



Government Gazette

OF

WESTERN AUSTRALIA

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No. 64]

PERTH: FRIDAY, 16 SEPTEMBER

[1983

Cemeteries Act.

Carbunup Cemetery.

Shire of Busselton.

PROCLAMATION

WESTERN AUSTRALIA, } By His Excellency Rear-Admiral Sir Richard John
 To Wit: } Trowbridge, Knight Commander of the Royal
 RICHARD } Victorian Order, Knight of Grace of the Most
 TROWBRIDGE, } Venerable Order of the Hospital of St. John of
 Governor, } Jerusalem, Governor in and over the State of
 I.L.S.J. } Western Australia and its Dependencies in the
 } Commonwealth of Australia.

LG: 54/61.

WHEREAS by the provisions of the Cemeteries Act, the Governor is empowered, by Proclamation published in the *Government Gazette*, to declare any public cemetery to be closed for burials: Now therefore I, the Governor with the advice and consent of the Executive Council, do by this Proclamation declare that Carbunup Reserve 19380 in the Carbunup River Townsite and being a public cemetery shall be closed for burials.

Given under my hand and the Public Seal of the said State, at Perth this 13th day of September 1983.

By His Excellency's Command,

JEFF CARR,

Minister for Local Government.

GOD SAVE THE QUEEN ! ! !

AT a meeting of the Executive Council held in the Executive Council Chambers at Perth the 30th day of August, 1983, the following Order in Council was authorised to be issued:

Child Welfare Act 1947-1982.

ORDER IN COUNCIL.

WHEREAS by section 19 (2) (a) of the Child Welfare Act 1947-1982, it is provided that the Governor may appoint such persons, male or female, as he may think fit, to be members of any particular Children's Court and may determine the respective seniorities of such members: Now, therefore, His Excellency the Governor by and with the advice and consent of the Executive Council doth hereby appoint Donald Roderick Bellairs as a Member of the Children's Court at Kalbarri.

J. E. A. PRITCHARD,
 Clerk of the Council.

Crown Law Department,

Perth, 16 September 1983.

IT is hereby notified for public information that His Excellency the Governor in Executive Council has:—

Approved of the following appointments to the Commission of the Peace for the State of Western Australia.

John Henry Crowe, of 712 Yiluk Street, Tom Price and Hamersley Iron Pty. Ltd, Tom Price.

John Michael Harcombe of House 31, Koolan Island and B.H.P. Minerals W.A., Koolan Island.

Dorothy Jupp of 37 McPherson Street, Cooke Point, Port Hedland and Shop 8, Hedland Arcade, Port Hedland.

Frederick William Kinch of 181 Cassia Street, Tom Price and Hamersley Iron Pty. Ltd., Tom Price.

Joan Anne Cecilia Lever of 65 Bohemia Street, Marble Bar.

Matthew John Tate of 206 Cooper Street, Eneabba and Allied Eneabba Ltd., Eneabba.

Alexander Donald Taylor of 7 Lentona Road, Alfred Cove and Parliament House, Harvest Terrace, Perth.

R. M. CHRISTIE,
 Under Secretary for Law.

CORRIGENDUM.

JUSTICES ACT 1902-1982.

Crown Law Department,

Perth, 16 September 1983.

REFERENCE publication in the *Government Gazette* No. 60/83 dated, 26 August 1983, p. 3129 in the list of persons appointed as *Ex Officio* Justices of the Peace, for the Geraldton Magisterial District for Terrance Langley Reading read Terence Langley Reading.

R. M. CHRISTIE,
 Under Secretary for Law.

SUPREME COURT ACT 1935-1982.

SUPREME COURT VACATIONS ORDER 1983.

MADE by His Excellency the Governor in Executive Council under section 44 on the recommendation of the Judges of the Supreme Court.

- Citation. 1. This Order may be cited as the Supreme Court Vacations Order 1983.
- Commencement. 2. This Order shall come into operation on the day on which notice of this Order is published in the *Government Gazette*.
- Supreme Court Vacations. 3. Until further order is made—
- (a) the Summer Vacation of the Court shall commence on 24 December and terminate on the second Monday in the January next following;
 - (b) the Easter Vacation of the Court shall commence on Good Friday and terminate on the Easter Tuesday, following; and
 - (c) the Winter Vacation of the Court shall commence on a day in June, July or August fixed by Rules of Court, from year to year, and terminate on a day, fourteen days after the day so fixed.

By His Excellency's Command,

J. E. A. PRITCHARD,
Clerk of the Council.

HEALTH ACT 1911 (AS AMENDED).

Public Health Department,
Perth, 5 September 1983.

P.H.D. 1075/58.

THE appointment of Dr. W. S. C. Chow as Medical Officer of Health to the Shire of Tambellup is approved.

The cancellation of the appointment of Dr. A. R. Winrow as Medical Officer of Health to the Shire of Tambellup is hereby notified.

J. C. McNULTY,
Commissioner of Public Health.

HEALTH ACT 1911 (AS AMENDED).

Public Health Department,
Perth, 12 September 1983.

P.H.D. 269/62.

THE appointment of Mr. P. Oorjitham as a Health Surveyor to the City of Fremantle is approved.

J. C. McNULTY,
Commissioner of Public Health.

HEALTH ACT 1911 (AS AMENDED).

Public Health Department,
Perth, 12 September 1983.

P.H.D. 712/59.

THE appointment of Mr. G. P. Brennan as Health Surveyor to the Town of East Fremantle is approved.

J. C. McNULTY,
Commissioner of Public Health.

POLICE ACT 1892-1981.

THE following unclaimed stolen and found property will be sold by public auction at the Property Tracing Section, Police Complex Clarkson Road, Maylands, on Tuesday, 4 October 1983 at 9.00 a.m.

CONDITIONS OF SALE.

1. The highest bidder shall be the purchaser.
2. The Vendor shall have the right to bid by the Auctioneer or the Vendor's Agent for any lot offered.

3. The Auctioneer may, without giving any reason, therefore, refuse to accept the bid of any person or persons and may decline the offer for any lot or withdraw any lot or lots from the sale.
4. Should any dispute arise as to any bid, the relevant lot or lots may at the option of the Auctioneer be put up again and resold.
5. No allowance or refunds will be made nor will any buyer be permitted to reject any lot on the ground that it is not correctly described in the Catalogue; the said lots are to be taken with all faults (if any) and will be at the Buyer's risk on the fall of the hammer.
6. All goods which have been paid for in full must be removed by the purchaser at the purchaser's expense by the close of the sale.
7. Time shall be the essence of the sale of any lot.
8. Whilst every care has been taken in the compilation of this Catalogue and Auctioneers and/or Vendors accept NO RESPONSIBILITY for any misdescription and make no warranty whatsoever. Measurements and quantities shown are approximate and intended only as a guide to prospective purchasers.
9. Payment strictly on fall of hammer.
10. All intending purchasers must register their name and address with the clerk prior to the sale commencing. No bids will be accepted from persons who are not registered. Bidding will only be by the numbers issued.

Lot; Particulars.

- 1—Leyland Marina Sedan Accident Damage.
- 2—Ford Falcon Sedan XW.
- 3—Valiant Sedan Burnt.
- 4—Honda 50cc Motor Cycle.
- 5—Yamaha 125cc Motor Cycle.
- 6—Honda Motorsport Trail Motor Cycle 250cc.

Bicycles.

- 7—Gents Gordonson 27" damaged, Girls frame 20", Gents Merida 27" frame and parts, Boys frame 30", Boys frame 20" and wheel, Boys frame 20" and 2 wheels, Gents 27" damaged, Wheel 27", 2 wheels 27", Gents frame 27", Ladies 27" damaged.
- 8—Boys Aussie oddball.
- 9—Boys Merida 20" BMX type.
- 10—Boys, Malvern Star 20".
- 11—Gents Indi 500 27" 10 speed.
- 12—Gents Malvern Star 27" 10 speed.
- 13—Boys Malvern Star BMX 20".

- 14—Boys Indi 500 Odd Wheels.
 15—Gents Kabuki 27" 10 speed.
 16—Gents Cyclops 27" 10 speed and spare wheel.
 17—Gents Aussie 27" 10 speed.
 18—Boys Dragster 20".
 19—Gents Gordonson 27" 10 speed damaged.
 20—Girls 20".
 21—Boys Cyclops 20".
 22—Gents Monarch Star 27" 5 speed No seat or pedals.
 23—Gents Ricardo 27" 5 speed.
 24—Boys Dragster 20".
 25—Boys BMX Type 20".
 26—Boys Dragster 20".
 27—Boys BMX Type 20".
 28—Boys 20".
 29—Gents Malvern Star 27" 3 speed.
 30—Boys BMX 20".
 31—Gents Indi 500 27" 10 speed damaged.
 32—Girls Scrambler 20".
 33—Gents Grand Prix Blue Bird Odd wheels 27" frame.
 34—Boys Malvern Star 20" 5 speed.
 35—Gents Malvern Star 27" 10 speed.
 36—Boys BMX type 20".
 37—Boys BMX type 20".
 38—Gents Aussie 27" 10 speed.
 39—Gents CBC 27" 10 speed damaged.
 40—Boys BMX type 20" damaged.
 41—Boys Road King 20" damaged.
 42—Girls Family 22" 3 speed.
 43—Boys Oddball.
 44—Gents Raleigh 27" 10 speed.
 45—Boys BMX type 20".
 46—Boys Malvern Star 20" 3 speed.
 47—Girls Indi 500 20".
 48—Girls Merida 20".
 49—Boys BMX type 20".
 50—Gents Blue Bird 27" 10 speed.
 51—Boys Dragster 20".
 52—Boys BMX type 20".
 53—Boys Space Ranger 20" Damaged.
 54—Girls Thunderbolt 20" damaged.
 55—Girls Thunderbolt 20".
 56—Gents Malvern Star 27" 5 speed.
 57—Girls Thunderbolt 20" 3 speed.
 58—Boys BMX type 20".
 59—Girls Aussie 20".
 60—Boys Dragster 20".
 61—Boys Dragster 20".
 62—Girls Speedlife 20".
 63—Gents 26".
 64—Girls Aussie 20".
 65—Boys Road King 20" 3 speed.
 66—Boys BMX Type 20" damaged.
 67—Gents Malvern Star 27" 10 speed.
 68—Gents 24" 10 speed.
 69—Girls 20" damaged.
 70—Girls Speedwell 22" 3 speed.
 71—Gents 26".
 72—Girls 20".
 73—Gents 28".
 74—Gents 28".
 75—Boys BMX Type 20".
 76—Girls Malvern Star 20".
 77—Boys 20".
 78—Gents Indi 500 27" 10 speed.
 79—Girls Free Spirit 20".
 80—Gents Indi 500 27".
 81—Gents Blue Bird 27" 10 speed.
 82—Boys Dragster Odd wheels damaged.
 83—Gents 27" 5 speed damaged.
 84—Girls Aussie 22".
 85—Gents 27" 10 speed.
 86—Girls Jaguar 20".
 87—Boys BMX type 20".
 88—Boys Malvern Star 20".
 89—Gents 27" 10 speed damaged.
 90—Gents Aussie 26" 3 speed.
 91—Boys BMX type 20".
 92—Boys Cyclops 20".
 93—Boys Cyclops BMX type 20".
 94—Gents Gordonson 27" 10 speed.
 95—Girls Thunderbolt 20" 3 speed.
 96—Boys 20".
 97—Boys Dragster 20".
 98—Boys Dragster 20".
 99—Boys Road King 16".
 100—Boys Dragstar 20".
 101—Girls Gordonson 27" 3 speed.
 102—Boys BMX type 20".
 103—Girls Malvern Star 20".
 104—Boys Dragster 20" Damaged.
 105—Gents 27" damaged.
 106—Ladies Peugeot 27" 5 speed.
 107—Gents Aussie 24" 10 speed.
 108—Girls Malvern Star 26" solid tyres.
 109—Gents Malvern Star 27" 10 speed.
 110—Boys BMX type 20".
 111—Boys Dragster 20".
 112—Boys Dragster 20".
 113—Gents Indi 500 27" 10 speed.
 114—Gents Grand Prix 27" 10 speed.
 115—Ladies Malvern Star 27" Frame and parts.
 116—Gents Indi 500 27" 10 speed.
 117—Boys BMX type 20".
 118—Gents Gitane 24" 10 speed.
 119—Boys Dragster 20".
 120—Gents Malvern Star 27" Odd Wheels.
 121—Boys BMX type 20".
 122—Boys Dragster 20".
 123—Ladies 28".
 124—Gents 27" 3 speed.
 125—Boys Indi 500 frame and parts.
 126—Boys Road King 20".
 127—Gents Aussie 26" 10 speed.
 128—Gents Oxford 26".
 129—Boys Dragster 20".
 130—Boys Dragster 20".
 131—Girls Thunderbolt 20".
 132—Ladies 26".
 133—Convertible 16".
 134—Convertible Thunderbolt 20" 3 speed.
 135—Boys BMX Type 20".
 136—Ladies Indi 500 27" 10 speed.
 137—Gents 27" 5 speed.
 138—Gents 28".
 139—Trike damaged (childs).
 140—Trike (Childs).
 141—Childs Malvern Star 12".
 142—Aro High Pressure pump and attachments, Caterpillar service tool.
 143—Aro High Pressure pump and attachments, Caterpillar Service tool.
 144—Aro High Pressure pump and attachments and spare parts.
 145—Aro High Pressure Pump and attachments and spare parts.
 146—Porta Power and attachments.
 147—Table top soccer game damaged.
 148—Wheelchair old type.
 149—Wheel rim, jerry can, and hose, Wheel rim 14" fitted with worn tyre, 1 roof bar, Jerry can and piece hose.
 150—Tarpaulin canvas approximately 17' square used.
 151—Tarpaulin plastic approximately 15' square, fair condition.
 152—Car cover nylon type, car battery, 3 jerry cans.
 153—Chrome towball, Pair stillsons, metal tool box, knife, plastic bucket, piece hose, gympie hammer, screwdriver, knife, 37 car badges, pair bolt cutters, wheel brace, Sealing gun and used cartridge, tyre lever, wire cutters, hacksaw and blade, 6' crow bar.
 154—Fishing tackle box and tackle, 7' Jarvis Walker boat fishing rod, 2 Penn Fishing reels, Senator.
 155—Torch, hammer, 2 lengths rope, 2 cycle mudguards, wheel brace, bar, small tent, car pump, hammer, sonic, converter, loud speaker, dwell tachometer, 5 gaskets, 2 aerials, parts to B & D saw, 6 items spanners.
 156—Car rear window louvre, car rear window louvre LH Torana, car rear window louvre XA XB 4 door Ford, car rear window louvre.
 157—Garden ornamental lion, garden pot, hanging basket, plastic dish, pair gloves, 3 packets cigarettes.
 158—Large toy dog.
 159—Framed print picture framed print picture.
 160—Jerry can, 1 gallon container jerry can, 2 plastic containers, piece hose, 2 plastic containers, piece hose, 9 car badges, 20 car badges, 2 items clothing.

- 161—Attache case damaged, cricket bat, 3 knives, jemmy bar, tomahawk, piece pipe, pair pliers, torch, hammer, piece rope, pair soccer boots size 8½, gents jacket, jacket, 3 items tools, tool bag, damaged torch, pair socks, knife, chisel, 2 screw-drivers, file, pair spectacles, pair boots, jacket.
- 162—3 motor cycle helmets, 2 shirts.
- 163—RATRA bench grinder.
- 164—Drum containing approximately 15 litres petrol, piece hose, 1.8 tonne hydraulic car jack, 2 fuel filters and clips, socket extension bar, cash register tray, pair jeans, 12 items used clothing.
- 165—2 pairs bolt cutters, pair tin snips, pair stillsons, tape measure, 3 items tools, hammer.
- 166—Suitcase, hair brush, purse, 3 items clothing, wallet, 3 car badges, wallet, packet cigarettes, 9 packets chewing gum, cross-bow arrow, purse, purse, belt, torch battery, file, grater, Elasto-plast, purse, 3 pairs briefs, 4 purses, wallet, 5 dress belts, head band, fibre necklace, 10 hair combs and slides, wallet, handbag, 2 pairs sneakers, bag, brush, 4 items clothing.
- 167—1 pair motor cycle boots size 6, 2 odd boots 7 and 8, 2 motor cycle helmets.
- 168—Vulcan Viva fan heater, Sanyo vacuum cleaner.
- 169—2 Chrysler master cylinder kits, length car body moulding.
- 170—18 part containers of G J work kits, 1 part O ring kit, 1 O ring splicing kit, 2 insulator crimp boxes and various parts, box allen screws, Mallory distributor, 5 part coils electrical wire, 18 vehicle tail light globes, 4 part bottles loctite, 4 roller bearings.
- 171—Heine medical torch, blood pressure instrument, blood pressure instrument.
- 172—Sidchrome 3/4" drive socket set.
- 173—20 pieces socket in metal case, metal tool box, bicycle tube, screwdriver, roll tape, BMX mouth-guard, locktags, cycle repair kit, 2 BMX protectors, bicycle tool kit.
- 174—24 piece socket set in metal case.
- 175—Metal tool box containing carpentry tools, pocket-knife.
- 176—3 soft material dolls, steering wheel cover, 2 spanners, car jack in cover, 2 P plates, piece electrical cord, small case, 2 seat covers, oil can, Aurotone car radio, screw driver, tape measure, pair gloves, small plastic wheel, 4 used stamps, section fishing rod, 6 items used clothing, shoulder bag, sleeping bag, 9 cassette tapes, 2 cassette cases, damaged screwdriver, pocket-knife, back pack.
- 177—Black and Decker 3/8 2 speed drill, extension cord, Wagner spray gun, Audiosonic clock radio, trouble light and lead, length of rope, 3 pairs gloves.
- 178—24 piece socket set in metal case, screwdriver, handsaw, small part roll wire, garden trowel, small quantity steel wool, knife, mallet, masking tape, lever, chisel, bag, wheel brace.
- 179—Wooden folding chessboard and 28 pieces, wooden mantel clock—not working, 2 binocular cases, plate and knife set, barometer, Sunbeam electric shaver, damaged piggy bank, cosmetic kit, 3 purses, 2 pairs small scissors, 2 manicure items, bow tie, sewing basket, wooden frame.
- 180—2 seat covers damaged, street directory, 24 items clothing, 2 pewter mugs, 18 bars soap, 5 pieces crystal type, some damaged, 2 metal containers, w/m container, glass bowl, small ornamental kettle, container of tea, hand fan, part container, Avon cream, candle holder, Avon cologne, w/m bowl, small white plate and stand, ink bottle, pair pliers, awl, allen key, box small animals and figures.
- 181—Hotlite wet suit, jacket, carry bag, torch, pair pliers, 2 pairs jogging shoes sizes 5 and 6, 4 egg cups, set of six drink coasters, portalock, 46 jewellery containers.
- 182—Speaker, aerial, cosmetic bag and used cosmetics, piggy bank, pair pliers, jacket, car badge, pair overalls, bag, 2 torches, 3 items tools, sheep-skin jacket.
- 183—Litre bottle oil, battery fluoro lamp damaged, pair thongs, pair shoes, wallet, pair boots, 4 pairs shoes, 4 bags.
- 184—Large sea-shell, jewellery box, plastic table cloth, shawl, small blanket, 3 tea towels, 4 pillow slips, sheet, pair gents underwear, table cloth, bag, bag, 4 small sets of wood carvings, disc of W.A., purse, 22 cents stamp, blouse, jug shaped vase, purse, 5 pens, marking pen, pocket knife, comb, brush, 2 pairs sunglasses, 11 packets soap, packet cigarette papers, antiperspirant spray, 82 coffee sachets.
- 185—3 lengths fishing net approximately, 20 metres, 12 metres and 12 metres.
- 186—Hydraulic pallet truck—reduced in length.
- 187F—Television antenna damaged, 10' length aluminium mast.
- 188F—650 x 13 tyre fitted to rim, 165 x 10 tyre fitted to mag rim, jerry can, short length hose, plastic container and hose.
- 189F—2 x 20 litre drums and approximately 8 litres petrol, plastic bucket, cement trowel and float, 2 metal letter boxes, torch, 2 part packets cigarettes, 2 cigarette lighters, packet matches, pair jeans, wallet, key case, child's jumper and badge, wallet, spectacles in case, garden pot.
- 190F—Chrome roof rack, Car rear window louvre.
- 191F—Motor cycle helmet, motor cycle helmet, poncho rug, jacket.
- 192F—Yamaha 6 string guitar, 2 tennis racquets and clamps.
- 193F—Carry bag, rain coat, money belt, 3 pairs, trousers, 2 belts, beanie, pipe, nail clippers, compass, polish brush, 2 part packets cigarettes, face cloth, shoe laces, pair socks, 3 map books, vinyl folder, toy kangaroo, 13 post cards, dress, piece material, packet cigarettes, pair gloves, cardigan.
- 194F—Cigarette lighter, wallet, photo wallet, purse, Glomesh purse, Glomesh purse, cloth purse, cloth purse, purse, Antistatic pistol, wallet, wallet, pair spectacles, pair spectacles, pair spectacles, wallet, wallet, metal key holder, wallet, pocket knife, tweezers, key holder, handbag.
- 195F—3 purses, umbrella, sunglasses, 2 windcheaters, wallet, Casio calculator, Jacket, brush, bag, umbrella, pair socks, cardigan, suntan lotion, Jacket, note book, pencil, box matches, 2 packets tobacco, bag, 4 cosmetic items, hair brush.
- 196F—Carry bag, electrical appliance lead, ash tray, 3 items tools, 3 sockets, handbag, purse, purse, wallet, purse, torch, key holder, wallet, purse-wallet Glomesh, pair spectacles and case, purse, key tag, pen, handkerchief, cigarette lighter, key holder, horses head gear.
- 197F—2 pairs shoes, 1 pair boots, towel, 18 items clothing, 5 handkerchiefs, bag, wire cutters, (all used).
- 198F—Bag, 2 plastic containers, knife, aluminium pot, handbag, 11 items used cosmetics, bag, plastic dish, blouse, handbag, spectacles and case, sunglasses, 2 key tags, 3 handkerchiefs, Stethoscope.
- 199F—Umbrella, cross bow arrow, bag, wallet, purse, key tag, lipstick, lighter, knife, purse, wallet, wallet, spectacles and case, carry bag, 9 items clothing, pencil case, 4 spectacles, sunglasses, 4 purses, bag.
- 200F—purse-wallet, dress, cardigan, handbag, comb, pencil, key tag, spectacles, wallet, purse, shoulder bag, purse, 5 items used cosmetics, brush, bag, 9 items used clothing.
- 201F—Two bags babies napkins, 1 jacket, wallet, purse, purse, purse, purse, purse, wallet, knife, Oval plate.
- 202F—Wallet, purse, wallet, keyring, purse, purse, purse, purse, purse, purse, purse, purse, key tag, handbag, metal container, key tag, hair clip, handbag, purse, shoe horn, 9 items used cosmetics.
- 203F—6 pairs child's used shoes, 1 pair thongs, broken kitchen drawer, dictionary, 4 books, toilet roll and holder, mirror, purse, 4 wooden containers, tea pot stand, bicycle chain and lock, 2 electrical appliance leads, compass set, 3 saucepans, teapot, 2 light shades, water cooler, 7 kitchen utensils, 4 knives, L plate, 2 goblets, metal vase, lid, 8 glasses.
- 204F—Pocket transistor radio Philips, Pax Junior camera.

- 205F—Zenith Tempest binoculars 10 x 50 and case, Kodak Instamatic camera.
- 206F—Canon lens case, Wattmaster Cassette recorder damaged, Retina camera.
- 207F—Yashica camera and case, Kodak Instamatic camera in Canon case.
- 208F—Pye mantel radio—old type. Konica camera 35 mm.
- 209—Sanyo Betacord video, Sanyo Betacord video cassette tape, Antenna plug, electrical lead.
- 210—National Ranger portable television working order, damage to case.
- 211—Sanyo 4 band radio cassette player.
- 212—AWA portable television damaged, Canon 35 mm camera and case.
- 213—Sanyo cassette radio player damaged, Pioneer car radio cassette player, 2 Philips car speakers, Cassette case, 8 cassette tapes.
- 214—Sanyo 4 band radio cassette player, 11 cassette tapes.
- 215—Chimon C x 11 camera and case, pocket calculator, 4 cassette tapes.
- 216—Tempest radio cassette player, 54 cassette tapes, 2 chrome wheel nuts.
- 217—Pentax binoculars 7 x 50, Sharp pocket calculator, cash tin, Kodak instamatic camera.
- 218—Yashica T L Electro camera, Kodak camera.
- 219—Wattmaster car cassette player and 2 speakers, AWA equalizer.
- 220—Tram CB radio and handpiece, Hanimex Safety Eye detector.
- 221—Philips radio cassette player damaged, Pioneer 8 track car cassette player.
- 222—Davis car radio, 2 Skyfon trancivers, Hanimex calculator, 2 pairs cufflinks, 2 Ferris car speakers.
- 223—Pye cassette radio player, 7 cassette tapes, 15 cassette tapes, 2 bags.
- 224—National tape recorder reel to reel in case and 3 tapes, microphone.
- 225—Sharp radio cassette player damaged, Apollo CB radio and handpiece, Sanyo car speaker.
- 226—Pye digital clock radio, Agfa Photographic splicing machine F 8S auto Rollei 35 mm camera.
- 227—Car radio damaged, 35 cassette tapes, 2 cassette cases, National pocket radio, pipe, jumper.
- 228—Silver radio cassette player damaged, Polaroid Auto 320 camera.
- 229—2 car speakers, 5 cassette tapes, 2 cassette tapes, 1 cassette cover, Philips transistor radio.
- 230—Sony cassette deck damaged, 14 cassette tapes.
- 231—National radio cassette player damaged, Minolta Himatic 9 camera.
- 232—Sharp GF 6060 radio cassette player, cassette case, 33 cassette tapes.
- 233—2 Ferris car speakers F 6000, Pioneer amplifier, Pioneer car cassette player, cassette case, 12 cassette tapes.
- 234—4 Pioneer car speakers, Roadstar car cassette player, Cassette case, 24 cassette tapes.
- 235—Camera tripod Diamond, Canon movie camera auto zoom, Kodak camera EK 6, Realtone calculator.
- 236—2 pieces sheep skin, Cassette case, 40 cassette tapes.
- 237F—Stromberg Carlson television 25" B & W.
- 238F—Astor television 25" B & W.
- 239F—3 bottles Kalgoorlie K stout, 9 stubbies beer, 1 bottle vodka.
- 240—45 bottles Soda water 285 ml, 1 bottle Brandivino.
- 241—8 packets cigarettes, 2 packets tobacco, 3 packets cigarettes.
- 242F—Bracelet, y/m chain bracelet, y/m child's bangle, w/m identity bracelet, y/m chain bracelet, pair w/m ear rings, 1 y/m cuff link with blue stone, w/m watch pen.
- 243F—y/m bracelet, w/m identity bracelet, y/m chain bracelet, w/m bangle, w/m bracelet, w/m pen.
- 244F—y/m Parker pen, w/m Dorley w/w, y/m ring, w/m ear ring, w/m ear ring, w/m brooch, w/m pen, 2 ear rings damaged, y/m brooch with four white stones, w/m Citron gents w/w.
- 245F—y/m chain and pendant, w/m neck chain, w/m pen.
- 246F—4 pens.
- 247F—4 pens.
- 248F—w/m ring with small white stones, y/m ladies Seiko w/w.
- 249F—w/m ring with blue stone surrounded by small white stones, y/m ladies Omega w/w damaged.
- 250F—y/m ring with white stone, y/m ladies Hansa w/w.
- 251F—y/m ring with white stones, y/m ladies Pulsar digital w/w.
- 252F—w/m ring, w/m ladies Citizen w/w.
- 253F—w/m gents Citizen w/w, pencil, w/m ring with blue stone.
- 254F—w/m gents digital Citizen w/w damaged, w/m gents Timex w/w, y/m ladies Citizen w/w.
- 255F—w/m gents Isatron digital w/w, w/m ladies Sonora digital w/w.
- 256F—y/m gents digital Seiko w/w, w/m ladies Seiko w/w.
- 257F—w/m ladies digital Pioneer w/w, y/m ladies Felicia w/w.
- 258F—y/m gents Cyryn w/w, y/m ladies Omicar w/w.
- 259F—Gents digital Casio w/w, w/m gents digital Medix w/w.
- 260F—w/m gents digital Kessel w/w, w/m gents digital Sonora w/w.
- 261—1 x NSW twenty shillings stamp, 1 x Queensland two shillings stamp, 1 x South Australian two shillings stamp.
- 262—1 x Florin coin, 1 x English half crown coin, 15 x one shilling coins, 24 x six penny coins, 20 x three penny coins.
- 263—26 foreign coins, w/m gents Olymp digital w/w.
- 264—2 pens, w/m ladies Felicia w/w, y/m ladies Citron w/w, watch case, neck chain and polished stones, key ring, pair cufflinks.
- 265—4 w/m rings with red stones, Pair w/m earrings with blue stones, 5 w/m bird pendants, w/m brooch with blue stone.
- 266—w/m ring with small red stone, w/m ring with blue and brown stones, w/m winged pendant, w/m ring with dark blue stone, 4 w/m rings with white stones, 2 odd earrings.
- 267—2 w/m rings with blue stones, 4 w/m rings, turtle pendant, blue stone.
- 268—w/m ring with brown stone, 6 w/m rings, 3 w/m pendants.
- 269—y/m ring with 11 white stones, y/m ring with 5 white stones.
- 270—2 w/m rings, pair y/m earrings with blue stones, w/m gents Tissot w/w, 1 x 50 pence coin, 1 x Churchill coin, 3 x w/m pendants, w/m chain.
- 271—w/m gents digital w/w, w/m gents Soncar w/w.
- 272—Gents Casio digital w/w, cigarette lighter, pen.
- 273—4 plastic bangles, 2 pairs earrings, y/m pendant, 2 rings, w/m bangle.
- 274—7 w/m bracelets, 2 w/m chains, w/m identity bracelet.
- 275—Pen, pen, y/m chain, w/m chain and pendant, y/m gents Casio digital w/w.
- 276—8 various bead necklaces, w/m bangle.
- 277—3 string beads, 4 pairs earrings, 7 odd earrings, w/m bangle with blue stone.
- 278—6 w/m bangles, 3 plastic bangles, leather bangle, green pendant, ivory type tusk, y/m ring, 2 w/m rings, w/m ingot.
- 279—chain bracelet, 2 brooches, w/m ring, 5 earrings, pendant, stone, w/m boys Pomar w/w.
- 280—y/m gents Timex digital w/w, 2 gents digital w/w.
- 281—13 one shilling coins, 21 six penny coins, 57 three penny coins.
- 282—23 small white stones possibly diamonds, 22 small stones possibly paste diamonds.
- 283—20 foreign notes, 181 half-pennies, 595 pennies, 42 foreign coins, 1 medallion.
- 284—5 w/m brooches, 1 w/m brooch with matching earrings.
- 285—7 pearl type necklaces.
- 286—8 various pearl type necklaces and beads.
- 287—9 w/m bangles and bracelets.
- 288—1 pocket watch damaged, y/m gents Eternar w/w, y/m ladies w/w damaged, w/m ladies Seiko w/w, 2 watch parts.
- 289—1 pocket watch Westclox, w/m ladies Benrus w/w, w/m boys w/w, w/m ladies Movex w/w, w/m ladies Timex w/w, 4 watch parts.
- 290—Coronation medal 22 June 1911, 10 w/m rings, 1 damaged w/m ring.
- 291—10 y/m brooches.
- 292—9 y/m chains, y/m bracelet.
- 293—19 various lengths w/m chains.

- 294—w/m chain, y/m chain, 6 watch faces and parts.
 295—8 bead necklaces and odd beads.
 296—10 y/m brooches and lockets.
 297—6 pens.
 298—6 pens.
 299—11 w/m spoons and utensils.
 300—8 tie pins and odd parts.
 301—3 y/m bangles, 5 y/m odd earrings.
 302—y/m ring with amber stone, 2 y/m chains and pendants.
 303—14 y/m rings in various conditions.
 304—14 y/m rings in various conditions.
 305—4 y/m chains, bracelet, necklace.
 306—32 y/m cufflinks and studs, some odd parts.
 307—Bracelet with blue stones, 60 oddments and broken parts of jewellery.
 308—2 candle sticks, ornamental dog, 3 w/m napkin rings, 3 charms, various oddments, w/m tray, container of collar studs, 2 w/m crosses, y/m scarf clasp, ornamental spoon, piece pyrite, 2 key rings, brooch, bell, w/m chain, ornamental metal egg.

ERRATUM.

WESTERN AUSTRALIAN MARINE ACT 1982.

WHEREAS an error occurred in the notice published under the above heading on page 3130 of *Government Gazette* No. 60 dated 26 August 1983 it is corrected as follows.

The name "Hayden Leslie Smith" should read "Haydn Leslie Smith".

FREMANTLE PORT AUTHORITY ACT 1902-1979.

Application For Lease.

IN accordance with the provisions of section 27 (4) of the Fremantle Port Authority Act 1902-1979, Fremantle Port Authority of 1 Cliff Street, Fremantle, advertises that application has been received from Mobil Oil Australia Limited of 191 St. George's Terrace, Perth for a lease of all that piece of land delineated as Lot 42C being land vested in the Fremantle Port Authority for a term exceeding three years for the purpose of receiving and storing oil in bulk and containers and blending such oils with other oils and additives and of disposing of the same including vehicle servicing and operations associated or connected with shipping.

Dated this 9th day of September, 1983.

W. E. WILLIS,
Secretary, Fremantle Port Authority.

PORT HEDLAND PORT AUTHORITY ACT 1970.

APPLICATIONS are invited in accordance with the provisions of section 25 of the above Act for the lease of part Reserve 29082 comprising an area for the storage of barite in bulk within the Port Reserve. Address replies to the General Manager, Port Hedland Port Authority, Post Office Box 2, Port Hedland.

PARKER & PARKER,
140 St. George's Terrace, Perth,
Solicitors to the Port Hedland
Port Authority.

FISHERIES ACT 1905.

PART IIIB—Processing Licenses.

F. and W. 665/83.

THE public is hereby notified that I have issued a permit to J. J. and J. O. Drinan, 42 Samson Street, Mosman Park, to establish a processing establishment to process fish in pursuance of the provisions of section 35C of the Fisheries Act 1905, on board licensed fishing boat "Harmony", registered number LFB F750, subject to the following conditions.

That the processing establishment:—

1. Shall comply with the requirements of the Fisheries Act 1905, and all Regulations, Orders in Council and Notices and Ministerial Directions issued thereunder.
2. Shall not be used for the processing of rock lobster.
3. Shall comply with the requirements of the Health Act 1911 (amended).
4. Shall be registered as an export establishment pursuant to the provisions of the Export (Fish) Regulations made under the provisions of the Customs Act 1901 (amended) and the Commercial (Trade Descriptions) Act 1905 (amended) of the Parliament of the Commonwealth should it be used to process fish for export.
5. Shall not be used for the processing of marron (*Cherax tenuimanus*) unless a license is held under section 39C of the Fisheries Act 1905.
6. Shall not be used for the processing of fish or crustacea caught by any other vessel.
7. Shall not deliver any prawns taken within the Nickol Bay Limited Entry Prawn Fishery to any establishment other than to a land based establishment situated at Point Samson.

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 and Wildlife a statement in writing on the grounds of their appeal.

B. K. BOWEN,
Director of Fisheries.

FISHERIES ACT 1905.

PART IIIB—Processing Licenses.

F. and W. 815/80.

THE public is hereby notified that I have issued a permit to W. A. Rossiter of Gulf Seafoods, 12 Anderson Street, Port Hedland, to establish a processing establishment to process fish in pursuance of the provisions of section 35C of the Fisheries Act 1905, on board licensed fishing boat "W. H. Surveyor", registered number LFB P514, subject to the following conditions:

That the processing establishment—

1. Shall comply with the requirements of the Fisheries Act 1905, and all Regulations, Orders in Council and Notices and Ministerial Directions issued thereunder.
2. Shall not be used for the processing of rock lobster.
3. Shall comply with the requirements of the Health Act 1911 (amended).
4. Shall be registered as an export establishment pursuant to the provisions of the Export (Fish) Regulations made under the provisions of the Customs Act 1901 (amended) and the Commercial (Trade Descriptions) Act 1905 (amended) of the Parliament of the Commonwealth should it be used to process fish for export.
5. Shall not be used for the processing of marron (*Cherax tenuimanus*) unless a license is held under section 39C of the Fisheries Act 1905.
6. Shall not be used for the processing of fish or crustacea caught by any other vessel.
7. Shall not when operating within the Nickol Bay Limited Entry Prawn Fishery process any prawns or have on board any processed prawns.
8. Shall when operating within the Nickol Bay Limited Entry Prawn Fishery deliver unprocessed prawns to one of the land based processing establishments at Point Samson.

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 and Wildlife a statement in writing on the grounds of their appeal.

B. K. BOWEN,
Director of Fisheries.

FISHERIES ACT 1905.

(Sections 9 and 11.)

Notice No. 131.

F&W 376/83.

THE Minister for Fisheries and Wildlife, pursuant to sections 9 and 11 of the Fisheries Act 1905, does hereby—

- (a) prohibit all persons from taking any species of scallops by any means of capture whatsoever in the waters specified in the first schedule hereto during the period from the 1st day of September at 0700 hours to the following last day of February at 1800 hours in any year;
- (b) prohibit all persons from taking scallops by any means of capture whatsoever or from taking any species of fish by means of trawling in the waters specified in the second schedule hereto during the period from 1 September at 0700 hours to the following last day of February at 1800 hours in any year.

HYWEL DAVID EVANS,
Minister for Fisheries and Wildlife.

First Schedule.

The waters of the Indian Ocean and Shark Bay below high water mark lying between the parallels of 23 degrees and 27 degrees of south latitude and east of 112 degrees 50 minutes of east longitude.

Second Schedule.

The Western Australian waters of the Abrolhos Islands.

APPLICATION FOR LEASING.

Department of Lands and Surveys,
Perth, 16 September 1983.

Corres. 3953/76.

APPLICATIONS are invited under section 117 of the Land Act 1933 for the leasing of the Denham Lots shown in the Schedule hereunder for the purpose of "Light Industry" for a term of 21 years at the annual rentals shown on the schedule.

Intending applicants shall submit with their applications details of intended utilisation and proposed development indicating size and type of intended structures, cost estimates, source of funds and programme for construction whether staged or not.

The Minister for Lands and Surveys reserves the right to refuse any application on the grounds that the proposed utilisation, development and/or development programme is inadequate or unsuitable or that the applicant has failed to show adequate capacity to fund the development.

The service premium covering roads and power only, and the survey fee as shown in the schedule are payable in cash within 30 days of acceptance of applications.

Neither the Government nor the Local Authority shall be responsible for the provision of reticulated water services to the demised land and successful applicants should make their own arrangements in this regard.

Where the in-going lessee indicates that he anticipates a requirement for freehold during the currency of the lease, the Hon. Minister shall signify the extent of development (which may be additional to that required as the basis for leasing the site) that will be necessary to enable the issue of a Crown Grant.

Subject to agreement between the lessee and the Minister, the foregoing development obligations and other conditions set out herein may be varied or added to from time to time.

At any time during the currency of the lease, subject to the development obligations and other conditions having been met to the satisfaction of the Hon. Minister, the lessee may surrender his lease to the intent that he may apply for purchase of the said land. In this event a purchase price in accordance with the Schedule shall

apply for a period of 3 years from the date of approval of the lease (following which period the price shall be subject to review) and fees associated with the issue of a Crown Grant shall be payable.

The land is made available for leasing subject to the following conditions:

- (1) The land shall not be used for any purpose other than "Light Industry" without the prior approval in writing of the Minister for Lands and Surveys.
- (2) The rent shall be subject to reappraisal at the end of the third year of the term of the lease and each successive three yearly period thereafter.
- (3) The lessee shall not without the previous consent in writing of the Minister assign, transfer, mortgage sublet or part with the possession of the demised land.
- (4) The land shall be occupied and used by the lessee for the purpose specified within nine (9) months of the commencement of the lease and thereafter will be continuously so used to the satisfaction of the Minister.
- (5) The lessee shall commence construction within nine (9) months and thereafter continue construction and complete and operate the works within two (2) years from the date of the commencement of the lease.
- (6) All buildings, erections, paving, drainage and other works shall be to the approval of the Local Authority and the lessee shall perform, discharge and execute all requisitions and works unto the demised land as are or may be required by any local or public authority operating under any statute by-law or regulation.
- (7) The lessee shall, within twelve months from commencement of the lease, fence the external boundaries to the satisfaction of the Local Authority.
- (8) The lessee shall maintain existing and future improvements to the satisfaction of the Minister.
- (9) The lessee shall indemnify the Minister against all claims for damage to property or persons arising from the use of the land.
- (10) The Minister or his representative may enter the land for inspection at any reasonable time.
- (11) Compensation will not be payable for damage by flooding of the demised land.
- (12) Compensation shall not be payable to the lessee in respect of any improvements effected by him on the demised land and remaining thereon at the expiration or earlier determination of the lease.
- (13) It shall be lawful for the lessee at any time within the three calendar months immediately following the expiration of the term or earlier determination of the lease, to take down, remove, and carry away any buildings, structures, improvements and plant the property of the lessee.
- (14) On determination of the lease, the lessee shall fill in, consolidate and level off any unevenness, excavation or hole caused by him during the term of the lease or by removal of his improvements and shall leave the demised land in a clean, neat and tidy condition to the satisfaction of the Minister and shall remove any or all waste matter as required by the Minister.

A person in the employ of the State must apply through the Under Secretary for Lands for the Governor's permission to hold this land. Written approval of the Permanent Head concerned should accompany such application.

Applications must be lodged at the Department of Lands and Surveys, Perth on or before Wednesday 19 October 1983 accompanied by the deposit shown in the Schedule together with the required development details and completed Land Board Questionnaire.

