolved that the rates and charges specified hereunder should be imposed on all rateable properties within the district of the Shire of Ngaanyatjarraku for the period 1st July 1996 to 30th June 1997 in accordance with the provisions of the abovementioned Acts.

Dated the 20th August 1996.

J. D. McLEAN, President.
A. SUMMERS, Chief Executive Officer.

Schedule of Rates Levied and Charges Imposed

General Rates—

Gross Rental Values—4 cents in the dollar

Unimproved Values—3.75 cents in the dollar

Minimum Rates—

\$100 per assessment on Gross Rental Values

\$100 per assessment on Unimproved Values

Discount—Does not apply.

Instalment Plan Interest Rate—Does not apply.

Late Payment Interest Rate—Does not apply.

Administration Fee—Does not apply.

Due Dates for Payments of Rates and Services Levies 1996/97—24th October 1996, 24th December 1996, 24th February 1997 and 24th April 1997.

Refuse Charges—To be imposed if and when required.

LG504

LOCAL GOVERNMENT ACT 1995
HEALTH ACT 1911

Shire of Sandstone

Memorandum of Imposing Rates and Charges

To whom it may concern,

At a meeting of the Shire of Sandstone held on 24th July 1996, it was resolved that the rates and charges specified hereunder should be imposed on all rateable property within the district of the Shire of Sandstone in accordance with the provisions of the Local Government Act 1995 and the Health Act 1911.

Dated 31st July 1996.

P. J. DENNY, President.
J. E. RAINE, Chief Executive Officer.

Schedule of Rates and Charges

General Rate—

0.0354 cents in the dollar on Gross Rental Valuations—Sandstone

0.0218 cents in the dollar on Gross Rental Valuations—Youanmi

Minimum Rate—\$150.00 on both Gross Rental Value and Unimproved Valuations.

Specified Area—0.2002 cents in the dollar on Pastoral Unimproved Valuations for Prescribed Area West of the Vermin Proof Fence.

Discount—A discount of 7.5% on all current rates issued and received in full at the Shire Office up to 4.30pm on the 27th September 1996.

Instalment Plan Interest Rate—A charge of 6% per annum, calculated daily by simple interest as from 27th September 1996.

Late Payment Interest Rate—A charge of 10% per annum calculated daily, by simple interest as from 23rd November 1996.

Administration Fee—A charge of \$5.00 per instalment notice for rates and services levied.

Due Dates for payment of Rates and Services Levied for 1996/1997—

1. First Instalment due no later than 4.30pm on the 27th September 1996.
2. Second Instalment due no later than 4.30pm on the 9th December 1996.
3. Third Instalment due no later than 4.30pm on the 17th February 1997.
4. Final Instalment due no later than 4.30pm on the 21st April 1997.

Sanitation Charges—

\$50.00 per annum per occupied residential lot.

\$85.00 per annum per occupied industrial/commercial lot.

\$340.00 per Mining Companies.

Caravan Park and Camping Ground Charges (Alice Atkinson Caravan Park)—

per two persons

per week

Tent without power \$45.00

Tent with power \$50.00

Caravan in common \$62.50

Caravan Ensuities \$75.00

Additional person—per day per person \$3.00

Showers—per non-resident of park \$2.00

Hall and Community Centre Hire Charges—

Sandstone Shire Hall per night/function \$20.00

Sandstone Community Centre per night/function (excluding Sandstone based

Sporting/Community Groups \$50.00

Sandstone based Sporting/Community Groups—Annual Fee \$100.00

Sandstone Community Bus Hire Rates—

Sandstone Primary School 0.30c per km

General Users 0.40c per km

Photocopier \$0.20 cents per copy.

Facsimile—

Outgoing documents \$2.00 per single A4 page

\$1.00 per additional A4 page

Incoming documents \$1.00 per single A4 page

Ammunition At cost plus freight

Plant and Equipment Hire—

Cement Mixer \$40.00 per day

Welder \$15.00 per hour plus labour, and materials

Acetylene \$30.00 per hour plus labour and overheads

Sludge Pump—

One tank \$70.00

Two tanks or one large tank \$100.00

Three tanks \$120.00

High Pressure Cleaner \$10.00 per 1/2 hour

(Pensioners—50% of above rates)

LG601

BUSH FIRES ACT 1954

Shire of Mt Marshall

Firebreak Order 1996/97

Notice is hereby given that all owners and/or occupiers of land within the Shire of Mt Marshall must prepare firebreaks, complying with the following schedule, on or before 1 October 1996 for croplands and maintain such firebreaks in a condition unable to carry a fire until 15 March 1997.

1. Agricultural Lands

Breaks of not less than three (3) metres in width must be provided immediately within the property boundary or as close as possible. (A three (3) metre break is required for burning off in accordance with the Bush Fires Act).

2. Townsites

All townsites lots within the Shire of Mt Marshall shall be cleared of all debris of an inflammable nature and be maintained free of such material.

3. Fuel Ramps and Depots

All grass and similar inflammable material to be cleared from areas where drum ramps or bulk fuel are located and where drums, full or empty, are stored and such areas be maintained clear of grass and similar inflammable materials.

4. It is considered to be impracticable for any reason to clear firebreaks or remove inflammable material from land as required by the notice you may apply to Council or its duly authorised officer for permission to provide firebreaks in alternative positions. If permission is not granted by Council or its duly authorised officer, you shall comply with the requirements of this notice.

5. Failure to comply with this notice shall subject the offender to the penalties prescribed in the Bush Fires Act 1954.

6. If the requirements of this notice are carried out by burning, such burning must be in accordance with the relevant provision of the Bush Fires Act 1954.

M. SIMMONDS, Chief Executive Officer.

LG602**BUSH FIRES ACT 1954***City of Canning*

Notice to all Owners and/or Occupiers of Land

Pursuant to the powers contained in Section 33 of the above Act, you are hereby required on or before 30 November 1996 or within 14 days after the date of you becoming an owner or occupier should this be after 30 November 1996 and thereafter up to and including 31 March 1997, to have a firebreak clear of all flammable material at least three metres wide immediately inside all external boundaries of the land and also immediately surrounding all buildings situated on the land which is maintained free of all flammable material.

If it is considered to be impracticable for any reason to clear firebreaks as required by this notice, you may apply to Council or its duly authorised Officer not later than 14 November 1996, for permission to provide firebreaks in alternative positions on the land. If permission is not granted by the Council or its duly authorised Officer, you shall comply with the requirements of this notice.

Flammable material is defined for the purpose of this order to include bush (as defined in the Bush Fires Act), boxes, cartons, paper and like flammable materials, rubbish and also any combustible matter, but does not include green standing trees and plants in gardens or lawns.

The penalty for failing to comply with this notice is a fine of not less than \$80.00 or more than \$1000.00. A person in default is also 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. Council discourages the requirements of this notice to be carried out by burning, and urges owners or occupiers to attend to this task by rotary hoeing, cultivation or scarifying. However, should burning take place, it must be in accordance with the relevant provisions of the Bush Fires Act 1954.

Note—

Incinerators—Owners and/or occupiers of land within the City are advised that incinerators used for the burning of refuse are to be of an approved type and be in good condition. Open drums etc. are not acceptable.

Burning Off and Permits—Permits to burn are required during the restricted periods. No burning is permitted on days that the forecast is Very High or Extreme fire danger.

Restricted Burning Off Periods are—

2nd November to 14th December; inclusive
1st April to 30th April; inclusive

Total Fire Ban/Prohibited Burning Time is—15th December to 31st March; inclusive.

Further information regarding firebreak installation and other related matters can be obtained from Council's Patrol and Security Services on telephone 231 0699.

I. F. KINNER, Chief Executive/Town Clerk.

LG603**BUSH FIRES ACT 1954***Shire of Coorow*

Notice to All Owners and Occupiers of Land within the Shire of Coorow

Firebreaks

Pursuant to the powers contained in Section 33 of the Bush Fires Act, you are hereby required on or before 31 October 1996 to plough, scarify, cultivate or otherwise clear and thereafter keep clear of all inflammable material until 15 April 1997 firebreaks of not less than two (2) metres in width in the following positions on the land owned or occupied by you—

1. Inside and along the whole of the external boundaries of the property or properties owned or occupied by you.
2. Where buildings or haystacks are situated on the property, additional firebreaks not less than 3.5 metres in width must be provided within 100 metres of the perimeter of such buildings or haystacks, in such manner as to completely encircle the buildings, haystacks or fuel pumps.
3. Townsites: Coorow, Leeman and Green Head, all townsite lots must be cleared and kept clear of all accumulation or inflammable materials. (For the purpose of this notice, trees, shrubs and plants in established gardens do not constitute inflammable material).

If for any reason it is considered impracticable to provide firebreaks in the position required by this notice, the approval of the Chief Executive Officer must be obtained to construct such firebreaks in an alternative position.

Approval to any such variation will only be granted where the Bush Fire Control Officer for the area has first signified approval to the variation.

Penalty for non-compliance: \$1 000.

Council may, in default of compliance with this Order, enter upon the land and perform the requisite works and the owner or occupier shall be responsible for the costs of performing such works.

Note: Where the land is in the Warradarge bushfire brigade area, the fire breaks are to be 20.0 metres wide around scrub areas that are to be burnt.

