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JOHN A. STRIJK,  
Government Printer.

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## CONSERVATION AND LAND MANAGEMENT

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**CM401****CONSERVATION AND LAND MANAGEMENT ACT 1984****CAPE LE GRAND NATIONAL PARK  
COMPATIBLE OPERATIONS NOTICE**

Call for public submissions on the intention to issue licences for tourist and commercial recreation operations in Cape Le Grand National Park

This notice is made by the Executive Director of the Department of Conservation and Land Management (CALM) under Section 33A of the Conservation and Land Management Act 1984, with reference to compatible operations.

As a management plan does not exist for Cape Le Grand National Park, the CALM Act 1984 requires the Department of notify the public of intentions to conduct "compatible operations" and seek comment on those operations.

CALM has been approached by a prospective applicant for approval to operate a tourist service in the form of a mobile kiosk in the Cape Le Grand National Park. It is CALM's intention to seek public input on this proposal and the prospect of any other tourist and commercial recreation operations in the Park.

Pending the outcome of this notice, the Department would call for "Expressions of Interest" from commercial operators interested in operating a mobile kiosk, as a tourist service, that will enhance public enjoyment whilst protecting the environmental integrity of the Park.

Submissions are invited until Friday 11 September, 1998. Please do not submit proposals for commercial tourist operations at this time.

Further details are available in the "Guidelines for Submissions" which may be obtained by contacting Ms Sonia Brain at CALM's Park Policy and Tourism Branch on telephone (08) 9334 0371.

SYD SHEA, Executive Director.

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**CM402\*****Wildlife Conservation Act 1950**

## Wildlife Conservation (Rare Flora) Notice 1998

Given by the Minister under section 23F of the Act.

**1. Citation**

This notice may be cited as the *Wildlife Conservation (Rare Flora) Notice 1998*.

**2. Interpretation**

In this notice —

“**extant**” means known to be living in a wild state;

“**protected flora**” means any flora belonging to the classes of flora declared by the Minister under section 6 of the Act to be protected flora by notice published in *Gazette* 9 October 1987, at p. 3855;

“**taxon**” includes any taxon that is described by a genus name and any other name or description.

Note: The plural form of “taxon” is “taxa”.

### 3. **Rare flora**

Subject to clause 4, protected flora —

- (a) specified in Schedule 1, being taxa that are extant and considered likely to become extinct or rare and therefore in need of special protection; and
- (b) specified in Schedule 2, being taxa that are presumed to be extinct in the wild and therefore in need of special protection,

are declared to be rare flora for the purposes of section 23F of the Act throughout the State.

### 4. **Application**

Clause 3 does not apply to those plants of a taxon of protected flora specified in Schedule 1 or 2 that have been planted for any purpose other than such plants that have been planted for the purpose of conservation of that taxon and in accordance with approval given by the Executive Director.

### 5. **Revocation**

The *Wildlife Conservation (Rare Flora) Notice 1997* is revoked.

## **Schedule 1 — Extant taxa**

[cl. 3(a)]

### **Division 1 — Spermatophyta (flowering plants, conifers and cycads)**

1. *Acacia anomala*
2. *Acacia aphylla*
3. *Acacia aprica* ms
4. *Acacia aristulata*
5. *Acacia ataxiphylla* subsp. *magna* ms
6. *Acacia auratiflora*
7. *Acacia awestoniana*
8. *Acacia brachypoda*
9. *Acacia cochlocarpa* subsp. *cochlocarpa*
10. *Acacia denticulosa*
11. *Acacia depressa*
12. *Acacia forrestiana*
13. *Acacia insolita* subsp. *recurva* ms
14. *Acacia lanuginophylla*
15. *Acacia leptalea* ms
16. *Acacia lobulata*
17. *Acacia pharangites*