All applications lodged on or before that date will be treated as having been received on the closing date, and if there are more applications than one for any Lot, the application to be granted will be decided by the Land Board.

Schedule.

Lot No.; Area; Survey Fee; Service Premium;
Purchase Price; Annual Rent; Deposit.

229; 2 415 m²; \$90; \$2 850; \$1 725; \$140; \$105.
241; 4 684 m²; \$110; \$5 510; \$2 405; \$200; \$135.
245; 2 500 m²; \$90; \$2 945; \$1 750; \$140; \$105.
246; 2 500 m²; \$90; \$2 945; \$1 750; \$140; \$105.
252; 1 950 m²; \$80; \$2 300; \$1 585; \$130; \$100.
(Plan Denham Townsite 39.11.)

B. L. O'HALLORAN,
Under Secretary for Lands.

Maclean J. & J. M.; 3116/8430 (C.L. 107/1983);
Dowerin Lot 270; Non payment of rent; 2109/982;
Dowerin Townsite.

Mudge M. J. & B. A.; 3116/7651 (C.L. 374/1980);
Karratha Lot 2661; Non compliance with condi-
tions; 1195/980; Karratha 30.27 and 30.28.

Obele Pty Limited; 338/16171; Kununurra Lot 1458;
Non payment of instalments; 2465/982; Kununurra
24.16.

Dated 13 September 1983.

B. L. O'HALLORAN,
Under Secretary for Lands.

LAND ACT 1933.

Land Release.

Department of Lands and Surveys,
Perth, 16 September 1983.

THE undermentioned allotments of land are now open for sale pursuant to the provisions of Part IV of the Land Act 1933 and are to be sold by Public Auction, by Order of the Minister, at the place and on the date stated, at the upset prices and subject to the conditions specified hereunder.

Beacon Townsite.

File 6056/50.

Lot; Street; Area (square metres); Upset Price;
Conditions.

13; Lindsay Street; 1 012; \$650.00; A.B.

14; Lindsay Street; 1 012; \$650.00; A.B.

15; Lindsay Street; 1 012; \$650.00; A.B.

Thursday, 20 October 1983 at 10.00 a.m. in the
Police Station, Bencubbin.

(Public Plan Beacon Pts. 12.31 and 12.32.)

These lots are sold subject to the following
conditions:

- (A) The purchaser shall erect on the lot purchased a residence to comply with Local Authority by-laws within two years from the due date of the first instalment. If this condition has not been complied with in the time prescribed, the land may be absolutely forfeited together with all purchase money and fees that may have been paid. However, freehold title to the land may be applied for when a residence has been erected to "top plate height" stage, and is not less than 50 per cent completed to the satisfaction of the Minister for Lands and Surveys.

On payment of the first instalment of purchase money a Licence will be available, upon which a mortgage can be registered. A Crown Grant (freehold) will not issue until the purchaser has complied with the building condition. A holder of a Licence may apply to the Minister for Lands and Surveys for permission to transfer a Licence.

- (B) Purchases by Agents will need to be ratified by the Principals.

B. L. O'HALLORAN,
Under Secretary for Lands.

FORFEITURES.

THE following leases and licences together with all rights, title and interest therein have this day been forfeited to the Crown under the Land Act 1933 for the reasons stated:—

Name; Lease or Licence; District; Reason; Corres. No.;
Plan.

Amyl Nominees Pty Ltd; 338/15314; Karratha Lot 2177;
Non payment of instalments; 3687/980; Karratha
28.26.

Binghampton Pty Ltd; 338/15447; Karratha Lot 3666;
Non payment of instalments; 1323/981; Karratha
28.27.

LOCAL GOVERNMENT ACT 1960-1983.

Department of Lands and Surveys,
Perth, 16 September 1983.

IT is hereby declared that, pursuant to the resolution of the Shire of Collie passed at a meeting of the Council held on or about 7 May 1982 the undermentioned lands have been set apart, taken, or resumed under section 17 of the Public Works Act 1902, for the purpose of a new road, that is to say:—

Collie.

1203/982 (R.6981).

Road No. 10379 (Coalfields Road) (Widening of Part). Those portions of Wellington Location 2299, Vacant Crown land and Muja Lot 1 (Vacant Crown land) as delineated and coloured dark and mid brown on Original Plan 15802.

Road No. 3654 (Coalfields Road) Widening of Part. Those portions of Wellington Locations 1750 and 1751 as delineated and coloured dark brown on Original Plan 15802.

(Notice of Intention to Resume published in the *Government Gazette* dated 10 June 1983.)

433 square metres being resumed from Wellington Location 2299.

2.902 8 hectares being resumed from Wellington Location 1750.

316 square metres being resumed from Wellington Location 1751.

(Public Plans Muja Townsite and Muja SW 1:25 000.)

IT is hereby declared that, pursuant to the resolution of the Shire of Esperance passed at a meeting of the Council held on or about 9 November 1979 the undermentioned lands have been set apart, taken, or resumed under section 17 of the Public Works Act 1902, for the purpose of a new road, that is to say:—

Esperance.

2120/79 (R.6982).

Road No. 12218 (Dempster Street) (i) (Extension). A strip of land varying in width commencing at the southern terminus of the present road, extending southward to and along the northeastern, eastern and south-eastern boundaries of Lot 1 of East Location 1 (Office of Titles Plan 7287) to terminate at a line in prolongation eastward of the northernmost southern boundary of that lot.

(ii) (Widening of Part). That portion of East Location 1 as delineated and coloured dark brown on Lands and Surveys Diagram 85835.

The intersecting portion of Road No. 10679 (Emily Street) is hereby superseded.

720 square metres being resumed from East Location 1.

(Notice of Intention to Resume published in the *Government Gazette* 25 March 1983.)

(Public Plan Esperance 125-4.)

IT is hereby declared that, pursuant to the resolution of the Shire of Jerramungup passed at a meeting of the Council held on or about 15 July 1983 the under-mentioned lands have been set apart, taken, or resumed under section 17 of the Public Works Act 1902, for the purpose of a new road, that is to say:—

Jerramungup.

1959/980 (R.6980).

Road No. 17036 (Wangup Road) (i). A strip of land 40.23 metres wide, commencing at the northernmost northeastern corner of Kent Location 1286 and extending as surveyed southeastward along portion of the northeastern boundaries of that location and through vacant Crown land thence southward through vacant Crown land thence westward inside and along a southern boundary of vacant Crown land to terminate at the southeastern corner of Location 1286.

(ii) (Widening of Part). That portion of vacant Crown land as delineated and coloured mid brown on Original Plan 15748.

(Public Plan 434/80 B1 and Twertup 1:50 000.)

And whereas His Excellency the Governor has declared that the said lands have been set apart, taken, or resumed for the purpose of the said roads, and that plans of the said lands might be inspected at the Department of Lands and Surveys, Perth, it is hereby notified that the lands described above are roads within the meaning of the Local Government Act 1960-1983, subject to the provisions of the said Act.

Dated this 16th day of September, 1983.

By Order of His Excellency,

K. F. McIVER,
Minister for Lands and Surveys.

BUSH FIRES ACT 1954-1981.

Shire of Broomehill.

Notice to Owners and Occupiers of Land.

PURSUANT to section 33 of the above Act, all owners and occupiers of land within the Broomehill Shire district are hereby required on or before 31 October 1983 to plough, scarify or otherwise prepare and maintain until 15 April 1984, a three metre firebreak along all land adjoining cleared or partly cleared public roads or railway reserves, all external boundaries and all farm buildings must be surrounded by firebreaks at least three metres wide.

This break must be adequate and is subject to variation by authorised Control Officers.

Firebreaks along railway reserves shall be a distance of twenty metres from the reserve boundary and should such land adjoining a railway reserve be in crop the firebreak shall be required to encircle the crop.

Broomehill townsite blocks of less than 2 023 square metres (half an acre) shall be cleared of all inflammable material, over 2 023 square metres (half an acre) a three metre firebreak shall be constructed within all external boundaries.

When found necessary because of rocky outcrops, gullies, etc., and with permission from the Shire Council alternative positions may be found for firebreaks.

Penalty: maximum \$400.

6 September 1983.

By Order of the Council,

G. R. THORN,
Shire Clerk.

BUSH FIRES ACT 1954-1981.

Shire of Mullewa.

(Section 33.)

Notice to Owners and Occupiers of the land in the Shire of Mullewa.

PURSUANT to the powers contained in section 33 of the above Act you are hereby required on or before 1 October 1983, to plough, scarify, cultivate or otherwise clear, and thereafter maintain free from all inflammable material until 31 March 1984, firebreaks of not less than two metres in width in the following positions on the land owned or occupied by you:—

- (1) Inside and along the whole of the external boundaries of the property or properties owned or occupied by you.
- (2) Around all paddocks under crop.
- (3) Where buildings or haystacks are situated on property additional firebreaks not less than two metres in width must be provided within 1.5 metres of the perimeter of such buildings or haystacks, in such a manner as to completely encircle the building or haystack. If for any reason it is considered impracticable to provide firebreaks in the position required by this notice, the approval of the Shire Council must be obtained to construct such firebreaks in an alternative position. Approval to any such variation will only be granted where the Bush Fire Control Officer for the area has first signified his approval to the variation.

Where the land of an owner or occupier abuts a constructed road, the owner or occupier has after obtaining the approval of the Authority which has the control and management of such road, burned or cleared the bush between the road formation and the boundary of his land such firebreaks will be accepted as complying with the requirements of this notice as far as it applies to the abutting boundaries of the property.

Dated this 2nd day of September, 1983.

By Order of the Council,

T. J. HARKEN,
Shire Clerk.

BUSH FIRES ACT 1954-1981.

Town of Albany.

Notice to Owners and/or Occupiers of Land.

IN accordance with the provisions of section 33 of the Act, on or before 30 November 1983, or within 14 days of the date of becoming owner/occupier after 30 November 1983, you must remove from the land you own or occupy, all inflammable material or clear firebreaks in accordance with the following requirements, and then keep the land or firebreaks clear of inflammable material up to and including 31 March 1984:

Firebreaks at least 3 metres wide shall be cleared of all inflammable material immediately inside all external boundaries of the land and also immediately surrounding all buildings situated on the land, or where required by notice in writing from the Council you shall remove accumulated inflammable material by burning.

If it is considered impractical to comply with this notice, you must apply to the Council on or before 15 November 1983, for permission to provide firebreaks in alternative positions or to take alternative action to abate fire hazards on the land. If permission is not granted, you must comply with the requirements of this notice.

Failure to comply with the notice carries a fine of not less than \$40 nor more than \$400, and a person in default is also liable, whether prosecuted or not, to pay the cost of carrying out the work directed by this notice where it is not carried out by the date stipulated.

If the requirements of this notice are carried out by burning, the burning must be carried out in accordance with the provisions of the Bush Fires Act.

By order of the Council,

I. R. HILL,
Town Clerk.

BUSH FIRES ACT 1954-1981.

Town of Geraldton.

Notice to all Owners and/or Occupiers of Land
in the Town of Geraldton.

PURSUANT to the powers contained in section 33 of the above Act, you are hereby required on or before the 13 December 1983 or within fourteen days of the date of your becoming owner or occupier should this be after 13 December 1983, to remove from the land owned or occupied by you, all inflammable materials or to clear firebreaks in accordance with the following and thereafter to maintain the land or the firebreaks clear of inflammable material up to and including 14 February 1984.

- (1) Where the area of the land is 0.202 ha or less, all inflammable material on the land shall be removed from the whole of the land;
- (2) Where the land exceeds 0.202 ha in area, firebreaks at least 3 metres wide shall be cleared of all inflammable material immediately inside all external boundaries of the land and also immediately surrounding all buildings situated on the land.

If it is considered to be impracticable for any reason to clear firebreaks or to remove inflammable material from land as required by this notice, you may apply to the Council or its duly authorized officer, not later than 15 November 1983 for permission to provide firebreaks in alternative positions or to take alternative action to abate fire hazards on the land. If permission is not granted by the Council or its duly authorized officer, you are to comply with the requirements of this notice.

Inflammable material is defined for the purpose of this notice to include bush, timber, boxes, cartons, paper and like inflammable materials, rubbish and also any combustible matter, but does not include green standing trees or growing bushes and plants in gardens or lawns.

The penalty for failing to comply with this notice is a fine of up to \$400.00 and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this notice if it is not carried out by the owner or occupier by the date required by this notice.

If the requirements of this notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act prior to the prohibited burning period commencing 14 December 1983.

By order of the Council,

G. K. SIMPSON,
Town Clerk.

BUSH FIRES ACT 1954-1981.

City of Gosnells.

Notice to all Owners and/or Occupiers of Land.

PURSUANT to the powers contained in section 33 of the above Act, you are hereby required on or before 30 November 1983, or within 14 days after the date of your becoming owner or occupier should this be after 30 November 1983 and thereafter up to and including 14 March 1984, to have a firebreak clear of all flammable material at least 2 metres wide immediately inside all external boundaries on land under 2 000 square metres ($\frac{1}{2}$ acre) or at least 3 metres wide on land over 2 000 square metres ($\frac{1}{2}$ acre) immediately inside all external boundaries of the land and also immediately surrounding all buildings situated on the land, and maintained free of all flammable material.

If it is considered to be impracticable for any reason to clear firebreaks as required by this notice, you may apply to the Council or its duly authorized officer not later than 15 November 1983 for permission to provide firebreaks in alternative positions on the land. If permission is not granted by the Council or its duly authorized officer, you shall comply with the requirements of this notice.

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

The penalty for failing to comply with this notice is a fine of not less than \$40 nor more than \$400 and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this notice if it is not carried out by the owner or occupier by the date required by this notice.

If the requirements of this notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act 1954-1981.

G. WHITELEY,
Town Clerk.

TOWN PLANNING AND DEVELOPMENT
ACT 1928 (AS AMENDED).

Notice that a Town Planning Scheme Amendment has been Prepared and is Available for Inspection.

City of Belmont Town Planning Scheme
No. 6—Amendment No. 107.

T.P.B. 853/2/15/5. Pt. 107.

NOTICE is hereby given that the City of Belmont in pursuance of its powers under the Town Planning and Development Act 1928 (as amended) has prepared a Town Planning Scheme amendment for the purpose of:—

- (A) Rezoning Lots 190 to 194 inclusive and Lots 5 to 8 inclusive Hargreaves Street, Lots 9 to 12 inclusive, Lots 182 to 184 inclusive, Lots 173 to 177 inclusive and Lots 5 and 6 Belgravia Street, Lots 7, 8, 10 and 11 Barker Street and Lot 9 Lapage Street, and all those Lots bounded by Barker, Belgravia, Peet and Hehir Streets, Swan Location 33, from Residential A to Industrial.
- (B) Adding a new paragraph to Clause 3.9.1.

All plans and documents setting out and explaining the amendment have been deposited at Council Offices, 215 Wright Street, Cloverdale and will be open for inspection without charge during the hours of 9.00 a.m. to 4.00 p.m. on all days of the week except Saturdays, Sundays and Public Holidays until and including 28 October 1983.

The plans and documents have also been deposited at the office of the Town Planning Department, Perth and will similarly be open for inspection for the same period between the hours of 10.00 a.m. and 4.00 p.m.

Any person who desires to make a submission on the amendment should make the submission in writing in the form prescribed by the regulations and lodge it with the Town Clerk, City of Belmont, P.O. Box 379, Cloverdale, W.A. 6105 on or before 28 October 1983.

E. D. F. BURTON,
Town Clerk.

TOWN PLANNING AND DEVELOPMENT
ACT 1928 (AS AMENDED).

Advertisement of Approved Town Planning
Scheme Amendment.

Shire of Beverley Town Planning Scheme
No. 1—Amendment No. 9.

T.P.B. 853/4/5/1, Pt. 9 TPB.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning approved the Shire of Beverley

Town Planning Scheme Amendment on 6 September 1983 for the purpose of re-zoning Lots 79, 82, 83, 86, 87 of Sub Lot 23 and Lot 78 of Sub Lot 22, Forrest Street from "Light Industry" to "Residential" and Lots 80, 81, 84, 85, 88 of Sub Lot 23 and Lot 77 of Sub Lot 22, Bartram Street from "General Industry" to "Residential".

S. D. MOULTON,
President.

D. J. CUNNINGHAM,
Shire Clerk.

TOWN PLANNING AND DEVELOPMENT
ACT 1928 (AS AMENDED).

Notice that a Planning Scheme has been Prepared and is Available for Inspection.

Shire of Capel Town Planning Scheme
No. 6—Boyanup Townsite.

T.P.B. 853/6/7/6.

NOTICE is hereby given that the Shire of Capel in pursuance of its powers under the Town Planning and Development Act 1928 (as amended), has prepared a Planning Scheme with reference to the whole of the land within the Scheme Boundary as shown on the Maps adopted by Resolution of the Shire of Capel at the meeting of 12 August 1983 for the purpose of:—

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

All plans and documents setting out and explaining the Planning Scheme have been deposited at Council Offices, Capel, W.A. and will be open for inspection without charge during the hours of 10.00 a.m. to 1.00 p.m. and 2.00 p.m. to 5.00 p.m. on all days of the week except Saturdays, Sundays and Public Holidays, until and including 16 December 1983.

The maps and other documents have also been deposited at the office of the Town Planning Department, Perth, and will similarly be open for inspection for the same period between the hours of 10.00 a.m. and 4.00 p.m.

Any person who desires to make a submission on the Planning Scheme should make the submission in writing in the form prescribed by the regulations and lodge it with the Shire Clerk, Shire of Capel, P.O. Box 36, Capel, W.A. 6271 on or before 16 December 1983.

T. W. BRADSHAW,
Shire Clerk.

TOWN PLANNING AND DEVELOPMENT
ACT 1928 (AS AMENDED).

Notice that a Planning Scheme has been Prepared and is Available for Inspection.

Shire of Capel Town Planning Scheme
No. 5—Capel Townsite.

T.P.B. 853/6/7/5.

NOTICE is hereby given that the Shire of Capel in pursuance of its powers under the Town Planning and Development Act 1928 (as amended), has prepared a Planning Scheme with reference to the whole of the land within the Scheme Boundary as shown on the Maps adopted by Resolution of the Shire of Capel at the meeting of 12 August 1983 for the purpose of:—

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

All plans and documents setting out and explaining the Planning Scheme have been deposited at Council Offices, Capel, W.A. and will be open for inspection without charge during the hours of 10.00 a.m. to 1.00 p.m. and 2.00 p.m. to 5.00 p.m. on all days of the week except Saturdays, Sundays and Public Holidays, until and including 16 December 1983.

The maps and other documents have also been deposited at the office of the Town Planning Department, Perth, and will similarly be open for inspection for the same period between the hours of 10.00 a.m. and 4.00 p.m.

Any person who desires to make a submission on the Planning Scheme should make the submission in writing in the form prescribed by the regulations and lodge it with the Shire Clerk, Shire of Capel, P.O. Box 36, Capel, W.A. 6271 on or before 16 December 1983.

T. W. BRADSHAW,
Shire Clerk.

TOWN PLANNING AND DEVELOPMENT
ACT 1928 (AS AMENDED).

Advertisement of Approved Town Planning
Scheme Amendment.

Town of Kalgoorlie Joint Town Planning
Scheme—Amendment No. 29.

T.P.B. 853/11/3/2, Pt. 29.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning approved the Town of Kalgoorlie Town Planning Scheme Amendment on 8 September 1983 for the purpose of transferring Reserve 32178 located at Hawkins Street, Memorial Drive and Parsons Street from the Residential Development Zone to the Parks and Recreation Reserve and rezoning land within a boundary extending along the southeast boundary of Reserve 32178 to Parsons Street, southeast down Parsons Street to Campbell Street, southwest along Campbell Street to Castle Street, southeast along Castle Street to Hare Street, southwest along Hare Street to Woodman Street, southeast along Woodman Street to Bourke Street, southwest along Bourke Street to Hawkins Street, southeast along Hawkins Street to Collins Street, southwest along Collins Street to Marshall Street, northwest along Marshall Street to the street on the southeast boundary of Reserve 23840 to Hawkins Street and northwest along Hawkins Street to Memorial Drive from the Residential Development Zone to the Residential A Zone as depicted on the amending plan adopted by Council on 9 August 1982.

K. FINLAYSON,
Mayor.

T. J. O'MEARA,
Town Clerk.

TOWN PLANNING AND DEVELOPMENT
ACT 1928 (AS AMENDED).

Advertisement of Approved Town Planning
Scheme Amendment.

Shire of Mandurah Town Planning Scheme
No. 1—Amendment No. 120.

T.P.B. 853/6/13/1, Pt. 120.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning approved the Shire of Mandurah Town Planning Scheme Amendment on 8 September 1983 for the purpose of rezoning Part of Lot 167 and 168 and portion of Part Lot 169 from "Rural" to "Residential A" and "P.O.S."

J. GUILFOYLE,
President.

K. DONOHOE,
Shire Clerk.

TOWN PLANNING AND DEVELOPMENT
ACT 1928 (AS AMENDED).

Advertisement of Approved Town Planning Scheme.
City of Gosnells Town Planning Scheme No. 13.

T.P.B. 853/2/25/13.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning approved the City of Gosnells, Town Planning Scheme No. 13 on 17 August 1983, the Scheme Text of which is published as a Schedule annexed hereto.

G. MOULD,
Deputy Mayor.
G. WHITELEY,
Town Clerk.

Schedule.

City of Gosnells.

Town Planning Scheme No. 13.

Compulsory Industrial Development Scheme
Albany Highway Maddington.

THE City of Gosnells, under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act 1928 (as amended) hereby makes the following compulsory development Town Planning Scheme.

Scheme Text.

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Citation.

1.0 This Town Planning Scheme may be cited as City of Gosnells Town Planning Scheme No. 13 Compulsory Industrial Development Scheme Albany Highway, Maddington (herein referred to as "the Scheme") and shall come into operation on the date of publication of notice of the final approval granted

by the Hon. Minister for Urban Development and Town Planning in the *Government Gazette* (herein referred to as "the Commencement Date" of the Scheme).

Responsible Authority.

2.0 The Authority responsible for enforcing the observance and operation of the Scheme is the City of Gosnells (herein referred to as "the Council").

Maps.

3.0 The following maps are attached to and form part of the Scheme:—

- 3.1 Land Use Map.
- 3.2 Scheme Map.
- 3.3 Services Map (for information purposes only).

Scheme Area.

4.0 The Scheme Area shall apply to the whole of the land contained within the inner edge of a broken black line on the Scheme Map and on the Land Use Map. The said land is herein referred to as "the Scheme Area". The Areas shown bordered in yellow and brown on the Scheme Map are herein referred to as "the Scheme Area Proper" and "the Scheme Area Restricted" respectively.

4.1 The Scheme is complementary to and not a substitute for the Metropolitan Region Scheme. The provisions of the Metropolitan Region Scheme, as amended from time to time, shall continue to have effect.

4.2 The provisions of the Scheme shall have effect notwithstanding any by-law for the time being in force in the Scheme Area and where the provisions of the Scheme are inconsistent with the provisions of any such by-law the provisions of the scheme shall prevail.

General Objects.

5.0 The general objects of the Scheme are:—

- 5.1 To develop the land within the Scheme to a standard suitable for building on;
- 5.2 To resurvey and sub-divide the land in accordance with the details shown on the Scheme Map;
- 5.3 To plan and construct within the Scheme Area suitable roads, footpaths and pedestrian accessways;
- 5.4 To ensure proper drainage of those parts of the Scheme Area that require drainage;
- 5.5 To provide reticulated water and sewerage disposal services throughout the Scheme Area to the satisfaction, specifications and requirements of the Metropolitan Water Authority.
- 5.6 To ensure the proper provision of adequate electrical power and other essential services within the Scheme Area.
- 5.7 To enhance the amenity and attractiveness of the Scheme Area.
- 5.8 To assist in the development of the Scheme Area for light industrial purposes.
- 5.9 To provide for the apportionment of certain costs in respect of the development of the Scheme among the owners of the land within the Scheme Area.
- 5.10 To plan for/and restrict traffic ingress and egress to and from properties fronting Albany Highway by providing alternative access points to all lots.

Management of Scheme.

6.0 The Council shall carry out and manage the Scheme in respect of the Scheme Area in accordance with the following provisions.

Acquisition of Land.

7.0 The land within the Scheme Area, or so much thereof as is necessary to implement the Scheme, but excluding the land required for road widening purposes to Albany Highway as specified and required by the Main Roads Department shall be resumed or otherwise acquired by the Council.

Scheme Works Specifically Applicable to the "Scheme Area Proper Only".

8.0 Subject to the provisions of Clause 11, the following work shall be carried out:—

8.1 The Scheme Area Proper shall be rearranged in conformity with the proposed subdivision pattern as shown on the Scheme Map. There shall be no departure

or variation from the subdivision pattern shown on the Scheme Map, except minor variations which shall, however, require the approval of the Town Planning Board on the recommendation of Council.

8.2 The lands shown as roads on the Scheme Map, not already constructed, shall be constructed and drained and all necessary earth works undertaken to the Council's satisfaction.

8.3 Pedestrian Accessways detailed on the Scheme Map shall be constructed and drained to the Council's specification.

8.4 Crown land shown as Drain Reserve on the Land Use Map shall be rededicated as a Pedestrian Accessway and Road Reserve as determined by the Scheme design and shall be paved to the specification of the Council.

8.5 The "Access Handles" being access strips forming part of the title area of a lot, as shown in the Scheme Map, shall be paved and drained to a standard acceptable to the Council.

8.6 Lighting of Pedestrian Accessways detailed on the Scheme Map shall be installed as a Scheme Cost.

8.7 Reticulated scheme water facilities shall be provided throughout the Scheme Area Proper and where necessary mains shall be installed outside the Scheme Area to enable the Area to be satisfactorily serviced.

Scheme Works Specifically Applicable to the "Scheme Area Restricted Only".

9.0 Subject to the provisions of Clause 11 the following works shall be carried out:—

9.1 A five (5) metre wide Right of Way land shall be excised from Lot 2 Sampson Street as shown on the Scheme Map and shall be paved and constructed to the Council's Specifications. The Owner of Lot 2 shall be paid the value of the excised portion and such payment shall be funded from *pro rata* contributions received from all landowners in the "Scheme Area Restricted".

Scheme Works Common and Applicable to Scheme Works Common and Applicable to Both the "Scheme Area Proper" and the "Scheme Area Restricted".

10.0 Subject to the provisions of Clause 11, the following works shall be carried out:—

10.1 Sampson Street, which is outside but follows the Scheme Area boundary shall be upgraded as a Scheme Cost to a satisfactory standard determined by the Council, the cost of which is to be funded on a 70%/30% levy on Scheme Areas "Proper" and "Restricted" respectively.

10.2 Levelling, filling and drainage works, including the relocation and construction of open drains as piped drains shall be carried out where considered necessary or desirable by the Council to serve the Scheme Area.

10.3 Two metre wide drainage easements shall be created to protect all piped stormwater drainage lines to be located in land not reserved for road or pedestrian accessway purposes.

10.4 Reticulated sewerage disposal facilities shall be provided throughout the Scheme Area and where necessary to serve the Scheme Area connecting mains located outside the Scheme Area shall be constructed as a Scheme Cost.

10.5 Those outbuildings and fences, which, in the opinion of Council, interfere with the proper development of the Scheme Area according to the new subdivision will be demolished or removed and in cases considered desirable by the Council, such fences and outbuildings may be re-erected.

10.6 Where, in the opinion of Council, it is necessary to reconstruct fences on existing developed lots or on adjacent lots as a result of Scheme Works, such works may be undertaken.

Unsuitable Land.

11.0 If, in the opinion of the Council, any lot, or part thereof within the Scheme Area is considered unsuitable for such form of subdivision or development as is shown on the Scheme Map the Council may modify the form of subdivision or development accordingly.

Scheme Costs.

12.0 The costs or estimated costs specified in this clause are hereinafter referred to as "Scheme Costs" and shall be applied in accordance with the breakdown of Scheme Works specified in Clauses 8, 9 and 10 of this Scheme. The Scheme Costs shall be paid by Council and reimbursed by the owners in accordance with the provisions of the Scheme Text. The Scheme Costs shall include:

12.1 The administration costs of the Scheme, including an amount to reimburse the Council for such overhead and management costs as may be incurred in the implementation of the Scheme. The term "administration costs" shall, without limiting the foregoing, include all legal costs, planning costs, payment to engineering consultants and other professional consultants and valuation costs.

12.2 The costs of the Scheme Works, specified in Clauses 8, 9, and 10.

12.3 The cost of those drainage works including repairing and upgrading drainage facilities which are outside the Scheme Area to the extent of which such works are necessary to the proper drainage of the Scheme Area.

12.4 All compensation payable and all costs and expenses of determining and settling compensation.

12.5 The estimated compensation and costs payable under Clause 19 hereof.

12.6 The estimated compensation and costs payable under Clause 25 hereof.

12.7 The costs of acquisition of any land within the Scheme Area in the event of such land being acquired other than by resumption.

12.8 The costs of providing reticulated sewerage within the Scheme Area and all headworks, pumping stations and other works incidental to sewerage within the Scheme Area and also outside the Scheme Area where necessary for those services within the Scheme Area.

12.9 The cost of water supply headworks, pumping stations and other works incidental to water supply within the Scheme Area and also outside the Scheme Area where necessary for those services within the Scheme Area.

12.10 The cost of altering existing electricity, water, sewerage, drainage or telephone service or of providing exceptional services rendered necessary by the Scheme to the extent to which and in cases where the Council considers the cost justified.

12.11 All other costs and expenses which the Council, at its discretion, meets or is required to meet in order to complete the Scheme.

12.12 All interest charges on monies raised by the Council for the purposes of completing the Scheme.

Road Widening—Albany Highway.

13.0 If the Main Roads Department shall require the excision and vesting in the Crown of the specified road widenings detailed on the Scheme Map along Albany Highway as part of the Scheme Works, the Department shall pay direct to the landowners the compensation and any additional costs thereby involved as determined by the Valuer General of this State.

Valuations.

14.0 All lots shown on the Land Use Map within the Scheme Area (herein referred to as "Old Lot(s)") shall be valued as at the date of publication in the *Government Gazette* of the Minister's final approval of the Scheme. The Valuation shall be the capital amount that an unencumbered estate in fee simple in each of the Old Lot(s) might reasonably be expected to realise upon sale, assuming that all improvements thereon, (except site improvements the benefit of which is unexhausted at the time of valuation) had not been made (herein referred to as "the value of the Old Lot(s)"). In this clause the term "site improvements" means the reclamation of land by draining or filling, the construction of a retaining wall, or other structures or works appertaining thereto, the excavation, grading and levelling of land, the removal of rocks, stones, sand or soil and the clearing of timber, shrub and other vegetation. As soon as the valuation has been made each owner shall be notified of the value so placed on his Old Lot(s).

15.0 The lots created by the resurvey of the Scheme Area in accordance with the Scheme Map (herein referred to as "New Lot(s)") shall be valued on the basis that all works to be undertaken as part of this Scheme have been carried out and taking into account any proposed change of zoning or permitted use. The Valuation shall be made as at the date or anticipated date of approval by the Town Planning Board of the subdivision created by the resurvey of the Scheme Area.

16.0 Valuations shall be made by the Valuer General of this State or by some person appointed by him or at the option of the Council by an independent Valuer appointed by the Council.

17.0 If the owner shall object to the value placed on his Old Lot(s) or replacement lot(s) may give notice of such objection to the Council within 28 days of being notified of the said value or revised value. If the valuer does not agree to change the value to a figure acceptable to the owner, and if the objection shall not have been withdrawn, the value shall be determined by the arbitration of a single arbitrator in a manner provided for in this Scheme.

18.0 If a value placed on a lot shall be changed as a result of an objection the valuer may reconsider the value placed on the other lots and make such revaluations as he considers just and equitable. The owners affected shall forthwith be notified of any change in the value so made.

Estimate of Compensation.

19.0 In the event of any claim for compensation not having been settled at the time when the Council is ready to transfer the New Lots pursuant to the provisions of the Scheme, the Council may estimate the amount of compensation payable and the costs relating thereto and debit the Scheme with the amount so estimated. In the event of the Council so doing, the difference between the estimated and actual compensation payable shall be received or paid by the Council as the case may be.

Works Carried out by the Council.

20.0 If the Council shall itself carry out any of the Scheme Works it shall prepare detailed costings based on current costs applying at that time within the District and submit these for verification by an independent engineer nominated by the president for the time being of the W.A. Branch of the Association of Consulting Engineers of Australia. The costs so approved shall form part of the Scheme Costs.

Owner's Value Ratio.

21.0 From the sum of the values of the New Lots shall be deducted the Scheme Cost and the amount so ascertained is the nett value of the New Lots. The owner's value ratio is the relationship between the sum of the values of the Old Lots and the nett value of the New Lots.

Owner's Interest in Scheme.

22.0 The following provisions apply:—

22.1 Each owner of an Old Lot is entitled to an interest in the Scheme equal to the value of his Old Lot increased or decreased (as the case may be) in the ratio of the owner's value ratio determined in accordance with Clause 21.

22.2 The Council shall cause to be kept a Register of the owner's interests herein referred to as the "Owner's Interest Register" in the Scheme. The Owner's Interest Register shall be in the form of and contain the information detailed on the First Schedule.

22.3 A person may, in writing signed by him and the transferee, in the form in the Second Schedule hereto transfer his interest in the Scheme. Upon the receipt of a transfer duly stamped the Council shall cause the transferee's name to be entered in the Register as the owner of the interest in the Scheme the subject of the transfer. A transfer of any land transferred by the Council to an owner pursuant to the Scheme does not of itself transfer an owner's interest in the Scheme.

Allocation and Disposal of New Lots.

23.0 The New Lots created by the resurvey of the Scheme Area will be dealt with as follows:—

23.1 Each owner of an Old Lot in the "Scheme Area Proper", with the exception of the Metropolitan Water Authority site situated at the corner of Austin Avenue and Albany Highway, shall be offered a New

Lot(s) (herein referred to as replacement lots) of the value as near as practicable to the owner's interest in the Scheme as calculated according to Clause 22. Council, in allocating replacement lots shall as equitably as possible make every effort to offer an owner a replacement lot or lots (as the case may be) which was/were created from the owner's Old Lot.

23.2 Such owner of an Old Lot within "Scheme Area Restricted" shall be offered New Lot(s) (herein referred to as replacement lots) within that Part of the Scheme Area subject to the payment by the owners of the costs of the Scheme determined specifically for "Scheme Area Restricted" by the Council in accordance with Clause 12. Such offer shall be in total satisfaction of their interest in the Scheme and they shall not be entitled to any further interest or to share in any profits of the Scheme.

23.3 In the event of any owner not being able to make the specified payment required by the Scheme for any *bona fide* reason acceptable to the Council the Council shall on that landowner's behalf make the payment so required to the Scheme to fulfil that landowner's obligation subject to the landowner entering into a legal contract of loan with the Council and the Council protecting its interest in the land with the lodgement of an absolute caveat on the title. The loan so made by the Council shall accrue interest at a rate equal to the current interest rate levied on the Council for the loan and the loan and accrued interest may be repaid to the Council at any time provided that repayment shall be made in full to the Council by the subject landowner, his successors in title or personal representatives, if any one of the following events occur:—

- (a) the subject owner sells any part of his interest in the New Lot(s),
- (b) the subject owner dies,
- (c) the subject owner changes the use of the New Lot(s) or applies for any additional development on the New Lot(s).

23.4 New Lots not required as replacement lots (herein referred to as "Saleable Lots") may be sold to pay the Scheme Costs and otherwise dealt with in accordance with the Scheme.

Nature of Offers.

24.0 An offer made pursuant to Clause 23 hereof may be made either with an offer of payment of money to the owner or subject to the owner making a payment of money to the Council in order that the total value of his replacement lot(s) is equal to the owner's interest in the Scheme as ascertained in accordance with Clause 22 hereof. The offer may be made in the alternative giving the owner the right to accept either one or more replacement lots subject to a repayment being made by the Owner to the Council or to accept no replacement lots or a lesser number of replacement lots with payment being made by the Council to the Owner.

25.0 If an owner of an Old Lot shall, in the opinion of the Council, suffer any additional damage or inconvenience by reason of any Scheme work or proposal, the Council shall offer to such owner such sum (if any) as it (acting on the advice of the State Valuer General or other valuer approved by Council) considers equitable. This additional offer shall be made with the offer mentioned in Clause 23 to the intent that the owner may not accept the offer mentioned in Clause 23 either wholly or in part without accepting such additional offer.

26.0 The offers mentioned in the preceding clauses shall be made to each of the Old Lot(s) and shall be made in writing in accordance with the form in the Third Schedule, and served by certified post on the owner at his address as appearing in the owner's interest register and shall specify the replacement lot(s) the subject of the offer and the Old Lot(s) in respect of which the offer is made. The offer shall also specify the method used to calculate the offer and the valuations placed on the Old Lot(s) and on the replacement lot(s) and the payment to be made or received as the case may be.

27.0 If the replacement lot(s) offered to an owner are situated on a drainage line as shown on the Services Map the replacement lot(s) shall be offered subject to the condition that the owner shall grant to the Council a drainage easement over so much of the replacement lot(s) as is required in accordance with the drainage line on the Services Map.

28.0 The offer shall specify a date not being less than twenty-eight days after the posting of the said offer within which the offer may be accepted.

29.0 The offer may be accepted by notice specified in the Fourth Schedule in writing to the Council at any time before the date specified in the said offer and if not accepted within such time shall, unless the time shall have been extended by the Council, be deemed to have been rejected. Delivery to the Council of such notice shall be by personal delivery receipted by a member of Council's Staff or by Certified Post.

30.0 If an offer is made in the alternative in accordance with Clause 24 hereof and an owner does not accept all the lots offered to him the lots accepted by him shall be treated as being payment on account of the owner's interest in the Scheme. The remainder of his interest (if any) in the Scheme shall be paid in cash.

31.0 If an offer be accepted wholly or in part it shall be accepted by the owner on the basis that such acceptance is a complete bar to all claims for compensation which the owner may have had in respect of the resumption from him of the lot in respect of which the offer was made and otherwise in respect of the operation of the Scheme but shall not debar him from participating in the profits of the Scheme if he is so entitled. In this event the owner will indemnify the Council against any claims which may be made by any other person who has or claims to have any estate or interest in the lot in respect of which the offer is made.

32.0 If an owner does not accept an offer of a replacement lot(s) wholly or in part he shall not be entitled to any interest under this Scheme or to participate in the Scheme profits and shall thereafter be eligible to claim compensation only.

Rates and Taxes and Monies Owing to the Council.

33.0 The Council shall deduct from any monies payable to an owner the amount of any unpaid rates or taxes and any other monies owing by the owner to the Council. Except in the case of pensioners entitled to have the payment of rates postponed, the replacement lot(s) shall not be transferred to an owner unless all monies so owing shall have been paid.

Registration of Transfers.

34.0 The Council shall cause to be prepared and sent to those owners entitled transfers in respect of all replacement lot(s) which have been accepted by the owner in accordance with the Scheme. If an owner shall fail to complete the transfer in accordance with the Transfer of Land Act 1893, as amended and return it to the Council for registration or if the owner shall fail to make payment of any money which may be due by him to the Council within twenty-eight (28) days after having been called upon to do so by notice served by registered post on the owner at his address last known to the Council and appearing in the Owner's Interest Register (which notice may be served with the Transfer) the Council may rescind any agreement whereby such owner is entitled to have the land subject to the transfer transferred to him and thereupon such owner shall have a claim against the Council only for a cash payment equal to his interest in the Scheme and the land the subject of the transfer shall be treated as a rejected lot.

Rejected Lots.

35.0 If an owner does not accept an offer made to him by the Council in accordance with the Scheme or fails to complete a transfer of his replacement lot(s) and make the payment (if any) payable to him in a manner aforesaid the Council may deal with the lots so affected as hereinafter appears.

Sale of Surplus Lots and Rejected Lots.

36.0 The Council may sell the surplus lots and rejected lots either by public auction or private contract as a whole or in separate lots upon such terms and conditions as the Council may think fit. In the event of a sale by private contract the price shall not be less than the price recommended by the Valuer General of this State or some person appointed by him or at the option of the Council by an independent valuer appointed by the Council unless after submitting the land for sale by public auction or tender the price so recommended has not been obtained.

Valuation of Surplus Lots and Rejected Lots.

37.0 The Council may instead of selling all or any of the surplus or rejected lots ascertain the value of them or those unsold from the Valuer General of this State and credit the Scheme with the value so ascertained and in that event the lots shall be the property of the Council and may be retained, sold, or otherwise dealt with in such manner as the Council thinks fit.

Profits or Loss of Scheme.

38.0 In the event of the Scheme showing a profit the amount of the profit (if any) shall be divided amongst each owner of the land in the Scheme Area "Proper" to whom replacement lot(s) have transferred pursuant to the acceptance of the offer hereinbefore mentioned in the proportion which the value of the owner's Old Lot(s) as ascertained in accordance with Clause 14 hereof bears to the total value of the Old Lots in the Scheme Area.

Time Limit for Claims for Compensation.

39.0 The time limit for the making of claims for compensation pursuant to section 11 of the Town Planning and Development Act 1928 (as amended) is six months after the date when notice of the final approval of the Scheme is published in the manner prescribed by the regulations made under the Town Planning and Development Act 1928 (as amended).

Encumbrances on Title.

40.0 If any land in respect of which an offer has been made was at the date on which the land was acquired by the Council subject to an encumbrance, caveat or registered mortgage no acceptance of the offer shall be deemed valid unless the consent of all persons entitled to an interest in the land have consented to the acceptance of the offer.

Native Trees.

41.0 So far as is practicable and consistent with the economic development of land, existing trees and shrubs shall be retained. The Council may by notice or by marking of trees indicate groups of trees which are to be retained.

Zoning.

42.0 It is intended that the Scheme Area be classified into the zones shown on the Scheme Map. The Council will do all things reasonably within its power so that the necessary amendments may be made to the City of Gosnells Town Planning Scheme No. 1 to bring about these zones.

Powers of Council.