By Order of the Council

S. N. HAZELDINE, Chief Executive Officer.

LG604**BUSH FIRES ACT 1954***Shire of Coorow*

Prohibited and Restrictive Burning Times

Pursuant to the powers contained in Section 17 and 18 of the above Act, it is hereby notified for public information—

	RESTRICTED PERIOD (Section 18)
Coastal portion—	(From Coast East to Mudge-Willcocks Road) —19 September 1996 to 29 March 1997
District Generally—	(Remainder) —16 September 1996 to 29 March 1997
Permits Required—	(All dates inclusive)

	PROHIBITED PERIOD (Section 17)
Coastal portion—	(From Coast East to Mudge-Willcocks Road) —1 November 1996 to 14 February 1997 (All dates inclusive)
	Permits required—Protective Burning Only
District generally—	(Remainder) —15 October 1996 to 14 February 1997 (All dates inclusive)
	Permits required—Protective Burning Only (Section 23)

Please Note—Permits for Protective Burning will not be issued in the Prohibited Period from 15 December 1996 to 14 February 1997
(All dates inclusive)

For further information please contact the Shire Office (099) 52 1103.

By Order of the Council

S. N. HAZELDINE, Chief Executive Officer.

MINERALS AND ENERGY

MN401

PETROLEUM (SUBMERGED LANDS) ACT 1967

Surrender of Exploration Permits WA-224-P, WA-225-P and WA-240-P

The surrenders of Exploration Permit Nos. WA-224-P, WA-225-P and WA-240-P have been registered and will take effect on the date this Notice appears in the *Government Gazette*.

IAN FRASER, Director Petroleum Operations Division.

PLANNING

PD101

CORRECTION

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

Town of Narrogin

District Planning Scheme No. 2—Amendment Nos. 5 & 6

Ref: 853/4/2/10, Pts. 5 & 6.

It is hereby notified for public information that the notice under the above Amendment Nos. 5 & 6 published at pages 4124 and 4125 of the *Government Gazette* No. 117 dated August 23, 1996, contained an error which is now corrected as follows—

For the words: Town Planning Scheme No 1A

Read: District Planning Scheme No 2

wherever they appear.

S. D. TINDALE, Chief Executive Officer.

PD401

TOWN PLANNING AND DEVELOPMENT ACT 1928

APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Canning

Town Planning Scheme No. 40—Amendment No. 40

Ref: 853/2/16/44, Pt. 40.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Canning Town Planning Scheme Amendment on August 21, 1996 for the purposes—

1. Rezone that portion of Lot 234 Eucalyptus Boulevard (Corner Banksia Esplanade), Canning Vale, currently zoned "Shopping" to "Residential R17.5/R40";
2. Rezone that portion of Lot 235 Eucalyptus Boulevard/Nicholson Road/Randford Road, Canning Vale, currently zoned "Residential R17.5/R40" to "Shopping"; and
3. Modify the Scheme Map such that the boundary of the additional uses permitted under Serial No. 25 of Appendix 5 of the City Zoning Scheme aligns with the common boundary between Lots 234 and 235.

M. S. LEKIAS, Mayor.

I. F. KINNER, Chief Executive Officer.

PD402

TOWN PLANNING AND DEVELOPMENT ACT 1928

APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Stirling

District Planning Scheme No. 2—Amendment No. 268

Ref: 853/2/20/34, Pt. 268.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Stirling Town Planning Scheme Amendment on August 21, 1996 for the purpose of rezoning Lots 23, 24 and 25 Sackville Terrace, Scarborough from "Private Institutions" to "Residential R40".

T. W. CLAREY, Mayor.

G. S. BRAY, Chief Executive Officer.

PD403**TOWN PLANNING AND DEVELOPMENT ACT 1928**
APPROVED TOWN PLANNING SCHEME AMENDMENT*City of Stirling*

District Planning Scheme No. 2—Amendment No. 282

Ref: 853/2/20/34, Pt. 282.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Stirling Town Planning Scheme Amendment on August 21, 1996 for the purpose of—

1. Rezoning Lots 37 & 41 H.Nos 469-477 Scarborough Beach Road, Osborne Park from "General Industrial" to "Special Use Zone—Industrial Showrooms and General Industrial".
2. Altering Schedule II of the Scheme by the addition thereto of the following—

Scarborough Beach Road	Portion of Swan Loc AUJ and being Lots 37 & 41 on Plan 6256.	Industrial Showrooms & General Industrial
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T. W. CLAREY, Mayor.
G. S. BRAY, Chief Executive Officer.

PD404**TOWN PLANNING AND DEVELOPMENT ACT 1928**
APPROVED TOWN PLANNING SCHEME AMENDMENT*City of Wanneroo*

Town Planning Scheme No. 1—Amendment No. 730

Ref: 853/2/30/1, Pt. 730.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Wanneroo Town Planning Scheme Amendment on August 21, 1996 for the purpose of recoding portions of Lots 962 and 79, corner of Marmion Avenue and Rochester Drive, Mindarie from Residential Development R20 to Residential Development R40.

A. V. DAMMERS, Mayor.
R. F. COFFEY, Chief Executive Officer.

PD405**TOWN PLANNING AND DEVELOPMENT ACT 1928**
APPROVED TOWN PLANNING SCHEME AMENDMENT*City of Wanneroo*

Town Planning Scheme No. 1—Amendment No. 749

Ref: 853/2/30/1, Pt. 749.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Wanneroo Town Planning Scheme Amendment on August 21, 1996 for the purpose of rezoning portion of Lot 1 Badgerup Road, Wangara from Rural to General Industrial.

A. V. DAMMERS, Mayor.
R. F. COFFEY, Chief Executive Officer.

PD406**TOWN PLANNING AND DEVELOPMENT ACT 1928**
SCHEME AMENDMENT AVAILABLE FOR INSPECTION*Shire of Busselton*

Town Planning Scheme No. 5—Amendment No. 415

Ref: 853/6/6/6, Pt. 415.

Notice is hereby given that the Shire of Busselton has prepared the abovementioned scheme amendment for the purpose of rezoning Sussex Location 4515 (Reserve 29933), corner of Clydebank Avenue & Queen Elizabeth Avenue, Fairlawn, from 'School' Zone to 'Recreation' Zone and rezoning portion of Lot 157 and portion of Sussex Location 4988 (Reserve 43248) Clydebank Avenue, Fairlawn, from 'Recreation' Zone as depicted on the Scheme Amendment Map.

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 11, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before October 11, 1996.

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

I. STUBBS, Chief Executive Officer.

PD407

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Chittering

Town Planning Scheme No. 5—Amendment No. 44

Ref: 853/3/4/5, Pt. 44.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Chittering Town Planning Scheme Amendment on August 25, 1996 for the purpose of adding to Schedule 2 of the Scheme Text—

Description of Site	Uses Permitted and Conditions of Use
Pt Swan Location 1372	Industry: Rural purpose and arts and crafts concrete products Conditions: as per Code of Practice (EPA) and Planning Consent specifications

S. METCALF, President.
R. P. HOOPER, Chief Executive Officer.

PD408

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Gingin

Town Planning Scheme No. 8—Amendment No. 44

Ref: 853/3/8/10, Pt. 44.

Notice is hereby given that the Shire of Gingin has prepared the abovementioned scheme amendment for the purpose of rezoning Lot 110 Mooliabeenee Road, Gingin, from 'Rural' to 'Horticulture' and by amending the Scheme Text and Map accordingly.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 7 Brockman Street, Gingin 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 11, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before October 11, 1996.

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

A. W. HORTIN, Chief Executive Officer.

PD409**TOWN PLANNING AND DEVELOPMENT ACT 1928**
APPROVED TOWN PLANNING SCHEME AMENDMENT*Shire of Lake Grace*

Town Planning Scheme No. 3—Amendment No. 1

Ref: 853/5/12/5, Pt. 1.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Lake Grace Town Planning Scheme Amendment on August 25, 1996 for the purpose of—

1. Modifying the Scheme Map to incorporate subdivision of Reserve 38580 and part of adjoining road reserve, and modifying Special Use zones to reflect that subdivision.
2. Deleting from Schedule 3 the Special Use listing for Reserve 38580 and replacing the listing with the following—

Identification of Site	Permitted Uses	Development Conditions
Lot 201	Caravan Park	Development to be in accordance with plans and management requirements approved by Council.
Lots 202, 203 & 204	Roadhouse, Motel & Tourist Purposes	Development is to be served with reticulated sewerage or an alternative effluent disposal system approved by the Health Department of WA and Council. Remnant vegetation is to be protected to satisfaction of Council.

P. P. TAYLOR, President.

J. K. McENCROE, Chief Executive Officer.

PD410**TOWN PLANNING AND DEVELOPMENT ACT 1928**
APPROVED TOWN PLANNING SCHEME AMENDMENT*Shire of Mundaring*

Town Planning Scheme No. 3—Amendment No. 13

Ref: 853/2/27/3, Pt. 13.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Mundaring Town Planning Scheme Amendment on August 21, 1996 for the purpose of—

1. Rezoning Portion Swan Location 12054 Cnr Gladstone Avenue and Marlbro Road, Swan View from "Public Purpose" and "not zoned" to "Special Purpose—Place of Worship".
2. Incorporating permissible uses, special provisions in Schedule 1 within the Scheme Text of Town Planning Scheme No. 3 being—
 - (a) the site layout and development shall generally be in accordance with the drawing numbered 95/16 modified to the satisfaction of the Manager, Planning and Development of Council'
 - (b) the only use that is permitted with the special approval of Council ("AA") is a "place of worship"; incidental ("IP") uses may be permitted if it is determined by Council that a use is incidental to a "place of worship" and is approved as such by Council;
 all other uses are not permitted;

R. P. DULLARD, President.

M. N. WILLIAMS, Chief Executive Officer.

PD411**TOWN PLANNING AND DEVELOPMENT ACT 1928**
APPROVED TOWN PLANNING SCHEME AMENDMENT*Shire of Murray*

Town Planning Scheme No. 4—Amendment No. 95

Ref: 853/6/16/7, Pt. 95.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Murray Town Planning Scheme Amendment on August 25, 1996 for the purpose of adding Clause 13.2.3 to Town Planning Scheme No. 4 to read as specified below—

13.2.3 DELEGATION OF DEVELOPMENT CONTROL POWERS

- 13.2.3.1 The Council may, either generally, or in a particular case by resolution passed by an absolute majority of the Council, delegate to an officer or officers of the Council the authority to make decisions on applications for development approval made under this Scheme.

