



WESTERN
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GOVERNMENT

Gazette

2629



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STATE LAW PUBLISHER

WE ARE MOVING!!

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Our new facsimile numbers will be—

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Operations:	321 7537

Government Gazette copy must be lodged at the new address for the edition published on and from Friday, 7 July 1995.

The previous location at Station Street, Wembley, will cease to operate from close of trading on Friday, 30 June 1995.

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Deceased Estate notices, (per estate)—\$16.00

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All other Notices

Per Column Centimetre—\$7.40

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(As from 1 July 1995)

	\$
Government Gazette—(General)	2.30
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Up to 2 pages	2.30
Over 2 pages	4.60
Hansard	13.00
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Bound Volumes of Statutes	202.00

IMPORTANT NOTICE

Periodically notices are published indicating a variation in normal publishing arrangements:

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

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

G. L. DUFFIELD, Director.

PROCLAMATIONS

AA101

PROCLAMATION

WESTERNAUSTRALIA P. M. Jeffery, Governor. [L.S.]	}	By His Excellency Major General Philip Michael Jeffery, Officer of the Order of Australia, Military Cross, Governor of the State of Western Australia.
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I, the Governor, acting under section 10(2)(a) of the *Shipping and Pilotage Act 1967*, and with the advice and consent of the Executive Council do hereby declare the place described in the Schedule to this proclamation to be a mooring control area for the purposes of the *Shipping and Pilotage Act 1967*.

Schedule

Kalbarri Murchison River

All that portion of territorial water below the high water mark, within the boundary and coloured blue on Transport Plan 652-02-01 and comprising an area of about 75.4 hectares.

Given under my hand and the Public Seal of the State on 19 June 1995.

By His Excellency's Command,

ERIC CHARLTON, Minister for Transport.

GOD SAVE THE QUEEN !

CONSERVATION AND LAND MANAGEMENT

CM401

A PROPOSAL TO AMEND MANAGEMENT PLAN No. 6 FOR THE SHANNON D'ENTRECASTEAUX NATIONAL PARK

Have Your Say

The CALM Act requires any amendment to a management plan to be available for public comment for a period of at least two months. Because of the big increase in tourism to the Shannon area since the management plan for the Shannon D'Entrecasteaux National Park was approved in December 1987, an amendment to that plan is now needed to allow existing formed tracks to be upgraded to meet the standards of the already formed GREAT TREE DRIVE.

If you wish to comment on this proposal you should send your submission by Saturday 2 September to—

Executive Director
State Operations Headquarters
Conservation and Land Management
PO Box 104 Como 6152
Attn: Chris Portlock

District Manager
Pemberton District Office
CALM
PO Box 20 Pemberton 6260
Attn: John Gillard

Further information is available from John Gillard on (097) 76 1207 or Chris Portlock on 334 0406.

EDUCATION

ED401

MURDOCH UNIVERSITY ACT 1973

Office of the Minister for Education,
Perth 1994.

It is hereby notified for general information that the Governor, in Executive Council has in accordance with section 12(1)(i) of the Murdoch University Act 1973, approved the appointment of Mr Jeremy Buxton, as a member of Murdoch University Senate for a term expiring on 31 May 1998.

N. F. MOORE, Minister for Education.
J. PRITCHARD, Clerk of the Council.

ENVIRONMENTAL PROTECTION

EP401

REVISED DRAFT ENVIRONMENTAL PROTECTION (SOUTH WEST AGRICULTURAL ZONE WETLANDS) POLICY 1995

The Environmental Protection Authority has prepared a Revised Draft Environmental Protection Policy for wetlands of the South West Agricultural Zone. In accordance with section 28(c) of the Environmental Protection Act 1986, the revised draft policy has been referred to the Minister for the Environment and is now available for public inspection.

Copies of the revised draft policy are available free of charge from—

- Department of Environmental Protection offices at Kwinana, Bunbury and Westralia Square, Perth.
- Offices of the Department of Agriculture.

The draft policy may also be inspected at local authority offices. The Minister for the Environment will undertake further consultation with public authorities and persons as appear to him to be likely to be affected by the revised draft policy. Enquiries to Mr Vaughn Cox (09) 222 7000, fax (09) 322 1598.

FISHERIES

FI401

FISHERIES ACT 1905

PART IIIB—PROCESSING LICENCES

FD 476/86.

The public is hereby notified that in accordance with section 35CA of the Fisheries Act 1905, I have approved the amendment of Processors Licence number 1111 issued to Bremer Fish Processors, Bremer Bay to amend the address of the Processing Establishment from Lot 648 Cnr Yate Place and Wellstead Road, Bremer Bay to Lot 647 Cnr Yate Place and Wellstead Road, Bremer Bay.

In accordance with the provisions of section 35K, any person aggrieved by this decision, may within fourteen days after publication of this notice, appeal against the decision or order by serving on the Minister for Fisheries a statement in writing on the grounds of their appeal.

P. P. ROGERS, Executive Director.

FI402

FISHERIES ACT 1905

PART IIIB—PROCESSING LICENCES

FD 145/66.

The public is hereby notified that I have not approved the issue of a permit to Norwest Seafoods Pty Ltd to establish a processing establishment at Babbage Island, Carnarvon for the processing of western rock lobster.

In accordance with the provisions of section 35K, any person aggrieved by this decision, may within fourteen days after publication of this notice, appeal against the decision or order by serving on the Minister for Fisheries a statement in writing on the grounds of their appeal.

P. P. ROGERS, Executive Director.

HEALTH

HE101

PRINTERS CORRECTION

HEALTH ACT 1911

An error occurred in the notice published under the above heading on page 2264 of *Government Gazette* No. 73 dated 9 June 1995 and is corrected as follows.

Delete:

“ The cancellation of the following persons as an Environmental Health Officer is hereby notified. ”

Insert:

“ The appointment of the following persons as an Environmental Health Officer is hereby notified. ”

HERITAGE COUNCIL OF W.A.

HR401

HERITAGE OF WESTERN AUSTRALIA ACT 1990

NOTICE OF INTENTION TO ENTER PLACES IN THE REGISTER OF HERITAGE PLACES

The Minister for Heritage, Richard Lewis JP, MLA, has directed pursuant to Section 47 (1) of the Heritage of Western Australia Act 1990 that the places described in Schedule 1 be entered in the Register of Heritage Places on a permanent basis.

Schedule 1

Place	Location	Land Description
Cygnets Theatre	16 Preston Street, Como	Lots 1, 2 & 3 on Diagram 5661 being the whole of the land comprised in Certificates of Title Volume 51 Folio 139A, Volume 51 Folio 140A and Volume 51 Folio 141A.
Windsor Hall	36 Queens Crescent, Mount Lawley	Lot 382 on Plan 2343 being the whole of the land comprised in Certificate of Title Volume 840 Folio 98.
Queen's Methodist Church	38 Piesse Street, Boulder	Boulder Lots 35 & 36, being the whole of the land comprised in Certificate of Title Volume 1773 Folio 633.
Fremantle Prison	The Terrace, Fremantle	Reserve 24042 being the whole of the land comprised in Fremantle Lot 1913.

The Minister for Heritage, Richard Lewis, JP, MLA, has directed pursuant to Section 47 (1) of the Heritage of Western Australia Act 1990 that the places described in Schedule 2 be entered in the Register of Heritage Places as interim registrations.

The Heritage Council of Western Australia hereby gives notice of the interim registrations and invites submissions on the matter. Submissions must be in writing and should be forwarded to the following address not later than 18th August 1995.

The Director, Office of the Heritage Council
292 Hay Street, East Perth WA 6004.

Schedule 2

Place	Location	Land Description
Midland Town Hall	Cnr Great Eastern Hwy & Great Northern Hwy, Midland	The whole of Reserve 5178.
Maylands Brick Works	Swan Bank Road, Maylands	Lot 538 on Plan 2574 (Sheet 2) being the whole of the land comprised in Certificate of Title Volume 1843 Folio 814.
Residency Museum	Brook Street, York	Portion of Reserve 30890 being the whole of York Town Lot 577.
Old Gaol & Police Station Complex	Clinton Street, Toodyay	The whole of Toodyay Lot 29 comprised in Certificate of Title Volume 1265 Folio 406, and the whole of Lot 3 on Diagram 29668 comprised in Certificate of Title Volume 1282 Folio 5.
Sun Picture Gardens	Carnarvon Street, Broome	Broome Town Lot 388 being the whole of the land comprised in Certificate of Title Volume 1112 Folio 855.
Gledden Building	723 Hay Street, Perth	Lot 1 on Diagram 6874 being the whole of the land comprised in Certificate of Title Volume 980 Folio 116 & Lot 2 on Diagram 6874 being the whole of the land comprised in Certificate of Title Volume 906 Folio 183.

Dated this 30th day of June 1995.

IAN BAXTER, Director, Office of the Heritage Council.

JUSTICE

JM301

JUSTICES ACT 1902

JUSTICES (FORMS) AMENDMENT REGULATIONS (NO. 2) 1995

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Justices (Forms) Amendment Regulations (No. 2) 1995*.

Principal regulations

2. In these regulations the *Justices (Forms) Regulations 1982** are referred to as the principal regulations.

[* *Published in Gazette of 6 August 1982 at pp.3059-64.*
For amendments to 9 June 1995 see 1993 *Index to Legislation of Western Australia, Table 4, p. 148.*]

Regulation 5C inserted

3. After regulation 5B of the principal regulations the following regulation is inserted —

“

Application to set aside licence suspension under the *Fines, Penalties and Infringement Notices Enforcement Act 1994* (s. 101).

5C. (1) A person in respect of whom a licence suspension order has been made under Part 3 of the *Fines, Penalties and Infringement Notices Enforcement Act 1994* may apply to justices for an order to set aside the licence suspension order by —

- (a) completing an application in the form set out in Form 11; and
- (b) lodging the completed application, together with a fee of an amount equal to the fee for a complaint prescribed under the *Justices Act (Courts of Petty Sessions) Fees Regulations*, at any Court of Petty Sessions in the State.

(2) Unless the court determines otherwise, the application is to be heard and determined by the justices having jurisdiction in or near the place where the offence giving rise to the initial infringement notice is alleged to have been committed.

”

Form 11 inserted

4. The Schedule to the principal regulations is amended by inserting after Form 10 the form set out in the Table to this regulation.

Table

Form No. 11.

Justices Act 1902

[Regulation 5C]

In the Court of Petty Sessions
at

Charge No. /19

Fee \$ paid on / /
see receipt number

APPLICATION TO SET ASIDE LICENCE SUSPENSION ORDER

Fines, Penalties and Infringement Notices Enforcement Act 1994

[Section 101]

Applicant
(Surname) (Other Names)

Date of Birth / /

Address
.....
.....

Drivers Licence **Motor Vehicle Licence**
No. (as applicable) No. (as applicable)

Fines Enforcement Case Number:

Infringement Number:

I, the Applicant, have had —

my driver's licence*)
the motor vehicle licence of my vehicle*) *(delete as appropriate)*

suspended by a Licence Suspension Order made under Part 3 of the *Fines, Penalties and Infringement Notices Enforcement Act 1994*.

I apply for an Order cancelling the Licence Suspension Order, on the grounds that I received none of the following —

- (a) the infringement notice that gave rise to the licence suspension order;
- (b) the final demand, issued under section 14 in respect of that infringement notice;
- (c) the order to pay or elect, issued under section 17 in respect of the infringement notice;
- (d) the notice of intention to suspend licences, issued under section 18 in respect of the infringement notice;
- (e) the notice confirming licence suspension, issued under section 19 (6).

Date

Signature of Applicant

Copies to: The Applicant

The Court of Petty Session at

The Prosecuting Authority

The Registrar , Fines Enforcement.

This application is set for hearing —

At the Court of Petty Sessions

at am/pm on of 19

(time)

(day)

(month)

(year)

Clerk of Petty Sessions

..... / /

ORDER OF THE COURT:

- The licence suspension order issued on/...../..... in respect of driver's licence No. / vehicle licence No. is cancelled.
- Application refused.

SM / JP Date / /

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

JM302

**FINES, PENALTIES AND INFRINGEMENT NOTICES ENFORCEMENT
ACT 1994**

**FINES, PENALTIES AND INFRINGEMENT NOTICES
ENFORCEMENT AMENDMENT REGULATIONS 1995**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 1995*.

Principal regulations

2. In these regulations the *Fines, Penalties and Infringement Notices Enforcement Regulations 1994** are referred to as the principal regulations.

[* Published in Gazette of 30 December 1994 at pp. 7232-41.]

Regulations 6A and 6B inserted

3. After regulation 6 of the principal regulations the following regulations are inserted —

“

Calculation of required hours for WDO (s. 49 (2))

6A. (1) The required hours in a WDO are to be calculated as —

- (a) for up to \$100 owed by the offender — 6 hours;
- (b) for more than \$100 and up to \$200 owed by the offender — 12 hours,

and so on, increasing in units of up to \$100.

(2) The number of hours to be performed each week is 12 hours, unless a lesser number of hours remains for that offender to perform, in which case all of the remaining hours are to be performed in the one week.

Reduction of WDO amount when work performed or hours when payment made (s. 51)

6B. (1) Where an offender pays part of the amount owed, the remaining hours required to be performed under the WDO are to be calculated in accordance with regulation 6A (1).

(2) The amount owed by an offender who is the subject of a WDO, is to be reduced by \$100 for every 6 hours worked, with the reductions to be in units of 6 hours, and where less than \$100 is owed, the offender must perform 6 hours to complete that WDO.

”

Regulation 10 amended

4. Regulation 10 of the principal regulations is amended in the list of exempt prosecuting authorities —

- (a) by deleting the full stop after “Authority”; and
- (b) by inserting in the appropriate alphabetical positions the following authorities —

“

Office of Racing and Gaming

The Queen Elizabeth Medical Centre Trust

Water Authority of W A

Western Australian Electoral Commission

”

Schedule 1 amended

5. Schedule 1 to the principal regulations is amended by inserting in the appropriate alphabetical positions the following —

“

<i>Electoral Act 1907</i>	156
<i>Liquor Licensing Act 1988</i>	167
<i>Queen Elizabeth Medical Centre Act 1994</i>	20
<i>Taxi Act 1994</i>	39
<i>Water Authority Act 1984</i>	103

”

Schedule 3 amended

6. Schedule 3 to the principal regulations is amended by deleting Forms 2, 3, 4 and 5 and substituting, or inserting, in the appropriate numerical order the following forms —

2. Warrant of execution for the purposes of section 45 (and Part 5).

*Fines, Penalties and Infringement Notices
Enforcement Act 1994*
[Section 45 (& Part 5)]

Court of Petty
Sessions at Perth

Warrant No.
ACN No.
Case No.

Fines Enforcement
Registry

WARRANT OF EXECUTION

To: The Sheriff of Western Australia

Offender's or liable person's details	Name: Address: Date of Birth: MDL No.: MVL No.:																		
Case details	Court: Charge No: Date of Order: Nature of Court Order: Date of Offence: Offence:																		
Amount owed	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Fine/forfeited amount:</td> <td style="width: 5%;"></td> <td style="width: 25%;"></td> </tr> <tr> <td>Costs:</td> <td style="text-align: center;">+</td> <td></td> </tr> <tr> <td>Enforcement fee:</td> <td style="text-align: center;">+</td> <td></td> </tr> <tr> <td>Sub-total:</td> <td style="text-align: center;">=</td> <td></td> </tr> <tr> <td>Less amount paid:</td> <td style="text-align: center;">-</td> <td></td> </tr> <tr> <td>AMOUNT OWED:</td> <td style="text-align: center;">=</td> <td></td> </tr> </table>	Fine/forfeited amount:			Costs:	+		Enforcement fee:	+		Sub-total:	=		Less amount paid:	-		AMOUNT OWED:	=	
Fine/forfeited amount:																			
Costs:	+																		
Enforcement fee:	+																		
Sub-total:	=																		
Less amount paid:	-																		
AMOUNT OWED:	=																		

The above court made the above order and the matter has been registered with this Registry for enforcement. To date, the above enforcement fees have been imposed. As a result the offender/liable person is required to pay the AMOUNT OWED which to date is unpaid.

YOU ARE AUTHORIZED AND COMMANDED BY THIS WARRANT to seize and sell so much of the offender's/liable person's personal property and land as is necessary to recover the amount owed and the enforcement fees in connection with the execution of this warrant.

This warrant must be executed in accordance with the *Fines, Penalties and Infringement Notices Enforcement Act 1994*.

REGISTRAR

DATE

3. Warrant of commitment for the purposes of section 53 (and Part 5).*Fines, Penalties and Infringement Notices
Enforcement Act 1994*
[Section 53 (& Part 5)]Court of Petty
Sessions at PerthFines Enforcement
Registry**WARRANT OF COMMITMENT**

Warrant No.
Period of Imprisonment Days Cum.

To: All members of the Police Force of Western Australia
The chief executive officer appointed under the *Prisons Act 1981*

	CASE NO.
Offender or liable person's details	Name:
	Address:
	Date of Birth:
	MDL No.: MVL No.:
Case Details	Court:
	Date: Charge No:
	Prosecuting Authority:
	Offence date / time: Description:
Amount Owed	Fine / Amount forfeited:
	Costs:
	Enforcement fee:
	Sub-total:
	Less amount paid:
	TOTAL AMOUNT OWED:

The above court made the above order and the matter has been registered with this Registry for enforcement. To date, the above enforcement fees have been imposed. As a result the offender/liable person is required to pay the full AMOUNT OWED which to date is unpaid.

Under section 53 of the *Fines, Penalties and Infringement Notices Enforcement Act 1994* the offender/liable person is to be imprisoned for the above period, subject to that section.

YOU ARE AUTHORIZED AND COMMANDED BY THIS WARRANT to arrest the offender and to imprison him or her for the period specified above, subject to section 53 of the *Fines, Penalties and Infringement Notices Enforcement Act 1994*. The period of imprisonment is CUMULATIVE on any term or period of imprisonment that the offender has to serve and no remissions may be authorized.

REGISTRAR**DATE**

PAYMENT DETAILS	DETAILS OF EXECUTION OR SATISFACTION	OFFICER'S DETAILS
Payment Type:	Amount Paid	Name:
Reference No:	on Demand:	No:
Gen. Receipt No:	Arrested at:	Station:
Payment Amount:	CWB Advised:	Date:
	HRS / /	

4. Warrant of execution for the purposes of section 61.

*Fines, Penalties and Infringement Notices
Enforcement Act 1994*
[section 61]

Court of Petty
Sessions at Perth

Warrant No.
ACN No.
Case No.

Fines Enforcement
Registry

WARRANT OF EXECUTION

To: The Sheriff of Western Australia

Offender's details	Name: Address: A.C.N.:	
Case details	Reciprocating Court: Location of Reciprocating Court: Date of Order: Nature of Court Order: Date of Offence: Offence:	
Amount outstanding	Fine/forfeited amount: Costs: Enforcement fee: Sub-total: Less amount paid: AMOUNT OUTSTANDING:	+ + = - =

The above reciprocating court made the above order and the matter has been registered with this Registry for enforcement. To date, the above enforcement fees have been imposed. As a result the offender is required to pay the AMOUNT OUTSTANDING which to date is unpaid.

YOU ARE AUTHORIZED AND COMMANDED BY THIS WARRANT to seize and sell so much of the offender's property and land as is necessary to recover the amount outstanding and the enforcement fees in connection with the execution of this warrant.

This warrant must be executed in accordance with the *Fines, Penalties and Infringement Notices Enforcement Act 1994*.

REGISTRAR

DATE

6A. Memorial of land for the purposes of section 89 (2).

*Fines, Penalties and Infringement Notices
Enforcement Act 1994*
[Section 89]

To: Registrar of Titles/
Registrar of Deeds and Transfers

Sheriff's Office
Warrant No.

Court of Petty
Sessions at Perth

MEMORIAL

Fines Enforcement
Registry

Description of land	Extent	Volume	Folio

Registered proprietor of land

Amount owed
\$

Enforcement fees
\$

This Memorial is lodged in respect of the land described above, together with a copy of the Warrant, in accordance with section 89 of the *Fines, Penalties and Infringement Notices Enforcement Act 1994*.

Dated this day of 19

.....
Sheriff

6B. Withdrawal of Memorial of land for the purposes of section 90.

*Fines, Penalties and Infringement Notices
Enforcement Act 1994*
[Section 90]

To: Registrar of Titles/
Registrar of Deeds and Transfers

Sheriff's Office
Warrant No.

Court of Petty
Sessions at Perth

WITHDRAWAL OF MEMORIAL

Fines Enforcement
Registry

Description of land	Extent	Volume	Folio

Registered proprietor of land

The following Memorial(s) in relation to the land described above are cancelled, in accordance with section 90 of the *Fines, Penalties and Infringement Notices Enforcement Act 1994*.

Memorial	Number

Dated this day of 19

.....
Sheriff

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

JM303

**FINES, PENALTIES AND INFRINGEMENT NOTICES ENFORCEMENT
ACT 1994****FINES, PENALTIES AND INFRINGEMENT NOTICES
ENFORCEMENT AMENDMENT REGULATIONS (NO. 2) 1995**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 1995*.

Commencement

2. These regulations come into operation on the day on which the *Fish Resources Management Act 1994* comes into operation.

Principal regulations

3. In these regulations the *Fines, Penalties and Infringement Notices Enforcement Regulations 1994** are referred to as the principal regulations.

[* *Published in Gazette of 30 December 1994 at pp. 7232-41.*]

Regulation 10 amended

4. Regulation 10 of the principal regulations is amended, in the list of exempt prosecuting authorities, by inserting in the appropriate alphabetical position the following authority —

“ Fisheries Department of W A ”.

Schedule 1 amended

5. Schedule 1 to the principal regulations is amended by inserting in the appropriate alphabetical position the following —

“ *Fish Resources Management Act 1994* ”.

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

JM401

CHARITABLE COLLECTIONS ACT 1946

I, Kevin John Minson, being the Minister administering the Charitable Collections Act 1946, acting in the exercise of the powers conferred by subsection (3) of section 12 of that Act, do hereby give notice that I have revoked the licences of the organisations listed below—

- Australian Early Childhood Association West Australian Branch
- Australian Forces Overseas Fund—Western Australia Division
- City of Melville Aged Persons Homes Trust (Inc.)
- Curtin Aged Persons Homes (Inc)
- Western Australian Hotels Association Incorporated
- Wyndham Aged and Disabled Services Inc
- York Meals on Wheels Committee

Dated this 16th day of June 1995.

KEVIN JOHN MINSON, Minister Assisting the Minister for Justice.

JM402**CREDIT UNIONS ACT 1979**

Sections 102 & 104

Corporations Law Subsection 574(1)

THE WA TEACHERS FINANCIAL SOCIETY LIMITED

Notice of Cancellation of Registration

I, Peter Gerald Richards, Acting Registrar of Co-operative and Financial Institutions, hereby give notice that 3 months having expired since the date of publication of notice of intention to deregister The WA Teachers Financial Society Limited, and in the absence of cause to the contrary having been shown to me—

- (a) The WA Teachers Financial Society Limited is dissolved; and
- (b) the registration of the Society is cancelled.

Dated this 30th day of June 1995.

PETER GERALD RICHARDS, Acting Registrar,
Co-operative and Financial Institutions.

JM403**CHILDREN'S COURT OF WESTERN AUSTRALIA ACT 1988**

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

Norman Graham Eaton of RMB 65 Ralston Road, Manjimup and Mooney Trading Company,
Chopping Street, Manjimup.

Robert Derwent Prestage of 62 Forrest Avenue, Bunbury and Bunbury Glass Service, 5 Zaknic
Place, Bunbury.