18. *Acacia pygmaea* ms
19. *Acacia recurvata* ms
20. *Acacia rhamphophylla* ms
21. *Acacia subflexuosa* subsp. *capillata* ms
22. *Acacia semicircularis*
23. *Acacia sciophanes*
24. *Acacia vassalii*
25. *Acacia volubilis*
26. *Acacia* sp. Dandaragan (S. van Leeuwen 269)
27. *Adenanthos cunninghamii*
28. *Adenanthos dobagii*
29. *Adenanthos ellipticus*
30. *Adenanthos eyrei*
31. *Adenanthos pungens*
32. *Adenanthos velutinus*
33. *Allocasuarina fibrosa*
34. *Allocasuarina tortiramula*
35. *Andersonia axilliflora*
36. *Andersonia gracilis*
37. *Andersonia pinaster* ms
38. *Anigozanthos bicolor* subsp. *minor*
39. *Anigozanthos humilis* subsp. *chrysanthus*
40. *Anigozanthos viridis* subsp. *terraspectans*
41. *Anthocercis gracilis*
42. *Apium prostratum* subsp. *phillipii* ms
43. *Asterolasia nivea*
44. *Banksia brownii*
45. *Banksia cuneata*
46. *Banksia goodii*
47. *Banksia oligantha*
48. *Banksia sphaerocarpa* var. *dolichostyla*
49. *Banksia verticillata*
50. *Bentleya spinescens*
51. *Beyeria lepidopetala*
52. *Billardiera mollis*
53. *Boronia adamsiana*
54. *Boronia capitata* subsp. *capitata*
55. *Boronia exilis*
56. *Boronia revoluta*
57. *Brachysema modestum*
58. *Brachysema papilio*
59. *Caladenia bryceana*
60. *Caladenia busselliana* ms
61. *Caladenia caesarea* subsp. *maritima* ms
62. *Caladenia christineae* ms

63. *Caladenia dorrieni*
64. *Caladenia elegans* ms
65. *Caladenia excelsa* ms
66. *Caladenia harringtoniae* ms
67. *Caladenia hoffmanii* ms
68. *Caladenia huegelii*
69. *Caladenia viridescens* ms
70. *Caladenia wanosa*
71. *Caladenia winfieldii* ms
72. *Calectasia arnoldii* ms
73. *Calytrix breviseta* subsp. *breviseta*
74. *Centrolepis caespitosa*
75. *Chamelaucium griffinii* ms
76. *Chamelaucium roycei* ms
77. *Chamelaucium* sp. Gingin (N. Marchant s.n. 4.11.88)
78. *Chordifex abortivus* ms
79. *Chordifex chaunocoleus* ms
80. *Chorizema humile*
81. *Chorizema varium*
82. *Conospermum densiflorum* subsp. *unicephalatum*
83. *Conospermum toddii*
84. *Conospermum undulatum*
85. *Conostylis dielsii* subsp. *teres*
86. *Conostylis drummondii*
87. *Conostylis lepidospermoides*
88. *Conostylis micrantha*
89. *Conostylis misera*
90. *Conostylis rogeri*
91. *Conostylis seorsiflora* subsp. *trichophylla*
92. *Conostylis setigera* subsp. *dasys*
93. *Conostylis wonganensis*
94. *Cooperhooikia georgei*
95. *Corybas limpidus*
96. *Cyphanthera odgersii* subsp. *occidentalis*
97. *Darwinia acerosa*
98. *Darwinia apiculata*
99. *Darwinia carnea*
100. *Darwinia chapmaniana* ms
101. *Darwinia collina*
102. *Darwinia ferricola* ms
103. *Darwinia macrostegia*
104. *Darwinia masonii*
105. *Darwinia meeboldii*
106. *Darwinia oxylepis*
107. *Darwinia squarrosa*

108. *Darwinia wittwerorum*
109. *Darwinia* sp. Carnamah (J. Coleby-Williams 148)
110. *Darwinia* sp. Stirling Range (G.J. Keighery 5732)
111. *Darwinia* sp. Williamson (G.J. Keighery 12717)
112. *Daviesia bursarioides*
113. *Daviesia cunderdin* ms
114. *Daviesia dielsii*
115. *Daviesia elongata* subsp. *elongata*
116. *Daviesia euphorbioides*
117. *Daviesia megacalyx*
118. *Daviesia microcarpa*
119. *Daviesia pseudaphylla*
120. *Daviesia speciosa*
121. *Daviesia spiralis*
122. *Deyeuxia drummondii*
123. *Diuris drummondii*
124. *Diuris micrantha*
125. *Diuris purdiei*
126. *Drakaea concolor* ms
127. *Drakaea confluens* ms
128. *Drakaea elastica*
129. *Drakaea isolata* ms
130. *Drakaea micrantha* ms
131. *Drakonorchis barbarella* ms
132. *Drakonorchis drakeoides* ms
133. *Drosera fimbriata*
134. *Drummondita ericoides*
135. *Drummondita longifolia*
136. *Dryandra anatona*
137. *Dryandra aurantia*
138. *Dryandra ionthocarpa*
139. *Dryandra mimica*
140. *Dryandra montana*
141. *Dryandra nivea* subsp. *uliginosa*
142. *Dryandra serratuloides* subsp. *perissa*
143. *Dryandra serratuloides* subsp. *serratuloides*
144. *Dryandra squarrosa* subsp. *argillacea*
145. *Eleocharis keigheryi*
146. *Epiblema grandiflorum* var. *cyanea* ms
147. *Eremophila denticulata*
148. *Eremophila lactea*
149. *Eremophila microtheca*
150. *Eremophila nivea*
151. *Eremophila pinnatifida* ms
152. *Eremophila resinosa*

