



WESTERN AUSTRALIAN GOVERNMENT Gazette

2115



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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.

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically. The following guidelines should be followed to ensure publication in the *Government Gazette*.

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
- Copy must be lodged with the Sales and Editorial Section, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

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- Inquiries regarding publication of notices can be directed to the Editor on (08) 9426 0010.
- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

If it is necessary through isolation or urgency to fax copy, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*

ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 2003 (Prices include GST).

Deceased Estate notices, (per estate)—\$21.80

Real Estate and Business Agents and Finance Brokers Licences, (per notice)—\$50.85

Other articles in Public Notices Section—\$50.85 (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

All other Notices

Per Column Centimetre—\$10.15

Bulk Notices—\$189.20 per page

Clients who have an account will be invoiced for advertising charges.

Clients without an account will need to pay at time of lodging the notice.

PUBLISHING ALTERATIONS

Periodically the normal *Gazette* publishing times need to be altered to cater for disruption caused by public holidays.

- Easter and Christmas holidays cause disruption each year.
- Australia Day and Anzac Day cause disruption when they fall on a Tuesday or Friday.

In these instances, notices warning of the change are generally published on page 2 for approximately 4 weeks prior to the date.

Readers are urged to check *Gazettes* accordingly, prior to contacting State Law Publisher.

JOHN A. STRIJK, Government Printer.

— PART 1 —

FIRE AND EMERGENCY SERVICES

FE301*

Fire and Emergency Services Authority of Western Australia Act 1998

Fire and Emergency Services Authority of Western Australia Amendment Regulations (No. 3) 2003

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Fire and Emergency Services Authority of Western Australia Amendment Regulations (No. 3) 2003*.

2. The regulations amended

The amendments in these regulations are to the *Fire and Emergency Services Authority of Western Australia Regulations 1998**.

[* *Published in Gazette 22 December 1998, p. 6843-4.*
For amendments to 27 May 2003 see Gazette 16 May 2003.]

3. Regulation 6 amended

- (1) After regulation 6(5)(a)(i) the following subparagraph is inserted —

“

(ia) a private fire brigade;

”.

- (2) Regulation 6(7) is amended after “permanent fire brigade” by inserting —

“ , “private fire brigade” ”.

By Command of the Governor,

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

TREASURY AND FINANCE

TF301*

State Trading Concerns Act 1916

**State Trading Concerns (Authorisation)
Amendment Regulations (No. 4) 2002**

Made by the deputy of the Governor in Executive Council.

1. Citation

These regulations may be cited as the *State Trading Concerns (Authorisation) Amendment Regulations (No. 4) 2002*.

2. The regulations amended

The amendments in these regulations are to the *State Trading Concerns (Authorization) Regulations 1998**.

[* Reprinted as at 15 September 2000.

For amendments to 19 June 2002 see 2001 Index to Legislation of Western Australia, Table 4, p. 322 and Gazette 26 February and 7 June 2002.]

3. Schedule 1 amended

- (1) Schedule 1 Part 1 is amended by deleting the entries “Ministry of Fair Trading”, “Office of Energy” and “WorkSafe Western Australia” and inserting in the appropriate alphabetical position the following entry —

“ Department of Consumer and Employment Protection ”.

- (2) Schedule 1 Part 2 is amended by deleting the entry commencing “Ministry of Fair Trading” and inserting in the appropriate alphabetical position the following entry —

“

Department of Consumer and Employment Protection

The provision by the Department of Consumer and Employment Protection —

- (a) of services to overseas clients, including training, and services of a technical, educational, managerial and advisory nature;
- (b) generally, of goods, information and intellectual property, and of services, relating to consumer protection matters;

- (c) of goods (including technical and safety publications), information and intellectual property relating to technical and safety issues in the energy industry;
 - (d) specifically, of—
 - (i) intellectual property; and
 - (ii) the sale or provision of advertising opportunities, or opportunities having a purpose similar to advertising, relating to Worksafe Western Australia.
- ”
- (3) Schedule 1 Part 2 is amended by deleting the entries commencing “Office of Energy” and “Worksafe Western Australia”.

By Command of the deputy of the Governor,

ROD SPENCER, Clerk of the Executive Council.

TF302*

Pay-roll Tax Assessment Act 1971

Pay-roll Tax Assessment Amendment Regulations 2003

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Pay-roll Tax Assessment Amendment Regulations 2003*.

2. The regulations amended

The amendments in these regulations are to the *Pay-roll Tax Assessment Regulations 1971**.

[* Reprinted as at 13 September 2002.
For amendments to 29 April 2002 see *Gazette*
17 December 2002.]

3. Schedule 2 amended

Schedule 2 is amended by inserting the following items in their appropriate numerical order —

“

<i>Item</i>	<i>Exempted department or other organisation</i>
29A	Gascoyne Development Commission
29B	Goldfields Esperance Development Commission
30A	Great Southern Development Commission
30B	Kimberley Development Commission
30C	Mid West Development Commission
40A	Peel Development Commission
40B	Pilbara Development Commission
43A	South West Development Commission
46A	Wheatbelt Development Commission

”

By Command of the Governor,

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

— PART 2 —

AGRICULTURE

AG401*

SOIL AND LAND CONSERVATION ACT 1945

SECTION 25A(1a)

Katanning Land Conservation District

Soil Conservation Service Charge Notice (2003 to 2006)

I, Kim Chance, being the Minister responsible for the administration of the *Soil and Land Conservation Act 1945*, being satisfied that all prescribed steps have been taken, give notice that the soil conservation service charge described in the Schedule to this Notice be imposed in the Katanning land conservation district for the three years commencing 1 July 2003 and ending on 30 June 2006.

The boundaries of the Katanning land conservation district are as specified in the Order establishing the district published in the *Government Gazette* on 6 July 1990 (pp. 3268-3269).

Schedule

Amount of service charge	\$12 per annum on all rateable land within the Katanning Land Conservation District
Specified service	To assist in funding— <ol style="list-style-type: none"> 1. the operating costs of the Katanning Resource Centre; 2. the wages of the Katanning Catchment Liaison Officer; and 3. on-ground works for salinity management (draft title)
Collection and allocation of service charge	The service charge will be collected by the Shire of Katanning and paid to the Department of Agriculture for allocation to the Katanning Land Conservation District Committee.
Annual report	The Katanning District Committee must report to the Minister on the progress of the service by 31 August of each year the charge is applied (commencing August 2003).

KIM CHANCE MLC, Minister for Agriculture,
Forestry and Fisheries.

CEMETERIES

CC401*

CEMETERIES ACT 1986

METROPOLITAN CEMETERIES BOARD

Fees Applicable From—1st July 2003

In pursuance of the powers conferred by section 53 of the Cemeteries Act 1986, the Metropolitan Cemeteries Board hereby records having resolved on 28 May 2003, to set the following fees effective from July 1st, 2003. The fees shall be payable upon application for services at Karrakatta, Pinnaroo, Midland and Guildford Cemeteries detailed hereunder.

FEES AND CHARGES INCLUSIVE OF 10% GST (except where indicated)

Description	Cemetery			
	Karrakatta	Pinnaroo	Midland	Guildford
BURIAL				
Interment Fees:				
Adult Interment (May use Garden Chapel @ Karrakatta)	735.90	735.90	735.90	735.90
Adult Interment (Government Charge)	735.90	735.90	735.90	735.90
Child Interment (under 13 years)	459.80	459.80	459.80	459.80
Perinatal Interment (without service)	189.20		189.20	189.20
Entombment in Mausoleum	735.90			

Description	Cemetery			
	Karrakatta	Pinnaroo	Midland	Guildford
BURIAL				
Grant of Right of Burial (25 Years):				
Gravesite	981.20			
Family Estate Grave (Grant Fee will apply)	1,159.40			
Premium Land (Grant fee will apply)	Quote		Quote	Quote
Renewal of Expired Grant	981.20	981.20	981.20	981.20
Maintenance (applies if grant has expired and cannot be renewed)	141.90	141.90	141.90	141.90
Extension of Current Grant (25 years)	1,474.00	1,474.00	1,474.00	1,474.00
Jewish Orthodox Lawn Grave (includes Star of David)	1,037.30			
Jewish Granite Base Upgrade	498.30			
Vault Construction (Grant will apply)			5,487.90	
Children's Memorial Garden (CMG) Grant (2 interments, under 13 only)	625.90			
CMG Extension of Grant	942.70			
Paths between Graves:				
Path: 150mm (6 inch)	150.70		150.70	150.70
300mm (1 foot)	299.20		299.20	299.20
600mm (2 foot)	598.40		598.40	598.40
Mausoleum				
Mausoleum Entitlement	quote			
Mausoleum At-Need Grant	981.20			
Mausoleum Pre-Need Grant	981.20			
Mausoleum Grant Extension	1,474.00			
Ossuary:				
Ossuary (Single) - must purchase grant	1,170.40			
Ossuary (Double) - must purchase grant	3,047.00			
Ossuary (Grant)	1,174.80			
Funeral Services/Penalties:				
Selection of Grave	193.60	193.60	193.60	193.60
Saturday Interment / Entombment	367.40	367.40	367.40	367.40
Interment of Oversize Casket	177.10	177.10	177.10	177.10
Funeral Services - Minimum Fee (1st hour)	144.10	144.10	144.10	144.10
Funeral Services - Hourly Rate (after 1st hour)	71.50	71.50	71.50	71.50
Funeral Fee - outside MCB office hours (add all other funeral costs)	698.50	698.50	698.50	698.50
Exhumation	1,441.00	1,441.00	1,441.00	1,441.00
Re-interment after exhumation	735.90	735.90	735.90	735.90
Lift & Deepen	735.90	735.90	735.90	735.90
Transfer of Grant / Re-Issue / Refund / Admin	93.50	93.50	93.50	93.50
PRE-NEED INTERMENT SERVICES	Karrakatta	Pinnaroo	Midland	Guildford
Interment Agreement:				
Adult Interment	804.10	804.10	804.10	804.10
Pre-need Burial Packages	Quote	Quote	Quote	Quote
Grant of Right of Burial (25 Years):				
Pre-need gravesite - Karrakatta (limit of 2 per applicant)	1,174.80			
Pre-Need gravesite - Jewish Orthodox Lawn @ Karrakatta (2 per applicant)	1,218.80			
Pre-need gravesite - Pinnaroo		1,174.80		
Pre-need gravesite - Midland/Guildford			1,174.80	1,174.80
Pre-need gravesite - Rockingham				1,174.80

Description	Cemetery			
	Karrakatta	Pinnaroo	Midland	Guildford
CREMATION				
Cremation Fees:				
Adult Cremation	754.60	754.60		
Adult Cremation (Government charge)	754.60	754.60		
Adult Cremation - (may use of Garden Chapel or Direct Delivery)	633.60	633.60		
Adult Cremation - (May use 30min in Dench or Pinnaroo chapel)	633.60	633.60		
Child Cremation (under 13 years)	473.00	473.00		
Peri/Neo Natal Cremation. Incl hand carved urn. Service in Garden Chapel or Direct Delivery	116.60	116.60		
Peri/Neo Natal Cremation. Incl hand carved urn. 30min Service in Dench or Pinnaroo Chapel	181.50	181.50		
Cremation Services/Penalties:				
Saturday Cremation (extra)	367.40	367.40		
Extra Chapel / Lounge Time (1hour)	321.20	321.20		
Extra Chapel / Lounge Time (1/2 hour, prior to burial only)	166.10	166.10		
Late to Depart Chapel/Lounge after service (after 10 minutes)	100.10	100.10		
WebCasting				
Webcasting Package (includes Live + Delayed + one copy)	275.00	275.00		
Webcasting - Live telecast plus access to delayed telecast for 30 days	200.00	200.00		
Webcasting - Live telecast only (no recording)	110.00	110.00		
Webcasting - access to delayed telecast for 30 days	110.00	110.00		
Copy of webcast on DVD or VHS video	110.00	110.00		
Additional copies on DVD	55.00	55.00		
Additional copies on VHS video	25.00	25.00		
Alternate Arrangements for Ashes:				
Family Attending Placement of Ashes	100.10	100.10	100.10	100.10
Family Attending on Saturday	227.70	227.70	227.70	227.70
Placement of ashes in Family Grave	183.70	183.70	183.70	183.70
Holding Fee per month (after 6 months)	11.00	11.00		
Postage of ashes within Australia	132.00	132.00		
Postage of ashes Overseas	243.10	243.10		
Scatter Ashes to the Winds	89.10	89.10		
Transfer of Ashes (plus new position fee)	89.10	89.10	89.10	89.10
Registration of Deceased (Non-MCB)	89.10	89.10	89.10	89.10
Ash Container	15.40	15.40		
Urns & Locketts:				
Brass - small (in velvet box)	101.20	101.20		
Bronze - keepsake	187.00	187.00		
Bronze - full size	quote	quote		
Marble - medium	213.40	213.40		
Marble - large	314.60	314.60		
Terracotta	174.90	174.90		
Wooden Urn	134.20	134.20		
Pewter Urn	258.50	258.50		
Locket - 9ct Gold	410.30	410.30		
Locket - silver	207.90	207.90		