RICHARD FOSTER, Executive Director,
Courts Development and Management.

JM404**JUSTICES ACT 1902**

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

Robert Derwent Prestage of 62 Forrest Avenue, Bunbury and Bunbury Glass Service, 5 Zaknic
Place, Bunbury

and it is also notified for public information that His Excellency the Governor in Executive Council has accepted the resignation of Cheryl Lynn Edwardes of 8 Nadine Place, Woodvale and 77 St George's Terrace, Perth, from the Office of Justice of the Peace for the State of Western Australia.

RICHARD FOSTER, Executive Director,
Courts Development and Management.

JM405**EX OFFICIO JUSTICE OF THE PEACE**

It is hereby notified for public information that Katherine Joan Mair of 179A Bateman Road, Mount Pleasant, 33 Bateman Road, Mount Pleasant and City of Melville, Almondbury Road, Ardross has been appointed under Section 9 of the Justices Act 1902 to be a Justice of the Peace for the Magisterial District of Perth during her term of office as Mayor of the City of Melville.

RICHARD FOSTER, Executive Director,
Courts Development and Management.

LAND ADMINISTRATION

LA401

**LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902**

Schedule No. A34/1995
Exco No. 0590
DOLA 70/1995

NOTICE OF RESUMPTION OF LAND

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

A plan and a more particular description of the resumed land may be inspected between 8.00 a.m. and 5.00 p.m. on working days at: Department of Land Administration, Midland Square, Midland. The resumed land shall, by force of the Public Works Act 1902 and Local Government Act 1960, be vested in Her Majesty for an estate in fee simple (except those lands being under the Land Act or dedicated or reserved for a public purpose, which will be vested in Her Majesty absolutely) for the public work, freed and discharged of all trusts, mortgages, charges, obligations, estates, interest, right-of-way, or other easements whatsoever.

Schedule

1. Public Work: Widening of Hart Road (Road No. 3911).
Local Authority: Shire of Murray.
Plan/Diagram No. showing Land resumed: Diagram 92221.
Council Resolution Date: 18 October, 1994. DOLA Ref: 2736/1994.

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Enzo Lomanto Menara and Italo Elso Menara	E L Menara and I E Menara	Portion of Coolup Agricultural Area Lot 78 being part of the land contained in Certificate of Title Volume 602 Folio 199A.	3510m ²

2. Public Work: Widening of Rosedale Road (Road No. 1784).
Local Authority: Shire of Mundaring.
Plan/Diagram No. showing Land resumed: Diagram 92191.
Council Resolution Date: 25 October, 1994. DOLA Ref: 2615/1994.

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Trinca Pty Ltd	Trinca Pty Ltd	Portion of Swan Location 1836 being part of the land contained in Certificate of Title Volume 1005 Folio 321.	18 m ²

3. Public Work: Extension of Henry Street.
Local Authority: Town of Kwinana.
Plan/Diagram No. showing Land resumed: Diagram 91617.
Council Resolution Date: 27 May, 1992. DOLA Ref: 1682/1992

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Alcoa of Australia Limited	Alcoa of Australia Limited	Portion of Cockburn Sound Location 435 being part of the land contained in Certificate of Title Volume 2017 Folio 898.	5 891 m ²
Alcoa of Australia Limited	Shell Development (Australia) Pty Ltd, Australasian Oil Exploration Ltd, Texaco Oil Development Company and Chevron Asiatic Ltd. as grantees of Easement A375402	The portion of the Easement registered as Transfer A375402 encumbering Certificate of Title Volume 2017 Folio 898 comprised in Henry Street as shown on Diagram 91617.	245 m ²

Dated this 31st day of May, 1995.

GEORGE CASH, Minister for Lands.

Dated this 19th day of June, 1995.

MICHAEL JEFFERY, Governor in Executive Council.

**LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902**

Schedule No. A35/1995
Exco No. 0591
DOLA 70/1995

NOTICE OF RESUMPTION OF LAND

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

A plan and a more particular description of the resumed land may be inspected between 8.00 a.m. and 5.00 p.m. on working days at: Department of Land Administration, Midland Square, Midland. The resumed land shall, by force of the Public Works Act 1902 and Local Government Act 1960, be vested in Her Majesty for an estate in fee simple (except those lands being under the Land Act or dedicated or reserved for a public purpose, which will be vested in Her Majesty absolutely) for the public work, freed and discharged of all trusts, mortgages, charges, obligations, estates, interest, right-of-way, or other easements-whatsoever.

Schedule

1. Public Work: Widening of Orrong Road (Road No. 9753).

Local Authority: City of Belmont.

Plan/Diagram No. showing Land resumed: Diagram 91971.

Council Resolution Date: 29 April, 1991.

DOLA Ref: 1855/1959.

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Crown	Education Department	Portion of Canning Location 1887 set aside as Reserve 26478 for the purpose of "School Site"	450m ²

2. Public Work: Widening of North Road (Road No. 15550).

Local Authority: Town of Albany.

Plan/Diagram No. showing Land resumed: Diagram 90608.

Council Resolution Date: 27 March, 1990.

DOLA Ref: 978/1982

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Municipality of Albany	Municipality of Albany	Portion of Albany Suburban Lot 305 being part of the land contained in Certificate of Title Volume 1215 Folio 155.	185m ²
Crown	vacant	Portion of Albany Lot 1360 set aside as Reserve 5163 for the purpose of "Recreation"	221m ²

3. Public Work: Widening of Seymour Street (Road No. 18631).

Local Authority: Town of Albany.

Plan/Diagram No. showing Land resumed: Diagram 91879.

Council Resolution Date: 25 May, 1993.

DOLA Ref: 1244/1992

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Her Majesty	Her Majesty	Portion of the Right of Way on Diagram 31516 remaining in Certificate of Title Volume 1207 Folio 637.	7m ²

Dated this 31st day of May, 1995.

GEORGE CASH, Minister for Lands.

Dated this 19th day of June, 1995.

MICHAEL JEFFERY, Governor in Executive Council.

**LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902**

Schedule No. A39/1995
Exco No. 0592
DOLA 70/1995

NOTICE OF RESUMPTION OF LAND

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

A plan and a more particular description of the resumed land may be inspected between 8.00 a.m. and 5.00 p.m. on working days at: Department of Land Administration, Midland Square, Midland. The resumed land shall, by force of the Public Works Act 1902 and Local Government Act 1960, be vested in Her Majesty for an estate in fee simple (except those lands being under the Land Act or dedicated or reserved for a public purpose, which will be vested in Her Majesty absolutely) for the public work, freed and discharged of all trusts, mortgages, charges, obligations, estates, interest, right-of-way, or other easements whatsoever.

Schedule

1. Public Work: Deviation and widening of Cubbine Road (Road No. 2461).

Local Authority: Shire of York.

Plan/Diagram No. showing Land resumed: Plan 18870, Diagram 92238.

Council Resolution Date: 21 June, 1993.

DOLA Ref: 1525/1993

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Doodenaning Nominees Pty Ltd. and February Nominees Pty Ltd.	Doodenaning Nominees Pty Ltd. and February Nominees Pty Ltd.	Portion of Avon Location 7007 being part of the land contained in Certificate of Title Volume 1605 Folio 257.	4 601 m ²
Doodenaning Nominees Pty Ltd. and February Nominees Pty Ltd.	Doodenaning Nominees Pty Ltd. and February Nominees Pty Ltd.	Portion of Avon Locations 8613 and 8614 being part of the land contained in Certificate of Title Volume 1605 Folio 258.	305 m ² (ex Loc. 8613) 478 m ² (ex Loc. 8614)
Victor James Gault	V J Gault	Portion of Avon Location 20865 being part of the land contained in Certificate of Title Volume 1901 Folio 755.	662 m ²

2. Public Work: Widening of Pelican Point Road (Road No. 17931).

Local Authority: Shire of Carnarvon.

Plan/Diagram No. showing Land resumed: Diagram 91833.

Council Resolution Date: 21 December, 1994.

DOLA Ref: 302/1971

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Crown	Shire of Carnarvon as vestee	Portion of Carnarvon Lot 1048 set aside as Reserve 28553 for "Recreation".	280m ²

3. Public Work: Extension of Kewdale Road.

Local Authority: City of Canning.

Plan/Diagram No. showing Land resumed: Diagram 42717.

Council Resolution Date: 11 April, 1995.

DOLA Ref: 1188/1993

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Lot 1 the subject of Diagram 42717 being the whole of the land contained in Certificate of Title Volume 1353 Folio 717.	1.472 ha

Dated this 31st day of May, 1995.

GEORGE CASH, Minister for Lands.

Dated this 19th day of June, 1995.

MICHAEL JEFFERY, Governor in Executive Council.

ROAD DEDICATION

It is hereby notified that the Minister for Lands has approved, pursuant to Section 288 of the Local Government Act, the dedication as public street the roads in the various Municipalities as described in the abovementioned resumption notices and the vacant Crown land on Diagram 91879.

By Order of the Minister for Lands.

Dated this 30th day of June, 1995.

A. A. SKINNER, Chief Executive.

LB701

**LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902**

Schedule No. A33/1995
Exco No. 0589
DOLA 70/1995

NOTICE OF RESUMPTION OF LAND

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

A plan and a more particular description of the resumed land may be inspected between 8.00 a.m. and 5.00 p.m. on working days at: Department of Land Administration, Midland Square, Midland. The resumed land shall, by force of the Public Works Act 1902 and Local Government Act 1960, be vested in Her Majesty for an estate in fee simple (except those lands being under the Land Act or dedicated or reserved for a public purpose, which will be vested in Her Majesty absolutely) for the public work, freed and discharged of all trusts, mortgages, charges, obligations, estates, interest, right-of-way, or other easements whatsoever.

Schedule

1. Public Work: Rights of Way.

Local Authority: City of Perth.

Plan/Diagram No. showing Land resumed: Plans 785 and 1591.

Council Resolution Date: October 19, 1992.

DOLA Ref: 644/1995.

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Frederick Mosey	City of Perth by Notice of Entry	The Right of Way on Plan 1591 remaining in Certificate of Title Volume 625 Folio 113.	300m ²
William Rowley	City of Perth by Notice of Entry	The Right of Way on Plan 785 remaining in Certificate of Title Volume 54 Folio 137.	780m ²

2. Public Work: Right of Way.

Local Authority: City of Perth.

Plan/Diagram No. showing Land resumed: Plan 1600.

Council Resolution Date: September 13, 1994.

DOLA Ref: 1977/1993.

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Bertram Shera Wills	City of Perth by Notice of Entry	The 0.2 metre reserves at the eastern and western ends of the Right of Way on Plan 1600 being part of the land remaining in Certificate of Title Volume 319 Folio 126.	1.208m ²

Dated this 31st day of May, 1995.

GEORGE CASH, Minister for Lands.

Dated this 19th day of June, 1995.

MICHAEL JEFFERY, Governor in Executive Council.

LB901

**LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902**

File Ref: 1130/1995

NOTICE OF INTENTION TO TAKE OR RESUME

RIGHT OF WAY AND 0.4 METRE RESERVE—TOWN OF VICTORIA PARK

THE Minister for Works hereby gives notice in accordance with the provisions of section 17(2) of the Public Works Act 1902 (as amended) that it is intended to take or resume under section 17(1) of that Act, the piece or parcel of land described in the Schedule hereto, and being in the *Swan District*, for the purpose of the following public work, namely, *Right of Way and 0.4 metre reserve—Town of Victoria Park* and that the said piece or parcel of land is marked off on Diagram 1067 which may be inspected at the office of the Department of Land Administration, Midland. The additional information contained in the Schedule after the land description is to define locality only and in no way derogates from the Transfer of Land Act description.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Harry Frederick Johnston	Town of Victoria Park by Notice of Entry	The land coloured brown and marked ROW and a 0.4 metre reserve on Diagram 1067 being the land remaining in Certificate of Title Volume 54 Folio 12.	219m ²

Dated this 31st day of May, 1995.

GEORGE CASH, Minister for Lands.

**LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902**

File Ref: 689/1995

NOTICE OF INTENTION TO TAKE OR RESUME LAND

WIDENING OF ECCLESTONE STREET—CITY OF BUNBURY

THE Minister for Works hereby gives notice in accordance with the provisions of Section 17(2) of the Public Works Act 1902 (as amended) that it is intended to take or resume under Section 17(1) of that Act, the piece or parcel of land described in the Schedule hereto, and being in the *Leschenault District*, for the purpose of the following public work, namely, *Widening of Ecclestone Street, City of Bunbury* and that the said piece or parcel of land is marked off on Plan LAWA 1058 which may be inspected at the office of the Department of Land Administration, Midland. The additional information contained in the Schedule after the land description is to define locality only and in no way derogates from the Transfer of Land Act description.

Schedule

No. on Plan LAWA	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
1058	Patrick Thomas Cosgrove	P T Cosgrove Cosgrove	Part of Lot 16 on deposited plan 1246 being part of the land contained in Certificate of Title Volume 282 Folio 65.	18m ²

Dated this 31st day of May, 1995.

GEORGE CASH, Minister for Lands.

**LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902**

File Ref: 515/1995

NOTICE OF INTENTION TO TAKE OR RESUME LAND

RIGHT OF WAY—CITY OF PERTH

THE Minister for Works hereby gives notice in accordance with the provisions of section 17(2) of the Public Works Act 1902 (as amended) that it is intended to take or resume under section 17(1) of that Act, the piece or parcel of land described in the Schedule hereto, and being in the *Perth District*, for the purpose of the following public work, namely *Right of Way—City of Perth* and that the said piece or parcel of land is marked off on Plan No. 2167 which may be inspected at the office of the Department

of Land Administration, Midland. The additional information contained in the Schedule after the land description is to define locality only and in no way derogates from the Transfer of Land Act description.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
The Colonial Property and Rubber Company Limited	City of Perth by Notice of Entry	The Portion of Perth Town Lot H132 marked ROW on Plan 2167 and being part of the land remaining in Certificate of Title Volume 238 Folio 167.	381m ²

Dated this 20th day of June, 1995.

GEORGE CASH, Minister for Lands.

**LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902**

File Ref: 423/1995

**NOTICE OF INTENTION TO TAKE OR RESUME LAND
EXTENSION OF LEE ROAD—TOWN OF KWINANA**

THE Minister for Works hereby gives notice in accordance with the provisions of section 17(2) of the Public Works Act 1902 (as amended) that it is intended to take or resume under section 17(1) of that Act, the pieces or parcels of land described in the Schedule hereto, and being all in the *Cockburn Sound* District, for the purpose of the following public work, namely, *Extension of Lee Road—Town of Kwinana* and that the said pieces or parcels of land are marked off on Plan LAWA., 1061 which may be inspected at the office of the Department of Land Administration, Midland. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description.

Schedule

No. on Plan LAWA	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
1061	John Ronson	Town of Kwinana by Notice of Entry	Portion of Lot 102 on Plan 3638 (Sheet 6) being part of the land contained in Certificate of Title Volume 1781 Folio 802.	10m ²
	John Ronson	Town of Kwinana by Notice of Entry	Portion of Lot 103 on Plan 3638 (Sheet 6) being part of the land contained in Certificate of Title Volume 1781 Folio 803.	172m ²
	John Ronson	Town of Kwinana by Notice of Entry	Portion of Lot 104 on Plan 3638 (Sheet 6) being part of the land contained in Certificate of Title Volume 1781 Folio 804.	623m ²

Dated this 20th day of June, 1995.

GEORGE CASH, Minister for Lands.

**LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902**

File Ref: 536/1995

**NOTICE OF INTENTION TO TAKE OR RESUME LAND
RIGHT OF WAY—TOWN OF VICTORIA PARK**

THE Minister for Works hereby gives notice in accordance with the provisions of Section 17(2) of the Public Works Act 1902 (as amended) that it is intended to take or resume under Section 17(1) of that Act, the piece or parcel of land described in the Schedule hereto, and being in the *Canning District*, for the purpose of the following public work, namely, *Right of Way—Town of Victoria Park* and that the said piece or parcel of land is marked off on LTO Plan 2880(3) which may be inspected at the office of the Department of Land Administration, Midland. The additional information contained in the Schedule after the land description is to define locality only and in no way derogates from the Transfer of Land Act description.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Bernard Stein	Town of Victoria Park by Notice of Entry	The Right of Way on LTO Plan 2880(3) bounded by President, Mars, Kew and Planet Streets remaining in Certificate of Title Volume 469 Folio 104.	911m ²

Dated this 20th day of June, 1995.

GEORGE CASH, Minister for Lands.

LOCAL GOVERNMENT

LG101

CORRECTION
LOCAL GOVERNMENT ACT 1960
Shire of Yilgarn
NOTICE OF INTENTION TO BORROW
 Proposed Loan (No. 96) of \$450 000

The notice which appeared in the *Government Gazette* on 2nd December 1994 is amended as follows—
 Loan 96 is to be raised for a maximum term of 7 Years with repayments of principal and interest due quarterly.

P. R. PATRONI, President.
 C. A. THOMPSON, Chief Executive Officer/Shire Clerk.

LG401

DOG ACT 1976
Shire of Bridgetown Greenbushes

It is hereby notified for public information that the following persons have been appointed as Registration Officers under the above Act—

Robert Hazelhurst
 Glenda May Norris
 Michelle Robyn Larkworthy
 Rachel Lee Sawyer
 Fiona Louise May

All previous appointments are hereby cancelled.

I. M. BODILL, Shire Clerk.

LG402

LOCAL GOVERNMENT ACT 1960
Shire of Mount Magnet
 Schedule of Fees and Charges

It is hereby notified for public information in accordance with section 191A of the above Act and effective from 1 July 1995 the schedule of fees and charges are as follows—

CEMETERY CHARGES—	\$
In OPEN GROUND—	
For sinking and filling in a grave for a person over 14 years of age	240.00
For sinking and filling in a grave for a child under 14 years of age	145.00
For re-opening a grave for a person over 14 years of age	240.00
For re-opening a grave for a child under 14 years of age	145.00
For a number plate	12.00

	\$
In PRIVATE GROUND—including the issue of a "Grant of Right of Burial"	
Ordinary land for a grave 2.74m x 1.2m where directed	145.00
Special land for grave 2.74m x 1.2m selected by application in section where burials take place	240.00
For interment without due notice, extra charge	96.00
For sinking and filling in a grave for any child under 14 years of age	145.00
For sinking and filling in a grave for any person over 14 years of age	240.00
For sinking a grave beyond 1.82m for each additional .3m	42.00
For permission to erect any monument, etc.	18.00
For permission to construct a vault	18.00
For a number plate	12.00
HALL CHARGES—	
Cabarets, Weddings, any function with liquor	147.00
Catered function (without liquor)	63.00
Sale or display of goods	126.00
Travelling shows (no liquor)	95.00
Educational performance (Expose etc.)	47.00
Badminton	12.50
Dance lessons, exercises, etc.	12.50
Youth Club	12.50
Indoor Cricket	28.00
School Children (functions, discos)	12.50
Daily hire—per hour	12.50
Table hire	6.50
Chairs (per chair)60
\$150 surcharge if facility is not cleaned properly after use.	
\$100 key charge if not returned promptly.	
SWIMMING POOL CHARGES—	
Daily swim—Adult	3.00
Daily swim—Child/Pensioner	1.00
Season ticket—Family	89.00
Season ticket—Adult	44.00
Season ticket—Child/Pensioner	29.50
Monthly ticket—Adult	26.50
Monthly ticket—Child/Pensioner	14.00
Organised school use—.50 cents per child.	
Definition of child—3 years or attending school.	
RECREATION CENTRE FACILITY CHARGES—	
Meetings	12.50
Meetings and use of kitchen	20.00
Function with liquor	84.00
Catered function (without liquor)	47.50
Dance lessons, exercise clubs, etc. (no kitchen use)	12.50
\$150 surcharge if facility is not cleaned properly after use.	
\$100 key charge if not returned promptly.	
COMPLEX FACILITY RENTALS—	
Clubs or organisations using this facility but not utilising amenities regularly (per annum)	210.00
Clubs or organisations using both facility and amenities building regularly with priority use (per annum)	315.00
Squash Club—per agreement (per annum)	10.00
Casual use of oval	32.00
Casual use of oval including amenities	42.00
Tennis courts—	
Day per hour per court	3.00
Night per hour per court	6.00
Club—Priority use 1 weekday/night, 1 weekend day/night	315.00
CHILD CARE CENTRE—	
As per agreement (per annum)	52.00
VET—	
Per visit	25.00
CARAVAN PARK CHARGES—	
Weekly site charge (two people)—one A/Cond	76.00
Daily site tariff (two people)—one A/Cond	13.00
Small Campervan (daily)—one A/Cond	9.00

	\$
Additional airconditioners—\$1 per airconditioner per day.	
Additional fee per week per person—\$6 per week to a maximum of \$18.	
Additional fee per day per person—\$1 to a maximum of \$3.	
Camping (per tent), per day (two people)—	
powered site.....	7.00
non-powered site.....	5.00
Additional persons—\$1 per person per day.	
Groups (per tent), per day.....	5.00
Additional fee to apply to persons over the age of 2 years.	
Onsite van per week.....	125.00
Onsite van per night.....	25.00
PLANT HIRE RATES—	
Grader (per hour).....	85.00
Loader.....	65.00
10m Truck.....	50.00
14m Truck.....	60.00
20m Semi Tipper.....	85.00
Self Propelled Roller.....	45.00
Bobcat.....	40.00
Tractor.....	35.00
Tractor/Digger.....	40.00
Load of loam or gravel—10m.....	60.00
Load of loam or gravel—14m.....	70.00

AIRPORT CHARGES—

Visiting Aircraft—

- (a) Landing Charge—\$7.00 per 1 000kg Certified Maximum Take Off Weight (MTOW). Aircraft less than 20 000 MTOW.
- (b) Parking Fee—First night free. Additional nights thereafter, \$7.00 per night.
- (c) Night landing (use of lights)—\$10.00 per 1 000kg Certified MTOW.

Locally Based Aircraft—

Locally based aircraft can opt for an annual rate, monthly rate or daily rate.

- (a) Annual Rate—\$900 per 1 000kg Certified MTOW. This charge allows for an unlimited number of take offs, landings, circuits and no parking fee.
- (b) Monthly Rate—\$90 per 1 000kg MTOW. This charge allows for an unlimited number of take offs, landings, circuits and no parking fee.
- (c) Daily Rate—Landing Charge \$10.00 per MTOW and Parking Charge—1 500kg MTOW and below, \$410 per annum, then the charge increases at the rate of \$0.20 per kg (\$200 per 1 000kg MTOW).

G. J. McDONALD, Shire Clerk.

LG403**LOCAL GOVERNMENT ACT 1960**

Shire of Dandaragan

Authorised Officer

This is to certify that Stephen Lawrence Meyerkort is an Authorised Officer on behalf of the Shire of Dandaragan for all the purposes of the Local Government Act 1960.