153. *Eremophila scaberula*
154. *Eremophila subteretifolia* ms
155. *Eremophila ternifolia*
156. *Eremophila veneta* ms
157. *Eremophila verticillata*
158. *Eremophila virens*
159. *Eremophila viscida*
160. *Eriostemon wonganensis*
161. *Eucalyptus absita*
162. *Eucalyptus argutifolia*
163. *Eucalyptus articulata*
164. *Eucalyptus balanites*
165. *Eucalyptus beardiana*
166. *Eucalyptus bennettiae*
167. *Eucalyptus blaxellii*
168. *Eucalyptus brevipes*
169. *Eucalyptus burdettiana*
170. *Eucalyptus ceracea*
171. *Eucalyptus cerasiformis*
172. *Eucalyptus coronata*
173. *Eucalyptus crispata*
174. *Eucalyptus crucis* subsp. *crucis*
175. *Eucalyptus crucis* subsp. *praecipua*
176. *Eucalyptus cuprea*
177. *Eucalyptus dolorosa*
178. *Eucalyptus graniticola* ms
179. *Eucalyptus impensa*
180. *Eucalyptus insularis*
181. *Eucalyptus johnsoniana*
182. *Eucalyptus lateritica*
183. *Eucalyptus leprophloia*
184. *Eucalyptus merrickiae*
185. *Eucalyptus mooreana*
186. *Eucalyptus olivacea* ms
187. *Eucalyptus phylacis*
188. *Eucalyptus platydisca* ms
189. *Eucalyptus pruiniramis*
190. *Eucalyptus rhodantha*
191. *Eucalyptus steedmanii*
192. *Eucalyptus suberea*
193. *Eucalyptus synandra*
194. *Gastrolobium appressum*
195. *Gastrolobium glaucum*
196. *Gastrolobium graniticum*
197. *Gastrolobium hamulosum*



198. *Glyceria drummondii*
199. *Goodenia integerrima*
200. *Grevillea althoferorum*
201. *Grevillea batrachioides*
202. *Grevillea brachystylis* subsp. *australis*
203. *Grevillea calliantha*
204. *Grevillea christineae*
205. *Grevillea curviloba* subsp. *curviloba*
206. *Grevillea curviloba* subsp. *incurva*
207. *Grevillea dryandroides*
208. *Grevillea elongata*
209. *Grevillea flexuosa*
210. *Grevillea humifusa*
211. *Grevillea infundibularis*
212. *Grevillea involucrata*
213. *Grevillea maccutcheonii*
214. *Grevillea maxwellii*
215. *Grevillea murex*
216. *Grevillea pythara*
217. *Grevillea rara*
218. *Grevillea scapigera*
219. *Hakea aculeata*
220. *Hakea megalosperma*
221. *Halosarcia bulbosa*
222. *Hemiandra gardneri*
223. *Hemiandra rutilans*
224. *Hemiandra* sp. Watheroo (S. Hancocks 4)
225. *Hemigenia viscida*
226. *Hensmania chapmanii*
227. *Hydatella dioica*
228. *Hypocalymma longifolium*
229. *Isopogon uncinatus*
230. *Jacksonia pungens*
231. *Jacksonia quairading* ms
232. *Jacksonia* sp. Collie (C.J. Koch 177)
233. *Kennedia glabrata*
234. *Kennedia macrophylla*
235. *Kunzea pauciflora*
236. *Lambertia echinata* subsp. *echinata*
237. *Lambertia echinata* subsp. *occidentalis*
238. *Lambertia fairallii*
239. *Lambertia orbifolia*
240. *Lasiopetalum pterocarpum*
241. *Lasiopetalum rotundifolium*
242. *Laxmannia jamesii*