Description	Cemetery			
PRE-NEED CREMATION SERVICES	Karrakatta	Pinnaroo	Midland	Guildford
Cremation Agreement:				
Adult Cremation	815.10	815.10		
Pre-need Cremation Packages	Quote	Quote	Quote	Quote
Memorial Agreement (25 Years):				
Reserve Memorial Position (Plaque - payable at time of use)	See Memorial Plaque Fees - page 3			
Plaques for Pre-Need Memorials:	Karrakatta	Pinnaroo	Midland	Guildford
Centenary Rose Garden	267.30			
Family Shrub - Small Plaque	190.30	190.30	190.30	190.30
Family Shrub - Large Plaque	233.20	233.20	233.20	233.20
Garden of Remembrance - Bronze Plaque	190.30			
Garden of Remembrance - Chrome/Aluminium Plaque	150.70			
Granite Niche Wall -Single			156.20	
Granite Niche Wall - Double			294.80	
Ground Niche	233.20	233.20	233.20	233.20
Memorial Garden		194.70	194.70	194.70
Memorial Wall - Single	190.30			
Memorial Wall - Double	294.80			
Niche Wall - Single	156.20	156.20		156.20
Niche Wall - Double	261.80	261.80		261.80
Niche Wall Columbarium - Single	156.20			
Niche Wall Columbarium - Double	294.80			
Reflection Wall		294.80		
Rose Memorial	190.30		190.30	
MEMORIALS	Karrakatta	Pinnaroo	Midland	Guildford
Burial Plaques:				
Bronze - 380mm x 280mm	559.90	559.90		
Bronze - 560mm x 305mm	745.80	745.80		
Bronze - Detachable Plate	247.50	247.50		
Bronze - Jewish Orthodox (including granite base)	745.80			
Bronze - Jewish Orthodox (including concrete base)	623.70			
Bronze - Jewish Orthodox At-Need Package (including granite base) Must also purchase GRB 113 + Interment)	348.70			
Bronze - Religious Area	200.20			
Stillborn Plaque	139.70			
Memorial Plaques (25 Years):				
Centenary Rose Garden - 1st inscription	2,501.40			
Centenary Rose Garden - Other inscriptions	533.50			
Classic Granite Niche Wall - Single				537.90
Classic Granite Niche Wall - Double				827.20
Classic Granite Niche Wall - 2nd Inscription				247.50
Family Shrub - First Inscription (143x117mm plaque)	2,225.30	2,225.30	2,225.30	2,225.30
Family Shrub - Other Inscriptions (143x117mm plaque)	398.20	398.20	398.20	398.20
Family Shrub - Additional fee for 229 x 229 plaque	248.60	248.60	248.60	248.60
Garden of Remembrance - Chrome / anodised plaque	398.20			

Description	Cemetery			
	Karrakatta	Pinnaroo	Midland	Guildford
Garden of Remembrance - Bronze plaque	496.10			
Granite Boulder - 1st plaque	Quote			
Granite Boulder - Detach Plate	247.50			
Granite Boulder - Niche Plaque	247.50			
Granite Boulder - Ground Plaque	521.40			
Granite Niche Wall - Single			437.80	
Granite Niche Wall - Double			733.70	
Granite Niche Wall - 2nd Inscription			247.50	
Ground Niche	948.20	948.20	948.20	948.20
Memorial Garden		416.90	416.90	416.90
Memorial Rock		Quote		
Memorial Rock - other inscriptions		398.20		
Memorial Seat - Jarrah	3,363.80	3,363.80		
Memorial Seat - Granite	3,054.70			
Memorial Seat - Curved Granite	4,554.00			
Memorial Seat - Detach Plate or 2nd insc for Garden Bench @ PVMP	247.50	247.50		
Memorial Seat - Niche Plaque	247.50	247.50		
Memorial Seat - Ground Plaque	521.40	521.40		
Memorial Tree - small	quote			
Memorial Tree - medium	quote			
Memorial Tree - large	quote			
Memorial Tree - other inscriptions	398.20			
Memorial Wall - Single	555.50			
Memorial Wall - Double	809.60			
Memorial Wall - 2nd Inscription	247.50			
Niche Wall - Single	388.30	388.30		388.30
Niche Wall - Double	550.00	550.00		550.00
Niche Wall Columbarium -Single	555.50			
Niche Wall Columbarium - Double	810.70			
Military Niche (Single position only, no Plaque)	271.70	271.70		271.70
Niche Wall - 2nd Inscription (*ALL walls)	247.50	247.50		247.50
Reflection Wall (Green plaque only)		810.70		
Rose Memorial Bronze - 1st Inscription	1,500.40		1,500.40	1,500.40
Rose Memorial Chrome - 1st Inscription	1,086.80			
Rose Memorial - Other Inscriptions	398.20		398.20	398.20
Standard Rose (in a bed) - 1st Inscription	2,681.80			
Standard Rose (individual) - 1st inscription (143x117mm plaque)	3,436.40			
Standard Rose - other inscriptions (143x117mm plaque)	398.20			
Standard Rose - Additional fee for 229 x 229 plaque	248.60	248.60	248.60	248.60
Special Memorials (Family Estates etc.)	Quote	Quote	Quote	Quote
Special Water Feature		Quote		
Special Water Feature - second inscription		quote		
Upgrade existing Memorial to Family Estate	1,035.10	1,035.10	1,035.10	1,035.10
Infants' Butterfly Garden:				
Rustic Cameo	313.50			
Earth Ribbon	339.90			
Garden Plaque	370.70			

Description	Cemetery			
	Karrakatta	Pinnaroo	Midland	Guildford
Butterfly Twig	463.10			
River Stone - Small	489.50			
River Stone - Medium	650.10			
River Stone - Large, quote	quote			
Memorial Tree in Forrest Area (IBG only)	2,899.60			
Memorial Tree in Forrest Area- Additional Interment	400.40			
Jarraah Bench in Shady Dome (if sold as one memorial)	6,900.30			
Jarraah Bench (ten individual positions)	889.90			
Stairway to Heaven	15,700.30			
Wind Sculpture - medium	2,349.60			
Wind Sculpture - large	2,999.70			
Totem	4,700.30			
Pots on Earth Mound	1,200.10			
Rock in Secret Garden Lawn	1,200.10			
Additional Plaque Options:				
Granite Base - Small (143 x 117 plaque)	176.00	176.00	176.00	176.00
Granite Base - Large (229 x 229 plaque)	236.50	236.50	236.50	236.50
Granite Base Upgrade - Small (143 x 117 plaque)	176.00	176.00	176.00	176.00
Granite Base Upgrade - Large (229 x 229 plaque)	236.50	236.50	236.50	236.50
Additional line	23.10	23.10	23.10	23.10
Emblem, size: A, B, C	36.30	36.30	36.30	36.30
Emblem, size: D	50.60	50.60	50.60	50.60
Photo - B&W	159.50	159.50	159.50	159.50
Photo - Colour	245.30	245.30	245.30	245.30
Restore Bronze Plaque - by MCB (up to 229 x 229 only)	97.90	97.90	97.90	97.90
Restore Bronze Plaque - by Arrow (must get Quote from Arrow)	Quote	Quote	Quote	Quote
Restore Chrome Plaque - by MCB	57.20		57.20	57.20
Replacement Plaque	Quote	Quote	Quote	Quote
Plaque Cleaner/Polish/Protectant	23.10	23.10	23.10	23.10
Memories E-ternal (On-Line Memorial)				
Companion	60.00			
Bronze Package	401.50			
Silver Package	710.60			
Gold Package	1,225.40			
Updates to memorial (fee per hour)	51.70			
Book of Remembrance:				
Two Lines	171.60	171.60		
Each additional line (max 8 lines)	44.00	44.00		
Emblem (min 5 lines required)	122.10	122.10		
Personal Copy	155.10	155.10		
At Home Memorials:				
Plaque/Bases for memorials not at MCB sites	Code to Administration - Quote			
FUNERAL DIRECTORS FEES				
Annual Licence	549.00	– Includes All Cemeteries		
Branch Account	167.00	– Includes All Cemeteries		
Single Funeral Permit	100.00	100.00	100.00	100.00

Description	Cemetery			
	Karrakatta	Pinnaroo	Midland	Guildford
MONUMENTAL MASONS FEES				
Annual Licence	272.00	– Includes All Cemeteries		
Single Use Monumental Licence (Permit fee also payable)	94.00	94.00	94.00	94.00
Permits:				
New Headstone – No kerbing (Lawn or Park Type)	167.00	167.00	167.00	167.00
New Headstone – With kerbing	211.00		211.00	211.00
Mausoleum Inscription	100.00			
Additional Inscriptions/Renovation	83.00	83.00	83.00	83.00
Additional Monumental	100.00		100.00	100.00
RESEARCH SERVICES				
Location Query (up to 4 queries)	Free	Free	Free	Free
Location Query (after 4 free queries)	2.00	2.00	2.00	2.00
Photocopy of Record (inc GST)	5.50	5.50	5.50	5.50
Surname Report (minimum)(inc GST)	23.10	23.10	23.10	23.10
Microfiche (Alpha listing of all MCB Cemeteries) (inc GST)	117.70	117.70	117.70	117.70
Access to CRS or microfiche (per hour)	10.00			
Digital Photograph sent via e-mail * (inc GST)	22.00	22.00	22.00	22.00
Digital Photograph sent via post * (inc GST)	31.90	31.90	31.90	31.90
35mm Photograph sent via post * (inc GST)	41.80	41.80	41.80	41.80
* Each additional photograph, in any format (inc GST)	11.00	11.00	11.00	11.00
Publications:				
Memories Eternal by Leonie Liveris (inc GST)	34.00	34.00		

JUSTICE

JU401*

CHILDREN'S COURT OF WESTERN AUSTRALIA ACT 1988

APPOINTMENT

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the appointment of Mr Peter Leigh Nowland of 23 Scott Street, Bunbury, as a Member of the Children's Court of Western Australia.

GARY THOMPSON, Executive Director, Court Services.

JU402*

JUSTICES ACT 1902

RESIGNATIONS

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

Mr John Alexander Fenwick of 16 Newton Beach Road, Busselton

Mr Richard James Garnett of 5 Park Road, Gnowangerup

Mr Robert Henry Gow of 44 Glover Street, Dianella

Mr Barry Fenton Jones of 101 Rosewood Avenue, Woodlands

Mr Benjamin Hartley Morris of Loc 16742 Rothsay Road, Perenjori

Mr Keith Robert Porteous of Trinity Lodge, Rowethorpe Retirement Village, Jacaranda Avenue, Bentley

Mr Archibald Coulter Smith of 5/103 Wellington Road, Dianella

from the Office of Justice of the Peace for the State of Western Australia.

GARY THOMPSON, Executive Director, Court Services.

JU403*

**CHILDREN'S COURT OF WESTERN AUSTRALIA ACT 1988
STIPENDIARY MAGISTRATES ACT 1957**

NOTICE THAT OFFICE HAS BECOME VACANT

Under the *Children's Court of Western Australia Act 1988* section 10 and the *Stipendiary Magistrates Act 1957* section 5A the Governor has accepted the resignation of Naveen Chandra Pillay from the office of magistrate of the Children's Court.

It is hereby declared that the office has become vacant.

By command of the Governor,

M. C. WAUCHOPE, Clerk of the Council.

JU404*

PRISONS ACT 1981

PERMIT DETAILS

Revocations

Pursuant to the provisions of section 15P of the *Prisons Act 1981*, the Director General of the Department of Justice has revoked the following Permit to do High-Level Security Work:

Surname	Other Names	Permit No.	Revocation Date
Martins	Ryan	Ap 0241	1 June 2003

This notice is published under section 15P of the *Prisons Act 1981*.

BRIAN LAWRENCE, Manager, Prison Services Contracts.

LAND ADMINISTRATION

LA401*

DAMPIER TO BUNBURY PIPELINE ACT 1997

DESIGNATED LAND

The DBNGP Land Access Minister, a body corporate established by section 29(1) of the *Dampier to Bunbury Pipeline Act 1997*, hereby order in accordance with Section 33(1) of the said Act, that the land contained in the Deposited Plans as listed in the land description described below is designated, at the beginning of the day this notice is published in the *Government Gazette*, as additional land in the DBNGP corridor.

Pastoral Land.

1. Portion of Ashburton Location 154 on Deposited Plan 220164 as shown on Deposited Plan 26805 being part of the land comprised in Certificate of Crown Land Title Volume 3103 Folio 790, CL 453/1984 (Part Mardie Station).

The Plans may be inspected at the Department of Land Administration, Midland Square, Midland.

ALANNAH MacTIERNAN, DBNGP Land Access Minister.

LA402*

DAMPIER TO BUNBURY PIPELINE ACT 1997

DESIGNATED LAND

The DBNGP Land Access Minister, a body corporate established by section 29(1) of the *Dampier to Bunbury Pipeline Act 1997*, hereby order in accordance with Section 33(1) of the said Act, that the land contained in the Deposited Plans as listed in the land description described below is designated, at the beginning of the day this notice is published in the *Government Gazette*, as additional land in the DBNGP corridor.

LAND DESCRIPTION:

Freehold Land.

1. Portion of Lot 9313 on Deposited Plan 156001 as shown on Deposited Plan 26820 being part of the land comprised in Certificate of Title Volume 1646 Folio 734.
2. Portion of Victoria Location 4466 as shown on Deposited Plan 26819 being part of the land comprised in Certificate of Title Volume 2007 Folio 128.

Road Crossings.

1. Lot 12440 on Deposited Plan 220860 as shown on Deposited Plan 220860 being part of the land comprised in Certificate of Crown Land Title Volume 3118 Folio 178 (Cant Road).
2. Portion of Lot 12665 on Deposited Plan 26821 as marked as B on the said plan being part of the land comprised in Certificate of Crown Land Title Volume 3126 Folio 385 (Eradu North Road).
3. Portion of Lot 12684 on Deposited Plan 26821 as marked as C on the said plan being part of the land comprised in Certificate of Crown Land Title Volume 3128 Folio 13 (Eradu North Road).
4. Lot 12497 on Deposited Plan 220863 as shown on Deposited Plan 220863 being part of the land comprised in Certificate of Crown Land Title Volume 3118 Folio 582 (Casurinas Road).