B. J. GOLDING, Shire Clerk.

LG404**LOCAL GOVERNMENT ACT 1960**

Shire of Beverley

Schedule of Fees and Charges

In pursuance of the powers conferred upon it by the abovementioned Acts and all other powers enabling it, the Council of the abovementioned Municipality resolved at a meeting held on 15 June 1995

that the following fees and charges apply during the 1995/96 financial year in respect to facilities under the control of Council—

HIRE AND ADMINISTRATION CHARGES

Schedule of Charges Recreation Ground Fees

	\$
Football Club	1 800.00
Agricultural Society	405.00
Hire of Oval per Day	38.50
Hockey Club per hour (Grassed Oval)	8.50
Hockey Club No. 2 Oval per Season	26.50
Ram Shed	21.00
Ram Shed—Cricket Club	5.00
Pony Club	55.00
Tennis Club	275.00
Swimming Club (Camping Fees)	4.00 per van/per tent

Amenities Building Fees

Meeting and Religious Services (all organisations)—Beverley only	6.25
Afternoon and Morning Teas	6.25
Players Teas	12.25
Football Matches, all day sporting functions and Annual Show Day	12.25
All other social functions (weddings, private parties, dances, fetes, socials, steak nights)	61.50
Crockery and cutlery from the Amenities Building—hire to local organisations	6.25

Swimming Pool Fees

Adults	1.20
Children	0.60
Season Tickets—	
Adults	35.00
Children	23.50
Family	94.00
School	4.00
Private Hire—Hourly	32.25

Housing Rental

\$56.75 per week

Art Group

\$12.50 per week

Religious Society of Friends

\$12.50 per week

Retirement Village Rental

Single Rent	31.00
	<u>17.00</u>
	48.00 per week
Double Rent	36.00
	<u>17.00</u>
	53.00 per week

Caravan Park

Powered Sites—Adult Persons per Night (Children No Charge)	6.00
Unpowered Sites—Adult Persons per Night (Children No Charge)	4.50
Weekly—Caravans (Plus SEC Charges)	34.50
Showers—Itinerant Per Person	1.00

Photocopies

15 cents per copy

Fax

Within Western Australia

\$1.50 first page

.50c each page thereafter

Interstate

\$1.50 first page

\$1.00 each page thereafter

Overseas

Cost of the Phone Call

Plus \$1.50 per page

Hall Charges 1995/96

		Main Hall	Lesser Hall	Kitchen	Stage
Category A					
Cabarets, Steak Nights, Weddings, Travelling Companies, etc.	Day	106.00	64.50	41.50	
	Night	139.50	81.75	41.50	
Category B					
Dances, Socials, Concerts, Bazaars, Fetes, Art Gallery, Private Parties, Balls, Horticultural Society with preceding night to prepare	Day	49.00	29.75	41.50	
	Night	64.50	41.50	41.50	
Category C					
Meetings Religious Services	Day	28.50	14.50	35.50	
	Night	42.75	28.50	35.50	
Category D					
Rehearsals Decorating, etc.	Day	6.75	6.75	35.50	6.75
	Night	14.50	14.50	35.50	6.75
Category E					
Sporting Activities	Day	16.00			
	Night	16.00			
Category F					
Garden Lawn Area	6.50				
Rates for Total Complex					
	Category A	Day	\$178.50		
		Night	\$217.50		
	Category B	Day	\$108.75		
		Night	\$132.25		
	Category C	Day	\$ 68.75		
		Night	\$ 92.50		

Charitable Purposes—50% of Hire Charge

Heating—\$3.50 per hour

Stackable Chairs—65 cents each

Projector—\$15.50

P.A. System—\$26.00

Marquee—\$41.50

LG405

CEMETERIES ACT 1986

Municipality of the Shire of Beverley

By-laws Relating to Public Cemeteries

It is hereby notified for public information that in accordance with section 53 of the Cemeteries Act 1986, the Shire of Beverley did by resolution at a meeting held on 15 June 1995 fix the undermentioned fees and charges—

BEVERLEY PUBLIC CEMETERIES

Schedule 'A'

1.	(a)	On application for a Form of Grant of Right of Burial for—	\$
		Land 2.44 m x 1.52 m	15.00
		Land 2.44 m x 3.05 m	30.00
		Land 2.44 m x 4.57 m	40.00
	(b)	On application for a Form of Order of Burial for—	
		Ordinary Grave	420.00
		Grave for any child under 7 years or stillborn	210.00
	(c)	Niche Wall—	
		Single Niche (does not include cost of tablet or fitting)	25.00
		Double Niche (does not include cost of tablet or fitting)	45.00
2.		If graves are required to be sunk deeper than 1.8 metres then the cost of each additional 300 mm	35.00

	\$
3. Re-opening an ordinary grave for each interment or exhumation—	
(a) Ordinary	420.00
(b) Of a child under 7 year of age or stillborn	210.00
Where removing of kerbing, tiles, grass, etc is necessary according to time required at a rate per man hour of \$19.00.	
(c) Any brick grave	420.00
(d) Any vault	420.00
4. Extra charges for—	
(a) Interment without due notice under By-law 10	35.00
(b) Interment not in usual hours as prescribed by By-law 17	100.00
(c) Exhumations	420.00
5. Miscellaneous Charges—	
Permission to erect a headstone and/or kerbing	5.00
Permission to erect a monument	5.00
Permission to erect any nameplate	5.00
Registration of transfer of form of grant of right of burial	1.00
Copy of grant of right of burial	1.00
Grave number plate	6.50
Attending grave when required by grantee	20.00
Making search in Register	5.00
Copy of By-laws	5.00

LG406**SHIRE OF SWAN**

Honorary Parking Inspectors/Authorised Officers
Ballajura City Shopping Centre

It is hereby notified for public information that Mr David Toovey and Mr Clive Stuart Adams have been given Council's Authority as Honorary Parking Inspectors and Authorised Officers for the purposes of Councils Parking By-law only within the property known as Ballajura City Shopping Centre, cnr of Illawarra Crescent South and Kingfisher Avenue, Ballajura.

LG407**LOCAL GOVERNMENT ACT 1960**

(Section 191A)

*Shire of Yalgoo***Fees and Charges**

It is hereby notified for public information that the Council of the Shire of Yalgoo resolved on 22 June 1995 to adopt the following fees and charges, which will take effect from 1 July 1995.

Office Fees and Charges**Photocopying**

A4 Paper	\$0.20c per copy
Foolscap paper	\$0.40c per copy
A3	\$0.50c per copy
Double sided photocopies 10c extra per page.	

Facsimile Charges

To receive faxes—per page	\$0.50c
To send faxes—per page	\$2.00

Town Hall and Sports Complex Hire Fees

Weddings, Balls, Parties, Dances	\$50.00
Refundable Security Bond	\$100.00
Socials, Plays, Bingo	\$20.00
Exercise Groups, Badminton, Play Group and Youth Group	\$5.00 or \$1.00 per person for less than 5 persons

Local Organisation Meeting Yalgoo	\$5.00
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Local Organisation Meetings Paynes Find	\$10.00
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Chairs (per chair) Must be used	\$0.50c
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Tables—Small	\$4.00
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Tables—Large	\$6.00
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Charges for Machinery with Operator

Machine	Rate per Hour
Grader	\$78.00
Loader/Dozer	\$62.00
Trucks	\$68.00
Load of sand or gravel 10 m ³	\$62.00

Caravan Park Fees

Powered Sites per day	\$12.00
Powered Sites per week	\$70.00
Unpowered Sites	\$8.00
Refundable bond on keys	\$10.00

Ambulance Membership Fees

Single Membership	\$20.00
Family Membership	\$30.00
Station Membership	\$50.00

Ambulance Hire Charges

Ambulance Hire—Sporting Events	\$50.00
Ambulance Hire—Functions	\$50.00

Ambulance Callout Fee Each Way

\$1.00 per kilometre, for non members

Sundry Charges

Tennis Courts—No charge at present

Dog Registration Fees

	1 Year	3 Years
Unsterilised Dog	\$20.00	\$50.00
Sterilised Dog	\$5.00	\$12.00

Grave Digging Fees

Sinking grave of all persons 10 years and over to a depth of 1.8 m	\$250.00
Sinking grave of person under 10 years of age to a depth of 1.8 m	\$125.00
For re-opening any grave	\$250.00
Grant of Right of Burial for land 2.4 m x 1.2 m	\$120.00

Extra Charges

Internment without due notice under By-law 5	\$80.00
Internment not in usual hours as prescribed by By-laws 11 and 12	\$80.00
Late arrival at Cemetery gates under By-law 13	\$20.00

Other Charges

Interment of ashes	\$50.00
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J. H. MORRISSEY, President.
A. J. GERTENBACH, Shire Clerk.

LG408

LOCAL GOVERNMENT ACT 1960

City of Bayswater

Closure of Private Street

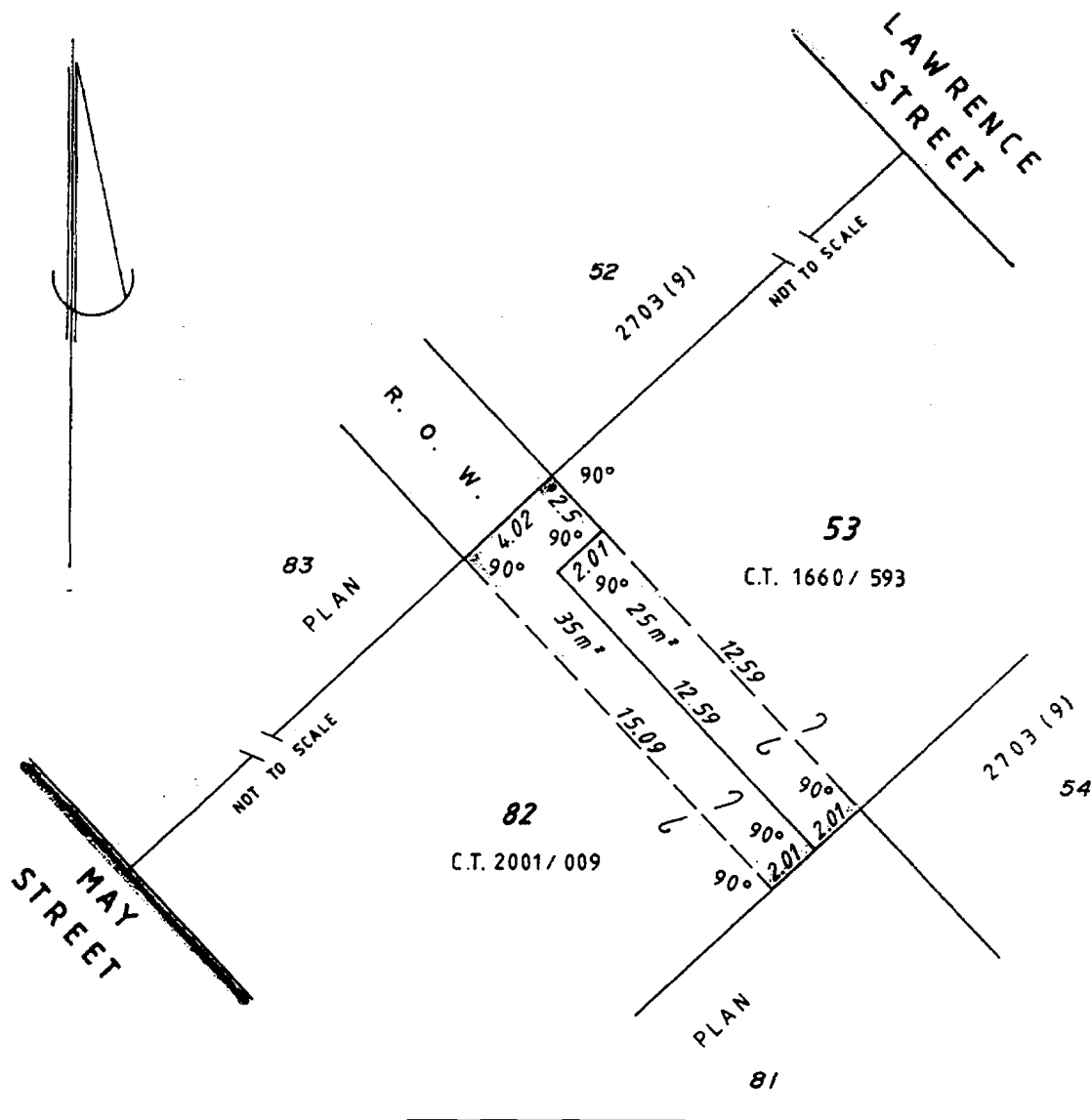
Department of Local Government,
Perth, 28 June 1995.

LG: BW 4-13.

It is hereby notified for public information that His Excellency the Governor has approved under the provisions of section 297A of the Local Government Act 1960, the resolution passed by the City of Bayswater that the private street which is described as being portion of Swan Location V, being portion of the land coloured brown and marked R.O.W. on Plan 2703(9) and being portion of the land contained in Certificate of Title Vol 1613 Fol 617 be closed, and the land contained therein be amalgamated with the adjoining Lot 53 Lawrence Street and Lot 82 May Street, Bayswater, as shown in the Schedule hereunder.

JOHN LYNCH, Executive Director,
Department of Local Government.

Schedule



LG409

LOCAL GOVERNMENT ACT 1960

Shire of Murray

Loan Poll

Local Government Department,
Perth, 22 June 1995.

Proposed Loan No. 153—\$470 000 for the purpose of contributing towards the construction of a recreation centre, Camp Road, Pinjarra.

LG: MY3-8.

It is hereby notified for public information in accordance with section 138 of the Local Government Act, that the result of a loan poll conducted by the Shire of Murray on 10 June 1995 with respect to the above proposed loan was as follows—

Yes votes	656
No votes	761
Informal votes	49
Total votes cast	<u>1 466</u>

As more than 15% of the persons eligible to vote, did so vote, the raising of the loan was not approved.

JOHN LYNCH, Executive Director,
Local Government Department.

LG901

LOCAL GOVERNMENT ACT 1960

Shire of Gnowangerup

NOTICE OF INTENTION TO BORROW

Proposed Loan No. 257 of \$45 000

Pursuant to section 610 of the Local Government Act 1960 the Shire of Gnowangerup hereby gives the notice that it intends to borrow money by sale of a debenture on the following terms and for the following purpose—

\$45 000 repayable at the office of the Council, Gnowangerup, over a period of four (4) years repayable in equal half yearly instalments of principal and interest.

Purpose—Council share of Joint Venture Housing with Homeswest.

Estimates and Plans are open for inspection at the office of Council during normal office hours for a period of 35 days following the publication of this notice.

J. P. SAVAGE, President.
M. L. CHESTER, Shire Clerk.

MAIN ROADS

MA401

MRWA 42-30-G

MAIN ROADS ACT 1930

PUBLIC WORKS ACT 1902

NOTICE OF INTENTION TO TAKE OR RESUME LAND

The Minister for Works hereby gives notice, in accordance with the provisions of section 17 (2) of the Public Works Act 1902, that it is intended to take or resume under section 17 (1) of that Act the pieces or parcels of land described in the Schedule hereto and being all in the Brookton District, for the purpose of the following public works namely, widening of the Armadale-Ravensthorpe Road (SLK Section 87.0-93.2) and that the said pieces or parcels of land are marked off on MRWA Drawings 9309-072-1, 9309-071-1, 9309-070-1 9309-069-1 and 9303-065-2 and Office of Titles Plan 20164-20166 (inclusive) which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

Schedule

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx.)
1.	Warranine Park Pty Ltd	Commissioner of Main Roads vide Caveat F833821	Portion of Avon Locations 4168 and 5401 now contained in Plans 20165 and 20166 and being part of the land comprised in Certificate of Title Volume 1478 Folio 955.	7.6336 ha
2.	J. & B. Gault Farms Pty Ltd	Commissioner of Main Roads vide Caveat F824229	Portion of Avon Location 19014 now contained in Plans 20164 and 20165 and being part of the land comprised in Certificate of Title Volume 1135 Folio 606.	2.5249 ha
3.	Donald Stewart Clarke, Thelma Maude Clarke and Allen Terrence Clarke	D. S. Clarke, T. M. Clarke & A. T. Clarke	Portion of Avon Location 567 now contained in Plan 20165 and being part of the land comprised in Certificate of Title Volume 1674 Folio 352.	1 511 m ²
4.	Donald Stewart Clarke, Thelma Maude Clarke and Allen Terrence Clarke	D. S. Clarke, T. M. Clarke & A. T. Clarke	Portion of Avon Location 4926 now contained in Plan 20164 and being part of the land comprised in Certificate of Title Volume 1674 Folio 353.	1.0102 ha
5.	Donald Stewart Clarke, Thelma Maude Clarke and Allen Terrence Clarke	D. S. Clarke, T. M. Clarke & A. T. Clarke	Portion of Avon Location 5116 now contained in Plan 20164 and being part of the land comprised in Certificate of Title Volume 1013 Folio 471.	3.0151 ha

Schedule—continued

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx.)
6.	Dorothy Jean Styles	Commissioner of Main Roads	Portion of Avon Location 20145 now contained in Plan 20164 and being part of the land comprised in Certificate of Title Volume 1175 Folio 785.	2 057 m ²

Dated this 28th day of June 1995.

D. R. WARNER, Director Corporate Services.

MINERALS AND ENERGY

MN101

PRINTERS CORRECTION

MINING ACT 1978

NOTICE OF INTENTION TO FORFEIT

An error occurred in the notice published under the above heading on page 2499 of *Government Gazette* No. 80 dated 23 June 1995 and is corrected as follows.

On page 2500 in the item commencing 59/315 delete " DUNTSTONE: " and insert " DUNSTONE: ".

MN301

MINING ACT 1978

MINING AMENDMENT REGULATIONS (No. 3) 1995

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Mining Amendment Regulations* (No. 3) 1995*.

Second Schedule amended

2. The Second Schedule to the *Mining Regulations 1981** is amended —

(a) in item 1 by deleting "9.30" where it appears opposite "Mining lease per hectare or part thereof..." and substituting the following —

" 10.00 ";

(b) in item 7 by deleting "25.00" and substituting the following —

" 60.00 "; and

(b) in item 10 by deleting "45.00" wherever it occurs and substituting in each case the following —

" 60.00 ".

[* Reprinted as at 11 August 1988.

For amendments to 29 May 1995 see 1994 Index to Legislation of Western Australia, Table 4, pp. 190-193, and Gazette of 19 May 1995.]

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

MN401

MINING ACT 1978

Notice of Application for an Order for Forfeiture

Department of Minerals and Energy.

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

A. BLOEMEN, Warden.

To be heard in the Warden's Court, Marble Bar on the 20th July 1995.

PILBARA MINERAL FIELD*Marble Bar District*

P45/2315—Gibbs, Mark Phillip.
Tilbrook, Thomas James.

PILBARA MINERAL FIELD*Nullagine District*

P46/1180—Shanks, Helen Janette.

WEST PILBARA MINERAL FIELD

P47/1038—Golden Eagle Exploration Pty Ltd.

MN402

COMMONWEALTH OF AUSTRALIA
PETROLEUM (SUBMERGED LANDS) ACT, 1967
SECTION 37

DECLARATION OF LOCATION VARIATION No. 11SL/94-5

I, Ian Fraser, Director of the Petroleum Operations Division in the Department of Minerals and Energy for the State of Western Australia, acting for and on behalf of the Commonwealth—Western Australia Offshore Petroleum Joint Authority, by virtue of an instrument of delegation dated 1 May 1993 and published in the *Government Gazette* of Western Australia on 14 May 1993, hereby vary Location 1SL/94-5 (East Spar) in force in respect of Hamersley Range Map Sheet Block Nos 516, 517, 588 and 589 declared in the *Government Gazette* 16 September 1994 to delete from the location the block number described hereunder—

HAMERSLEY RANGE MAP SHEET

Block No. 517

This block is the subject of Exploration Permit No. WA-214-P held by Ampolex (A.O.E.) Limited, Apache Oil Australia Pty Limited, Parker & Parsley Australasia Limited and Western Mining Corporation Limited.

Dated this 13th day of June 1995.

Made under the Petroleum (Submerged Lands) Act 1967 of the Commonwealth of Australia.

IAN FRASER, Director, Petroleum Operations Division.

PLANNING

PD401

WESTERN AUSTRALIAN PLANNING COMMISSION ACT 1985
NOTICE OF DELEGATION

File No. 970/1/1/3 and 805/2/21/5.

Notice is hereby given that the Western Australian Planning Commission ("the Commission") acting pursuant to the provisions of section 20 of the Western Australian Planning Commission Act 1985 ("the Act") has resolved to delegate those powers and functions referred to in Schedule 1 to the eligible bodies and person referred to in Schedule 2.

SCHEDULE 1—POWERS DELEGATED

1. All powers and functions of the Commission set out in—
 - (i) Section 18(1)(e)(iv) of the Act; and
 - (ii) Section 41 of the Act.
2. Power to undertake such administrative and financial obligations and functions of the Commission—
 - (i) Within the Whiteman Park budget;
 - (ii) In accordance with the objectives and terms of reference of the Whiteman Park Board of Management; and
 - (iii) In compliance with the requirements of the Financial Administration and Audit Act, State Supply Commission policy and other related legislation.

SCHEDULE 2—APPLICATION OF DELEGATION

1. The powers and functions in Schedule 1 are subject to this delegation being confined to the land defined as Whiteman Park under the Metropolitan Region Scheme and shall apply to—
 - (a) the Whiteman Park Board of Management;
 - (b) the Executive Committee of Whiteman Park Board of Management subject to a limit of \$30,000 for any transaction; and
 - (c) the officer for the time being occupying the position of Manager, Whiteman Park in the Ministry for Planning subject to a limit of \$5000 for any transaction.

PD402

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959
METROPOLITAN REGION SCHEME S.33A AMENDMENT

Fitzgerald Street, City of Perth

Approved Amendment

No. 913/33A; File: 833-2-10-27

The Hon Minister for Planning has approved, with modifications, the abovementioned amendment to the Metropolitan Region Scheme.

The amendment, as shown on Plan No. 4.1231/3, and in more detail on Plan Nos. 4.1232/3 and 4.1233/3, shall have effect as from the date of publication of this notice in the *Gazette*.

The plan as approved can be viewed at—

1. Ministry for Planning
 Albert Facey House (corner Forrest Place)
 469-489 Wellington Street, Perth WA 6000
2. J S Battye Library, Alexander Library Building
 Cultural Centre, Francis Street, Northbridge WA 6000
3. Office of the Municipality of the City of Perth
 Westralia Square, 141 St George's Terrace, Perth WA 6000.

IAN WIGHT-PICKIN, A/Secretary.

PD403

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF SCHEME AMENDMENT AVAILABLE FOR INSPECTION

City of Stirling

District Planning Scheme No. 2—Amendment No. 248

Ref: 853/2/20/34, Pt. 248

It is hereby notified for public information that the period in which to lodge submissions on the above Amendment No. 248, published at page 2340 of the *Government Gazette* No. 76 dated 16 June 1995, has been extended up to and including 28 July 1995.

G. S. BRAY, Town Clerk.

PD404

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Stirling

Town Planning Scheme No. 36—Amendment No. 1

Ref: 853/2/20/38, Pt. 1

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Stirling Town Planning Scheme Amendment on 25 June 1995, for the purpose of—

Replacing Clause 2.2.4 Surplus Lands with the following new clause—

“ 2.2.4 Surplus Lands

The Council shall make application to the Department of Land Administration to close or cause to be closed such portions of rights of way and cancel or cause to be cancelled such lands vested in the Crown as are designated on the Scheme maps as being surplus to the requirements of the Scheme (referred to as surplus land) and cause such closed portions of rights of way or cancelled lands to be amalgamated with the Lot from which they were excised.