243. *Lechenaultia chlorantha*
244. *Lechenaultia laricina*
245. *Lechenaultia pulvinaris*
246. *Lepidium catapycnon*
247. *Lepidosperma rostratum*
248. *Leptomeria dielsiana*
249. *Leucopogon gnaphalioides*
250. *Leucopogon marginatus*
251. *Leucopogon obtectus*
252. *Macarthuria keigheryi*
253. *Melaleuca sciotostyla*
254. *Meziella trifida*
255. *Microcorys eremophiloides*
256. *Microtis globula*
257. *Myoporum cordifolium*
258. *Myoporum turbinatum*
259. *Myriophyllum lapidicola*
260. *Orthrosanthus muelleri*
261. *Pandanus spiralis* var. *flammeus*
262. *Paracaleana dixonii* ms
263. *Patersonia spirifolia*
264. *Persoonia micranthera*
265. *Petrophile latericola* ms
266. *Philothea basistyla*
267. *Pimelea rara*
268. *Pityrodia augustensis*
269. *Pityrodia scabra*
270. *Pterostylis* sp. Northampton (S. D. Hopper 3349)
271. *Ptychosema pusillum*
272. *Pultenaea pauciflora*
273. *Rhagodia acicularis*
274. *Rhizanthella gardneri*
275. *Ricinocarpos trichophorus*
276. *Roycea pycnophylloides*
277. *Rulingia* sp. Trigwell Bridge (R. Smith s.n. 20.6.89)
278. *Sphenotoma drummondii*
279. *Spirogardnera rubescens*
280. *Stawellia dimorphantha*
281. *Stylidium coroniforme*
282. *Stylidium galioides*
283. *Stylidium merrallii*
284. *Symonanthus bancroftii*
285. *Synaphea quartzitica*
286. *Tetraparia australiensis*
287. *Tetrateca aphylla*
288. *Tetrateca deltoidea*
289. *Tetrateca harperi*

290. *Tetratheca paynterae*
291. *Thelymitra manginia* ms
292. *Thelymitra psammophila*
293. *Thelymitra stellata*
294. *Thomasia glabripetala*
295. *Thomasia montana*
296. *Thomasia* sp. Green Hill (S. Paust 1322)
297. *Thryptomene wittweri*
298. *Tribonanthes purpurea*
299. *Verticordia albida*
300. *Verticordia carinata*
301. *Verticordia crebra*
302. *Verticordia densiflora* var. *pedunculata*
303. *Verticordia fimbriolepis*
304. *Verticordia harveyi*
305. *Verticordia helichrysantha*
306. *Verticordia hughanii*
307. *Verticordia pityrhops*
308. *Verticordia plumosa* var. *ananeotes*
309. *Verticordia plumosa* var. *pleiobotrya*
310. *Verticordia plumosa* var. *vassensis*
311. *Verticordia spicata* subsp. *squamosa*
312. *Verticordia staminosa*
313. *Villarsia calthifolia*
314. *Wurmbea calcicola*
315. *Wurmbea tubulosa*
316. *Xyris exilis*

**Division 2 — Pteridophyta (ferns and fern allies)**

317. *Asplenium obtusatum*

**Division 3 — Bryophyta (mosses and liverworts)**

318. *Pleurophascum occidentale*

**Schedule 2 — Taxa presumed to be extinct**

[cl. 3(b)]

**Spermatophyta (flowering plants, conifers and cycads)**

1. *Acacia kingiana*
2. *Acacia prismifolia*
3. *Calothamnus accedens*
4. *Coleanthera virgata*
5. *Eremophila vernicosa* ms
6. *Eriostemon falcatus*
7. *Frankenia conferta*
8. *Frankenia decurrens*
9. *Frankenia parvula*

10. *Gyrostemon reticulatus*
11. *Haloragis platycarpa*
12. *Hydatella leptogyne*
13. *Lepidium aschersonii*
14. *Lepidium drummondii*
15. *Leucopogon cryptanthus*
16. *Nemcia lehmannii*
17. *Opercularia acolytantha*
18. *Pseudanthus nematophorus*
19. *Ptilotus fasciculatus*
20. *Ptilotus pyramidatus*
21. *Taraxacum cygnorum*
22. *Tetralthea fasciculata*
23. *Thomasia gardneri*

CHERYL EDWARDES, Minister for the Environment.