The Plans may be inspected at the Department of Land Administration, Midland Square, Midland.

ALANNAH MacTIERNAN, DBNGP Land Access Minister.

LOCAL GOVERNMENT

LG401**LOCAL GOVERNMENT ACT 1995**

City of Albany
(BASIS OF RATES)

Department of Local Government
and Regional Development,
6 June 2003.

DLGRD: AL5-4

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Director General of the Department of Local Government and Regional Development under delegation from the Hon Tom Stephens MLC, Minister for Local Government and Regional Development being charged for the time being, with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the schedule hereunder shall be gross rental value for the purposes of rating with effect from 1st July, 2003.

CHERYL GWILLIAM, Director General.

File: 00690-1998

TECHNICAL DESCRIPTION
ADDITIONS TO GROSS RENTAL VALUE AREAS
CITY OF ALBANY

All that portion of land being Lots 21 to 31 inclusive, Lots 39 to 47 inclusive and Lots 56 to 60 inclusive as shown on Department of Land Administration Deposited Plan 32285 and Lots 112 to 116 inclusive as shown on Department of Land Administration Deposited Plan 33682.

LG402**LOCAL GOVERNMENT ACT 1995**

Shire of Dandaragan
(BASIS OF RATES)

Department of Local Government
and Regional Development,
6 June 2003.

DLGRD: DN5-1

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Director General of the Department of Local Government and Regional Development under delegation from the Hon Tom Stephens MLC, Minister for Local Government and Regional Development being charged for the time being, with the administration of

the *Local Government Act 1995*, has determined that the method of valuing the land described in the schedules hereunder shall be gross rental value for the purposes of rating with effect from 25th March, 2003.

CHERYL GWILLIAM, Director General.

File: 00958-2003
TECHNICAL DESCRIPTION
ADDITIONS TO GROSS RENTAL VALUE AREAS
SHIRE OF DANDARAGAN

All those portions of land comprised in schedules below—

SCHEDULE "A"

All that portion of land being Lots 59 and 60 as shown on Office of Titles Diagram 99405 and Lots 30 and 31 as shown on Office of Titles Diagram 97371

SCHEDULE "B"

All that portion of land being Lot 4, Lots 34 to 37 inclusive, Lots 45 to 49 inclusive, Lot 51 and Lot 53 as shown on Office of Titles Plan 22973; Lots 18 to 29 inclusive, Lot 50, Lot 52, Lot 54 and Lot 55 as shown on Office of Titles Plan 22974; Lots 6 to 8 inclusive, Lots 32 to 34 inclusive, Lots 42 to 44 inclusive and Lot 56 as shown on Office of Titles Plan 23312; Lots 9 to 12 inclusive, Lot 41 and Lot 58 as shown on Office of Titles Plan 23313; Lots 13 to 17 inclusive, Lots 38 to 40 inclusive and Lot 57 as shown on Office of Titles Plan 23314; Lot 63, Lot 83, Lot 84 and Lot 102 as shown on Office of Titles Plan 23981 and Lot 61, Lot 62, Lot 81, Lot 82, Lot 100 and Lot 101 as shown on Office of Titles Plan 23980

SCHEDULE "C"

All that portion of land being Lots 76 to 80 inclusive and Lots 97 to 99 inclusive as shown on Department of Land Administration Deposited Plan 25207; Lots 72 to 75 inclusive and Lot 96 as shown on Department of Land Administration Deposited Plan 25208 and Lots 65 to 71 inclusive, Lots 85 to 95 inclusive, Lot 103, Lot 104 and Lot 9000 as shown on Department of Land Administration Deposited Plan 28507.

LG404

DOG ACT 1976
City of Kalgoorlie-Boulder
APPOINTMENT

It is hereby notified that Ms Nicole Radosevich, Ms Samantha Reynolds and Mrs Donna Stephens have been appointed as officers to the following position within the City of Kalgoorlie-Boulder.

Appointed as Registration Officer under the provisions of the *Dog Act 1976*.

Withdrawal

It is hereby notified that Ms Brooke Johnson is no longer appointed as a Registration Officer under the provisions of the *Dog Act 1976*.

IAN FLETCHER, Chief Executive Officer.

LG403

LOCAL GOVERNMENT ACT 1995
Shire of Nannup
(BASIS OF RATES)

Department of Local Government
and Regional Development,
6 June 2003.

DLGRD: NP5-4

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Director General of the Department of Local Government and Regional Development under delegation from the Hon Tom Stephens MLC, Minister for Local Government and Regional Development being charged for the time being, with the administration of

the *Local Government Act 1995*, has determined that the method of valuing the land described in the schedule hereunder shall be gross rental value for the purposes of rating with effect from 29th April 2003.

CHERYL GWILLIAM, Director General.

File: 02488-1971

TECHNICAL DESCRIPTION
ADDITIONS TO GROSS RENTAL VALUE AREAS
SHIRE OF NANNUP

All that portion of land being Lot 2 as shown on Office of Titles Diagram 48549.

MINERALS AND PETROLEUM

MP401

MINING ACT 1978
INTENTION TO FORFEIT

Department of Industry and Resources,
Perth WA 6000.

In accordance with Regulation 50(b) of the *Mining Act 1978*, notice is hereby given that unless the rent due on the undermentioned licences and leases is paid on or before 4 July 2003 it is the intention of the Minister for State Development under the provisions of Sections 96A(1) and 97(1) of the *Mining Act 1978*, to forfeit such for breach covenant, viz, non-payment of rent.

JIM LIMERICK, Director General.

Number	Holder	Mineral Field
EXPLORATION LICENCES		
28/665	Avoca Resources Ltd St Ives Gold Mining Co Pty Ltd	North East Coolgardie
28/912	Gutnick Resources NL	North East Coolgardie
28/1046	Gutnick Resources NL	North East Coolgardie
28/1047	Gutnick Resources NL	North East Coolgardie
28/1048	Gutnick Resources NL	North East Coolgardie
28/1049	Gutnick Resources NL	North East Coolgardie
31/263	Heron Resources Ltd	North Coolgardie
31/436	Gutnick Resources NL	North Coolgardie
31/437	Gutnick Resources NL	North Coolgardie
31/438	Gutnick Resources NL	North Coolgardie
31/440	Gutnick Resources NL	North Coolgardie
31/443	Gutnick Resources NL	North Coolgardie
31/447	Gutnick Resources NL	North Coolgardie
31/448	Gutnick Resources NL	North Coolgardie
31/453	Gutnick Resources NL	North Coolgardie
31/457	Gutnick Resources NL	North Coolgardie
31/458	Gutnick Resources NL	North Coolgardie
31/461	Gutnick Resources NL	North Coolgardie
31/463	Gutnick Resources NL	North Coolgardie
31/468	Gutnick Resources NL	North Coolgardie
31/469	Gutnick Resources NL	North Coolgardie
31/472	Gutnick Resources NL	North Coolgardie
31/481	Gutnick Resources NL	North Coolgardie
39/684	Dixon, Trevor John	Mt Margaret
40/147	Gutnick Resources NL	North Coolgardie
40/150	Gutnick Resources NL	North Coolgardie
40/169	Gutnick Resources NL	North Coolgardie
80/2722	Ellendale Resources NL	Kimberley

Number	Holder	Mineral Field
MINING LEASES		
04/237	Stella Blast NL	West Kimberley
24/107	Paddington Gold Pty Ltd	Broad Arrow
31/88	Gel Oil Pty Ltd	North Coolgardie
31/284	Gel Oil Pty Ltd	North Coolgardie
47/339	North, Donald Edward	West Pilbara
52/298	St Barbara Mines Ltd	Peak Hill

PLANNING AND INFRASTRUCTURE

PI401

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Busselton

Town Planning Scheme No. 20—Amendment No. 16

Ref: 853/6/6/21 Pt 16

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the Shire of Busselton Town Planning Scheme Amendment on 22 May 2003 for the purpose of—

- a. Modifying Clause 103 (“Suspension of Certain Laws”) to read as follows—
 - (1) *For the purposes of enabling development to be carried out in accordance with this Scheme (as in force at the time the development is carried out) or in accordance with a consent granted under the Act any covenant, agreement or instrument which purports to impose restrictions on the carrying out of the development on any land shall not apply in any way so as to fetter or otherwise restrict the ability of the Council to issue a Planning Consent for a development on the land which may be contrary to or affected by the covenant, agreement or other instrument.*
 - (2) *Nothing in Sub-Clause (1) shall affect the rights or interests of any public authority under any registered instrument.*
 - (3) *Sub-Clause (1) shall not apply to covenants entered into under Section 129A or 129BA of the Transfer of Land Act 1893 for the sole benefit of Council or sole benefit of Council in conjunction with another authority.*
- b. Modifying Sub-Clause (1) of Clause 95 (“Prohibition”) to read as follows—
 - (1) *No person shall carry out any development, or use any land or any building or structure, otherwise than in accordance with the provisions of the Scheme. No person shall carry out any development, or use any land or any building or structure, contrary to the provisions of the Scheme.*
- c. Inserting Sub-Clause (4) into Clause 95 (“Prohibition”) to read as follows—
 - (4) *The Council may, on written application from the owner of the land in respect of which Planning Consent has been granted, revoke or amend the Planning Consent, prior to the commencement of the use or development subject of the Planning Consent.*
- d. Reordering (f) - (l) of Sub-Clause (2) of Clause 31 (“Port Geographe Development Area”) by one alphabetical place each to enable a new provision to be inserted under (f).
- f. Inserting (f) into Sub-Clause (2) of Clause 31 (“Port Geographe Development Area”) to read as follows—
 - (f) *No building shall be erected closer than 4.5m to the landside face of the canal wall, subject to an average setback of 6.0m and the “canal scape” being maintained. Engineering certification will also need to be provided with a building licence application ensuring that no additional structural loads are placed on the canal walls.*
- e. Modifying Schedule 4 (“Additional Uses”) to read as follows—

No.	Particulars of Land	Land Use Permitted/Specified	Conditions
54	Location 226 of Portion of Sussex Location 161 on the corner of Bussell Highway and Broadwater Boulevard	The only land uses permitted shall be— Medical Centre	Design of the development to incorporate— <ul style="list-style-type: none"> • A maximum gross floor area of 765m². • A single storey development of a design and nature that is consistent with the residential character of the surrounding area.

No.	Particulars of Land	Land Use Permitted/Specified	Conditions
			<ul style="list-style-type: none"> • Preparation of a Landscaping Plan detailing and showing dense vegetated buffers on all boundaries. • Maximisation of the retention of mature trees on the site by relocating car parking spaces and the building if necessary.

f. Amending the Scheme mapping by—

- i. Rezoning the whole of Lot 80 Ford Road, Busselton from 'Conservation Zone' to 'Recreation Reserve'.
- ii. Deleting the 'Recreation Reserve' over portion of part Sussex Location 170 Peppermint Drive, Dunsborough so as to be shown uncoloured.

B. MORGAN, President.
K. WHITE, Acting Chief Executive Officer.

PI403*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

Town of Cambridge

Town Planning Scheme No. 1—Amendment No. 9

Ref: 853/2/31/2 Pt 9

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the Town of Cambridge Town Planning Scheme Amendment on 8 June 2003 for the purpose of—

1. Rezoning Holyrood Street, West Leederville from Residential R40 to Residential R30.
2. Amending the Scheme Map to reflect R30.

R. J. WILLCOCK, Mayor.
G. D. PARTRIDGE, Chief Executive Officer.

PI402*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Busselton

Town Planning Scheme No. 20—Amendment No. 48

Ref: 853/6/6/21 Pt 48

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the Shire of Busselton Town Planning Scheme Amendment on 8 June 2003 for the purpose of—

1. Modifying Clause 57(a) of the Scheme to read as follows—

“(a) the Council may consent to the development for the purposes of the erection of not more than two grouped dwellings on any lot comprising not less than 900m², with a minimum site area of 450m² per grouped dwelling, within any area coded R10 or greater on the Scheme Map, excluding standard residential lots with direct canal frontage in the Port Geographe Development Area.”

2. Modifying Clause 57(b) of the Scheme to read as follows—

“(b) subject to Sub-Clauses (d) & (e), the Council may, for the purposes of urban consolidation, consent to the development of any lot created by the amalgamation of two smaller lots or of any land comprising greater than 1,500m² for the purposes of grouped dwellings at density R20, R25 or R30 within any area coded R10 to R20 or R20/30 on the Scheme Map, excluding standard residential lots with direct canal frontage in the Port Geographe Development Area.”

3. Renumbering Clause 31(2)(b) - (l) of the Scheme by one additional numerical place each to allow for a further provision to be inserted as Clause 31(2)(b).

4. Modifying Clause 31(2)(b) of the Scheme to read as follows—
- “(b) Development of the land for the purposes of grouped dwellings shall be in accordance with the R-Codes and, pursuant to Clause 57, the provisions of Clause 57(a) and (b) shall not apply to standard residential lots with direct canal frontage in the Port Geographe Development Area.”

B. MORGAN, President.
K. WHITE, Acting Chief Executive Officer.

PI404*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Geraldton
Town Planning Scheme No. 3—Amendment No. 12

Ref: 853/3/2/7 Pt 12

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the City of Geraldton Town Planning Scheme Amendment on 8 June 2003 for the purpose of—

1. Rezoning the western portion of Lot 26 (Pt Victoria Location 4940) Durlacher Street, Mt Tarcoola from “Development” to “Residential”, and applying a Residential Planning Code Designation of “R17.5/30/40”.
2. Amending the Scheme Maps accordingly.