Where the owner of a lot with which surplus land is to be amalgamated was the owner of that Lot at the time of the City of Stirling District Planning Scheme No. 2 was gazetted, the surplus land shall be transferred to that owner free of any charge for the surplus land, however the owner shall still be liable to pay Scheme Costs calculated in accordance with clause 3.3. Where the owner of a Lot with which surplus land is to be amalgamated was not the owner of that Lot at the time of the City of Stirling District Planning Scheme No. 2 was gazetted, the value of the surplus land shall be levied against that Lot as a Scheme Cost and shall be payable by the owner thereof and the owner shall still be liable to pay Scheme Costs calculated in accordance with clause 3.3. The monies so owing or paid shall be credited against total Scheme Costs. ”

A. A. SPAGNOLO, Mayor.

G. S. BRAY, Town Clerk.

PD405

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Town of Claremont

Town Planning Scheme No. 3—Amendment No. 48

Ref: 853/2/2/3, Pt. 48

Notice is hereby given that the Town of Claremont has prepared the abovementioned scheme amendment for the purpose of—

1. including Lots 61, 64, 65 and 68 Rob Roy Street and Lots 62 and 200 Claremont Crescent in the Special Zone (Restricted Use).
2. amending Appendix VIII of the Scheme Text accordingly.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 308 Stirling Highway, Claremont and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 11 August 1995.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 11 August 1995.

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

R. J. STEWART, Town Clerk.

PD406

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Town of Northam

Town Planning Scheme No. 4—Amendment No. 3

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

Notice is hereby given that the Town of Northam has prepared the abovementioned scheme amendment for the purpose of amending the R-Code of portion of Lot 65 Buckland Street, Northam from "Residential (R12.5)" zone to "Residential (R25)" zone.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 298 Fitzgerald Street, Northam and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 11 August 1995.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 11 August 1995.

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

The Amendment is being re-advertised and all persons/organisations who lodged a submission previously are not required to forward a new submission.

B. H. WITTBBER, Town Clerk.

PD701

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME

Shire of Augusta-Margaret River

Town Planning Scheme No. 18—Prevelly Park

Ref: 853/6/3/18, Vol. 2.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Hon Minister for Planning approved the Shire of Augusta-Margaret River Town Planning Scheme No. 18—Prevelly Park on July 22, 1994—the Scheme Text of which is published as a Schedule annexed hereto.

E. G. NOAKES, President.

L. J. CALNEGGIA, Shire Clerk.

Schedule

TOWN PLANNING SCHEME No. 18

Shire of Augusta-Margaret River

Sussex Locations: 815, Prevelly Park

Scheme Text

The Augusta-Margaret River Shire Council, under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act, 1928 (as amended), hereinafter referred to as the "Act", hereby makes the following Town Planning Scheme for the purposes laid down in the Act.

PART I: PRELIMINARY

1.1 Citation

This town planning scheme may be cited as "The Shire of Augusta-Margaret River Scheme No. 18", hereinafter called "The Scheme" and shall come into operation on the publication of the Scheme in the *Government Gazette*.

1.2 Responsible Authority

The Authority responsible for implementing the Scheme is the Council of the Shire of Augusta-Margaret River, hereinafter called "The Council".

1.3 Scheme Area

The Scheme applies to the land outlined on the Scheme Map.

1.4 Contents of Scheme

The Scheme comprises:

- Scheme Text
- Scheme Map

1.5 Arrangement of Scheme Text

The Scheme Text is divided into the following parts:

- Part 1: Preliminary
- Part 2: Reserves
- Part 3: Zones and Structure Plan Requirements
- Part 4: Use and Development Standards
- Part 5: Non Conforming Uses
- Part 6: Development Provisions
- Part 7: Planning Consent
- Part 8: Administration

1.6 Scheme Purpose

The Council hereby makes the following Town Planning Scheme for the purposes of:

1. Reserving land for coastal protection and foreshore management.
2. Zoning the land within the Scheme Area for the purposes described in the Scheme;
3. Providing development controls for the purposes of securing and maintaining the orderly and properly planned use and development of land within the scheme area;
4. Making provision for other matters authorised by the enabling Act;
5. Outlining objectives for the scheme area with particular reference to landscape and landform protection.

1.7 Revocation of Existing Scheme

That portion of the Shire of Augusta-Margaret River Town Planning Scheme No. 11 as amended which came into operation by publication in the *Government Gazette* on April 26, 1985 that covers that portion of Reserve 13404 as included within this Scheme, is hereby revoked.

1.8 Interpretation

1.8.1 Except as provided in clauses 1.8.2 and 1.8.3, the words and expressions of the Scheme have their normal and common meaning;

1.8.2 In the Scheme, unless the context otherwise requires, or unless it is otherwise provided herein, words and expressions have the respective meanings given to them in Schedule 1 and the residential planning codes;

1.8.3 Where a word or term is defined in the residential planning codes, then notwithstanding anything else in the Scheme that word or term when used in respect of residential development has the meaning given to it in the residential planning codes.

PART II: RESERVES

2.1 Scheme Reserves

The land shown as Scheme Reserves on the Scheme Map, hereinafter called "Reserves" are land reserved under the Scheme for the purposes shown on the Scheme Map.

2.2 Matters to be Considered by Council

Where an application for Planning Consent is made with respect to land within a Reserve, the Council shall have regard to the ultimate purposes intended for the Reserve and the Council shall, in the case of land reserved for the purposes of a "Public Authority", confer with that Authority before granting its consent.

2.3 Compensation

2.3.1 Where the Council refuses planning consent for the development of a Reserve on the ground that the land is reserved for Local Authority Purposes or for the purposes shown on the scheme map, or grants consent subject to conditions that are unacceptable to the applicant the owner of the land may, if the land is injuriously affected thereby, claim compensation for such injurious affection.

2.3.2 Claims for such compensation shall be lodged at the office of the Council not later than six [6] months after the date of the decision of the Council refusing planning consent or granting it subject to conditions that are unacceptable to the applicant.

2.3.3 In lieu of paying compensation the Council may purchase the land affected by such decision of the Council at a price representing the unaffected value of the land at the time of refusal of planning consent or of the grant of consent subject to conditions that are unacceptable to the applicant.

PART III: ZONES AND STRUCTURE PLAN REQUIREMENTS

3.1 Zones

3.1.1 The various zones created in the scheme area are set out hereunder:

- * Development
- * Landscape and Landform Protection
- * Tourist Development (Landscape Protection) Zone

3.1.2 The zones are delineated and depicted on the Scheme map according to the legend thereon.

3.2 Objectives

The Scheme seeks to establish certain objectives, the basis of which shall be taken into account by Council when evaluating subdivision and development proposals.

3.2.1 General Objectives:

- (a) To ensure that subdivision and development proposals for land within the scheme area are compatible with adjoining and surrounding landuses, environmental and landscape attributes existing within the scheme area, the level of community infrastructure existing in the locality and the lifestyle attributes of the adjoining Prevelly Park townsite.
- (b) To ensure that the landscape, environmental and topographical constraints identified in the guidelines for development in the scheme area as adopted by Council from time to time, are taken into consideration in the preparation and implementation of subdivision and development proposals for land within the Scheme area.

3.2.2 Objective for the Development Zone

To provide for the subdivision and development of the land in accordance with structure plans prepared in accordance with related Scheme provisions and objectives listed in clause 3.2.1 above.

3.2.3 Objective for the Landscape and Landform Protection Zone

To provide for the conservation of fragile landforms and vegetation, land that contains prominent natural landscape features, land that contains steep slopes and protection of adjoining National Park.

3.2.4 Objective for the Tourist Development (Landscape Protection) Zone

To provide for short stay tourist accommodation that is sympathetic to and integrated with the development of the land in a manner which has regard to the existing landscape character of the site and which has regard to the undeveloped nature of the environs of the Gnarabup Point and swimming area and to ensure that any development does not conflict with or detract from the recreational and landscape values of the Gnarabup locality.

3.3 Development in the Development Zone

3.3.1 General

Land within the development zone shall be developed for residential and tourist purposes and other ancillary and related uses, such as limited local commercial centre, education facilities, community and recreation facilities and passive public open space.

3.3.2 Structure Plan

Subdivision and/or development within the zone will not be supported by Council until such time as a structure plan has been prepared which accords with the parameters listed in clause 3.3.3 hereunder and that indicates:

- (a) The location, width and standard of proposed roads within the area and their connection with the road network in the locality;

- (b) The physical topographical and environmental characteristics of the area leading to the selection of land considered to be suitable for development and uses appropriate for the area;
- (c) The extent of clearing which may be necessary to implement the plan;
- (d) Areas that are to be retained for buffer and passive recreation purposes;
- (e) The residential planning code to be applied to the area; and following which, the procedures outlined in clause 3.3.5 and 3.3.6 have been satisfied.

3.3.3 Parameters for Preparation of the Structure Plan

The parameters to which a structure plan and subsequent subdivision and development must accord are listed below:

3.3.3.1 Landuse:

- (a) The structure plan shall provide for a variety of residential, tourist and ancillary development, with particular regard to providing for a range of economic groups. Tourist development proposals should have due regard to the guidelines of the Environmental Protection Authority and WA Tourism Commission.
- (b) The structure plan shall show an ultimate development that provides similar tourist opportunities and no more than the number of residential lots existing in the present Prevelly Park townsite as existing in its gazetted form at the time of the gazettal of this clause unless otherwise considered appropriate by Council in the light of social, environmental, topographical, servicing and visual impact considerations, up to a maximum of 243 lots inclusive of the R20 residential subdivision proposed at the northern end of Location 815.

3.3.3.2 Supporting Information

The structure plan is to be accompanied and supported by the following:

- (a) Environmental analysis examining impact on the marine environment and the need for conservation of ecological links between the coastal reserves and the National Park.
- (b) Geotechnical analysis to determine the existence and impact on caves.
- (c) Coastal management and access plans.
- (d) Analysis of heritage significance.
- (e) Broad engineering details demonstrating stabilisation methods, drainage and road construction management, recontouring methods and rehabilitation.
- (f) Socio-economic assessment demonstrating the impact of the proposed development on the adjoining and surrounding community.
- (g) Building height analysis to demonstrate the impact of the proposed development on visually prominent features and significant views of the scheme area.
- (h) Details of building and infrastructure construction techniques for high slope areas of greater than 10%.
- (i) Details of fire protection measures including:
 - (i) Trafficable fire break around the external boundary of the development.
 - (ii) Fuel reduction programmes.
 - (iii) Dwelling protection measures.
 - (iv) Provision of strategic emergency water points.
 - (v) Expected demands on additional fire protection measures in the National Park as a result of the development proposal.
- (j) Details of the likely impact on ground-water quantity and quality from development proposals particularly in respect of any groundwater abstraction proposals to service the development. Such details should also examine impacts on groundwater availability to the existing Prevelly Park settlement.
- (k) Details of on-going management arrangements and commitments with regard to the land systems and vegetation in the area. Performance bonds and allocation of specific resources such as personnel and equipment are to be addressed.
- (l) Details of measures to be incorporated in the development to avoid impacts which will result in increased management requirements for the adjoining National Park.

3.3.4 General Development Requirements for the Development Zone

3.3.4.1 Services:

- (a) Subdivision and development shall be serviced with reticulated water supply and reticulated sewerage. Trunk mains should follow existing and proposed roads and no services shall affect the nearby National Park either physically or visually. Electricity services shall be underground to and within the development.
- (b) A suitable site is to be identified in accordance with WA Water Authority requirements, for a waste water treatment plant.

3.3.4.2 Coastal Management:

- (a) Subdivision and development proposals shall have regard for the State Planning Commission's Country Coastal Planning Policy, especially in relation to development setbacks, foreshore reserve management, soil conservation measures and overall management plans.
- (b) Subdivision and development proposals shall be accompanied by a foreshore reserve management plan for land already within or intended to be included within the coastal reserve No. 13404 as reserved under Part II of this Scheme and such plans should be subject to the approval of the State Planning Commission.

- (c) Subdivision and development proposals shall provide for coastal access to a number of strategic points through the provision of roads, carparks and pathways avoiding environmentally sensitive areas.
- (d) Subdivision and development proposals shall ensure that access to public land along the foreshore is freely available.

3.3.4.3 Access:

- (a) Road access to the development zone shall be via a new road east of the existing Prevelly Park townsite with direct connection to the Gnarabup beach swimming area within reserve No. 13404 as reserved under Part II of this Scheme. Particular emphasis shall be given to the social and environmental impact of such a road.

3.3.4.4 Landform Protection and Visual Impact:

- (a) Development and subdivision on land of greater than 10% slope within the development zone shall be subject of detailed design parameters that address land stability, erosion management, drainage management and construction techniques for buildings and infrastructure that minimise cut and fill and vegetation destruction to the satisfaction of Council.
- (b) Exposed ridges, knolls and slopes within the development zone, shall be subject of detailed assessment, should development on these features be contemplated, to the satisfaction of Council.
- (c) Development proposals shall be subject to analysis and recommendations on building height controls in order to ensure that such building does not obscure significant landscape features or impinge on significant views. The building height analysis shall take into account the screening ability of vegetation and its capacity to be developed without change to its general visual character, as well as contour levels and impact on views of the scheme area.
- (d) Development proposals shall have regard to design guidelines as adopted by Council from time to time as a policy under clause 8.6 of this scheme. Such guidelines shall reflect the character and amenity of the area.

3.3.4.5 National Park Impact:

- (a) Subdivision and development proposals shall have regard to the interface between the nearby National Park and the development itself with particular emphasis on scale and type of landuse.

3.3.4.6 Infrastructure:

- (a) Subdivision and development proposals for the area will not be supported by Council until such time as an agreement has been reached with respect to the landowner[s] contributing to the provision of community facilities and infrastructure such as coastal access and facilities, road upgrading leading to the scheme area, and recreation facilities to the satisfaction of Council.

3.3.5 Receipt of a Structure Plan

Upon receipt of a structure plan prepared in accordance with requirements of this Scheme, Council shall thereafter, follow the procedures outlined in clause 7.2 of this Scheme with, notwithstanding clause 7.2.3, an advertising period of 60 days, subsequent to which, the plan shall be forwarded to the State Planning Commission together with any modifications made to the plan as a result of submissions, for the Commission's consideration and approval.

3.3.6 Adoption of an Outline Development Plan

Following the receipt of the approval of an outline development plan by the State Planning Commission and providing clause 3.4.2 of this Scheme has been satisfied, Council shall adopt the plan as a basis for the subdivision and development of the area.

3.4 Development in the Landscape and Landform Protection Zone

3.4.1 General

Land with the Landscape and Landform Protection zone shall remain in its natural state with the exception of the development of:

- service infrastructure such as roads, utility reticulation, and storage and treatment facilities subject to details of management requirements on-site, as well as on adjoining properties.
- measures needed to implement rehabilitation and management programmes of degraded areas.
- measures needed to implement fire protection and management programmes.

3.4.2 On-Going Management

3.4.2.1 Council shall ensure that any proposals for land within the development zone are accompanied by details of on-going arrangements and commitments for the satisfactory management of land within the Landscape and Landform Protection zone and, Council shall not support a structure plan for land within the development zone until such time as these arrangements and commitments are concluded in a manner satisfactory to Council and the Department of Planning and Urban Development.

3.4.2.2 In considering details of on-going arrangements and commitments as described in clause 3.4.2 above, Council shall ensure that such arrangements and commitments are binding on current and future landowners within the scheme area.

3.5 Development in the Tourist Development (Landscape Protection) Zone

3.5.1 General

Development within the zone shall be limited to short stay tourist accommodation as defined in Schedule Number 1 of the Scheme and uses as determined by Council, as ancillary to tourist accommodation in accordance with Table Number 1.

3.5.2 Setbacks and Access

Development within the zone shall include the establishment of a landscape and vegetation protection buffer strip of a minimum of 10.0 metres, running the length of the northern boundary of the zone. There shall be no vehicle access to the development across this buffer strip to the public carpark access road.

3.5.3 Building Height

The height of the development shall not exceed 8.0 metres above natural ground level and Clause 6.6.2 of the Scheme shall not apply.

3.5.4 Height Reduction

Notwithstanding Clause 3.3.3.2(g) above, Council may require a reduction in the height of the development, in order to meet the objective for the zone outlined in Clause 3.2.4 above, provided that such reduction does not reduce the building height above natural ground level to less than 6.0 metres. Any decision made to reduce the height under this Clause is to be considered an exercise of discretionary power under the Scheme and therefore, Clause 8.5 under the Scheme will apply.

3.5.5 Building Materials

Development shall utilise building materials that are non-reflective and of a colour and texture compatible with the characteristics of the surrounding landscape.

3.5.6 Coastal Access

Development proposals shall demonstrate linkages with the access systems outlined on the Coastal Management Plan and any modifications required to these systems as a result of the development.

3.5.7 Vegetation Retention

Development shall ensure that the vegetation on the site is maintained where possible and that such vegetation will be incorporated into any development concept and landscaping proposals through the use of a species common to the site and its immediate environs.

3.5.8 Landscape Impact

In considering development proposals on the land, Council will first be required to be satisfied that the development will not have a detrimental impact on views across the zone to the coastal reserve, particularly when viewed from predominant tourist viewing points outside the scheme area, these being Wallcliffe Road, Surfers Point and Rivermouth Road.

3.5.9 Density of Development

Tourist Accommodation Development proposals for the site shall be limited to a 100 bedroom establishment, with an increased limit being up to a total of 120 bedrooms, subject to favourable site analysis in accordance with requirements of the scheme.

3.5.10 Other Setbacks

Setback from boundaries apart from the northern boundary shall be a minimum of 10.0 metres with vegetation removal within the setback area being permitted only for vehicle access and servicing needs.

PART IV: USE AND DEVELOPMENT STANDARDS

4.1 Zoning & Development Table

4.1.1 Table No 1: indicates, subject to the provisions of the Scheme, the uses permitted in the various zones, such uses being determined by cross reference.

4.1.2 The symbols used in the cross-reference in the Zoning and Development Table have the following meanings:

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

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

'SA' means that the Council may, at its discretion, permit the use after notice of application has been given in accordance with Clause 7.2.

4.1.3 Where no symbol appears in the cross-reference of a use class against a zone in the zoning table a use of that class is not permitted in that Zone.

4.1.4 Where in the zoning table a particular use is mentioned, it is deemed to be excluded from any other use class which by its more general terms might otherwise include such a particular use.

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

(a) determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted, or

(b) determine by absolute majority that the proposed use may be consistent with the objectives and purposes of the zone and thereafter follow the advertising procedures of clause 6.2 in considering an application for planning consent.

ZONES				DEVELOPMENT STANDARDS									
USE CLASS	DEVELOPMENT	LANDSCAPING & PROTECTIVE	TOWN PLANNING ZONE	MIN LOT AREA (m ²)	MIN EFFEC FRONT	SITE COVER %	PLOT RATIO	SETBACKS			MINIMUM CAR PARKING REQUIREMENTS (GLA= GROSS LEASABLE AREA)	LANDSCAPING	OTHER COMMENTS
								FRONT (M)	REAR (M)	SIDE (M)			
RESIDENTIAL													
Single House	P												AS PER RESIDENTIAL PLANNING CODES
Attached House	AA												
Grouped Dwelling	AA												
Additional Accommodation	AA												
Caretakers Dwelling	AA		AA										
Aged or Dependent Persons Dwelling	SA												
Residential Building (Incl. Residential Hotel, Boarding, Guest, Lodging House, Bed & Breakfast)	SA		AA	*	*	*	*	*	*	*	*		As per Building Code
Motel	SA			Local Government Model By-Laws Number 3									Strata Title application will not be supported by Council.
Caravan Park	SA			Local Government Model By-Laws (Caravan and Camping Grounds) Number 2									
Holiday Cabins & Chalets	SA		AA	Local Government Model By-Laws (Holiday Cabins and Chalets) Number 18									
Home Occupation	AA			*	*	*	*	*	*	*	*	*	
LICENSED PREMISES													
Hotel	SA			7500	80	25	0.5	15	15	10	1.5 Spaces per unit of accommodation plus 1 space per 6 m ² of public area	25	Servicing, loading & unloading areas and facilities will be prescribed by Council in each case. Landscaping may be reduced to 10% at Council's discretion in the Towncentre Zone.
Tavern	SA			4000	50	30	0.5	15	10	10		25	
Wine Shop	AA			200	6	75	0.5	3	3	*	1 space per 15 m ² GLA	10	
Licensed Restaurant	AA		AA	200	6	50	0.5	3	3	*	1 space per 4 seats	25	
Drive-in Liquor Store	AA			*	*	*	*	*	*	*	*		
Liquor Store	AA			200	6	75	0.5	3	3	*	1 space per 15 m ² GLA	25	

• MEANS STANDARD TO BE APPLIED IN EACH CASE

USE CLASS	ZONES				DEVELOPMENT STANDARDS							LANDSCAPING	OTHER COMMENTS
	DEVELOPMENT	LANDSCAPING & PROTECTION	TOWNSCAPE ZONE	MIN LOT AREA (m ²)	MIN EFFEC FRONT	SITE COVER %	PLOT RATIO	SETBACKS			MINIMUM CAR PARKING REQUIREMENTS (GLA= GROSS LEASABLE AREA)		
								FRONT (M)	REAR (M)	SIDE (M)			
COMMERCIAL USE													
SHOP	AA			200	6	75	0.5	3	3	*	1 space per 15m ² GLA	10	Council may vary setbacks at its discretion in light of the provisions made within each site for loading and unloading, servicing and parking. Landscaping to be provided along or near street frontage. In the case of carparks, landscaping will be required to provide shade and screening from public places including roads.
EATING HOUSE	AA		AA	200	6	50	0.5	3	3	*	1 space/4 seats or 1 for 1m of queuing area	10	
TAKE-AWAY FOOD OUTLET	AA			200	40	30	0.3	3	3	*	1 space/4 seats or 1 for 1m of queuing area	10	
FISH SHOP	AA			200	6	50	0.5	3	3	*	1 space/4 seats or 1 of 1m of queuing area	10	
CAR PARK	P	P	P	*	*	*	*	*	*	*	*	*	
LAUNDROBAR	AA			*	6	75	0.5	3	*	*	1 space/15m ² GLA	10	
SERVICE STATION	SA			1500	40	35	0.35	10	5	5	*	10	
PETROL STATION	AA			1500	40	35	0.35	10	5	5	*	10	
MOTOR REPAIR STATION	SA			1500	40	35	0.3	10	5	5	*	10	
SHOWROOMS	AA			*	10	75	0.5	3	3	5**	1 space/50m ² GLA	10	
WAREHOUSE	AA			*	25	75	0.5	3	3	5**	1 space/50m ² GLA	10	
TRADE DISPLAY	AA			*	*	*	*	*	*	*	*	10	
DRY-CLEANING PREMISES	AA			*	*	75	0.5	3	7.5	5**	1 space/30m ² GLA	10	
OFFICE	AA		AA	*	6	75	0.5	*	*	*	1 space/30m ² GLA	10	
PROFESSIONAL OFFICE	AA			*	6	75	0.5	*	*	*	1 space/30m ² GLA	10	
CONSULTING ROOMS	AA			*	6	75	0.5	*	*	*	4 spaces for Consultant	10	
MEDICAL CLINIC	AA			*	6	75	0.5	*	*	*	4 spaces for Consultant	10	

* MEANS STANDARD TO BE APPLIED IN EACH CASE

** MEANS 5M ON ONE SIDE AND 0M ON THE OTHER

USE CLASS	ZONES					DEVELOPMENT STANDARDS					MINIMUM CAR PARKING REQUIREMENTS (GLA= GROSS LEASABLE AREA)	LANDSCAPING	OTHER COMMENTS
	DEVELOPMENT	LANDSCAPING & PROTECTION	TOWN & SUBURBAN DEVELOPMENT ZONE	MIN LOT AREA (m ²)	MIN EFFEC FRONT	SITE COVER %	PLOT RATIO	SETBACKS					
								FRONT (M)	REAR (M)	SIDE (M)			
PUBLIC & COMMUNITY USES													
DAYCAPE CENTRE	AA			2000	25	30	0.3	9	9	3	1 space per staff member	30	Accommodation for picking up and setting down of children and/or adults will be required in each case & to be prescribed by Council.
PRE-SCHOOL	AA			2000	25	30	0.5	9	9	3			
EDUCATIONAL ESTABLISHMENT	AA			*	*	*	*	*	*	*	*	*	
HEALTH CENTRE	AA			2000	25	30	0.3	9	7.5	3	4 spaces for Consultant	10	
INFANT WELFARE CENTRE	AA			2000	25	30	0.3	9	7.5	3			
PUBLIC AMUSEMENT	AA			*	*	*	*	*	*	*	*	*	
PUBLIC RECREATION	P			*	*	*	*	*	*	*	*	*	
PUBLIC PLACE OF WORSHIP	SA			2000	30	30	0.3	9	7.5	3	1 space/4 seats in main auditorium	10	
CIVIC BUILDINGS	AA	AA	AA	*	*	*	*	*	*	*	*	10	
MUSEUM	AA			*	*	*	*	*	*	*	*	10	
INSTITUTION BUILDING	AA			2000	25	30	0.3	9	9	3	*	10	
INSTITUTION HOME	AA			2000	25	30	0.3	9	9	3	*	10	
PUBLIC FACILITY	P	P		*	*	*	*	*	*	*	*	10	Development standards to be prescribed by Council in each case upon determination of development applications etc..
PRIVATE CLUB	SA			*	*	*	*	*	*	*	*	10	
RADIO & TV INSTALLATION	AA	AA		*	*	*	*	*	*	*	*	10	
PLACE OF PUBLIC ASSEMBLY	SA			2000	25	30	0.3	9	9	3	4 spaces/4 seats in main auditorium	10	

* MEANS STANDARD TO BE APPLIED IN EACH CASE

PART V: NON-CONFORMING USES**5.1 Non-Conforming Use Rights**

No provision of the Scheme shall prevent:

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

5.2 Extension of Non-Conforming Use

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

5.3 Change of Non-Conforming Use

Notwithstanding anything contained in the zoning table 1 the Council may grant its planning consent to the change of use of any land from a non-conforming use to another use if the proposed use is, in the opinion of the Council, less detrimental to the amenity of the locality than the non-conforming use and is, in the opinion of the Council, closer to the intended use of the zone or reserve.