43.0 The Council in the conduct and management of this Scheme shall have the following powers:—

43.1 To enter and inspect the land within the Scheme Area.

43.2 To enter into agreements or arrangements with owners of any land within the Scheme Area.

43.3 To give notice to owners of proposed allocations of replacement lot(s) and in the event of dispute as to the allocation to settle the disputes as equitably as possible including power to settle the dispute by drawing of lots.

43.4 To make interim allocations of replacement lot(s) to be offered to owners and to make interim offers of replacement lot(s) subject to such conditions as the Council shall determine.

43.5 With the consent in writing of all persons interested to vary the allocation of replacement lot(s).

43.6 To implement the Scheme in such stages, or postpone the implementation for such period as the Council shall determine. If the Council shall exercise its power the Scheme Costs shall be divided between those costs applying to the whole of the Scheme Area and those applying to the lands within each stage. The Scheme Costs applying to the whole of the Scheme Area shall be apportioned between each stage and the relevant clauses of this text shall be read as applying to each stage of implementation as if it were a separate scheme. If the Council considers that the return from the sale of lots to be insufficient to meet all Scheme Costs it may restrict the Scheme Works and expenditure of Scheme Costs accordingly.

Notwithstanding the provisions of this clause, in the event that through circumstances beyond the Council's control, the detailed feasibility studies undertaken after the commencement date of the Scheme prove that it is uneconomical to proceed and the unforeseen circumstances are likely to prevail indefinitely, Council reserves the right, after the due consultation and with the approval of the Town Planning Board and the Hon. Minister for Urban Development and Town Planning to abandon the Scheme.

43.7 To extend the time within which any offer of replacement lots may be accepted.

43.8 To extend the time within which payments are to be made to the Council and to agree to the securing of such payments.

43.9 To dispose of any lots to which it becomes entitled by reason of being the owner of land within the Scheme Area as at the date of the coming into operation of this Scheme upon such terms and conditions as it may think fit.

43.10 In disposing of any land or rejected or surplus lots the Council may sell the lots singly or in groups or on the condition that buildings of a specified character shall within a limited period be constructed thereon or that the land and buildings shall be used for a specified purpose.

43.11 To transfer any land acquired by it in pursuance of this Scheme as compensation or part compensation and to enter into agreements relative to the determination and settling of compensation.

43.12 If an owner is offered more than one replacement lot and does not desire to accept all lots offered to enter into such agreements with the owner as seem to the Council to be equitable.

43.13 To demolish the buildings in the Scheme Area which interfere with the proper development of the Scheme Area.

43.14 To make interim payments on account of Scheme Profits.

43.15 To raise loans and or establish separate funds for any matters appertaining to the Scheme.

43.16 The Council may at any time exercise the powers conferred by section 13 of the Town Planning and Development Act 1928 (as amended).

Service of Notices.

44.0 Twenty eight (28) days notice is hereby prescribed as the notice to be given pursuant to section 10 of the Town Planning and Development Act 1928 (as amended). Any expenses incurred by the Council under this section may be recovered 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.

Arbitration.

45.0 Any dispute or difference between the owners as to the valuation of land for the purpose of this Scheme and all disputes which may be referred to arbitration shall be referred to the arbitration of a single arbitrator in the manner provided by the Arbitration Act 1895, or any statutory modification thereof for the time being in force. In the case of any dispute or difference the arbitrator shall if the parties fail to agree, be nominated by the President for the time being of the Law Society of Western Australia.

The Gosnells City Council under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act 1928 (as amended) and the Metropolitan Region Town Planning Scheme Act 1959 (as amended) hereby adopts Town Planning Zoning Scheme No. 13 Compulsory Industrial Development Scheme Albany Highway, Maddington by Resolution of the City of Gosnells at the Ordinary Meeting of the Council held on 26 October, 1982.

R. D. HARRIS,
Mayor.

Dated 29/10/82.

G. N. WHITELEY,
Town Clerk.

Dated 29/10/82.

Adopted for final approval by resolution of the Council of the City of Gosnells at the Ordinary Council Meeting of the Council held on 28 June 1983, and the Seal of the Municipality was pursuant to that Resolution hereunto affixed.

GARRY MOULD,
Deputy Mayor.

[L.S.]

Dated 7/7/83.

G. N. WHITELEY,
Town Clerk.

Dated 7/7/83.

Recommended/Submitted for Final Approval.

L. F. O'MEARA,
Chairman Town Planning Board.

Dated 16/8/83.

Final Approval granted—

D. PARKER,
Hon. Minister for Town Planning.

Dated 17/8/83.

Date Final Approval published in the *Government Gazette*.

This Scheme is to be read in conjunction with the approved maps of the Scheme described in Clause 3 of this Scheme and to which formal approval was given by the Hon. Minister for Urban Development and Town Planning on 17 August 1983.

First Schedule.

City of Gosnells Town Planning Scheme No. 13
Compulsory Industrial Development Scheme—Albany
Highway, Maddington.

Owner's Interest Register.

1. Description of Land:

Titles Office Description:

Street number and name of street:

2. Before value of land:

3. Total before values of all land the subject of accepted offers:

4. Owners Interest in Scheme:

5. Particulars and value of land transferred to owner and to be deducted from owner's share of scheme profits:

6. Particulars of payments made to or by the owner on account of his interest in the Scheme:

7. Owner at date of gazettal of Scheme.

Full Name:

Address:

Occupation:

8. Present owner (transferee).

Full Name:

Address:

Occupation:

Date of Transfer:

Date of Entry in Register:

Second Schedule.

City of Gosnells Town Planning Scheme No. 13
Compulsory Industrial Development Scheme—Albany
Highway, Maddington.

Transfer.
Transferor.

Full Name:

Address:

Occupation:

being the sole person entitled to the interest in City of Gosnells Town Planning Scheme No. 13 Compulsory Industrial Development Scheme Maddington in respect of the following land.

Description of land:

.....

In consideration of the sum of paid to me by the transferee

hereinafter described do hereby transfer free from encumbrances the said interest in the said Scheme to—

Transferee.

Full Name:

Address:

Occupation:

Dated the day of 19 .. .

Signed by the Transferor
in the presence of:—

Signed by the Transferee
in the presence of:—

Third Schedule.

City of Gosnells Town Planning Scheme No. 13 Compulsory Industrial Development Scheme—Albany Highway, Maddington.

Offer.

TO: (Name and address of persons appearing in Owner's Interest Register)

1. In accordance with the terms of the above Town Planning Scheme the land described has been acquired from you.

2. The Scheme provides that owners of land within the Scheme will as consideration for the transfer of their land to the Council or as compensation for the resumption of their land be offered an interest in the Scheme equal to the value of his Old Lot increased or decreased (as the case may be) in the ratio of the owner's value ratio determined in Clause 21 of this Scheme.

3. You are hereby offered an interest in the Scheme calculated according to the terms of the Text of the said Town Planning Scheme as follows:—

- (a) Description of Old Lot or Lots
- (b) Value of Old Lot or Lots
- (c) Owner's Interest in Scheme

3.1 Offer of New Lot or Lots.

- (a) Title Description of New Lot or Lots offered
- (b) Value of New Lot or Lots
- (c) Cash Payment Required to be made to the Council as cash adjustment

(d) Cash Payment to be made by the Council as cash adjustment

OR

3.2 Offer of Cash Payment: The following cash offer is made by the Council as a complete payment of the Owner's Interest in the Scheme:—

Owner's Interest in Scheme \$..... less any outstanding rates/taxes or monies owed to Council \$..... is \$.....

4. A copy of Text of the Scheme is attached for your information.

5. This Offer may be accepted by your signing the form of Acceptance of Offer attached and completing the appropriate details and sending the Acceptance of Offer to reach the Town Clerk of the City of Gosnells before the day of, 19..... If the said Acceptance of Offer shall not have been received by the City of Gosnells by the said date the offer shall, unless the time shall have been extended, be deemed to have been

6. Your attention is drawn to Clause 40 of the Text which reads:—

40. If any land in respect of which an offer has been made was at the date on which the land was acquired by Council subject to an encumbrance, caveat or registered mortgage, no acceptance of the offer shall be deemed valid unless the consent of all persons entitled to an interest in the land have consented to the acceptance of the offer.

7. If this Offer be accepted such acceptance shall be a complete bar to all claims for compensation which you may have had in respect of the resumption from you of the said land in respect of which this offer is made and otherwise in respect of the operation of the Scheme but without prejudice to your rights pursuant to your interest in the Scheme.

Dated this day of, 19.....

.....
Town Clerk,
City of Gosnells.

Fourth Schedule.

Acceptance of Offer.

TO: The Town Clerk,
City of Gosnells,
P.O. Box 23,
Gosnells, W.A. 6110

Town Planning Scheme No. 13 Compulsory Industrial Development Scheme.

I/We, the person or persons whose name(s), address(es) and description appears hereunder hereby accept the Offer made by Council on

Full Name:

Address:

Occupation:

Nature of Interest in Land:

.....

Signature of Owner:

.....

Witness to Signature:

.....

Name and Address of Witness:

.....

.....

TOWN PLANNING AND DEVELOPMENT
ACT 1928 (AS AMENDED).

Advertisement of Approved Town Planning Scheme.
Shire of Lake Grace Town Planning
Scheme No. 2.

T.P.B. 853/5/12/4.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning approved the Shire of Lake Grace, Town Planning Scheme No. 2 on 17 August 1983 the Scheme Text of which is published as a Schedule annexed hereto.

B. P. WALSH,
President.

L. GRIFFITHS,
Shire Clerk.

Schedule.

The Shire of Lake Grace Town Planning Scheme
No. 2 (Newdegate).

The Lake Grace Shire Council, under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act 1928 (as amended), hereby makes the following Town Planning Scheme for the purpose of:—

- (a) Preserving the amenity of the Town of Newdegate;
- (b) Controlling land development;
- (c) Setting aside land for various uses.

PART I—Preliminary.

1.1 This Town Planning Scheme may be cited as the Shire of Lake Grace Town Planning Scheme No. 2 (Newdegate), hereinafter called "the Scheme", and shall come into operation on the publication of notice of the Minister's final approval thereof in the *Government Gazette*.

1.2 The Scheme shall apply to the whole of the land included within the Newdegate townsite.

1.3 The responsible authority for carrying out the Scheme is the Council of the Shire of Lake Grace, hereinafter called "the Council".

1.4 Arrangement of the Scheme: The Scheme is divided into the following Parts:—

PART I—Preliminary.

PART II—Reserved Land.

PART III—Zones.

PART IV—Non-conforming Use of Land.

PART V—General Provisions.

PART VI—Administration.

The remaining documents of the Scheme are as follows:

- (1) Land Use Map.
- (2) Scheme Map.

1.5 Interpretation: In this Scheme the terms used will have the respective interpretations set out in Appendix D of the Town Planning Regulations 1967, unless specifically stated hereunder.

- (i) "Effective Frontage": Means the length of the line drawn at the front setback parallel to the main street frontage from one side boundary to the other.

- (ii) "Development": Means the use or development of any land, and includes the erection, construction, alteration or carrying out, as the case may be, of any building, excavation, or other works on any land.

- (iii) "Eating House": Means a building in which meals are served to the public for gain or reward, but does not include licensed premises as defined in the Liquor Act 1970, residential buildings, hotels, motels or temporary food kiosks.

- (iv) "Rural Use": Means land and/or buildings used in the pursuit of agriculture.

- (v) "Stock Sales Yard": Means land and/or buildings used in the holding, display, or orderly management of farming stock for the purposes of sale.

- (vi) "Trade Display": Means the open display of farm machinery or industrial equipment for sale.

- (vii) "Tavern": Means land and/or buildings the subject of a Tavern Licence granted under the provisions of the Liquor Act 1970.

- (viii) "Veterinary Surgery": Means land upon, or buildings within, which a veterinary surgeon or veterinarian performs the treatment of sick animals and may include accommodation of such animals.

- (ix) "Zoological Garden": Means land and/or buildings used for the purposes of confining or displaying animals, especially wild animals, to the public, together with such other buildings as are ordinarily used therewith.

PART II—Reserved Land.

2.1 (a) Land set aside under this Scheme for the purposes of a reservation is deemed to be reserved for the purposes indicated on the Scheme Map.

(b) Except as otherwise provided in this Part, a person shall not carry out any development on land reserved under this Scheme, other than the erection of a boundary fence, without first applying for and obtaining the written approval of the Council.

(c) In giving its approval the council shall have regard to the ultimate purpose intended for the reserve and shall, in the case of land reserved for the purposes of a public authority, confer with that authority before giving its approval.

(d) No provision of this Part shall prevent the continued use of land for the use for which it was being lawfully used immediately prior to the Scheme having the force of law, or the repair and maintenance, for which the prior consent in writing of the Council has been obtained, of buildings or works lawfully existing on the land.

2.2 (a) Where Council refuses approval for the development of land reserved under the Scheme on the ground that the land is reserved for public purposes, or grants approval 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.

(b) Claims for such compensation shall be lodged at the office of the Council not later than six months after the date of the decision of the Council refusing approval or granting it subject to conditions that are unacceptable to the applicant.

(c) In lieu of paying compensation the Council may purchase the land affected by such decision of the Council, at a price not exceeding the value of the land at the time of refusal of approval or of the granting of approval subject to conditions that are unacceptable to the applicant.

PART III—Zones.

3.1 The Scheme Area is divided into the following zones:

- Residential.
- Town Centre.
- Industrial.
- Rural.
- Tourist.

3.2 Table 1, appended to Clause 3.4 of this Part, indicates the several uses permitted by this Scheme in the various zones, such uses being determined by cross-reference between the list of "Use Classes" on the left hand side of the Table and the list of "Zones" on the top of that Table.

3.3 Where a use is not mentioned in the list of "Use Classes", it shall be included in the appropriate use class at the discretion of Council.

3.4 The symbols used in the cross-reference in Table 1 appended to this clause have the following meanings:—

- P A use that is permitted under this Scheme.
- AA A use that is not permitted unless approval is granted by the Council.
- IP A use that is not permitted unless such use is incidental to the predominant use, as decided and approved by the Council.
- X A use that is not permitted.

TABLE 1
Zoning Table

Use Classes	Residential	Town Centre	Industrial	Rural	Tourist
1. Caravan Park	X	X	X	X	P
2. Car Park	AA	AA	IP	X	P
3. Car Sales Premises	X	AA	AA	X	X
4. Civic Buildings	AA	AA	AA	AA	X
5. Dry Cleaning Premises	X	AA	AA	X	X
6. Eating House	X	P	X	X	P
7. Educational Establishments	AA	X	X	AA	X
8. Fish Shop	X	P	X	X	X
9. Fuel Depot	X	X	AA	AA	X
10. Hotel	X	AA	X	X	X
11. Home Occupation	AA	AA	AA	AA	X
12. Industry—Extractive	X	X	X	AA	X
13. Industry—General	X	X	P	X	X
14. Industry—Light	X	X	P	X	X
15. Industry—Rural	X	X	P	AA	X
16. Industry—Service	X	AA	P	X	X
17. Institutional Home	X	X	X	AA	X
18. Institutional Building	X	X	X	AA	X
19. Motel	X	AA	X	X	P
20. Office	X	P	IP	X	X
21. Place of Public Assembly	AA	AA	X	AA	X
22. Place of Public Worship	AA	AA	X	X	X
23. Public Amusement	X	AA	X	X	X
24. Public Utility	AA	AA	AA	AA	X
25. Residential Building	AA	AA	AA	AA	X
26. Residential:					
(a) Dwelling House	P	AA	AA	P	X
(b) Duplex House	AA	AA	X	X	X
(c) Flats	AA	AA	X	X	X
27. Rural Use	X	X	X	P	X
28. Service Station	X	P	AA	X	P
29. Shop	X	P	AA	X	X
30. Showroom	X	AA	AA	X	X
31. Stock Sales Yard	X	X	AA	AA	X
32. Tavern	X	AA	X	X	X
33. Trade Display	X	AA	AA	X	X
34. Transport Depot	X	AA	AA	AA	X
35. Veterinary Surgery	X	AA	AA	AA	X
36. Zoological Garden	X	X	X	AA	AA

3.5 Policy—Town Centre Zone: Notwithstanding the wide range of uses permitted within this zone, it is Council's policy to restrict the use of lots 1 to 8 Maley Street between May Street and Mitchell Street to uses compatible with the commercial heart of a country town. Council will look to the preservation of this area for shops, offices, hotels and entertainment.

3.6 Policy—Industrial Zone: Lots 63 to 68 inclusive along the Newdegate North Road have developed generally as composite residential/industrial lots and it is Council's policy that this characteristic continue within this area. Council will therefore allow homes to establish within this area on the understanding that industrial activity is also permitted. To this extent Council may apply conditions on development to visually separate industrial uses from residential uses and to protect the amenity of the area.

PART IV—Non-conforming Use of Land.

4.1 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 the coming into force of the Scheme; or

- (b) the carrying out of any development thereon for which, immediately prior to that time, a permit or permits, required under the Town Planning and Development Act 1928 (as amended), and any other law authorising the development to be carried out, have been duly obtained and were current.

4.2 (a) Where in respect of land reserved under Part II of the Scheme a non-conforming use exists or was authorized as mentioned in Clause 4.1 of this Part, on that land, all or any erections, alterations, or extensions of the buildings thereon, or use thereof, shall not be carried out unless the approval of the Council has been obtained in writing.

(b) Where in respect of land zoned under Part III of the Scheme a non-conforming use exists or was authorized as mentioned in Clause 4.1 of this Part, on that land and provided the prior consent in writing of the Council has been obtained, buildings may be extended to the limits prescribed by the Uniform Building By-laws made under the Local Government Act 1960 (as amended), or by any other by-laws made under that Act for the purpose of limiting the size, location and distance from boundaries and any other

matter required by law, for that class of use within the boundary of the lot or lots on which the use was carried on immediately prior to the coming into force of the Scheme.

4.3 Change of Non-Conforming Use: The Council may permit the use of any land to be changed from one non-conforming use to another non-conforming use provided the proposed use is, in the opinion of the Council, less detrimental to the amenity of the neighbourhood than the existing use, or is, in the opinion of the Council, closer to the intended uses of the zone.

4.4 Discontinuance of Non-Conforming Use:

- (a) Notwithstanding the preceding provisions of this Part, except where a change of non-conforming use has been permitted by the Council under Clause 4.3, when a non-conforming use of any land or building has been discontinued, such land or building shall not thereafter be used other than in conformity with the provisions of the Scheme.
- (b) 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.

PART V—General Provisions.

5.1 Development Control:

- (a) In considering applications to develop land, Council shall have regard to the provisions of Table 2—Development Control Provisions. Any use not mentioned in Table 2 shall be considered under the most appropriate use class listed.
- (b) The Council may approve construction of a single family detached dwelling on an existing lot having a lesser effective frontage and/or a smaller area than the minimums prescribed in Table 2 or a dwelling of Class 1 occupancy may be erected on any lot of which the subdivision whereby the lot was created has been approved by the Town Planning Board under the provisions of the Town Planning and Development Act 1928 (as amended), or by the Minister on appeal to him under section 26 of that Act.

TABLE 2
Development Control Provisions

Use Class	Min. Lot Area (sq. m)	Min. Effective Frontage (m)	Max. Plot Ratio	Min. Front Setback (m)	Min. Side Setback (m)	Min. Rear Setback (m)	Min. Amount of lot to be developed and maintained as pedestrian space and landscaping (%)
RESIDENTIAL							
(i) Dwelling House (2)	....	....	.35	7.5 ⁽¹⁾	1.5 ⁽³⁾	7.5 ⁽³⁾	50
(ii) Duplex House	....	22	.35	7.5 ⁽¹⁾	1.5 ⁽³⁾	7.5 ⁽³⁾	50
(iii) Flats	....	2 000	.30	7.5 ⁽¹⁾	1.5 per storey	7.5 ⁽³⁾	50
COMMERCIAL							
Shop (including fish shops and eating houses) Offices Car Sales Premises Veterinary Surgeries Hotel Taverns Service Industry Motel Showrooms	(4)	(4)	.50	(4)	(4)	(4)	(4)
PUBLIC ASSEMBLY							
Place of Public Assembly Place of Public Worship	1 000	20	.40	7.5 ⁽¹⁾	1.5	7.5	20
INDUSTRIAL							
General Industry Light Industry	1 000	20	.5	10 ⁽¹⁾	2.5	10	20
OTHER							
Service Station Institutional and Educational Buildings	2 000 (4)	30 (4)	.4 (4)	10 ⁽¹⁾ (4)	2.5 (4)	10 (4)	20 (4)

Notes:

- (1) Where a site has two road frontages the Council shall determine which is the "Front" boundary for the purposes of setbacks under this Table.
- (2) Dwelling houses within the Rural Zone shall be setback a minimum distance of 15 metres from all boundaries.
- (3) Council may vary rear and side setback requirements for carports and outbuildings provided requirements of the Uniform Building By-Laws are met.
- (4) To be determined at the discretion of Council.

5.2 Parking:

- (a) The number of parking and loading spaces to be provided shall be in accordance with Table 3. Save that where the Council is of the opinion that the standards of Table 3 are excessive, it shall determine the number of spaces it considers adequate, having regard to the proposed use of the site, and the likely traffic movements attracted thereto relative to the surrounding uses.
- (b) Where a use is not mentioned in the list of use classes in Table 3, it shall be included in the most appropriate use class at the discretion of Council.

TABLE 3—Parking Requirements.

Use Class	No. of Parking Spaces
Residential	
Dwelling House	} 2 per dwelling unit.
Duplex House	
Flats	
Residential Buildings	1 for each room used as a bedroom plus 1 for each 25 sq. metres of floor area of service buildings or service rooms.
Commercial	
Shops (including fish shops and eating houses)	8 per 100 sq. metres of gross floor area.
Offices	1 for every 40 sq. metres of floor area or 1 for every 2 persons employed on the site, whichever is the greater.
Hotels	1 for each bedroom, plus an additional space for every 2 sq. metres of floor or ground area open to the public for consumption of liquor, providing that in the case of areas used as lounges and beer gardens and used solely for seated customers, the ratio may be reduced to one additional space for every 5 sq. metres of floor or ground area and if provision is made for holding conventions, Council may require an additional space for every 4 persons that the convention room is designed to accommodate.
Taverns	1 for each 2 sq. metres of floor or ground area open to the public for the consumption of liquor providing that in the case of areas used as lounges and beer gardens and used solely for seated customers, the ratio may be reduced to one additional space for every 5 sq. metres of floor or ground area.
Warehouses, showrooms, car sales premises, service industry, including incidental offices	One for each 100 sq metres of utilised ground and one for each 100 sq. metres of gross floor area, or one for every 2 employees, whichever is the greater.
Industry	
General Industry	} One for every 50 sq. metres of gross floor area or one for 2 persons employed on the site, whichever is the greater.
Light Industry	
Other	
Institutional and Educational Uses	At the discretion of Council.

5.3 Size and Location of Car Spaces and Loading Facilities: The minimum dimensions of every required parking space shall be 5.5 metres x 2.5 metres excluding all access driveways. Adequate space shall be provided to parking bays and in general for right angle parking the minimum driveway width shall be 5.5 metres. Council may impose conditions prescribing landscaping, screening and/or the proportion of parking bays which

may be approved in front of the building setback line. Council shall also have regard to the location of footpaths and proposed footpaths and the effect on traffic movements, safety of parking areas and cross-overs. The Council may also apply conditions on any proposed development to ensure that adequate provision is made for service vehicles, and the loading and unloading of goods at the site.

5.4 Appearance of Buildings: All buildings shall be maintained by the owner and occupier thereof so as to preserve the amenities of the locality, and their harmony with the external designs of neighbouring buildings.

PART VI—Administration.

6.1 The Council may, by an authorized officer, at all reasonable times enter any buildings or land, for the purpose of ascertaining whether the provisions of the Scheme are being observed.

6.2 Notwithstanding the fact that planning consent is not required to permit certain buildings in certain zones, Council shall nevertheless have regard to the requirements of the Scheme when issuing a building licence. Where Council has not, within sixty days of the receipt by it of an application for approval to commence development, conveyed its decision to the applicant the application shall be deemed to have been refused.

6.3 Any person who is aggrieved by any decision given in terms of this Scheme has a right of appeal in terms of Part V of the Act.

Adoption. Adopted by resolution of the Council of the Shire of Lake Grace, at the Ordinary Meeting of Council held on 24th February, 1982.

B. P. WALSH,
President.

Dated 25/2/82.

L. GRIFFITHS,
Shire Clerk.

Dated 25/2/82.

Adopted by resolution of the Council of the Shire of Lake Grace at the Ordinary Meeting of the Council held on 25 August 1982 and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of—

[L.S.] B. P. WALSH,
President.

Dated 27/8/82.

L. GRIFFITHS,
Shire Clerk.

Dated 27/8/82.

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 Town Planning on 17 August 1983.

Recommended—

L. F. O'MEARA,
Chairman of the Town
Planning Board.

Dated 16/8/83.

Approved—

D. PARKER,
Hon. Minister for
Town Planning.

Dated 17/8/83.

First Schedule.

Special Rural Zones—Provisions Relating to Specified Areas.

(a) Specified Area of Locality	(b) Special Provisions

TOWN PLANNING AND DEVELOPMENT
ACT 1928 (AS AMENDED).

Advertisement of Approved Town Planning Scheme.

Shire of Merredin Town Planning Scheme No. 1.

T.P.B. 853/4/18/1.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning approved the Shire of Merredin Town Planning Scheme No. 1 on 17 August 1983, the Scheme Text of which is published as a Schedule annexed hereto.

J. H. CROOK,
Mayor.

R. LITTLE,
Shire Clerk.

Schedule.

Shire of Merredin Town Planning Scheme No. 1.

(District Zoning Scheme).

Scheme Text.

THE Shire Council of Merredin under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act 1928 (as amended) hereby makes the following Town Planning Scheme.

Scheme Text.

PART I—PRELIMINARY.

1.1 Arrangement of Scheme Text.

PART 1—Preliminary.

- 1.1 Arrangement of Scheme Text.
- 1.2 Citation.
- 1.3 Objects of the Scheme.
- 1.4 Responsible Authority.
- 1.5 Maps.
- 1.6 Scheme Area.
- 1.7 Interpretation.
- 1.8 Development Town Planning Schemes.
- 1.9 Repeal.

PART 2—Control of Development and Use of Land.

- 2.1 Classification into Zones.
- 2.2 Zoning and Development Table.
 - Residential 1 Zone—Single Residential.
 - Residential 2 Zone—Medium Density.
 - Tourist Zone.
 - Hotel Zone.
 - Shop Zone.
 - Office Zone.
 - Showroom Zone.
 - Light Industry Zone.
 - General Industry Zone.
 - Civic/Cultural Zone.
 - General Farming Zone.
 - Stable Zone.
 - Special Zone.
- 2.3 Classification Into Reserves.
 - Public Utility Reserve.
 - Public Purpose Reserve.
 - Recreation Reserve.
 - Drainage Reserve.
 - Important Regional Road Reserve.

PART 3—General Provisions.

- 3.1 Car Parking.
- 3.2 Landscaping.
- 3.3 Battle-axe Lots.
- 3.4 Development of Lots with more than one street frontage.
- 3.5 General Appearance of Buildings.
- 3.6 Home Occupations.

- 3.7 Access for Loading and Unloading of Vehicles.
- 3.8 Building Materials.
- 3.9 Screening of Storage Areas.

PART 4—Special Provisions.

- 4.1 Development Areas.
- 4.2 Places of Heritage Value.

PART 5—Non-Conforming Uses of Land.

- 5.1 } Continuance of Non-Conforming Use.
- 5.2 }
- 5.3 Change of Non-Conforming Use.
- 5.4 Discontinuance of Non-Conforming Use.
- 5.5 Registration of Non-Conforming Uses.

PART 6—Finance and Administration.

- 6.1 Application for Planning Consent.
- 6.2 Application for Special Approval.
- 6.3 Matters to be considered by Council.
- 6.4 Council Decisions.
- 6.5 Powers of the Council.
- 6.6 Enforcement.
- 6.7 Relaxation of Standards.
- 6.8 Offences and Penalties.
- 6.9 Claims for Compensation and Betterment.
- 6.10 Appeals.

Appendices.

1. Form of Application for Planning Consent.
2. Form of Approval/Refusal of Approval of Planning Consent.
3. Form of Notice of Public Advertisement of Development Proposal.
4. Setback Diagram.
5. Car Parking Layouts.
6. Schedule of Places of Heritage Value.
7. Interpretation.

1.2 Citation: This Town Planning Scheme may be cited as the Shire of Merredin Town Planning Scheme No. 1—District Zoning Scheme (hereinafter referred to as "the Scheme") and shall come into operation upon publication of notice of the Minister's final approval thereof in the *Government Gazette*.

1.3 Objects of the Scheme: The objects of the Scheme are—

- (a) to reinforce the existing pattern of land uses within the District having regard to the present and future circumstances and to define by zoning the future land use and development types permitted and guide investment decisions of intending developers, public authorities, residents and business people;
- (b) to control, regulate and co-ordinate public and private development, the use of land and buildings and the carrying out of works in order to improve the welfare of the residents of and visitors to the District in relation to amenity, convenience, economy and attractiveness of the environment;
- (c) to enable the Merredin townsite to continue its role as a country regional centre providing commercial, industrial, communications, civic, educational, administrative and welfare services to the surrounding region;
- (d) to provide an overall framework to guide the long-term growth of the Merredin townsite so that future development is consolidated within the area bounded by the Goldfields Road on the north and the Goldfields Water Supply Pipeline on the south;
- (e) to encourage the future residential development of the Merredin townsite into areas which are environmentally suitable, particularly in terms of being adequately drained and conveniently located in relation to available engineering services;
- (f) to promote opportunities for tourist development in the Merredin townsite with the emphasis on the provision of overnight accommodation and short stop traveller's facilities;

(g) to reinforce the aims of Town Planning Scheme No. 5—Industrial Area Scheme by encouraging the location and development of general industry in the area immediately west of the Merredin townsite—

(h) to confirm and consolidate urban development in the small townsites within the District.

1.4 Responsible Authority: The authority responsible for enforcing the observance of the Scheme is the Shire Council of Merredin (hereinafter referred to as "the Council").

1.5 Maps: The following maps form part of the Scheme:

Land Use Map.

Scheme Map.

1.6 Scheme Area: The Scheme applies to the area of land contained within the inner edge of a broken black line on the Scheme Map (hereinafter referred to as "the Scheme Area"), which comprises the whole of the District of the Shire of Merredin.

1.7 Interpretation.

1.7.1 In the Scheme unless the context otherwise requires the words and expressions set out in Appendix 7 have the respective meanings given to them in that Appendix.

1.7.2 Words and expressions used in the Scheme but not defined in Appendix 7 have the meanings assigned to them in the Act or in Appendix D to the Town Planning Regulations 1967, as the case may be, unless the context otherwise requires or unless otherwise provided herein.

1.7.3 The Appendices form part of the Scheme.

1.7.4 The headings to clauses are for reference only and do not affect the construction of the Scheme.

1.7.5 A reference to an Act of Parliament or to a Section thereof includes a reference to any Act by which it is re-enacted or amended for the time being in force and also includes all by-laws, regulations and orders made thereunder for the time being in force.

1.8 Development Schemes: Subject to clause 2.2.11, this Scheme prevails over the following Town Planning Schemes to the extent of any inconsistency:

Shire of Merredin Town Planning Scheme No. 2—Northern Residential Area Scheme;

Shire of Merredin Town Planning Scheme No. 5—Industrial Area Scheme

1.9 Repeal: Shire of Merredin Town Planning Scheme No. 4—Cohn Street Scheme published in the *Government Gazette* of 27 September 1974, is hereby revoked.

PART 2—Control of Development and Use of Land.

2.1 Classification into Zones.

2.1.1 There are hereby created within the Scheme Area the several zones listed hereunder:

Residential 1 Zone—Single Residential.

Residential 2 Zone—Medium Density.

Tourist Zone.

Hotel Zone.

Shop Zone.

Office Zone.

Showroom Zone.

Light Industry Zone.

General Industry Zone.

Civic and Cultural Zone.

General Farming Zone.

Stable Zone.

Special Zone.

2.1.2 There are hereby created within the Scheme Area the areas listed hereunder:

Developmental Area.

Places of Heritage Value.

2.1.3 The Zones and Areas or those now required in the Scheme Area are delineated or coloured or otherwise indicated on the Scheme Map according to the legend thereon.

2.2 Zoning and Development Table.

2.2.1 The Zoning and Development Table indicates subject to the provisions of the Scheme, the uses permitted in the various zones and the development standards that apply to various uses specified in the Table for each Zone.

2.2.2 The symbols used in the cross references in the Zoning and Development Table have the following meanings:—

P = a use that is permitted if it complies with the relevant development standards contained in this Scheme Text and in the Zoning and Development Table.

PS = a use that is not permitted unless special approval to it is given by the Council, and unless—

(a) it complies with the conditions of the approval (if any) of the Council; and

(b) it complies with the relevant standards contained in this Scheme Text and in the Zoning and Development Table.

AP = a use that is not permitted unless—

(a) approval to it is given by the Council after the proposal has been advertised in accordance with Clause 6.2.2;

(b) it complies with the conditions of the approval (if any) of the Council; and

(c) it complies with the relevant standards contained in this Scheme Text and in the Zoning and Development Table.

IP = a use that is not permitted unless it is incidental to the predominant use of the land as determined by the Council.

2.2.3 Where in the Zoning and Development Table a particular use is mentioned it is deemed to be excluded from any other use class which by its more general terms would otherwise include the particular use.

2.2.4 If a particular use is not listed in the use classes, and is not included in the general terms of any use class, then the Council shall, upon application to it, determine either;

(a) that the use shall be prohibited within the Scheme Area; or

(b) that the use may be permitted within one or more of the zones within the Scheme Area.

The Council shall, in the latter case, decide which of the use symbols shall apply and may impose any conditions or development standards it deems fit.

2.2.5 Subject to the provisions of the Scheme, a person shall not use land or erect or commence to erect a building or structure for a use or purpose specified in the Zoning and Development Table otherwise than in accordance with the relevant provisions of that Table and unless the building or structure complies with the requirements of the Table.

2.2.6 The development standards applicable to the Zones, and Areas mentioned in the Zoning and Development Table are those specified in that Table respectively unless a particular standard is specified in relation to a particular use in which case the particular standard so specified applies to the particular use.

2.2.7 The Council may relax the requirements of the Zoning and Development Table in respect of—

(a) the retention or restoration of places of heritage value; and

(b) a use that is incidental to the predominant use of the land.

2.2.8 Nothing contained in the preceding clauses of this Part or in the Zoning and Development Table limits the powers of the Council to impose conditions when granting planning consent to commence development pursuant to Clause 6.4.1 and in particular, but without limiting the generality of the foregoing the Council may impose conditions in respect of additional restrictions and requirements not specified in the Zoning and Development Table.

2.2.9 Where by a development town planning scheme having the force of law land is designated for group housing or a duplex house the Council shall not refuse to grant it special approval to the use of the land for group housing or a duplex house, as the case may be.

2.2.10 The Policy Statements contained in the Zoning and Development Table—

- (a) are statements of general policy only;
- (b) do not affect the obligation of the Council to consider the circumstances and merits of each particular case.

2.2.11 If there is any conflict between a policy statement contained in the Zoning and Development Table and the other provisions thereof the latter prevail.

2.2.12 The explanation of the symbols in the Zoning and Development Table is for convenience only and is subject to and does not affect the operation or construction of this clause or of the Scheme.

ZONING AND DEVELOPMENT TABLE

ZONE: RESIDENTIAL 1 - SINGLE RESIDENTIAL

POLICY STATEMENT Primarily for single and attached dwelling houses on separate lots. Group dwellings would be permitted at the discretion of Council having regard for the compatibility of a proposed development with the surrounding single residential environment.

EXPLANATION OF SYMBOLS
See Clause 2.2.2.

- P = Use permitted subject to compliance with Development Standards.
- PS = Use not permitted unless special approval given by Council and conditions complied with.
- AP = Not permitted unless special approval given by Council after consultation with Council.
- IP = Use not permitted unless it is incidental to a predominant use as determined by Council.

PERMITTED USES	DEVELOPMENT STANDARDS										OTHER REQUIREMENTS
	MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MINIMUM AREA OF LOT PER DWELLING UNIT	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	MINIMUM PRIVATE OPEN SPACE		
				FRONT	REAR	SIDES					
1 SINGLE HOUSE	R12.5	R12.5	R12.5	7.5m	R12.5	R12.5	R12.5	2 per house	R12.5	R12.5	
2 ATTACHED HOUSE	R20	R20	R20	7.5m	R20	R20	R20	2 per dwelling unit	R20	R20	
3 GROUPED DWELLING	R20	R20	R20	7.5m	R20	R20	R20	2 per dwelling unit	R20	R20	
4 AGED OR DEPENDENT PERSONS DWELLINGS	R20	R20	R20	R20	R20	R20	R20	R20	R20	R20	
5 PARKS, RECREATION GROUNDS, BOTANICAL GARDENS NOT USED AT NIGHT	N/A.	18m.	N/A	Nil.	Nil.	Nil.	Nil.	At Council Discretion	At Council Discretion	N/A.	

NOTE—UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW, THE STANDARDS ABOVE APPLY TO THIS ZONE

2.3 Residential Development—Residential Planning Codes.

2.3.1 For the purpose of this Scheme "Residential Planning Codes" means the Residential Planning Codes, Country Towns, adopted as policy by the Town Planning Board on 26th July, 1982 together with all amendments or additions thereto on any code, by-laws or negotiations replacing them and applying or being applicable within the district.

2.3.2 A copy of the Residential Planning Codes shall be available for public inspection at the offices of the Council.

2.3.3 In the event of there being any inconsistency between the Residential Planning Codes identified by Clauses 2.3.1 and 2.3.2 and the Scheme, the provisions in the document identified in Clause 2.3.1 shall prevail.

2.3.4 Unless otherwise provided for in the Scheme the development of land for any of the Residential

ZONING AND DEVELOPMENT TABLE

ZONE: RESIDENTIAL 2 - MEDIUM DENSITY RESIDENTIAL

POLICY STATEMENT This zone principally provides for higher density forms of residential development including two or more storey housing and special residential uses such as Aged persons homes, nursing homes, lodging homes, etc., which are not easily integrated into a low density residential environment. It is intended to promote development of the type permitted within this zone on the western side of the Merredin Town Centre where it is advantaged by convenience to shopping, community and recreation facilities and where reticulated sewerage is available.

EXPLANATION OF SYMBOLS
See Clause 2.2.2.

- P = Use permitted subject to compliance with Development Standards.
- PS = Use not permitted unless special approval given by Council and conditions complied with.
- AP = Not permitted unless special approval given by Council after advertising.
- IP = Use not permitted unless it is incidental to a predominate use as determined by Council.

			DEVELOPMENT STANDARDS									
			MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MINIMUM AREA OF LOT PER DWELLING UNIT	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	MINIMUM PRIVATE OPEN SPACE	OTHER REQUIREMENTS
FRONT	REAR	SIDES										
PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW, THE STANDARDS ABOVE APPLY TO THIS ZONE									
1	GROUPED DWELLINGS OR ATTACHED HOUSING	P	R30	R30	R30	R30	R30	R30	R30	R30	R30	
2	MULTIPLE DWELLINGS	P	R50	R50	R50	R50	R50	R50	R50	R50	R50	
3	AGED PERSONS VILLAGE	P	3,000 sq.m.	40m	200 sq.m.	R50	R50	R50	1 per 3 beds and 0.5 per unit	50% of Site		
4	AGED PERSONS HOME		1,000 sq.m.	20m	N/A	R50	R50	R50	1 per 3 beds and 1 per unit.	50% of Site.		
5	AGED OR DEPENDENT PERSONS DWELLINGS	P	R30	R30	R30	R30	R30	R30	R30	R30	R30	
6	SINGLE HOUSE	P	R30	R30	R30	R30	R30	R30	R30	R30	R30	

ZONING AND DEVELOPMENT TABLE

ZONE RESIDENTIAL 2 - MEDIUM DENSITY RESIDENTIAL CONTINUED

POLICY STATEMENT This zone principally provides for higher density forms of residential development including two or more storey types of housing and special residential uses such as Aged persons homes, nursing homes, lodging homes etc., which are not easily integrated into a low density residential environment. An overall height limit of 3 storeys will be applied. It is intended to promote development of the type permitted within this zone on the western side of the Merredin Town Centre where it is advantaged by convenience to shopping, community and recreation facilities and where reticulated sewerage is available.

EXPLANATION OF SYMBOLS
See Clause 2.2.2.

- P = Use permitted subject to compliance with Development Standards.
- PS = Use not permitted unless special approval given by Council and conditions complied with.
- AP = Not permitted unless special approval given by Council after advertising.
- IP = Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS										
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MINIMUM AREA OF LOT PER DWELLING UNIT	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	MINIMUM PRIVATE OPEN SPACE	OTHER REQUIREMENTS	
			FRONT	REAR	SIDES					

PERMITTED USES		THE STANDARDS BELOW WILL APPLY TO THIS ZONE										
8	RESIDENTIAL BUILDING	P	1,600m ²	30m	N/A	7.5m	3.0m per storey	3.0m per storey	1 per 2 beds	50% of site	N/A	
9	NURSING HOME	P	2,000m ²	40m	N/A	7.5m	3.0m per storey	3.0m per storey	1 per 5 beds	50% of site	N/A	
10	CONVALESCENT HOME	P	2,000m ²	40m	N/A	7.5m	3.0m per storey	3.0m per storey	1 per 5 beds	50% of site	N/A	
11	INSTITUTIONAL HOME	P	1,600m ²	40m	N/A	7.5m	3.0m per storey	3.0m per storey	1 per 5 beds	50% of site	N/A	
12	MOTEL (NOT LICENSED)	PS	4,000m ²	40m	N/A	7.5m	3.0m per storey	3.0m per storey	1 per unit plus staff parking	20% of site	N/A	The Shire of Merredin By-laws relating to Motels published in the Govn't Gazette on the 21st Nov. 1967 apply.
13	PARKS, RECREATION GROUNDS, BOTANICAL GARDENS NOT USED AT NIGHT	PS	N/A	N/A	N/A	Nil.	Nil	Nil.	At Council Discret	N/A	N/A	
14	CONSULTING ROOMS	AP	1000 Sq.m.	20m	N/A	7.5m	3.0m per storey	3.0m per storey	100, 5 per Consultant	20% of site	N/A	
15	DRY CARE/CHILD MINDING CENTRE	AP	1000 Sq.m	20m	N/A	7.5m	3.0m per storey	3.0m per storey	1 per 5 children	50% of site	N/A	
16	INSTITUTIONAL BUILDING	AP	1,600m ²	30m	N/A	7.5m	3.0m per storey	3.0m per storey	At Council Discretion	50% of site	N/A	
17	CARETAKER'S HOUSE	IP	N/A	N/A	N/A	7.5m	6m	1m	N/A	N/A	N/A	

ZONING AND DEVELOPMENT TABLE

ZONE RESIDENTIAL 2 - MEDIUM DENSITY RESIDENTIAL CONTINUED

POLICY STATEMENT This zone principally provides for higher density forms of residential development including two or more storey types of housing and special residential uses such as Aged persons homes, nursing homes, lodging homes etc., which are not easily integrated into a low density residential environment. An overall height limit of 3 storeys will be applied. It is intended to promote development of the type permitted within this zone on the western side of the Merredin Town Centre where it is advantaged by convenience to shopping, community and recreation facilities and where reticulated sewerage is available.