V. G. PETERSEN, Mayor.
R. W. JEFFERIES, Chief Executive Officer.

PI406*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Kalamunda
District Planning Scheme No. 2—Amendment No. 214

Ref: 853/2/24/16 Pt 214

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the Shire of Kalamunda Town Planning Scheme Amendment on 8 June 2003 for the purpose of adding to the following particulars to Appendix D of the Scheme Text—

1. Under column “Particulars of Land”—
Canning Road, Carmel
Lot 8 (550)
2. Under column “Additional Use”—
Restaurant and Craft Shop. The additional uses are subject to—
 - (a) Restaurant; scale of development and number of persons to be catered for as determined by the Council, compatible with the retention of the landscape interest and amenity of the area, upon receipt of application of planning approval;
 - (b) Provision of sufficient car parking to the satisfaction and specification of the Council that is designed to blend with the scale and character of the surrounding area, with an emphasis on the retention of landscape quality; and
 - (c) The size and scale of the craft shop shall be incidental to the restaurant and at the discretion of the local government.

E. TAYLOR, President.
D. E. VAUGHAN, Chief Executive Officer.

PI405*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Gingin

Town Planning Scheme No. 8—Amendment No. 78

Ref: 853/3/8/10 Pt 78

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the Shire of Gingin Town Planning Scheme Amendment on 8 June 2003 for the purpose of modifying Appendix 2—Schedule of Additional Use Sites by including the following wording—

18. (a) Lot 101 corner Seabird Road and Lancelin Road, Seabird
- (b) Service Station
- (c) (i) Buildings associated with the service station to be under one roof. The floor area of the additional use to be limited to 300m².
- (ii) The site area of the Additional Use to be limited to 3000m².
- (iii) Access to the site being restricted to Seabird Road only and the intersection of Seabird and Lancelin Roads being upgraded to the satisfaction of Main Roads Western Australia.

G. MORTON, President.
 S. D. FRASER, Chief Executive Officer.

PI407*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Kalgoorlie-Boulder

Town Planning Scheme No. 1—Amendment No. 51

Ref: 853/11/3/6 Pt 51

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the City of Kalgoorlie-Boulder Town Planning Scheme Amendment on 8 June 2003 for the purpose of—

1. Amending the Residential Density Code for Lots 119, 120, 121, Pt 122 and 200 Great Eastern Highway, Lot 123 Gatacre Drive and Lot 127 Wingate Street, Kalgoorlie, from General Residential R2 to General Residential R12.5.
2. Inserting under Clause 5.14 Part 1, a new number (C) as follows—

5.14 Land Affected by Aircraft or Other Noise

Description of Land	Special Provisions
(C) Lots 119, 120, 121, Part 122 and 200 Great Eastern Highway, Lot 123 Gatacre Drive and Lot 127 Wingate Street	(C) To reduce the impact of noise from Great Eastern Highway, suitable noise abatement measures are to be implemented at the subdivision and/or development stage to the satisfaction of Council.

P. ROBSON, Mayor.
 I. FLETCHER, Chief Executive Officer.

PI408*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Mandurah

Town Planning Scheme No. 3—Amendment No. 33

Ref: 853/6/13/12 Pt 33

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the City of Mandurah Town Planning Scheme Amendment on 8 June 2003 for the purpose of—

1. Removing the R15 density coding over Part Lot 201 Estuary Place, north of Estuary Place.

2. Rezoning a strip of land within Part Lot 201 Estuary Place (abutting the eastern side of Queen Parade and north of Estuary Place) from "Local Recreation Reserve" to "Urban Development" zone.
3. Rezoning part of Part Lot 201 Estuary Place (abutting the eastern boundary of Lot 210 and north of Estuary Place) from "Local Recreation Reserve" to "Urban Development".
4. Rezoning the Estuary Place Road Reserve from unzoned land to "Canal" zone.
5. Rezoning a triangular portion of land at the northern boundary of Part Lot 201 Estuary Place from "Urban Development" zone to "Conservation and Foreshore Reserve" (in accordance with the draft Peel Region Scheme).
6. Rezoning the southern portion of Crown Reserve 28349 from unzoned land to "Conservation and Foreshore Reserve".
7. Rezoning the northern portion of Crown Reserve 28349 from "Urban Development" zone to "Conservation and Foreshore Reserve" (in accordance with the draft Peel Region Scheme).
8. Rezoning the unallocated Crown land to the east of Crown 28349 from "Urban Development" and "Local Recreation Reserve" to "Conservation and Foreshore Reserve" (in accordance with the draft Peel Region Scheme).
9. Amending the Scheme Maps accordingly.

P. CREEVEY, Deputy Mayor.
S. GOODE, Chief Executive Officer.

PI409*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Swan

Town Planning Scheme No. 9—Amendment No. 413

Ref: 853/2/21/10 Pt 413

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the City of Swan Town Planning Scheme Amendment on 28 May 2003 for the purpose of adding to Appendix 6B—"Additional or Restricted Uses" the following particulars—

Locality	Street & Land Particulars	Additional or Restricted Uses and Conditions
Henley Brook	Lot 105 Casuarina Place	<ol style="list-style-type: none"> 1. The following use is an additional use— "AA" use—Holiday Cottages. 2. The strata titling or subdivision of the holiday cottages is not permitted. 3. The holiday cottages shall be built within the building envelope designated for the property. 4. The size of the two holiday cottages shall be restricted to a maximum floor area of 100m² each.

C. ZANNINO, Mayor.
E. W. LUMSDEN, Chief Executive Officer.

PI410*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Wyndham-East Kimberley

Town Planning Scheme No. 7—Amendment No. 6

Ref: 853/7/5/9 Pt 6

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the Shire of Wyndham-East Kimberley Town Planning Scheme Amendment on 5 June 2003 for the purpose of—

1. Introducing a new Clause 3.1.8 Additional Uses into the Scheme as follows—

"3.1.8 Additional Uses

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

2. Introducing an Additional Uses Schedule as Appendix No. 2A.
3. Introducing into the Additional Uses Schedule the following—

No.	Description of Land	Additional Use(s)	Conditions
1.	Lot 2 of King Location 438, Old Darwin Road, Kununurra	Tourist Accommodation	1. Additional Use restricted to 3.5 hectares, in the south western corner of the land.

4. Introducing a new standard border and annotation into the Legend of the Scheme Maps for “Additional Use Site” and annotating Lot 2 of King Location 438, Old Darwin Road, Kununurra accordingly.

B. JOHNSON, President.
R. SMILLIE, Chief Executive Officer.

PI411*

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959

METROPOLITAN REGION SCHEME AMENDMENT NO. 1054/33

WESTERN POWER DEPOT, BELGRAVIA STREET, BELMONT

Outcome of Amendment

It is hereby notified for public information that the Western Power Depot, Belgravia Street, Belmont Amendment to the Metropolitan Region Scheme has been submitted before both Houses of Parliament in accordance with the provisions of section 33 of the Metropolitan Region Town Planning Scheme Act.

This amendment, as depicted on Western Australian Planning Commission plan number 3.1555, is effective in the Metropolitan Region Scheme on and from 15 May 2003.

IAN PATTERSON, Acting Secretary,
Western Australian Planning Commission.

PI501*

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959

METROPOLITAN REGION SCHEME AMENDMENT NO. 1065/33

EDITH COWAN UNIVERSITY CAMPUS, CHURCHLANDS

Call For Public Submissions

The Western Australian Planning Commission intends to amend the Metropolitan Region Scheme for land in the City of Stirling. Public comment is invited

The purpose of this proposed amendment is to transfer the land within the Edith Cowan University Campus in Churchlands from the Public Purposes—University reservation to the Urban zone.

Full details of the proposal can be found in the Commission’s explanatory *Amendment Report*. This document, along with the amending plan and detail plan showing the proposed change to the reservation of the Scheme, will be available for public inspection from Friday, 13 June 2003 to Friday, 19 September 2003 at the following locations—

- Department for Planning and Infrastructure
1st Floor, Albert Facey House
469 Wellington Street
PERTH
- J S Batty Library
Alexander Library Building
Francis Street
NORTHBRIDGE
- Council Offices of the municipalities of—
 - City of Stirling
 - City of Fremantle
 - City of Perth
 - Town of Cambridge

Documents are also available from the Commission’s Internet Site www.planning.wa.gov.au.

Any person who wishes to make a submission either supporting, objecting or providing comment on any provisions of the proposed Amendment should do so on a submission form (Form 6A). This form is available from the display locations, the *Amendment Report* and the Internet.

Submissions must be lodged with the—

Secretary
Western Australian Planning Commission
469 Wellington Street
PERTH WA 6000

on or before 5.00pm Friday, 19 September 2003. Late submissions will not be considered.

IAN PATTERSON, A/Secretary, Western Australian Planning Commission.

PI701*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME

Shire of Menzies

Town Planning Scheme No. 1

Ref: 853/11/10/1

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the Shire of Menzies Town Planning Scheme No. 1 on 28 May 2003, the Scheme Text of which is published as a Schedule annexed hereto.

K. M. FINLAYSON, President.
M. CHEVERTON, Chief Executive Officer.

SHIRE OF MENZIES
TOWN PLANNING SCHEME NO. 1
(DISTRICT SCHEME)

The local government of the Menzies Shire, under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act, 1928 (as amended) hereinafter referred to as 'the Act', hereby makes the following Town Planning Scheme for the purposes laid down in the Act.

SHIRE OF MENZIES
TOWN PLANNING SCHEME NO. 1
(DISTRICT SCHEME)

The local government of the Menzies Shire, 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 purpose of—

- (a) setting aside land for future public use as reserves;
- (b) controlling development;
- (c) other matters authorised by the enabling Act.

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PART 1—PRELIMINARY**1.1 CITATION**

1.1.1 The Shire of Menzies Scheme No 1 (‘the Scheme’) comes into operation on its Gazettal date.

1.1.2 The Shire of Menzies Interim Development Order is hereby revoked.

1.2 RESPONSIBLE AUTHORITY

The Shire of Menzies (the ‘local government’) is the responsible authority for implementing the Scheme.

1.3 SCHEME AREA

The Scheme applies to the Scheme district that covers all of the local government district of the Shire of Menzies as shown on the Scheme Map.

1.4 CONTENTS OF SCHEME

The Scheme comprises—

- (a) The Scheme Text
- (b) The Scheme Map

The Scheme Text is to be read in conjunction with the Scheme Map(s) and Local Planning Strategy.

1.5 PURPOSE OF THE SCHEME

The purpose of this Scheme is to—

- (a) set out the local government’s aims and intentions for the Scheme area;
- (b) set aside land as reserves for public purposes;
- (c) zone land within the scheme area for the purposes defined in the Scheme;
- (d) control and guide land use and development;
- (e) set out procedures for the assessment and determination of planning applications;
- (f) make provision for the administration and enforcement of the Scheme; and
- (g) address other matters set out in the First Schedule to the Town Planning Act.

1.6 THE AIMS OF THE SCHEME

The aims of this Scheme are—

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

1.7 RELATIONSHIP WITH LOCAL LAWS

Where a provision of this Scheme is inconsistent with a local law or by-law, the provisions of this Scheme shall prevail.

1.8 DEFINITIONS

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

- (a) in the Town Planning Act; or
- (b) if they are not defined in that Act—
 - (i) in the Dictionary of defined words and expressions in Schedule 1; of the Town Planning Amendment Regulations 1999, or
 - (ii) in the Residential Planning Codes.

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

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

PART 2—LOCAL PLANNING POLICY FRAMEWORK

2.1 SCHEME DETERMINATIONS TO CONFORM WITH LOCAL PLANNING STRATEGY

Except to the extent that the Local Planning Strategy is inconsistent with the Scheme, determinations of the local government under the Scheme are to be consistent with the Local Planning Strategy.

2.2 LOCAL PLANNING POLICIES

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

- (a) generally or for a particular class or classes of matters; and
 - (b) throughout the Scheme area or in one or more parts of the Scheme area,
- and may amend or add to or rescind the Policy.

2.3. RELATIONSHIP OF LOCAL PLANNING POLICIES TO SCHEME

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

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

2.4. PROCEDURE FOR MAKING OR AMENDING A LOCAL PLANNING POLICY

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

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

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

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

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

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

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

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

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

2.5. REVOCATION OF LOCAL PLANNING POLICY

A Local Planning Policy may be revoked by—

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

PART 3—RESERVES

3.1 RESERVES

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

3.2 LOCAL RESERVES

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

3.3 USE AND DEVELOPMENT OF LOCAL RESERVES

3.3.1 A person must not—

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

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

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

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

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

PART 4—ZONES AND THE USE OF LAND

4.1 CLASSIFICATION

4.1.1 The scheme area is classified into the following zones with their respective objectives—

Residential zone

- To provide for predominantly residential development with a variety of housing to meet the needs of different household types through the application of the Residential Planning.
- Non-residential uses shall be compatible in character, scale and operation with the predominant residential use.
- A non-residential use shall only be permitted if the use does not detract from the amenity of the area.

Commercial zone

- To maintain a compact and accessible centre.
- To centralise commercial and service functions.
- To maintain safety and efficiency of traffic flows and provide for adequate facilities for the storage and circulation of vehicles.
- To preclude the storage of bulky and unsightly goods where they may be in public view.
- To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades.
- To provide sheltered places for pedestrians.
- To restrict industrial type uses to service or low impact, labour intensive industries that relate to the centre functions.
- To reduce uses attracting large volumes of truck traffic other than to service retail outlets.
- To provide for residential uses only where the uses are combined with a commercial use, e.g. hotel, or where the residential uses occupy a floor level where it is impracticable or inappropriate to establish a shop or office.