- 13.2.3.2 The delegation of authority made by the Council pursuant to the preceding subclause hereof shall have effect for the period of twelve (12) months following the resolution, unless the Council stipulates a lesser or greater period in the resolution.
- 13.2.3.3 A delegation of authority pursuant to the provisions of this clause has effect and may be exercised according to its tenor, but is revocable at the will of the Council and does not preclude the Council from exercising the power. The performance of a function by a delegate under subclause 13.2.3.1 shall be deemed to be the performance of the function by the Council in all circumstances where the Council is able to delegate its powers.
- 13.2.3.4 Without affecting the generality of the provisions of this clause, where in the exercise of any power under this Scheme the Council is required to form any opinion or view or have any state of mind or to consider or have due regard to any matter, then that requirement shall be satisfied if a committee or person exercising delegated authority in respect of that power performs the function.
- 13.2.5 A resolution to revoke or amend a delegation under this clause does not require an absolute majority.
- 13.2.6 The relevant officer or officers exercising the power delegated pursuant to the provisions of this clause shall comply with the provisions of the Scheme governing the exercise of the power by the Council, in so far as such provisions are reasonably applicable.

N. H. NANCARROW, President.
D. A. McCLEMENTS, Chief Executive Officer.

PD412

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Swan

Town Planning Scheme No. 9—Amendment No. 271

Ref: 853/2/21/10, Pt. 271.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Swan Town Planning Scheme Amendment on August 21, 1996 for the purpose of—

1. Rezoning from Residential 2 to Residential 1 and amending the R Code from R60 to R20 for—
Lot 141 Kerwin Way, and
Lot 177 Sturtridge Road, Lockridge;
2. Rezoning from Residential 2 to Residential 1 and amending the R Code from R60 to R30 for—
Lot 162 Diana Crescent,
Lot 76 Kerwin Way,
Lot 160 Jennings Way,
Lot 146 Jennings Way,
Lot 186 Rosher Road,
Lot 316 Scanlon Way,
Lot 333 Scanlon Way, and
Lot 314 Thorson Way, Lockridge;
3. Rezoning from Residential 2 to Residential 1 and amending the R Code from R60 to R35 for
Lot 306 Scanlon Way, Lockridge;
4. Rezoning from Residential 3 to Residential 1 and amending the R Code from R80A to R20 for
Lot 176 Rosher Road, Lockridge;
5. Rezoning from Residential 3 to Residential 1 and amending the R Code from R80A to R30 for—
Lot 84 and Pt Lot 85 Kerwin Way,
Lot 121 Jennings Way,
Lot 44 Bradley Way,
Lot 55 Bradley Way,
Lot 66 Bradley Way,
Lot 216 Arbon Way,
Lot 215 Lupton Way,
Lots 159-164 inc. Braithwaite Road,
Lots 158, 142-146 inc., 101-107 inc., 115 and 116 Bradley Way,
Lots 153-157 inc., 121-126 inc., 130-136 inc., 147-151 inc. Romani Court,
Lots 127-129 inc. Aman Place,
Lots 108-114 inc., 117-120 inc., 137-141 inc. Sinai Place,
Lots 432-441 inc., 449 Korbosky Road,
Lots 471-477 inc. Gamage Way,
Lot 460 Sanford Court/Gamage Way,
Lots 442-448 inc., 450-458 inc., 461-467 inc. Sanford Court,
Lots 401, 430, 431 McLeod Street,
Lots 402-406 inc., 417-429 inc. Yannarie Close, and
Lots 407-416 Yalgar Place, Lockridge;

6. Rezoning from Residential 3 to Residential 1 and amending the R Code from R80A to R35 for—

Lot 111 Rosher Road, and
Lot 319 Thorson Way, Lockridge;

as depicted in the Scheme Amendment Map.

C. M. GREGORINI, President.
A. C. FREWING, Chief Executive Officer.

PD413

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Wyndham-East Kimberley

Town Planning Scheme No. 6—Amendment No. 8

Ref: 853/7/5/8, Pt. 8.

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

1. Rezoning portion of Wyndham Lot 1275 being Lot 3 on Plan 18875 and being the whole of the land contained in Certificate of Title Volume 1945, Folio 590 from Parks and Recreation and a small area of Industrial zoning, to Zoological Gardens and Ancillary Purposes on the west side of Barytes Road and Residential on the east side of Barytes Road.

2. Adding Appendix No. 4 Special Sites

Use	Lot	Location
Zoological Gardens and ancillary purposes that Council deems appropriate.	3	Barytes Road, West side

3. Adopting the Policy Statement as prescribed in this Amendment.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Coolibah Drive, Kununurra and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including October 11, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before October 11, 1996.

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

A. HAMMOND, Chief Executive Officer.

PD414

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Yalgoo

Town Planning Scheme No. 1—Amendment No. 2

Ref: 853/9/8/1, Pt. 2.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Yalgoo Town Planning Scheme Amendment on August 25, 1996 for the purpose of rezoning Lots 173-178 Gibbons Street, Yalgoo, from 'Residential' to 'Commercial'.

J. H. MORRISSEY, President.
A. J. GERTENBACH, Chief Executive Officer.

PD501

METROPOLITAN REGION TOWN PLANNING SCHEME ACT
METROPOLITAN REGION SCHEME—S.33 AMENDMENT
RURAL GROUNDWATER CATCHMENT PROTECTION ZONE
CALL FOR PUBLIC SUBMISSIONS

Amendment No: 981/33.

File No: 809-2-1-47.

The Western Australian Planning Commission intends to amend the Metropolitan Region Scheme and is seeking public comment.

The purpose of Amendment No. 981/33 is to give statutory effect in the Metropolitan Region Scheme (MRS), to some of the recommendations of the Select Committee on Metropolitan Development and Groundwater Supplies through the introduction of a new "Rural Groundwater Catchment Protection" zone, located over the capture areas of the existing wellfield and its proposed extension on the Jandakot Groundwater Mound. The amendment also proposes the extension of the "Water Catchments" reservation over Crown Land, within the area.

The procedure for amending the Scheme, as set out in section 33 of the Metropolitan Region Town Planning Scheme Act, is to be used to advertise this proposal. Public submissions are invited and the amendment will eventually be put to Parliament for final approval. In accordance with the procedure in section 33, the Hon Minister for Planning has approved the amendment for public display and for the calling of submissions.

Copies of the maps showing the proposed changes to the zones and reservations of the Scheme and other information, is available for the public inspection at each of the places listed hereunder.

The amending plan numbered 1.3535 is available for inspection from Monday 12 August 1996 to Friday 15 November 1996 at each of the following places—

- (a) Ministry for Planning
1st Floor Albert Facey House
469-489 Wellington Street
Perth WA 6000
- (b) Council Offices of the municipalities of—
 - (i) City of Perth
Westralia Square
141 St Georges Terrace
Perth WA 6000
 - (ii) City of Fremantle
Cnr Newman & William Street
Fremantle WA 6160
 - (iii) City of Canning
1317 Albany Highway
Cannington WA 6107
 - (iv) City of Armadale
7 Orchard Avenue
Armadale WA 6112
 - (v) City of Cockburn
9 Coleville Crescent
Spearwood WA 6163
 - (vi) Town of Kwinana
Gilmore Avenue
Kwinana WA 6167
 - (vii) Shire of Serpentine-Jarrahdale
6 Paterson Road
Mundijong WA 6202
 - (viii) City of Gosnells
1317 Albany Highway
Gosnells WA 6110
- (c) J S Battye Library
Alexander Library Building
Cultural Centre
Francis Street
Northbridge WA 6003

Any person who desires to make a submission either supporting or objecting to any provisions of the proposed amendment may do so on the Form 6A. Submission forms are available on request from the display locations and must be lodged with the—

Secretary
Western Australian Planning Commission
469-489 Wellington Street
Perth WA 6000

on or before 4.30pm Friday 15 November 1996.

PETER MELBIN, Secretary,
Western Australian Planning Commission.

PD701

TOWN PLANNING AND DEVELOPMENT ACT 1928

APPROVED TOWN PLANNING SCHEME

Shire of Sandstone

Town Planning Scheme No. 1

Ref: 853/9/2/2.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Sandstone Town Planning Scheme No. 1 on August 25, 1996—the Scheme Text of which is published as a Schedule annexed hereto.

R. C. BIGGS, President.
G. M. RIPEPI, Chief Executive Officer.

Schedule
SHIRE OF SANDSTONE
TOWN PLANNING SCHEME No. 1

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

SCHEME TEXT
ARRANGEMENT

Part 1—Preliminary

- 1.1 Citation
- 1.2 Responsible Authority
- 1.3 Scheme Area
- 1.4 Contents of Scheme
- 1.5 Arrangement of Scheme Text
- 1.6 Scheme Objectives
- 1.7 Interpretation

Part 2—Zones

- 2.1 Zones
- 2.2 Zoning Table
- 2.3 Special Use Zones

Part 3—Development Requirements

- 3.1 Development of Land
- 3.2 Discretion to Modify Development Standards
- 3.3 Residential Development—Residential Planning Codes
- 3.4 Objectives for Zones
- 3.5 Site Requirements
- 3.6 Home Occupation

Part 4—Non-conforming Uses

- 4.1 Non-conforming Use Rights
- 4.2 Extension of Non-conforming Use
- 4.3 Change of Non-conforming Use
- 4.4 Discontinuance of Non-conforming Use
- 4.5 Destruction of Buildings

Part 5—Heritage—Precincts and Places of Cultural Significance

- 5.1 Purpose and Intent
- 5.2 Heritage List
- 5.3 Designation of Heritage Precincts
- 5.4 Applications for Planning Consent
- 5.5 Formalities of Application
- 5.6 Variations to Scheme Provisions

Part 6—Planning Consent

- 6.1 Application for Planning Consent
- 6.2 Advertising of Application
- 6.3 Determination of Application
- 6.4 Deemed Refusal

Part 7—Administration

- 7.1 Powers of the Scheme
- 7.2 Offences
- 7.3 Act—Removal of Certain Buildings etc
- 7.4 Claims for Compensation
- 7.5 Appeals
- 7.6 Power to make Policies

SCHEDULES

1. Interpretations
2. Special Use Zones

PART 1—PRELIMINARY

1.1 Citation This Town Planning Scheme may be cited as the Shire of Sandstone Town Planning Scheme No. 1 hereinafter called “the Scheme” and shall come into operation on the publication of the Scheme in the *Government Gazette*.