EXPLANATION OF SYMBOLS

See Clause 2.2.2.

- P = Use permitted subject to compliance with Development Standards.
- PS = Use not permitted unless special approval given by Council and conditions complied with.
- AP = Not permitted unless special approval given by Council after advertising.
- IP = Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS											
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MINIMUM AREA OF LOT PER DWELLING UNIT	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	MINIMUM PRIVATE OPEN SPACE	OTHER REQUIREMENTS		
			FRONT	REAR	SIDES						

PERMITTED USES		THE STANDARDS BELOW WILL APPLY TO THIS ZONE										
18	SHOP WITHIN A RESIDENTIAL BUILDING	IP	N/A	N/A	N/A	7.5m	3.0m per storey	3.0m per storey	3	N/A	N/A	
19	CAR PARK	IP	N/A	N/A	N/A	2m	2m	1m	N/A	Clause 3.1.3	N/A	
20	LAUNDRONAT	IP	N/A	N/A	N/A	7.5m	3.0m per storey	3.0m per storey	3	N/A	N/A	
21	WATER SUPPLY AND SEWERAGE HEADWORKS	P	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	

ZONING AND DEVELOPMENT TABLE

ZONE TOURIST

POLICY STATEMENT Council intends to encourage the development of tourist accommodation and associated facilities in selected locations within the Merredin townsite along the Great Eastern Highway to encourage the patronage of east-west travellers. Overnight forms of accommodation including motels and caravan parks would be permitted as would short stop travel facilities such as service stations, road houses, restaurants, art, craft and souvenir shops.

EXPLANATION OF SYMBOLS
See Clause 2.2.2.

- P = Use permitted subject to compliance with Development Standards.
- PS = Use not permitted unless special approval given by Council and conditions complied with.
- AP = Not permitted unless special approval given by Council after advertising.
- IP = Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	MAXIMUM ADVERTISING	OTHER REQUIREMENTS
			FRONT	REAR	SIDES				
1000m ²	20m	0.5	11m	7.5m	2m per storey	As determined by Council	50% of site		

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW, THE STANDARDS ABOVE WILL APPLY TO THIS ZONE.							
1	MOTEL	P	4000m ²	40m				1 per unit plus staff parking	25% of site	The Shire of Merredin By-laws relating to Motels published in the Govn't Gazette on 21st Nov. 1967 apply.
2	CARAVAN PARK INCLUDING KIOSK AND FUEL OUTLET FOR PATRONS ONLY	P	AS FOR THE SHIRE OF MERREDIN BY-LAWS RELATING TO CARAVAN PARKS AND CAMPING GROUNDS PUBLISHED IN THE GOVERNMENT GAZETTE ON THE 14TH MARCH, 1975							Development to be substantially screened from public roads by maintained landscaping and/or natural vegetation
3	CAMPING AREA	P								
4	CHALETS, HOLIDAY CABINS INCLUDING KIOSK AND FUEL OUTLET FOR PATRONS ONLY	P								
5	LICENSED RESTAURANT	P					1 per 4 seats	25% of site		
6	SERVICE STATION	P	1500m ²	40m	0.35		5m		20% of site including a minimum 1m landscape strip to site boundaries	
7	ROADHOUSE	P	2000m ²	40m	0.35		5m	1 per 4 seats or 1 for every 1m length of queuing area		
8	EATING HOUSE	P							25% of site	

ZONING AND DEVELOPMENT TABLE

ZONE TOURIST (CONT/D.)

POLICY STATEMENT Council intends to encourage the development of tourist accommodation and associated facilities in selected locations within the Merredin townsite along the Great Eastern Highway to encourage the patronage of east-west travellers. Overnight forms of accommodation include motels and caravan parks would be permitted as would short stop travel facilities such as service stations, road houses, restaurants, art, craft and souvenir shops.

EXPLANATION OF SYMBOLS
See Clause 2.2.2.

- P = Use permitted subject to compliance with Development Standards.
- PS = Use not permitted unless special approval given by Council and conditions complied with.
- AP = Not permitted unless special approval given by Council after advertising.
- IP = Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	MAXIMUM ADVERTISING	OTHER REQUIREMENTS
			FRONT	REAR	SIDES				
1000m ²	20m	0.5	11m	7.5m	2m per storey	As determined by Council	50% of site		

PERMITTED USES			NOTE—UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW, THE STANDARDS ABOVE WILL APPLY TO THIS ZONE.							
9	ART AND CRAFT STUDIO AND SALES	P								
10	NIGHT CLUB/CABARET ROOM	AP								
11	SERVICE PREMISES	IP								
12	SHOP WITHIN A TOURIST BUILDING	IP								
13	CAR PARK	IP			2m	2m	1m			
14	CARETAKER'S HOUSE	IP								

ZONING AND DEVELOPMENT TABLE

ZONE HOTEL

POLICY STATEMENT Primarily provides for the specific zoning of premises with a liquor license. Council would support an application for development of a licensed premise after having regard for the likely effect that the proposal would have on the nearby residential locality, particularly with respect to potential traffic, noise and other nuisance problems. Specific zoning enables maximum community involvement in decisions on their location.

EXPLANATION OF SYMBOLS
See Clause 2.2.2.

- P = Use permitted subject to compliance with Development Standards.
- PS = Use not permitted unless special approval given by Council and conditions complied with.
- AP = Not permitted unless special approval given by Council after advertising.
- IP = Use not permitted unless it is incidental to a predominant use as determined by Council.

		DEVELOPMENT STANDARDS									
		MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	MAXIMUM ADVERTISING	OTHER REQUIREMENTS
					FRONT	REAR	SIDES				
		4000m ²	30m	0.5	11m or 20m	11m or 20m	10m per storey	1 per 3m ² of public area plus 1 per b/room	25% of site		
PERMITTED USES		NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW, THE STANDARDS ABOVE WILL APPLY TO THIS ZONE.									
1	HOTEL	P	5000m ²	60m							
2	TAVERN - DETACHED	P						1 per 3m ² public area			
3	TAVERN - ATTACHED	P	1500m ²	10m	AS FOR SURROUNDING USES			1 per 3m ² of public area	At the discretion of Council		
4	LICENSED RESTAURANT	P	1600m ²					1 for every 4 seats	At the discretion of Council		
5	NIGHT CLUB	P		20m				1 per 5m ² of bar and lounge			
6	MOTEL	P		40m				1 per unit plus staff parking			The Shire of Merredin By-laws relating to Motels published in the Govn't Gazette on 21st Nov. 1967 apply.
7	SPORTING CLUB	P									
8	RESIDENTIAL BUILDING	P									
9	SHOP	IP									
10	EATING HOUSE	IP						1 for every 4 seats			
11	PLACE OF AMUSEMENT	IP									
12	CARETAKER'S HOUSE	IP									
13	CAR PARK	IP				2m	2m	1m			

ZONING AND DEVELOPMENT TABLE

ZONE SHOP

POLICY STATEMENT Primarily for retail shopping but includes other uses normally associated with shopping areas. It is intended that future retail development in the Merredin townsite be consolidated in the existing town centre. Where uses are proposed that involve varying periods of use, multiple use of parking will be allowed at Council discretion. Where the conversion of existing premises is involved, Council shall use its discretion on development standards.

EXPLANATION OF SYMBOLS
See Clause 2.2.2.

- P = Use permitted subject to compliance with Development Standards.
- PS = Use not permitted unless special approval given by Council and conditions complied with.
- AP = Not permitted unless special approval given by Council after advertising.
- IP = Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	MAXIMUM ADVERTISING	OTHER REQUIREMENTS
			FRONT	REAR	SIDES				
As determined by Council	6m	1.0	11m or nil	nil	nil	7 spaces per 100m ² of gross leaseable area	10% of site		

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARDS ABOVE WILL APPLY TO THIS ZONE.						
1	SHOP	P							
2	SUPERMARKET	P						10 per 100m ² gross leaseable area	
3	BANK	P							
4	EATING HOUSE	P						1 per 4 seats or 1 for every 1m length of queuing area	
5	LIQUOR STORE	P							
6	ART AND CRAFT STUDIO AND SALES	P							
7	SERVICE PREMISES	P							
8	CONSULTING ROOMS	P	1000m ²	18m	0.35	7.5m	7.5m	2.0m each side	5 per Consultant
9	PREMISES FOR THE SALE OF DOMESTIC GARDEN PLANTS AND ALLIED PRODUCTS.	P							
10	SHOP WITH DWELLING ABOVE	P							
11	DAY CARE/CHILD MINDING CENTRE	PS	1000m ²	20m	0.35			2.0m each side	1 for each 5 children
12	DRYCLEANING PREMISES	PS							50%

ZONING AND DEVELOPMENT TABLE

ZONE OFFICE

POLICY STATEMENT This zone is located within the main town centre of the Merrardin townsite and principally provides for professional offices, government offices, banks and medical consulting rooms. Council shall use its discretion on development standards where the conversion of existing premises is involved.

EXPLANATION OF SYMBOLS
See Clause 2.2.2.

- P = Use permitted subject to compliance with Development Standards.
- PS = Use not permitted unless special approval given by Council and conditions complied with.
- AP = Not permitted unless special approval given by Council after advertising.
- IP = Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	MAXIMUM ADVERTISING	OTHER REQUIREMENTS
			FRONT	REAR	SIDES				
680m ²	18m	1.0	11m or nil	7.5m	2m	1 space for every 40m ² of gross floor area	20%		

PERMITTED USES			NOTE—UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARDS ABOVE WILL APPLY TO THIS ZONE.						
1.	OFFICE	P							
2.	CONSULTING ROOMS	P	1000m ²	20m	0.35	7.5m	2.0m each side	5 per Consultant	
3.	ROOMS MEETING PLACES FOR CLUBS AND ASSOCIATIONS	P							
4.	PUBLIC LIBRARY	P							
5.	SERVICE PREMISES	PS							
6.	DAY CARE/CHILD MINDING CENTRE	PS	1000m ²	20m	0.35		2.0m each side	1 for each 5 children	50%
7.	CARETAKER'S HOUSE	IP							
8.	CAR PARK	IP				2m	2m	1m	

ZONING AND DEVELOPMENT TABLE

ZONE SHOWROOM

POLICY STATEMENT Primarily intended for showroom uses. Showroom premises, open air display and warehouse uses which involve sales of bulky goods by retail are permissible. Where uses such as car, boat and caravan sales, carpet, bulky furniture and alike, involve direct sales to the public, the car parking standards may be increased at the discretion of the Council. Council shall endeavour to co-ordinate the locations of parking areas, landscaping and crossovers from streets such that a tidy street frontage results.

EXPLANATION OF SYMBOLS
See Clause 2.2.2.

- P = Use permitted subject to compliance with Development Standards.
- PS = Use not permitted unless special approval given by Council and conditions complied with.
- AP = Not permitted unless special approval given by Council after advertising.
- IP = Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	MAXIMUM ADVERTISING	OTHER REQUIREMENTS
			FRONT	REAR	SIDES				
1000m ²	20m	0.5	11m or 20m in accordance with Appendix 4	7.5m	5m one side	1 space per 100m ² of gross floor area or display area	20% of site		Council may increase the car parking requirement where the incidental or ancillary use demands additional parking.

PERMITTED USES			NOTE—UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW, THE STANDARDS ABOVE WILL APPLY TO THIS ZONE.						
1	SHOWROOM	P							
2	OPEN AIR DISPLAY	P		2m	2m	1.5m each side			
3	WAREHOUSE	P							
4	CAR, CARAVAN, BOAT AND MACHINERY SALES OR HIRE PREMISES	P							
5	RADIO AND T.V. STUDIO AND INSTALLATION	P							
6	ART AND CRAFT STUDIO AND SALES	P							
7	SERVICE PREMISES	P							
8	VETERINARY CLINIC	P					2 per Vet		
9	VETERINARY HOSPITAL	P					1 per 25m ² gross floor space		
10	FUNERAL PARLOUR	P							
11	PLANT NURSERY AND PREMISES FOR THE SALE OF DOMESTIC GARDEN PLANS AND ALLIED PRODUCTS	P							
12	PUBLIC AMUSEMENT	P	2000m ²	40m			3.0m per storey each side	1 per 20m ² of gross floor area	25%

ZONING AND DEVELOPMENT TABLE

ZONE SHOWROOM (CONT/D.)

POLICY STATEMENT Primarily intended for showroom uses. Showroom premises, open air display and warehouse uses which involve sales of bulky goods by retail are permissible. Where uses such as car, boat and caravan sales, carpet bulky furniture and alike, involve direct sales to the public, the car parking standards may be increased at the discretion of the Council. Council shall endeavour to co-ordinate the locations of parking areas, landscaping and crossovers from streets, such that a tidy street frontage results.

EXPLANATION OF SYMBOLS
See Clause 2.2.2.

- P = Use permitted subject to compliance with Development Standards.
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- IP = Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	MAXIMUM ADVERTISING	OTHER REQUIREMENTS
			FRONT	REAR	SIDES				
1000m ²	20m	0.5	11m or 20m in accordance with Appendix 4	7.5m	5m one side	1 space per 100m ² of gross floor area or display area	20% of site		Council may increase the car parking requirement where the incidental or ancillary use demands additional parking.

PERMITTED USES		NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW, THE STANDARDS ABOVE WILL APPLY TO THIS ZONE.							
13	SERVICE STATION	P	1500m ²	40m	0.35				
14	CAR WASH	P							
15	PLACE OF AMUSEMENT	AP							
16	OFFICE	IP							
17	CAR PARK	IP				2m	2m	1m	
18	CARETAKER'S HOUSE	IP							
19	AMENITY BUILDING	IP							

ZONING AND DEVELOPMENT TABLE

ZONE LIGHT INDUSTRY

POLICY STATEMENT Primarily industry which will not effect the amenity of the locality through the emission of noise, odours, smoke etc. and other wastes and which does not require independent power sources. Council will endeavour to co-ordinate the positioning of cross overs, landscaping and car parking on the street frontages of adjoining premises. Open storage areas should be screened. Council may increase the parking standards where uses involve direct sales to the public.

EXPLANATION OF SYMBOLS
See Clause 2.2.2.

- P = Use permitted subject to compliance with Development Standards.
- PS = Use not permitted unless special approval given by Council and conditions complied with.
- AP = Not permitted unless special approval given by Council after advertising.
- IP = Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	MAXIMUM ADVERTISING	OTHER REQUIREMENTS
			FRONT	REAR	SIDES				
1000m ²	25m	0.5	11m or 20m in accordance with Appendix 4	10m	5m one side	1 space per 100m ² of gross floor area or display area	20% of site		Council may increase the parking standards where uses involve direct sales to the public.

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW, THE STANDARDS ABOVE WILL APPLY TO THIS ZONE.							
1	LIGHT INDUSTRY	P								
2	SHOWROOM	P								
3	OPEN AIR DISPLAY	P			2m	2m	1.5m			
4	WAREHOUSE	P								
5	CAR, CARAVAN, BOAT AND MACHINERY SALES OR HIRE PREMISES	P								
6	RADIO & T.V. STUDIO AND INSTALLATION	P								
7	ART AND CRAFT STUDIO AND SALES	P								
8	SERVICE INDUSTRY	P								
9	BUILDER'S YARD	P								
10	FUNERAL PARLOUR	P								
11	VETERINARY CLINIC	P							2 per Vet	
12	VETERINARY HOSPITAL	P							1 per 25m ² gross floor area	
13	CAR WASH	P								

ZONING AND DEVELOPMENT TABLE

ZONE LIGHT INDUSTRY (CONT/D.)

POLICY STATEMENT Primarily industry which will not effect the amenity of the locality through the emission of noise, odours, smoke etc. and other wastes and which does not require independent power sources. Council will endeavour to co-ordinate the positioning of cross overs, landscaping and car parking on the street frontages of adjoining premises. Open storage areas should be screened. Council may increase the parking standards where uses involve direct sales to the public.

EXPLANATION OF SYMBOLS
See Clause 2.2.2.

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- AP = Not permitted unless special approval given by Council after advertising.
- IP = Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	MAXIMUM ADVERTISING	OTHER REQUIREMENTS
			FRONT	REAR	SIDES				
1000m ²	25m	0.5	11m or 20m in accordance with Appendix 4	10m	5m one side	1 space per 100m ² of gross floor area or display area	20% of site		Council may increase the parking standards where uses involve direct sales to the public.

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW, THE STANDARDS ABOVE WILL APPLY TO THIS ZONE.									
14	PLANT NURSERY AND PREMISES FOR THE SALE OF DOMESTIC GARDEN PLANTS AND ALLIED PRODUCTS	P										
15	PUBLIC AMUSEMENT	P	2000m ²	40m		7.5m	3.0m per storey each side	1 per 20m ² of gross floor area	25%			
16	STORE	P										
17	SERVICE PREMISES	PS										
18	DRIVE-IN THEATRE	PS			20m	20m	20m		10% of site on perimeter			1. No direct access to an Important Regional Road. 2. Screen face not to be visible to passing traffic
19	DEPOT FOR THE SALE AND DISTRIBUTION OF COAL, COKE AND CUT FIREWOOD	PS										
20	PLACE OF AMUSEMENT	AP										
21	FUEL DEPOT	AP										
22	TRANSPORT DEPOT	AP										
23	VEHICLE REPAIR STATION	AP										

ZONING AND DEVELOPMENT TABLE

ZONE GENERAL INDUSTRY (CONT/D.)

POLICY STATEMENT Primarily for general industry but noxious and hazardous industries may be permitted in exceptional circumstances. Council's policy is to locate all future uses of this nature within the West Merredin Industrial area. Light Industrial and other uses would be permitted on the assumption that the proprietors of such uses will be aware of the effects from adjacent general industry.

EXPLANATION OF SYMBOLS
See Clause 2.2.2.

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- PS = Use not permitted unless special approval given by Council and conditions complied with.
- AP = Not permitted unless special approval given by Council after advertising.
- IP = Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	MAXIMUM ADVERTISING	OTHER REQUIREMENTS
			FRONT	REAR	SIDES				
2000m ²	25m	0.5	11m or 20m in accordance with Appendix 4	10m	5m one side	1 per 100m ² of gross floor area or 1 per 2 employees	20% of site		

PERMITTED USES		NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARDS ABOVE WILL APPLY TO THIS ZONE.								
14	PREMISES FOR THE TEMPORARY OR PERMANENT STORAGE OF ENGINEERING EQUIPMENT AND MATERIAL AND THE PARKING OF EARTHMOVING EQUIPMENT AND MACHINERY	P								
15	DEPOT FOR THE SALE AND DISTRIBUTION OF COAL, COKE AND CUT FIREWOOD	P								
16	CAR, CARAVAN, BOAT AND MACHINERY SALES OR HIRE PREMISES	P								
17	BULK GRAIN HANDLING INSTALLATION	P								
18	CAR WRECKING	PS								Area to be screened from view
19	DRY CLEANING PREMISES	PS								
20	STOCKYARDS AND SALEYARDS	AP								
21	NOXIOUS INDUSTRY	AP								
22	HAZARDOUS INDUSTRY	AP								

ZONING AND DEVELOPMENT TABLE

ZONE CIVIC AND CULTURAL (CONT/D.)

POLICY STATEMENT A wide range of community uses which are generally of a cultural, recreational nature are permitted within this zone. Typical uses include libraries, churches, halls, indoor recreation activities, private schools, pre-schools and infant health facilities. In determining car parking requirements, Council will take account of the number of cars likely to congregate on site.

EXPLANATION OF SYMBOLS
See Clause 2.2.2.

- P = Use permitted subject to compliance with Development Standards.
- PS = Use not permitted unless special approval given by Council and conditions complied with.
- AP = Not permitted unless special approval given by Council after advertising.
- IP = Use not permitted unless it is incidental to a predominant use as determined by Council.

		DEVELOPMENT STANDARDS									
		MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	MAXIMUM ADVERTISING	OTHER REQUIREMENTS
					FRONT	REAR	SIDES				
		1000m ²	20m	0.5	11m	7.5m	2.0m per storey each side	As determined by Council	25% of site		
PERMITTED USES		NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW, THE STANDARDS ABOVE WILL APPLY TO THIS ZONE.									
12	PARKS, RECREATION GROUNDS, BOTANICAL GARDENS NOT USED AT NIGHT	P									
13	PUBLIC RECREATION INCLUDING BUILDINGS USED IN CONJUNCTION THEREWITH	P									
14	EATING HOUSE	PS						1 per 4 seats or 1 for every 1m length of queuing area			
15	DRIVE IN AND OPEN AIR THEATRES	AP			20m	20m	20m		10% of site on perimeter		1. No direct access to an Important Regional Road. 2. Screen face not to be visible to passing traffic.
16	PRIVATE RECREATION INCLUDING BUILDINGS USED IN CONJUNCTION THEREWITH	AP									
17	PRIVATE CLUBS AND INSTITUTIONS INCLUDING SPORTING CLUBS	AP									
18	PRIVATE SCHOOL	AP									
19	OFFICE	IP									

ZONING AND DEVELOPMENT TABLE

ZONE CIVIC AND CULTURAL (CONT/D.)

POLICY STATEMENT A wide range of community uses which are generally of a cultural, recreational nature are permitted within this zone. Typical uses include libraries, churches, halls indoor recreational activities, private schools, pre schools and infant health facilities. In determining car parking requirements, Council will take account of the number of cars likely to congregate on site.

EXPLANATION OF SYMBOLS
See Clause 2.2.2.

- P = Use permitted subject to compliance with Development Standards.
- PS = Use not permitted unless special approval given by Council and conditions complied with.
- AP = Not permitted unless special approval given by Council after advertising.
- IP = Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	MAXIMUM ADVERTISING	OTHER REQUIREMENTS
			FRONT	REAR	SIDES				
1000m ²	20m	0.5	11m	7.5m	2.0m per storey each side	As determined by Council	25% of site		

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW, THE STANDARDS ABOVE WILL APPLY TO THIS ZONE.						
20	SHOP	IP							
21	CARETAKER'S HOUSE	IP							
22	CAR PARK	IP		2m	2m	1m			

ZONING AND DEVELOPMENT TABLE

ZONE GENERAL FARMING

POLICY STATEMENT This zone embraces the broad acre farming areas of the Shire. It is intended to protect the economic viability of those areas generally and to preserve the rural character and appearance of the area. The lot sizes shall be at the discretion of Council based on what is locally accepted as a viable farm unit, or where a non-farming use is proposed on the amount of land required for that purpose. Council may restrict the use of any general farming activity, and in particular piggeries, which cause obnoxious odours detrimental to the amenity of residents of the Merredin townsite.

EXPLANATION OF SYMBOLS
See Clause 2.2.2.

- P = Use permitted subject to conditions with Development Standards.
- PS = Use not permitted unless special approval given by Council and conditions complied with.
- AP = Not permitted unless special approval given by Council after advertising.
- IP = Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS

PERMITTED USES	MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	MAXIMUM ADVERTISING	OTHER REQUIREMENTS
				FRONT	REAR	SIDES				
1 NATURAL COUNTRYSIDE WITH MANAGED PUBLIC ACCESS				15m	15m	15m				
2 RURAL PURSUITS										
3 HORSE STABLES										
4 BULK GRAIN HANDLING INSTALLATION										
5 WATER CATCHMENT AREA										
6 RURAL INDUSTRY										
7 ABATTOIRS										
8 PLANT NURSERY AND PREMISES FOR THE SALE OF DOMESTIC GARDEN PLANTS AND ALLIED PRODUCTS										
9 WATER SUPPLY, SEWERAGE AND DRAINAGE HEADWORKS										
10 ELECTRICITY GENERATION										
11 CEMETERY										
12 RADIO AND T.V. STUDIO AND INSTALLATION										
13 EXTRACTIVE INDUSTRY										
14 FIGGERY										
15 DWELLING HOUSE										

NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW, THE STANDARDS ABOVE WILL APPLY TO THIS ZONE.

Zoning and Development Table.

Special Zone: Those portions of the Scheme Area which are specified in the Special Zone Table below are classified as Special Zones.

Notwithstanding that a parcel of land described in the Special Zone Table is within another zone reserve or

area, the land or any building thereon may be used for the purpose set against that parcel in that Table in addition to the uses permitted in the zone, reserve or area in which the land is situated, unless any of those uses is excluded or modified by a condition specified in the Table. The use of the parcel of land is also subject to any other conditions considered appropriate by the Council and stated opposite the parcel in the Table.

2.5 Classification into Reserves.

2.5.1 There are hereby created within the Scheme Area the several reserves listed hereunder:

- Public Utility Reserve
- Public Purpose Reserve
- Recreation Reserve
- Drainage Reserve
- Important Regional Road Reserve

which are delineated and coloured on the Scheme Map according to the legend thereon.

2.5.2 A person shall not carry out any development on land reserved under this Scheme, other than the erection of a boundary fence, without first applying for and obtaining the written approval of the Council.

2.5.3 In considering applications for approval to develop reserved land, Council shall be bound by the land use and development standards contained in the Reserve Development Table pertaining to the particular reserve.

2.5.4 The notations on the Reserve Development Table have the same meanings as those in the Zoning and Development Table which are specified in Clause 2.2.2 and Clauses 2.2.3 to 2.2.12 inclusive, shall apply as if the term "Zoning and Development Table" in those clauses was substituted for Reserve Development Table.

2.5.5 No provision of Clause 2.1 shall prevent the continued use of land for the use for which it was being lawfully used immediately prior to the Scheme having the force of law, or the repair and maintenance, for which the prior consent in writing of the Council has been obtained, of buildings or works lawfully existing on the land.

RESERVE DEVELOPMENT TABLE

RESERVE PUBLIC UTILITY

POLICY STATEMENT This reserve provides primarily for major Commonwealth, State and Local Government works, depots, railway facilities, water, power and sewerage installations. In the main, these will be regarded as industrial uses. The development of small sewer pumping stations and the like serving residential subdivision will not normally require inclusion within this reserve classification.

EXPLANATION OF SYMBOLS
See Clause 2.2.2.

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- AP = Not permitted unless special approval given by Council after advertising.
- IP = Use not permitted unless it is incidental to a predominant use as determined by Council.

PERMITTED USES	DEVELOPMENT STANDARDS									
	MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	MAXIMUM ADVERTISING	OTHER REQUIREMENTS
			FRONT	REAR	SIDES					
1 RAILWAYS, RAILWAY STATIONS AND MARSHALLING YARDS, SIDINGS AND RAILWAY WORKS OTHER THAN INDUSTRIAL FACTORIES						AS DETERMINED BY COUNCIL HAVING REGARD TO THE STANDARDS FOR THE SURROUNDING ZONE OR RESERVE	1 per 2 employees	25% of site		Council shall review the parking provision from time to time and vary the requirement to ensure that all staff and visitor staff are accommodated on site
2 WATER SUPPLY, SEWERAGE AND DRAINAGE HEADWORKS										
3 ELECTRICITY GENERATION										
4 GAS MANUFACTURE AND STORAGE										
5 PUBLIC TRANSFERT DEPOTS AND STATIONS										
6 PUBLIC AUTHORITY OR LOCAL GOVERNMENT DEPOT										
7 MUNICIPAL OFFICE										
8 GOVERNMENT OFFICE										
9 CAR PARK								2m	1m	
10 CARETAKER'S HOUSE										

NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW, THE STANDARDS ABOVE WILL APPLY TO THIS RESERVE

RESERVE DEVELOPMENT TABLE

RESERVE PUBLIC PURPOSE

POLICY STATEMENT This reserve incorporates major public uses or facilities owned by Commonwealth or State Government instrumentalities including schools, hospitals and cemeteries. Essential public services such as police and fire stations and post offices are also permitted uses.

EXPLANATION OF SYMBOLS
See Clause 2.2.2.

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- AP = Not permitted unless special approval given by Council after advertising.
- IP = Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
MINIMUM LDT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	MAXIMUM ADVERTISING	OTHER REQUIREMENTS
			FRONT	REAR	SIDES				
1000m ²	20m	0.5	11m	7.5m	2.0 per storey each side	As determined by Council	25%		

PERMITTED USES			NOTE—UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW, THE STANDARDS ABOVE WILL APPLY TO THIS RESERVE.									
1	PRE SCHOOL CENTRE	P	2000m ²	30m					2 per teacher	50%		
2	PRIMARY SCHOOL	P	4 ha	150m		20m	20m	20m	1.25 per classroom			
3	HIGH SCHOOL	P	10 ha	200m		20m	20m	20m	1.5 per classroom			
4	TECHNICAL AND TERTIARY EDUCATION	P										
5	EDUCATIONAL USE OR ESTABLISHMENT -OTHER	P										
6	CEMETERY	P										
7	POLICE STATION	P										
8	POST OFFICE	P										
9	FIRE STATION	P										
10	HOSPITAL	P	4000m ²	40m				5m per storey	1 per 2 beds			
11	GOVERNMENT OFFICE	P							1 per 40m ² gross floor area			
12	MUNICIPAL OFFICE	P							1 per 40m ² gross floor area			

Reserve Development Table.

Important Regional Roads.

Policy Statement.

The Important Regional Roads delineated on the Scheme Map are important regional roads which form the region's primary road network. They connect major parts of traffic generation and carry most long distance movements. Access points and adjacent development need to be controlled and future alignments protected to ensure the roads' traffic function is not impaired. Access points require approval under the Main Roads Act 1930.

Development Standards.

1. A person shall not without the approval of the Council carry out any development on land designated as an Important Regional Road.

2. The Council may refer an application for planning consent to commence development on land designated as an important regional road to the Main Roads Department for comment and shall have regard to that Department's comments in considering the application.

3. Development on land adjoining an important regional road shall comply with the Zoning and Development Table/Reserve Development Table for the zone/reserve in which it is situated except that—

- (a) the requirement that the front boundary set back specified for development proposed applies from the alignment of the important regional road whether that alignment corresponds with the boundary of the lot or not;
- (b) vehicular access from the land to the important regional road is not permitted without the approval of the Council and the Council shall not grant approval if it is satisfied that reasonable alternative access to the land is available.

4. Where application is made to the Council for planning consent to a development which would in the opinion of the Council have an adverse effect on an important regional road or the alignment thereof the Council may—

- (a) negotiate with the applicant to change the proposed development so that any adverse effect thereof will be eliminated or minimised—
- (b) subject to paragraph 2 hereof, grant planning consent and alter or modify the alignment of the important regional road; or
- (c) after negotiation with the Main Roads Department concerning the liability for payment of any compensation payable, refuse to grant planning consent.

PART 3—General Provisions.

3.1 Car Parking.

3.1.1 The car parking requirements for each zone/ reserve and each use are set out in the Zoning and Development Table/Reserve Development Table.

3.1.2 Subject to the provisions of this clause the car parking requirements shall be provided on the site which is the subject of the proposed development, or, with the approval of the Council, in the immediate vicinity thereof.

3.1.3 Each parking space shall be not less than the dimensions shown in Appendix 5 for the type of parking layout adopted.

3.1.4 All parking spaces and all necessary accessways shall, unless the Council agrees otherwise and except as hereinafter provided, be paved.

3.1.5 Where the dimensions of an open car parking area exceed 20 m in length or width, one parking space in every twenty shall be used for garden and planting of native plants and trees to provide visual relief and so long as the garden and planting areas are maintained in good order those parking spaces shall be included in calculations as car parking and not as landscaping.

3.1.6 Where the owner demonstrates to the satisfaction of the Council that there is not the demand for the number of parking spaces specified in the Zoning and Development Table/Reserve Development Table the Council may permit the owner to provide landscaping in lieu of parking spaces not constructed and the

landscaping shall be included in calculations as car parking but not as landscaping; but the Council may from time to time require that additional parking spaces be provided.

3.1.7 When considering an application for planning consent the Council shall have regard to and may impose conditions in respect of the location and design of the required car parking spaces, the planting of native trees and shrubs and pedestrian spaces on the lot; and in particular, but without limiting the generality of the foregoing, the Council shall take into account and may impose conditions concerning—

- (a) the means of access to each parking space and the adequacy of any vehicular manoeuvring area;
- (b) the location of parking spaces on the lot and their effect on the amenity of adjoining properties;
- (c) the location or proposed location of private footpaths and vehicular crossings and the effect on pedestrian and vehicular traffic movement and safety;
- (d) the practical possibility of adjoining land uses with different trading hours sharing the car parking requirement.

3.2 Landscaping.

3.2.1 The landscaping requirement shown in the Zoning and Development Table/Reserve Development Table or referred to in the Scheme means an open area designed, developed and maintained as garden planting and areas for pedestrian use and, at the discretion of the Council, it may include natural bushland, swimming pools and areas under covered ways, but recreational buildings, amenity buildings, garbage collection and handling spaces and other open storage areas shall not be included.

3.2.2 Access driveways between a street alignment and a building may be included in the landscaping requirement but otherwise car parking areas and driveways shall not be included.

3.2.3 The Council may in a landscaped area encourage the use of gravel, pebble and similar hard materials and the planting of native trees, shrubs or ground cover that require little maintenance.

3.2.4 Where a proposed development utilises less than fifty percent of the allowable plot ratio, the Council may reduce the landscaping requirement, but the landscaping requirement shall be required proportionately as subsequent development occurs.

3.2.5 A requirement of the landscaping is that one tree capable of growing to a height of 3 m or more shall be planted for every 10 m² of landscaped area but this requirement does not apply in the case of residential land use.

3.2.6 A person shall not, unless the Council otherwise approves, occupy a building forming part of an approved development until the required landscaping has been constructed and planted.

In the case of development of land within a Shop Zone, Tourist Zone, Showroom Zone, Light Industry Zone or a General Industry Zone the minimum landscaping requirement specified in the Zoning and Development Table/Reserve Development Table shall be located in accordance with Appendix 4 unless the Council otherwise approves.

3.3 Battle-axe Lots: In the application of the Zoning and Development Table/Reserve Development Table to battle-axe lots the following standards apply:—

- (a) the access strip shall be excluded in calculating the area of lot;
- (b) the requirements of plot ratio and site coverage and other site requirements shall be applied to the area as calculated in accordance with paragraph (a) hereof;
- (c) the setback requirements of the Table shall be applied according to the direction in which the dwelling-house faces or in such other direction as is agreed between the Council and the owner;
- (d) the development of group or multiple housing on a battle-axe lot is not permitted;

- (e) a duplex house may be erected on a battle-axe lot if it is permitted in the zone in which the lot is situated but the frontage and lot area requirements of the Zoning and Development Table/Reserve Development Table shall be increased by 25%.

3.4 Development of Lots with more than one Street Frontage.

3.4.1 Where development is proposed on a lot which has more than one street frontage, the Council shall decide which street is the street frontage for the purposes of the Zoning and Development Table/Reserve Development Table and the other provisions of the Scheme.

3.4.2 The boundary setback from the street or streets not determined to be the street frontage by Council may be reduced to 4.5 metres.

3.5 General Appearance of Buildings: A person shall not without the written approval of the Council erect a building which by virtue of colour or type of materials, architectural style, height or bulk, ornamental or general appearance as an exterior design which is out of harmony with existing buildings or the landscape character of the area.

3.6 Home Occupations.

3.6.1 A person shall not carry on a home occupation without the approval of the Council and unless he complies with the provisions of the Scheme and with any conditions imposed by the Council.

3.6.2 The approval of the Council under Clause 3.6.1 is valid for a period of 12 months but may on application be renewed by the Council, with or without further conditions.

3.6.3 If in the opinion of the Council a home occupation is causing a nuisance or annoyance to neighbours or to owners or occupiers of land in the neighbourhood or if any condition imposed by the Council is not complied with the Council may revoke its approval to the home occupation.

3.7 Access for Loading and Unloading of Vehicles.

3.7.1 Unless the Council otherwise approves and subject to any conditions it imposes a person shall not use any land or building within a Tourist Zone, Shop Zone, Showroom Zone, Light Industry Zone or General Industry Zone for any purpose unless there is provided a paved accessway for vehicles from a street to the land or building so that loading and unloading can take place off the street and vehicles may return to the street in forward gear.

3.7.2. The accessway shall be not less than 4.5 m in width but if the size of the lot makes the provision of an accessway of that width impracticable or unreasonable the Council may permit an accessway of a narrower width but in no case less than 3 m in width.

3.7.3. A paved area for loading and unloading being not less than 3.5 m in width by 7 m with a minimum height clearance of 3.5 m shall also be provided.

3.8 Building Materials: A person shall not in a Showroom, Light Industry or General Industry Zone erect or use a building or part of a building—

- (a) that has been constructed of secondhand materials; or
- (b) unless the building is externally clad in new building materials being brick, concrete, masonry or other material approved by the Council.

3.9 Screening of Storage Areas: A person shall not in a Shop, Showroom, Light Industry or General Industry Zone use land for open storage purposes unless it is screened from public view by a fence, wall or trees or shrubs the location and height of which has been approved by the Council.

PART 4—Special Provisions.

4.1 Development Areas.

4.1.1 Development Areas are those shown as such on the Scheme Map according to the legend thereon.

4.1.2 A person shall not subdivide or carry out or commence to carry out development of any land in a Development Area unless—

- (a) an overall plan in respect thereof has been approved by the Council; or
- (b) a development town planning scheme which applies to the land has been prepared and come into operation,

4.1.3 An overall plan shall show the overall lay-out of road systems and the location of public services, open space and community facilities and shall include a report on the issues affecting subdivision or development of the land.

4.1.4 The Council may require a development town planning scheme to be prepared where the owners cannot agree to co-operate with one another in or to share the costs of—

- (a) planning;
- (b) development or other works common to several owners; or
- (c) land contributions affecting one or several owners more than others.

4.1.5 If the development standards contained in the Zoning and Development Table/Reserve Development Table are modified by or inconsistent with an overall plan approved by the Council or a development town planning scheme, the overall plan or the development town planning scheme prevails to the extent of the inconsistency.

4.1.6 Where the Council is satisfied that a proposed development or subdivision is of a minor nature only and is consistent with the provisions of the Scheme it may grant planning consent or recommend approval, as the case may be, before an overall plan has been approved or a development town planning scheme prepared and come into operation.

4.2 Places of Heritage Value.

4.2.1 The places described in Appendix 6 and situated on the lands shown as places of heritage value on the Scheme Map are considered by the Council to be of historic, architectural, scientific, scenic or other value and should be retained in their present state or restored to their original state or to a state acceptable to the Council.

4.2.2 A person shall not without the special approval of the Council at or on a place of heritage value carry out any development including, but without limiting the generality of the foregoing—

- (a) the erection, demolition or alteration of any building or structure;
- (b) clearing the land nor fell, lop, top or damage any tree or otherwise damage the place;
- (c) the erection of advertising signs.

4.2.3 The provisions of Clause 6.2 apply with the necessary modifications to applications for the special approval of the Council under Clause 4.2.2.

4.2.4 The Council may from time to time refer to an advisory panel consisting of persons who in the opinion of the Council have the appropriate qualifications or experience any matter concerning a place of heritage value, an application for the special approval of the Council to carry out development at or on a place of heritage value including the general appearance of buildings, the design and appearance of buildings in relation to the amenity of the area, the prevention of the erection of ugly buildings and harmony in the exterior designs of buildings.

4.2.5 The Council is not bound by the recommendation of an advisory panel, but if it does not accept the recommendation it should give reasons for its action.

4.2.6 The Council may from time to time prepare or adopt policies or codes with reference to any one or more places of heritage value.

4.2.7 The Council may give its special approval to development at or on a place of heritage value if the development—

- (a) complies with the land use requirements of the zone in which the development is proposed; and
- (b) complies with the requirements of any policy or code in respect of the place of heritage value.

4.2.8 The Council may give its special approval to the restoration of a place of heritage value notwithstanding that the work involved does not comply with the Uniform Building By-laws of with the provisions of the Zoning and Development Table/Reserve Development Table for the zone, reserve or area in which the place of heritage value exists.

PART 5—Non-Conforming Use of Land.

5.1 Continuance of Non-Conforming Use: 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 the coming into force of the Scheme; or
- (b) the carrying out of any development thereon for which, immediately prior to that time, a permit or permits required under the Town Planning and Development Act 1928 (as amended), and any other law authorizing the development to be carried out have been duly obtained and was current.

5.2 (a) Where in respect of land reserved under Clause 2.3 of the Scheme a non-conforming use exists or was authorized as mentioned in Clause 5.1 of this Part on that land all or any erections alterations or extensions of the buildings thereon or use thereof shall not be carried out unless the approval of the Council has been obtained in writing and Council may apply conditions in accordance with 5.2 (b) hereunder in granting that approval.