Industrial zone

- To provide for general industry, the storage and distribution of goods and associated uses, which by the nature of their operations should be separated from residential areas. To provide a location for diverse industries that would otherwise have a detrimental impact on the other uses in the town.
- To provide a location where separate vehicular access is provided.
- To provide a location for depots, warehouses, and large vehicle parking and servicing areas.

Townsite zone

The Townsite Zone is shown diagrammatically on the Scheme Map. The zone shall deem to apply to all the land within the Townsite Boundary indicated.

- To maintain a small town atmosphere.
- To maintain the status quo of uses within the zone.
- To allow a variety of uses necessary to service the normal functions of a small townsite.
- To provide for residential development and a range of commercial, industrial and other uses in small towns.

Special Use zone

To provide an area where special uses can be operated under the specific control of the Local government in order to maintain the safety, health and welfare of surrounding users.

- To enable the Local government to impose specific conditions to restrict the use and operation of any development that would normally not fit within the ambit of any other zone in this Scheme.

Rural zone

The zone applies to the areas of Menzies and Kookynie Townsites that are not otherwise classified for other urban type uses.

- To provide for a range of rural pursuits which are compatible with the capability of the land and retain the rural character and amenity of the locality.
- To protect land from urban uses and mining activities that may jeopardise the future use of that land for other planned purposes that are compatible with the zoning.
- To protect the land from closer development which would detract from the rural character and amenity of the area.
- To prevent any development which may affect the viability of a holding.

Rural/mining zone

- To provide for a range of rural and mining pursuits which are compatible with the capability of the land and retain the rural character and amenity of the locality whilst still acknowledging the significance of the mining operations and the extraction of basic raw materials with appropriate environmental safeguards.
- To protect land from urban uses that may jeopardise the future use of that land for other planned purposes that are compatible with the zoning.
- To protect the land from closer development which would detract from the rural character and amenity of the area.
- To prevent any development which may affect the viability of a holding.
- To provide for and monitor mining activities and its associated works, however restricting the residential component of the activities to the townsites of the Shire.

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

4.2 ZONING TABLE

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

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

- ‘P’ means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme;
- ‘AA’ means that the use is not permitted unless the local government has exercised its discretion by granting planning approval.
- ‘SA’ means that the use is not permitted unless the local government has exercised its discretion and has granted planning approval after giving special notice in accordance with clause 9.4.
- ‘IP’ means that the use is not permitted unless such use is incidental to the predominant use of the land as determined by the local government.

Where no symbol appears it means a use that is not permitted by the Scheme.

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

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

4.3 INTERPRETATION OF THE ZONING TABLE

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

4.3.2 If the use of the land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may—

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

TABLE 1—ZONING TABLE

USE CLASS	Zones						
	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	SPECIAL USE	TOWNSITE	RURAL	RURAL/MINING
RESIDENTIAL							
Aged or Dependent Persons Dwelling	SA			*	P		
Caretaker's Dwelling	P	IP	SA	*	P	IP	IP
Home Occupation	IP	IP		*	IP	IP	IP
Lodging House	SA	AA		*	SA	SA	SA

USE CLASS	Zones						
	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	SPECIAL USE	TOWNSITE	RURAL	RURAL/MINING
Residential Building	AA			*	AA		
Residential							
—Single House	P	SA		*	P	P	P
—Grouped Dwelling	P	AA		*	P		SA
—Multiple Dwelling	AA	AA		*	AA		SA
TOURIST AND ENTERTAINMENT							
Amusement Parlour		AA		*	SA		
Amusement and Recreation		AA	SA	*	SA	AA	AA
Bed and Breakfast	SA	AA		*	SA	AA	AA
Camping Area				*	SA	SA	SA
Caravan Park				*	SA	AA	
Holiday Accommodation		AA		*	SA	AA	AA
Hotel		P		*	SA		
Motel		AA		*	SA		
Private Recreation	SA	AA		*	AA	SA	SA
Tavern		P		*	SA		
COMMERCE							
Betting Agency		P		*	SA		
Convenience Store	SA	P	SA	*	SA		
Dry Cleaning Premises		AA	P	*	SA		
Fast Food Outlet		AA		*	SA		
Garden Centre		P	AA	*	AA	AA	
Kiosk	SA	P	AA	*	AA		
Market		AA	SA	*	SA		
Medical Centre		AA		*	SA		
Medical Clinic		AA		*	SA		
Office		P	IP	*	SA		IP
Plant Nursery		AA	P	*	AA	AA	SA
Reception Centre		P		*	SA		
Restaurant		P		*	SA	SA	SA
Restricted Premises		P		*	SA		
Shop		P	IP	*	SA		
Service Station		AA	P	*	SA		
Showroom		P	P	*	SA		
Trade Display		AA	P	*	SA		
Transport Depot		SA	P	*	SA	SA	IP
Vehicle Hire Station		AA	P	*	SA		
Vehicle Sales Premises		AA	AA	*	SA		
INDUSTRY							
Cottage Industry	SA	AA	P	*	AA	SA	SA
Extractive Industry			SA	*		SA	SA
Factoryettes			P	*	SA		
General Industry			AA	*			
Hazardous Industry				*			
Light Industry		AA	P	*	SA		IP
Motor Vehicle Repair Station		AA	P	*	SA		
Noxious Industry			SA	*			
Rural Industry			SA	*	SA	P	P
Service Industry		AA	P	*	SA	IP	IP
Warehouse			P	*	SA		

USE CLASS	Zones							
	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	SPECIAL USE	TOWNSITE	RURAL	RURAL/MINING	
CIVIC AND COMMUNITY								
Civic Use	SA	AA	AA	*	SA			
Community Use	SA	P		*	AA			
Day Care Centre	SA	AA		*	AA			
Educational Establishment	SA	P		*	SA	SA	SA	
Kindergarten	SA	AA		*	SA			
Place of Worship		P		*	AA			
RURAL								
Rural Pursuit				*	SA		P	
Stockyard				*	SA		IP	
Wayside Stall				*	SA	SA	AA	
Intensive Agriculture				*	SA		AA	
OTHER								
Animal Boarding House			AA	*	SA	SA	SA	
Funeral Parlour		SA	P	*	SA			
Public Utility	AA	AA	AA	*	AA	AA	AA	
Radio and TV Installation		AA	P	*	AA	AA	AA	
Veterinary Consulting Rooms		SA	P	*	SA	SA	SA	
Veterinary Hospital		SA	P	*	SA	SA	SA	

* means Uses as determined by the Council as per Schedule II and the Scheme Map.

4.4 ADDITIONAL USES

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

4.5 SPECIAL USE ZONES

Special Use Zones are set out in Schedule 3 and are in addition to the zones in the Zoning Table. No persons shall use any land or any structure or buildings thereon, in a Special Use Zone except for the purpose set out against that land in Schedule 3 and subject to the conditions set out in Schedule 3 with respect to that land.

4.6 NON-CONFORMING USE RIGHTS

Except as otherwise provided in this Scheme, no provision of the Scheme shall be deemed to prevent—

- 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
- the carrying out of any development thereon for which, immediately prior to that time, an approval or approvals, lawfully required to authorise the development to be carried out, were duly obtained and are current; or
- subject to clause 11.2.1, the continued display of advertisements which were lawfully erected, placed or displayed prior to the approval of this Scheme.

4.7 EXTENSIONS AND CHANGES TO A NON-CONFORMING USE

4.7.1 A person must not—

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

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

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

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

4.8 DISCONTINUANCE OF NON-CONFORMING USE

When a non-conforming use of any land or buildings 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.

4.9 TERMINATION OF A NON-CONFORMING USE

The local government 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.

4.10 REGISTER OF NON-CONFORMING USES

4.10.1 The local government shall keep a Register of non-conforming uses at the offices of the local government that shall be made available for public inspection during office hours.

4.10.2 A person who wishes the local government to record that a non-conforming use exists may submit to the local government in writing full details of the nature, location and extent of the non-conforming use claimed.

4.10.3 Where the local government is satisfied that a non-conforming use exists, it shall record details of the non-conforming use on the Register.

4.10.4 A non-conforming use does not cease to exist if it is not registered on the Register.

PART 5—GENERAL DEVELOPMENT REQUIREMENTS

5.1 COMPLIANCE WITH DEVELOPMENT STANDARDS AND REQUIREMENTS

Any development of land is to comply with the provisions of the Scheme.

5.2. RESIDENTIAL PLANNING CODES

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

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

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

- 5.2.4. (a) The Residential Planning Code for land zoned 'Residential' and 'Commercial' shall be R10/R30 unless otherwise indicated on the Scheme Maps.
- (b) Residential development with the R10/30 code shall be permitted at the R10 density, however the Council may approve developments up to the R30 density as an 'AA' use.
- (c) The Council shall not approve a residential development with a density exceeding R10 unless a connection to a sewer network is available or otherwise it is in accordance with the provisions of any relevant Government Sewerage Policy.
- (d) Notwithstanding the right to develop a single house on an existing lot, residential development in the 'Rural' and 'Rural/Mining' Zones shall comply with the specific requirements of the Council, however these shall not be lesser than those specified for the Residential Planning Code 'R2'.

5.3 SITE AND DEVELOPMENT REQUIREMENTS

Any development that is permitted under the provisions of Part 2 and Part 3 of this Scheme shall conform to the requirements for that use as specified in Table II—Development Table, or in the Residential Planning Codes for residential development.

5.3.1 Development Requirements

Where requirements for a particular use are not set out in this Scheme, the development shall conform to the provisions for the predominant use of the zone in which it is situated, as determined by the local government, or where such provisions are inappropriate, to such requirements as the local government shall determine. For the purposes of this Clause, the predominant uses in zones and local reserves shall be deemed to be as outlined in their respective objectives.

5.3.2 Combined Uses

Where two or more uses are combined in a single development, the development shall conform to the requirements for each use respectively, or where such requirements are inappropriate, to such requirements as the local government shall determine.

5.3.3 Industrial Development

Unsewered industrial development will be restricted to 'dry industry' type (ie. industries predicted to generate wastewater for disposal on-site of a daily rate of less than 540 litres per 1000m²).

TABLE II—DEVELOPMENT TABLE

Controls Use Class	Minimum Boundary Setback (Metres)			Maximum Plot Ratio	Minimum Landscaped area (%)	Minimum Number of Car Parking Bays
	Front	Rear (Average)	Sides			
Club	*	*	*	0.5	*	1 for every 45m ² of gross floor area.
Consulting Rooms	*	*	*	0.4 in Res Zone0.5 elsewhere	30 in Res Zone	1 for every 30m ² of gross floor area, plus 1 for each person employed.
Day Care Centre	7.5	7.5	*	*	*	1 for each employee.
Educational Establishment	9.0	7.5	5.0	*	30	1 per full time employee, plus bays for students as determined by the Council.
Funeral Parlour	*	*	*	*	10	As determined by the Council, (minimum 6).
Hall	*	*	*	*	10	1 for every 4 persons whom the building is designed to accommodate.
Hospital	9.0	7.5	5.0	0.4 in Res Zone0.5 elsewhere	20	1 per 4 beds and 1 per employee.
Hostel	7.5	7.5	*	*	30	1 per dwelling.
Hotel/Tavern	*	*	*	*	10	1 for every bedroom plus 1 per 2m ² of bar and lounge area.
Industrial—Service	7.5	7.5	*	*	10	1 per 2 employees.
Industrial—Light	7.5	7.5	*	*	10	1 per 2 employees.
Industrial—General	7.5	7.5	*	*	15	1 per 2 employees.
Motel	9.0	7.5	3.0 per storey	1.0	30	1 per unit, plus 1 space per 25m ² of service area.
Office	*	*	*	*	*	1 for every 30m ² plot ratio area.
Professional Office	*	*	*	0.5	*	1 for every 30m ² plot ratio area.
Restaurant	*	*	*	*	*	1 for every 10m ² of gross floor area or 1 for every 4 seats provided, whichever is the greater.
Service Station	7.5	7.5	*	*	5	1 for every working bay, plus 1 for each person employed on site.
Shop	*	*	*	*	*	1 for every 15m ² of gross floor area.
Showroom	*	*	*	*	10	1 for every 100m ² of gross floor area.
Vehicle Sales	*	*	*	*	5	1 for every 250m ² of sales area, plus 1 for every person employed on site.

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

(ii) Landscaping to be generally at the street frontage.

5.4 CARETAKER'S DWELLING

The provisions of this clause apply to all caretakers' dwellings in the Industrial zone.

5.4.1 A caravan is not permitted as a caretaker's dwelling for either permanent or temporary occupation.

5.4.2 Only a single caretaker's dwelling shall be permitted on each lot and it shall be located at the rear of a lot zoned Industrial.

5.4.3 The Council will not support the subdivision or development of land in an industrial zone that will;

- allow the dwelling to be sold separately from the industrial use of the land;
- restrict the use of the land for industrial purposes.

5.4.4 A caretaker's dwelling shall contain only 1 bedroom.

5.4.5 A caretaker's dwelling shall have a maximum floor area of 100m² measured from the external face of the walls.

5.4.6 Open verandahs may be permitted but are not to be enclosed by any means unless the total floor area remains less than 100m².

5.5 RESTRICTIVE COVENANTS

5.5.1 Subject to the provisions of sub-clause 5.5.2, a restrictive covenant affecting any land in the Scheme Area whereby, or the effect of which is that, the restrictive covenant is inconsistent with the provisions of the Scheme or the Residential Planning Codes, is hereby extinguished or varied to the extent that it is inconsistent with the provisions of this Scheme.