5.4 Discontinuance of Non-Conforming Use

5.4.1 When a non-conforming use of any land or building has been discontinued for a period of six (6) months or more such land or building shall not thereafter be used otherwise than in conformity with the provisions of the scheme.

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

5.5 Destruction of Buildings

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

PART VI: DEVELOPMENT PROVISIONS**6.1 Development of Land**

6.1.1 Subject to Clause 6.1.2 a person shall not commence or carry out development of any land zoned under the scheme without first having applied for and obtained the planning consent of the Council under the scheme.

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

- (a) The use of land in a reserve, where such land is held by the Council or vested in a public authority;
- (b) The carrying out of any works on, in, over or under a street or road by a public authority acting pursuant to the provisions of any Act;
- (c) The carrying out of works for the maintenance, improvement or other alteration of any building, being works which affect only the interior of the building or which do not materially affect the external appearance of the building;
- (d) The carrying out of works urgently necessary in the public safety or security of plant or equipment or for the maintenance of essential services.

6.2 Discretion to Modify Development Standards

If a development, other than a residential development, the subject of an application for planning consent, does not comply with a standard or requirement prescribed by the scheme with respect to that development the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks appropriate. The power conferred by this clause may only be exercised if the Council is satisfied that:

- (a) Approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality;
- (b) The non-compliance will not have any adverse affect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality; and
- (c) The spirit and purpose of the requirements or standards will not be unreasonably departed from.

6.3 Residential Development: Residential Planning Codes

6.3.1 For the purpose of this scheme "Residential Planning Codes" means the residential planning codes set out in Appendix 2 to the Statement of Planning Policy No. 1, together with any amendments thereto.

6.3.2 A copy of the residential planning codes, as amended, shall be kept and made available for public inspection at the offices of the Council.

6.3.3 Unless otherwise provided for in the scheme the development of land for any of the residential purposes dealt with by the residential planning codes shall conform to the provisions of those Codes.

6.3.4 The Residential Planning Code applicable to the development zone is that determined under clause 3.3.2 (e) and indicated on the structure plan.

6.4 Amenity

6.4.1 Notices

In order to maintain an acceptable level of amenity within the scheme area, the Council may as provided in clause 8.3, require the owner, occupier or lessee of the land in question to undertake such works as may be necessary to restore or upgrade the property to a standard commensurate with those generally prevailing in the vicinity.

6.4.2 Untidy Sites

Where Council determines a property is not being maintained in a clean and tidy condition and that the appearance of the property has a deleterious effect on the amenity of the area, the Council shall require the owner/occupier to improve in a manner determined by Council, the condition of the property to Council's satisfaction.

6.4.3 Relocated Dwellings & Buildings

Council shall not permit the placement on any land of a second-hand or relocated dwelling or building or permit any building to be constructed of second-hand materials unless Council is satisfied that such development will not detract from the amenity of the locality.

6.4.4 Derelict Vehicles

Council shall not permit the storage and/or wrecking of any vehicle on any street verge within the scheme area.

6.4.5 Vehicles in Residential Areas

Except as provided elsewhere in this scheme, no person shall within any lot within the development zone, without the approval of Council in writing:

- (a) Repair, service or clean or allow to remain or park a commercial vehicle for a period greater than twentyfour (24) hours.
- (b) Keep, park, allow to remain, repair, service or maintain any boat, caravan, trailer or commercial vehicle in front of the building setback line.

6.5 Home Occupation

6.5.1 Council shall not permit any home occupation unless:

- (a) Planning consent is granted in accordance with part VII of the scheme.
- (b) Following Council approval, the applicant has paid a registration fee as determined by Council from time to time.
- (c) The applicant provides information on the location of the floor area, the area of floor space to be devoted to the activity and the times and methods of operation.

6.6 Height & Appearance of Buildings

6.6.1 Height

Except as hereinafter provided and subject to the conclusions of the building height analysis as required under clause 3.3.4.4, no building in excess of two (2) storeys or a height of eight (8) metres above natural ground level shall be erected within the scheme area.

For the purposes of this clause "height" means the vertical measurement from ground level at the centre point of the smallest rectangle containing the whole of the proposed building or structure.

6.6.2 Variation to Height Limit

Council may, after following the procedures set out in clause 7.2, approve buildings which exceeds the height specified in clause 6.6.1 where:

- (a) Plans including sections and elevations of the proposed development are submitted to and determined by Council as being satisfactory for the purposes of advertising.
- (b) The Council, after considering both the information provided by the applicant and any submissions made by persons in response to the proposal being advertised in accordance with clause 7.2, shall be satisfied that the proposed building:
 - (i) Will be in harmony with the general character of buildings in the locality;
 - (ii) Will not adversely affect the beauty, character, quality of environment or the townscape generally;
 - (iii) Will maintain a satisfactory relationship to the boundaries of the lot on which it is to be constructed and relates satisfactorily to the siting, design and aspect of buildings on other nearby lots;
 - (iv) Will not impair the amenity or development potential of adjoining lots.
- (c) Any such decision is made by an absolute majority of Council.
- (d) A decision to approve the proposed building is not contrary to the conclusions of the building height analysis as required under clause 3.3.4.4.

6.7 Landscaping

6.7.1 Landscaped areas will be illustrated on plans accompanying development proposals and in general be located in such positions on a site or sites so as to enhance the appearance of the streetscape and to

screen from view or soften the impact of parking areas, open storage areas, drying areas and any other space which by virtue of its use, is likely to detract from the visual amenity of the area.

6.8 Car Parking

6.8.1 Car-Parking Requirements

No person or organisation shall develop or use land or erect, use or adapt any building, for a purpose indicated in Table No. 1, unless car parking spaces of the number specified in that Table are provided and such spaces are constructed and maintained in accordance with the provisions of this scheme.

6.8.2 Uses & Requirements Not Specified

Where an application is made for development and the purpose for which the land or building is to be used is not specified in Table No. 1, or where for a particular use, a carparking requirement is not specified in Table No. 1, the Council shall determine the number of carparking spaces to be provided on the land having regard to:

- (a) The nature of the proposed development.
- (b) The number of employees likely to be employed on the site.
- (c) The anticipated demand for parking.
- (d) The orderly and proper planning of the locality.

6.8.3 Dimensions & Layout

Parking areas shall conform to those dimensions and layouts specified in Figure 1.

6.8.4 Variation to Provision of Parking Bays

Council may reduce the number of parking bays to be provided if such reduction results in the preservation of a landscape feature, however, under no circumstances shall the reduction in the number of parking bays be more than ten (10%) percent of the total required under the specifications of Table No. 1.

6.8.5 Reciprocal Parking

Where a development comprises separate uses that operate at different times to one another, the Council upon being satisfied that such separate operating times will be permanent, may determine the parking requirements on a reciprocal-use basis, providing conditions specifying separate operating times are imposed on the planning consent and these conditions are complied with at all times.

6.8.6 Parking for Combined Uses

Where a development contains a variety of uses, parking shall be calculated on an individual use basis in accordance with the requirements prescribed in Table No. 1, and, if applicable, the residential planning codes.

6.8.7 Construction Standards

Parking areas, unless otherwise permitted by Council, shall be sealed with an impenetrable surface comprising bitumen seal, concrete, brick paving or pea gravel seal on a compacted gravel base with satisfactory:

- (a) Drainage to a sump and connected to the Local Authority's main drainage system.
- (b) Marking of lines in the manner in which the parking area will be used.
- (c) Landscaping where large parking areas are involved to effectively screen the paved areas from view and to provide shade.

6.8.8 Cash-in-Lieu of Car Parking

Where the Council so decides, it may accept cash payments in lieu of the provision of parking spaces but only subject to the following requirements:

- (a) The cash-in-lieu payment shall not be less than the estimated cost to the owner or developer of providing and constructing the parking spaces required by the scheme plus the value, as estimated by Council of that area of the land which would have been occupied by the parking spaces.
- (b) Payments made under this clause shall be paid into a parking fund to be used for the provision of public car parking facilities. The Council may use this fund to provide public parking facilities anywhere within reasonable proximity to the subject land in respect of which a cash-in-lieu arrangement is made.

6.8.9 Change of Use & Parking Provisions

Where an appropriate parking area has been provided to a level commensurate with the approved development and an application for planning consent is lodged with Council to change a use within the development to one which generates the need for additional parking, the Council shall either:

- (a) Accept a cash-in-lieu of parking payment in the event that additional parking cannot be provided on site, or
- (b) Require the provision of additional parking either on site or in a position nearby acceptable to Council.

6.9 Service Areas

6.9.1 For uses or development projects which require the despatch or receipt of goods of any kind, loading and unloading space will be required to be provided clear of a street and, if applicable, a right-of-way. Council will seek to ensure that service vehicles are able to enter and leave the site in a forward direction.

6.10 Advertisements

6.10.1 Power to Control Advertisements

For the purpose of this Scheme, the erection, placement and display of advertisements and the use of land or buildings for that purpose is development within the definition of the Act requiring, except as otherwise provided, the planning consent of Council. Such planning consent is required in addition to any licence pursuant to Council's Signs and Hoarding and Bill Posting Bylaws.

Applications for Council's consent pursuant to this Part shall be submitted in accordance with the provisions of Clause 7.1 of the Scheme and shall be accompanied by a completed Additional Information Sheet in the form set out at Schedule 5 giving details of the advertisement(s) to be erected, placed or displayed on the land.

6.10.2 Existing Advertisements

Advertisements which:

- (a) were lawfully erected, placed or displayed prior to the approval of this Scheme, or
- (b) may be erected, placed or displayed pursuant to a licence or other approval granted by the Council prior to the approval of this Scheme, hereinafter in this part referred to as "existing advertisements", may, except as otherwise provided, continue to be displayed or be erected and displayed in accordance with the licence or approval as appropriate.

6.10.3 Consideration of Applications

Without limiting the generality of the matters which may be taken into account when making a decision upon an application for consent to erect, place or display an advertisement, Council shall examine each such application in the light of the objectives of the Scheme and with particular reference to the character and amenity of the locality within which it is to be displayed, including its historic or landscape significance and traffic safety, and the amenity of adjacent areas which may be affected.

6.10.4 Exemptions from the Requirement to Obtain Consent

Subject to the provisions of the Main Roads (Control of Signs) Regulations 1983 and notwithstanding the provisions of Clause 6.10.1, the Council's prior consent is not required in respect of those advertisements listed in Schedule 6 which for the purpose of this Part are referred to as "exempted advertisements". The exemptions listed in Schedule 6 do not apply to places, buildings, conservation areas or landscape protection zones which are either:

- (a) listed by the National Trust;
- (b) listed on the register of the National Estate;
- (c) included in local authority town planning schemes because of their heritage or landscape value.

6.10.5 Discontinuance

Notwithstanding the scheme objectives and clause 6.10.4, where the Council can demonstrate exceptional circumstances which cause an exempted or existing advertisement to seriously conflict with the objectives of this part, it may by notice in writing (giving clear reasons) require the advertiser to remove, relocate, adapt, or otherwise modify the advertisement within a period of time specified in the notice.

6.10.6 Derelict or Poorly Maintained Signs

Where, in the opinion of Council, 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, Council may by notice in writing require the advertiser to:

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

6.10.7 Notices

"The Advertiser" shall be interpreted as any one group or any group comprised of the land owner, occupier or licensee.

Any notice served in exceptional circumstances pursuant to Clause 6.10.5 or pursuant to Clause 6.10.6 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.

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

6.10.8 Scheme to Prevail

Where the provisions of this Part are found to be at variance with the provisions of the Council's Signs, Hoarding and Bill Posting Bylaws, the provisions of the Scheme shall prevail.

6.10.9 Enforcement and Penalties:

The offences and penalties provisions specified in Clause 8.2 of the scheme apply to the advertiser in this part.

PART VII: PLANNING CONSENT

7.1 Application for Planning Consent

7.1.1 Every application for planning consent shall be made in the form prescribed in schedule 2 to the scheme and shall be accompanied by such plans and other information as is required by the scheme.

7.1.2 Unless Council waives any particular requirements every application for planning consent 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 any existing buildings to be retained and the location and use of buildings proposed 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 by 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 landscaped, open storage or trade display area and particulars of the manner in which it is proposed to develop the same;
- (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 other plan or information that the Council may reasonably require to enable the application to be determined.

7.2 Advertising of Applications

7.2.1 Where an application is made for planning consent to commence or carry out development which involves an 'SA' use, the Council shall not grant consent to that application unless notice of the application is first given in accordance with the provisions of this clause.

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

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

- (a) Notice of the proposed development to be served on the owners and occupiers of land within an area determined by the Council as likely to be affected by the granting of planning consent stating that submissions may be made to the Council within twenty one (21) days of the service of such notice;
- (b) Notice of the proposed development to be published in a newspaper circulating in the scheme area stating that submissions may be made to the Council within twenty one (21) days from the publication of the advertisement;
- (c) A sign or signs displaying notice of the proposed development to be erected in a conspicuous position on the land for a period of twenty one (21) days from the date of publication of the notice referred to in paragraph (b) of this clause.

7.2.4 The notice referred to in clause 7.2.3 (a) and (b) shall be in the form contained in schedule 3 with such modifications as circumstances require.

7.2.5 After expiration of twenty one (21) days from the serving of notice of the proposed development, the publication of notice or the erection of a sign or signs, whichever is the later, the Council shall consider and determine the application.

7.3 Determination of Applications

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

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

7.3.3 The Council shall issue its decision in respect of an application for planning consent in the form prescribed in schedule 4 to the scheme.

7.3.4 Where the Council approves an application for planning consent under this scheme the Council may limit the time for which that consent remains valid.

7.4 Deemed Refusal

7.4.1 Where the Council has not within sixty (60) days of the receipt of an application for planning consent either conveyed its decision to the applicant or given notice of the application in accordance with clause 7.2 the application may be deemed to have been refused.

7.4.2 Where the Council has given notice of an application for planning consent in accordance with clause 7.2 and where the Council has not within ninety (90) days of receipt of the application conveyed its decision to the applicant, the application may be deemed to have been refused.

7.4.3 Notwithstanding that an application for planning consent may be deemed to have been refused under clauses 7.4.1 or 7.4.2 the Council may issue a decision in respect of the application at any time after the expiry of the sixty (60) day or ninety (90) day period specified in those clauses, as the case may be.

PART VIII: ADMINISTRATION

8.1 Powers of the Scheme

The Council in implementing the scheme has, in addition to all other powers vested in it, the following powers:

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

8.2 Offences

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

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

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

8.3 Act

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

8.3.2 The Council may recover expenses under section 10(2) of the Act in a court of competent jurisdiction.

8.4 Claims for Compensation

Except where otherwise provided in the scheme, the time limit for the making of claims for compensation pursuant to section 11(1) of the Act is six (6) months after the date of publication of the scheme in the *Government Gazette*.

8.5 Appeals

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

8.6 Power to Make Policies

8.6.1 In order to achieve the objectives of the scheme, the Council may make town planning scheme policies relating to parts or all of the scheme area and relating to one or more of the aspects of the control of development.

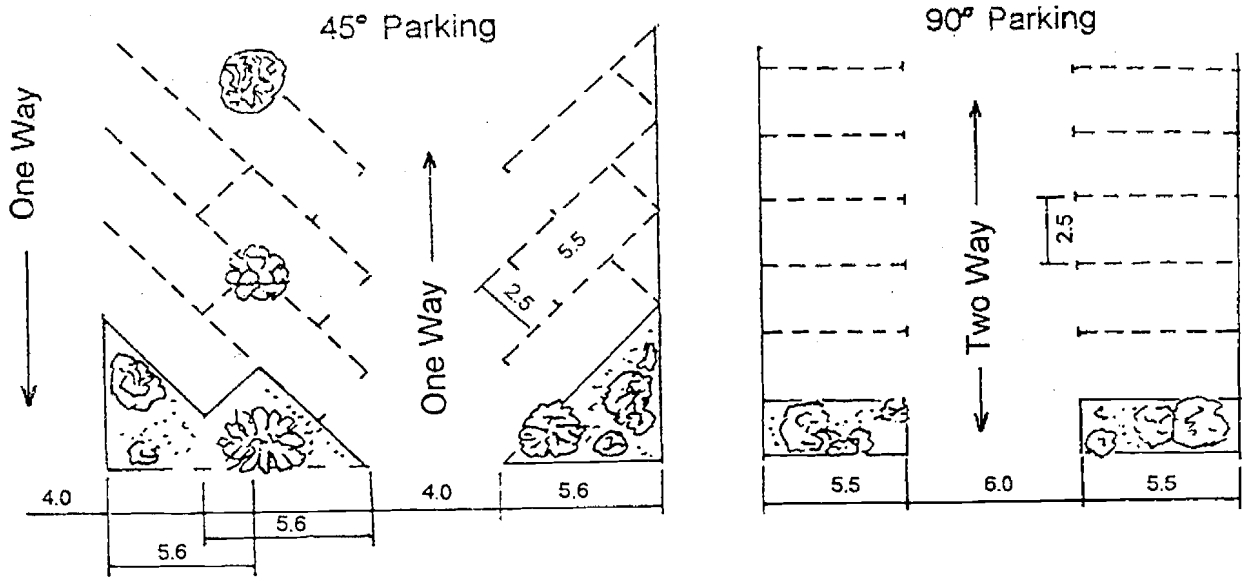
8.6.2 A town planning scheme policy shall become operative only after the following procedures have been completed:

- (a) The Council having prepared and having resolved to adopt a draft town planning scheme policy, shall advertise a summary of the draft policy once a week for two consecutive weeks in a newspaper circulating in the area giving details of where the draft policy may be inspected stating where, in what form, and during what period (being not less than twenty one (21) days) may be made to the Council.
- (b) The Council shall review its draft town planning scheme policy in light of any representations made and shall then decide to finally adopt the draft policy with or without amendment, or not proceed with the draft policy.
- (c) Following final adoption of a town planning scheme policy, details thereof shall be advertised publicly and a copy kept with the scheme documents for inspection during normal office hours.

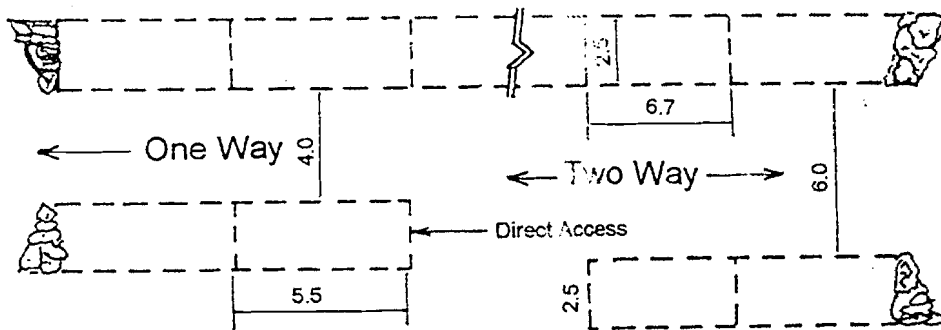
8.6.3 A town planning scheme policy may only be altered or rescinded by:

- (a) Preparation and final adoption of a new policy pursuant to this clause, specifically worded to supercede an existing policy.
- (b) Publication of a formal notice of rescission by the Council twice in a news paper circulating in the area.

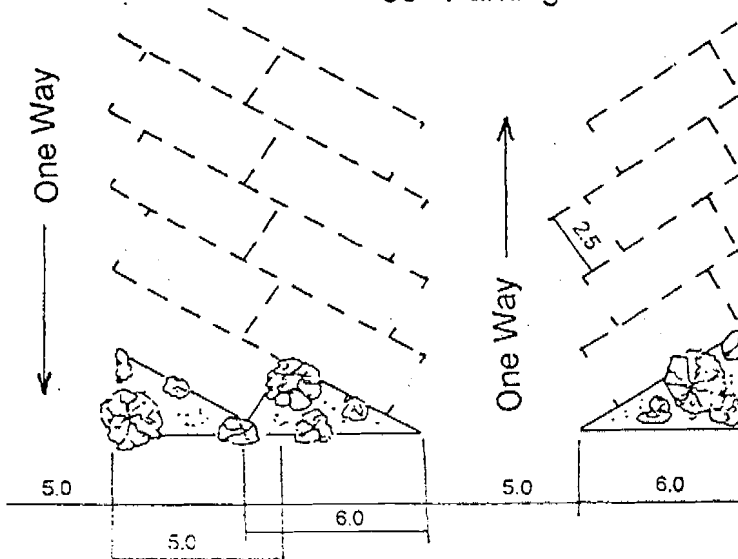
CAR PARKING LAYOUTS



Parallel Parking



60° Parking



NOTES:

STANDARD BAY SIZES = 2.5m x 5.5m

PARALLEL BAY SIZES = 2.5m x 6.0m

AISLE WIDTHS = 4.0m ONE WAY
6.0m ONE WAY

(Council may require greater aisle widths where frequency of use determines)

Landscaping & shade tree plantings are diagrammatic only. Details to be approved by Council in each case.

All dimensions are in metres.

8.6.4 A town planning scheme policy shall not bind the Council in respect of any application or planning consent but the Council shall take into account the provisions of the policy and objectives which the policy was designed to achieve before making its decision.