1.2 Responsible Authority The Authority responsible for implementing the Scheme is the Council of the Shire of Sandstone hereinafter called “the Council”.

1.3 Scheme Area The Scheme applies to the whole of the land within the Municipal District of the Shire of Sandstone hereinafter called “the Scheme Area”.

1.4 Contents of Scheme The Scheme comprises:

- (a) this Scheme Text
- (b) the Scheme Map

1.5 Arrangement of Scheme Text The Scheme Text is divided into the following parts:

- PART 1—PRELIMINARY
- PART 2—ZONES
- PART 3—DEVELOPMENT REQUIREMENTS
- PART 4—NON-CONFORMING USES
- PART 5—HERITAGE AND ITS ASSESSMENT
- PART 6—PLANNING CONSENT
- PART 7—ADMINISTRATION

1.6 Scheme Objectives The objectives of the Scheme are:

- (a) to zone the Scheme Area for the purposes described in the Scheme;
- (b) to secure the amenity health and convenience of the Scheme Area and the residents thereof;
- (c) to make provisions as to the nature and location of buildings and the size of lots when used for certain purposes;
- (d) the preservation of places of natural beauty, of historic buildings, and objects of historical and scientific interest; and
- (e) to make provision for other matters necessary or incidental to Town Planning and housing.

1.7 Interpretation

1.7.1 Except as provided in Clauses 1.7.2 and 1.7.3 the words and expressions of the Scheme have their normal and common meaning.

1.7.2 In the Scheme unless the context otherwise requires, or unless it is otherwise provided herein, words and expressions have the respective meanings given to them in Schedule 1 and the Residential Planning Codes.

1.7.3 Where a word or term is defined in the Residential Planning Codes then notwithstanding anything else in the Scheme that word or term when used in respect of residential development has the meaning given to it in the Residential Planning Codes.

PART 2—ZONES

2.1 Zones

2.1.1 There are hereby created the several zones set out hereunder:

- TOWNSITE
- RECREATION AND COMMUNITY
- INDUSTRIAL
- PASTORAL AND MINING
- SPECIAL USE

2.1.2 The zones are delineated and depicted in the Scheme Map according to the legend thereon.

2.1.3 Land located outside the broken black border on the Scheme Map is zoned "Pastoral and Mining" and falls under the provisions of the Pastoral and Mining zone of the Scheme.

2.2 Zoning Table

2.2.1 The Zoning Table indicates, subject to the provisions of the Scheme, the several uses permitted in the Scheme Area in the various zones, such uses being determined by cross reference between the list of uses on the left hand side of the Zoning Table and the list of zones at the top of the Zoning Table.

2.2.2 The symbols used in the cross reference in the Zoning Table have the following meaning:

"P" means that the use is permitted provided it complies with the relevant standards and requirements laid down in the Scheme and all conditions (if any) imposed by the Council in granting planning consent.

"AA" means that the Council may, at its discretion, permit the use.

2.2.3 Where no symbol appears in the cross reference of a use against a zone in the Zoning Table that use is not permitted in that zone.

2.2.4 Where in the Zoning Table a particular use is mentioned it is deemed to be excluded from any other use which by its more general terms might otherwise include such particular use.

2.2.5 If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use categories the Council may:

- (a) determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted; or
- (b) determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow the advertising procedures of Clause 6.2 in considering an application for planning consent.

2.2 Special Use Zones No person shall use any land or any building or structure in a Special Use Zone except for the purpose specified against the description of such land in Schedule 2 to the Scheme.

TABLE 1
ZONING TABLE

		T O W N S I T E	R E C R E A T I O N & C O M M U N I T Y	I N D U S T R I A L	P A S T O R A L & M I N I N G
USES					
1	aged or dependent persons dwelling	AA			
2	caretaker's dwelling	AA	AA	AA	AA
3	civic building	AA	AA		
4	consulting rooms	AA			
5	fuel depot			P	AA
6	grouped dwelling—mining	AA		AA	AA
7	grouped dwelling—pastoral				P
8	home occupation	AA		AA	AA
9	hotel	P			
10	industry—extractive				P
11	industry—general			AA	
12	industry—noxious				AA
13	motel	P			
14	office	AA		AA	
15	public recreation	AA	P	AA	AA
16	residential building	AA			
17	service station	AA		P	AA
18	shop	P			
19	single house	P			P
20	transport depot			P	AA

PART 3—DEVELOPMENT REQUIREMENTS

3.1 Development of Land

3.1.1 Subject to Clause 3.1.2 a person shall not commence or carry out development of any land zoned under the Scheme without first having applied for and obtained the planning consent of the Council under the Scheme.

3.1.2 The planning consent of the Council is not required for the following development of land:

- the erection of a boundary fence except as otherwise required by the Scheme;
- the carrying out of any works on, in, over or under a street or road by a public authority acting pursuant to the provisions of any Act;
- the carrying out of works for the maintenance, improvement or other alteration of any building, being works which affect only the interior of the building or which do not materially affect the external appearance of the building; or
- the carrying out of works urgently necessary for public safety or for the safety or security of plant or equipment or for the maintenance of essential services.

3.2 Discretion to Modify Development Standards If a development, other than a residential development, and which is the subject of an application for planning consent does not comply with a standard or requirement prescribed by the Scheme with respect to that development the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit. The power conferred by this Clause may only be exercised if the Council is satisfied that:

- approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality;
- the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality; and

- (c) the spirit and purpose of the requirement or standard will not be unreasonably departed from thereby.

3.3 Residential Development: Residential Planning Codes

3.3.1 For the purpose of the Scheme "Residential Planning Codes" means the Residential Planning Codes set out in Appendix 2 to the Statement of Planning Policy No. 1, together with any amendments thereto (hereinafter called the "R Codes").

3.3.2 A copy of the R Codes, as amended, shall be kept and made available for public inspections at the offices of the Council.

3.3.3 Unless otherwise provided for in the Scheme the development of land for any of the residential purposes dealt with by the R Codes shall conform to the provisions of those Codes.

3.3.4 The R Code density applicable to land within the residential zone shall be R10. Any variation from this density shall be shown on the Scheme Map.

3.4 Objectives for Zones

3.4.1 Townsite Zone

The objective of the Council is to provide in the townsite zone for a range of uses which might be anticipated as suitable for location in a small country town.

The zoning table provides for a range of such uses, and applications for planning consent will be considered by the Council having regard for impacts on local amenities and the requirements of the Scheme.

3.4.2 Recreation and Community Zone

This zone is to provide for the major recreation facilities in and around the Sandstone townsite, the nursing post, WAWA depot, and primary school.

It is the objective of the Council that similar uses established in the town be located in this zone.

3.4.3 Industrial Zone

The objective of the Council is to provide for a range of general industrial uses which may be located in the town. The area contained in the industrial zone in the Scheme is now substantially subdivided. The Council will encourage amalgamation of lots to ensure adequate lot sizes for industrial uses.

3.4.4 Pastoral and Mining Zone

- (a) Grouped dwellings—pastoral do not require the planning consent of the Council. But planning consent is required under the Scheme for grouped dwellings—mining.
- (b) In considering applications for planning consent for grouped dwellings—mining the Council will be mindful of its objective for controlling such developments.

The Council's objective is to ensure that all residential development associated with mining projects, (especially single persons' quarters) that is, or is proposed to be, within 40 kilometres of Sandstone townsite, is located within the town boundary. The intention is to help consolidate all existing development within the Shire and to help offset the costs of servicing isolated communities.

The Council will give special consideration to applications for extensions to existing developments within the 40 kilometre distance, and where the applicant can justify, to the Council's satisfaction, that such sitings within a townsite would not be appropriate or feasible.

- (c) Where the Council permits the establishment of a grouped housing—mining development not within a townsite, it shall require the applicant to survey the area to enable the site to be properly defined to allow the Valuer General's Office to impose a Gross Rental Value on that portion of the lot.

3.4.5 Special Use Zones

The objective of the Council is for uses which may affect local amenities through size and scale, or the nature of the use, to be located in a Special Use Zone to be created by an amendment to the Scheme.

3.5 Site Requirements The site building requirements for land in various zones shall be:

- (a) Townsite zone: as in the R Codes.
- (b) Recreation and Community Zone: at the discretion of the Council.
- (c) Industrial Zone: 7.5 metres to street and rear boundaries, may be reduced to 0 metres on side boundaries; where a lot has frontage to two streets the Council may reduce the setback from one only of those streets to not less than 3.5 metres.
- (d) Pastoral and Mining Zone: at the discretion of the Council.
- (e) Special Use Zones: at the discretion of the Council.

3.6 Home Occupation

3.6.1 A planning consent to conduct a home occupation is issued to a specific occupier of a particular parcel of land, it shall not be transferred or assigned to any other person, and shall not be transferred from the land in respect of which it was granted. Should there be a change of the occupier of the land in respect of which planning consent for a home occupation is issued the planning consent is cancelled.