CM403\*

Wildlife Conservation Act 1950

## Wildlife Conservation (Specially Protected Fauna) Notice 1998

Given by the Minister under section 14(2)(ba) of the Act.

### 1. Citation

This notice may be cited as the *Wildlife Conservation (Specially Protected Fauna) Notice 1998*.

### 2. Interpretation

In this notice —

“**taxon**” includes any taxon that is described by a family name or a genus name or any other name or description.

Note: The plural form of “taxon” is “taxa”.

### 3. Declaration of specially protected fauna

For the purposes of the Act, all taxa of the fauna —

- (a) specified in Schedule 1, being fauna that is rare or likely to become extinct, are declared to be fauna that is in need of special protection;

- (b) specified in Schedule 2, being fauna that is presumed to be extinct, are declared to be fauna that is in need of special protection;
- (c) specified in Schedule 3, being birds that are subject to an agreement between the governments of Australia and Japan relating to the protection of migratory birds and birds in danger of extinction, are declared to be fauna that is in need of special protection; and
- (d) specified in Schedule 4 are declared to be fauna that is in need of special protection, otherwise than for the reasons mentioned in paragraphs (a), (b) and (c).

#### 4. Revocation

The *Wildlife Conservation (Specially Protected Fauna) Notice 1997* is revoked.

### Schedule 1 — Fauna that is rare or is likely to become extinct

[cl. 3(a)]

#### Division 1 — Mammals

<i>Scientific name</i>	<i>Common name</i>
1. <i>Balaenoptera borealis</i>	Sei Whale
2. <i>Balaenoptera musculus musculus</i>	Blue Whale
3. <i>Balaenoptera physalus</i>	Fin Whale
4. <i>Bettongia lesueur</i>	Burrowing Bettong or Boodie
5. <i>Dasyercus cristicauda</i>	Mulgara or Minyi-minyi
6. <i>Dasyercus hillieri</i>	Ampurta
7. <i>Dasyurus geoffroii</i>	Chuditch or Western Quoll
8. <i>Eubalaena australis</i>	Southern Right Whale
9. <i>Isoodon auratus auratus</i>	Golden Bandicoot or Wintarru
10. <i>Lagorchestes conspicillatus</i> <i>conspicillatus</i>	Barrow Island Spectacled Hare-wallaby
11. <i>Lagorchestes hirsutus</i>	Rufous Hare-wallaby or Mala
12. <i>Lagostrophus fasciatus</i>	Banded Hare-Wallaby or Muning
13. <i>Leporillus conditor</i>	Greater Stick-nest Rat
14. <i>Macropus robustus isabellinus</i>	Barrow Island Euro
15. <i>Macrotis lagotis</i>	Dalgyte or Bilby or Ninu
16. <i>Megaptera novaeangliae</i>	Humpback Whale
17. <i>Mesembriomys gouldii gouldii</i>	Black-footed Tree-rat
18. <i>Myrmecobius fasciatus</i>	Numbat or Walpurti
19. <i>Notoryctes caurinus</i>	Northern Marsupial Mole or Kakarratul
20. <i>Notoryctes typhlops</i>	Southern Marsupial Mole or Itjaritjari
21. <i>Parantechinus apicalis</i>	Dibbler
22. <i>Perameles bougainville</i>	Western Barred Bandicoot
23. <i>Petrogale lateralis</i>	Black-footed Rock-wallaby or Warru
24. <i>Phascogale calura</i>	Red-tailed Phascogale