(b) Where in respect of land zoned under Clause 2.2 of the Scheme a non-conforming use exists or was authorized as mentioned in Clause 5.1 of this Part on that land, and provided the prior consent in writing of the Council has been obtained, buildings may be extended to the limits prescribed by the Scheme for the Zone in which the non-conforming use exists or by any other by-laws for the purpose of limiting the size, location and distance from boundaries and any other matter required by law for that class of use within the boundary of the lot or lots on which the use was carried on immediately prior to the coming into force of the Scheme.

5.3 Change of Non-Conforming Use: The Council may upon such conditions as it thinks fit permit the use of any land to be changed from one non-conforming use to another non-conforming use, provided the proposed use is, in the opinion of the Council, less detrimental to the amenity of the neighbourhood than the existing use, or is in the opinion of the council closer to the intended uses of the zone.

5.4 Discontinuance of Non-Conforming Use.

- (a) Notwithstanding the preceding provisions of this Part, except where a change of non-conforming use has been permitted by the Council under Clause 5.3, when a non-conforming use of any land or building has been discontinued such land or building shall not thereafter be used other than in conformity with the provisions of the Scheme.
- (b) 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 Registration of Non-Conforming Uses: In order to protect the non-conforming use rights, a person carrying on a non-conforming use shall within six months of the gazettal of the Scheme or upon being requested in writing by the Council, so to do, give to the Council in writing full details of the nature and extent of the non-conforming use.

PART 6—Finance and Administration.

6.1 Application for Planning Consent.

6.1.1 A person who desires to develop land for any purpose shall make application to the Council for planning consent to the development before applying for a building licence.

6.1.2 The application shall be in the form and contain the particulars referred to in the form in Appendix 1 and any further particulars the Council considers necessary to enable it to determine the application.

6.1.3 For the purposes of the Scheme the following works and uses are not development and it is not necessary for a person to make application for planning consent in respect thereof—

- (a) the maintenance, improvement or alteration of or to a building if the works—
 - (i) affect only the interior of the building; or
 - (ii) do not materially affect the external appearance of the building or increase the floor area thereof.
- (b) a public work undertaken, constructed or provided by the Government or a department or instrumentality of the Government or a local authority pursuant to section 32 of the Act;
- (c) the use of a building or land within the curtilage of a dwelling house for a purpose incidental to the enjoyment of the dwelling house as such;
- (d) the construction of a road or the carrying out of improvements on the land designated as a road or as public open space on a plan of subdivision approved by the Town Planning Board;
- (e) the erection of a dwelling house upon a lot upon which no other dwelling house has been or is in the course of being erected if the use of that lot for the purposes of a dwelling house is permitted by the Scheme and the relevant development standards and requirements of the Scheme are complied with;
- (f) the use of any land or building for any purpose ancillary to or associated with the predominant use of the land or building where the predominant use is in conformity with the Scheme if in the opinion of the Council the ancillary use is not detrimental to the amenity or values of the locality.

6.1.4 Without limiting the generality of the expression "development" for the purposes of the Scheme the Council's planning consent is required in respect of the following—

- (a) an increase in the number of dwelling units on a lot;
- (b) the deposit of refuse or waste materials on land;
- (c) the excavation or filling of or other earthworks on land which change the natural contours of the land by more than 600 mm;
- (d) the clearing or felling of trees on a Place of Heritage Value;
- (e) the erection of overhead power mains and transformers.

6.2 Application for Special Approval.

6.2.1 The Council shall in the case of an application for permission to carry on a use marked AP in the Zoning and Development Table and may in the case of an application for permission to carry on a use marked PS in the Zoning and Development Table or in any other case in which application is made for its approval give notice of the application in accordance with the provisions of this clause.

6.2.2 Where the Council is required or decides to give notice of an application the Council shall cause—

- (a) notice of the proposed use and development to be sent by post or delivered to the owners and occupiers of land within an area determined by the Council as likely to be affected by the granting of the application;
- (b) notice of the proposed use and development to be published in a newspaper circulating in the Scheme Area and in the State of Western Australia stating that submissions may be made to the Council within twenty-one days from the publication thereof; and
- (c) a sign displaying notice of the proposed use and development to be erected in a conspicuous position on the land for a period of twenty-one days from the date of publication of the notice referred to in paragraph (b) hereof.

6.2.3 The notice referred to in Clause 6.2.1 and 6.2.2 shall be in the form contained in Appendix 3 with such modification as circumstances require.

6.2.4 If notices have been given, after the expiration of twenty-one days from the publication of the notice and after the expiration of twenty-one days from the posting or delivery of the notices to the owners and occupiers whichever is the later, the Council shall consider the application and decide whether to grant or refuse its special approval or to grant approval upon conditions.

6.2.5 A resolution to grant special approval must be passed by an absolute majority of the Council.

6.3 Matters to be Considered by Council.

6.3.1 In considering and making its decision on applications for approval under Clauses 6.1 and 6.2 the Council shall take into consideration the following matters—

- (a) the provisions of the Scheme and of any other town planning scheme affecting the land the subject of the application or affecting land in the vicinity;
- (b) the size, shape and character of the land to which the application relates and the view from the building and interruption of the view likely to be caused by the proposed building;
- (c) any plan, design, development code or policy adopted by the Council for the development of the locality, zone or use;
- (d) the existing and likely future character and amenity of the neighbourhood, including (but without limiting the generality of the foregoing) the question of whether the proposed development is likely to cause injury thereto including injury caused by the appearance of the proposed building or due to the emission of light, noise, electrical interference, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products;
- (e) the availability and adequacy of public utilities;
- (f) the nature of roads giving access to the land;
- (g) the provision of car parking, access for the manoeuvring of vehicles and likely traffic hazards;
- (h) the presence of vegetation on the site, the desirability of retaining portion of that vegetation and provision of adequate landscaping;
- (i) the submissions received by the Council including representations made by any public or statutory authority;
- (j) the advice or recommendations made by an Advisory Panel or Community Committee where convened;
- (k) the position of proposed buildings and their effect on adjoining buildings or land;
- (l) any other matters the Council considers relevant.

6.3.2 The Council may enter into an agreement with the applicant whereby the applicant covenants to carry out and observe the conditions (if any) imposed by the Council in granting its planning consent or special approval.

6.4 Council Decisions.

6.4.1 The Council may grant planning consent or its special approval with or without conditions or may refuse to grant its consent or approval to an application. In the case of a use marked "P" in the Zoning and Development Table, Council shall grant its approval with or without conditions in accordance with the relevant development standards contained under the scheme. The decision shall be in the form of Appendix 2 and shall be conveyed to the applicant.

6.4.2 If the Council grants its planning consent or special approval subject to conditions and any of the conditions is not fulfilled or complied with the Council may revoke its consent or approval.

6.4.3 The Council may limit the time for which its planning consent or special approval remains valid.

6.4.4 The Council shall notify each person by whom a submission has been made following the publication of a notice under Clause 6.2.2 of the decision of the Council and shall state the conditions (if any) imposed by the Council in granting its special approval or the grounds upon which approval was refused, as the case may be.

6.5 Powers of the Council.

6.5.1 The Council in the conduct and management of the Scheme has, in addition to all other powers vested in it, the following powers—

- (a) by its officers, employees, agents or contractors, to enter and inspect any land or building within the Scheme Area;
- (b) to enter into agreements and arrangements with any of the owners of land within the Scheme Area; and
- (c) to acquire land or buildings within the Scheme Area.

6.5.2 The Council may exercise the powers conferred by Section 13 of the Act—

- (a) to purchase any land from any person who may be willing to sell the same; or
- (b) with the consent of the Governor, to take compulsorily, under and subject to the Public Works Act, 1902, (but subject to sub-section (2) of Section 13 of the Act), any land comprised in the Scheme, and whether situate within or without the boundaries of the district of the Council.

6.5.3 The Council may deal with or dispose of any land which it has acquired pursuant to the provisions of the Scheme in accordance with the Act and in conformity with the provisions of the Scheme.

6.6 Enforcement.

6.6.1 A person shall not without the written consent of the Council use or occupy a building or part of a building in respect of which the Council has granted planning consent subject to conditions until all of those conditions have been complied with to the satisfaction of the Council.

6.6.2 One month's written notice is hereby prescribed as the notice to be given pursuant to Section 10 of the Act before the Council exercises the powers conferred by that Section—

- (a) to remove, pull down or alter any building or other work in the Scheme Area, which has been commenced or continued after the gazettal date and which is such as to contravene the Scheme, or in the erection or carrying out of which any provision of the Scheme has not been complied with;
- (b) to execute any work which it is the duty of any person to execute under the Scheme, in any case where it appears to the Council that delay in the execution of the work would prejudice the efficient operation of the Scheme.

and any expenses incurred by the Council under that section may be recovered from the person in default in a court of competent jurisdiction.

6.7 Relaxation of Standards.

6.7.1 If a development the subject of an application for planning consent does not comply with a standard or requirement prescribed by the Scheme applicable thereto the Council may if it is satisfied that—

- (a) if approval were granted, the development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality; and
- (b) the non-compliance will not have an adverse effect upon the occupiers or users of the development or the property in or the inhabitants of the locality or the likely future development of the locality;

by an absolute majority grant planning consent to the development subject to any conditions the Council thinks fit notwithstanding the non-compliance with the Scheme.

6.7.2 Prior to granting planning consent the Council may advertise its intention to consider doing so in accordance with clause 6.2.2.

6.8 Offences and Penalties.

6.8.1 A person shall not use any land or any building or structure thereon contrary to or otherwise than in accordance with the provisions of the Scheme.

6.8.2 If pursuant to the provisions of the Scheme planning consent or an approval has been granted by the Council upon conditions a person shall not commit a breach of or fail to comply with any of those conditions.

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

6.9. Claims for Compensation and Betterment.

6.9.1 Except where otherwise provided in the Scheme, the time limited for the making of claims for compensation pursuant to section 11 of the Act is six months after the date when notice of the approval of the Scheme is published in manner prescribed by the regulations made under the Act or six months after the date upon which the land or property of the claimant is injuriously affected by the making of the Scheme, whichever is the later.

6.9.2 Claims made by the Council pursuant to section 11 (2) of the Act shall be made within eighteen months of the completion of the work or the section of the work by reason of which the land in respect of which the claim is made is increased in value.

6.10 Appeals: An applicant has a right of appeal under Part V of the Act in respect of the exercise of a discretionary power by the Council under the Scheme.

Appendix 1.

Office Use Only
Application No.
Date Received
Notice of Application
Shire of Merredin.

Town Planning Scheme No. 1.
District Scheme.

Application for Planning Consent.

I/We
(Full Name of Applicant)

of Post Code

(Full Name of Applicant)

of Post Code

(Address for Correspondence)

hereby apply for planning consent—

(1) to use the land described hereunder for the purpose of

(2) to erect, alter or carry out development on land described hereunder in accordance with the accompanying plans (3 copies).

The existing use of the land is

The approximate cost of the proposed development is \$.....

The estimated time of completion is

The approximate number of persons to be housed/employed when the development is completed is

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Particulars Required With Application.

Where an application involves the erection or alteration of a building or a change in levels of a site, the plans accompanying an application for planning consent shall, unless specifically exempted by the Council—

- (a) indicate the position and describe the existing buildings and improvements on the site and indicate those which are to be removed;
(b) indicate the position and describe the buildings and improvements proposed to be constructed, their appearance, height and proposed uses in relation to existing and proposed contours;
(c) indicate the position, type and height of all existing trees on the site and indicate those to be retained and those to be removed;
(d) indicate the areas to be landscaped and the location and type of shrubs, trees and other treatment proposed;
(e) indicate site contours and details of any proposed alteration to the natural contour of the area;
(f) indicate car parking areas, their layout and access-way, dimensions and the position of existing and proposed crossovers;
(g) indicate site dimensions and be to metric scale.

OFFICE USE ONLY

Appendix 2.

Shire of Merredin.
Town Planning Scheme No. 1.
District Scheme.

Approval/Refusal of Approval/Planning Consent.

Name and Address of owner

Planning consent is hereby *Granted/Refused in respect of Application No..... made on the by in respect of land situated at and described as

- (1) to be used for the purpose of
(2) to carry out development in accordance with the *Endorsed/Submitted plans; upon the following *Conditions/Grounds.

This approval is valid for a period of If development is not completed within this period a new approval must be obtained before commencing or continuing development.

Shire Clerk Date
*Delete whichever is not applicable.

NOTE: This is not a building licence for which a separate application is necessary.

Appendix 3.

Shire of Merredin.
Town Planning Scheme No. 1.
District Scheme.

Notice of Public Advertisement of Development Proposal.

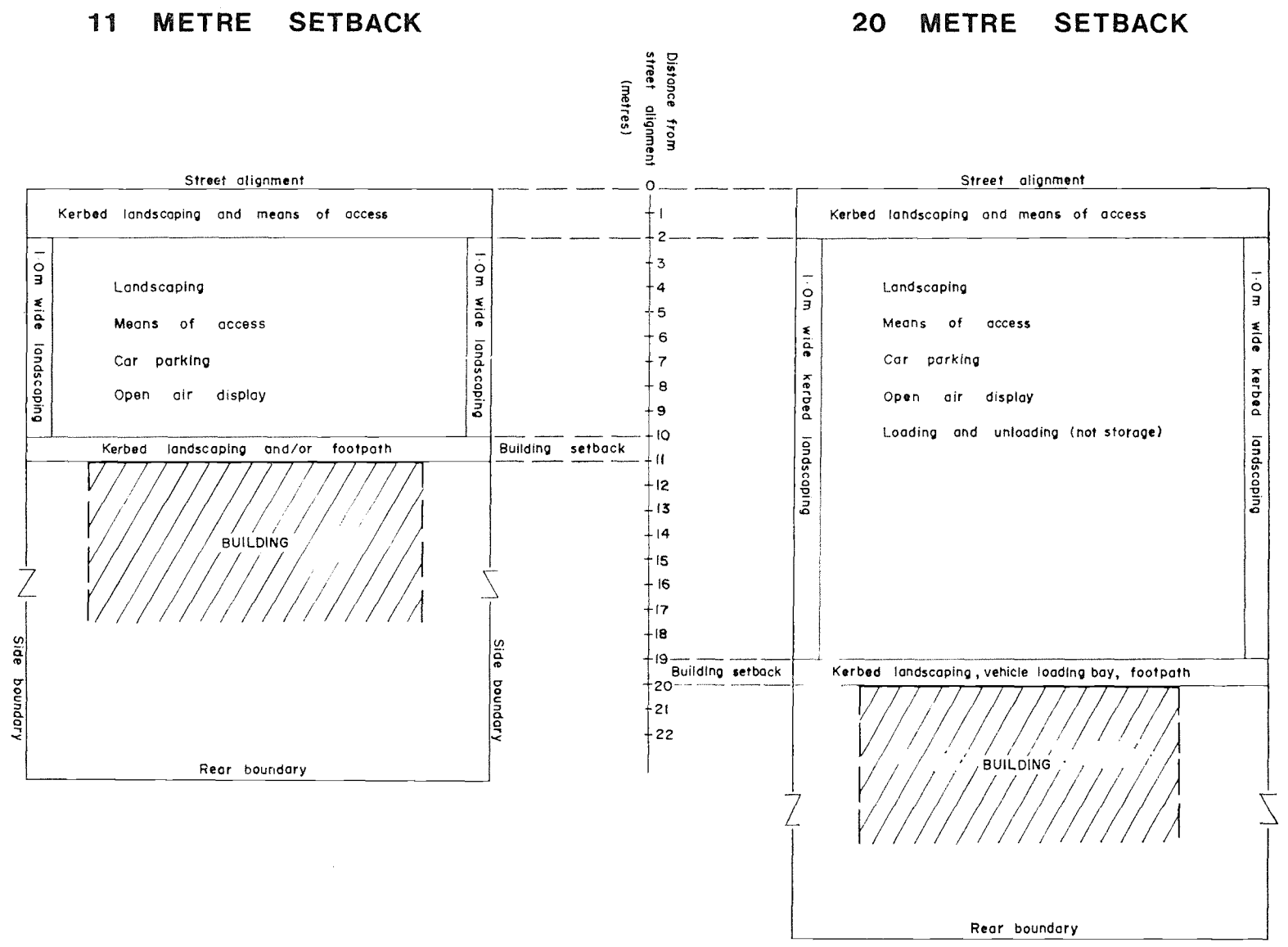
It is hereby notified for public information and comment that the Council has received an application to develop land for the purpose described hereunder.

Land Description: Lot No.
Street
Proposal

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

Shire Clerk Date

APPENDIX 4
SETBACK DIAGRAM
 CLAUSE 3.2.6. APPLIES

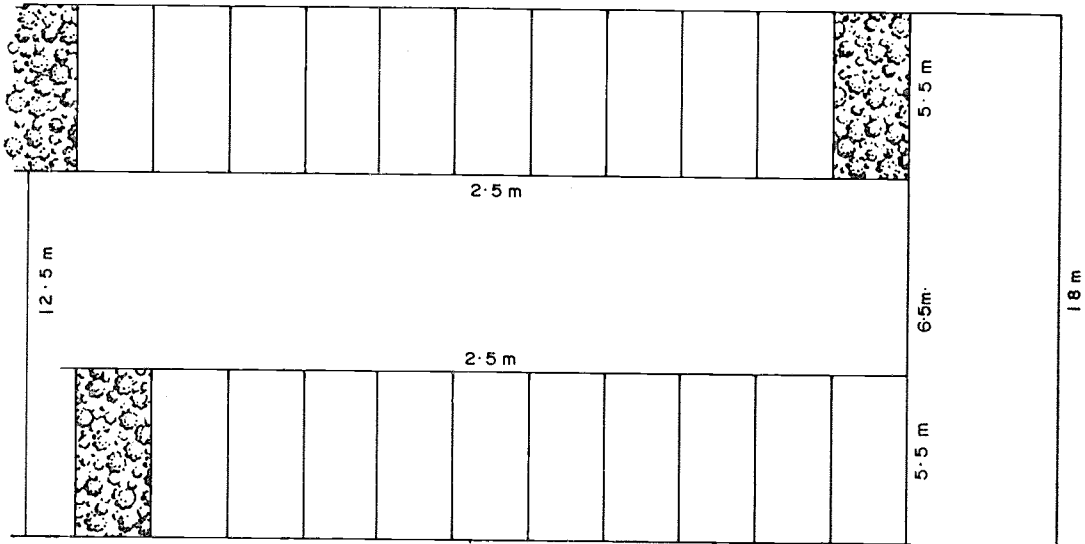


APPENDIX 5

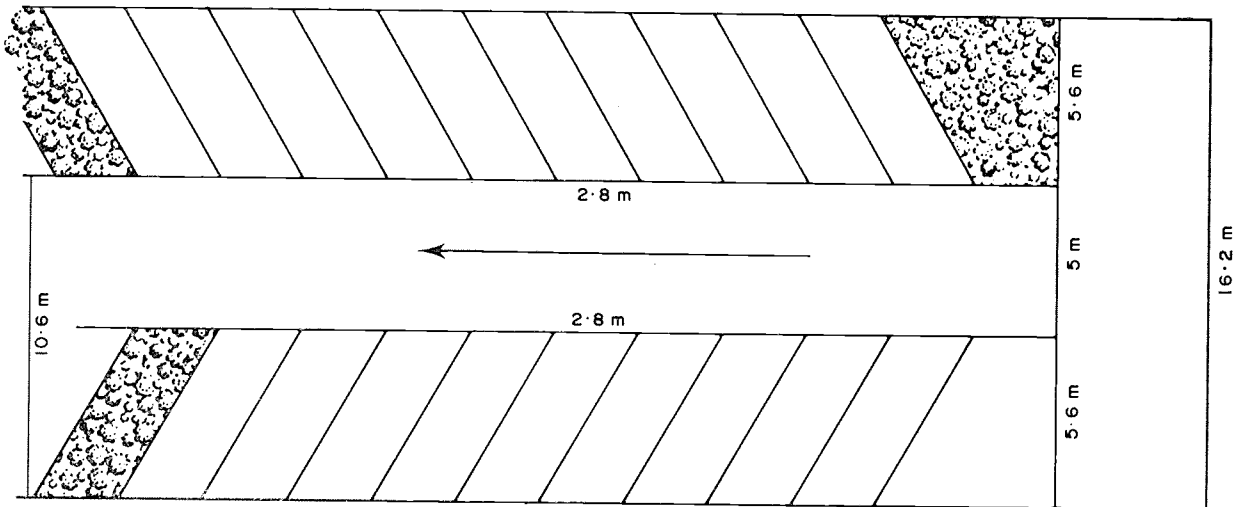
CAR PARKING LAYOUTS

LANDSCAPING IN ACCORDANCE WITH CLAUSE 3.1.3. OF THE SCHEME TEXT

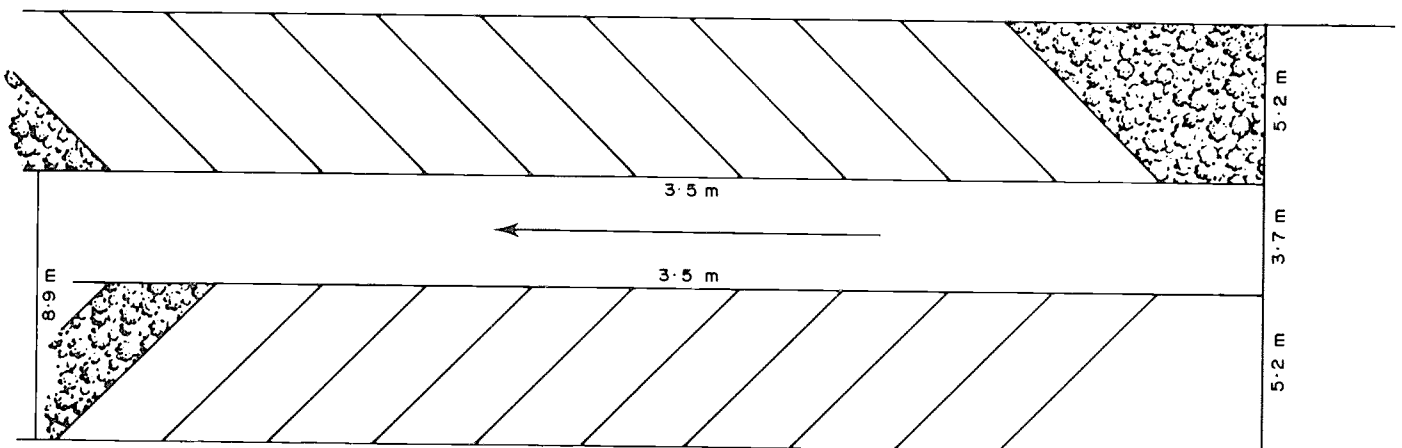
90° PARKING



60° PARKING



45° PARKING



Scale 1 : 250

Appendix 6

Schedule of Places of Heritage Value

Code No.	Name of Place	Location (as marked on Scheme Maps)	Description
1.	Merredin Road Board Offices, Boardroom and Clock Tower	Lot 120, Reserve 13941 Mitchell Street (2 lots east of Bates Street on northern side of street)	Brick and tile Council building erected in 1924
2.	Merredin Railway Museum and Overhead Water Tank	Railway Reserve (Res. No. 10359) on southern side of railway line between French Avenue and Allenby Street	Comprises a harmonious group of four railway buildings and an overhead water tank. The signal box (1913-15) and the tank are significant because they are strong visual elements in the townscape. The signal box is of steel and timber frame and contains original lever system. The Main Station Building and Refreshment room (1923-27) are of the same style—brick and tile. The Waiting Room (1918) is of brick with a corrugated iron roof.
3.	Merredin War Memorial	Barrack Street traffic island—immediately west of Fifth Street intersection	Memorial erected in 1952 in memory of those who died in the 1914-18 and 1939-45 wars
4.	No. 4 Pumping Station	Reserve 8228—south side of Great Eastern Highway, opposite the West Merredin Railway Marshalling Yards	Brick building with iron roof originally built to house steam operated pumping equipment for Goldfields Water Supply
5.	Brewery House	Reserve 25080 Pollock Avenue—opposite the end of Throssell Road on the eastern side of the street	Original brick and corrugated iron roofed homestead built by Cummings family. Includes associated outbuildings

Appendix 7.

Interpretation.

Absolute Majority—means a total majority of the members for the time being of the Council whether present and voting or not;

Act—means the Town Planning and Development Act 1928 (as amended);

Advertising—includes any word, letter, model, sign, device or representation (by whatever means depicted, delineated or effected) in the nature of and employed wholly or in part for the purposes of advertising or announcement; and "advertising sign" shall be construed accordingly but does not include—

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

Aged Persons Home—means a residential building or group of buildings provided by a religious or charit-

able organisation, Government authority or other body approved by the Council for the accommodation of aged persons and designed and used solely for that purpose;

Aged Persons Village—means a building or group of buildings consisting of either—

- an aged persons' home; or
- an aged persons' home and aged persons' dwelling units

and which includes buildings or parts of buildings used for communal facilities, food preparation, dining, recreation, laundry or medical care;

Amenity Building—means a building or part of a building that employees or persons engaged in an industry or business use for their personal comfort, convenience or enjoyment of leisure as distinct from work of the industry or business;

Appendix—means an appendix to the Scheme;

Builders Yard—means land or a building or buildings used for the storage, assembly or dismantling of building materials;

Car Park—means land or a building or buildings used primarily for parking private cars whether open to the public or not but does not include any part of a public road or any land or building on or in which vehicles are displayed for sale;

Car Sales Premises—means land or a building or buildings used for the display or sale of motor vehicles whether new or second-hand and whether or not any motor vehicles are sold therein but does not include a workshop unless used only for the repair of those motor vehicles;

Car Wash—means premises used for the washing or cleaning of motor vehicles by mechanical means;

Car Wrecking—means the dismantling and storage of vehicles or machinery of any nature and includes scrap metal yards;

- Caravan Park**—means an area of land set aside for the parking of caravans when used or available for use as a temporary habitation or for dwelling or sleeping purposes, whether or not any portion of the land is set aside or used as a camping area or chalets;
- Caretaker's House**—means a building used as a residence by the proprietor or manager of an industry, business, office building or recreation area existing upon the same site and occupied by a person having the care of the building, plant, equipment or grounds thereof;
- Consulting Rooms**—means a building or part of a building (other than a hospital) used by a legally qualified medical practitioner or dentist, or by a physiotherapist, a masseur or a person ordinarily associated with a medical practitioner in the investigation or treatment of physical or mental conditions, injuries or ailments;
- Convalescent Home**—means a building or group of buildings in which persons reside temporarily during an illness or during convalescence from an illness.
- Day Care Centre**—means a day care centre as defined in section 118A of the Child Welfare Act 1947, as amended, in respect of which a licence or permit has been granted pursuant to that section;
- Development**—has the meaning assigned to it by the Act which is as follows—
 “development means the use or development of any land and includes the erection, construction, alteration or carrying out, as the case may be, of any building, excavation or other works on any land”;
- District**—means the District of the Council;
- Dog Kennels**—means premises—
 (a) licensed as an approved kennel establishment under the Dog Act 1976; or
 (b) in respect of which an exemption has been granted under section 26 (3) of that Act, which exemption has not been revoked.
- Dry Cleaning Premises**—means premises used for the cleaning of garments and other fabrics by chemical processes.
- Eating House**—means premises in which meals are served to the public for gain or reward, but does not include—
 (a) premises in respect of which an hotel licence, a tavern licence, a limited hotel licence or a wine house licence has been granted under the Liquor Act 1970;
 (b) a restaurant;
 (c) a lodging house; or
 (d) any building or other structure used temporarily for serving meals to the public at any fair, show, military encampment, races or other public sports, games or amusements.
- Educational Establishment**—means a school, college, university technical institute, academy or other educational centre, or a lecture hall, but does not include a reformatory institution or institutional home.
- Effective Frontage**—means the length of the lot boundary which is on the street alignment or the width of the lot at the minimum distance from the street alignment at which buildings may be constructed, whichever is the greater. If the lot has two or more boundaries on a street alignment the Council shall determine which boundary shall be considered for ascertaining the effective frontage.
- Extractive Industry**—includes the extraction of sand, gravel, clay, turf, soil, rock, stone, minerals or similar substances from land, the mining, processing or treatment of minerals, and also the manufacture of products from those materials when the manufacture is carried out on the land from which any of those materials is extracted or on land adjacent thereto.
- Factoryette**—means a portion of a factory tenement building that is the subject of a separate occupancy but each of which has its own storage yard appurtenant to the building and to which there is direct vehicular access for loading and unloading.
- Flat**—means a separate and self contained dwelling unit within a building containing two or more dwelling units.
- Gazettal Date**—means the date on which notice of the approval of the Minister to this Scheme is published in the *Government Gazette*.
- General Industry**—means any industry other than a hazardous industry, a light industry, a noxious industry, an extractive industry, a rural industry or a service industry.
- Added Accommodation**—means separate living accommodation attached to or within the curtilage of a dwelling house constructed for and used exclusively by an aged, invalid, disabled or mentally retarded relative of the owner of the dwelling house or of the owner's spouse or other person approved by the Council in respect of which an annual written permit to occupy has been issued by the Council and is current.
- Gross Floor Area (or the abbreviation G.F.A.)**—means in relation to a building, the gross floor area of each storey measured over the enclosing walls, if any, and includes the portion of any part walls forming part of the building, but does not include a car park.
- Gross Leasable Area (or the abbreviation G.L.A.)**—means in relation to a building, the area of all floors that could be occupied by a tenant for exclusive use measured from the centre line of joint partitions or walls, and from outside faces of external walls or the building alignment, including shop fronts, basements, mezzanines and storage areas.
- Hazardous Industry**—means an industry which should be isolated from other buildings by reason of the possible danger to persons or property by the processes involved, by the method of manufacture, or by the nature of the materials used, produced or stored.
- 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 in or on 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 one fifth of a square metre in area;
 (f) in the opinion of the Council is compatible with the principal uses to which land in the

zone in which it is located may be put and will not in the opinion of the Council generate a volume of traffic that would be contrary to 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 out-building.
- (i) does not entail a source of power other than an electric motor of not more than 0.373 kilowatts (0.5 hp).

Hospital—means a building or a group of buildings or part of a building whether permanent or otherwise, in which persons are received and lodged for medical treatment or care.

Hotel—means land and a building or buildings the subject of an hotel licence granted under the provisions of the Liquor Act 1970.

Industry—means the carrying out of a process for and incidental to—

- (a) the making, altering, repairing or ornamentation, painting, finishing, cleaning, packing or canning or adapting for sale, or breaking up or demolition of any article or part of any article;
- (b) the mining, processing or treatment of minerals;
- (c) the generation of electricity or the production of gas; and
- (d) the manufacture of edible goods for human or animal consumption, being a process carried on in the course of trade or business for gain, other than operations connected with:—
 - (i) the carrying out of agriculture;
 - (ii) site work on buildings, works on land; and
 - (iii) in the case of the manufacture of goods referred to in paragraph (d) above the preparation on the premises of a shop of food for sale;

and includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, any work of administration or accounting, the sale of goods resulting from the process and the use of land for the amenity of persons engaged in the process.

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

- (a) a hospital or sanatorium for the treatment of infectious or contagious diseases;
- (b) a home or other institution for care of State wards, orphans, or persons who are physically or mentally handicapped;
- (c) a penal or reformatory institution;
- (d) a hospital for treatment or care of the mentally sick; or
- (e) any other similar use.

Institutional Home—means a residential building for the care and maintenance of children, the aged or the infirm, and includes a benevolent institution; but does not include a hospital or mental institution.

Light Industry—means an industry in which the processes carried on, the machinery used and the goods and commodities carried to and from the premises do not cause any injury to or prejudicially affect the amenity of the locality by reason of the

emission of light, noise, vibration, electrical interference, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products and in which the only power driven machinery used is driven by electricity.

Liquor Store—means premises in respect of which a store licence has been granted under the Liquor Act 1970.

Lodging House—means a building or structure permanent or otherwise in which provision is made for lodging or boarding more than four persons, exclusive of the family of the keeper thereof, for hire or reward; but the term does not include—

- (a) premises licensed under the Liquor Act 1970;
- (b) a motel;
- (c) premises used as a boarding school approved under the Education Act 1928; or
- (d) any building containing flats.

Lot—

has the meaning given to it by the Act, which is as follows—

“lot” means a defined portion of land—

depicted on a plan or diagram publicly exhibited in the public office of the Department of Lands and Surveys, or deposited in the Office of Titles or Registry of Deeds and for which a separate Crown Grant or Certificate of Title has been or can be issued; or depicted on a subdivisional plan or diagram, whether so exhibited or deposited or not, but which is, whether before or after the coming into operation of the Town Planning and Development Act Amendment Act 1956, approved by the Board and includes the whole of the land the subject—

- (a) of a Crown Grant issued under the Land Act 1933; or
- (b) of a Certificate of Title issued under the Transfer of Land Act 1893; or
- (c) of a survey into a lot pursuant to a direction given under section seventeen of the Land Act 1933; or
- (d) of a part-lot shown on a plan of subdivision or diagram deposited in the Department of Lands and Surveys, Office of Titles, or Registry of Deeds; or
- (e) of a conveyance registered under the Registration of Deeds Act 1856.

Medical Clinic—means premises in which facilities are provided for one or more of the following— a medical practitioner, a dental practitioner, physiotherapist, chiropractor, masseur or a person ordinarily associated with a medical practitioner in the investigation or treatment of physical or mental conditions, injuries or ailments.

Minister—means the Minister for Urban Development and Town Planning or other member of the Executive Council for the time being charged by the Governor with the administration of the Act.

Motel—means land and a building or buildings used or intended to be used to accommodate patrons, including holiday makers and travellers, for temporary periods in a manner similar to an hotel but with separate bathing and toilet facilities for each suite and in which special provision is made for the accommodation of patrons with motor vehicles, and includes holiday flats and chalets.

Night Club—means premises where patrons gather for dancing, and where entertainment acts are provided and where meals may be provided with or without liquor dependent upon the Liquor Act 1970.

- Noxious Industry**—means an industry in which the processes involved constitute an offensive trade specified in the Second Schedule to the Health Act 1911, or declared by the Governor to be offensive by proclamation pursuant to that Act but does not include fish shops or dry cleaning premises.
- Nursing Home**—means premises in which persons receive medical and domestic care during a long illness or infirmity or in which persons reside during convalescence from an illness.
- Office**—means a building or part of a building used in 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 or, where not conducted on the site thereof, the administration of or the accounting in connection with an industry or a business (other than a business of the nature hereinbefore mentioned).
- Open Air Display**—means the use of land for the display or sale of goods and equipment not within buildings.
- Owner**—when used in relation to any land includes the Crown and every person who, jointly and severally, whether at law or in equity—
- is entitled to the land for an estate in fee simple in possession; or
 - is a person to whom the Crown has lawfully contracted to grant the fee simple of the land in possession; or
 - is a lessee or licensee from the Crown; or
 - is entitled to receive or is in receipt of or if the lands were let to a tenant would be entitled to receive the rents and profits thereof, whether as a beneficial owner, trustee, mortgagee in possession or otherwise.
- Piggery**—means any building or enclosure in which one or more pigs are kept, bred and reared for trade, under intensive conditions.
- Place of Amusement**—means premises open to the public in which are provided for the use or amusement of customers three or more of the following items—
- a billiard table;
 - a pool table;
 - a bagatelle table;
 - a machine or device at which games or competitions may be played;
 - a juke box.
- Plot Ratio**—has the meaning assigned to it by the Uniform Building By-laws.
- Private Recreation**—means the use of land for parks, gardens, playgrounds, sports arenas or for recreation which are not normally open to the public without charge and from which the public can be excluded.
- Professional Office**—means any building or portion of a building used for the purpose of his profession by an accountant, architect, artist, author, barrister, chiropodist, consular official, engineer, quantity surveyor, solicitor, surveyor, teacher (other than a dancing teacher or a music teacher) or town planner.
- Public Amusement**—means the use of land or a building or buildings as a theatre, cinema, dance hall, skating rink, squash courts, swimming pool, meeting hall, non-residential club, gymnasium, health or fitness studio or for indoor sports or games.
- Public Authority**—has the meaning assigned to it by the Act which is as follows—
- “public authority” means a Minister of the Crown acting in his official capacity, a State Government Department, State trading concern, State Instrumentality, State public utility and any other person or body, whether corporate or not, who or which under the authority of any Act, administers or carries on for the benefit of the State, a social service or public utility.
- Public Recreation**—means the use of land for a public park, public garden, foreshore reserve, playground or for recreation and which is normally open to the public without charge.
- Public Utility**—means any works or undertaking constructed or maintained by a public authority or the Council to provide water, sewerage, electricity, gas, drainage, communications or other similar services.
- Reserve Development Table**—means the Reserve Development Table following Clause 2.3.
- Residential Building**—means a building other than a dwelling house, designed for use for human habitation together with such outbuildings as are ordinarily used therewith and the expression includes a hostel, lodging house and an hotel designed primarily for residential purposes and a residential club.
- Restaurant**—means any premises in which meals are served to the public for gain or reward and upon which there takes place or provision is or may be made for live entertainment by more than one person or for dancing but does not include part of an hotel, tavern or wine house.
- 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.
- Roadhouse**—means a land and a building or buildings used primarily for the purpose of a service station and also as a restaurant providing minor shop facilities.
- Rural Industry**—means an industry handling, treating, processing, packing or carrying products which have been grown, reared or produced on the same property on which the industry is carried on or a blacksmith's shop or a workshop servicing plant or equipment used in a rural pursuit in the locality.
- Rural Pursuit**—means extensive agriculture, and sheep and cattle farming and pasturing.
- Service Industry**—means a light industry carried on upon land and in buildings having a retail shop front and in which goods are manufactured only for sale on the premises, or land and buildings having a retail shop front and used as a depot for receiving goods to be serviced.
- Service Premises**—means a shop in which services are provided to the public and includes a hairdresser's salon, a dry cleaning agency, a laundromat, an art, craft or photographer's studio used for exhibition or instruction, a travel agency, a ticket agency, and a Totalisator Agency Board betting shop.
- Service Station**—means land and a building or buildings used for the purpose of fuelling motor vehicles, the sale by retail or petroleum products and lubricants (including liquid petroleum gas where dispensed from a tank or tanks not exceeding an aggregate weight of 45 kg), accessories and parts and the carrying out of routine servicing such as oiling, greasing and cleaning, tyre and minor mechanical repairs but does not include any use not conforming to the requirements for a light industry and does not include a motor repair station or transport depot.

Setback Line—means a line fixed in relation to a street alignment in accordance with the minimum setbacks of buildings from lot boundaries specified in the Zoning and Development Table.

Shop—means land or a building or portion of a building wherein goods are kept, exposed or offered for sale by retail, and includes the display and sale by retail of bulky goods but does not include a bank, fuel depot, a wholesale market, service station, milk depot, marine store, timber yard or land or buildings used for the sale of vehicles or for any purpose falling within the definition of industry and does not include a warehouse.

Showroom—means a building or a building and open area designed or used for the display or sale or display and sale of goods of a bulky character.

Store—means a building or an enclosed open area used for the storage of goods but in which a trade (whether retail or wholesale) or industry is not carried on.

Street Alignment—means the boundary between the land comprising a street and the land that abuts thereon, but where a new street alignment is prescribed under section 364 of the Local Government Act 1960 it means the new street alignment so prescribed.

Take-away Food Outlet—means premises in which meals in a form ready to be eaten without further preparation is served to customers for consumption off the premises.

Tavern—means land and a building or buildings the subject of a tavern licence granted under the provisions of the Liquor Act 1970.

Transport Depot—means land or a building or buildings used for the parking or garaging of road motor vehicles which are used or intended to be used for the carriage of goods, or land or a building or buildings used for the transfer of goods from one road motor vehicle to another and includes the maintenance and repair of such vehicles.

Uniform Building By-laws—means the Uniform Building By-laws 1974 published in the *Government Gazette* of 19 December 1974 (as amended) and if those by-laws are amended or revoked, means the Uniform General By-laws made pursuant to section 433A of the Local Government Act 1960, for the time being in force.

Vehicle—includes tractor.

Vehicle Repair Station—means land or a building or buildings used for or in connection with mechanical repairs and overhauls of motor vehicles including tyre recapping, retreading, panel beating, spray painting and chassis reshaping.

Veterinary Clinic—means land or a building or buildings in which a veterinary surgeon or veterinarian treats the minor ailments of domestic animals but in which animals do not usually remain overnight.

Veterinary Hospital—means land or a building or buildings used for or in connection with the treatment of sick animals and includes the accommodation of such animals whether or not the buildings are used as a veterinary clinic.

Warehouse—means a building or enclosed land, or part of a building or enclosed land, used for storage of goods and the carrying out of commercial transactions involving the sale of such goods by wholesale.

Wine Shop—means premises in respect of which a wine-house licence has been granted under the Liquor Act 1970.

Zoning and Development Table—means the Zoning and Development Table following Clause 2.2.

Adopted by resolution of the Council of the Shire of Merredin at the special meeting of the Council held on 23 March 1981.

JOHN P. GRIBBLE,
President.

R. LITTLE,
Shire Clerk.

Adopted for final approval by resolution of the Council of the Shire of Merredin at the ordinary meeting of the Council held on 16 November 1982 and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of—

[L.S.] J. H. CROOK,
President.

R. LITTLE,
Shire Clerk.

Recommended/Submitted for final approval—

L. F. O'MEARA,
Chairman of the Town Planning Board.
Dated 16/8/83.

Final approval granted—

D. PARKER,
Minister for Town Planning.
Dated 17/8/83.

TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED).

Advertisement of Approved Town Planning Scheme.

Shire of Nannup Town Planning Scheme No. 1.

T.P.B. 853/6/17/1.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning approved the Shire of Nannup, Town Planning Scheme No. 1 on 17 August 1983 the Scheme Text of which is published as a Schedule annexed hereto.

M. CAMARRI,
President.

D. F. BOULTER,
Shire Clerk.

Schedule.

Shire of Nannup.

Town Planning Scheme No. 1.

The Council of the Shire of Nannup under and by virtue of the power conferred on it in that behalf by the Town Planning and Development Act 1928 (as amended) hereby makes the following Town Planning Scheme for the purpose of:

- (a) preserving the amenity of the district;
- (b) controlling land development;
- (c) other matters authorized by the Act.