5.5.2 Where sub-clause 5.5.1 operates to extinguish or vary a restrictive covenant the local government shall not grant planning approval to the development of the land which would but for the operation of sub-clause 5.5.1 have been prohibited unless the application has been dealt with as an 'SA' use and has complied with all of the advertising requirements of clause 9.4.

5.6 VARIATIONS TO SITE AND DEVELOPMENT STANDARDS AND REQUIREMENTS

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

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

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

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

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

5.7 ENVIRONMENTAL CONDITIONS

5.7.1. Environmental conditions to which the Scheme is, or amendments to the Scheme are, subject are incorporated into the Scheme by Schedule 9 of the Scheme.

5.7.2. Where appropriate, the environmental conditions are indicated on the Scheme Map by the symbol 'EC' to indicate that environmental conditions apply to the land.

5.7.3. The local government is to—

- (a) maintain a register of all relevant statements published under sections 48F and 48G of the Environmental Protection Act; and
- (b) make the statements available for public inspection at the offices of the local government.

PART 6—SPECIAL CONTROL AREAS

6.1.1 OPERATION OF SPECIAL CONTROL AREAS

6.1.1. The following Special Control Areas are shown on the Scheme Maps.

Special Control Area No 1 Water Catchment

6.1.2. In respect of a Special Control Area shown on a Scheme Map, the provisions applying to the Special Control Area apply in addition to the provisions applying to any underlying zone or reserve and any general provisions of the Scheme.

6.2. SPECIAL CONTROL AREA NO 1

Special Control Area No 1 includes the Menzies Water Catchment Area and includes all land within the WA Water Authority's water catchment area for Menzies.

6.2.1. No development shall occur within this area that may jeopardise the continued extraction of the groundwater resources to service the town's water supply.

6.2.2. Where the Council is in doubt about the affect of a proposed development within this area, the application shall be referred to the WA Water Authority for comment.

PART 7—HERITAGE PROTECTION

7.1 HERITAGE LIST

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

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

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

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

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

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

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

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

7.2 DESIGNATION OF A HERITAGE AREA

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

7.2.2 The local government is to —

- (a) adopt for each heritage area a Local Planning Policy which is to comprise;
 - (i) a map showing the boundaries of the heritage area;
 - (ii) a record of places of heritage significance; and
 - (iii) objectives and guidelines for the conservation of the heritage area;

and

- (b) keep a copy of the Local Planning Policy for any designated heritage area with the Scheme documents for public inspection.

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

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

and

- (c) carry out such other consultation as the local government considers appropriate.

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

- (a) the area subject of the proposed designation;
- (b) where the proposed Local Planning Policy which will apply to the proposed heritage area may be inspected; and
- (c) in what form and in what period (being not less than 21 days from the day the notice is published or the sign is erected, as the case requires) submissions may be made.

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

- (a) review the proposed designation in the light of any submissions made; and

- (b) resolve to adopt the designation with or without modification, or not to proceed with the designation.

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

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

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

7.3 HERITAGE AGREEMENTS

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

7.4 HERITAGE ASSESSMENT

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

7.5 VARIATIONS TO SCHEME PROVISIONS FOR A HERITAGE PLACE OR HERITAGE AREA

Where desirable to—

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

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

PART 8—DEVELOPMENT OF LAND

8.1 REQUIREMENT FOR APPROVAL TO COMMENCE DEVELOPMENT

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

8.2 PERMITTED DEVELOPMENT

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

- (a) the carrying out of any building or work which affects only the interior of a building and which does not materially affect the external appearance of the building except where the building is—
(i) located in a place that has been entered in the Register of Heritage Places under the Heritage of Western Australia Act 1990;
(ii) the subject of an order under Part 6 of the Heritage of Western Australia Act 1990; or
(iii) included on the Heritage List under clause 7.1 of the Scheme;
- (b) the erection on a lot of a single house including any extension, ancillary outbuildings and swimming pools, except where—
(i) the proposal requires the exercise of a discretion by the local government under the Scheme to vary the provisions of the Residential Planning Codes; or
(ii) the development will be located in a heritage area designated under the Scheme;
- (c) the demolition of any building or structure except where the building or structure is—
(i) located in a place that has been entered in the Register of Places under the Heritage of Western Australia Act 1990;
(ii) the subject of an order under Part 6 of the Heritage of Western Australia Act 1990;
(iii) included on the Heritage List under clause 7.1 of the Scheme; or
(iv) located within a heritage area designated under the Scheme;
- (d) a home office;
- (e) any works which are temporary and in existence for less than 48 hours or such longer time as the local government agrees; and
- (f) any of the exempted classes of advertisements listed in Schedule 5 except in respect of a place included in the Heritage List or in a heritage area.

8.3. AMENDING OR REVOKING A PLANNING APPROVAL

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

8.4. UNAUTHORISED EXISTING DEVELOPMENTS

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

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

PART 9—APPLICATION FOR PLANNING APPROVAL

9.1 FORM OF APPLICATION

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

- (a) a use or commencement of development on a Local Reserve under clause 3.3;
- (b) commencement of a 'P' use which does not comply with all relevant development standards and requirements of the Scheme as referred to in clause 4.2.2;
- (c) commencement of a 'AA', 'SA' or 'IP' use as referred to in clause 4.2.2;
- (d) commencement of a use not listed in the Zoning Table under clause 4.3.2(b);
- (e) alteration or extension of a non-conforming use under clause 4.7;
- (f) a change of a non-conforming use under clause 4.7;
- (g) continuation of a non-conforming use under clause 4.8;
- (h) variation of a site or development requirement under clause 5.6;
- (i) commencement of development under clause 8.1;
- (j) continuation of development already commenced or carried out under clause 8.4;
- (k) a subsequent planning approval pursuant to an approval under clause 10.8.1; and
- (l) the erection, placement or display of an advertisement,

is, subject to clause 9.1.2, to be made in the form prescribed in Schedule 5 and is to be signed by the owner, and accompanied by such plans and other information as is required under the Scheme.

9.1.2. An application for the erection, placement or display of an advertisement is to be accompanied by the additional information set out in the form prescribed in Schedule 6.

9.2 ACCOMPANYING MATERIAL

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

- (a) a plan or plans to a scale of not less than 1:500 showing—
 - (i) street names, lot number(s), north point and the dimensions of the site;
 - (ii) the location and proposed use of the site, including any existing building to be retained and proposed buildings to be erected on the site;
 - (iii) the existing and proposed means of access for pedestrians and vehicles to and from the site;
 - (iv) the location, number, dimensions and layout of all car parking spaces intended to be provided;
 - (v) the location and dimensions of any area proposed to be provided for the loading and unloading of vehicles carrying goods or commodities to and from the site and the means of access to and from those areas;
 - (vi) the location, dimensions and design of any open storage or trade display area and particulars of the manner in which it is proposed to develop the same; and
 - (vii) the nature and extent of any open space and landscaping proposed for the site.
- (b) plans, elevations and sections of any building proposed to be erected or altered and of any building it is intended to retain;
- (c) any specialist studies that local government may require the applicant to undertake in support of the application such as traffic, heritage, environmental, engineering or urban design studies;
- (d) any other plan or information that the local government may reasonably require to enable the application to be determined.

9.3 ADDITIONAL MATERIAL FOR HERITAGE MATTERS

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

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

9.4 ADVERTISING OF APPLICATIONS

9.4.1 Where an application is made for planning approval to commence an 'SA' use or commence or carry out development which involves an 'SA' use, the local government shall not grant approval to that application unless notice is first given in accordance with the provisions of sub-clause 9.4.3.

9.4.2 Notwithstanding the provisions of clause 9.4.1, where an application is made for planning approval for any other purpose, the local government may require that notice is first given in accordance with the provisions of sub-clause 9.4.3.

9.4.3 The local government may require the applicant to give notice or decide to give notice of an application for planning approval and one or more of the following shall be carried out—

- (a) notice of the proposed development to be served on nearby owners and occupiers who are likely to be affected by the granting of planning approval stating that submissions may be made to the local government by a specified date being not less than 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 local government by a specified date being not less than twenty-one days from the publication thereof;
- (c) sign or signs displaying notice of the proposed development to be erected in a conspicuous position on the land for the specified period from the date of publication of the notice referred to in paragraph (b) of this sub-clause.

9.4.4 The notice referred to in sub-clause 9.4.3 (a) and (b) shall be in the form contained in Schedule 7 with such modifications as the circumstances may require.

9.4.5 Any person may inspect the application for planning approval referred to in the notice and material accompanying that application.

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

PART 10—PROCEDURE FOR DEALING WITH APPLICATIONS

10.1 CONSULTATIONS WITH OTHER AUTHORITIES

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

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

10.2 MATTERS TO BE CONSIDERED BY LOCAL GOVERNMENT

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

- (a) the aims and provisions of the Scheme and any other relevant town planning schemes operating within the Scheme area.
- (b) the requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, or region scheme or amendment, which has been granted consent for public submissions to be sought;
- (c) any approved statement of planning policy of the Commission;
- (d) any approved environmental protection policy under the Environmental Protection Act 1986;
- (e) any relevant policy or strategy of the Commission and any relevant policy adopted by the Government of the State;
- (f) any Local Planning Policy adopted by the local government under clause 2.4, any heritage policy statement for a designated heritage area adopted under clause 7.2.2, and any other plan or guideline adopted by the local government under the Scheme;
- (g) in the case of land reserved under the Scheme, the ultimate purpose intended for the reserve;
- (h) the conservation of any place that has been entered in the Register within the meaning of the Heritage of Western Australia Act 1990, or which is included in the Heritage List under clause 7.1, and the effect of the proposal on the character or appearance of a heritage area;
- (i) the compatibility of a use or development with its setting;
- (j) any social issues that have an effect on the amenity of the locality;
- (k) the cultural significance of any place or area affected by the development;
- (l) the likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment;
- (m) whether the land to which the application relates is unsuitable for the proposal by reason of it being, or being likely to be, subject to flooding, tidal inundation, subsidence, landslip, bush fire or any other risk;

- (n) the preservation of the amenity of the locality;
- (o) the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;
- (p) whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles;
- (q) the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (r) whether public transport services are necessary and, if so, whether they are available and adequate for the proposal;
- (s) whether public utility services are available and adequate for the proposal;
- (t) whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
- (u) whether adequate provision has been made for access by disabled persons;
- (v) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- (w) whether the proposal is likely to cause soil erosion or land degradation;
- (x) the potential loss of any community service or benefit resulting from the planning approval;
- (y) any relevant submissions received on the application;
- (z) the comments or submissions received from any authority consulted under clause 10.1.1;
- (za) any other planning consideration the local government considers relevant.

10.3 DETERMINATION OF APPLICATIONS

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

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

10.4 FORM AND DATE OF DETERMINATION

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

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

10.5 TERM OF PLANNING APPROVAL

10.5.1 Where the local government grants planning approval, that approval—

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

10.5.2 An application may be made to the local government for an extension of the term of planning approval at any time prior to the expiry of the approval period in clause 10.5.1 (a).

10.6 TEMPORARY PLANNING APPROVAL

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

10.7 SCOPE OF PLANNING APPROVAL

Planning approval may be granted—

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

10.8 APPROVAL SUBJECT TO LATER APPROVAL OF DETAILS

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

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

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

10.9 DEEMED REFUSAL

10.9.1 Subject to sub-clause 10.9.2, an application for planning approval shall be deemed to have been refused where a decision in respect of that application is not posted, given or otherwise conveyed to the applicant by the local government within 60 days of the receipt of it by the local government, or within such further time as agreed in writing between the applicant and the local government.

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

10.9.3 Notwithstanding that the application for planning approval may be deemed to have been refused, the local government may issue a decision in respect of the application at any time after the expiry of the 60 days or 90 day period specified in those classes, and that decision shall be effective as from the date of determination.

10.10 APPEALS

10.10.1 An applicant aggrieved by a decision of the local government in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with Part 5 of the Act and the rules and regulations pursuant to the Act.

PART 11—ENFORCEMENT AND ADMINISTRATION

11.1 ADDITIONAL POWERS OF THE SCHEME

11.1.1 The local government in implementing the Scheme has, in addition to all other powers vested in it, the following powers—

- (a) To enter into an agreement with any owner, occupier or other person having an interest in land affected by the provisions of the Scheme in respect of any matters pertaining to the Scheme.
- (b) To acquire any land or buildings within the district pursuant to the provisions of the Scheme or the Act.
- (c) To deal with or dispose of any land which it has acquired pursuant to the provisions of the Scheme or the Act in accordance with the law and for such purpose may make such agreements with other owners as it considers fit.
- (d) An officer of the local government, authorised by the local government for the purpose, may at all reasonable times and with such assistance as may be required, enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed.

11.2 REMOVAL AND REPAIR OF EXISTING ADVERTISEMENTS

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

11.2.2 Where, in the opinion of the local government, an advertisement has been permitted to deteriorate to a point where it conflicts with the objectives of the Scheme or it ceases to be effective for the purpose for which it was erected or displayed, the local government may by notice in writing require the advertiser to—

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

11.2.3 For the purpose of sub-clauses 11.2.1 and 11.2.2 any notice shall be served upon the advertiser and shall specify—

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

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

11.3 DELEGATION OF FUNCTIONS

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

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

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

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

11.4 OFFENCES

11.4.1 No person shall depart from or permit or suffer any departure from the requirements and provisions of the Scheme, nor shall any person permit the use of any land or building or undertake or permit the undertaking of any development within the Scheme Area—

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

11.4.2 Any person or advertiser 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 such penalties as are prescribed by section 10 of the Act.