<i>Scientific name</i>	<i>Common name</i>
25. <i>Potorous gilbertii</i>	Gilbert's Potoroo
26. <i>Pseudocheirus occidentalis</i>	Western Ringtail Possum
27. <i>Pseudomys australis</i>	Plains Rat
28. <i>Pseudomys fieldi</i>	Shark Bay (or Alice Springs) Mouse
29. <i>Pseudomys shortridgei</i>	Heath Rat
30. <i>Rhinonictes aurantius</i>	Orange Horseshoe Bat
31. <i>Setonix brachyurus</i>	Quokka
32. <i>Sminthopsis psammophila</i>	Sandhill Dunnart
33. <i>Zygomys pedunculatus</i>	Central Rock-rat or Antina

### Division 2 — Birds

<i>Scientific name</i>	<i>Common name</i>
34. <i>Amytornis textilis textilis</i>	Thick-billed Grass-wren
35. <i>Anous tenuirostris melanops</i>	Lesser Noddy
36. <i>Atrichornis clamosus</i>	Noisy Scrub-bird or Tjimiluk
37. <i>Botaurus poiciloptilus</i>	Australasian Bittern
38. <i>Cacatua pastinator pastinator</i>	Western Long-billed Corella
39. <i>Calyptorhynchus baudinii</i>	Baudin's Cockatoo
40. <i>Calyptorhynchus latirostris</i>	Carnaby's Cockatoo
41. <i>Cereopsis novaehollandiae grisea</i>	Recherche Cape Barren Goose
42. <i>Cinclosoma alisteri</i>	Nullarbor Quail-thrush
43. <i>Dasyornis longirostris</i>	Western Bristlebird
44. <i>Diomedea epomophora</i>	Southern Royal Albatross
45. <i>Diomedea exulans</i>	Wandering Albatross
46. <i>Diomedea gibsoni</i>	Gibson's Albatross
47. <i>Erythrotriorchis radiatus</i>	Red Goshawk
48. <i>Erythura gouldiae</i>	Gouldian Finch
49. <i>Leipoa ocellata</i>	Malleefowl
50. <i>Malurus coronatus coronatus</i>	Purple-crowned Fairy-wren
51. <i>Malurus leucopterus edouardi</i>	Barrow Island Black and White Fairy-wren
52. <i>Malurus leucopterus leucopterus</i>	Dirk Hartog Island Black and White Fairy-wren
53. <i>Petrophassa smithii smithii</i>	Partridge Pigeon
54. <i>Pezoporus occidentalis</i>	Night Parrot
55. <i>Pezoporus wallicus flaviventris</i>	Ground Parrot
56. <i>Pheobertia fusca</i>	Sooty Albatross
57. <i>Polytelis alexandrae</i>	Princess or Alexandra's Parrot
58. <i>Psophodes nigrogularis</i>	Western Whipbird
59. <i>Thalassarche carteri</i>	Indian Yellow-nosed Albatross
60. <i>Thalassarche cauta</i>	Shy Albatross
61. <i>Thalassarche chrysostoma</i>	Grey-headed Albatross
62. <i>Thalassarche salvini</i>	Salvin's Albatross
63. <i>Turnix varia scintillans</i>	Abrolhos Painted Button-quail

### Division 3 — Reptiles

<i>Scientific name</i>	<i>Common name</i>
64. <i>Caretta caretta</i>	Loggerhead Turtle

<i>Scientific name</i>	<i>Common name</i>
65. <i>Ctenophorus yinnietharra</i>	Yinnietharra Rock-dragon
66. <i>Ctenotus angusticeps</i>	Airlie Island Ctenotus
67. <i>Ctenotus lancelini</i>	Lancelin Island Skink
68. <i>Ctenotus zasticus</i>	Hamelin Ctenotus
69. <i>Dermochelys coriacea</i>	Leathery Turtle or Luth
70. <i>Egernia stokesii aethiops</i>	Baudin Island Spiny-tailed Skink
71. <i>Egernia stokesii badia</i>	Western Spiny-tailed Skink
72. <i>Morelia olivacea barroni</i>	Pilbara Olive Python
73. <i>Pseudemydura umbrina</i>	Western Swamp Tortoise

#### Division 4 — Frogs

<i>Scientific name</i>	<i>Common name</i>
74. <i>Geocrinia alba</i>	White-bellied Frog
75. <i>Geocrinia vitellina</i>	Yellow-bellied Frog
76. <i>Spicospina flammocaerulea</i>	Sunset Frog

#### Division 5 — Fish

<i>Scientific name</i>	<i>Common name</i>
77. <i>Ophisternon candidum</i>	Blind Cave Eel
78. <i>Milyeringa veritas</i>	Blind Gudgeon