Scheme Text.

PART I—Preliminary.

1.1. Citation: This Town Planning Scheme may be cited as the Shire of Nannup Town Planning Scheme No. 1 (hereinafter referred to as "the Scheme") and comes into operation on the publication of notice of the Minister's final approval thereof in the *Government Gazette*.

1.2. Scheme Area: The Scheme applies to the whole of the district.

1.3 Responsible Authority: The responsible authority for carrying out the Scheme is the Council of the Shire of Nannup (hereinafter called "the Council").

1.4 Arrangement of the Scheme.

1.4.1 The Scheme Text is divided into the following Parts—

PART I—Preliminary.

PART II—Reserved Land.

PART III—Zones.

PART IV—Non-conforming Use of Land.

PART V—General Provisions.

PART VI—Development.

PART VII—Finance and Administration.

1.4.2 The following maps form part of the Scheme—

- (a) Land Use Map of Nannup Townsite.
- (b) Scheme Maps.
- (c) Map of Special Rural Zone at Darradup.

1.5 Interpretation.

1.5.1 In the Scheme unless the context otherwise requires, the following expressions have the respective meanings set out hereunder—

"absolute majority" means a total majority of the members for the time being of the Council, whether present and voting or not;

"Act" means the Town Planning and Development Act 1928;

"allotment" has the same meaning as lot;

"Board" means the Town Planning Board constituted under the Act;

"attached house" means a dwelling house that is constructed as part of a group of two or more dwelling houses each of which stands on a separate lot;

"car park" means land or a building used primarily for parking private cars or taxis whether as a public or private car park, but does not include any part of a public road used for parking or for a taxi rank, or any land or buildings on or in which cars are displayed for sale;

"car sales premises" means land or a building used for the display and sale of cars, whether new or second-hand, but does not include a workshop;

"caravan park" means an area of land—

- (a) set aside for the parking of caravans in conformity with the Caravan Parks and Camping Grounds Regulations 1974, made pursuant to the provisions of the Health Act 1911, and the Local Government Model By-laws (Caravan Parks and Camping Grounds) No. 2 made pursuant to the powers conferred by the Local Government Act 1960, and any amendments to those Regulations or those Model By-laws; or

- (b) upon which are built chalets or cabins in conformity with the Local Government Model By-laws (Holiday Cabins and Chalets) No. 18 made pursuant to the powers conferred by the Local Government Act 1960, and any amendments to those Model By-laws;

"caretaker's house" means a building used as a residence by the proprietor or manager of an industry carried on upon the same site or by a person having the care of the building or plant of the industry;

"cemetery/crematorium" means land, other than a churchyard, and buildings used as either a burial ground or for the consumption of corpses by fire or for ancillary purposes thereto;

"civic building" means a building designed, used or intended to be used by a Government Department, statutory body representing the Crown, or the Council as offices or for administrative or other like purposes;

"clause" means a clause of the Scheme;

"consulting rooms" means a building or part of a building (other than a hospital) used in the practice of his profession by a legally qualified medical practitioner or dentist, or by a physiotherapist, a masseur or a person ordinarily associated with a medical practitioner in the investigation or treatment of physical or mental injuries or ailments;

"cottage industry" means an industry which produces arts and crafts of a local nature, which cannot be carried out under the classification of a home occupation within the curtilage of the house, 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 noise, vibration, electrical interference, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products;
- (b) does not entail the employment of any person not a member of the occupier's family except in the case of a professional person;
- (c) does not occupy an area greater than 55 square metres, unless special approval is granted by Council;
- (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) is restricted in advertisement to a sign not exceeding 0.2 square metres in area; and
- (f) may be carried out from an outbuilding which blends with the character of the area and does not detract from the area;

"development" has the meaning given to it in and for the purposes of the Act, which is as follows—

"development means the use or development of any land and includes the erection, construction, alteration or carrying out, as the case may be, of any building, excavation or other works on any land";

"district" means the district of the Shire of Nannup;

"drive-in theatre" means an open air cinema that makes provision for the audience or spectators to view the entertainment while seated in motor vehicles;

"dry cleaning premises" means land or a building used for the cleaning of garments and other fabrics by chemical processes;

"dwelling house" means a building used for living purposes as one separate family unit and includes rooms and outbuildings separate from such building but ancillary thereto, but does not include a "residential building" or part of such a building;

"eating house" means premises in which meals are served to the public for gain or reward, but does not include—

- (a) premises in respect of which an hotel licence, tavern licence, limited hotel licence or wine house licence has been granted under the Liquor Act 1970;
- (b) a boarding house, lodging house or hostel;

- (c) a building or other structure used temporarily for serving meals to the public at a fair, show, military encampment, races or other public sports, games or amusements;
- “educational establishment” means a school, college, university, technical institute, academy or other educational centre, or a lecture hall, but does not include a reformatory institution or institutional home;
- “extractive industry” includes the extraction of sand, gravel, clay, turf, soil, rock, stone, minerals or similar substances from the land, and also the manufacture of products from those materials when the manufacture is carried out on the land from which any of those materials is extracted or on land adjacent thereto;
- “fish shop” means a shop where the goods kept exposed or offered for sale include wet fish or fish fried on the premises for consumption off the premises;
- “floor area” has the meaning given to it in and for the purposes of the Uniform Building By-Laws;
- “fuel depot” means a depot for storage or bulk sale of solid or liquid gaseous fuel, but does not include a service station;
- “funeral parlour” means land or a building occupied by an undertaker where bodies are stored and prepared for burial or cremation;
- “gazetted date” means the date on which notice of the approval of the Minister to this Scheme is published in the *Government Gazette*;
- “general industry” means an industry other than a hazardous, light, noxious, rural, extractive or service industry;
- “grouped dwelling” means a dwelling unit which may be attached to another dwelling and constructed as one of a group of two or more on one lot so that no dwelling is placed wholly or partly vertically above any other, except that where there are special conditions of landscape or topography, the Council may vary the requirement that no dwelling should be placed wholly or partly above any other;
- “hazardous industry” means an industry which by reason of the processes involved or the method of manufacture, or the nature of the materials used or produced requires isolation from other buildings;
- “health centre” means a maternal or x-ray centre, a district clinic, a masseur’s establishment or a medical clinic;
- “height” has the meaning given to it in and for the purposes of the Uniform Building By-Laws;
- “holiday cottage” means two or more detached dwellings on one lot let for holiday purposes, none of which is occupied by the same tenant for a continuous period of more than four months;
- “home occupation” means a business carried on with the written permission of the Council within a house or the curtilage of a house that—
- 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 noise, vibration, electrical interference, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products;
 - does not entail the employment of any person not a member of the occupier’s family except in the case of a professional person;
 - does not occupy an area greater than 19 m²;
- (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; and
- (e) is restricted in advertisement to a sign not exceeding 0.2 m² in area;
- “hospital” means a building or part of a building, whether permanent or otherwise, in which persons are received and lodged for medical treatment or care;
- “hotel” means a building the subject of an hotel licence granted under the provisions of the Liquor Act 1970;
- “industry” means the carrying out of any process for and incidental to—
- the making, altering, repairing or ornamentation, painting, finishing, clearing, packing or canning or adapting for sale, or breaking up or demolition of any article or part of any article;
 - the winning, processing or treatment of minerals;
 - the generation of electricity or the production of gas; and
 - the manufacture of edible goods for human or animal consumption, being a process carried on in the course of trade or business for gain, other than operations connected with—
 - the carrying out of agriculture;
 - site work on buildings, works or land; and
 - in the case of the manufacture of goods referred to above, the preparation on the premises of a shop of food for sale;
 and includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, and work of administration or accounting, the sale of goods resulting from the process and the use of land for the amenity of persons engaged in the process;
- “institutional building” means a building used or designed for use wholly or principally for the purpose of—
- a hospital or sanatorium for the treatment of infectious or contagious diseases;
 - a home or other institution for care of State wards, orphans, or persons who are physically or mentally handicapped;
 - a penal or reformatory institution;
 - a hospital for treatment or care of the mentally sick; or
 - any other similar use;
- “institutional home” means a residential building for the care and maintenance of children, the aged or the infirm, and includes a benevolent institution, but does not include a hospital or a mental institution;
- “land” includes air stratum titles, messuages, tenements and hereditaments and any estate in the land, and houses, buildings, works and structures, in or upon the land;
- “light industry” means an industry—
- in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises will not cause any injury to or prejudicially affect the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, liquid wastes, waste products, grit, oil or otherwise; and

- (b) the establishment of which will not or the conduct of which does not impose an undue load on any existing or projected service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like service;
- “lot” has the meaning given to it in and for the purposes of the Act;
- “major road” means a road designated as such on the Scheme Map;
- “marine filling station” means land or a building used for the storage and supply of liquid fuels and lubricants for marine craft, but in which no industry is carried on, but does not include a service station;
- “milk depot” means a depot to which milk is delivered for distribution to consumers, but in which milk is not processed or pasteurised;
- “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 repair station” means land or a building used for or in connection with mechanical repairs and overhauls including tyre recapping, retreading, panel beating, spray painting and chassis reshaping;
- “museum” means land and buildings used for the storing and exhibiting of objects illustrative of antiquities, natural history, art, nature and curiosities;
- “noxious industry” means an industry which the processes involved constitute an offensive trade within the meaning of the Health Act 1911, but does not include fish shops or dry cleaning establishments;
- “office” means a building or part of a building used or designed 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, or, where not conducted on the site thereof, the administration of or the accounting in connection with an industry;
- “open air display” means the use of land as a site for the display or sale of goods and equipment or both of those purposes;
- “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 lessee or licensee from the Crown; or
 - (d) is entitled to receive or is in receipt of, or if the lands 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;
- “Part” means a Part of this Scheme;
- “petrol filling station” means land or a building used for the supply of petroleum products and automotive accessories;
- “places of natural beauty” means the natural beauties of the Scheme area including lakes and other inland waters, banks of rivers, foreshores of harbours, and other parts of the sea, hill slopes and summits, and valleys;
- “plot ratio” has the meaning given to it in and for the purposes of the Uniform Building By-laws;
- “professional offices” means a building or part of a building used for the purpose of his profession by an accountant, architect, artist, 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), or town planner, and “professional person” has a corresponding meaning;
- “public amusement” means the use of land as a theatre, a cinema, a dance hall, a skating rink, swimming pool, gymnasium, or for games;
- “public assembly—place of” means any special place of assembly including grounds for athletics, all sports grounds with spectator provision, racecourses, trotting tracks, stadia, or showgrounds;
- “public authority” means a Minister of the Crown acting in his official capacity, a State Government Department, State trading concern, State instrumentality, State public utility and any other person or body, whether corporate or not, who or which, under the authority of any Act, administers or carries on for the benefit of the State, a social service or public utility;
- “public recreation” means the use of land for a public park, public gardens, foreshore reserve, playground or grounds for recreation which are normally open to the public without charge;
- “public utility” means any works or undertaking constructed or maintained by a public authority or municipality to provide water, sewerage, electricity, gas, drainage, communications or other similar services;
- “public worship—place of” includes buildings used primarily 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 T.V. installation” means land or a building used for the transmission or reception of radio or television signals and associated activities and includes a radio or television studio, but excludes small scale radio or T.V. aerials fitted to a residence for domestic use;
- “redevelopment” means revision or replacement of an existing land use according to a controlled plan;
- “reformatory institution” includes a penal institution;
- “residential building” means a building, other than a dwelling house or flat building, designed for use for human habitation together with such outbuildings as are ordinarily used therewith, and the expression includes a hostel, an hotel designed primarily for residential purposes and a residential club;
- “rural industry” means an industry handling, treating, processing, or packing primary products grown, reared or produced in the locality, and a workshop, servicing plant or equipment used for rural purposes in the locality;
- “rural pursuit” means agriculture, apiculture, aquaculture, horticulture, forestry, grazing, permaculture and poultry farming;
- “sawmill” means a mill or premises where logs or large pieces of timber are sawn, but does not include joinery works unless logs or large pieces of timber are sawn therein;
- “Schedule” means a Schedule to the Scheme;
- “service industry” means a light industry carried on upon land or in a building having a retail shop front and in which goods are manufactured only for sale on the premises, or land or a building having a retail shop front and used as a depot for receiving goods to be serviced;

“service station roadhouse” means a building used for the supply of petroleum products and automotive accessories at which meals are served and includes the use of the premises for greasing, tyre repairs and minor mechanical repairs;

“shop” means a building wherein goods are kept, exposed or offered for sale by retail, and includes a cafe and a restaurant and receiving depot, but does not include a bank, fuel depot, market, service station, petrol filling station, milk depot, marine store, timber yard, or land and buildings used for the sale of motor and other vehicles, or for any purpose falling within the definition of “industry”;

“showrooms” means rooms in connection with warehousing or offices, and intended for display of goods of a bulky character;

“sports ground” means land used for sport, but does not include land within the curtilage of a dwelling, if not used commercially;

“street alignment” means the boundary between the land comprising a street and the land that abuts thereon, but where a new street alignment is prescribed, means the new street alignment so prescribed;

“tavern” means a building the subject of a tavern licence granted under the provisions of the Liquor Act, 1970;

“trade display” means the display of goods for advertisements and inspection purposes only;

“transport depot” means land used for the garaging of road motor vehicles used or intended to be used for carrying goods for hire or reward or for any consideration, or for the transfer of goods from one such motor vehicle to another and includes maintenance and repair of vehicles;

“Uniform Building By-laws” means the Uniform Building By-laws, 1974, published in the *Government Gazette* of 19 December 1974 as amended and if those by-laws are revoked or amended after the gazettal date means the uniform general by-laws made pursuant to Section 433A of the Local Government Act 1960, for the time being in force;

“veterinary establishment” means land or a building used for, or in connection with, the treatment of sick animals and pets and includes the accommodation of sick animals and pets;

“vehicle” includes a tractor;

“woodyard” means an area on which coke and coal are stored, or on which wood is stored, sawn, or cut for use as domestic firewood and on which no coke, coal or wood is stored, or wood or timber, sawn or cut, for any other purpose;

“zone” means a portion of the Scheme area shown on the Scheme map by distinctive colouring, hatching or edging for the purpose of indicating the restrictions imposed by the Scheme on the erection and use of buildings or the use of land, but does not include land reserved;

“Zoning Table” means the Zoning Table following clause 3.2.

1.5.2 Words and expressions used in the Scheme but not defined in clause 1.5.1 have the meanings respectively assigned to them in the Act or in Appendix D to the Town Planning Regulations, 1967, unless the context otherwise requires or unless it is otherwise provided herein.

1.6 Schedules: The Schedules form part of the Scheme.

1.7 Clause Headings: The headings to clauses are for reference only and do not affect the construction of the Scheme.

1.8 Statutes: A reference to an Act of Parliament or to a section thereof includes a reference to any Act by which it is re-enacted or amended for the time being in force and also includes all by-laws, regulations and orders made thereunder for the time being in force.

PART II—Reserved Land.

2.1 Reservation of Land and Development Thereof.

2.1.1 Land set aside under this Scheme for the purposes of a reservation is deemed to be reserved for the purposes indicated on the Scheme Map.

2.1.2 Except as otherwise provided in this Part a person shall not carry out any development on land reserved under this Scheme, other than the erection of a boundary fence, without first applying for and obtaining the written approval of the Council.

2.1.3 In giving its approval the Council shall have regard to the ultimate purpose intended for the reserve and shall in the case of land reserved for the purpose of a public authority, confer with that authority before the application is determined.

2.1.4 No provision of this Part prevents the continued use of land for the use for which it was being lawfully used immediately prior to the gazettal date, or the repair and maintenance, for which the prior consent in writing of the Council has been obtained, of buildings or works lawfully existing on the land.

2.2 Compensation.

2.2.1 Where the Council refuses approval for the development of land that is reserved under the Scheme, on the grounds that the land is reserved for public purposes or grants approval 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.

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

2.2.3 In lieu of paying compensation the Council may purchase the land affected by its decision at a price not exceeding the value of the land at the time of refusal of approval or of the grant of approval subject to conditions that are unacceptable to the applicant.

PART III—Zones.

3.1 Zones: The Scheme area is divided into the following Zones—

Urban.

Rural.

Special Rural.

3.2 Zoning Table.

3.2.1 The Zoning Table indicates, subject to the provisions of the Scheme, the uses permitted in the various Zones.

3.2.2 The uses permitted are determined by cross reference between the list of Use Classes on the left hand side of the Zoning Table and the list of Zones at the top of that Table.

3.2.3 The symbols used in the cross references in the Zoning Table have the following meanings—

“P”—a use that is permitted under the Scheme;

“AA”—a use that is not permitted unless approval to it is given by the Council;

“SA”—a use that is not permitted unless special approval to it is given by the Council after the proposed use has been advertised in accordance with clause 3.4;

“IP”—a use that is not permitted unless it is incidental to the predominant use as decided and approved by the Council;

“X”—a use that is not permitted.

3.2.4 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 would otherwise include the particular use.

3.2.5 If a particular use or purpose is not mentioned in the list of Use Classes in the Zoning Table or is not included in the general terms of any of the Use Classes, that use or purpose is not permitted unless special approval to it is given by the Council after the proposed use has been advertised in accordance with clause 3.4 or unless it is permitted by the subsequent provisions of the Scheme.

Zoning Table

No.	Use Classes	Urban	Zones	
			Rural	Special Rural
1.	Car Sales Premises	SA	X	X
2.	Car Park	AA	AA	X
3.	Caravan Park	SA	AA	X
4.	Caretaker's House	IP	IP	X
5.	Cemetery/Crematorium	X	AA	X
6.	Civic Building	AA	AA	X
7.	Consulting Rooms	AA	AA	SA
8.	Cottage Industry	SA	AA	SA
9.	Drive-In Theatre	SA	AA	X
10.	Dry Cleaning Premises	SA	X	X
11.	Educational Establishment	AA	AA	X
12.	Eating House	AA	AA	X
13.	Fish Shop	AA	SA	SA
14.	Fuel Depot	SA	AA	X
15.	Funeral Parlour	SA	X	X
16.	Health Centre	AA	AA	X
17.	Holiday Cottages	AA	AA	X
18.	Home Occupation	AA	AA	AA
19.	Hospital	AA	X	X
20.	Hotel	SA	X	X
21.	Industry—Extractive	X	SA	X
22.	Industry—General	SA	X	X
23.	Industry—Hazardous	X	SA	X
24.	Industry—Light	SA	SA	X
25.	Industry—Noxious	X	SA	X
26.	Industry—Rural	AA	AA	X
27.	Industry—Service	SA	X	X
28.	Institutional Building	SA	SA	X
29.	Institutional Home	SA	SA	X
30.	Marine Filling Station	SA	AA	X
31.	Milk Depot	AA	X	X
32.	Motel	AA	AA	X
33.	Motor Repair Station	SA	AA	X
34.	Museum	AA	AA	X
35.	Office	AA	IP	X
36.	Open Air Display	AA	AA	X
37.	Petrol Filling Station	SA	AA	X
38.	Professional Office	AA	SA	SA
39.	Public Amusement	AA	X	X
40.	Public Assembly—Place of	AA	AA	X
41.	Public Recreation	P	P	P
42.	Public Utility	AA	AA	AA
43.	Public Worship—Place of	SA	AA	X
44.	Radio/T.V. Installation	AA	AA	X
45.	Reformatory Institution	X	AA	X
46.	Residential Building	SA	SA	X
47.	Residential:			
	(a) Single House	P	P	P
	(b) Attached House	AA	AA	X
	(c) Grouped Dwelling	SA	SA	X
48.	Rural Pursuit	AA	P	AA
49.	Sawmill/Woodyard	X	AA	X
50.	Service Station/Roadhouse	SA	AA	X
51.	Shop	SA	AA	X
52.	Showrooms	SA	X	X
53.	Sports Ground	AA	AA	AA
54.	Tavern	SA	SA	X
55.	Trade Display	SA	X	X
56.	Transport Depot	SA	AA	X
57.	Veterinary Establishment	AA	AA	X

3.3 Special Rural Zone: The following provisions shall apply specifically to all land included in the Special Rural Zone in addition to any provisions which are more generally applicable to such land under this Scheme—

- (a) The objective of the Special Rural Zone is to depict areas within the rural areas wherein closer subdivision will be permitted to provide for such uses as hobby farms, horse breeding, rural-residential retreats, intensive agriculture including market gardens and viticulture, and also to make provision for retention of the rural landscape and amenity in a manner consistent with the orderly and proper planning of such areas.
- (b) The provisions for controlling subdivision, land uses and development relating to specific Special Rural Zones will be as laid down in the Schedule No. 5 to the Scheme and future subdivision will accord with the Plan of

Subdivision for the specified area referred to in the Schedule and such plan of subdivision shall form part of the Scheme.

Before making provision for a Special Rural Zone, Council will prepare, or require the owner(s) of the land to prepare, a submission supporting the creation of the Special Rural Zone and such submission shall include:

- (i) A statement as to the purpose or intent for which the zone is being created.
- (ii) The reasons for selecting the particular area of the proposed zone with particular reference as to how this relates to the Council's Rural Planning Strategy.
- (iii) A plan or plans showing contours at such intervals as to adequately depict the land form of the area and physical features such as existing buildings, rock outcrops, trees or groups of trees, lakes, rivers, creeks, swamps, orchards, wells and significant improvements.

- (iv) Information regarding the method whereby it is proposed to provide a potable water supply to each lot.
 - (v) The proposed staging of the subdivision and development and the criteria to be met before successive stages are implemented.
- (c) The Scheme provisions for a Special Rural Zone shall include a plan of Subdivision showing:
- (i) The proposed ultimate subdivision including approximate lot sizes and dimensions.
 - (ii) Areas to be set aside for Public Open Space, pedestrian access-ways, horse trails, community facilities, etc., as may be considered appropriate.
 - (iii) Those physical features it is intended to conserve.
 - (iv) The proposed staging of the subdivision where relevant.
- (d) In addition to the Plan of Subdivision, the Scheme provisions for a specific Special Rural Zone shall specify:
- (i) The facilities which the purchasers of the lots will be required to provide (e.g. their own potable water supply, liquid and solid waste disposal system, etc.)
 - (ii) Proposals for the control of land uses and development which will ensure that the purpose of intent of the zone and the rural environment and amenities are not impaired.
 - (iii) Any special provisions appropriate to secure the objectives of the zone.
- (e) In addition to a Building Licence, the Council's prior approval to commence development is required for all development except a private dwelling house.
- (f) Notwithstanding the provisions of section 11.3 (4) of the Uniform Building By-Laws, not more than one private dwelling house per lot shall be erected.
- (g) The Council may, by notice served upon individual landowners or upon a subdivider of land within this zone require the preservation of any tree or groups of trees and thereafter no landowner or subdivider shall cut, remove or otherwise destroy any tree or trees so specified unless the Council rescinds the notice or order.
- (h) In addition to such other provisions of the Scheme as may affect it, any land which is included in a "Special Rural Zone" shall be subject to those provisions as may be specifically set out against it in Schedule No. 5 entitled 'Special Rural Zones—Provisions Relating to Specified Areas' as set out under Schedule No. 5 to the Scheme.
- (i) Notwithstanding the provisions of the Scheme and what may be shown in the Plan of Subdivision specified in Schedule No. 5 the Town Planning Board may approve a minor variation to the subdivisional design but further breakdown of the lots so created shall be deemed to be contrary to the provisions of the Scheme.

3.4 Council's Special Approval.

3.4.1 The Council shall in the case of an application for permission to carry on a use marked "SA" in the Zoning Table and may in the case of an application for permission to carry on a use marked "AA" in that Table or in any other case in which application is made for its approval give notice of the application in accordance with the provisions of this clause.

3.4.2 Where the Council is required or decides to give notice of an application the Council shall cause—

- (a) notice of the proposed use and development to be sent or delivered to the owners and occupiers

of land within an area determined by the Council as likely to be affected by the granting of the application;

- (b) notice of the proposed use and development to be published in a newspaper circulating in the Scheme Area weekly for a period of three consecutive weeks stating that submissions may be made to the Council by the date stated in the notice;
- (c) a sign displaying notice of the proposed use and development to be erected in a conspicuous position on the land so that it is readable from an adjoining street;
- (d) notice of the proposed use and development to be displayed on the Council's notice board.

3.4.3 The notice referred to in Clause 3.4.2 shall be in the form contained in Schedule No. 1 with such modifications as the circumstances require.

3.4.4 A person may make submissions to the Council in respect of the proposed use and development.

3.4.5 The Council shall consider all submissions made to it in respect of the proposed use and development in making its decision whether to grant or refuse its special approval or to grant approval upon conditions.

3.4.6 A resolution to grant special approval must be passed by an absolute majority of the Council.

PART IV—Non-Conforming Use of Land.

4.1 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 the coming into force of the Scheme; or
- (b) the carrying out of any development thereon for which, immediately prior to that time, a permit or permits required under the Town Planning and Development Act 1928 (as amended), and any other law authorizing the development to be carried out have been duly obtained and was current.

4.2 (a) Where in respect of land reserved under Part II of the Scheme a non-conforming use exists or was authorized as mentioned in clause 4.1 of this Part on that land all or any erections alterations or extensions of the buildings thereon or use thereof shall not be carried out unless the approval of the Council has been obtained in writing;

(b) Where in respect of land zoned under Part III of the Scheme a non-conforming use exists or was authorized as mentioned in clause 4.1 of this Part on that land, and provided the prior consent in writing of the Council has been obtained, buildings may be extended to the limits prescribed by the Uniform Building By-laws made under the Local Government Act 1960 (as amended), or by any other By-laws made under that Act for the purpose of limiting the size, location and distance from boundaries and any other matter required by law for that class of use within the boundary of the lot or lots on which the use was carried on immediately prior to the coming into force of the Scheme.

4.3 Change of Non-Conforming Use: The Council may permit the use of any land to be changed from one non-conforming use to another non-conforming use, provided the proposed use is, in the opinion of the Council, less detrimental to the amenity of the neighbourhood than the existing use, or is in the opinion of the Council closer to the intended uses of the zone.

4.4 Discontinuance of Non-Conforming Use:

- (a) Notwithstanding the preceding provisions of this Part, except where a change of non-conforming use has been permitted by the Council under Clause 4.3, when a non-conforming use of any land or building has been discontinued, such land or building shall not thereafter be used other than in conformity with the provisions of the Scheme.

- (b) 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.

PART V—General Provisions.

5.1 Residential Development: Residential Planning Codes—Country Towns.

5.1.1 For the purpose of this Scheme "Residential Planning Codes" means: The Residential Planning Codes—Country Towns adopted as a policy by the Board on 26 July 1982, together with all Amendments or additions thereto or any code, by-laws or regulations replacing them and applying or being applicable within the district.

5.1.2 A copy of the Residential Planning Codes shall be kept and made available for public inspection at the office of the Council.

5.1.3 In the event of there being any inconsistency between the Residential Planning Codes identified by Clause 5.1.1 and 5.1.2 the provisions in the document identified in Clause 5.1.1 shall prevail.

5.1.4 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 and the schedules to those codes.

5.1.5 The Residential Planning Code density applicable to land within the Urban Zone shall be R10/15.

5.2 Residential Planning Codes: Variations and Exclusions.

5.2.1 In the area coded R10/15 the R10 development standards shall apply unless Council is satisfied in a particular case, that the drainage conditions are suitable to ensure that on-site effluent disposal methods will function effectively on a permanent basis under R15 development standards.

5.2.2 Where the R10 development standards apply the minimum setback from street and rear boundaries shall be 7.5 metres and the minimum number of car-parking bays shall be 2.

5.3 Development—Uniform Building By-Laws: Unless otherwise specified in this Scheme the provisions of the Uniform Building By-Laws in respect of building setbacks, site coverage and plot ratio shall apply to all development within the Scheme Area.

5.4 Waste Disposal: A person shall not use any land within the Scheme area for the purposes of the disposal of rubbish, refuse or industrial wastes (whether liquid or solid) without the approval of the Council.

5.5 Appearance of Buildings: A person shall not without the approval of the Council erect or commence to erect a building which by virtue of colour or type of materials, architectural style, height, bulk or ornamental or general appearance has in the opinion of the Council an exterior design which is out of harmony with the exterior designs of existing buildings or is likely to injure the amenity of the Locality.

5.6 Protection of Coasts and Shores: Notwithstanding any other provision of the Scheme, a person shall not carry out or commence to carry out any development within 500 m of the high water mark without the special approval of the Council in accordance with clause 3.4.

5.7 Places of Natural Beauty and Historic Buildings and Objects of Historical or Scientific Interest.

5.7.1 A person shall not without the special approval of the Council at or on a place of natural beauty, a historic building or an object of historical or scientific interest—

- (a) carry out any development;
- (b) clear land or fell, lop or damage any tree or otherwise damage the place, building or object;

- (c) erect, demolish or alter or commence to erect, demolish or alter any building or structure;
- (d) erect an advertising sign.

5.7.2 The provisions of clause 3.4 with all necessary modifications apply to applications for the special approval of the Council under clause 5.7.1.

5.7.3 In clause 5.7.1 place of natural beauty, historic building and object of historical or scientific interest means a place, building or object described in Schedule No. 2.

5.8 Flood Affected Areas: Flood affected areas are shown as such on the Scheme Map. Council will have regard to flood factors when determining applications to commence development within these areas.

PART VI—Development.

6.1 Development of Land: Subject to the provisions of the Scheme, a person shall not commence or carry out the development of any land other than the erection of a dwelling house (not being a dwelling house to be erected on a lot having a frontage to a major road, a lot located within a special rural zone and a lot located within a flood affected area):

- (a) without the approval of the Council to carry out that development; and
- (b) if that approval is granted subject to any conditions, otherwise than in accordance and compliance with those conditions.
- (c) Not more than one dwelling house shall be permitted on a rural zoned lot or location without the approval of Council.

6.2 Application for Approval to Commence Development.

6.2.1 A person who desires to develop land, whether that land is zoned or reserved by the Scheme, shall make application in the form of, and contain the particulars set out in schedule No. 3, to the Council for approval to commence development before applying for a building licence.

6.3 Approval or Refusal.

6.3.1 The Council may grant its approval to commence development with or without conditions or may refuse to grant its approval.

6.3.2 If the Council grants its approval to commence development subject to conditions and any of the conditions is not fulfilled or complied with, the Council may revoke its approval.

6.3.3 The Council may limit the time for which its approval to commence development remains valid.

6.3.4 Where the Council has not within sixty days after the receipt by it of an application for its approval to commence development communicated its decision to the applicant the application is deemed to have been refused.

6.3.5 The Council shall give notice of approval or refusal of approval to commence development in or substantially in the form of Schedule No. 4.

PART VII—Administration.

7.1 Enforcement.

7.1.1 A person shall not construct or erect or commence to construct or erect a building otherwise than in accordance with the provisions of the Scheme.

7.1.2 A person shall not use any land, building or structure otherwise than:

- (a) in accordance with the provisions of this Scheme; and
- (b) in accordance with any approval issued by Council under the provisions of this Scheme.

7.1.3 In cases where the Council's approval is required before a development is commenced or is required for the use of land a person shall not commence the development or use the land without the approval of the Council.

7.1.4 One month's written notice is hereby prescribed as the notice to be given pursuant to Section 10 of the Act before the Council exercises the powers conferred by that Section—

- (a) to remove, pull down or alter any building or other work in the Scheme area, which has been commenced or continued after the gazettal date and which is such as to contravene the Scheme, or in the erection or carrying out of which any provision of the Scheme has not been complied with;
- (b) to execute any work which it is the duty of any person to execute under the Scheme, in any case where it appears to the Council that delay in the execution of the work would prejudice the efficient operation of the Scheme

and any expenses incurred by the Council under that section may be recovered from the person in default in a court of competent jurisdiction.

7.2 Powers of the Council.

7.2.1 The Council in the conduct and management of the Scheme has, in addition to all other powers vested in it, the following powers—

- (a) to permit its officers and employees to enter and inspect any land or building within the Scheme area;
- (b) to enter into agreements and arrangements with owners of land within the Scheme area;
- (c) to remove, alter or demolish any building which obstructs the observance or carrying out of the Scheme;
- (d) to acquire land or buildings or to make any agreement or proposal in respect thereto.

7.2.2 The Council may exercise the powers conferred by section 13 of the Act—

- (a) to purchase any land from any person who may be willing to sell the same; or
- (b) with the consent of the Governor, to take compulsorily, under and subject to the Public Works Act 1902, (but subject to subsection (2) of section 13 of the Act), any land comprised in the Scheme and whether situate within or without the boundaries of the District of the Council.

7.3 Disposal of Land: The Council may deal with or dispose of any land which it has acquired pursuant to the provisions of the Scheme, in accordance with the Act and in conformity with the provisions of the Scheme.

7.4 Claims for Compensation: Except where otherwise provided in the Scheme, the time limited for the making of a claim for compensation pursuant to Section II of the Act is six months after the date when notice of the approval of the Scheme is published in the manner prescribed by the Regulations or after the date upon which the land or property of the claimant is injuriously affected by the making of the Scheme, whichever is the later.

7.5 Appeals: An applicant aggrieved by a decision of the Council acting under the powers conferred by this Scheme, may within 60 days of the date of Council's decision, appeal to the Minister or the Town Planning Appeal Tribunal in accordance with Part V of the Act.

Schedule No. 1.

Shire of Nannup.

Town Planning Scheme No. 1.

Notice of Proposed Use or Development of Land.

It is hereby notified for public information that the Council has received an application to use/develop land for the purposes described hereunder.

Land Description:

Lot No. Street Number:

Proposed Use/Development:

.....

.....

Details of the proposal are available for inspection at the offices of the Council.

Submissions may be made to the Council in writing on or before the _____ day of _____ 19

Shire Clerk

Date:

Schedule No. 2.

Shire of Nannup.

Town Planning Scheme No. 1.

Schedule of Places of Natural Beauty, Historic Buildings and Objects of Historical or Scientific Interest.

No.; Description of Place, Building or Object.

1. Historic Homestead—"Templemore", Lot 3 Warren Road, Nannup Townsite (L & S Map Ref. Nannup Townsite)
2. Historic Homestead—"Darradup House", Nelson Location 278, Nannup (L & S Map Ref. 439D/40)
3. Historic Homestead—"Biddellia", Nelson Location 75, Nannup (L & S Map Ref. 439D/40)
4. Historic Homestead—"Jalbarragup", Nelson Location 136, Nannup (L & S Map Ref. 439A/40)
5. Historic Homestead—"Cundinup", Nelson Location 8000, Nannup (L & S Map Ref. 414D/40)
6. Historic Homestead—"Dudinalup", Nelson Location 6, Nannup (L & S Map Ref. 439A/40)
7. Part Completed Homestead—Used as a Camp—"Qua-anup", Nelson Location 147, Nannup (L & S Map Ref. 442D/40)

Schedule No. 3.

Shire of Nannup.

Town Planning Scheme No. 1.

Application for Approval to Commence Development.

Name of owner of land on which development is proposed: Surname: Christian Names:

Address in full:

Submitted by:

Address for Correspondence:

Locality of Development:

Description of Land: Lot No.

Street: Location No:

Plan or Diagram: Certificate of Title Volume

..... Folio

Development Proposed:

Approximate Cost of Proposed Development:

Estimated Time of Completion:

Signature of Applicant:

Date:

Signature of Owner (if not the Applicant):

Date:

This form is to be submitted in duplicate with three copies of the site plan.

This is not an application for a building licence, for which a separate application is required.

Schedule No. 4.

Shire of Nannup.

Town Planning Scheme No. 1.

Notice of Approval/Refusal of Approval to Commence Development.

Name and Address of Applicant:

Name and Address of Owner (if not Applicant)

Description of Land:

Approval to commence development in accordance with an application dated the _____ day of _____ 19 _____ and the plans attached thereto is granted subject to the following conditions/refused upon the following grounds:

This approval is valid for a period of _____ months from the date hereof. If development is not commenced within that period a fresh approval must be obtained.

Shire Clerk

Date:

This is not a building licence, for which a separate application is necessary.

Schedule No. 5.

Special Rural Zones—Provisions Relating to Specified Areas.

(a) Specified Area of Locality.

Sussex Locations 865, 1082, 1093, 1084 and 1356, Denny Road and Brook Road, Nannup.

(b) Special Provisions to refer to (a).

1. Minimum Lot size shall be 2 ha.
2. The Plan of Subdivision specified in Clause 3.3, forms part of the Scheme and is numbered Sheet No. 5.
3. A person shall not construct or erect or commence to construct or erect—
 - (i) a building within 40 m of any boundary of a lot unless, where the topography or shape of the lot or flora thereon require otherwise, the Council approves a lesser distance and if it does so a person shall not construct or erect or commence to construct or erect a building within the distance approved by the Council;
 - (ii) a dwelling house having an internal floor area of less than 45 m²;
 - (iii) a building in a manner or of materials that would in the opinion of the Council destroy the amenity of the area or not blend in with the landscape.
4. A person shall not use any land for the purposes of breeding or keeping animals for commercial gain without the approval of the Council;
5. A person shall not use any land for intensive rural pursuits for commercial gain without the approval of the Council;
6. In order to conserve the natural beauty of the locality notwithstanding the provisions of Clause 3.3 (g) all trees shall be retained unless their removal is authorised by Council.
7. Prior to the occupation of any dwelling house within the Special Rural Zone it shall be connected to a water storage capacity of 92 000 litres or to an alternative source of water that meets the Council's requirements.

8. Areas A, B and C shown on Scheme Map Sheet No. 5 represent areas suitable for Staged Development of the Special Rural Area. However, with Council approval these may be developed jointly.

Adopted by resolution of the Council of the Shire of Nannup at the Ordinary meeting of the Council held on 9 October 1980.

K. DEAN,
President.

D. F. BOULTER,
Shire Clerk.

Adopted for final approval by resolution of the Council of the Shire of Nannup at the ordinary meeting of the Council held on 9 June 1983 and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of—

[L.S.] M. CAMARRI,
President.

D. F. BOULTER,
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 Town Planning on 17 August 1983.

Recommended/Submitted for final approval—

L. F. O'MEARA,
Chairman of the
Town Planning Board.

Dated 16/8/1983.

Final approval granted—

D. PARKER,
Minister for Town Planning.

Dated 17/8/1983.

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959-1982.

Metropolitan Region Scheme.

Notice of Amendment.

Albany Highway, Maddington.

Amendment No. 475/33A; File No. 833-2-25-18.

1. In accordance with the provisions of section 33A of the Metropolitan Region Town Planning Scheme Act 1959-1982, The Metropolitan Region Planning Authority on 23 February 1983, resolved to amend the Metropolitan Region Scheme as referred to in the First Schedule hereto.

2. Copies of the map that forms part of the Scheme which is being amended are available for public inspection free of charge, during normal office hours from Monday to Friday inclusive of each week, except on public holidays, at the places mentioned in the Second Schedule hereto.

3. And please note that any person who feels aggrieved by the Amendment may appeal to the Minister for Planning against the Amendment in the prescribed form. Forms of Notice of Appeal are available at the places of exhibition and shall be lodged in duplicate with the Secretary, Metropolitan Region Planning Authority, 22 St. George's Terrace, Perth, on or before Friday, 18 November 1983.

A. L. HENDRY,
Secretary,
Metropolitan Region
Planning Authority.

First Schedule.

Metropolitan Region Scheme Map Sheet Number 20 is amended by substituting the zones and reservations shown on Amending Map Sheet Number 20/21 m for those parts of Map Sheet Number 20.

The purpose of the Amendment is to redefine land requirements for the Albany Highway reservation between Maddington Road and Dalziell Street, Maddington, by excluding land from the Urban Zone and including that land in the Other Major Highway reservation and, excluding land from the Other Major Highway reservation and including that land in the Urban Zone.

The Amendment is depicted on Metropolitan Region Planning Authority Plan Number 3.0349 and in more detail on supporting Plans numbered 3.0336 and 3.0337.

Second Schedule.

Public Inspection:—

1. Office of the Town Planning Department, 2nd Floor, Oakleigh Building, 22 St. George's Terrace, Perth, W.A. 6000.
2. Office of the Municipality of the City of Perth, 27 St. George's Terrace, Perth, W.A. 6000.
3. Office of the Municipality of the City of Gosnells, 2120 Albany Highway, Gosnells, W.A. 6110.
4. The State Reference Library, 40 James Street, Perth, W.A. 6000 (between the hours of 9.00 a.m. and 5.30 p.m. Mondays and Fridays, 9.00 a.m. and 9.45 p.m. Tuesdays to Thursdays, and 2.00 p.m. and 5.30 p.m. Saturdays and Sundays).

METROPOLITAN REGION TOWN PLANNING
SCHEME ACT 1959-1982.

Metropolitan Region Scheme.

Notice of Amendment.

Helena Vale Racecourse.

Amendment No. 500/33A; File No. 833-2-27-23.

1. In accordance with the provisions of section 33A of the Metropolitan Region Town Planning Scheme Act 1959-1982, the Metropolitan Region Planning Authority on 27 July 1983, resolved to amend the Metropolitan Region Scheme as referred to in the First Schedule hereto.

2. Copies of the map that forms part of the Scheme which is being amended are available for public inspection free of charge, during normal office hours from Monday to Friday inclusive of each week, except on public holidays, at the places mentioned in the Second Schedule hereto.

3. And please note that any person who feels aggrieved by the amendment may appeal to the Minister for Planning against the amendment in the prescribed form. Forms of Notice of Appeal are available at the places of exhibition and shall be lodged in duplicate with the Secretary, Metropolitan Region Planning Authority, 22 St. George's Terrace, Perth, on or before Friday, 18 November 1983.

A. L. HENDRY,
Secretary,
The Metropolitan Region
Planning Authority.

First Schedule.

Metropolitan Region Scheme Map Sheet Number 16 is amended by substituting the zones and reservations shown on Amending Map Sheet Number 16/47 m for those parts of Map Sheet Number 16.

The purpose of the amendment is to rezone Helena Vale Racecourse and adjoining land from the Urban Zone to the Industrial Zone.

The amendment is depicted on Metropolitan Region Planning Authority Plan Number 4.0720.