11.5 COMPENSATION

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

- (a) in any case, within 6 months of the date of publication of notice of the approval of the Scheme or the amendment, as the case requires, in accordance with the Town Planning Regulations 1967; or
- (b) where the land has been reserved for a public purpose and—
 - (i) an application made under the Scheme for approval to carry out development on the land is refused; or
 - (ii) an application made under the Scheme for approval to carry out development on the land is granted subject to conditions that have the effect of permitting the land to be used or developed for no purpose other than a public purpose,

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

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

11.6 NOTICE FOR REMOVAL OF CERTAIN BUILDINGS

11.6.1 Twenty eight (28) days written notice is hereby prescribed as the notice to be given pursuant to section 10 of the Act for the removal of certain buildings.

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

SCHEDULE 1—DEFINITIONS

Unless specified below the meaning of words and expressions in the Scheme shall be in accordance with;

- Clause 1.8 of the Scheme,
- the definitions in the Residential Planning Codes,
- the Act, and
- the Town Planning Regulations 1999 (Model Scheme Text) Dictionary of defined words and expressions.

SCHEDULE 2—ADDITIONAL USES

No	DESCRIPTION OF LAND	SPECIAL USE	CONDITIONS

SCHEDULE 3—SPECIAL USES

No	DESCRIPTION OF LAND	SPECIAL USE	SCHEME MAP DESIGNATION	CONDITIONS
1	Reserve 35509 (Lot 15) Florence Street, Menzies	Aboriginal Settlement	AS	Uses to be permitted in accordance with an adopted and registered Community Layout Plan for the Community
2	Lot 30 Cnr Wilson and Shenton Streets, Menzies	Service Station	SS	
3	Lots 61—63 Cnr Shenton and Kensington Sts, Menzies	Road Train Park	RTP	

SCHEDULE 4—EXEMPTED ADVERTISEMENTS

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

¹ Includes the change of posters on poster signs and applies to non-illuminated signs unless otherwise stated.

LAND USE AND/OR DEVELOPMENT	EXEMPTED SIGN ¹	MAXIMUM SIZE
Public Places and Reserves	(a) Advertisement signs (illuminated and non-illuminated) relating to the functions of government a public authority or local government of a local government excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body, and	N/A
	(b) Advertisement signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a Government department, public authority or the local government of a local government, and	N/A
	(c) Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a Statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.	N/A
Railway Property and Reserves	Advertisement signs exhibited on such land provided that each such advertisement is directed only at persons at or upon a railway station.	No sign shall exceed 2m ² in area.
Advertisements within buildings	All advertisements placed or displayed within buildings which cannot ordinarily be seen by a person outside of those buildings.	N/A
All classes of buildings other than single family dwellings	One advertisement sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.	0.2m ²

TEMPORARY SIGNS	EXEMPTED SIGN ² TYPE AND NUMBER (All non-illuminated unless otherwise stated)	MAXIMUM AREA	
Building Construction Sites (advertisement signs displayed only for the duration of the construction) as follows—	(a) Dwellings.	One Advertisement per street frontage containing details of the project and the contractors undertaking the construction work.	2m ²
	(b) Multiple Dwellings, Shops, Commercial and Industrial projects.	One sign as for (a) above	5m ²
	(c) Large Development or redevelopment projects involving shopping centres, office or other buildings exceeding 3 storeys in height.	One sign as for (a) above	10m ²
		One additional sign showing the name of the project builder.	5m ²

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

TEMPORARY SIGNS	EXEMPTED SIGN ² TYPE AND NUMBER (All non-illuminated unless otherwise stated)	MAXIMUM AREA
Sales of Goods or Livestock	One sign per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any land or within any building upon which the sign is exhibited provided that the land is not normally used for that purpose.	2m ²
Property Transactions. Advertisement signs displayed for the duration of the period over which property transactions are offered and negotiated as follows— (a) Dwellings (b) Multiple Dwellings, Shops, Commercial and Industrial Properties. (c) Large properties comprised of shopping centres, buildings in excess of four storeys and rural properties in excess of 5ha.	One sign per street frontage for each property relating to the sale, leading or impending auction of the property at or upon which the sign is or the signs are displayed. One sign as for (a) above One sign as for (a) above	Each sign shall not exceed an area of 2m ² . Each sign shall not exceed an area of 5m ² . Each sign shall not exceed an area of 10m ² .
Display Homes Advertisement signs displayed for the period over which homes are on display for public inspection.	(i) One sign for each dwelling on display (ii) In addition to (i) above one sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display.	2m ² . 5m ²

**SCHEDULE 5—FORM OF APPLICATION FOR PLANNING APPROVAL
APPLICATION FOR APPROVAL**

Please tick which approval is being sought and fill out the appropriate sections of this form.

<input type="checkbox"/> PLANNING APPROVAL	<input type="checkbox"/> BUILDING LICENCE
<input type="checkbox"/> DEMOLITION LICENCE	<input type="checkbox"/> SIGN LICENCE

PROPERTY DETAILS—

Lot No.House/Street No.Location No.Diagram or Plan No.
 Certificate of Title No.Volume.....Folio.....Lot Area (m²).....
 Title Encumbrances (eg, easements, restrictive covenants)
 Street Name.....Suburb.
 Nearest Street Intersection.....Assessment No: (property rate no.).....

OWNER DETAILS—

Name
 Address.....Post Code
 Telephone (home) Fax
 Contact Person
 Signature.....Date
 Signature.....Date
 Signature.....Date

The signature of the landowners is required for all applications. This application will not proceed without that signature.

APPLICANT DETAILS—

Name

Address Post Code

Phone (work)..... (home)..... Fax

Contact Person.....

Signature..... Date

PLANNING APPROVAL

Existing Building/Land Use

Approx. Cost of Development..... Est Date of Completion

Description of Development of Proposed Use

.....

.....

Is the land affected by a Restricted Covenant?

BUILDING LICENCE

BUILDER'S DETAILS—

Name

Address..... Post Code.....

Registration No. Phone Fax

Signature..... Date:

BUILDING DETAILS—

Type of Work—

New Buildings; number of storeys	Alterations and Additions; please describe
Refurbishment; please describe
.....
Outbuildings; please describe	Relocation; please describe
.....

Type of building—

House

Other Residential Building:

No of dwelling units:

Single House

Group Dwelling, Terrace House or Townhouse

Kit House Flat,

Unit or Apartment in Building

Transportable

Other; please describe:.....

Outbuildings; please describe:.....

Non-residential Building; please describe.....

TYPES OF MATERIALS

Materials:

Floor: Concrete	Walls: Double Brick.....
Other; please describe	Other; please describe:
Roof: Tiles	Frame: Please describe.....
Other; please describe	
New/Second hand	Area (m ²)
Contract Value	Outbuildings (m ²)
	Building Height

DEMOLITION LICENCE

Type of Structure:
Type/Date Laid:
Whole or Part Demolition—Details:

SIGN LICENCE

Type of Sign:
Position:
Dimensions:.....Materials:
Illumination—Internal/External:
Wording/Illustration (Plan/Design attached):

OFFICE USE ONLY

Acceptance Officer's Initials:	Date Received:.....
Local government Reference No:.....	
Collector District:.....	Checking Inspector:
Permit/Licence No:.....	Approval Date:.....

In accordance with Part 9.2 of this Scheme, unless the local government waives any particular requirement, every application for planning approval shall be accompanied by—

- (a) *a plan or plans to a scale of not less than 1:500 showing—*
 - (i) *street names, lot number(s), north point and the dimensions of the site;*
 - (ii) *the location and proposed use of the site, including any existing building to be retained and proposed buildings to be erected on the site;*
 - (iii) *the existing and proposed means of access for pedestrians and vehicles to and from the site;*
 - (iv) *the location, number, dimensions and layout of all car parking spaces intended to be provided;*
 - (v) *the location and dimensions of any area proposed to be provided for the loading and unloading of vehicles carrying goods or commodities to and from the site and the means of access to and from those areas;*
 - (vi) *the location, dimensions and design of any open storage or trade display area and particulars of the manner in which it is proposed to develop the same; and*
 - (vii) *the nature and extent of any open space and landscaping proposed for the site.*
- (b) *plans, elevations and sections of any building proposed to be erected or altered and of any building it is intended to retain;*
- (c) *any specialist studies that the local government may require the applicant to undertake in support of the application such as traffic, heritage, environmental, engineering or urban design studies;*
- (d) *any other plan or information that the local government may reasonably require to enable the application to be determined.*

SCHEDULE 6—ADDITIONAL INFORMATION FOR ADVERTISEMENTS

NOTE: TO BE COMPLETED IN ADDITION TO FORM 1—APPLICATION FOR PLANNING APPROVAL

1. Name of Advertiser (if different from owner):
2. Address in full:
3. Description of property upon which advertisement is to be displayed including full details of its proposed position within that property:.....

4. Details of Proposed Sign—

- (a) Type of structure on which advertisement is to be erected (ie freestanding, wall mounted, other):.....
- (b) Height: Width: Depth:
- (c) Colours to be used:.....
- (d) Height above ground level—
 (to top of advertisement):.....
 (to underside):.....
- (e) Materials to be used:.....

Illuminated: Yes / No. If yes, state whether steady, moving, flashing, alternating, digital, animated or scintillating and state intensity of light source—

5. Period of time for which advertisement is required:.....

6. Details of signs (if any) to be removed if this application is approved:.....

Note: This application should be supported by a photograph or photographs of the premises showing superimposed thereon the proposed position for the advertisement and those advertisements to be removed detailed in 6 above.

Signature of Advertiser(s):..... Date:.....
(if different from land owners)

**SCHEDULE 7—NOTICE OF PUBLIC ADVERTISEMENT OF PLANNING PROPOSAL
TOWN PLANNING AND DEVELOPMENT ACT 1928 (as amended)**

Shire of Menzies

NOTICE OF PUBLIC ADVERTISEMENT OF PLANNING PROPOSAL

It is HEREBY NOTIFIED for public information and comment that the local government has received an application to develop land for the purpose described hereunder—

LAND DESCRIPTION

LOT NO.....STREET
PROPOSAL

Details of the proposal are available for inspection at the local government office. Comments on the proposal may be submitted to the local government in writing on or before the
..... day of20.....

Signed:..... Date.....
for and on behalf of the Shire of Menzies

**SCHEDULE 8—NOTICE OF DECISION ON APPLICATION FOR PLANNING APPROVAL
TOWN PLANNING AND DEVELOPMENT ACT 1928 (as amended)**

Shire of Menzies

FORM 2

**DECISION ON APPLICATION FOR PLANNING APPROVAL
TOWN PLANNING SCHEME NO. 1**

Name and address of Owner and land on which development is proposed—
NAME:.....
ADDRESS:

LOCATION:

LOT:.....PLAN/DIAGRAM:.....

VOL NO: FOLIO NO:

Application Date: Received on:.....

Description of proposed development:

The application for approval to undertake development in accordance with the plans attached thereto is—

- granted subject to the following conditions—
- refused for the following reason(s)—

CONDITIONS / REASONS FOR REFUSAL—

.....
 Note 1: *If the development the subject of this approval is not substantially commenced within a period of 2 years from the date of this approval, the approval shall lapse and be of no further effect.*

Note 2: *Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first sought and obtained.*

Signed:

Dated:

.....
 for and on behalf of the Shire of Menzies

SCHEDULE 9—ENVIRONMENTAL CONDITIONS

SCHEME OR AMENDMENT NO.	GAZETTAL DATE	ENVIRONMENTAL CONDITIONS

ADOPTION

Adopted by resolution of the Council of the Shire of Menzies at the Ordinary meeting of the Council held on the 17th day of March 2000.

K. FINALYSON, Shire President.
M. CHEVERTON, Chief Executive Officer.

Date: 17th May 2002.

FINAL APPROVAL

Adopted for final approval by resolution of the Shire of Menzies at the meeting of the Council held on the 17th day of May 2002, and the Seal of the Municipality was pursuant to that resolution herewith affixed in the presence of—

K. FINALYSON, Shire President.
M. CHEVERTON, Chief Executive Officer.

Date: 17th May 2002.

RECOMMENDED/SUBMITTED FOR FINAL APPROVAL

PHILIP WOODWARD, Delegated under S.20 of WAPC Act 1985.

Date: 17th April 2003.

FINAL APPROVAL GRANTED

ALANNAH MacTIERNAN, Minister for Planning and Infrastructure.

Date: 28th May 2003.

POLICE

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

I, Robin Michael Langford, Superintendent (Traffic Support) being the delegated officer of the Minister for Transport under Section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of:

Signed: R M Langford, Superintendent (Traffic Support)

A Cycle Race by members/entrants of the WA Cycling Federation Inc on 24th May 2003 between the hours of 12:30 Hrs and 16:30 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Railway Road, Mundaring Weir Road, Aldersyde Road, Lawnbrook East Road, Glenisla Road, Canning Road, Pickering Brook Road, Bracken Road, Patterson Road and Walnut Road, in the Shire of Kalamunda.

All participants to wear approved head protection at all times.

A Cycle Race by members/entrants of the WA Cycling Federation Inc on 24th May 2003 between the hours of 09:30 Hrs and 10:45 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Lascelles Parade and Williams Street, Gooseberry Hill/Kalamunda areas.

All participants to wear approved head protection at all times.

A Dampier Half and Quarter Marathon by members/entrants of the Karratha Dampier Running Club on 1st June 2003 between the hours of 07:00 Hrs and 10:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Church Road, Central Avenue, Dampier Road and Burrup Road in Dampier.