3.6.2 If, in the opinion of the Council, a home occupation is causing a nuisance or annoyance to owners or occupiers of land in the locality the Council may rescind the planning consent.

PART 4—NON-CONFORMING USES

4.1 Non-conforming Use Rights No provision of the Scheme shall prevent:

- (a) the continued use of any land or building for the purpose for which it was being lawfully used at the gazettal date of the Scheme; or
- (b) the carrying out of any development thereon for which, immediately prior to that time, a permit or permits, lawfully required to authorize the development to be carried out, were duly obtained and are current.

4.2 Extension of Non-conforming Use A person shall not alter or extend a non-conforming use or erect alter or extend a building used in conjunction with a non-conforming use without first having applied for and obtained the planning consent of the Council under the Scheme and unless in conformity with any other provisions and requirements contained in the Scheme.

4.3 Change of Non-conforming Use Notwithstanding anything contained in the Zoning Table the Council may grant its planning consent to the change of use of any land from a non-conforming use to another use if the proposed use is, in the opinion of the Council, less detrimental to the amenity of the locality than the non-conforming use and is, in the opinion of the Council, closer to the intended uses of the zone.

4.4 Discontinuance of Non-conforming Use

4.4.1 When a non-conforming use of any land or building has been discontinued for a period of six months or more such land or building shall not thereafter be used otherwise than in conformity with the provisions of the Scheme.

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

4.5 Destruction of Buildings If any building is, at the gazettal date, being used for a non-conforming use, and is subsequently destroyed or damaged to an extent of 75% or more of its value the land on which the building is built shall not thereafter be used otherwise than in conformity with the Scheme, and the building shall not be repaired or rebuilt altered or added to for the purpose of being used for a non-conforming use or in a manner or position not permitted by the Scheme.

PART 5—HERITAGE—PRECINCTS AND PLACES OF CULTURAL SIGNIFICANCE

5.1 Purpose and Intent: The purpose and intent of the heritage provisions is:

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

5.2 Heritage List

5.2.1 The Council shall establish and maintain a Heritage List of buildings, objects, structures and places considered by the Council to be of heritage significance and worthy of conservation.

5.2.2 For the purposes of this part, the Heritage List means the Municipal Inventory, as amended from time to time, prepared by the Council pursuant to Section 45 of the Heritage of Western Australia Act 1990 (as amended), or such parts thereof as described in the Heritage List.

5.2.3 The Council shall keep copies of the Heritage List with the Scheme documents for public inspection during normal office hours.

5.3 Designation of Heritage Precincts

5.3.1 The Council may designate an area of land to be a Heritage Precinct where, in the opinion of the Council, special planning control is needed to conserve and enhance the heritage values and character of the area.

5.3.2 The Council shall adopt for each Heritage Precinct a policy statement which shall comprise:

- (a) a map showing the boundaries of the precinct;
- (b) a list of any buildings, objects, structures or places of heritage significance; and
- (c) objectives and guidelines for the conservation of the precinct.

5.3.3 The Council shall keep a copy of the policy statement for any designated Heritage Precinct with the Scheme documents for public inspection during normal office hours.

5.3.4 The procedure to be followed by the Council in designating a Heritage Precinct shall be as follows:

- (a) the Council shall advertise the proposal by way of a notice in a newspaper circulating in the district, by the erection of a sign in a prominent location in the area affected by the designation, by the serving of notice of the proposal on the owners and/or occupiers of land in the area affected by the designation, and by such other methods as the Council consider necessary to ensure widespread notice of the proposal, describing the area subject of the proposed designation;
- (b) the Council shall invite submissions on the proposal within 28 days of the date specified in the notice referred to in (a) above;
- (c) the Council shall carry out such other consultations as it thinks fit;
- (d) the Council shall consider any submissions made and resolve to designate the heritage precinct with or without modification or reject the proposal after consideration of submissions;
- (e) the Council shall forward notice of its decision to the Heritage Council of WA and the Commission.

5.3.5 The Council may modify or may cancel a Heritage Precinct or any policy statement which relates to it by following the procedure set out in Clause 5.3.4.

5.4 Applications for Planning Consent

5.4.1 In dealing with any matters which may affect a Heritage Precinct or individual entry on the Heritage List, including any application for planning consent, the Council shall have regard to any heritage policy of the Council.

5.4.2 The Council may, in considering any application that may affect a Heritage Precinct or individual entry on the Heritage List, solicit the views of the Heritage Council of WA, the National Trust of Australia (WA) and those of any other relevant bodies, and take those views into account when determining the application.

5.4.3 Notwithstanding any existing assessment on record, the Council may require a heritage assessment to be carried out prior to the approval for any development proposed in a Heritage Precinct or individual entry listed on the Heritage List.

5.5 Formalities of Application

5.5.1 In addition to the application formalities prescribed in Clause 5.4 and any formalities or requirements associated with applications for development approval contained in any other provision of the Scheme, the Council may require an applicant for development approval, where the proposed development may affect a place of cultural heritage significance or a Heritage Precinct, to provide one or more of the following to assist the Council in its determination of the application:

- (a) street elevations drawn to a scale not smaller than 1:100 showing the proposed development and the whole of the existing development on each lot immediately adjoining the land the subject of the application, and drawn as one continuous elevation;
- (b) in addition to a site plan, a plan of the proposed development site showing existing and proposed ground levels over the whole of the land the subject of the application, and the location, type and height of all existing structures and of all existing vegetation exceeding 2 metres in height, and marking any existing structures and vegetation proposed to be removed; such plan shall be drawn to the same scale as the site plan;
- (c) a detailed schedule of all finishes, including materials and colours of the proposed development, and unless the Council exempts the applicant from the requirement or any part of it, the finishes of the existing developments on the subject lot and on each lot immediately adjoining the subject lot; and
- (d) any other information which the Council indicates that it considers relevant.

5.6 Variations to Scheme Provisions

5.6.1 Where desirable to facilitate the conservation of a place, area, building, object or structure of heritage value, or to enhance or preserve heritage values, the Council may vary any provision of the Scheme provided that, where in the opinion of the Council the variation of a provision is likely to affect any owners or occupiers in the general locality or adjoining the site which is the subject of consideration for variation, the Council shall:

- (a) consult the affected parties by following one or more of the provisions dealing with advertising pursuant to Clause 6.2.3; and
- (b) have regard to any expressed views prior to making its decision to grant the variation.

5.6.2 In granting variations under sub-clause 5.6.1 the Council may enter into a heritage agreement under Part 4 of the Heritage of Western Australia Act 1990 (as amended) with an owner who would benefit from the variation. The agreement may specify the owner's obligations and contain memorials noted on relevant Certificates of Title.

PART 6—PLANNING CONSENT

6.1 Application for Planning Consent Every application for planning consent shall be made in the form prescribed by the Council and in accordance with the directions thereon.

6.2 Advertising of Applications

6.2.1 Where an application is made for planning consent to commence or carry out development which involves an "AA" use, or for any other development which requires the planning consent of the Council, the Council may give notice of the application in accordance with the provisions of this Clause.

6.2.2 Where the Council decides to give notice of an application for planning consent the Council shall cause one or more of the following to be carried out:

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

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

6.3 Determination of Application

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

6.3.2 The Council having regard to any matter which it is required by the Scheme to consider, to the purpose for which the land is zoned or approved for the use under the Scheme, to the purpose for which land in the locality is used, and to the orderly and proper planning of the locality and the preservation of the amenities of the locality, may refuse to approve any application for planning consent or may grant its approval unconditionally or subject to such conditions as it thinks fit.

6.3.3 Where the Council approves an application for planning consent under the Scheme the Council may limit the time for which that consent remains valid.

6.4 Deemed Refusal

6.4.1 Where the Council has not within sixty days of the receipt by it of an application for planning consent either conveyed its decision to the applicant or given notice of the application in accordance with Clause 6.2 the application may be deemed to have been refused.

6.4.2 Where the Council has given notice of an application for planning consent in accordance with Clause 6.2 and where the Council has not within ninety days of receipt by it of the application conveyed its decision to the applicant, the application may be deemed to have been refused.

6.4.3 Notwithstanding that an application for planning consent may be deemed to have been refused under Clauses 6.4.1 or 6.4.2 the Council may issue a decision in respect of the application at any time after the expiry of the sixty day or ninety day period specified in those Clauses, as the case may be.

PART 7—ADMINISTRATION

7.1 Powers of the Scheme In implementing the Scheme the Council has, in addition to all other powers vested in it, the following powers:

- (a) the Council may enter into any agreement with any owner, occupier or other person having an interest in land affected by the provisions of the Scheme in respect of any matters pertaining to the Scheme.
- (b) the Council may acquire any land or buildings pursuant to the provisions of the Scheme or the Act.
- (c) the Council may deal with or dispose of any land which it has acquired pursuant to the Scheme or the Act in accordance with law and for such purpose may make such agreements with other owners as it considers fit.
- (d) an officer of the Council, authorized by the Council for the purpose, may at all reasonable times enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed.
- (e) the Council may require a proponent for planning consent to pay the costs of the advertising of the proposal under Clause 6.2 of the Scheme.

7.2 Offences

7.2.1 A person shall not erect, alter or add to or commence to erect, alter or add to a building or use or change the use of any land, building or part of a building for any purpose:

- (a) otherwise than in accordance with the provisions of the Scheme;
- (b) unless all consents required by the Scheme have been granted and issued;
- (c) unless all conditions imposed upon the grant and issue of any consent required by the Scheme have been and continue to be complied with; and
- (d) unless all standards laid down and all requirements prescribed by the Scheme or determined by the Council pursuant to the Scheme with respect to that building or that use of that part have been and continue to be complied with.