Second Schedule.

Public Inspection:—

1. Office of the Town Planning Department, 2nd Floor, Oakleigh Building, 22 St. George's Terrace, Perth, W.A. 6000.
2. Office of the Municipality of the City of Perth, 27 St. George's Terrace, Perth, W.A. 6000.
3. Office of the Municipality of the Shire of Mundaring, 3 Mann Street, Mundaring, W.A.
4. Office of the Municipality of the Shire of Swan, Great Northern Highway, Middle Swan, W.A. 6056.
5. The State Reference Library, 40 James Street, Perth, W.A. 6000 (between the hours of 9.00 a.m. and 5.30 p.m. Mondays and Fridays, 9.00 a.m. and 9.45 p.m. Tuesdays to Thursdays, and 2.00 p.m. and 5.30 p.m. Saturdays and Sundays).

PUBLIC WORKS DEPARTMENT

Tenders, closing at West Perth, at 2.30 p.m. on the dates mentioned hereunder, are invited for the following projects.

Tenders are to be addressed to the Minister (either for Works or for Water Resources as indicated on the tender document).

C/- Contract Office,
Public Works Department,
Dumas House,
2 Havelock Street,
West Perth. Western Australia 6005.

and are to be endorsed as being a tender for the relevant project.

The highest, lowest, or any tender will not necessarily be accepted.

Contract No.	Project	Closing Date	Tender Documents now available at
23418	West Pilbara Water Supply—Harding Dam Pumping Station— Pumping Plant	4/10/83	P.W.D., West Perth
23422†	Merredin Hospital Redevelopment Stages 2 and 3	20/9/83	P.W.D., West Perth P.W.D., A.D., Merredin
23424	Albany Senior High School Alterations and Additions— Mechanical Services	20/9/83	P.W.D., West Perth P.W.D., A.D., Albany
ADQ 5042	Balcatta Senior High School Supply and Lay Carpet	20/9/83	P.W.D., A.D., Furniture Office, 2nd Floor, Rm 223 2 Havelock Street, West Perth 6005

PUBLIC WORKS DEPARTMENT—continued.

Contract No.	Project	Closing Date	Tender Documents now available at
23425	(Mt. Helena) Eastern Hills Senior High School—Repairs and Renovations	27/9/83	P.W.D., West Perth
23426	Broome Hospital—Redevelopment Stage 1—Phase 2—Electrical Services	27/9/83	P.W.D., West Perth P.W.D., A.D., Derby
23427*	Western Australian College of Advanced Education—Mount Lawley Campus—Staff Studies and Storage Facilities	27/9/83	P.W.D., West Perth
23428	Western Australian College of Advanced Education Mount Lawley Campus—Staff Studies and Store Facility—Mechanical Services	27/9/83	P.W.D., West Perth
23429	Mt. Lawley Campus—Western Australian College of Advanced Education—Staff Studies and Store Facilities—Electrical Services Nominated Sub Contractor	27/9/83	P.W.D., West Perth
23430	Port of Bunbury outer harbour fishing industry facilities jetty schedule of Rates Contract	11/10/83	P.W.D., West Perth
23431	Carnamah Lot 75 Robertson Street sale of land (highest or any Tender not necessarily accepted)	4/10/83	P.W.D., West Perth
23432	Jervoise Bay Boat Harbour Rubble Mound Breakwater Schedule of Rates Contract	4/10/83	P.W.D., West Perth
23433	Quairading District High School—Repairs and Renovations—Internal and External	4/10/83	P.W.D., West Perth P.W.D., A.D., Northam
23434	Warwick Primary School Repairs and Renovations	27/9/83	P.W.D., West Perth
23435	Public Health Dept., 508–514 Hay Street, Perth External and Internal Repairs and Renovations	27/9/83	P.W.D., West Perth
23436	Cunderdin District High School—Repairs and Renovations	4/10/83	P.W.D., West Perth P.W.D., A.D., Northam
23437	Merredin Hospital Redevelopment 1983—Stages 2 and 3 Electrical Installation Nominated Sub Contract	4/10/83	P.W.D., West Perth P.W.D., A.D., Merredin
ADQ5057	Busselton Senior High School—Supply and Lay Carpet	20/9/83	P.W.D., A.D., Furniture Office, 2nd Floor, Rm 223, 2 Havelock Street, West Perth 6005 P.W.D., A.D., District Supervisor, 11 Stirling Street, Bunbury 6230
ADQ5059	Exmouth Police Complex Supply and Installation of Carpet, Carpet Tiles and Sheet Vinyl	27/9/83	P.W.D., A.D., Furniture Office, 2nd Floor, Rm 223, 2 Havelock Street, West Perth 6005 P.W.D., A.D., District Supervisor, Olivia Terrace, Carnarvon 6701
23438	Alexander Library Building—Perth Cultural Centre—Deionized Water System Doc. No. 36.2.7	4/10/83	P.W.D., West Perth
23439	Alexander Library Building—Perth Cultural Centre—Fume Cupboard and Hoods Doc. No. 36.2.6	4/10/83	P.W.D., West Perth
23440	Kalgoorlie Hospital—Site Service Alterations 1983—Mechanical Services	4/10/83	P.W.D., West Perth P.W.D., A.D., Kalgoorlie
23441	Broome Hospital Phase 2—Stage 1—Redevelopment—Mechanical Services	11/10/83	P.W.D., West Perth P.W.D., A.D., South Hedland
23442	Geraldton Sewerage No. 1 Pumping Station—Civil Works	11/10/83	P.W.D., West Perth P.W.D., W.S., Geraldton
23443	Esperance Sewerage No. 3 Pumping Station Civil Works and Rising Main	11/10/83	P.W.D., West Perth P.W.D., W.S., Esperance P.W.D., W.S., Kalgoorlie P.W.D., W.S., Albany
ADQ5065	Cannington Primary School—Supply and Lay Carpet	27/9/83	P.W.D., A.D., Furniture Office 2nd Floor, Rm 223 2 Havelock Street West Perth 6005
ADQ5067	Waroona District High School—Supply and Lay Carpet	27/9/83	P.W.D., A.D., Furniture Office 2nd Floor, Rm 223 2 Havelock Street West Perth 6005 P.W.D., A.D., District Supervisor, 11 Stirling Street, Bunbury W.A. 6230
ADQ5068	Mandurah Senior High School—Supply and Lay Carpet	27/9/83	P.W.D., A.D., Furniture Office 2nd Floor, Rm 223 2 Havelock Street West Perth 6005
ADQ5069	Glendale Primary School—Supply and Lay Carpe	27/9/83	P.W.D., A.D., Furniture Office 2nd Floor, Rm 223 2 Havelock Street West Perth 6005
ADQ5070	Rangeway Primary School, Geraldton—Supply and Installation of Carpet	27/9/83	P.W.D., A.D., Furniture Office 2nd Floor, Rm 223 2 Havelock Street West Perth 6005 P.W.D., A.D., District Supervisor Marine Terrace Geraldton 6530

* Deposit on Document \$100

† Deposit on Documents \$180.

PUBLIC WORKS DEPARTMENT—*continued*

ACCEPTANCE OF TENDERS

Contract No.	Project	Contractor	Amount
			\$
23403	Kalgoorlie Regional Hospital Stage 2 Redevelopment New Sub-Station and Access Ramps	Jaxon Construction Pty Ltd	97 800
23404	Bentley Hospital Upgrading 1983 Alterations and Additions	Coldale Constructions Pty Ltd	282 205
23393	Claremont Campus, W.A.C.A.E. Maths, Science Art and Music Building Mechanical Services	Leibo Pty Ltd	254 726
23405	Osborne Park Hospital—Alterations and Additions	Coldale Const. Pty Ltd	434 667

K. T. CADEE,
Under Secretary for Works.

COUNTRY AREAS WATER SUPPLY ACT
1947-1982.

Australind Water Supply.

Water Treatment Plant and Supply Mains.

Preliminaries to Construction.

Notice of Intention.

P.W.W.S. 317/64A.

NOTICE is hereby given of the intention of the Minister for Water Resources to undertake the construction of the water works hereinafter described by virtue of the powers contained under the provisions of the Country Areas Water Supply Act 1947-1982.

A description of the proposed water works:

The water works, with all necessary valves and appurtenances, will consist of:—

(a) a water treatment plant

(b) supply mains 2.8 km in length.

The localities in which they will be constructed:

Item (a) will be constructed on Lot 6 of Wellington Location 1.

Item (b) will be constructed on Lot 6 of Wellington Location 1, Old Coast Road reserve, Part Wellington Location 1 and Water Reserve 36031.

All the water works are shown on Plan P.W.D., W.A. 54842-1-1.

The purposes for which they are to be constructed:

The water works are to be constructed to improve the supply of reticulated water to the town of Australind. The times when and places at which the plans may be inspected:

The plans may be inspected at the office of the Minister for Water Resources, room 847, 8th floor, Dumas House, 2 Havelock Street, West Perth; the office of the Public Works Department, Bunbury; the office of the Shire of Harvey, Harvey; and the Public Notice Board in the Australind Village Shopping Centre, Australind; for one month on and after 19 September 1983, between the hours of 10.00 a.m. and 3.30 p.m. Monday to Friday.

A. TONKIN,
Minister for Water Resources.

NOTES.

1. Section 17 of the Country Areas Water Supply Act 1947-1982, provides that:—

1.1 Any local authority or person interested may object in writing to the construction of the proposed water works.

1.2 Every objection shall be lodged with the Minister within one month from the date of the publication of the advertisement in the *Government Gazette*.

2. Section 63 of the Country Areas Water Supply Act 1947-1982, empowers the Minister to make and levy water rates in respect of all rateable land in a country water area, whether actually occupied or not, and although the land may not be actually supplied with water, where such land is within the prescribed distance of any water main laid in pursuance of the advertisement.

3. The timing of construction of the water works shown on the plan is subject to funding.

ERRATUM.

RIGHTS IN WATER AND IRRIGATION
ACT 1914-1981.

Notice of Order to Make and Levy Irrigation Rates for the Year Ending 31 August 1984.

WHEREAS an error occurred in the notice published under the above heading on page 3336 of *Government Gazette* No. 63 dated 9 September 1983 it is corrected as follows.

The words "Financial year ending on 31 August 1983" should read "Financial year ending on 31 August 1984".

P.W.W.S. 1144/81

Country Areas Water Supply Act 1947 (as amended); Public Works Act 1902 (as amended)

NOTICE OF INTENTION TO TAKE OR RESUME LAND

Pumping Station—Great Southern Town Water Supply—Narrogin Water Supply

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 Dumberning District, for the purpose of the following public work, namely Pumping Station—Great Southern Town Water Supply—Narrogin Water Supply, and that the said pieces or parcels of land are marked off on Plan P.W.D., W.A., 55003, which may be inspected at the office of the Minister for Works, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description.

SCHEDULE

No. on Plan P.W.D., W.A. 55003	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
	Peter Vernon Jones and Margaret Antonia Jones	Crown	Portion of Dumberning Agricultural Area Lot 151 and being part of the Land in Certificate of Title Volume 810 Folio 58	4 000 m ²

Dated this 12th day of September 1983.

K. F. McIVER,
Minister for Works.

L. & S. 1461/980

Public Works Act 1902; Local Government Act 1960

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 compulsorily acquire on behalf of the City of Gosnells, under Section 17 (1) of that Act, the several pieces or parcels of land described in the schedule hereto for Road Purposes, and that the said pieces or parcels of land are marked off on Lands and Surveys Diagram 84891, copies of which may be inspected at the Office of the Minister for Lands, Perth, and at the office of the City of Gosnells.

SCHEDULE

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
	John Frederick Roe and George Arthur Clifton	John Frederick Roe and George Arthur Clifton	Portion of Canning Location 13 and being part of the land comprised in deposited plan 1807 and being part of the land comprised in Cer- tificate of Title Volume 157 Folio 5	20 m ²

Dated this 16th day of September, 1983.

B. L. O'HALLORAN,
Under Secretary for Lands.

SHIRE OF BROOMEHILL.

STATEMENT OF RECEIPTS AND PAYMENTS FOR
THE YEAR ENDED 30 JUNE 1983.

Receipts.		\$
Rates	174 471.46	
Payments in Lieu of Rates	58.91	
Licences	59 196.70	
Government Grants and Recoups	181 264.86	
Income from Property	10 837.18	
Sanitation Charges	1 945.05	
Cemetery Fees	32.00	
Vermin—Sale of Poisons	7.50	
Bush Fire Control	69.72	
Traffic—Licence Plates	1 023.00	
Sale of Plant	19 550.00	
All Other Revenue	12 430.48	
	<u>\$460 886.86</u>	
Payments.		\$
Administration— Staff Section	52 338.64	
Members Section	3 288.43	
Debt Service	31 012.04	
Public Works and Services	200 189.13	
Building Construction and Equipment	1 741.73	
Building Maintenance	14 024.25	
Water Supply	638.18	
Health Services	733.25	
Sanitation	2 184.64	
Vermin—Purchase of Poisons	30.56	
Bush Fire Control	2 124.80	
Traffic Control	1 620.72	
Cemetery	106.39	

		\$
Purchase of Plant and Equipment	131 864.30	
Purchase of Tools	144.36	
Plant Operation Costs	950.12	
Materials	7 272.59	Cr.
Main Roads Department Trust Fund	51 828.78	
Donations and Grants	682.00	
Private Works	1 950.57	
Noxious Weeds	236.84	
Dog Control	163.00	
Transfer to General Reserve Account	17 000.00	
	<u>\$507 580.14</u>	

SUMMARY.

		\$
Credit Balance 1/7/82	53 183.21	
Receipts 1982/83	460 886.86	
	<u>514 070.07</u>	
Payments 1982/83	507 580.14	
Credit Balance 30/6/83	<u>\$6 489.93</u>	

BALANCE SHEET AS AT 30 JUNE 1983.

Assets.		\$
Municipal Fund Bank	6 489.93	
Sundry Debtors	545.35	
Stock	4 177.12	
Non-Current Assets	25 000.00	
Deferred Assets	25 193.00	
Fixed Assets	511 254.42	
	<u>\$572 659.82</u>	

Liabilities.		
Non-Current Liabilities	.....	\$ 25 000.00
Deferred Liabilities	.....	83 679.94
		<u>\$108 679.94</u>
SUMMARY.		
Total Assets	.....	\$ 572 659.82
Total Liabilities	.....	108 679.94
Municipal Accumulation Account	.....	<u>\$463 979.88</u>

We hereby certify that the figures given above are correct.

E. N. RICHARDSON,
President.

G. R. THORN,
Shire Clerk.

The accounts of the Shire of Broomehill have been audited for the financial year ended 30 June 1983. The accounts have been found to be in order and properly kept in accordance with the provisions of the Local Government Act 1960 and have been allowed.

In my opinion, the Balance Sheet and the related financial statement for the year ended 30 June 1983 have been prepared on a basis consistent with the Local Government Act Accounting Directions and present a true and fair view of the affairs of the Shire.

W. F. ROLSTON,
Auditor General.

Non-current Assets:		
Loan Capital Fund	.....	\$ 50 000.00
Trust Fund	.....	19 321.70
Reserve Fund Long Service Leave	.....	18 466.20
Reserve Fund Plant	.....	44 364.08
Deferred Assets:		
Government Loan Repayments	.....	157 770.62
S.E.C. Extension Loan	.....	410.96
South Mt. Barker Football Club Loan	.....	12 761.16
Reserve Fund Contra	.....	62 830.28
Fixed Assets, Less Depreciation	.....	<u>2 132 877.20</u>
		<u>\$2 636 158.45</u>

Liabilities.		
Current Liabilities:		\$
Sundry Creditors	.....	5 455.84
Accrued Charges	.....	20 333.51
Receipts in Advance	.....	4 796.50
Non-current Liabilities:		
Reserve Funds	.....	62 830.28
Trust Funds	.....	19 321.70
Deferred Liabilities:		
Loan Liability	.....	629 983.47
		<u>\$742 721.30</u>

SUMMARY.		
Total Assets	.....	\$ 2 636 158.45
Total Liabilities	.....	742 721.30
Municipal Accumulation Account (Surplus)	.....	<u>\$1 893 437.15</u>

We hereby certify that the figures and particulars above are correct.

W. T. FROST,
President.

R. H. GURNEY,
Shire Clerk.

SHIRE OF PLANTAGENET.

STATEMENT OF RECEIPTS AND PAYMENTS FOR THE YEAR ENDED 30 JUNE 1983.

Receipts.		
Rates	.....	\$ 420 408.50
Payments in lieu of Rates	.....	1 356.00
Licences	.....	189 694.21
Government Grants and Recoups	.....	385 863.76
C.A.R. Grant	.....	197 920.00
Income from Property	.....	142 256.43
Sanitation Charges	.....	20 638.72
Fines and Penalties	.....	357.00
Cemetery Receipts	.....	1 031.00
Vermin Receipts	.....	305.50
Traffic Act—Other Fees	.....	3 184.00
Meat Inspections	.....	32 962.58
Contribution to Works	.....	16 783.72
Government Cont. to Loan Liability	.....	18 969.38
Sale of Plant "Trade In"	.....	36 204.00
Bank Interest	.....	60 690.11
All Other Receipts	.....	27 471.73
South Football Club—Loan Repayment	.....	2 679.60
		<u>\$1 558 776.24</u>

Payments.		
Administration	.....	\$ 180 750.83
Debt Service	.....	118 671.86
Public Works and Services:		
Road Construction	.....	413 017.09
Road Maintenance	.....	125 038.47
Street Cleaning	.....	4 552.96
Street Lighting	.....	9 307.92
Tree Planting	.....	510.00
Noxious Weed Control	.....	3 533.37
Recreation Grounds and Parks	.....	93 579.35
Building Construction and Equipment	.....	57 733.68
Building Maintenance	.....	132 849.69
Town Planning	.....	11 426.41
Health Services	.....	51 711.37
Sanitation	.....	19 568.78
Vermin Services	.....	283.65
Bushfire Control	.....	7 323.14
Traffic Control	.....	2 877.51
Cemeteries	.....	2 049.80
Plant and Tools Purchased	.....	109 774.57
Plant Operation (Unallocated)	.....	5 718.93
Material (Unallocated)	.....	2 620.00
Main Roads Trust Account	.....	158 569.96
Donations and Grants	.....	20 999.28
Plant Reserve Fund	.....	15 000.00
Ranger/Dog Control	.....	3 474.38
All Other Expenditure	.....	48 288.13
		<u>\$1 599 231.13</u>

SUMMARY.		
Credit Balance 1/7/82	.....	\$ 140 867.22
Receipts as per Statement	.....	1 558 776.24
Payments as per Statement	.....	1 699 643.46
Credit Balance @ 30/6/83	.....	<u>\$100 412.33</u>

BALANCE SHEET AS AT 30 JUNE 1983.

Assets.		
Current Assets:		\$
Municipal Fund Bank	.....	100 412.33
Sundry Debtors	.....	16 401.19
Stock on Hand	.....	20 542.73
		<u>\$1 200 391.17</u>

I have audited the books of the Shire of Plantagenet for the year ended 30 June 1983. In my opinion the Balance Sheet and the related financial statements are prepared on a basis consistent with the Local Government Act Accounting Directions and present a true and fair view of the state of affairs of the Shire of Plantagenet as at 30 June 1983.

J. J. PAOLINO,
Auditor, State Audit Department.

SHIRE OF COOROW.

Municipal Fund.
STATEMENT OF RECEIPTS AND PAYMENTS
YEAR ENDED 30 JUNE 1983.

Receipts.		
Rates	.....	\$ 384 637.18
Less Discount	.....	12 425.30
		<u>372 211.88</u>
Licences	.....	1 299.76
Government Grants and Recoups	.....	475 434.00
Income from Property	.....	22 119.27
Sanitation Charges	.....	14 460.23
Vermin Receipts	.....	27.00
All Other Revenue:		
Private Works	.....	30 924.41
Sale of Plant—Contra	.....	121 123.00
Interest on Deposits	.....	9 073.54
Contribution to Works	.....	135 192.08
Loan Repayments	.....	27 648.89
Sundry	.....	7 763.24
		<u>331 725.16</u>
		<u>\$1 217 277.30</u>

Payments.		
Administration:		\$
Staff Section	.....	120 333.86
Members Section	.....	10 908.55
Debt Service	.....	153 531.82
Public Works and Services	.....	630 414.65
Buildings, Construction and Equipment	.....	46 862.01
Buildings, Maintenance	.....	29 426.20
Health Services	.....	10 252.63
Sanitation and Equipment	.....	38 516.03
Bushfire Control	.....	6 214.20
Cemeteries	.....	976.40
Plant, Machinery and Tools	.....	124 002.07
		<u>\$ 1 217 277.30</u>
Fuels and Oils	.....	74 476.05
Plant Maintenance and Repair	.....	72 245.60
		<u>146 721.65</u>
Less Allocated to Works and Services		145 678.53
		<u>1 043.12</u>
Donations and Grants	.....	390.10
Other Works and Services	.....	1 792.01
All Other Expenditure		
Private Works	.....	18 234.05
Purchase of Land	.....	1 208.00
Sundry	.....	6 285.47
		<u>25 727.52</u>
		<u>\$1 200 391.17</u>

SUMMARY.

	\$	\$
Debit Balance 30/6/82	55 954.86	
Expenditure for the Year 1982/83	1 200 391.17	
	1 256 346.03	
Receipts for the year 1982-83	1 217 277.30	
	Dr. \$39 068.73	

BALANCE SHEET AS AT 30 JUNE 1983.

Assets.		\$
Current Assets		9 454.54
Sundry Debtors		3 898.91
Stock in Hand		93 115.70
Non-Current Assets		861.75
Deposits		1 244 830.71
Fixed Assets		\$1 352 161.61
Total Assets		
Liabilities.		\$
Current Liabilities:		
Bank Overdraft		39 068.73
Non-Current Liabilities		9 305.47
Deferred Liabilities		652 613.28
Total Liabilities		\$700 987.48
SUMMARY.		
Total Assets		\$ 1 352 161.61
Total Liabilities		700 987.48
Municipal Accumulation Account (Surplus)		\$651 174.13

"Abridged version of the financial statements certified by the Auditor General".

We hereby certify that the figures and particulars contained in the statement are correct.

T. I. READ,
President.
S. N. HAZELDINE,
Shire Clerk.

I have audited the books of account of the Shire of Coorow for the year ended 30 June 1983. In my opinion the Balance Sheet and the related financial statements are prepared on a basis consistent with the Local Government Act Accounting Directions and present a true and fair view of the state of affairs of the Shire of Coorow as at 30 June 1983.

W. J. ROLSTON,
Auditor General,
State Audit Department.

SHIRE OF PINGELLY.

STATEMENT OF RECEIPTS AND PAYMENTS FOR YEAR ENDED 30 JUNE 1983.

Receipts.		\$
Rates		237 709.79
Payments in Lieu of Rates		921.11
Licences		878.64
Government Grants and Recoups		276 333.10
Property Income		33 502.94
Sanitation Charges		19 128.00
Fines and Penalties		48.30
Cemetery Receipts		1 169.50
Other Revenue		29 222.00
W.A. Government Loan Repayments		6 474.70
Sale of Assets		1 000.00
		\$606 469.08
Payments.		\$
Administration		62 393.08
Staff		7 257.16
Members		111 973.66
Debt Service		270 103.30
Public Works and Services		23 081.75
Health Services		2 172.41
Bush Fire Control		1 273.08
Cemeteries		6 608.03
Plant and Tools Purchased		372.82
Materials Purchased		950.00
Donations & Grants		29 000.00
Transfer to Reserve Accounts		12 217.70
All other Expenditure		30 160.34
Swimming Pool		49 888.59
Building—Construction and Maintenance		\$607 642.22
SUMMARY.		
Credit Balance 1/7/82	Cr	20 388.64
Receipts 1982/83		606 469.08
		626 857.72
Payments 1982/83		607 642.22
	Cr	\$19 215.50

BALANCE SHEET AS AT 30 JUNE 1983.

Assets.		\$
Municipal		19 215.50
Tools		2 219.71
Sundry Debtors		9 577.73
Stocks on Hand		3 593.74
Non-Current Assets		78 684.69
Reserve and Trust Fund Contras		55 613.63
Fixed Assets		736 856.25
Deferred Assets (Loan 50)		44 834.16
		\$950 592.41
Liabilities.		\$
Current Liabilities		5 780.38
Non-Current Liabilities		70 550.46
Deferred Liabilities		461 152.81
		\$537 483.65
SUMMARY.		
Total Assets		950 592.41
Total Liabilities		537 483.65
		\$413 108.76

We certify the above figures are correct.

J. S. WATTS,
President.
P. R. WEBSTER,
Shire Clerk.

I have audited the books of account of the Shire of Pingelly for the year ended 30 June 1983. In my opinion the balance sheet and the related financial statements are prepared on a basis consistent with the Local Government Act accounting directions and present a true and fair view of the state of affairs of the Shire of Pingelly at 30 June 1983.

N. WOODS,
Auditor,
State Audit Department.

CITY OF MELVILLE.

IT is hereby notified for public information that David Leslie Searle has been appointed as Ranger pursuant to the provisions of the Local Government Act sections 450 and 669, and the Dog Act 1976, for the period 13 September 1983 to 11 October 1983, for the purpose of general Ranger duties and the registering, impounding, seizing and detaining of dogs.

RALPH H. FARDON,
Town Clerk.

SHIRE OF ALBANY.

IT is hereby advised for public information that the appointment of Mr. Kevin Francis Bentley as Shire Clerk is cancelled with effect as from 10 September 1983 and further that Mr. Melvyn Godfrey Cheverton is appointed Acting Shire Clerk with effect from that date until further notice.

2 September 1983.

H. A. RIGGS,
President.

DOG ACT 1976-1977.

Town of Geraldton.

IT is hereby notified for public information that Duane Garnet Bell and Jack Barber have been appointed Authorised Officers (Dog Catchers) under the provisions of the Dog Act 1976-1977, within the Town of Geraldton, effective from 29 August 1983.

The appointment of Kenneth Oldfield as an Authorised Officer (Dog Catcher) is hereby cancelled.

G. K. SIMPSON,
Town Clerk.

DOG ACT 1976-1977.

Shire of Laverton.

IT is hereby notified for public information that Robert F. Farmer has been appointed an Authorised Officer under the provisions of the Dog Act 1976-1977, effective from 29 August 1983.

C. M. SWEENEY,
Shire Clerk.

DOG ACT 1976-1977.

Shire of Pingelly.

IT is hereby notified for public information that Mrs. Julie Savage and Miss Joanne Davey have been appointed as authorised persons under the provisions of the Dog Act 1976-1977 effective from 8 September 1983.

The appointment of Miss G. Mumme is hereby cancelled.

P. R. WEBSTER,
Shire Clerk.

LOCAL GOVERNMENT ACT 1960-1983.

HEALTH ACT 1911-1982.

City of Bunbury.

Memorandum of Imposing Rates.

To whom it may concern:

AT a meeting of the Bunbury City Council held on 23 August 1983 it was resolved that the rates and charges specified hereunder should be imposed on all rateable property within the Municipality of the City of Bunbury in accordance with the provisions of the Local Government Act 1960-1983 and the Health Act 1911-1982 for the period 1 July 1983 to 30 June 1984.

Dated this 31st day of August, 1983.

A. W. DUNN,
Acting Mayor.

Schedule.

General Rates: 2.95 cents in the dollar on the unimproved values.

Urban Farm Land: 1.475 cents in the dollar on the unimproved values.

Rubbish Removal: \$33.90 per year for once weekly service.

LOCAL GOVERNMENT ACT 1960-1983.

HEALTH ACT 1911-1982.

Town of Kwinana.

Memorandum of Imposing Rates and Charges.

AT a meeting of the Kwinana Town Council held on 30 August 1983 it was resolved that the rates and charges specified hereunder should be imposed on all rateable property within the municipality for the period 1 July 1983 to 30 June 1984 in accordance with the Local Government Act 1960-1983 and Health Act 1911-1982.

Dated this 31st day of August, 1983.

F. G. J. BAKER,
Mayor.

L. G. BAKER,
Town Clerk.

Schedule.

General Rate: 1.92 cents in the dollar on unimproved values.

Urban Farmland Rate: 1.344 cents in the dollar on unimproved values.

Rubbish Charge: \$47 per annum—weekly service.

Minimum Rate: Where the general rate payable in respect of any location, lot or piece of land would be otherwise less than seventy-five dollars (\$75), Council will impose in respect of that land, in pursuance to section 552 (1) of the Local Government Act 1960-1983, a minimum rate of seventy-five dollars (\$75) for the year ending 30 June 1984.

Discount: A discount of ten per centum (10%) on the amount of current rates levied shall be allowed in respect of accounts paid within thirty (30) days of the date of service of the rate notice provided that such payment must be made at Council's office within the prescribed time and that current rates may only be paid for the purpose of qualifying for this discount if all arrears (including firebreak and legal costs) and refuse removal charges, both arrears and current, are first deducted from any moneys tendered in respect of rates and charges.

Penalty: Furthermore and pursuant to section 550A of the Local Government Act 1960-1983 the Council of the Town of Kwinana resolved to impose a penalty of 10% as specified in the Local Government Act (Unpaid Rates) Regulations 1979 on all rates in arrears as at 31 January 1984 other than rates attributable to a property owned by an entitled pensioner under the Pensioners (Rates Rebates and Deferments) Act 1976.

LOCAL GOVERNMENT ACT 1960-1983.

HEALTH ACT 1911-1982.

Shire of Greenough.

Memorandum of Imposing Rates.

To whom it may concern:

AT Meetings of the Greenough Shire Council on 25 and 26 August 1983, it was resolved that the rates and charges specified hereunder should be imposed on all rateable property within the district of the Shire of Greenough in accordance with the provisions of the Local Government Act 1960-1983 and the Health Act 1911-1982.

Dated this 26th day of August, 1983.

R. W. MASLEN,
President.

Schedule of Rates Levied.

General Rate: 1.01 cents in the dollar on the unimproved value.

Differential Rate: (Tarcoola Prescribed Area)—0.069 cents in the dollar on the unimproved value.

Minimum Rate: \$75 per assessment.

Penalty on Rates Section 550A of the Local Government Act: A ten per cent penalty will be levied against rates which remain unpaid after 31 January 1984 (Pensioners' deferred rates will be excluded from this Penalty).

Rubbish Charges:

Domestic—\$39 per annum for weekly service.

Commercial (twice weekly service)—

Group A for 13 or more bins \$46.80/bin/annum or 52c/bin/removal.

Group B for 4 to 12 bins \$54.60/bin/annum or 60c/bin/removal.

Group C for 2 to 3 bins \$58.50/bin/annum or 65c/bin/removal.

Group D for 1 bin \$62.40/bin/annum or 69c/bin/removal.

LOCAL GOVERNMENT ACT 1960-1983.

Shire of West Pilbara.

Memorandum of Imposing Rates.

To whom it may concern,

AT a meeting of the West Pilbara Shire Council held on 17 August 1983, it was resolved that the Rates and Charges specified hereunder should be imposed on all rateable property within the Shire for the year ending 30 June 1984, in accordance with the Local Government Act 1960-1983.

Dated this 19th day of August, 1983.

E. F. GODWIN,
President.

D. G. McCUTCHEON,
Shire Clerk.

Schedule of Rates and Charges Levied.

General Rates:

9.96 cents in the dollar on all Gross Rental Valued Properties.

7.98 cents in the dollar on all Unimproved Value of Pastoral Leases, Mining Claims and Mining Leases.

Minimum Rate: \$60.00 on any lot, location or other piece of land.

Penalty: A 10% penalty will be imposed on all rates unpaid at January 31, 1984.

Rubbish Charges:

Domestic Rubbish: Ninety dollars and fifty eight cents (\$90.58) per annum for each twice weekly removal of domestic rubbish.

Commercial Rubbish:

- (i) Eighty eight cents (\$0.88) for each daily removal of a regulation size receptacle.
- (ii) Eighty eight cents (\$0.88) for each daily removal of one cubic metre of loose cartons.
- (iii) Eight dollars and eighty cents (\$8.80) for each removal of a one cubic metre bulk bin.
- (iv) Seventeen dollars and sixty cents (\$17.60) for each removal of a two cubic metre bulk bin.

LOCAL GOVERNMENT ACT 1960-1983.

Town of Albany.

Notice of Intention to Borrow.

Proposed Loan (No. 222) of \$125 410.

IN accordance with section 610 of the Act, Council gives notice that it proposes to borrow the above amount by the sale of a single debenture repayable over five (5) years on a ten (10) year basis by equal half-yearly instalments of principal and interest at the Commonwealth Savings Bank of Australia for Town Planning Scheme purposes.

Statements required by section 609 are available for inspection at the Council Offices during normal office hours, for a period of 35 days after first publication of this notice.

J. M. HODGSON,
Mayor.

W. P. MADIGAN,
Acting Town Clerk.

CORRIGENDUM.

LOCAL GOVERNMENT ACT 1960-1983.

Shire of Gnowangerup.

Notice of Intention to Borrow.

Proposed Loan (No. 245) of \$45 000.

THE Notice relating to the above published in the *Government Gazette* No. 62 dated 2 September 1983 at folio 3284 is amended by the insertion of—

Purpose—Purchase of Plant.

following the word interest at the end of the first paragraph.

M. G. HOUSE,
President.

P. A. ANNING,
Shire Clerk.

CORRIGENDUM.

LOCAL GOVERNMENT ACT 1960-1983.

Shire of Wandering.

Notice of Intention to Borrow.

Proposed Loan (No. 34) of \$20 000.

AN error occurred in the notice published under the above heading on page 3162 of the *Government Gazette* No. 60 dated Friday, 26 August 1983.

Delete the phrase:

\$20 000 for a period of three years repayable by six equal instalments of principal and interest.

Insert:

\$20 000 for a period of four years repayable by eight equal instalments of principal and interest.

G. M. HARDIE,
President.

I. G. DAVIES,
Shire Clerk.

LOCAL GOVERNMENT ACT 1960-1983.

Shire of Wanneroo.

Sale of Land.

Department of Local Government,
Perth, 13 September 1983.

LG: WN-4-6M.

IT is hereby notified for public information that His Excellency the Governor has directed under the provisions of section 266 of the Local Government Act that the Shire of Wanneroo may sell portion of Wanneroo Estate Lot 10 and being Lot 42 on Diagram 52234 and being the whole of the land comprised in Certificate of Title Volume 1506 Folio 320 to P. A. and C. P. Riley, by private treaty.

P. FELLOWES,
Secretary for Local Government.

LOCAL GOVERNMENT ACT 1960-1983.

Shire of Wanneroo.

Sale of Land.

Department of Local Government,
Perth, 13 September 1983.

LG: WN-4-6J.

IT is hereby notified for public information that His Excellency the Governor has directed under the provisions of section 266 of the Local Government Act that the Shire of Wanneroo may sell portion of Swan Location 1669 and being Lot 74 on Plan 11369 and being the whole of the land comprised in Certificate of Title Volume 1424 Folio 175 to H. J. and V. M. Jones, by private treaty.

P. FELLOWES,
Secretary for Local Government.

LOCAL GOVERNMENT ACT 1960-1983.

Shire of Wanneroo.

Sale of Land.

Department of Local Government,
Perth, 13 September 1983.

LG: WN-4-6N.

IT is hereby notified for public information that His Excellency the Governor has directed under the provisions of section 266 of the Local Government Act that the Shire of Wanneroo may sell portion of Swan Location 1621 and being Lot 110 on Plan 11700 and being the whole of the land comprised in Certificate of Title Volume 1499 Folio 752 to R. L. and M. F. Findley, by private treaty.

P. FELLOWES,
Secretary for Local Government.

LOCAL GOVERNMENT ACT 1960-1983.

Shire of Yalgoo.

Loan.

Department of Local Government,
Perth, 13 September 1983.

LG: YA-3-8.

IT is hereby notified for public information that His Excellency the Governor has approved of the making of a loan for the provision of mains extensions, plant and equipment and generation buildings for the Yalgoo Electricity Undertaking on behalf of the State Energy Commission being declared a work and undertaking for which money may be borrowed under the provision of Part XXVI of the Local Government Act, by the Shire of Yalgoo.

P. FELLOWES,
Secretary for Local Government.

LOCAL GOVERNMENT ACT 1960-1983.

Shire of Busselton.

Loan.

Department of Local Government,
Perth, 13 September 1983.

LG: BN-3-8.

IT is hereby notified for public information that His Excellency the Governor has approved the making of a loan for the construction of improvements to the Oceanarium on Reserve 26594, by the Busselton Jaycees Inc., being declared a work and undertaking for which money may be borrowed under the provisions of Part XXVI of the Local Government Act by the Shire of Busselton.

P. FELLOWES,
Secretary for Local Government.

LOCAL GOVERNMENT ACT 1960-1983.

Municipal Building Surveyors' Examination Committee.

Department of Local Government,
Perth, 13 September 1983.

LG: 522/61.

HIS Excellency the Governor in Executive Council, has under the provisions of section 159 of the Local Government Act, and the Local Government (Qualification of Municipal Officers) Regulations, 1961 (as amended):—

(a) terminated the appointments of—

Cr. R. J. Chamberlain, as a member of the
Municipal Building Surveyors' Examination
Committee;

and

Mr. L. N. Boyd as deputy member to Cr.
R. J. Chamberlain;

(b) and appointed—

Cr. P. R. O'Hara to be a member of the
Municipal Building Surveyors' Examination
Committee;

and

Cr. L. N. Boyd as the deputy member to
Cr. P. R. O'Hara.

P. FELLOWES,
Secretary for Local Government.

LOCAL GOVERNMENT ACT 1960-1983.

Shire of Esperance.

Loan.

Department of Local Government,
Perth, 13 September 1983.

LG: ES-3-8A.

IT is hereby notified for public information that His Excellency the Governor has approved of the making of a loan for sewerage reticulation work and building pumping stations 3 and 4 in Esperance by the Public Works Department being declared a work and undertaking for which money may be borrowed under the provisions of Part XXVI of the Local Government Act by the Shire of Esperance.

P. FELLOWES,
Secretary for Local Government.

LOCAL GOVERNMENT ACT 1960-1983.

CITY OF BUNBURY (WARD BOUNDARIES) ORDER 1983.

MADE by His Excellency the Governor under section 12.

Citation. 1. This Order may be cited as the "City of Bunbury (Ward Boundaries) Order 1983".

Commence- 2. This Order shall take effect on and from the date the Order
ment. is published in the *Government Gazette*.

Ward 3. The boundaries of the existing 4 wards of the City of Bunbury are
Boundary hereby altered and henceforth shall be as described in the attached
Alteration. Schedule.

By His Excellency's Command,

J. E. A. PRITCHARD,
Clerk of the Council.

Schedule.

AMENDMENT AND REDESCRIPTION OF THE WARDS OF THE
CITY OF BUNBURY.

East Ward:

All that portion of land bounded by lines starting from the westernmost southwestern corner of Collie Agricultural Area Lot 49, a point on a present eastern boundary of the City of Bunbury, and extending southerly along the prolongation southerly of the westernmost western boundary of that lot to the centre-line of South Western Highway; thence generally southwesterly along that centre-line to the centre-line of Picton Road; thence generally southwesterly, generally northwesterly, again generally southwesterly and again generally northwesterly along that centre-line to the prolongation northeasterly of the centre-line of the eastern section of Forrest Avenue; thence southwesterly to and generally southwesterly along that centre-line and onwards to the centre-line of the western section of Forrest Avenue; thence generally southwesterly, generally westerly and generally northwesterly along that centre-line to the prolongation southwesterly of the centre-line of Strickland Street; thence northeasterly to and northeasterly and easterly along that centre-line to the centre-line of Blair Street; thence generally northwesterly along that centre-line to the centre-line of Stirling Street; thence easterly along that centre-line to the prolongation southerly of the westernmost western side of Cobblestone Drive; thence northerly to and along that side to the southwestern corner of Bunbury Lot 384; thence northerly along the western boundary of that lot and northerly along the western boundary of Lot 397 to the High Water Mark of Leschenault Inlet; thence generally northwesterly, generally northeasterly and generally southeasterly along that mark to the southern extremity of the western breakwater of the entrance of Leschenault Inlet; thence generally northerly along that breakwater to its northern extremity, a point on a present northern boundary of the City of Bunbury and thence easterly, generally southerly generally southeasterly, generally northeasterly, generally southwesterly, again generally southeasterly, generally easterly, again generally northeasterly, again generally southeasterly, again generally northeasterly, generally northwesterly, again generally southeasterly, again generally northeasterly, again generally northwesterly, again generally northeasterly, again generally southeasterly, again generally easterly, again generally southeasterly, southerly, again easterly, again southerly, again easterly and again southerly along boundaries of that city to the starting point.

North Ward:

All that portion of land bounded by lines starting from the intersection of the Low Water Mark of the Indian Ocean with the prolongation westerly of the centre-line of Williams Street, a point on a present western boundary of the City of Bunbury and extending easterly to and along that centre-line and onwards to the centre-line of Beach Road; thence easterly, northeasterly and again easterly along that centre-line and onwards to the centre-line of Spencer Street; thence southerly along that centre-line to the prolongation northwesterly of the centre-line of Forrest Avenue; thence southeasterly to and along that centre-line to the prolongation southwesterly of the centre-line of Strickland Street; thence northeasterly to and northeasterly and easterly along that centre-line and onwards to the centre-line of Blair Street; thence generally northwesterly along that centre-line to the centre-line of Stirling Street; thence easterly along that centre-line to the prolongation southerly of the westernmost western side of Cobblestone Drive; thence northerly to and along that side to the southwestern corner of Bunbury Lot 384; thence northerly along the western boundary of that lot and northerly along the western boundary of Lot 397 to the High Water Mark of Leschenault Inlet; thence generally northwesterly, generally northeasterly and generally southeasterly along that mark to the southern extremity of the western breakwater of the entrance of Leschenault Inlet; thence generally northerly along that breakwater to its northern extremity, a point on a present northern boundary of the City of Bunbury and thence generally southerly, generally northwesterly, generally northerly, generally southwesterly, again generally northwesterly, generally northeasterly, again generally northerly, again generally southwesterly, again generally northwesterly and again generally southwesterly along boundaries of that city of the starting point.