A Cycle Time Trial Race by members/entrants of the Australian Time Trials Association on 1st June 2003 between the hours of 07:30 Hrs and 10:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Lemnos Street, Brockway Road, Quintilian Road, Stubbs Terrace and Selby Street, in Shenton Park/Mt Claremont areas.

All participants to wear approved head protection at all times.

A Cycling Race by members/entrants of the Northern Districts Cycle Club on 1st, 8th, 15th and 22nd June, 2003 between the hours of 07:30 Hrs and 12:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Shenton Avenue, Grand Boulevard and Joondalup Drive, Joondalup.

All participants to wear approved head protection at all times.

A Bicycle Race by members/entrants of the Southern Districts Cycle Club on 1st, 8th, 15th, 22nd June 2003 between the hours of 08:30 Hrs and 10:30 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Pickering Brook Road, Bracken Road, Forrest Road and Repatriation Road in Pickering Brook.

All participants to wear approved head protection at all times.

A Cycle Race by members/entrants of the Eastern Goldfields Cycle Club on 7th June 2003 between the hours of 14:00 Hrs and 16:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Hannan Street, Goldfields Highway (Bypass Road), and Sutherland Street in the City of Kalgoorlie-Boulder.

All participants to wear approved head protection at all times.

A Series of Cycle Races by members/entrants of the Narrogin and Districts Cycle Club Inc on 7th June, 12th July and 13th September, 2003 between the hours of 13:00 Hrs and 17:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Williams-Kondinin Road, Narrogin/Wickepin Areas.

All participants to wear approved head protection at all times.

A Cycle Event by members/entrants of the Cyclewest Promotions/Midland on 14th June 2003 between the hours of 13:00 Hrs and 17:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

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

All participants to wear approved head protection at all times.

A Cycle Race by members/entrants of the Narrogin and Districts Cycle Club Inc on 14th June 2003 between the hours of 13:00 Hrs and 17:00 Hrs do hereby approve the temporary suspension of the Regulation made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Federal Street and Great Southern Highway, Narrogin to Wagin.

All participants to wear approved head protection at all times.

A Cycle Race by members/entrants of the Eastern Goldfields Cycle Club on 14th June 2003 between the hours of 14:00 Hrs and 16:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Goldfields Highway (Bypass Road), Anzac Drive, Great Eastern Highway and Hannan Street in the City of Kalgoorlie-Boulder.

All participants to wear approved head protection at all times.

A Cycling Road Race by members/entrants of the West Coast Masters Cycling Council Inc on 15th June and 10th August, 2003 between the hours of 10:00 Hrs and 12:30 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Mildura Road, Bunning Road, Toodyay Road, Stoneville Road, Anketell Road, in Mt Helena/Gidgegannup areas.

All participants to wear approved head protection at all times.

A Wanneroo 20 Miler by members/entrants of the West Australian Marathon Club on 15th June 2003 between the hours of 07:30 Hrs and 11:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Civic Drive, Kirimba Street, Tunder Street, Belgrade Road, Franklin Road, Rousset Road, Townsend Road, Hawkins Road, Ross Street, Sydney Road, Lorian Road and Knight Road in the City of Wanneroo.

A Cycle Race by members/entrants of the Eastern Goldfields Cycle Club on 21st June 2003 between the hours of 14:00 Hrs and 16:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway's mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Bulong Road and Black Street in the City of Kalgoorlie-Boulder.

All participants to wear approved head protection at all times.

A Cycle Race by members/entrants of the Narrogin and Districts Cycle Club Inc on 14th June 2003 between the hours of 13:00 Hrs and 17:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Federal Street and Great Southern Highway, Narrogin to Wagin.

All participants to wear approved head protection at all times.

A Cycle Race by members/entrants of the Bunbury Cycle Club Inc on 21st June 2003 between the hours of 13:00 Hrs and 16:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Vasse Highway, Sues Road and Sues Bridge, Nr Busselton.

All participants to wear approved head protection at all times.

A Cycle Race by members/entrants of the Narrogin and Districts Cycle Club Inc on 21st June, 26th July and 16th August, 2003 between the hours of 13:00 Hrs and 17:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Campbell Street, Alton Street, Austral Street and Darcy Street, Cuballing.

All participants to wear approved head protection at all times.

A Cycle Race by members/entrants of the Narrogin and Districts Cycle Club Inc on 28th June and 6th September 2003 between the hours of 13:00 Hrs and 17:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Great Southern Highway, Narrogin to Popanyinning.

A Bicycle Race by members/entrants of the Southern Districts Cycle Club on 29th June 2003 between the hours of 08:30 Hrs and 10:30 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Pickering Brook Road, Bracken Road, Forrest Road and Repatriation Road in Pickering Brook.

All participants to wear approved head protection at all times.

A Cycle Race by members/entrants of the Midland Cycle Club on 12th July 2003 between the hours of 13:00 Hrs and 17:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Lefroy Street, Oakover Road, Campersic Road and William Street in Herne Hill.

All participants to wear approved head protection at all times.

A Cottesloe Cup Run by members/entrants of the West Australian Marathon Club on 13th July 2003 between the hours of 08:00 Hrs and 10:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on John Street, Curtin Avenue, Warton Street and Marine Parade in Cottesloe.

A Cycle Race by members/entrants of the Narrogin and Districts Cycle Club Inc on 2nd August 2003 between the hours of 13:00 Hrs and 17:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Williams-Kondinin Road, Narrogin/Williams Areas.

All participants to wear approved head protection at all times.

A Cycle Time Trial Race by members/entrants of the Australian Time Trials Association on 3rd August and 5th October 2003 between the hours of 07:30 Hrs and 10:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Lemnos Street, Brockway Road, Quintilian Road, Stubbs Terrace and Selby Street, in Shenton Park/Mt Claremont areas.

All participants to wear approved head protection at all times.

RACING, GAMING AND LIQUOR

RG401

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 Department of Racing, Gaming & Liquor, 1st Floor, Hyatt Centre, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
9783	ECS Gumala Pty Ltd	Application for the grant of a Special Facility—Canteen in respect of premises situated 180km North West of Newman and known as Hamersley Y/E Construction Village	17/6/03

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE—<i>continued</i>			
9786	Starcoast Corporation Pty Ltd	Applicant for the grant of a Restaurant licence in respect of premises situated in Yallingup and known as Cape Lodge	23/6/03
9787	Woodchock Pty Ltd	Application for the grant of a Producer's licence in respect of premises situated in Yallingup and known as Swooping Magpie	13/7/03
APPLICATIONS FOR THE REMOVAL OF A LICENCE			
171961	Nirvana Social Club Inc	Application for the removal of a Club Restricted licence from premises situated in Leederville suburb to a new site in West Leederville and known as Nirvana Social Club Inc	13/7/03
171703	Sunset Liquor Mart	Application for the removal of a Liquor Store licence from premises situated in Glenfield to a new site in Glenfield and known as Sunset Liquor Mart	6/7/03
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
16502	Kuppa Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Claremont and known as Kuppa Claremont	26/6/03
16542	Breakers Tavern and Bottleshop Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Geraldton and known as Breakers Bottleshop and Tavern	30/6/03
APPLICATION TO ADD, VARY OR CANCEL A CONDITION OF LICENCE			
171923	ALH Group Pty Ltd	Application to add, vary or cancel a condition of the Hotel licence in respect of premises situated in Perth and known as Belgian Beer Cafe Westende	29/6/03

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

H. R. HIGHMAN, Director of Liquor Licensing.

SALARIES AND ALLOWANCES TRIBUNAL

SX401*

SALARIES AND ALLOWANCES ACT 1975

SALARIES AND ALLOWANCES TRIBUNAL

Determination Variation

The determination of the Salaries and Allowances Tribunal made on 11 April 2003 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975* is hereby varied by a further determination, to make the amendment set out below —

Add in Part 1 of the First Schedule the following:

Agency	Office	Classification
Department of Education and Training	Deputy Director General (Schools)	Group 2 Maximum
	Deputy Director General (Training)	Group 2 Maximum

Dated at Perth this 6th day of June 2003.

J. A. S. MEWS, Member.
M. L. NADEBAUM, Member.
Salaries and Allowances Tribunal.

PUBLIC NOTICES

ZZ201

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Marcin Jozef Krzak late of Unit 5/125 Charles Street, West Perth, Clerical worker, deceased.

Creditors and other persons having claims to which Section 63 of the Trustees Act 1962 relates) in respect of the estate of the deceased who died between 23 July 2002 and 15 August 2002, are required by the deceased personal representative, Tadeusz Krzak to send particulars of their claim to him at 23 Burford Place, North Fremantle WA 6159 within (1) month of the date of publication hereof after which date the personal representative may convey or distribute the assets having regard only to the claims of which he then has notice.

Dated 10 June 2003.

ZZ202

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estates of the undermentioned deceased persons, are required to send particulars of their claim to Trustees of Western Australia Limited of Level 22, 108 St George's Terrace Perth on or before the expiration of one month from the date of publication of this notice after which date the Company may convey or distribute the assets, having regard only to the claims of which it then has notice—

Montle, Helen Beryl of Tandara/Ningana Nursing Home, 73 Jarrah Road, Bentley, formerly of 10 Beard Place Queens Park, Widow died on 6th January 2003.

Collier, Philip late of Murlali Lodge, 25 Mt Henry Road, Manning, Railways Provider died on 14th April 2003.

Thompson, Elizabeth of Pam Corker House, Eastcott Street, Waroona, formerly of 5 Charterhouse Street, Eaton, Home duties died on 12th March 2003.

Stockdale, Merle of Regents Garden Nursing Home, 2 Amur Place, Bateman, Retired Property Settler, died on 26th April 2003.

Dated this 9th day of June 2003.

SABINA SCHLINK, Manager Estate Planning.

ZZ204

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act, 1962 relates) in respect of the Estates of the undermentioned deceased persons, are required by Perpetual Trustees WA Ltd C/- Ground floor, 39 Hunter Street, Sydney NSW, to send particulars of such 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.

Estate late Nellie May Beckwith, late of 4 Gordon Street, Maida Vale, Domestic Duties, died 24/3/03.

Estate late Joyce Alice Boneham, late of Cygnet Hostel, Hillview Terrace, Bentley, Home Duties, died 13/3/03.

Estate late James Duncan, late of Alfred Carson Lodge, 30 Bay Road, Claremont, Retired, died 14/4/03.

Estate late Campbell Fleay, late of 2 Martin Road, Sorrento, Public Servant, died 28/3/03.

Estate late John Leggoe, late of Sandstrom Nursing Home, 44 Whatley Crescent, Mount Lawley, Retired Farmer, died 22/4/03.

Estate late Hazel Gladys Moore, late of 19 Shoalwater Parkway, Iluka, Retired Business Proprietor, died 1/3/03.

STEPHEN JOHN MAXWELL, Senior Estate Manager.
Direct Phone (02) 9229 3419.

ZZ203**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

In the estate of Penelope Mary Ann McBurney, late of 44 Coleman Crescent, Melville, Western Australia, Teacher deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estate of the abovenamed deceased who died on the 14th day of January, 2003 are required by the personal representative Suzanne Joy Cavanagh of c/- Franklyn Simon Wheatley, PO Box 1363, West Perth, Western Australia to send particulars of their claims to her by the 17th day of July 2003 after which date the personal representative may convey or distribute the assets having regard only to the claims of which she then has notice.

ZZ205**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Notice to Creditors and Claimants of Rachel Lillian Delany, late of 2 Reilly Way, Greenwood, Western Australia, Secretary, deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estate of the deceased who died on 26 April 2003, are required by the Trustee ANZ Executors & Trustee Company Limited (ACN 006 132 332) of Level 9, Allendale Square, 77 St George's Terrace, Perth WA 6000 to send particulars of their claim to him by 23 July 2003 after which the Trustee may convey or distribute the assets having regard only to the claims he then has notice.

ZZ206**TRUSTEES ACT 1962****DECEASED ESTATES**

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 13th July 2003 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bennett, Marjorie Rebecca, late of St Andrew's Care Facility 20 Burwood Road Balcatta, died 24.09.2002, (DE30329515EM37)

Brown, Frances Elizabeth Mary, late of Carina-Ville Aged Care Coolgardie Street Southern Cross, died 30.04.2003, (DE19781778EM27)

Burns, Sarah Kathleen Sylvia Myrtle, late of 46 Collins Street Yokine, died 17.03.2003, (DE19702059EM27)

Cann, James Ernest, late of Craigwood Nursing Home 29 Gardner Street Como, died 25.05.2003, (DE19873508EM15)

Haig, Joan Marie, late of Norwich Hostel 23 Gleddon Road Bull Creek, died 11.11.2002, (DE30227210EM16)

Holster, Willem Frederik, late of 44 Drake Street Bayswater, died 20.05.2003, (DE19713458EM32)

Howard-Ward, Elsie Phyllis, late of Onslow Gardens Care Facility 39 Hamersley Road Subiaco, died 26.05.2003, (DE19744195EM12)

Lang, William Edward, late of Quadriplegic Centre 10 Selby Street Shenton Park, died 26.03.2003, (DE19760705EM16)

Mackay, William Henry John, late of 2 Scaddan Street Wembley, died 07.05.2003, (DE19620656EM13)

McDougall, Charles Lorne, late of Unit 15/147 Charles Street West Perth, died 04.06.2002, (DE33019964EM13)

Reiss, Ilse, late of 22 Conon Road Applecross, died 16.05.2003, (DE19710762EM32)

Short, Joan Gladys, late of Unit 7/10 Stegley Place Morley, died 14.05.2003, (DE19880942EM16)

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

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