8.7 Enforcement

Failure to comply with the conditions imposed by Council on the grant of planning consent or failure to carry out development in strict accordance with the plan approved by Council in respect of a particular proposal shall constitute a contravention of the scheme and Council may:

- (a) By written notice served on the owner and/or occupier of the land, in accordance with clause 8.3, require the development to be carried out in accordance with the conditions imposed on any approval granted and/or in strict accordance with the plans approved within the period specified in the notice (not being less than 28 days) failing which Council may enter the land and carry out the work itself and recover any expenses so incurred from the person in default as a simple contract debt in such court of civil jurisdiction as is competent to deal with the amount of the claim.
- (b) Prosecute the owner or occupier of the land as the case may be pursuant to section 10 of the Act.
- (c) Revoke the approval so granted and require the removal of the development carried out as set out in section 10 of the Act.

SCHEDULE 1: INTERPRETATIONS

Absolute Majority: shall have the same meaning as is given to it in and for the purposes of the Local Government Act, 1960 (as amended).

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

Advertisement: means any word, letter, model, sign, placard, board, notice device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of advertisement, announcement of direction, and includes any hoarding or similar structure used, or adapted for use, for the display of advertisements; and Advertising Sign shall be construed accordingly but does not include:

- (a) an advertising sign of less than 2m² in area relating to the carrying out of building or similar work on land on which it is displayed, not being land which is normally used for those purposes;
- (b) an advertising sign of less than 2m² in area announcing a local event of a religious, educational, cultural, political, social or recreational character not promoted or carried on for commercial purposes;
- (c) an advertising sign of less than 2m² in area relating to the prospective sale or letting of the land or building on which it is displayed;
- (d) an advertising sign exhibited upon any land vested in or owned by the Minister for Railways which is directed only to persons upon or entering a railway station or platform or bus station, and
- (e) directional signs, street signs and other like signs erected by a public authority.

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

Amusement Machine: means a machine, device or games table, mechanically or electronically powered, that releases or makes available balls, discs or other items for projection in or on the machine by the use of springs, flippers, paddles or cues, or electronic devices which are controlled or partly controlled by computer associated with the electronic screen(s) operated by one or more players for amusement or recreation.

Amusement Parlour: means land and buildings, open to the public, where the predominant use is amusement by amusement machines and where there are more than two amusement machines operating within the premises.

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

Bed and Breakfast: means accommodation for not more than four (4) adults or one family in an establishment containing a maximum of two (2) guest bedrooms and one (1) guest bathroom, located under the main roof of the dwelling house.

Betting Agency: means a building operated in accordance with the Totalisator Agency Board Betting Act, 1960 (as amended).

Boarding House: means a building in which provision is made for lodging or boarding more than four persons, exclusive of the family of the keeper, for hire or reward, but does not include:

- (a) premises the subject of an Hotel, Limited Hotel or Tavern Licence granted under the provisions of the Liquor Act, 1970 (as amended).
- (b) premises used as a boarding school approved under the Education Act, 1928 (as amended).
- (c) a single dwelling, attached, grouped or multiple dwelling unit;
- (d) any building that is the subject of a strata title issued under the provisions of the Strata Titles Act, 1985 (as amended).

Building: shall have the same meaning as is given to it in and for the purposes of the Residential Planning Codes.

Building Codes: means the Building Code and associated Regulations, of Australia (1988).

Building Envelope: means an area of land within a lot marked on a plan forming part of the Scheme outside which building development is not permitted.

Building Line: means the line between which and any public place or public reserve a building may not be erected except by or under the authority of an Act.

Building Setback: means the shortest horizontal distance between a boundary or other specified point and the position at which a building may be erected.

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

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

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

Car Park: means land and buildings used primarily for parking private cars or taxis whether open to the public or not but does not include any part of a public road used for parking or for a taxi rank, or any land or buildings in which cars are displayed for sale.

Civic Building: means a building designed, used or intended to be used by a Government Department, an instrumentality of the Crown, or the Council as offices or for the administrative or other like purpose.

Civic Use: means land and buildings used by a Government Department, an instrumentality of the Crown, or the Council, for administrative, recreational or other purpose.

Commission: means the State Planning Commission constituted under the State Planning Commission Act 1985.

Club Premises: means land and buildings used or designed for use by a legally constituted club or association or other body of persons united by a common interest whether such building or premises be licensed under the provisions of the Liquor Act, 1970 (as amended) or not and which building or premises are not otherwise classified under the provisions of the Scheme.

Community Home: means a building used primarily for living purposes by a group of physically or intellectually handicapped or socially disadvantaged persons living together with or without paid supervision or care and managed by a constituted community based organisation, a recognised voluntary charitable or religious organisation, a Government Department or instrumentality of the Crown.

Consulting Rooms: means a building (other than a hospital or medical centre) used by no more than two practitioners who are legally qualified medical practitioners or dentists physiotherapists, chiropractors, and persons ordinarily associated with a practitioner, in the prevention or treatment of physical or mental injuries or ailments, and the two practitioners may be of the one profession or any combination of professions or practices.

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

Convenience Store: means land and buildings used for the retail sale of convenience goods being those goods commonly sold in supermarkets, delicatessens and newsagents but including the sale of petrol and operated during hours which include but which may extend beyond normal trading hours and providing associated parking. The buildings associated with convenience store shall not exceed 200m² gross leasable area.

Day-Care Centre: means land and buildings used for the daily or occasional care of children in accordance with the Child Welfare (Care Centres) Regulations, 1968 (as amended).

Development: shall have the same meaning given to it in and for the purposes of the Act.

Display Home Centre: means a group of two or more dwellings which are intended to be open for public inspection.

District: means the Municipal District of the Shire of Augusta-Margaret River.

Dry-Cleaning Premises: means land and buildings used for the cleaning of garments and other fabrics by chemical means.

Dwelling: means a building or portion of a building containing at least one living room and includes rooms, outbuildings and other structures attached to or separate from such building but ancillary thereto, such building or portion thereof being used or intended, adapted or designed to be used for the purpose of human habitation on a permanent basis by:

- (a) a single person;
- (b) a family;
- (c) or no more than six [6] persons who do not comprise a single family.

Educational Establishment: means a school, college, university, technical institute, academy or other educational centre, but does not include reformatory or institutional home.

Effective Frontage: means the width of a lot at the minimum distance from the street alignment at which buildings may be constructed, and shall be calculated as follows:

- (a) where the site boundaries of a lot are parallel to one another, the length of a line drawn at right angles to such boundaries;

- (b) where the side boundaries of a lot are not parallel to one another, the length of a line drawn parallel to the street frontage and intersecting the side boundaries at the minimum distance from the street alignment at which buildings may be constructed;
- (c) where a lot is of such irregular proportions or on such a steep grade that neither of the foregoing methods can reasonably be applied, such length as determined by the Council.

Family Care Centre: means land and buildings used for the purposes of a Family Care Centre as defined in the Child Welfare (Care Centres) Regulations, 1968 (as amended).

Fast Food Outlet: means land and buildings used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation, primarily off the premises, but does not include a fish shop.

Fish Shop: means a building where wet fish and similar foods are displayed and offered for sale.

Floor Area: shall have the same meaning given to it and for the purposes of the Uniform Building By-Laws, 1974 (as amended).

Frontage: means the boundary line or lines between a site and the street or streets upon which the site abuts.

Gazettal Date: means the date on which this Scheme is published in the *Government Gazette*.

Gross Leasable Area: means in relation to a building, the area of all floors capable of being occupied by a tenant for his exclusive use, which area is measured from the centre lines of joint partitions or walls and from the outside faces of external walls or the building alignment, including shop fronts, basements, mezzanines and storage area.

Health Studio: means land and buildings designed and equipped for physical exercise, recreation and sporting activities including outdoor recreation.

Home Occupation: means a business or activity carried on with the written permission of the Council within a dwelling house or the curtilage of a house by a person resident therein or within a domestic outbuilding by a person resident in the dwelling house to which it is appurtenant that:

- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury, or prejudicial affection due to the emission of light, noise, vibration, electrical interference, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products or the unsightly appearance of the dwelling house or domestic outbuilding on or the land on which the business is conducted;
- (b) does not entail employment of any person not a member of the occupier's family;
- (c) does not occupy an area greater than twenty square metres;
- (d) does not require the provision of any essential service main of a greater capacity than normally required in the zone in which it is located;
- (e) does not display a sign exceeding 0.2m² in area;
- (f) in the opinion of the Council it is compatible with the principal uses to which land in the zone it is located may be put and will not in the opinion of the Council generate a volume of traffic that would prejudice the amenity of the area;
- (g) does not entail the presence, use or calling of a vehicle of more than two tonnes tare weight;
- (h) does not entail the presence of more than one commercial vehicle and does not include provision for the fueling or repairing of motor vehicles within the curtilage of the dwelling house or domestic outbuilding;
- (i) does not entail the offering for sale or display of motor vehicles, machinery or goods (other than goods manufactured or serviced on the premises); and
- (j) does not entail a source of power other than an electric motor of not more than 0.383 kilowatts (0.5 h.p.)

Hostel: means a lodging house which is not open to the public generally but is reserved for use solely by students and staff of educational establishments, members of societies, institutes or associations.

Hotel: means land and a building or buildings in respect of which a hotel licence has been granted under the provisions of the Liquor Act 1970.

Institutional Building: means a building used or designed for use as a wholly or principally for the purpose of:

- (a) a home or other institution for care of persons who are physically or mentally handicapped;
- (b) a rehabilitation centre or home for alcoholics, drug addicts, persons released from prison or other persons requiring treatment as provided by such a centre.

Institutional Home: means a building used for residential purposes for the care and maintenance of children, the aged or the infirm and includes a benevolent institution.

Kindergarten: means land and buildings used as a school for developing the intelligence of young children by object lessons, toys, games, singing and similar methods.

Land: shall have the same meaning given to it in and for the purposes of, the Act.

Laundrobart: means a building, open to the public in which coin-operated or other washing machines, with or without provision for drying clothes, are available for use.

Liquor Store: means a building the subject of a Store Licence granted under the provisions of the Liquor Act, 1970 (as amended).

Lodging House: shall have the same meaning as is given to it in and for the purposes of the Health Act, 1911-1979 (as amended).

Lot: shall have the same meaning given to it in and for the purposes of the Act and "allotment" has the same meaning.

Market: means land and buildings used for a fair, a farmers' or producers' market, or a swapmeet in which the business or selling carried on or the entertainment provided is by independent operators or stall holders carrying on their business or activities independently of the market operator save for the payment where appropriate of a fee or rental.

Medical Clinic: means a building (other than a hospital) that contains or is designed to contain facilities not only for the practitioner or practitioners mentioned under the interpretations of consulting rooms but also for ancillary services such as chemists, pathologists and radiologists.

Mobile Home: means any vehicle or similar relocatable structure having been manufactured with wheels and having no footings other than wheels and corner jacks, and so designed or constructed as to permit independent occupancy for continuous dwelling purposes incorporating its own facilities including bathroom and toilet facilities.

Mobile Home Park: means land upon which two or more mobile homes, occupied for dwelling purposes, are located regardless of whether or not a charge is made for such accommodation.

Motel: means a building, group of buildings or place used or intended to be used to accommodate patrons in a manner similar to an hotel or boarding house but in which special provision is made for the accommodation of patrons with motor vehicles.

Motor Vehicle Hire Station: means land and buildings used for the hiring out of motor vehicles and when conducted on the same site, the storage and cleaning of motor vehicles for hire but does not include mechanical repair or servicing of such vehicles.

Motor Vehicle Repair Station: means land and buildings used for the mechanical repair and over-haul of motor vehicles including tyre recapping, retreading, panel beating, spray painting and chassis reshaping.

Museum: means land and buildings used for the storing and exhibiting objects illustrative of antiquities, natural history, art, nature and curiosities.

Non-Conforming Use: means a use of land which, though lawful immediately prior to the coming into operation of this Scheme, is not in conformity with the Scheme.

Nursery: means land and buildings used for the propagation, rearing and sale of products associated with horticultural and garden decor.

Office: means a building used for the conduct of administration, the practice of a profession, the carrying on of agencies, banks, typist and secretarial services, and services of a similar nature.

Owner: in relation to any land includes the Crown and every person who jointly or severally whether at law or in equity:

- (a) is entitled to the land for an estate in fee simple in possession; or
- (b) is a person to whom the Crown has lawfully contracted to grant the fee simple of the land; or
- (c) is a lessor or licensee from the Crown; or
- (d) is entitled to receive or is in receipt of, or if the land were let to a tenant, would be entitled to receive the rents and profits thereof, whether as a beneficial owner, trustee, mortgagee in possession, or otherwise.

Petrol Station: means land and buildings used for the supply of petroleum products and motor vehicle accessories.

Plot Ratio: means the ratio of the gross total of the areas of all floors to the area of land within the site boundaries and in calculating the gross total of the areas of all floors the areas shall be measured over any walls provided that lift shafts, stairs, toilets and amenities, external wall thicknesses, plant rooms and the gross floor area of any floor space used for the parking of wheeled vehicles including access to and from that space within the building shall not be included, except for residential dwellings where it shall have the same meaning given to it in the Residential Planning Codes.

Potable Water: means water in which the level of physical, chemical and bacteriological constituents do not exceed the maximum permissible levels set out in "International Standards for Drinking Water—Third Edition, World Health Organisation—1981".

Private Hotel: means land and buildings used for the residential purposes the subject of a Limited Hotel Licence granted under the provisions of the Liquor Act, 1970 (as amended)

Private Recreation: means land used for parks, gardens, playgrounds, sports arenas, or other grounds for recreation which are not normally open to the public without charge.

Professional Office: means a building used for the purposes of his profession by an accountant, architect, author, barrister, chiroprapist, consular official, dentist, doctor, engineer, masseur, nurse, physiotherapist, quantity surveyor, solicitor, surveyor, teacher (other than a dancing teacher or a music teacher), town planner, or valuer, or a person having an occupation of a similar nature, and Professional Person has a corresponding interpretation.

Public Amusement: means land and buildings used for the amusement or entertainment of the public, with or without charge.

Public Recreation: means land used for a public park, public gardens, foreshore reserve, playground or other grounds for recreation which are normally open to the public without charge.

Public Utility: means any work or undertaking constructed or maintained by a public authority or the Council as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services.

Public Worship, Place of: means land and buildings used for the religious activities of a church but does not include an institution for primary, secondary, or higher education, or a residential training institution.

Radio and TV Installation: means land and buildings used for the transmission, relay and reception of signals and pictures, both commercial and domestic, but does not include domestic radio and television receivers.

Residential Planning Codes: means the residential planning codes, set out in the Statement of Planning Policy No. 1 together with any amendments thereto as published in the *Government Gazette* on January 30, 1985.

Reception Centre: means land and buildings used by parties for functions on formal or ceremonious occasions, but not for unhosted use for general entertainment purposes.

Residential Building: means a building other than a dwelling house for which the primary purpose is short-stay tourist accommodation and the expression includes a hostel, an unlicensed hotel, a guest house, a lodging house and a bed-and-breakfast establishment.

Restaurant: means a building wherein food is prepared for sale and consumption within the buildings and the expression shall include a licensed restaurant, and a restaurant at which food for consumption outside the building is sold where the sale of food for consumption outside the building is not the principal part of the business.

Restoration: means any work or process on, at, or in respect of a building structure or place which wholly or partly brings back the building structure or place to its original condition or which reinstates its historic or natural character either by rebuilding or repairing its fabric or by removing accretions or additions.

Schedule: means a schedule to the Scheme.

Service Station: means land and buildings use for the supply of petroleum products and motor vehicle accessories and for carrying out greasing, tyre repairs and minor mechanical repairs and may include a cafeteria, restaurant or shop incidental to the primary use; but does not include transport depot, panel beating, spray painting, major repairs or wrecking.

Shop: means a building wherein goods are kept, exposed or offered for sale by purpose falling within the definition or industry.

Showroom: means a building wherein goods are displayed and may be offered for sale by wholesale and/or by retail, excluding the sale by retail of: foodstuffs, liquor or beverages; items of clothing or apparel, magazines, books or paper products; medical or pharmaceutical products; china, glassware or domestic hardware; and items of personal adornment.

Tavern: means land and buildings the subject of a Tavern Licence granted under the provisions of the Liquor Act, 1970 (as amended).

Trade Display: means land and buildings used for the display of trade goods and equipment for the purposes of advertisement.

Warehouse: means a building wherein goods are stored and may be offered for sale by wholesale.

Wholesale: means the sale of any goods to any person or persons other than the ultimate consumer of those goods by a person or his trustee, registered as a "wholesale merchant" for Sales Tax purposes under the provisions of the Sales Tax Assessment Act No.1 1930 (as amended).

Wine Shop: means land and buildings the subject of Wine House Licence granted under the provisions of the Liquor Act, 1970 (as amended).

Zone: means a portion of the Scheme Area shown on the map by distinctive colouring, patterns, symbols, hatching, or edging for the purpose of indicating the restrictions imposed by the Scheme on the erection and use of land, but does not include reserved land.

SCHEDULE No. 2

TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)

Shire of Augusta-Margaret River

TOWN PLANNING SCHEME No. 18

APPLICATION FOR PLANNING CONSENT

1. SURNAME OF APPLICANT.....GIVEN NAMES
- FULL ADDRESS
2. SURNAME OF LAND OWNER GIVEN NAMES
- (If different from above)
3. SUBMITTED BY
4. ADDRESS FOR CORRESPONDENCE
5. LOCALITY OF DEVELOPMENT
6. TITLE DETAILS OF LAND
7. NAME OF ROAD SERVING PROPERTY
8. STATE TYPE OF DEVELOPMENT
- NATURE AND SIZE OF ALL BUILDINGS PROPOSED
-
- MATERIALS TO BE USED ON EXTERNAL SURFACES OF BUILDINGS
-

GENERAL TREATMENT OF OPEN PORTIONS OF THE SITE

.....

DETAILS OF CARPARKING AND LANDSCAPING PROPOSALS

.....

APPROXIMATE COST OF PROPOSED DEVELOPMENT

ESTIMATE TIME FOR CONSTRUCTION

.....

SIGNATURE OF OWNER SIGNATURE OF APPLICANT OR AGENT

(Both signatures are required if applicant(s) is not the owner)

DATE..... DATE

NOTE: THIS FORM SHOULD BE COMPLETED AND FORWARDED TO THE SHIRE COUNCIL TOGETHER WITH 2 COPIES OF DETAILED PLANS SHOWING COMPLETE DETAILS OF THE DEVELOPMENT, INCLUDING A SITE PLAN SHOWING THE RELATIONSHIP OF THE LAND TO THE AREA GENERALLY. IN AREAS WHERE CLOSE DEVELOPMENT EXISTS, OR IS IN THE COURSE OF CONSTRUCTION, PLANS SHALL SHOW THE SITING OF BUILDINGS AND USES ON LOTS IMMEDIATELY ADJOINING THE SUBJECT LAND.

SCHEDULE No. 3

Shire of Augusta-Margaret River

TOWN PLANNING SCHEME No. 18

NOTICE OF PUBLIC ADVERTISEMENT OF DEVELOPMENT PROPOSAL

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

LAND DESCRIPTION

Lot Number.....

Street.....

Proposal.....

Details of the proposal are available for inspection at the Council Office. Comments on the proposal may be submitted to the Council in writing on or before the day of 19 .

.....

SHIRE CLERK DATE

SCHEDULE No. 4

TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)

Shire of Augusta-Margaret River

DECISION ON APPLICATION FOR PLANNING CONSENT

The Council having considered the application:

Dated

Submitted by

On behalf of

hereby advise that it has decided to:

REFUSE/GRANT APPROVAL: TO COMMENCE DEVELOPMENT
TO DISPLAY AN ADVERTISEMENT

Subject to the following conditions/for the following reasons:

.....

SHIRE CLERK DATE

SCHEDULE No. 5
CONTROL OF ADVERTISEMENTS
ADDITIONAL INFORMATION SHEET FOR ADVERTISEMENT APPROVAL
 (to be completed in addition to Application for
 Approval to Commence Development Form 1)

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:

Height: Width: Depth:

Colours to be used:

Height above ground level (to top of Advertisement:
 (to Underside:

Materials to be used:

Illuminated: Yes/No

If yes, state whether steady, moving, flashing, alternating,
 digital, animated or scintillating etc

If yes, state intensity of light source:

5. State period of time for which advertisement is required:

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

N.B. 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):
 (if different from land owners)

Date:

SCHEDULE No. 6
EXEMPTED ADVERTISEMENTS PURSUANT TO CLAUSE 6.10.4

LAND USE AND/OR DEVELOPMENT REQUIRING ADVERTISEMENT	EXEMPTED SIGN TYPE AND NUMBER (Includes the change of poster on poster signs and applies to non-illuminated signs unless otherwise stated)	MAXIMUM AREA OF EXEMPTED SIGN
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 activities of the institution concerned.	0.2m ²

LAND USE AND/OR DEVELOPMENT REQUIRING ADVERTISEMENT	EXEMPTED SIGN TYPE AND NUMBER (Includes the change of poster on poster signs and applies to non-illuminated signs unless otherwise stated)	MAXIMUM AREA OF EXEMPTED SIGN
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 uses appropriate to a Shopping area.	All advertisements affixed to the building below the top of the awning, below a line measured at 5 metres from the ground floor level of the building subject to a compliance with the requirements of the Signs Hoarding and Bill Posting Bylaws.	Not applicable
Industrial and Warehouse Premises	<p>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.</p> <p>A maximum of two free standing advertisement signs not exceeding 5m in height above ground level.</p>	<p>Total area of advertisements shall not exceed 15m.</p> <p>Maximum permissible total area shall not exceed 10m² and individual advertisement signs shall not exceed 6m².</p>
Showroom, race courses, major racing tracks, sports stadia, major sporting grounds and complexes.	All signs provided that, in each case, the advertisement is not visible from outside the complex or facility concerned either from other private land or from public places and streets.	N/A
Public Places and Reserves.	<p>(a) Advertisement signs (illuminated and non-illuminated) relating to the function of government, a public authority or Council of a Municipality excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body, and</p> <p>(b) Advertisement signs (illuminated and non-illuminated) required for the management or control</p>	N/A
		N/A

LAND USE AND/OR DEVELOPMENT REQUIRING ADVERTISEMENT	EXEMPTED SIGN TYPE AND NUMBER (Includes the change of poster on poster signs and applies to non-illuminated signs unless otherwise stated)	MAXIMUM AREA OF EXEMPTED SIGN
	<p>of traffic on any public road, carpark, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a Government department, public authority or the Council of a Municipality, and</p> <p>(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.</p>	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 TYPE AND MAXIMUM AREA OF EXEMPTED SIGN (All non-illuminated unless otherwise stated)
<p>Building Construction Sites (advertisement signs displayed only for the duration of the construction as follows:</p>		
i) Dwellings	One Advertisement per street frontage containing details of the project and the contractors undertaking the construction work.	2m ²
ii) Multiple Dwellings, Shops, Commercial and Industrial projects.	One sign as for (i) above	5m ²

TEMPORARY SIGNS**EXEMPTED SIGN TYPE AND MAXIMUM AREA
OF EXEMPTED SIGN (All non-illuminated
unless otherwise stated)**

iii) Large Development or redevelopment projects involving shopping centres, office or other buildings exceeding 3 storeys in height.	One sign as for (i) above	10m ²
	One additional sign showing the name of the project builder	5m ²
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
<p>Property Transactions. Advertisement signs displayed for the duration of the period over which property transactions are offered and negotiated as follows:</p>		
(a) Dwellings	One sign per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the sign is or the signs are displayed.	Each sign shall not exceed an area of 2m ² .
(b) Multiple Dwellings, Shops, Commercial and Industrial Properties.	One sign as for (a) above.	Each sign shall not exceed an area of 5m ² .
(c) Large properties comprised of shopping centres, buildings in excess of four storeys and rural properties in excess of 5ha.	One sign as for (a) above.	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	(i) One sign for each	2m ²
	(ii) In addition to (i) above, one sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display.	5m ²

ADOPTION

Adopted by Resolution of the Council of the Shire of Augusta-Margaret River, at the meeting of the Council held on the 10th day of October 1991.