#### Division 6 — Snails

<i>Scientific name</i>	<i>Common name</i>
79. <i>Austroassiminea lethia</i>	Cape Leeuwin Freshwater Snail
80. Undescribed Rhytidid species (WAM#2295-69)	Stirling Range Rhytidid Snail

#### Division 7 — Arachnids

<i>Scientific name</i>	<i>Common name</i>
81. <i>Aganippe castellum</i>	
82. <i>Austrarchaea mainae</i>	Archaeid Spider
83. <i>Bamazomus</i> sp. nov. (WAM#95/748)	Western Cape Range Bamazomus
84. <i>Draculoides bramstokeri</i>	Barrow Island Draculoides
85. <i>Draculoides</i> sp. nov. (WAM#96/1151)	Western Cape Range Draculoides
86. <i>Hyella</i> sp. nov. BES 1154.2525.2546.2554	Camerons Cave Pseudoscorpion
87. <i>Idiosoma nigrum</i>	Shield-backed Trapdoor Spider
88. <i>Kwonkan eboracum</i>	Yorkrakine Trapdoor Spider
89. <i>Moggridgea</i> sp. (BY Main 1990/24,25)	Stirling Range Trapdoor Spider
90. <i>Tartarus mullamullangensis</i>	Mullamullalang Cave Spider
91. <i>Teyl</i> sp. (BY Main 1953/2683, 1984/13)	Minnivale Trapdoor Spider
92. <i>Troglodiplura lowryi</i>	Nullarbor Cave Trapdoor Spider

#### Division 8 — Crustaceans

<i>Scientific name</i>	<i>Common name</i>
93. <i>Abebaioscia troglodytes</i>	Pannikin Plains Cave Isopod
94. <i>Bogidomma australis</i>	Barrow Island Bogidomma
95. <i>Lasionectes exleyi</i>	Cape Range Lasionectes
96. <i>Liagoceradocus branchialis</i>	Cape Range Liagoceradocus
97. <i>Liagoceradocus subthalassicus</i>	Barrow Island Liagoceradocus



<i>Scientific name</i>	<i>Common name</i>
98. <i>Nedsia fragilis</i>	
99. <i>Nedsia humphreysi</i>	
100. <i>Nedsia hurlberti</i>	
101. <i>Nedsia macrosculptilis</i>	
102. <i>Nedsia sculptilis</i>	
103. <i>Nedsia straskraba</i>	
104. <i>Nedsia urifimbriata</i>	
105. Undescribed Crangonyctid sp. (WAM#642-97)	Crystal Cave Crangonyctid
106. <i>Stygiocaris lancifera</i>	Lance-Beaked Cave Shrimp

#### Division 9 — Millipedes

<i>Scientific name</i>	<i>Common name</i>
107. <i>Speleostrophus nesiotes</i>	Barrow Island Millipede
108. <i>Stygiochiropus isolatus</i>	
109. <i>Stygiochiropus peculiaris</i>	
110. <i>Stygiochiropus sympatricus</i>	Mogumber Bush Cricket

#### Division 10 — Cricket

<i>Scientific name</i>	<i>Common name</i>
111. <i>Throscodectes xederoides</i>	

#### Division 11 — Native bees

<i>Scientific name</i>	<i>Common name</i>
112. <i>Leioproctus contrarius</i>	
113. <i>Leioproctus douglasiellus</i>	
114. <i>Neopasiphe simplicior</i>	

#### Division 12 — Springtail

<i>Scientific name</i>	<i>Common name</i>
115. <i>Australomoturus</i> sp. nov. (SAM# I 22621)	Guildford Springtail

#### Division 13 — Moth

<i>Scientific name</i>	<i>Common name</i>
116. <i>Synemon gratiosa</i>	Graceful Sun Moth

### Schedule 2 — Fauna presumed to be extinct

[cl. 3(b)]

#### Division 1 — Mammals

<i>Scientific name</i>	<i>Common name</i>
1. <i>Chaeropus ecaudatus</i>	Pig-footed Bandicoot or Kantjilpa
2. <i>Lagorchestes asomatus</i>	Central Hare-wallaby or Kuluwarri
3. <i>Leporillus apicalis</i>	Lesser Stick-nest Rat
4. <i>Macrotis leucura</i>	Lesser Bilby or Tjunpi
5. <i>Notomys amplus</i>	Short-tailed Hopping Mouse or Yoontoo