7.2.2 A person who fails to comply with any of the provisions of the Scheme is guilty of an offence and without prejudice to any other remedy given herein is liable to the penalties prescribed by the Act.

7.3 Act—Removal of Certain Buildings etc.

7.3.1 Twenty eight (28) days written notice is hereby prescribed as the notice to be given pursuant to Section 10 of the Act.

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

7.4 Claims for Compensation Except where otherwise provided in the Scheme, the time limit for the making of claims for compensation pursuant to Section 11(1) of the Act is six (6) months after the gazettal date.

7.5 Appeals An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Act.

7.6 Power to Make Policies

7.6.1 In order to achieve the objectives of the Scheme, the Council may make Town Planning Scheme Policies relating to parts or all of the Scheme Area and relating to one or more of the aspects of the control of development.

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

- (a) the Council having prepared and having resolved to adopt a draft Town Planning Scheme Policy, shall advertise a summary of the draft Policy once a week for two consecutive weeks in a newspaper circulating in the Scheme Area giving details of where the draft Policy may be inspected and where, in what form, and during what period (being not less than twenty-one days) representations may be made to the Council.
- (b) the Council shall review its draft Town Planning Scheme Policy in the light of any representations made and shall then decide to finally adopt the draft Policy with or without amendment, or to not proceed with the draft Policy.
- (c) following final adoption of a Town Planning Scheme Policy, details thereof shall be advertised publicly and a copy kept with the Scheme for inspection during normal office hours.

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

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

7.6.4 A Town Planning Scheme Policy shall not bind the Council in respect of any application for planning consent but before making its decision the Council shall take into account the provisions of the Policy and objectives which the Policy was designed to achieve.

SCHEDULE 1

INTERPRETATIONS

abattoir: means land and buildings used for the slaughter of animals for human consumption and the treatment of carcasses, offal and by-products.

Act: means the Town Planning and Development Act, 1928 (as amended).

advertisement: means any word, letter, model, sign, placard, board, notice device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and includes any hoarding or similar structure used, or adapted for use, for the display of advertisements.

amusement facility: means land and buildings, open to the public, used for not more than two amusement machines where such use is incidental to the predominant use.

amusement machine: means any machine, game or device whether mechanical or electronic or a combination of both operated by one or more players for amusement and recreation.

amusement parlour: means any land or building, open to the public, where the predominant use is amusement by amusement machines and where there are more than two amusement machines operating within the premises.

aquaculture: means any fish farming operation for which a fish farm licence issued pursuant to the provisions of Part V of the Fisheries Act 1905 (as amended) and the Fisheries Regulations 1938 (as amended) is required.

battle-axe lot: means a lot having access to a public road by means of an access strip included in the Certificate of Title of that lot.

building envelope: means an area of land within a lot marked on a plan within which all buildings on the lot must be contained.

camping area: means land used for the lodging of persons in tents or other temporary shelter.

caravan park: means an area of land specifically set aside for the parking of caravans and park homes or for the erection of camps on bays or tent sites allocated for that purpose.

caretaker's dwelling: means a building used as a dwelling by a person having the care of the building, plant, equipment or grounds associated with an industry, business, office or recreation area carried on or existing on the same site.

civic building: means a building designed, used or intended to be used by a public authority or the Council as offices or for administrative or other like purpose.

civic use: means land and buildings used by a public authority or the Council, for administrative, recreational or other purpose.

club premises: means land and buildings used or designed for use by a legally constituted club or association or other body of persons united by a common interest whether such building or premises be licensed under the provisions of the Liquor Licensing Act, 1988 (as amended) or not and which building or premises are not otherwise classified under the provisions of the Scheme.

Commission: means the Western Australian Planning Commission constituted under the Western Australian Planning Commission Act 1985 (as amended).

conservation: means, in relation to any place or heritage precinct, the management of that place or precinct in a manner that will:

- (a) enable the cultural heritage significance of that place or precinct to be retained; and
- (b) yield the greatest sustainable benefit for the present community without diminishing the cultural heritage significance of that place or precinct, and may include the preservation, stabilization, protection, restoration, reconstruction, adaptation and maintenance of that place or precinct in accordance with relevant professional standards, and the provision of an appropriate visual setting.

consulting rooms: means a building (other than a hospital or medical centre) used by practitioners who are legally qualified medical practitioners or dentists, physiotherapists, chiropractors or persons ordinarily associated with a practitioner in the prevention or treatment of physical or mental injuries or ailments, and the practitioners may be of the one profession or any combination of professions or practices.

cultural heritage significance: means, in relation to a place or heritage precinct, the relative value which that place or precinct has in terms of its aesthetic, historic, scientific or social significance, for the present community and future generations.

development: shall have the same meaning given to it in and for the purposes of the Act but shall also include in relation to any building, object, structure or place entered in the Heritage List or contained within a heritage precinct, any act or thing that:

- (a) is likely to change the character of the place or the external appearance of any building; or
- (b) would constitute an irreversible alteration to the fabric of any building.

District: means the Municipal District of the Shire of Sandstone.

dog kennels: means land and buildings used for the boarding and breeding of dogs where such premises are registered or required to be registered by the Council; and may include the sale of dogs where such use is incidental to the predominant use.

educational establishment: means a school or other educational centre, but does not include a reformatory.

fuel depot: means any land or building used for the storage and sale in bulk of solid, liquid, or gaseous fuel, but does not include a service station and specifically excludes the sale by retail into the final users vehicle of such fuel from the premises.

gazettal date: means the date of which notice of the Minister's approval of this Scheme is published in the *Government Gazette*.

grouped dwellings—mining: means a dwelling which is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate otherwise, used or intended to be used for the accommodation of persons working on a mine.

grouped dwellings—pastoral: means a dwelling which is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate otherwise, used for accommodation of persons who primarily work on the agricultural activities of an operating pastoral property.

heritage precinct: means a precinct of heritage value having a distinctive nature, which may contain elements of only minor individual significance but heightened collective significance, and within whose boundaries controls may be necessary to retain and enhance its character.

heritage list: means the Municipal Inventory, as amended from time to time, prepared by the Council pursuant to Section 45 of the Heritage of Western Australia Act 1990 (as amended), or such parts thereof as described in the Heritage List.

hobby farm: means the use of land for the agistment of horses, the growing of vegetables, fruit and flowers and the keeping of domestic poultry for private use only and not for commercial purposes or sale and shall include any buildings normally associated therewith.

home occupation: means a business or activity carried out within a dwelling or the curtilage of a dwelling by a person resident therein or within a domestic outbuilding by a person resident in the dwelling to which it is appurtenant that:

- (a) entails the conduct of a business, office, a workshop only, and does not entail the retail sale or display of goods of any nature;
- (b) does not cause injury to or prejudicially affect the amenity of the neighbourhood;
- (c) does not detract from the residential appearance of the dwelling or domestic outbuilding;
- (d) does not entail employment of any person not a member of the occupier's household;
- (e) does not occupy an area greater than 20m²;
- (f) does not display a sign exceeding 0.2m² in area;
- (g) in the opinion of the Council is compatible with the principal uses to which land in the zone in which it is located may be put;
- (h) will not result in the requirement for a greater number of parking facilities than normally reserved for a single dwelling, and will not result in a substantial increase in the amount of vehicular traffic in the vicinity;
- (i) does not entail the presence, parking, and garaging of a vehicle of more than two (2) tonnes tare weight.

hotel: means any land or building providing accommodation for the public the subject of a hotel licence granted under the provisions of the Liquor Licensing Act 1988 (as amended) and may include a betting agency operated in accordance with the Totalisator Agency Betting Board Act 1960 (as amended), but does not include a motel, tavern, or boarding house the subject of a limited hotel licence or other licence granted under that Act.

industry: means the carrying out of any process in the course of trade or business for gain, for and incidental to one or more of the following:

- (a) the winning, processing or treatment of minerals;

- (b) the making, altering, repairing, or ornamentation, painting, finishing, cleaning, packing, or canning or adapting for sale, or the breaking up or demolition of any article or part of an article;
- (c) the generation of electricity or the production of gas;
- (d) the manufacture of edible goods,

and includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, any work of administration or accounting, or the wholesaling of, or the incidental sale of goods resulting from the process, and the use of land for the amenity of persons engaged in the process; but does not include:

- (i) the carrying out of agriculture,
- (ii) on-site work on buildings or land,
- (iii) in the case of edible goods the preparation of food for retail sale from the premises.

industry—cottage: means a business, professional service, trade or light industry producing arts and craft goods which cannot be carried out under the provisions relating to a “home occupation” and which in the opinion of the Council:

- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood;
- (b) where operated in a Residential Zone, does not entail the employment of any person other than a member of the occupier’s household;
- (c) is conducted in an outbuilding which is compatible within the principal uses to which land in the zone in which it is located may be put;
- (d) does not occupy an area greater than 50m²;
- (e) does not display a sign exceeding 0.2m² in area.

industry—extractive: means an industry which involves:

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

industry—general: means an industry other than a cottage, extractive, hazardous, light, noxious, rural, or service industry.

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

industry—light: means an industry:

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

industry—noxious: means an industry which is subject to licensing as “Prescribed Premises” under the Environmental Protection Act 1986 (as amended).

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

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

land: shall have the same meaning given to it in and for the purpose of the Act.

local shop: means a building or part of a building wherein the only goods offered for sale are foodstuffs, toiletries, stationery or goods of a similar domestic nature intended for day to day consumption or use by persons living or working in the locality of the shop.

lodging house: shall have the same meaning as is given to it in and for the purposes of the Health Act, 1911 (as amended).

lot: shall have the same meaning given to it in and for the purposes of the Act and “allotment” has the same meaning.