E. G. NOAKES, President.

Date: 14 June 1994.

L. J. CALNEGGIA, Shire Clerk.

Date: 14 June 1994.

FINAL APPROVAL

1. Adopted by Resolution of the Council of the Shire of Augusta-Margaret River at the ordinary meeting of the Council, held on the 27th day of September 1993 and the seal of the Municipality was pursuant to that Resolution hereunto affixed in the presence of:

E. G. NOAKES, President.

L. J. CALNEGGIA, Shire Clerk.

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

2. Recommended/submitted for final approval by the State Planning Commission.

M. R. ALLEN, for Chairman, State Planning Commission.

Date: 19 July 1994.

3. Final approval granted.

RICHARD LEWIS, Hon Minister for Planning.

Date 22 July 1994.

PORT AUTHORITIES

PH301

PORT HEDLAND PORT AUTHORITY ACT 1970
PORTS (FUNCTIONS) ACT 1993
PORT HEDLAND PORT AUTHORITY (PILOTAGE)
REGULATIONS 1995

Made by the Port Hedland Port Authority with the approval of His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Port Hedland Port Authority (Pilotage) Regulations 1995*.

Commencement

2. These regulations come into operation on 1 July 1995.

Interpretation

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

“harbour master” means the person appointed by the Port Authority under section 22 of the *Ports (Functions) Act 1993* to be harbour master of the Port;

"pilot" means a pilot approved by the Port Authority for the Port under section 16 of the *Ports (Functions) Act 1993*;

"pilotage agreement" means an agreement for the provision of pilots in the Port;

"pilots' company" means a company which has agreed to provide pilots in the Port under a pilotage agreement;

"port parameters" means the requirements known as parameters approved by the Port Authority for the movement and pilotage of vessels in the Port;

"vessel movement schedule" means a vessel movement schedule furnished to a pilots' company under a pilotage agreement.

Directions

4. A pilot is to give effect to all reasonable directions given to the pilot by the Port Authority.

Provision of pilotage

5. A pilot is to provide pilotage in accordance with —

- (a) the relevant pilotage agreement;
- (b) the port parameters; and
- (c) the vessel movement schedule for the Port.

Provision of services

6. When requested by the Port Authority in accordance with the provisions of a pilotage agreement a pilot is to —

- (a) provide a professional opinion or advice relating to Port operations, vessels or the functions of harbour master;
- (b) perform the functions of the harbour master of the Port; or
- (c) provide such other services or perform such other functions of a maritime kind as are contained in the request.

Duty pilot

7. At all times when a pilot is acting as duty pilot for the Port the pilot is to, when so requested by, and in accordance with, the written directions given to the pilot by the Port Authority —

- (a) compile or amend the vessel movement schedule; or
- (b) carry out the duties of the Port Authority's marine supervisor.

Resolved by the Port Hedland Port Authority at a meeting held on Thursday, 25th May 1995.

The Common Seal of the Port Hedland Port Authority was affixed hereto in the presence of—

P. G. HARDIE.
R. E. RICHARDSON.
G. E. GARDNER.

Approved by His Excellency the Governor in Executive Council.

J. PRITCHARD, Clerk of the Council.

PH302

SHIPPING AND PILOTAGE ACT 1967

PORTS AND HARBOURS AMENDMENT REGULATIONS (NO. 2) 1995

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Ports and Harbours Amendment Regulations (No. 2) 1995*.

Commencement

2. These regulations come into operation on 1 July 1995.

Principal regulations

3. In these regulations the *Ports and Harbours Regulations** are referred to as the principal regulations .

[* *Published in the Gazette of 3 February 1966 at pp.277-92.
For amendments to 6 June 1995 see 1994 Index to Legislation of
Western Australia, Table 4, pp.254-7 and Gazette of 31 March
1995.*]

Regulation 14 amended

4. Regulation 14 (3) of the principal regulations is amended by deleting "\$3 030" and substituting the following —

" \$3 121 " .

Regulation 15 amended

5. Regulation 15 (3) of the principal regulations is amended by deleting "\$499" and substituting the following —

" \$514 " .

Regulation 15A amended

6. Regulation 15A of the principal regulations is amended —

(a) in subregulation (1) by deleting "\$497" and substituting the following —

" \$512 "; and

(b) in subregulation (2) —

(i) by deleting "\$497" and substituting the following —

" \$512 "; and

(ii) by deleting "\$589" and substituting the following —

" \$607 " .

Regulation 15B amended

7. Regulation 15B of the principal regulations is amended —

(a) by deleting "\$236" and substituting the following —

" \$243 "; and

- (b) by deleting "\$338" and substituting the following —
 " \$349 ".

Regulation 15C amended

8. Regulation 15C of the principal regulations is amended —
- (a) by deleting "\$74" and substituting the following —
 " \$77 ";
- (b) by deleting "\$499" and substituting the following —
 " \$514 "; and
- (c) by deleting "\$1 295" and substituting the following —
 " \$1 334 ".

Regulation 16 amended

9. Regulation 16 of the principal regulations is amended in paragraph (d) by deleting "\$547" and substituting the following —
 " \$564 ".

Third Schedule amended

10. (1) Part I of the Third Schedule to the principal regulations is amended —

- (a) by deleting item 1 and substituting the following item —

"

[Reg. 15]

1. The charges for pilotage of vessels into and out of ports in the State at which pilotage is provided are —

PORTS	GROSS REGISTERED TONNAGE OF VESSEL	CHARGES FOR BOTH INWARD AND OUTWARD PILOTAGE
		\$
BROOME	Up to 1 499	1 562
	1 500 — 3 000	2 091
	3 001 — 5 000	2 517
	5 001 — 10 000	3 031
	10 001 — 20 000	3 745
	20 001 — 30 000	4 381
	Exceeding 30 000	4 806
WYNDHAM (In respect of pilotage between Nicholls Point and berth)	Up to 1 499	1 772
	1 500 — 3 000	2 302
	3 001 — 5 000	2 909
	5 001 — 10 000	3 668
	10 001 — 20 000	4 604
	20 001 — 30 000	5 195
	Exceeding 30 000	5 741

and

- (b) in item 2 —
- (i) by deleting "\$413" and substituting the following —
 " \$426 ";

- (ii) by deleting "\$236" and substituting the following —
 " \$243 "; and
- (iii) by deleting "\$338" and substituting the following —
 " \$349 ".

(2) Part II of the Third Schedule to the principal regulations is amended by deleting in the provisions referred to in column 1 of the Table to this subregulation the fees respectively set out in column 2 of the Table and substituting in each case the corresponding fee set out in column 3 of the Table.

TABLE

<u>Column 1</u> <i>Provisions</i>	<u>Column 2</u> <i>Deleted</i> <i>Fee</i>	<u>Column 3</u> <i>Substituted</i> <i>Fee</i>
Item 1		
subitem (1) (b) (i)	72	74
subitem (1) (b) (ii)	92	95
subitem (1) (b) (iii)	137	141
subitem (1) (b) (iv)	210	216
subitem (1) (b) (v)	320	330
subitem (1) (b) (vi)	500	515
Item 2	66	68
Item 4		
subitem (1)	72	74
subitem (1)	92	95
subitem (1)	137	191
subitem (1)	210	216
subitem (1)	320	330
subitem (1)	500	515

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

RACING AND GAMING

RA401

LIQUOR LICENSING ACT 1988

SUMMARY OF LIQUOR LICENSING APPLICATIONS

The following is a summary of applications received under the Liquor Licensing Act 1988 and required to be advertised. Any person wishing to obtain more details about any application, or about the objection process, should contact the Liquor Licensing Division, 1st Floor, Hyatt Centre, 87 Adelaide Terrace, Perth (Telephone: 425 1888), or consult a solicitor or relevant industry organisation.

App No.	Applicant	Nature of Application	Last Date for Objections
TRANSFER OF LICENCE			
1014/94	Palmerville Pty Ltd	Application for the transfer of a Hotel Licence in respect of premises situated in Kambalda West and known as the Kambalda Hotel, from Golden Hotels Pty Ltd.	7/7/95
1015/94	Lauranne Pty Ltd	Application for the transfer of a Restaurant Licence in respect of premises situated in South Perth and known as Sardi's The Place For Ribs, from Grayson Developments Pty Ltd.	6/7/95

App No.	Applicant	Nature of Application	Last Date for Objections
1016/94	Hub Holdings Pty Ltd	Application for the transfer of a Restaurant Licence in respect of premises situated in Northbridge and known as Simons Seafood Restaurant, from Fictile Pty Ltd.	7/7/95
1017/94	Frances Blum	Application for the transfer of a Hotel Licence in respect of premises situated in Trayning and known as the Trayning Hotel, from Frances Blum (S87).	11/7/95
1018/94	Carstairs Pty Ltd	Application for the transfer of a Restaurant Licence in respect of premises situated in Gracetown and known as The Gallery Seaview Restaurant, from Arcadia Dreaming Pty Ltd.	7/7/95
1019/94	Ness Holdings Pty Ltd	Application for the transfer of a Hotel Licence in respect of premises situated in Katanning and known as Katanning Unit Hotel, from Tacea Pty Ltd.	7/7/95
1020/94	Adrian Russell and Elizabeth Russell	Application for the transfer of a Liquor Store Licence in respect of premises situated in South Bentley and known as Aussie Liquor Discounts, from Jericho Nominees Pty Ltd.	7/7/95
1021/94	Cove Investments Pty Ltd	Application for the transfer of a Cabaret Licence in respect of premises situated in Broome and known as Tokyo Joes The Club, from Kowadine Nominees Pty Ltd.	10/7/95
1022/94	Fung Holdings Pty Ltd	Application for the transfer of a Restaurant Licence in respect of premises situated in East Perth and known as Lee Gardens Restaurant from Ka Choi Fung and Miu Han Fung.	12/7/95
GRANT OF A LICENCE			
592/94	North Island Social Club	Application for the grant of a Club Restricted Licence in respect of premises situated in North Island and known as North Island Social Club.	27/7/95
595/94	Jeff Ralston	Application for the grant of a Special Facility Licence in respect of premises situated in Broome and known as Pearl Sea Coastal Cruises—M.V. Vantage.	27/7/95
610/94	Pidgeon Island Community Centre	Application for the grant of a Special Facility Licence in respect of premises situated in Abrolhos Islands and known as Pidgeon Island Community Centre.	27/7/95
625/94	Prestalge Pty Ltd	Application for the grant of a Restaurant Licence in respect of premises situated in Subiaco and known as the Sicilian Subiaco.	20/7/95
626/94	Axis Management Group Pty Ltd	Application for the grant of a Special Facility Licence in respect of premises situated in Lowendal Island and known as Varanus Construction Village Canteen.	7/7/95
627/94	Edith Cowan University Student Guild	Application for the grant of a Special Facility Licence in respect of premises situated in Joondalup and known as Edith Cowan University.	25/7/95
628/94	Ramon Lawrence	Application for the grant of a Special Facility Licence in respect of premises situated in Canning Vale and known as Willow Pond Reception Centre.	25/7/95

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

G. B. AVES, Director of Liquor Licensing.

STATE TAXATION

SX401

STATE TAXATION DEPARTMENT

Notice to all Owners of Land or Property in Western Australia
Land Tax

Annual Returns

Annual Returns are not required for 1995/96.

The Department will issue assessment notices to property owners based on registered land holdings as at 30 June 1995.

Applications for Exemption or Concessions

The owner of any class of land in respect of which an exemption or concession may be granted is required to make application for the exemption or concession only where the land concerned has been assessed for land tax for 1995/96.

A. BRYANT, Commissioner of State Taxation.

TRANSPORT

TR301

TRANSPORT CO-ORDINATION ACT 1966

**COUNTRY TAXI-CARS (FARES AND CHARGES) AMENDMENT REGULATIONS
1995**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Country Taxi-cars (Fares and Charges) Amendment Regulations 1995*.

Commencement

2. These regulations come into operation on 3 July 1995

Schedule amended

3. The Schedule to the *Country Taxi-cars (Fares and Charges) Regulations 1991** is amended —

(a) in Part 1 by deleting the item commencing "AREA 1" and substituting the following item —

"

AREA 1 — Outside the area to which the *Taxi-car Control Act 1985* applies but in the South West Land Division, and in the Shires of Leonora and Yilgarn —

(a) Metered rates —

(i) to apply between the hours
of 6am to 6pm Monday to
Friday — \$

Flag fall 1.90

Distance rate —	
per kilometre	1.00
for each 100m or part thereof	0.10

Detention charge —	
for each 15 seconds or part thereof	0.10

- (ii) to apply between the hours of 6pm to 6am Monday to Friday, 6pm Friday to 6am Monday and all day on public holidays —

Flag fall	2.60
---------------------	------

Distance rate —	
per kilometre	1.00
for each 100m or part thereof	0.10

Detention charge —	
for each 15 seconds or part thereof	0.10

- (b) Off Meter rates —

Distance rate —

during hiring — for each kilometre or part thereof . . .	0.55
--	------

for forward or return journey by nearest practicable route — for each kilometre or part thereof . . .	0.55
---	------

Detention charge —	
for each 15 seconds or part thereof	0.10

and

- (b) in Part 2 —

- (i) in item 2 (a) by deleting “Areas 1 and 2” and substituting the following —

“ Area 2 ”; and

- (ii) in item 3 (a) by deleting “22.00” and substituting the following —

“ 24.00 ”.

[* *Published in Gazette of 19 April 1991 at pp. 1815-20. For amendments to 12 June 1995 see 1994 Index to Legislation of Western Australia, Table 4, p. 290-91.*]

TR302

MARINE NAVIGATIONAL AIDS ACT 1973

MARINE NAVIGATIONAL AIDS AMENDMENT REGULATIONS 1995

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Marine Navigational Aids Amendment Regulations 1995*.

Commencement

2. These regulations come into operation on 1 July 1995.

Schedule amended

3. The Schedule to the *Marine Navigational Aids Regulations 1985** is amended by deleting paragraphs (a), (b), (c), (d), (e) and (f) and substituting the following —

“

	§
(a) does not exceed 6 metres	74
(b) exceeds 6 metres but does not exceed 10 metres	95
(c) exceeds 10 metres but does not exceed 20 metres	141
(d) exceeds 20 metres but does not exceed 30 metres	216
(e) exceeds 30 metres but does not exceed 50 metres	330
(f) exceeds 50 metres	515

”

[* *Published in Gazette of 28 June 1985 at p. 2318.*
For amendments to 24 May 1995 see 1994 Index to Legislation of Western Australia, Table 4, p. 177.]

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

TR303

JETTIES ACT 1926

JETTIES AMENDMENT REGULATIONS 1995

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Jetties Amendment Regulations 1995*.

Commencement

2. These regulations come into operation on 1 July 1995.

Principal regulations

3. In these regulations the *Jetties Act Regulations 1940** are referred to as the principal regulations.

[* Reprinted as at 1 August 1990.
For amendments to 29 May 1995 see 1994 Index to Legislation of Western Australia, Table 4, p. 150.]

Regulation 10B repealed

4. Regulation 10B of the principal regulations is repealed.

Regulation 11 amended

5. Regulation 11 (1) of the principal regulations is amended by deleting "12 cents per tonne" and substituting the following —

" those set out in Appendix I "

Regulation 11B amended

6. Regulation 11B (2) of the principal regulations is amended by deleting paragraph (b) and substituting the following paragraph —

"
(b) for the Ports of Broome and Wyndham, the rate set out in Appendix I,
".

Regulation 13A repealed

7. Regulation 13A of the principal regulations is repealed.

Regulation 25 amended

8. Regulation 25 (1) of the principal regulations is amended —

(a) by deleting "following storage charges shall be payable to the officer in charge: —" and substituting the following —

"
storage charges set out in Appendix I shall be payable to the officer in charge.
".

and

(b) by deleting paragraphs (a) and (b).

Regulation 70B amended

9. Regulation 70B of the principal regulations is amended by deleting "charge of \$48.00." and substituting the following —

" charge set out in Appendix IA. "

Regulation 95 amended

10. Regulation 95 of the principal regulations is amended —

(a) in subregulation (2) by deleting "Harbour Master" and substituting the following —

" officer in charge "; and

(b) in subregulation (3) by deleting "Harbour Master" and substituting the following —

" officer in charge ".

Regulations 105A, 105B, 105C, 105D and 105E repealed

11. Regulations 105A, 105B, 105C, 105D and 105E of the principal regulations are repealed.

Regulations 105G, 105H, 105HA and 105HB repealed

12. Regulations 105G, 105H, 105HA and 105HB of the principal regulations are repealed.

Part 3, Division 3 repealed

13. Division 3 of Part 3 of the principal regulations is repealed.

Regulation 105I amended

14. Regulation 105I (1) of the principal regulations is amended by deleting

“ a fee as follows —

	\$
Not exceeding 10 tonnes	7.00
Exceeding 10 tonnes but not exceeding 30 tonnes	8.00
Exceeding 30 tonnes	10.00 ”

and substituting the following —

“ the fee set out in Appendix I. ”.

Appendix I repealed and an appendix substituted

15. Appendix I to the principal regulations is repealed and the following Appendix substituted —

“

APPENDIX I

[Regs. 6, 10A, 11, 11B and 25]

**1. WHARFAGE, HANDLING AND
HAULAGE CHARGES: Broome and Wyndham**

	WHARFAGE
	\$
Cargo in containers (T E U containers)	
• Empty returns	each 32.00
• Loaded containers:	
General	each 110.00
Products of the soil	each 35.00
Fertilisers	each 55.00
Explosives	each 68.00
Empty returns (other than T E U containers)	per tonne or m ³ 1.34
Explosives	per tonne or m ³ 2.36
Fertiliser	per tonne or m ³ 1.92
Bullocks, cows, etc.	each 1.34
Figs, sheep, goats and dogs	each 0.28
Meat: chilled or frozen	per tonne or m ³ 2.26

		WHARFAGE
		\$
Bulk Products:		
By pipeline	per kilolitre	5.82
By pipeline involving use of road tanker on jetty	per kilolitre	6.04
Bulk ore	per tonne	1.87
Products of the soil of the State, except otherwise stated (exported)	per tonne or m ³	1.23
Vehicles		
Commercial vehicles on own wheels	per tonne or m ³	2.26
Motor cars and utilities on own wheels	per tonne or m ³	2.15
Other cargo		
General cargo	per tonne or m ³	3.70
Recreational vessels	per metre	8.46

Notes

- 1 The empty rate relates only to containers used in connection with the carriage of cargo through the port.
- 2 Charges for any unspecified services are dependant on the type of service.
- 3 Where the Department has to unstuff or unpack a container, the fee is based on equipment and IPLF labour rates for the time involved.
- 4 Special wharfage charges previously raised under regulation 10B are now included in the above schedule.

HAULAGE AND HANDLING

Charges for haulage and handling shall be in accordance with the IPLF charge-out rates.

BERTHAGE DUES

For vessels over 300 gross registered tonnes shall be 48 cents per tonne or per cubic metre or per kilolitre at the option of the officer in charge, on all cargo landed or shipped with a minimum \$78.00 per day or part thereof.

Vessels under 300 gross registered tonnes shall be 48 cents per tonne or per cubic metre or per kilolitre, at the option of the officer in charge on all cargo landed or shipped with a minimum \$52.00 per day or part thereof.

Passenger vessels or other vessels using a berth for purposes other than cargo handling shall be 10 cents per day per gross registered tonne with a minimum \$52.00 per day or part thereof.

Containers shall be \$4.00 per container (empty) or \$13.00 per container (loaded).

STORAGE

1. Transit cargo not removed from the goods shed within 3 days of the cargo being received, 37 cents per tonne or part of a tonne.
2. Transshipment cargo, 37 cents per tonne or part of a tonne, or per cubic metre or part of a cubic metre —
 - per week for a maximum of 2 weeks;
 - after 2 weeks, the rates in item 1 (above) apply.

CONTAINER PARK FEE (WYNDHAM)

The fee in respect of all loaded containers shipped through the Port of Wyndham is \$20.00 per loaded container.

TRANSHIPMENT CARGO (reg. 11)

For cargo loaded over the side onto another vessel, 50% of the appropriate wharfage dues are payable. (Note: Where cargo is landed onto a jetty - full wharfage dues apply)

FUEL OIL (reg. 11B)

Oil loaded as bunkers for the vessel's own use, \$5.82 per kilolitre

FRESH WATER

Supplied to ships at \$1.50 per kilolitre.

LIGHTING OF JETTY BROOME — \$5.87 per hour or part thereof.
 WYNDHAM — for full lighting of jetty shed and yard \$17.50 per hour, for use of jetty lighting \$5.60 per hour. For reduced lighting \$1.85 per hour.

NOTE

Extra Charges (reg. 13) Under regulation 13, the Port Manager may make extra charges for handling packages over one tonne in weight, or of an exceptional shape, or where extra labour is required or unusual risk is involved.

Goods Insufficiently Packed (reg. 35) Under regulation 35, the Port Manager may make an extra charge if insufficiently packed goods involve additional labour or risk.

WEIGHBRIDGE FEES: Broome and Wyndham
 (reg. 1051)

For use of the 50 tonne weighbridge during normal hours-

Not exceeding 10 tonnes	7.20
Exceeding 10 tonnes but not exceeding 30 tonnes	8.25
Exceeding 30 tonnes	10.30

Outside normal hours the operator's wages are added to the above fees (see reg. 1051 (2)).

2. SLIPWAY CHARGES — (FEES PER DAY OR PART THEREOF)

[Reg. 96]

NOTE: The slipway charges set out below are subject to regulations 37 and 38, which specify the working hours of a Port, and overtime components.

WATER & ELECTRIC POWER CHARGES — ALL PORTS

	\$
Use of water —	2.50
Use of power —	4.30

ALBANY SLIPWAY

Slippage Fees —

Vessels not exceeding 25 Gross Registered Tons	28.00
Vessels over 25 but not exceeding 50 Gross Registered Tons	50.00
Vessels over 50 but not exceeding 100 Gross Registered Tons	112.00
Vessels over 100 but not exceeding 200 Gross Registered Tons	443.00
Vessels over 200 Gross Registered Tons	876.00
Operator's Time —	
At cost with a minimum for each service	134.00

CARNARVON SLIPWAY

Slippage Fees —

Vessels not exceeding 10 metres	78.00
Vessels over 10 metres but not exceeding 15 metres	114.00
Vessels over 15 metres but not exceeding 20 metres	181.00
Vessels over 20 metres	296.00
Haulage charge — All vessels	146.00

SHARK BAY SLIPWAY

Slippage Fees —

Vessels not exceeding 5 metres	35.00
Vessels exceeding 5 metres but not exceeding 12 metres	55.00
Vessels exceeding 12 metres per day or part thereof	62.00
Haulage charge — All vessels	42.00

JOHNS CREEK (POINT SAMSON) SLIPWAY / WYNDHAM
SLIPWAY

Slippage Fee —

Vessels not exceeding 15 metres	78.00
Vessels over 15 metres	114.00
Haulage charge — All vessels	95.00

Appendix IA amended**16. Appendix IA to the principal regulations is amended —****(a) by deleting item 1 and substituting the following item —****1. BERTHING FEES — PORT OF PERTH**
[Reg. 72]**ANNUAL — (other than Hillarys & Challenger
Boat Harbour)**

The annual fee to be paid is $A \times B \times 1.31$ where —

A is the amount of \$60 x the gross tonnage of the vessel;

B is the square root of C/A ; and

C is the amount specified in the Table opposite the length of the vessel.