South Ward:

All that portion of land bounded by lines starting from the westernmost southwestern corner of Collie Agricultural Area Lot 49, a point on a present eastern boundary of the City of Bunbury, and extending southerly along the prolongation southerly of the westernmost western boundary of that lot to the centre-line of South Western Highway; thence generally southwesterly along that centre-line to the centre-line of Picton Road; thence generally southwesterly, generally northwesterly, again generally southwesterly and again generally northwesterly along that centre-line to the prolongation northeasterly of the centre-line of the eastern section of Forrest Avenue; thence southwesterly to and generally southwesterly along that centre-line and onwards to the centre-line of the eastern section of Forrest Avenue; thence generally southwesterly, generally westerly and generally northwesterly along that centre-line and onwards to the centre-line of Spencer Street; thence generally southerly along that centre-line and onwards to the centre-line of Bussell Highway; thence generally southerly, generally southeasterly and generally southwesterly along that centre-line to the prolongation westerly of the northern boundary of the western severance of Boyanup Lot 245, a point on a present southern boundary of the City of Bunbury and thence easterly, generally southeasterly, northerly, westerly, generally northerly, again easterly, again northerly and generally southwesterly along boundaries of that city to the starting point.

West Ward:

All that portion of land bounded by lines starting from the intersection of the prolongation easterly of the northern boundary of Wellington Location 2420 with the centre-line of Bussell Highway, a point on a present southern boundary of the City of Bunbury and extending generally northeasterly, generally northwesterly and generally northerly along that centre-line to the prolongation southerly of the centre-line of Spencer Street; thence northerly to and generally northerly along that centre-line to the prolongation easterly of the centre-line of Beach Road; thence westerly to and westerly, southwesterly and again westerly along that centre-line and onwards to the centre-line of Williams Street; thence westerly along that centre-line and onwards to the Low Water Mark of the Indian Ocean, a point on a present western boundary of the City of Bunbury and thence generally southwesterly, southeasterly, southwesterly and easterly along boundaries of that city to the starting point.

LOCAL GOVERNMENT ACT 1960-1983.

CITY OF BUNBURY AND SHIRE OF DARDANUP (BOUNDARIES)
ORDER 1983.

MADE by His Excellency the Governor in Executive Council under section 12.

- Citation. 1. This Order may be cited as the "City of Bunbury and Shire of Dardanup (Boundaries) Order 1983".
- Alteration to District Boundaries. 2. The boundaries of the districts of the City of Bunbury and the Shire of Dardanup are altered and adjusted so as to—
- (a) sever from the district of the City of Bunbury the land described in Schedule A Part 1 to this Order and annex that land to the district of the Shire of Dardanup;
 - and
 - (b) sever from the district of the Shire of Dardanup the land described in Schedule B Part 1 to this Order and annex that land to the district of the City of Bunbury.
- Alteration to Ward Boundaries. 3. The boundaries of the East Ward of the City of Bunbury are hereby adjusted by the removal therefrom of the land described in Schedule A Part 2 to this Order and the addition of the land described in Schedule B Part 2.
4. The boundaries of the West Ward of the Shire of Dardanup are hereby adjusted by the removal therefrom of the land described in Schedule B Part 2 to this Order and the addition of the land described in Schedule A Part 2.

By His Excellency's Command,

J. E. A. PRITCHARD,
Clerk of the Council.

Schedule A.

Part 1.

TRANSFER OF TERRITORY FROM THE CITY OF BUNBURY TO THE
SHIRE OF DARDANUP.

All that portion of land bounded by lines starting from the northern corner of Wellington Location 5187, a point on a present eastern boundary of the City of Bunbury and extending northwesterly along the prolongation northwesterly of the northeastern boundary of the last mentioned location to a southwestern side of Old Coast Road; thence northeasterly along that side to the northern corner of Lot 427 of Leschenault Location 26, as shown on Land Titles Office Diagram 50928, a point on a present eastern boundary of the City of Bunbury and thence southerly along that boundary to the starting point.

(Area about 2 463 square metres.)

(Lands and Surveys Public Plan Bunbury and Environs 1:2 000 05.34.)

Part 2.

TRANSFER OF TERRITORY FROM THE EAST WARD OF THE CITY
OF BUNBURY, TO THE WEST WARD OF THE SHIRE OF DARDANUP.

All that portion of land as described in Schedule A Part 1.

(Lands and Surveys Public Plan Bunbury and Environs 1:2 000 05.34.)

Schedule B.

Part 1.

TRANSFER OF TERRITORY FROM THE SHIRE OF DARDANUP
TO THE CITY OF BUNBURY.

All that portion of land bounded by lines starting from the intersection of the eastern boundary of Leschenault Location 26 with the left bank of the Collie River, a point on a present western boundary of the Shire of Dardanup and extending generally southeasterly upwards along that bank to a southeastern side of Old Coast Road; thence southwesterly along that side to the eastern boundary of Location 26, a point on a present western boundary of the Shire of Dardanup and thence northerly along that boundary to the starting point.

(Area about 5 720 square metres.)

(Lands and Surveys Public Plan Bunbury and Environs 1:2 000 05.34.)

Part 2.

TRANSFER OF TERRITORY FROM THE WEST WARD OF THE SHIRE OF
DARDANUP TO THE EAST WARD OF THE CITY OF BUNBURY.

All that portion of land as described in Schedule A Part 1.

(Lands and Surveys Public Plan Bunbury and Environs 1:2 000 05.34.)

LOCAL GOVERNMENT ACT 1960 (AS AMENDED).

LOCAL GOVERNMENT ACT (SECTION 433A) ORDER 1983.

Citation. 1. This Order may be cited as the "Local Government Act (section 433A) Order No. 4 of 1983".

Amendment of previous Order. 2. The Order in Council made pursuant to section 433A of the Local Government Act 1960 (as amended) and section 11 of the Interpretation Act 1918 (as amended), published in the *Government Gazette* on 31 January 1975 and varied by Orders in Council so published on 30 May 1975, 27 June 1975, 14 May 1976, 10 December 1976, 3 June 1977, 28 July 1978, 30 March 1979, 25 May 1979, 22 June 1979, 20 July 1979, 10 October 1980, 4 December 1981, 15 January 1982, 19 March 1982, 21 May 1982, 3 December 1982, 25 February 1983, 15 April 1983, and 20 May 1983, is amended as follows:—

(a) by deleting section (c) of subparagraph (iii) of paragraph (b) and substituting therefore the following:—

"those parts of the municipal districts of the Shires of Bruce Rock, Carnamah, Kojonup, Lake Grace, Mt. Marshall, Mingenew, Moora, Mullewa, Pingelly, Three Springs and Victoria Plains that are not within a townsite;"

(b) by deleting from the Schedule the words "The Shire of Lake Grace; the townsites of Lake Grace, Newdegate, Lake King and Lake Varley" and "The Shire of Mingenew; the townsites of Mingenew and Yandanooka".

By His Excellency's Command,

J. E. A. PRITCHARD,
Clerk of the Council.

LOCAL GOVERNMENT ACT 1960 (AS AMENDED).

LOCAL GOVERNMENT ACT (SECTION 373) ORDER 1983.

Citation. 1. This Order may be cited as the "Local Government Act (section 373) Order No. 4 of 1983".

Commencement. 2. This Order shall take effect on and after the date of publication of this Order in the *Government Gazette*.

Amendment to previous Order. 3. The Order in Council made pursuant to section 373 of the Local Government Act 1960 (as amended) and section 11 of the Interpretation Act 1918 (as amended), published in the *Government Gazette* on 27 March 1975 and varied by Orders in Council published on 30 May 1975, 14 May 1976, 10 December 1976, 3 June 1977, 28 July 1978, 25 May 1979, 20 July 1979, 10 October 1980, 4 December 1981, 19 March 1982, 21 May 1982, 3 December 1982, 25 February 1983, 15 April 1983, and 20 May 1983, is amended by deleting from the Schedule the words "Shire of Lake Grace; whole of the district except the townsites of Lake Grace, Newdegate, Lake King and Lake Varley" and "Shire of Mingenew; whole of the district except the townsites of Mingenew and Yandanooka".

By His Excellency's Command,

J. E. A. PRITCHARD,
Clerk of the Council.

Western Australia.

LOCAL GOVERNMENT ACT 1960 (AS AMENDED).

The Municipality of the Shire of Serpentine-Jarrahdale Adoption of Local Government Model By-law (Prevention of Damage to Streets) No. 15.

IN pursuance of the powers conferred upon it by the abovementioned Act the Council of the abovementioned Municipality hereby records having resolved on 20 June 1983 to adopt the Local Government Model By-law (Prevention of Damage to Streets) No. 15 published in the *Gazette* of 18 February 1965.

Dated this 9th day of August, 1983.

The Common Seal of the Shire of Serpentine-Jarrahdale was hereunto affixed in the presence of—

[L.S.]

H. C. KENTISH,
President.

L. E. MANN,
Shire Clerk.

Recommended—

JEFF CARR,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 13th day of September, 1983.

J. E. A. PRITCHARD,
Clerk of the Council.

LOCAL GOVERNMENT ACT 1960-1983.

By-Laws Relating to Standing Orders.

The Municipality of the City of Stirling.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on 7 June 1983 to make and submit for confirmation by the Governor the following by-law:—

The By-laws of the City of Stirling published in the *Government Gazette* of 12 May 1971 and amended from time to time are hereby amended in the following manner:—

By-law 130 is amended by the addition of the following part under the heading "Finance and Administration Committee":

"(f) To exercise authority over the operation of and expenses incurred under the Account titled Entertainment and other Council Expenses."

Dated the 12th day of August, 1983.

The Common Seal of City of Stirling was hereunto affixed by authority of a resolution of the Council in the presence of—

[L.S.]

J. M. CAMILLERI,
Mayor.

M. G. SARGANT,
Town Clerk.

Recommended—

JEFF CARR,
Minister for Local Government.

Dated 4/9/83.

Approved by His Excellency the Governor in Executive Council the 13th day of September, 1983.

J. E. A. PRITCHARD,
Clerk of the Council.

LOCAL GOVERNMENT ACT 1960 (AS AMENDED).

The Municipality of the Shire of Augusta-Margaret River.

By-laws Relating to the Control and Management of Community Recreation Centres, Halls, Arts and Cultural Facilities.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on 27 January 1983, to make and submit for confirmation by the Governor the following by-laws.

1. In these by-laws, unless the context otherwise implies, the following terms shall apply:—

“Council” shall mean the Council of the Municipality of the Shire of Augusta-Margaret River.

“Committee” shall mean a Committee of Management appointed by the Council to manage a Centre and if there being no Committee of Management appointed, the Council shall fulfill that capacity.

“Centre” shall mean a Community Recreation Centre, a Hall or other buildings available for use by the public and shall include all associated buildings, sporting grounds, landscaped and parking areas within the lot or lots set aside for the purpose of a Centre under the care, control and management of the Council.

“Centre Manager” shall mean a person appointed by Council for the purpose of Managing a Centre and if there being no Centre Manager appointed, then the Shire Clerk or a duly authorised officer shall fulfill that capacity.

Words and expressions not defined in these by-laws have the meanings respectively given to them in and for the purposes of the Local Government Act 1960, as amended.

2. Any person, or group who wishes to hire any portion of a Centre or any property or equipment for use in association therewith shall make written application to the Centre Manager and shall state the purpose for which the facility, property or equipment is required.

3. No bookings shall be accepted for more than twelve months in advance.

4. Annual or seasonal bookings may be accepted subject to the Committee reserving the right to cancel the bookings and by giving adequate notice in writing to the hirer to enable meetings or functions which in the opinion of the Council will be beneficial or of importance to the district.

5. The Committee may refuse to let a Centre or any part thereof to any applicant and it shall be the discretion of the Committee whether or not to assign any reason for such refusal.

6. The Committee may require that, as a condition of hiring, the hirer deposit a bond with Council, the amount of which shall be decided by the Committee but in any case shall not exceed Five Hundred Dollars. Bonds may be imposed for the following reasons:—

(a) Cleaning: The bond may include an amount that would normally be expended should the Centre be left in an untidy or unclean condition.

(b) Damage: The bond may include an amount to guarantee against damage or loss which may occur to the Centre during the term of hiring.

(c) Security: The bond may include an amount to guarantee the hirer leaves the Centre in a locked and secure condition and returns the keys of entry to the Centre Manager within the specified time.

7. No person shall:—

(a) Deface or damage any building, wall or structure in or about a Centre

(b) Place any nail, pins, screws, or any other fixing device in or on any part of a Centre without the written consent of the Committee.

(c) Deface or damage any chattels or equipment which is the property of the Council.

(d) Without the written consent of the Committee remove, replace or alter any electrical fitting in a Centre.

(e) Without the written consent of the Committee remove from a Centre any chattels or equipment which is the property of the Council.

(f) Bring or consume any alcoholic beverage in or about the Centre without the written permission of the Committee on each occasion.

8. No person shall, in or about a Centre:—

(a) Behave in a disorderly or offensive manner.

(b) Use any profane or indecent language.

(c) Be in an intoxicated condition.

(d) Create or take part in any disturbance.

(e) Smoke in any area where signs indicate that smoking is prohibited.

9. The hirer of a Centre or any part thereof shall:—

(a) Maintain law and order and decent behaviour by all in attendance within a Centre.

(b) Make good any damage to a Centre for any loss or damage to the property and equipment hired therewith or situated therein and so caused during the term of hiring, or at the option of the Committee pay to the Council the cost of repair or replacement of any property or equipment so damaged.

- (c) Permit any person authorised by the Council to have free ingress to a Centre for the purpose of an inspection, or enforcement of any provisions of these by-laws.
 - (d) Leave a Centre in a clean and tidy condition after the term of hiring.
 - (e) Place all refuse and litter in the receptacles so provided in a Centre premises.
 - (f) Report any damage or defacement to the Centre Manager.
10. Acceptance of the provisions of these by-laws shall be deemed to be a condition of the hiring.
11. Any person who contravenes or fails to comply with any provision of these by-laws commits an offence and is liable on conviction to a penalty not exceeding two hundred dollars.

Dated the 24th day of March, 1983.
 The Common Seal of the Shire of Augusta-Margaret River was hereunto affixed by authority of a resolution of the Council in the presence of—

[L.S.]

A. P. HILLIER,
 President.
 K. S. PRESTON,
 Shire Clerk.

Recommended—

JEFF CARR,
 Minister for Local Government.

Dated 31/8/83.

Approved by His Excellency the Governor in Executive Council the 13th day of September, 1983.

J. E. A. PRITCHARD,
 Clerk of the Council.

LOCAL GOVERNMENT ACT 1960 (AS AMENDED).

The Municipality of the Shire of Augusta-Margaret River.

By-laws Relating to Forms and Fees.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it the Council of the abovementioned Municipality hereby records having resolved on 27 January 1983 to make and submit for confirmation by the Governor the following by-laws:

1. In these by-laws unless the context requires otherwise—
 - “Act” means Local Government Act 1960 (as amended), and includes any Act by which the Act is amended or re-enacted for the time being in force;
 - “Council” means the Council of the Municipality;
 - “district” means the district of the Municipality;
 - “Municipality” means the Municipality of the Shire of Augusta-Margaret River;
 - “Schedule” means the schedule to these by-laws.
2. Where a request is made to the Council to provide information about a piece of land within the district, whether the request is made in writing, by telephone or by personal attendance at the office of the Council, the information shall be supplied in accordance with the form contained in the Schedule with any modifications or variations that are necessary.
3. A fee of \$15.00 is payable to the Council for the issue of a certificate in the form contained in the Schedule.
4. These by-laws do not apply to or authorise the charging of a fee for or in respect of—
 - (a) An inspection of the valuation register or the rate book maintained under section 540 of the Act by a ratepayer of the municipality; or
 - (b) An inspection of the register of orders kept under section 694 of the Act by a person entitled to inspect it under that section.

Schedule.

Shire of Augusta-Margaret River.

The following information is in accordance with the Council's records available at time of issue of this certificate and relates only to legislation now in force.

Vendor..... Purchaser.....
 Year..... Assessment No..... U.V. \$.....
 Location..... Lot..... Plan/Diag.....
 Street.....

1. Orders or requisitions relating to the property—
 - (a) Outstanding Yes/No.
 - (b) Proposed Yes/No.
2. Has application been made for issue of Strata Title? Yes/No.
3. Is development subject to the provision of deep sewerage? Yes/No.
4. Is the land the subject of any Town Planning Scheme or proposed Town Planning Scheme? Gazetted Yes/No.
5. Current Zoning:
6. Is zoning or rezoning under consideration? Yes/No.
7. Has the Council announced its intention to resume the whole or part of the land? Yes/No.
8. Distance from the front boundary to the building line:
9. Gazetted or proposed road widening:
10. Other matters which the Council considers should be known to the purchaser:
11. Current Rate.....paid/unpaid.
12. Arrears of Rates.....
13. Current Sanitary and Rubbish Charge.....paid/unpaid.
14. Arrears of Sanitary and Rubbish Charges.....
15. TOTAL.....

Date:

Whilst every effort is made to ensure that the information contained herein is accurate and complete, no responsibility for any errors or omissions is accepted.

Dated the.....day of.....19.....

Shire Clerk.

Dated the 24th day of March, 1983.

The Common Seal of the Shire of Augusta-Margaret River was hereunto affixed by authority of a resolution of the Council in the presence of—

[L.S.]

A. P. HILLIER,
President.
K. S. PRESTON,
Shire Clerk.

Recommended—

JEFF CARR,
Minister for Local Government.

Dated 30/8/83.

Approved by His Excellency the Governor in Executive Council the 13th day of September, 1983.

J. E. A. PRITCHARD,
Clerk of the Council.

LOCAL GOVERNMENT ACT 1960 (AS AMENDED).

The Municipality of the Shire of Augusta-Margaret River.

By-laws Relating to the Clearing of Land.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it the Council of the abovementioned Municipality hereby records having resolved on 25 November 1982, to make and submit for confirmation by the Governor the following by-laws:—

1. In these by-laws:—

“Council” means the Council of the Municipality of the Shire of Augusta-Margaret River.

“District” means the Shire of Augusta-Margaret River.

2. If there is on any land within the district refuse, rubbish or disused material, which in the opinion of Council is likely to affect adversely the value of adjoining property or the health, comfort or convenience of the inhabitants thereof, the Council may cause a notice under the hand of the Shire Clerk to be served on the owner or occupier of such land requiring him, within the time specified in such notice, to clear the land of such trees, scrub, undergrowth or rubbish, or remove such refuse, rubbish or disused material from such land.

3. Every owner or occupier of land upon whom a notice is served under By-law 2 of these by-laws shall comply with such notice within the time therein specified.

4. Where the owner or occupier does not clear the land or remove the refuse, rubbish or disused material as required by the notice given by the Council, the Council may, without payment of any compensation in respect thereof, clear or remove it, and dispose of it at the expense of, and recover in a court of competent jurisdiction the amount of the expense, from the owner or occupier to whom the notice was given.

5. Any person who fails to comply with any notice served under By-law 2 of these by-laws commits an offence against these by-laws and on conviction shall be liable to a penalty not exceeding one hundred dollars.

Dated this 26th day of May, 1983.

The Common Seal of the Shire of Augusta-Margaret River was hereunto affixed by authority of a resolution of the Council in the presence of—

[L.S.]

A. P. HILLIER,
President.

K. S. PRESTON,
Shire Clerk.

Recommended—

JEFF CARR,
Minister for Local Government.

Dated 31/8/83.

Approved by His Excellency the Governor in Executive Council the 13th day of September, 1983.

J. E. A. PRITCHARD,
Clerk of the Council.

ERRATUM.

STATE ENERGY COMMISSION ACT 1979.

STATE ENERGY COMMISSION (ELECTRICITY AND GAS CHARGES) AMENDMENT BY-LAWS 1983.

WHEREAS an error occurred in the by-laws published under the above heading in *Government Gazette* No. 44 dated 30 June 1983 at page 2069 it is corrected as follows.

In TARIFF T1 under the heading Tariff subparagraph (b) the words "Off Peak-Hourly" should read "Off Peak Half-Hourly".

FACTORIES AND SHOPS ACT 1963.

Department of Labour and Industry,
Perth, 9 September 1983.

IT is hereby notified for public information that His Excellency the Governor, in Council, has, under section 83 of the Factories and Shops Act 1963, appointed for the balance of a term of three years expiring on 19 May 1984, the following persons to the Retail Trade Advisory and Control Committee to represent the occupiers of shops:—

Andrew Peter Knox of lot 40 Albert Road, Swan View, as member; and

John Joseph Ahern of 7 Corry Lynn Road, Claremont, as deputy member.

B. R. COLCUTT,
Under Secretary for
Labour and Industry.

CATTLE INDUSTRY COMPENSATION ACT 1965-1981.

Department of Agriculture,
South Perth, 7 September 1983.

Agric. 334/73.

HIS Excellency the Governor in Executive Council has been pleased to approve for the purposes of

section 16 (3) of the Cattle Industry Compensation Act 1965-1981, as recommended by the Minister for Agriculture, that the amount of compensation payable in respect of—

(a) the destruction or death from a specified disease in a specified area of any animal shall not exceed—

(i) \$700 in respect of any animal that is not a bull;

(ii) \$1 500 in respect of any bull;

and

(b) the condemnation of any carcass or portion of a carcass as unfit for human consumption shall not exceed—

(i) \$700 in respect of any animal that is not a bull;

(ii) \$800 in respect of any bull.

E. N. FITZPATRICK,
Director of Agriculture.

STATE TENDER BOARD OF WESTERN AUSTRALIA

Tenders for Government Supplies

Date of Advertising	Schedule No.	Supplies Required	Date of Closing
1983			1983
Sept. 2	728A/83	Retroreflective Sign Panels—M.R.D.	Sept. 15
Sept. 2	45A/83	Precast Reinforced Concrete Box Culverts (2 year period)—Various Departments	Sept. 22
Sept. 2	46A/83	Precast Concrete Drainage Pipes (2 year period)—Various Government Departments	Sept. 22
Sept. 2	723A/83	T.A.F.E. Mobile Resources Fluid Power Laboratory one (1) (recalled)—Education Department	Sept. 22
Sept. 2	727A/83	Mobile Slewing Crane—Wheeled Tractor type—10 Tonne one (1) only—P.W.D.	Sept. 22
Sept. 2	736A/83	Microfilm Reader Printer—M.R.D.	Sept. 22
Sept. 2	729A/83	Continuous Sand Mixer one (1) only—State Engineering Works	Sept. 29
Sept. 2	735A/83	X-ray Equipment—Royal Perth Hospital	Sept. 29
Sept. 9	739A/83	Diesel Tractor new or used one (1) only—Education Department	Sept. 29
Sept. 9	740A/83	Multi Tyred Self Propelled Rollers (36 tonne) (6 only) one (1) off to Six (6) off—M.R.D.	Sept. 29
Sept. 16	753A/83	IBM Compatible Computer equipment—Treasury	Oct. 6
Sept. 16	769A/83	0.6 m ³ Loader/Extendable Backhoe (one only)—P.W.D.	Oct. 6
Sept. 16	770A/83	Magnetic Flow Metering equipment for Woodman Point Pumping Station NOTE: \$50 returnable deposit required for these documents.	Oct. 6
Sept. 16	771A/83	3/5 Tonne Diesel, 4 x 2 WD Cab Chassis (10 only), 5 Tonne Diesel 4 WD Cab Chassis (8 only), 3/5 Tonne Table Top Diesel 4 x 2 W.D. Truck (7 only), 5 Tonne Table Top Diesel 4 WD Truck (6 only), 8 Tonne Diesel Tip Truck (2 only) and 7 Tonne Table Top Diesel 4 x 2 WD Truck (1 only)—Westrail	Oct. 6
Sept. 9	746A/83	Filter Belt Press Equipment for the Sludge Handling Facilities at Subiaco Wastewater Treatment Plant—M.W.A. (NOTE: \$50 returnable deposit required for these documents)	Oct. 20
Sept. 9	747A/83	For Dissolved Air Flotation Equipment for the Sludge Handling Facilities at Subiaco Wastewater Treatment Plant—M.W.A. (NOTE: \$50 returnable deposit required for these documents)	Oct. 20

For Sale by Tender

Date of Advertising	Schedule No.	For Sale	Date of Closing
1983			1983
Sept. 2	724A/83	1976 Yamaha AG175 Motor Cycle (UQ 169), 1978 FJ40 Toyota Landcruiser (XQG 073), 1976 Holden HJ 1 Tonne (UQR 136) 1976 Toyota FJ45 Landcruiser (UQZ 801), 1976 Toyota FJ40 Landcruiser (UQY 030) at Manjimup	Sept. 22
Sept. 2	732A/83	Mobile Dredge "Leschenault"—PW8 at Karratha	Sept. 22
Sept. 2	733A/83	1982 Holden WB Panel Van (MRD 6182) at Port Hedland	Sept. 22
Sept. 9	737A/83	Batteries (unserviceable) (200 only) at East Perth	Sept. 22
Sept. 9	738A/83	1978 Toyota RH22 Hi Ace Van (MRD 2178), 1977 Toyota Hi Ace Panel Van (MRD 1999), 1980 Datsun E20 Micro Bus (MRD 4764) at East Perth	Sept. 22
Sept. 9	742A/83	1980 Holden HZ Kingswood Station Sedan (XQK 804) 4 x 4 Leyland Truck (unregistered) at East Perth	Sept. 22
Sept. 9	743A/83	1978 Nissan Datsun E20 Micro Bus (MRD 3402) 1979 Daihatsu Crew Cab Truck (MRD 4747) (Recalled) at East Perth	Sept. 22
Sept. 9	744A/83	Tyres (various truck, tractor and car) at Como	Sept. 22
Sept. 9	745A/83	Microfilm Camera (Model 3400), Associated Film Processor with Accessories (Model P74), Reader Printer (Model 500C) at Perth	Sept. 22
Sept. 9	748A/83	1982 Gemini SL Sedan (Auto) (XQR 393), 1979 Ford 100 Econovan (XQH 754) at Shenton Park	Sept. 22
Sept. 16	749A/83	Removal of Sludge at Swanbourne Wastewater Treatment Plant (1 year period)—M.W.A.	Sept. 22
Sept. 9	741A/83	1976 Fabco Skid Mounted Ablution Unit (MRD 999) at Carnarvon	Sept. 29
Sept. 16	754A/83	1979 Daihatsu V24WX Crew Cab Truck (MRD 4434), 1981 Holden WB Utility (MRD 5721), 1981 Mitsubishi L200 Utility (MRD 5698) at East Perth	Sept. 29
Sept. 16	756A/83	1974 Chamberlain John Deere MK3 Tractor (MRD 131) at East Perth	Sept. 29
Sept. 16	758A/83	1976 Toyota Hino Table Top Truck (MRD 1416) and 1977 Dodge D3F Tip Truck (MRD 1748) at East Perth	Sept. 29
Sept. 16	763A/83	1975 Galion 118C Grader (MRD 750) at East Perth	Sept. 29
Sept. 16	764A/83	1967 BHB Mobile Crane at East Perth	Sept. 29
Sept. 16	766A/83	Air Compressor (XQT 162) and Lightburn Concrete Mixer 3½ cubic foot (UQU 752) at East Perth	Sept. 29
Sept. 16	767A/83	1976 Galion 118C Grader (MRD 754) at East Perth	Sept. 29
Sept. 16	768A/83	Firearms (25 only) at Maylands	Sept. 29
Sept. 16	750A/83	1979 Holden HZ Utility (XQE 109) at Kununurra	Oct. 6
Sept. 16	751A/83	Holden Gemini TE Sedan (XQM 211), 1980 Holden WB Utility (XQI 883) at Broome	Oct. 6
Sept. 16	752A/83	Ropa DN3 Caravan (UQT 520) (recalled) at Karratha	Oct. 6
Sept. 16	755A/83	1981 Holden VC Commodore Sedan (XQM 112) at Kalgoorlie	Oct. 6
Sept. 16	757A/83	1978 Toyota FJ45 Landcruiser (XQF 916), 1978 Toyota FJ45 Flat Top (XQF 519) and 1978 Holden HZ Panel Van (XQD 681) at Karratha	Oct. 6

STATE TENDER BOARD OF WESTERN AUSTRALIA—continued.

For Sale by Tender—continued.

Date of Advertising	Schedule No.	For Sale	Date of Closing
1983			1983
Sept. 16	759A/83	1981 Holden WB One Tonne Tray Body (XQL 593) and 1976 International 5 Tonne Flat Top Truck (UQZ 189) at Geraldton	Oct. 6
Sept. 16	760A/83	Boomerang Box One Tonne Trailer (UQT 892) at Geraldton	Oct. 6
Sept. 16	761A/83	Chamberlain 14 Disc Plough, and 16 Gauge H.T. Barbed Wire (approx. 5 000 metres) at Southern Cross	Oct. 6
Sept. 16	762A/83	1979 Toyota FJ45 Land Cruiser Van (XQJ 693), 1981 Holden VC Commodore Sedan (XQM 389), 1979 Ford F250 Cab and Chassis (XQH 890) at South Hedland	Oct. 6
Sept. 16	765A/83	1981 Commodore VH Sedan (MRD 5578) and 1981 Holden WB Panel Van (MRD 5635) at Derby	Oct. 6

Tenders addressed to the Chairman, State Tender Board, 74 Murray Street, Perth. will be received for the abovementioned schedules until 10 a.m. on the dates of closing.

Tenders must be properly endorsed on envelopes otherwise they are liable to rejection.

Tender forms and full particulars may be obtained on application at the Tender Board Office, 74 Murray Street, Perth and at points of inspection.

No Tender necessarily accepted.

B. E. CORBOY,
Chairman, Tender Board.

ACCEPTANCE OF TENDERS

Schedule No.	Contractor	Particulars	Department Concerned	Rate
<i>Supply and Delivery</i>				
38A/83	Pensioner Funeral Services	Service—Conduct of Funerals of Deceased Indigent Persons in Metropolitan Area (1 year period)	C.W.D.	Details on application
403A/83	Durabuilt	One (1) only Transportable Office and Pertinences	P.W.D.	\$10 836
447A/83	Kelco/Ail International	Sodium Alginate (1 year period)	M..WA.	Details on application
545A/83	Westralian Transformers P/Ltd	Item 1 and 3: Power Transformer 22 Kv	Bentley and Osborne Park Hospitals	\$15 285 each
		Item 2: Power Transformer 11Kv	Osborne Park Hospital	\$15 450 each
581A/83	Kodak (Aust.) Pty Ltd	Medical X-Ray Films and Chemicals (1 year period)	R.P.H.	Details on application
613A/83	Medecon Aust. Ltd Readymix Group (W.A.)	Item 8: (1 year period) Crushed Aggregate in Narrogin Division	M.R.D.	Details on application Details on application
<i>Purchase and Removal</i>				
622A/83	D. W. R. Benham	1967 WR160 Air Compressor Trailer-Mounted (UQV 069) at Meekatharra	P.W.D.	\$2 050.10
634A/83	Various	Firearms (30 only) at Maylands	Police	Details on application
656A/83	D. Goudge	Item 1: 1979 Chamberlain R1250 Rear End Loader (PW 353) at East Perth	P.W.D.	\$9 511
	R. Stratford	Item 2: Chamberlain F1000 Front End Loader (PW 405) at East Perth		\$5 612
666A/83	J. K. Geneff	1973 Chamberlain Contractor 354 Tractor (MRD 137) at East Perth	M.R.D.	\$3 600
670A/83	V. J. Tomich	1974 Cromco 18 in. x 18 in. Plate Compactor (PW 20) at East Perth	P.W.D.	\$145
671A/83	D. Goudge	Item 1: Gerni 153 High Pressure Washer Unit, Electric at East Perth	P.W.D.	\$352
	C. D. Dodd	Item 2: Gerni 153 High Pressure Washer Unit, Electric at East Perth		\$146
<i>Cancellation of Contract</i>				
482A/83	T. Moore	Ropa DN3 Caravan (UQT 520) at Karratha	P.W.D.	
<i>All Tenders Declined</i>				
653A/83		Item 3: 1981 Falcon XD Sedan (XQL 546) at South Hedland	P.W.D.	

MAIN ROADS DEPARTMENT

Tenders

Tenders are invited for the following projects.

Tender documents are available from the Clerk In Charge, Orders Section, Main Roads Department, Waterloo Crescent, East Perth.

Tender No.	Description	Closing Date 1983
67/83	New roof over petrol bowser area, Carlisle Depot, Planet Street, Carlisle	Tuesday, Oct. 4
95/83	Supply and fixing of aluminium cyclone screens to rear windows of three (3) houses at Port Hedland (documents also available ex Pt Hedland office)	Tuesday, Sept. 27
73/83	Extension of MRD office at Chester Pass Road Albany (documents also available ex Albany office)	Tuesday, Oct. 4
94/83	Workshop extension, Northam Division (Moora Depot) (documents also available ex Moora office)	Tuesday, Sept. 27
78/83	Painting to three MRD Houses at Albany	Tuesday, Sept. 27

Acceptance of Tenders

Tender No.	Description	Successful Tenderer	Amount \$
75/83	Supply and laying of carpet and vinyl sheeting at Lot 25 Oceanus Close, Cooke Point, Port Hedland	Solomons Carpets (Port Hedland)	3 248
34/83	Construction of Stage II of the Main Roads Department Bridge Section store and office, at Pilbara Street, Welshpool	K. R. Randall	164 575
30/83	Supply and erection of general purpose shed at Albany Depot	Albany Patio & Outdoor Centre	3 728
49/83	Internal/external painting of 10 houses in Port Hedland and South Hedland	M & Y Painting Services	16 980
50/83	Bathroom renovations to six houses at South Hedland	M & O Building Co	20 845

D. R. WARNER,
Secretary, Main Roads.

COMPANIES ACT 1961-1982.

(Section 392 (2).)

Notice of Resolution.

Dyna Marine Industries Pty Ltd (In Liquidation).

NOTICE is hereby given that at an Extraordinary General Meeting of Members of Dyna Marine Industries Pty Ltd (in liquidation) held on 30 August 1983 and confirmed at a meeting of creditors on the same day, the following Special Resolution was passed:

That the Company be wound up voluntarily and that Allen Hugh Lafferty and Ian Arthur Moiler be appointed Joint and Several Liquidators of the Company.

Dated at Perth this 5th day of September, 1983.

A. H. LAFFERTY,
Liquidator.

(Moiler & Lafferty, Chartered Accountants, 20 Howard Street, Perth, W.A. 6000.)

TRUSTEES ACT 1962.

Notice to Creditors and Claimants.

RONALD EDWARD BERTRAM of 144 St. Brigids Terrace Scarborough Solicitor, requires 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 person to send particulars of their claims to him by the date stated hereunder, after which he may convey or distribute the assets having regard only to the claims of which he then has notice.

Last Day for Claims: 20/10/1983.

Cutts, Arthur John, formerly of 92 Mitchell Street Bentleigh, Victoria, late of Salvation Army Village Hospital, Monash Avenue, Nedlands, Retired Breadcarter, died 9/10/1982.

TRUSTEES ACT 1962.

CREDITORS and other persons having claims in respect of the estate of Eric Arthur Gibbons late of "Glengyle" Brookhampton to which section 63 of the Trustees Act 1962 as amended applies are required to send particulars of their claims to the Executrix Elizabeth Ellen Gibbons of "Glengyle" Brookhampton, care of Young & Young, 5 Spencer Street, Bunbury by 12 October 1983 after which date the said Executors may convey or distribute the assets having regard only to the claims of which they have notice and the said Executors shall not be liable to any person of whose claim they have had no notice at any time of administration or distribution.

Dated this 7th day of September, 1983.

YOUNG & YOUNG,
Young & Young for the Executrix.

TRUSTEES ACT 1962.

CREDITORS and other persons having claims in respect of the estate of Giuseppe Nicola Cosenza late of 52 King Road, Bunbury to which section 63 of the Trustees Act 1962 applies are required to send particulars of their claims to the Executor Rocco Cosenza of 50 King Road, Bunbury, care of Young & Young, 5 Spencer Street, Bunbury by 21 October 1983 after which date the said Executor may convey or distribute the assets having regard only to the claims of which they have notice and the said Executor shall not be liable to any person of whose claim they have had no notice at any time of administration or distribution.

Dated this 13th day of September, 1983.

YOUNG & YOUNG,
for the Executor.

TRUSTEES ACT 1962.

Notices to Creditors and Claimants.

WEST AUSTRALIAN TRUSTEES LIMITED of 135 St. George's Terrace, Perth requires creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the estates of the undermentioned deceased persons, to send particulars of their claims to it by the date stated hereunder, after which date the Company may convey or distribute the assets, having regard only to the claims of which it then has notice.

Last Day for Claims: 17/10/83.

- Andrew, Charles Owston, late of 25 Smith Street, Claremont, Retired Bank Manager, died 7/7/83.
 Cail, Thomas, late of Wubin, Farmer and Grazier, died 24/6/83.
 John, Ronald Douglas, late of 9 Scott Street, Greenmount, Retired Foreman, died 9/7/83.
 Millward, George Henry, late of Craigville Convalescent Hospital, Melville, Retired Storeman, died 25/6/83.
 Symonds, Vincent French, late of Hollywood Eventide Home, Williams Road, Nedlands, Retired Shopkeeper, died 12/8/83.

Dated at Perth this 14th day of September, 1983.

L. C. RICHARDSON,
 General Manager.

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 17 October 1983 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

- Anderson, Helen, late of Hamersley Hospital, 441 Rokeby Road, Subiaco, Widow, died 7/8/83.
 Bird, Ronald Henry Joseph, late of 36 Celebration Street, East Cannington, Retired Tool Maker, died 22/8/83.
 Burrows, Jack, late of Unit 26 Teasdale Masonic Village, Christmas Avenue, Kwinana, Retired Maintenance Fitter, died 30/7/83.
 Byrne, Claude Leo Edmond, late of Flat P6, Fortesque Avenue, Mt. Newman, Senior Geologist Driller, died 10/5/83.
 Callaway, Charlotte Ada Maud, late of Carlisle Nursing Home, 110 Starr Street, Carlisle, Widow, died 25/8/83.
 Dean, Daisey, late of Mt. Hawthorn Hospital, Coode Street, Mt. Hawthorn, Spinster, died 10/7/83.
 Foster, Tony, late of Unit 1, 50 Kingston Street, West Perth, Pensioner, died 24/8/83.
 Hollis, John Harold, formerly of 11 Kenny Street, Bessenden, late of Riverview Residence, Pendleton Street, Collie, Retired Kiosk Proprietor, died 4/8/83.
 Hughes, Allan Charles, late of 18 Tupper Street, Boulder, Winder Driver, died 30/7/83.
 Jamieson, Archibald, late of O'Donnell Street, Wyndham Port, Gardener, died 7/7/83.
 Jeans, Vera Agnes, late of 2A Genesta Crescent, Nedlands, Spinster, died 28/8/83.
 Lehman, Ian Douglas, late of Port Hedland Fire Station, Port Hedland, Trades Assistance, died 27/7/83.
 McInnes, Archibald Evender, late of Unit 25 "Gracewood", 10 Roebuck Drive, Manning, Retired Electrical Fitter, died 20/8/83.
 McKay, Frances Agnes, late of Shoalwater Nursing Home, 72/74 Forth Avenue, Shoalwater Bay, Widow, died 19/7/83.
 Minmarric, Nellie, formerly of Halls Creek, late of District Hospital, Wyndham, Pensioner, died 2/5/83.
 Mohr, William Henry, late of Swanbourne Hospital, Davies Road, Claremont, Retired W.A.G.R. Engine Driver, died 16/8/83.

- Moncrieff, Gladys Mary, late of 22 Miller Street, East Victoria Park, Widow, died 30/8/83.
 Muirson, Horace Leslie, late of Unit 110 Pugh Place, Swan Cottage Homes, Bentley, Retired Signwriter, died 30/8/83.
 Nagle, Gertrude Ethel, late of Mt. Henry Hospital, Cloister Avenue, Como, Widow, died 28/8/83.
 Nicholls, Eric Edward, late of 8 White Street, Kalgoorlie, Cleaner, died 4/8/83.
 Parker, Ethel Eveline Annie, late of Nonareena Hospital, 34 Alexandra Road, East Fremantle, Widow, died 31/8/83.
 Payne, Gordon Henry, Craigville Convalescent Hospital, 1 French Road, Melville, Retired Police Constable, died 11/8/83.
 Preshaw, Marjorie Millicent, late of Salvation Army Village, 120 Monash Avenue, Nedlands, Widow, died 28/8/83.
 Preston, Kate, late of Braille Society for the Blind of W.A., 61 Kitchener Avenue, Victoria Park, Widow, died 23/8/83.
 Rowe, Henry Thornton, late of 13 Boya Crescent, Boya, Retired Barman, died 25/7/83.
 Screaigh, Annie Elizabeth, late of St. Michael's Nursing Home, Walley Street, North Perth, Widow, died 29/8/83.
 Snudden, Clara Maud, late of Corlei Nursing Home, 18 Ley Street, Como, Widow, died 23/8/83.
 Tompsett, Harold Percy, late of 226 Bussell Highway, Busselton, Farmer, died 19/7/83.
 Urch, John, late of 165 Crawford Street, East Cannington, Pensioner, died 26/8/83.
 West, Alice, late of Subiaco Uniting Church Hospital, 137 Heytesbury Road, Subiaco, Widow, died 25/8/83.
 West, Edith May, late of Gracewood Nursing Home, Roebuck Drive, Manning, Widow, died 14/8/83.
 Wright, Myrtle Victoria, late of 3 Harcourt Street, Inglewood, Spinster, died 12/8/83.
 Dated this 12th day of September, 1983.

S. H. HAYWARD,
 Public Trustee,
 Public Trust Office,
 565 Hay Street, Perth.

**DOG ACT REVIEW COMMITTEE
 REPORT MAY 1983**

Chairman Mr. F. H. Cavanough

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