- market:** means land and buildings used for a fair, a farmer's or producers' market, or a swap-meet in which the business or selling carried on or the entertainment provided is by independent operators or stallholders carrying on their business or activities independently of the market operator save for the payment where appropriate of a fee or rental.
- medical centre:** means a building (other than a hospital) that contains or is designed to contain facilities not only for the practitioner or practitioners mentioned under the interpretation of consulting rooms but also for ancillary services such as chemists, pathologists and radiologists.
- motel:** means land and buildings used or intended to be used to accommodate patrons in a manner similar to a hotel or boarding house but in which special provision is made for the accommodation of patrons with motor vehicles and to which a licence under the Liquor Licensing Act 1988 (as amended) has been granted.
- motor vehicle and marine sales:** means land and buildings used for the display and sale or hire of new or second-hand motorcycles, cars, trucks, caravans, and boats or any one or more of them and may include the servicing of motor vehicles sold from the site.
- motor vehicle repair:** means land and buildings used for the mechanical repair and overhaul of motor vehicles including tyre recapping, retreading, panel beating, spray painting and chassis re-shaping.
- nett lettable area (NLA):** means the area of all floors confined within the internal finished surfaces of permanent walls but excludes the following areas:
- (a) all stairs, toilets, cleaners cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;
 - (b) lobbies between lifts facing other lifts serving the same floor;
 - (c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;
 - (d) areas set aside for the provision of facilities or services to the floor or building where such facilities are not for the exclusive use of occupiers of the floor or building.
- non-conforming use:** means any use of land or building which was lawful immediately prior to the coming into operation of the Scheme, but is not in conformity with the provisions of the Scheme.
- office:** means a building or part of a building used for the conduct of administration, the practice of a profession, the carrying on of agencies, a post office, bank, building society, insurance office, estate agency, typist and secretarial service, or services of a similar nature, and where not conducted on the site thereof, the administration of or the accounting in connection with a commercial or industrial undertaking.
- owner:** in relation to any land includes the Crown and every person who jointly or severally whether at law or in equity:
- (a) is entitled to the land for an estate in fee simple in possession; or
 - (b) is a person to whom the Crown has lawfully contracted to grant the fee simple of the land; or
 - (c) is a lessor or licensee from the Crown; or
 - (d) is entitled to receive or is in receipt of, or if the land were let to a tenant, would be entitled to receive the rents and profits thereof, whether as a beneficial owner, trustee, mortgagee in possession, or otherwise.
- piggery:** shall have the same meaning given to it in and for the purposes of the Health Act 1911 (as amended).
- place:** means an area of land sufficiently identified by survey, description or otherwise as to be readily ascertainable, and includes:
- (a) an area of land situated in the bed of any watercourse or lake;
 - (b) any works or buildings situated there, their contents relevant to the purpose of the Scheme, and such of their immediate surroundings as may be required for the purposes of the conservation of those works or buildings; and
 - (c) as much of the land beneath the place as is required for the purposes of its conservation.
- plant nursery:** means any land or buildings used for the propagation, rearing, and sale of plants and the storage and sale of products associated with horticultural and garden decor.
- potable water:** means water in which the level of physical, chemical and bacteriological constituents do not exceed the maximum permissible levels set out in "International Standards for Drinking Water" published by the World Health Organization.
- poultry farm:** means any land or buildings used for hatching, rearing or keeping of poultry for either egg or meat production which does not constitute an offensive trade within the meaning of the Health Act 1911 (as amended).
- private recreation:** means land used for parks, gardens, playgrounds, sports arenas, or other grounds for recreation which are not normally open to the public without charge.
- produce store:** means any land or buildings wherein fodders, fertilisers and grain are displayed and offered for sale.
- public amusement:** means land and buildings used for the amusement or entertainment of the public, with or without charge.

- public authority: shall have the same meaning given to it in and for the purposes of the Act.
- public recreation: means land used for a public park, public gardens, playground or other grounds for recreation which are normally open to the public without charge.
- public utility: means any work or undertaking constructed or maintained by a public authority or the Council as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services.
- public worship: means land and buildings used for the religious activities of a church but does not include an institution for primary, secondary, or higher education, or a residential training institution.
- restaurant: means a building wherein food is prepared for sale and consumption within the building and the expression shall include a licensed restaurant.
- restoration: means any work or process on at or in respect of a building structure or place which wholly or partly brings back the building structure or place to its original condition or which reinstates its historic or natural character either by rebuilding or repairing its fabric or by removing accretions or additions.
- rural pursuit: means the use of land for any of the purposes set out hereunder and shall include such buildings normally associated therewith:
- (a) the growing of vegetables, fruit, cereals or food crops;
 - (b) the rearing or agistment of sheep, cattle, horses, goats or beasts of burden;
 - (c) the stabling, agistment or training of horses;
 - (d) the growing of crops or pasture for grazing or seed production;
 - (e) the sale of produce grown solely on the said land;
- but does not include the following except as approved by Council,
- (i) the processing, treatment or packing of produce;
 - (ii) the breeding, rearing or boarding of domestic pets;
 - (iii) the breeding, rearing or agistment of fauna including but not limited to emus, kangaroos, and ostriches.
- schedule: means a schedule to the Scheme.
- service station: means land and buildings used for the supply of petroleum products and motor vehicle accessories and for carrying out greasing, tyre repairs and minor mechanical repairs and may include a cafeteria, restaurant or shop incidental to the primary use; but does not include transport depot, panel beating, spray painting, major repair to motor vehicles, or wrecking of vehicles.
- shop: means any building wherein goods are kept, exposed or offered for sale by retail, or within which services of a personal nature are provided (including a hairdresser, beauty therapist or manicurist) but does not include a showroom, fast food outlet or any other premises specifically defined elsewhere in the Scheme.
- showroom: means a building wherein goods are displayed and may be offered for sale by wholesale and/or by retail, excluding the sale by retail of: foodstuffs, liquor or beverages; items of clothing or apparel, magazines, books or paper products; medical or pharmaceutical products; china, glassware or domestic hardware; and items of personal adornment.
- tavern: means land and buildings the subject of a Tavern Licence granted under the provisions of the Liquor Licensing Act, 1988 (as amended).
- transport depot: means land and buildings used for the garaging of motor vehicles used or intended to be used for carrying goods or persons for hire or reward or for any consideration, or for the transfer of goods or persons from one such motor vehicle to another of such motor vehicle and includes maintenance, management and repair of the vehicles used, but not of other vehicles.
- veterinary hospital: means a building used in connection with the treatment of sick animals and includes the care and accommodation of animals during or after such treatment.
- zone: means a portion of the Scheme area shown on the Scheme Map by distinctive colouring, patterns, symbols, hatching, or edging for the purpose of indicating the restrictions imposed by the Scheme on the erection and use of buildings or for the use of land, but does not include reserved land.

SCHEDULE 2 SPECIAL USE ZONES

In addition to any provisions which are more generally applicable to the land under the Scheme, the following development control provision shall apply specifically to land included in the various Special Use Zones as nominated.

ADOPTION

Adopted by Resolution of the Council of the Shire of Sandstone at the meeting of the Council held on the 17th day of December 1994.

V. M. ATKINSON, President.
G. M. RIPEPI, Chief Executive Officer.

FINAL APPROVAL

1. Adopted by Resolution of the Council of the Shire of Sandstone at the meeting of the Council held on the 25th day of August 1995 and pursuant to that Resolution the Seal of the Municipality was hereunto affixed in the presence of:

R. C. BIGGS, President.
G. M. RIPEPI, Chief Executive Officer.

This Scheme Text is to be read in conjunction with the approved maps of the Scheme described in Clause 1.4 of the Scheme and to which formal approval was given by the Minister for Planning on the date shown below.

2. Recommended/Submitted for Final Approval

EUGENE FERRARO, for Chairman of the Western Australian Planning Commission.

Date: 2/8/96.

3. Final Approval Granted

RICHARD LEWIS, Hon Minister for Planning.

Date: 25/8/96.

POLICE

PE501

POLICE ACT 1892

POLICE AUCTION

Under the provisions of the Police Act 1892, unclaimed found and stolen property, including bicycles, will be sold by public auction at Ross's Auctions, 241 Railway Parade, Maylands on Saturday September 21, 1996 at 9.00am.

Auction to be conducted by Mr Frank Lee.

R. FALCONER, Commissioner of Police.

PREMIER AND CABINET

PR401

MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that His Excellency the Governor in accordance with Section 52(1)(b) of the Interpretation Act 1984 has approved the following temporary appointment in the place of the Hon. C. J. Barnett MLA in the period 21 to 23 August 1996 inclusive—

Minister for Resources Development; Energy; Education; Hon. K. J. Minson, MLA
Leader of the House in the Legislative Assembly.

M. C. WAUCHOPE, Chief Executive.

PR402

APPOINTMENT OF DEPUTY OF THE GOVERNOR

It is hereby notified for public information that His Excellency the Governor, under clause XVI of the Letters Patent relating to the Office of Governor of the State of Western Australia dated 14 February 1986, has appointed the Lieutenant-Governor, the Honourable David Kingsley Malcolm AC, to be the deputy of the Governor and in that capacity to perform and exercise all the powers and functions of the Governor for the following periods (all dates inclusive)—

6 to 9 September 1996 and
22 and 23 October 1996.