LENGTH OF VESSEL	AMOUNT
	\$
7m — 7.99m	1 848
8m — 8.99m	1 964
9m — 9.99m	2 022
10m — 10.99m	2 267
11m — 11.99m	2 584
12m — 12.99m	2 945
13m — 13.99m	3 377
14m — 14.99m	3 870
15m — 15.99m	4 418
16m — 16.99m	5 038
17m — 17.99m	5 704
18m — 18.99m	6 440
19m — 19.99m	7 247
20m — 20.99m	8 101
21m — 21.99m	9 025
22m — 22.99m	10 005
23m — 23.99m	11 046
24m — 24.99m	12 156
25m and over	503 per metre

- (b) by inserting after item 2 the following item —

“

2A. BERTHING FEES — PASSENGER AND HEAVY-LIFT JETTIES, FREMANTLE [Reg. 70B]
Charge for loading and unloading of cargo and passengers — \$50.00

Berthing fee: as for Casual Berthing Fees - Port of Perth (item 3).

- (c) by deleting item 4 and substituting the following item —

“

4. PEN FEES — PORT OF PERTH
LOCATION — HILLARYS BOAT HARBOUR [Reg. 73]

Annual Fee: Length of Vessel
x \$220 per metre.

Advance Payment

Payment in advance for —

1 year	\$214.50 metre/year (2 ¼% discount)
2 years	\$210.00 metre/year
3 years	\$200 metre/year
4 years	\$190 metre/year
5 years	\$180 metre/year

Fee for 3 year pen lease —

Year 1	\$300 metre/year
Year 2	\$200 metre/year
Year 3	\$100 metre/year

Six Monthly Fee: 60% of the annual fee.

Three Monthly fee: 40% of the annual fee.

Monthly Fee: 15% of the annual fee.

Daily Fee: \$20 per day (flat rate for all vessels).

- Note:** 1. Fishing vessels that have paid the annual fees at Fremantle Fishing Boat Harbour will be charged 66% of the annual fee.
2. Payment of pen fees entitles the hirer to free use of the service jetty located within the harbour for the purpose of loading and unloading the vessel.

- (d) in item 5 by deleting “\$190” and substituting the following —
“ \$210 ”; and
- (e) in item 6 by deleting “\$88” and substituting the following —
“ \$60 ”.

Appendix III amended

17. Appendix III to the principal regulations is amended —

- (a) in Part 1 —

- (i) in item 1 by deleting “\$70” and substituting the following —

“ \$72 ”;

- (ii) in item 2 by deleting "\$128" and substituting the following —

" \$132 ";

- (iii) in item 3 by deleting "\$90" and "\$60" and substituting respectively the following —

" \$93 " and
" \$62 ";

- (iv) in item 4 by deleting "\$124" and substituting the following —

" \$128 ";

- (v) in item 5 by deleting
"Annual Fee: Length of Vessel x \$90 per metre for
vessels up to, but not including 20
metres.

Length of Vessel x \$120 per metre for
vessels 20 metres and over."

and substituting the following —

"

Annual Fee: Length of Vessel x \$124 per
metre for vessels up to, but
not including 20 metres.

Length of Vessel x \$165 per
metre for vessels 20 metres
and over.

Private pleasure vessels:
Length of Vessel x \$172 per
metre.

";

- (vi) in item 6 by deleting "\$155" and substituting the following —

" \$160 "; and

- (vii) by inserting after item 6 (but before the note to that Part) the following item —

"

7. KALBARRI

Annual Fee: Length of Vessel x \$150
per metre.

**Annual Fee
paid monthly:** 10% of the annual fee
per month.

Monthly Fee: 12% of the annual fee.

**Daily Casual
Fee:** Length of Vessel x \$2
per metre.

";

- (b) in Part 2 by deleting "\$80" and substituting the following —

" \$82 ";

- (c) in Part 4 under the location "Carnarvon" by deleting "\$0.007" and substituting the following —

" \$0.0085 ".

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

TR304

**SHIPPING AND PILOTAGE ACT 1967
JETTIES ACT 1926
WESTERN AUSTRALIAN MARINE ACT 1982**

NAVIGABLE WATERS AMENDMENT REGULATIONS 1995

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Navigable Waters Amendment Regulations 1995*.

Commencement

2. These regulations come into operation on 1 July 1995.

Regulation 45B amended

3. Regulation 45B of the *Navigable Waters Regulations** is amended in the Table to subregulation (3) —

- (a) in item (i) by deleting "29" and substituting the following —
" 30 ";
- (b) in item (ii) by deleting "58" and substituting the following —
" 60 ";
- (c) in item (iii) by deleting "108" and substituting the following —
" 111 ";
- (d) in item (iv) by deleting "147" and substituting the following —
" 151 ".

[* Reprinted as at 17 October 1989.

For amendments to 24 May 1995 see 1994 Index to Legislation of Western Australia, Table 4, pp. 257-8.]

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

TR401

SHIPPING AND PILOTAGE (MOORING CONTROL AREAS) REGULATIONS 1983

Notice of Determination of Fees

Pursuant to the Shipping and Pilotage (Mooring Control Areas) Regulations, the Department of Transport hereby gives notice that, in respect of the mooring control areas in the waters of the State detailed in the Schedule to this notice, it has determined that as from 1 July 1995 until further notice, the fee payable for hiring a Swing Mooring Control Site shall be the amount calculated in accordance with the Schedule.

The SCHEDULE

Location	Annual Fee (for each metre or part thereof on the length of the vessel of which registration is effected)
Carnarvon Fishing Boat Harbour (Inner Harbour)	\$44
Jurien Boat Harbour (Inner Harbour)	\$44
Port Denison (Inner Harbour)	\$44
Kalbarri (Inner Harbour)	\$44
Mandurah Ocean Marina	\$22
Casuarina Boat Harbour	\$22
Annual Fee Paid Monthly	10% of the annual fee per month
Monthly Fee	12% of the annual fee per month
Daily Fee	1% of the annual fee per day

Dated this 13th day of June 1995.

STUART HICKS, Director General of Transport.

TR402

**WESTERN AUSTRALIAN MARINE ACT 1982
RESTRICTED SPEED AREAS—ALL VESSELS**Department of Transport,
Fremantle WA.

Acting pursuant to the powers conferred by section 67 of the Western Australian Marine Act 1982 the Department of Transport by this notice revokes paragraph a(1) and b 1(i) of the notice published in the *Government Gazette* of 25 October 1991 relating to the maximum speed of four and five knots upstream of the starboard hand marker approximately 100 metres upstream of Caversham House.

Providing however that such revocation shall only apply from Middle Swan Bridge to Bells Rapids and Posselts Ford to Northam Weir between the hours of 8am and 6pm on Saturday 29 and Sunday 30 July 1995 and is applicable only to those bonafide entrants of the 1995 Caltex Avon Descent participating in practice for that event and only during allocated practice times defined by the Northam Avon Descent Association in accordance with the events rules.

STUART HICKS, Director General of Transport.

TR403

**WESTERN AUSTRALIAN MARINE ACT 1982
RESTRICTED SPEED AREAS—ALL VESSELS**Department of Transport,
Fremantle WA.

Acting pursuant to the powers conferred by section 67 of the Western Australian Marine Act 1982 the Department of Transport by this notice revokes sub-paragraphs a(1), b1(i), and d(1)(iv) of the notice published in the *Government Gazette* on 25 October 1991 relating to restricted speed areas for all vessels on the Swan River.

Provided that this revocation will apply only to official bonafide competitors, competing in the 1995 Caltex Avon Descent between the hours of 1000 and 1600 on Sunday 6 August 1995 and will not apply to normal traffic.

After 1600 hours on Sunday 6 August 1995 the speed limits will be re-established in accordance with the terms of the Gazettal notice issued on 25 October 1991.

STUART HICKS, Director General of Transport.

WATERWAYS COMMISSION

WB401

WATERWAYS CONSERVATION ACT 1976

For the purpose of making an appointment to the Albany Waterways Management Authority the Lieutenant-Governor and deputy of the Governor acting pursuant to the powers conferred by sections 14 and 16 of the Waterways Conservation Act 1976 as amended and on the recommendation of the Minister for the Environment has been pleased on the 11th day of April 1995 to appoint—

Reginald Wayne Crabb as Deputy Chairman
Kevin Benson as Member

for the period ending 30 June 1998.

WB402

WATERWAYS CONSERVATION ACT 1976

For the purpose of making an appointment to the Avon River Management Authority His Excellency the Governor acting pursuant to the powers conferred by sections 14 and 16 of the Waterways Conservation Act 1976 as amended and on the recommendation of the Minister for the Environment has been pleased on 19th day of June 1995 to appoint—

Jeff Waddington as Member
Peter Armanasco as Deputy Member

for the period ending 30 June 1997, and

Darrel CH Brewin as Member
William M. Porter as Deputy Member

for the period ending 30 June 1998.

WB403**WATERWAYS CONSERVATION ACT 1976**

For the purpose of making an appointment to the Peel Inlet Management Authority His Excellency the Governor acting pursuant to the powers conferred by sections 14 and 16 of the Waterways Conservation Act 1976 as amended and on the recommendation of the Minister for the Environment has been pleased on the 19th day of June 1995 to appoint—

Michael Howard Tagliaferri as Deputy Member
for the period ending 30 June 1998.

WB404**WATERWAYS CONSERVATION ACT 1976**

For the purpose of making an appointment to the Leschenault Inlet Management Authority His Excellency the Governor acting pursuant to the powers conferred by sections 14 and 16 of the Waterways Conservation Act 1976 as amended and on the recommendation of the Minister for the Environment has been pleased on the 19th day of June 1995 to appoint—

Robert James Chandler as Member
Peter Julian Hanly as Deputy Member
for the period ending 30 June 1998.

TENDERS**ZT201**

**MAIN ROADS
WESTERNAUSTRALIA
Tenders**

Tenders are invited for the following projects.

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

Tender No.	Description	Closing Date
		1995
156/94	Installation of box culverts, Robe River, North West Coastal Highway, Carnarvon Division	July 18
22/95	Maintenance grading unsealed roads, Kalgoorlie-Meekatharra Road.	July 18
371/94	Herbicide spraying, various roads Albany Division	July 11
37/95	Provision of quality system for the Main Roads Lands & Property Branch	July 11
317/94	Mt Magnet realignment, Great Northern Highway	July 25
331/94	Load and cart pavement materials	July 11

ZT202*Acceptance of Tenders*

Contract No.	Description	Successful Tenderer	Amount
			\$
218/94	Consultancy to undertake planning study for proposed heavy haulage route, Narrogin townsite	Halpern Glick Maunsell Pty Ltd	63 470.00
262/94	Laboratory testing of soils and crushed rock for 12 month period ending April 30 1996	Barratt Fuller & Ptners Materials consultants SRC Laboratories	500 000.00

D. R. WARNER, Director, Corporate Services.

ZT301

STATE SUPPLY COMMISSION

Tenders Invited

Tenders forms and full particulars of the Schedule hereunder may be obtained on application at the State Supply Commission, 6th Floor, 441 Murray Street, Perth, 6000.

TELEPHONE No. 365 8491

FACSIMILE No. 321 7918

Date of Advertising	Schedule No.	Description	Date of Closing
1995			1995
June 23	499A1995	One (1) only Ten (10) Tonne Forward Control Tray Top Truck for the Department of Agriculture, Western Australia	July 6
June 23	236A1995	Fabrication of Customised Postural Support Seating for people with moderate to severe physical disabilities for the Disability Services Commission Pre-tender briefing to be held at Disability Services Commission, 53 Ord Street, West Perth on July 6, 1995 at 10.00 am	July 13
		<i>Request for Proposal</i>	
June 16	RFP 22/95	Provision and delivery of a Common Use FMIS (CUF) Service for various government agencies	July 13
June 23	RFP 25/95	Provision of an Integrated Approach to Application Security for the WA Department of Training's College Management Information System (CMIS) ...	July 20
		<i>Expression of Interest</i>	
June 23	EOI 24/95	Charter MV "SINA" from Stateships for the provision of a regular shipping service to the North West of WA for a six (6) month period	July 3
June 23	EOI 21/95	Produce and market Senior Cards in Western Australia on behalf of the Office of Seniors Interests	July 20
June 30	EOI 26/95	Design and Construction of an Aluminium Hull 19 Metre Maritime Studies Training Vessel on behalf of the South Metropolitan College of TAFE	July 20
		This is the first stage of a two stage process with restrictive tenders being issued to short listed respondents.	
		<i>Provision of Service</i>	
June 2	496A1995	The Development of a Mainframe Computer Application for the Community Housing Services Branch, Homeswest	June 22
June 16	181A1995	Hire of High Wing Twin Engine Aircraft (with Pilots) for Aerial Prescribed Burning Operations and other aerial work for the Department of Conservation & Land Management	July 6
June 23	347B1995	Cleaning of Geraldton Regional College of Tafe, Gascoyne Campus	July 6
June 23	237A1995	Suitably qualified Public Relations Consultant to provide a comprehensive public relations presence for the Western Australian Government in Bunbury and the South West Region	July 13
June 23	478B1995	Consultancy Service for delivery of Business Check Services to Primary Producers in the Central and Eastern Wheatbelt Region of Western Australia for the Department of Agriculture	July 20
June 30	501A1995	Mainline and Cabling Extension for the Burswood Park Board	July 20
		(Firms require experience in installation of commercial reticulation systems).	
June 30	502A1995	Consultancy Service to conduct a Review of the Government Employees Superannuation Boards Records Management Requirements and recommend appropriate solutions	July 27

Tenders addressed to the Chairman, State Supply Commission, 6th Floor, 441 Murray Street, Perth WA 6000, before 10.00 am on the nominated closing date.

Tenders must be properly endorsed on envelopes otherwise they are liable to rejection. No tender necessarily accepted.

C. LAWRENCE, Chairman, State Supply Commission.

ZT302

Accepted Tenders

Schedule No.	Particulars	Contractor	Rate
<i>Supply and Delivery</i>			
195A1995	Books and Related Items (Part A only) for the Library and Information Service of Western Australia	Various	Details on Request
255A1995	Supply, erection & removal of Temporary Seating Stands to Telstra Rally Australia, Langley Park, Perth	AKA Stage & Seating	Details on Request
<i>Provisions of Service</i>			
167A1995	Actuarial Services for the Government Employees Superannuation Board	William M. Mercer P/L	Details on Request
364A1995	Family Support Services to the Bandyup Women's Prison	Kindred Inc.	\$85 642.00
<i>Purchase and Removal</i>			
495A1995	1993 Ford Falcon Stn Wgn (7QG 036) for the Gascoyne Regional TAFE Centre	Peter David Canny	\$17 100.00

PUBLIC NOTICES

ZZ101

TRUSTEES ACT 1962

Notice to Creditors and Claimants

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 30th July 1995, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

- ALSFORD, Alice, late of Ray Lodge, Villa Maria Homes, Busselton, died 13/4/95. (DEC 283383 DL4)
- CASTLEDINE, Sadie Druscilla, also known as CASTLEDINE, Sadie Drusella, late of Victoria Park Nursing Home, 38 Alday Street, St James, died 12/4/95. (DEC 283375 DE2)
- CLARKE, Nance, late of 83 Jean Street, Hamilton Hill, died 28/5/95. (DEC 284194 DL4)
- DOWLING, Neil Anthony, late of 111 Melaleuca Close, Casuarina, died 25/3/95. (DEC 281632 DE3)
- ELLIOTT, Violet, late of Hilltop Lodge, Rowethorpe, Hillview Terrace, Bentley, died 20/5/95. (DEC 283542 DP4)
- GALLIN, Frederick Leo, late of 44 Cleaver Street, Carnarvon, died 6/6/95. (DEC 284943 DA3)
- GELDER, Hendrika, late of Amaroo Nursing Home, 60 Stalker Road, Gosnells, died 16/5/95. (DEC 284003 DG2)
- GRENFELL, Emma May, late of 447 Great Eastern Highway, Greenmount, died 24/5/95. (DEC 284178 DC2)
- GYNN, Irene Frances, late of 17 Getting Street, Lathlain, died 3/6/95. (DEC 284398 DG2)
- HILL, Lillian May, late of Cabrini Nursing Home, 111 Guildford Road, Maylands, died 5/4/95. (DEC 282872 DG4)
- HOOKER, George Clifford, late of 17 Tasman Street, Mount Hawthorn, died 27/5/95. (DEC 284193 DS2)
- HULBERT, Mildred May, late of 16 Chidley Place, Rockingham, died 4/6/95. (DEC 284700 DC4)
- LARDI, Francis Collins, late of Unit 106 Mavis Cleaver Court, Swan Cottage Homes, Wootliff Way, Bentley, died 1/6/95. (DEC 284271 DG1)
- LUHRS, Geoffrey Walter, late of Victoria Park Nursing Home, 38 Alday Street, East Victoria Park, died 23/8/94. (DEC 277482 DE2)
- MacFEE, Joan Fitzgerald, late of 56 Amethyst Crescent, Armadale, died 25/5/95. (DEC 284123 DP3)
- McALPINE, William, late of 48 Great Eastern Highway, Rivervale, died 14/5/95. (DEC 283512 DA4)
- McKINLAY, William James, late of Shoalwater Nursing Home, Fourth Avenue, Shoalwater, died 23/3/95. (DEC 283252 DA4)
- NASH, George, late of 48 Wanaping Road, Kenwick, died 27/5/95. (DEC 284175 DG4)
- NEWMAN, Norah Eleanor May, late of Embleton Nursing Home, 46 Broun Avenue, Embleton, died 4/5/95. (DEC 283301 DG4)
- OPIE, Hazel Alice, late of Joondanna Lodge, 5 Osborne Street, Joondanna, died 16/5/95. (DEC 284760 DS4)

PATRICK, William Anderson, late of 44 James Street, Bassendean, died 30/4/95. (DEC 283643 DG4)
 SAUNDERS, Gregory Fleming, late of 69 Sandpiper Loop, Yangebup, died 26/5/95. (DEC 284396 DA2)
 SPENCE, Robert John, late of 16 Omega Place, Spalding, died 28/12/94. (DEC 284086 DE3)
 TOOMEY, Amy Winifred, late of 8 Quondong Street, Nollamara, died 5/6/95. (DEC 284176 DG2)
 WARD, Francis Sinclair, late of Unit 12/63 Forrest Street, Kalgoorlie, died 3/5/95. (DEC 283173 DG4)

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

ZZ201**TRUSTEES ACT 1962**

Creditors and other persons having claim (to which section 63 of the Trustees Act 1962 relates) in respect of the undermentioned deceased persons are required to send particulars of their claims to the Executors of care of Kott Gunning, Level 11, 15-17 William Street, Perth by the 4th August 1995, after which date the Trustees may convey or distribute the assets, having regard only to the claims of which notice has been given.

Surname	Given Names	Address	Occupation	Date of Death
Sparkman	Rosaline Mackenzie	Midland Nursing Home John Street, Midland,	Home Duties	12/5/95.
Tip	Jeffrey	22 Moir Place, Midland	Mill Worker	23/4/95.

ZZ202**TRUSTEES ACT 1962**

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

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

Firth, John Edwin, late of Hillview Nursing Home, 21 Angelo Street, Armadale WA 6112, Retired Radiologist, died 23 May 1995.

Hahnel, Violet Salisbury, late of Unit 1/4 Leonora Street, Como WA 6152, Widow, died 9 June 1995.

Hennessey, Mary Ellen Elizabeth, late of 8 Camberwell Street, East Victoria Park WA 6101, Spinster, died 10 June 1995.

Hohnholt, Lois Ivy, late of 35 Dorothy Street, Gosnells WA 6110, Widow, died 6 June 1995.

Hornsby, Norma Jean, late of Salvation Army Village Nursing Home, 31 Williams Road, Nedlands WA 6009, Widow, died 10 June 1995.

Jordan, Bertha Amelia Maud, late of 7 Mitchell Street, Esperance WA 6450, Widow, died 8 June 1995.

Lucas, Doris Louise, late of Unit 83 Saint David's Nursing Home, Lawley Crescent, Mount Lawley WA 6050, Retired Telephonist, died 19 June 1995.

Merryweather, Peter Roy, late of Unit 11/10 Timbercrest Rise, Woodvale WA 6026, Retired Pharmacist, died 8 June 1995.

Nicholson, Irene Catherine Isedo, late of Sandstrom Nursing Home, 44 Whatley Crescent, Mt Lawley WA 6050, Married Woman, died 9 June 1995.

Phillips, Gladys Celine, late of 8 Lyons Street, Rivervale WA 6103, Widow, died 29 May 1995.

Potter, Joseph William Kemp, late of 173 Gloster Street, Subiaco WA 6008, Retired Engineer, died 1 June 1995.

Sumner, Anne, late of 19 Nye Way, Orelia WA 6167, Widow, died 26 May 1995.

Treloar, William George, late of Unit 88 St Louis Estate, 4 Albert Street, Claremont WA 6010, Retired Account, died 10 June 1995.

Tupper, Kathleen, late of Hollywood Village Nursing Home, 31 Williams Road, Nedlands WA 6009, Spinster, died 3 June 1995.

Dated this 28th day of June 1995.

D. R. CLARK, Divisional Manager—Trustee & Financial Services.

ZZ301

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

To the Court of Petty Sessions at Fremantle.

I Rodney Wayne Gryljusich of 1/1 Wardie Street, South Fremantle, Phone Number—H 335 4737, W 018 942 723, Insurance Investigator having attained the age of twenty-one years, hereby apply on my own behalf for a licence under the abovementioned Act. The principal place of business will be at 1/1 Wardie Street, South Fremantle 6162.

Dated the 4th day of May 1995.

R. GRLJUSICH, Signature of Applicant.

—
 Appointment of Hearing

I hereby appoint the 4th day of August 1995 at 10.00 o'clock in the forenoon as the time for the hearing of the foregoing application at the Court of Petty Sessions at Fremantle.

Dated the 23rd day of June 1995.

P. J. DAMA, Clerk of Petty Sessions.

—

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



STATE LAW PUBLISHER

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General correspondence and payments should be addressed to State Law Publisher, 10 William Street, Perth 6000.

The previous location at Station Street, Wembley, will cease to operate from that date.

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This program is managed by Parliamentary Counsel's Office.

A standing order for either Acts or Regulations may be placed with State Law Publisher for all Reprints that become available.

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If a customer wishes to be placed on either or both mailing lists, send written notification to:

Manager, State Law Publisher
22 Station Street
Wembley 6014

Statutes

These Statutes are in the process of being reprinted and should be available during this year.

Road Traffic Act 1974

Child Welfare Act 1947

Justices Act 1902

Stock Brands and Movement Act 1970

Energy Corporations (Power) Act 1979

(formerly State Energy Commission Act 1979)

Regulations

These Regulations are in the process of being reprinted and should be available during the year.

Fremantle Port Authority Regulations 1971

Hospitals (Services Charges) Regulations 1984 (available)

Radiation Safety (General) Regulations 1983 (available)

Workers' Compensation and Rehabilitation Regulations 1982 (available)

Occupational Health, Safety and Welfare Regulations 1988 (available)

Supreme Court Rules 1971 (available)

Road Traffic Code 1975

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