M. C. WAUCHOPE, Chief Executive.

RACING, GAMING AND LIQUOR

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: 425 1888), or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR TRANSFER OF LICENCE			
1428/95	Diana Margaret Mary Atkinson	Application for the transfer of a Restaurant licence in respect of premises situated in Perth and known as Minty's Restaurant from Noel Pty Ltd.	12/9/96
1429/95	Treasure Investments Pty Ltd & Seaview Management Pty Ltd	Application for the transfer of a Restaurant licence in respect of premises situated in Trigg and known as Trigg Island Cafe Restaurant, from Bluegum Pty Ltd.	11/9/96
1430/95	West Coast Hospitality Pty Ltd	Application for the transfer of a Tavern licence in respect of premises situated in Northbridge and known as Pockets Pool & Cocktail Bar, from Dalden Properties Pty Ltd.	10/9/96
1431/95	Ritmo Pty Ltd	Application for the transfer of a Liquor Store in respect of premises situated in West Perth and known as Gangemi's Food & Liquor Store, from IRP Pty Ltd & KCD Enterprises Pty Ltd.	4/9/96
1433/95	Chevallier Pty Ltd	Application for the transfer of a Liquor Store licence in respect of premises situated in Embleton and known as Embleton Liquor Store, from Raymond Perry & Mary Perry.	3/9/96
1434/95	Onyx Pty Ltd & Ballykelly Pty Ltd	Application for the transfer of a Restaurant licence in respect of premises situated in West Perth and known as Julio's, from Onyx Pty Ltd & Ballykelly Pty Ltd (S87).	5/9/96
1437/95	Kelvin Arthur Oliver	Application for the transfer of a Tavern licence in respect of premises situated in Parkerville and known as Parkerville Tavern, from James Carson Jamison & Georgina Jamison.	10/9/96
1438/95	Robert Gerald Ruse	Application for the transfer of a Restaurant licence in respect of premises situated in West Perth and known as Piaf's Brasserie, from Robert Gerald Ruse & Silvana Therese Kilkenny.	3/9/96
1439/95	Rimblue Pty Ltd	Application for the transfer of a Wholesale licence in respect of premises situated in Osborne Park and known as Bohemia Food Distributors Pty Ltd, from Bohemia Food Distributors Pty Ltd.	3/9/96
APPLICATION FOR A GRANT OF A LICENCE			
887/95	Mildara Blass Limited	Application for the grant of a Wholesale licence in respect of premises situated in Victoria Park and known as Vintage Estates of Australia (To be Southern Cross Wines Co).	16/9/96
888/95	Scaff Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Subiaco and known as Sonny's Le Cafe.	19/9/96

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

G. B. AVES, Director of Liquor Licensing.

TENDERS**ZT201****MAIN ROADS
WESTERN AUSTRALIA***Tenders*

Advertised from 21/8/96 to 27/8/96

Tenders are invited for the following projects.

Tender documents are available from the Contracts Clerk, Supply Branch, Ground Floor, Waterloo Crescent, East Perth.

Tender No.	Description	Closing Date
		1996
80/96	Strengthening of Bridge No. 571, South Coast Highway (Slk 409.19) over Lort River, Goldfields-Esperance Region.	17 September
111/96	Provision of Superintendent Representative Services on Contract 582/95, Wheatbelt North Region.	10 September
122/96	Provision of Photocopiers and associated services	16 September
179/96	Supply and installation of Longitudinal Road Lining to new and maintenance works within the Perth Metropolitan area	10 September
182/96	Dual Use Path Construction Parliament House Grounds, opposite Mitchell Freeway, Northbound	6 September
96D16	Disposal of 3 Mobile Telephones and 17 Pagers	30 August
96D17	Purchase and removal of a 1995 Daihatsu 4WD Station Wagon, MRWA F804	12 September
96D18	Purchase and removal of Air-ride Precoater 1992, Model CAS M2-12/24, MRWA D374	6 September

ZT202*Acceptance of Tenders*

Contracts awarded from 21/8/96 to 27/8/96

Contract No.	Description	Successful Tenderer	Amount
			\$
29/96	Consultancy for Contract Document Review, Tender Assessment and Contract Management for road improvement works.	SMEC Australia Pty Ltd	1 006 550.00
39/96	Provision of Bridge Carpentry Services, Wheatbelt North Region.	D & C Beavis Carpentry	54 900.00
63/96	Review Contract Documents, Tender Assessment, Contract Management for Bedforddale Project on Albany Highway.	Halpern Glick Maunsell Pty Ltd (Pth)	538 400.00

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 30th September 1996, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Allen, Richard James, late of 14 Arundel Drive, Halls Head, died 5/8/96 (DEC 295196 DE2).

Anderson, Paul Terrence, late of 53/601 Wellington Street, died 23/5/96 (DEC 293089 DD3).

Bateman, Coral Kathleen, late of 29 Weston Street, Cervantes, died 19/8/96 (DEC 295356 DA2).

- Becker, Evelyn Maud, late of Unit 7/68 Powell Street, Joondanna, died 27/7/96 (DEC 295267 DG2).
Cook, Leslie Albert, late of 7D Margaret Street, Midland, died 23/6/96 (DEC 294048 DC4).
Dawson, Leopold, late of Hamersley Nursing Home, 441 Rokeby Road, Subiaco, died 4/7/96 (DEC 294050 DP3).
Fowler, John William, late of Mandurah Nursing Home, Hungerford Avenue, Mandurah, died 31/3/96 (DEC 293663 DA3).
Fullarton, Eileen Maria, late of 10 Gordon Lodge, RAAF Memorial Estate, Bull Creek Drive, Bull Creek, died 15/6/96 (DEC 294816 DD2).
Garton, Hazel Charlotte, late of 198 Barker Road, Subiaco, died 29/6/96 (DEC 295301 DG3).
Graham, James Robert, late of 28 Hefron Way, Parmelia, died 7/8/96 (DEC 295317 DS4).
Jackson, Olga Mary, late of Pam Corker House, Eastcott Street, Waroona, died 30/5/96 (DEC 295357 DC4).
Lockton, Ivan Ross, late of 61 Parade Street, Albany, died 17/7/96 (DEC 295167 DA3).
Palmer, Ivy Evelyn Gladys, late of Unit 18, Busselton Gardens, Court Street, Busselton, died 28/6/96 (DEC 294090 DG2).
Rourke, James Eric, late of Room 16, The Annex, 30 Mertone Village, Bayswater, died 5/8/96 (DEC 295293 DA3).
Rowe, Edward George, late of Morrison Lodge, Cnr Morrison Road & Lloyd Street, Midland, died 18/8/96 (DEC 295287 DS3).
Rowe, Mabel Amelia, late of St Francis Nursing Home, 163 Healy Road, Hamilton Hill, died 3/8/96 (DEC 295189 DG2).
Williams, Nellie Vera, late of Midland Nursing Home, 44 John Street, Midland, died 25/7/96 (DEC 294714 DL3).
Wiggin, Frank, late of Trinity Lodge, Room 1, House 39, 7 Beddi Road, Duncraig, died 24/7/96 (DEC 295203 DC4).
Wildy, John Andrew, late of 75 Blackmore Avenue, Girrawheen, died 11/8/96 (DEC 295270 DG3).

K. E. BRADLEY, Public Trustee,
Public Trust Office, 565 Hay Street, Perth WA 6000
Telephone 222 6777.

ZZ201

TRUSTEES ACT 1962
NATIONAL MUTUAL TRUSTEES LIMITED
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 persons, are required by the executor National Mutual Trustees Limited of 111 St George's Terrace, Perth (Box B76 GPO Perth) to send particulars of their claims to them by 30 September 1996, after which date the Company may convey or distribute the assets of the Estate having regard only to the claims of which it then has notice—

1. Patricia Joan Spicer, late of 2/20 Collinson Way, Leeming, died on 27 May 1996; and
2. Florence Ann McFadyen, late of 10 Herbert Road, Harvey, died on 18 July 1996.

ZZ202

TRUSTEES ACT 1962

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962, relates) in respect of the Estate of the undermentioned deceased persons, are required by Perpetual Trustees W.A. Ltd of 89 St Georges 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.

Dated this 28th day of August 1996.

D. R. CLARK, State General Manager.

-
- Braysher, Gertrude Margaret, late of Second Avenue Nursing Home, 53 Second Avenue, Mt Lawley WA 6050, widow, died 24/7/96.
Hoffman, Simon Henry, late of St Luke's Nursing Home, 429 Rokeby Road, Subiaco WA 6008, retired foreman, died 26/7/96.

McPhee, Christian, late of Hocart Lodge, 3 Knowles Street, Harvey WA 6220, widow, died 8/8/96.
May, Ben, late of 10 Parkhill Way, Wilson WA 6107, Public Servant, died 1/6/96.
Moon, Edward, late of 20a Minda Place, Wanneroo WA 6065, retired garage proprietor, died 26/7/96.
Peters, Raymond Sidney Robert, late of 111 Blackall Drive, Greenwood WA 6024, retired store manager, died 20/7/96.
Watson-Williams, Helen Beatrice, late of 3 Sheila Street, Mosman Park WA 6012, retired honorary research fellow, died 6/8/96.

ZZ301

INQUIRY AGENTS LICENSING ACT 1954
APPLICATION FOR LICENCE IN THE FIRST INSTANCE

To the Court of Petty Sessions at Joondalup.

I, Karene Elaine Primrose of 60 Lindsay Street, Perth, Phone Number (W) 227 9266 Inquiry Agent having attained the age of twenty-one years, hereby apply on my own behalf for a licence under the abovementioned Act. The principal place of business will be at 60 Lindsay Street, Perth WA 6000.

Dated the 10th day of June 1996.

K. E. PRIMROSE, Signature of Applicant.

Appointment of Hearing

I hereby appoint the 4th day of October 1996 at 10.00 o'clock in the forenoon as the time for the hearing of the foregoing application at the Court of Petty Sessions at Joondalup.

Dated the 18th day of July 1996.

(Sgd.), Clerk of Petty Sessions.

Objection to the granting of the application may be served on the applicant and the Clerk of Petty Sessions at any time prior to seven days before the date appointed for the hearing.

WESTERN AUSTRALIA

DISABILITY SERVICES ACT 1993

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