<i>Scientific name</i>	<i>Common name</i>
6. <i>Notomys longicaudatus</i>	Long-tailed Hopping-mouse
7. <i>Notomys macrotis</i>	Big-eared Hopping-mouse
8. <i>Onychogalea lunata</i>	Crescent Nailtail Wallaby or Tjawalpa
9. <i>Perameles eremiana</i>	Desert Bandicoot or Walilya
10. <i>Potorous platyops</i>	Broad-faced Potoroo

### Division 2 — Birds

<i>Scientific name</i>	<i>Common name</i>
11. <i>Dasyornis broadbenti litoralis</i>	Rufous Bristlebird
12. <i>Rallus pectoralis clelandi</i>	Lewin's Water Rail

### Division 3 — Bee

<i>Scientific name</i>	<i>Common name</i>
13. <i>Hesperocolletes douglasi</i>	a Short-tongued Native Bee

## Schedule 3 — Birds protected under an international agreement

[cl. 3(c)]

<i>Scientific name</i>	<i>Common name</i>
1. <i>Amytornis dorotheae</i>	Carpentarian Grass-wren
2. <i>Buteo buteo oshiroi</i>	Daito Island Buzzard
3. <i>Chalcophaps indica yamashinai</i>	Emerald Dove
4. <i>Cyanoramphus novaezelandiae cookii</i>	Norfolk Island Parrot
5. <i>Cyclopsitta diopthalma coxeni</i>	Coxen's Fig Parrot
6. <i>Drymodes superciliaris colcloughi</i>	Northern Scrub-robin
7. <i>Fregata andrewsi</i>	Christmas Island Frigate-bird
8. <i>Haliaeetus albicilla albicilla</i>	White-tailed Sea Eagle
9. <i>Lichenostomus melanops cassidix</i>	Helmeted Honeyeater
10. <i>Lunda cirrhata</i>	Tufted Puffin
11. <i>Manorina flavigula melanotis</i>	Black-eared Miner
12. <i>Neophema chrysogaster</i>	Orange-bellied Parrot
13. <i>Ninox novaeseelandiae rayana</i>	Norfolk Island Boobook Owl
14. <i>Ninox squamipila natalis</i>	Christmas Island Owl
15. <i>Pardalotus quadragintus</i>	Forty-spotted Pardalote
16. <i>Pedionomas torquatus</i>	Plains Wanderer
17. <i>Phalacrocorax urile</i>	Red-faced Cormorant
18. <i>Pitta brachyura nympha</i>	Fairy Pitta
19. <i>Podargus ocellatus plumiferus</i>	Plumed Frogmouth
20. <i>Psephotus chrysopterygius</i>	Golden-shouldered Parrot
21. <i>Psephotus dissimilis</i>	Hooded Parrot
22. <i>Psephotus pulcherrimus</i>	Paradise Parrot
23. <i>Pterodroma leucoptera leucoptera</i>	Gould's Petrel
24. <i>Pterodroma solandri</i>	Providence Petrel
25. <i>Scolopax mira</i>	Amami Woodcock
26. <i>Strepera graculina crissalis</i>	Lord Howe Island Currawong
27. <i>Sula abbotti</i>	Abbot's Booby

<i>Scientific name</i>	<i>Common name</i>
28. <i>Tricholimnas sylvestris</i>	Lord Howe Island Woodhen
29. <i>Uria aalge inornata</i>	Common Murre, Guillemot
30. <i>Zosterops albogularis</i>	Norfolk Island Silvereye

## Schedule 4 — Other specially protected fauna

[cl. 3(d)]

### Division 1 — Mammals

<i>Scientific name</i>	<i>Common name</i>
1. <i>Arctocephalus forsteri</i>	New Zealand Fur-seal
2. <i>Dugong dugon</i>	Dugong
3. <i>Neophoca cinerea</i>	Australian Sealion

### Division 2 — Birds

<i>Scientific name</i>	<i>Common name</i>
4. <i>Cacatua leadbeateri</i>	Pink or Major Mitchell's Cockatoo
5. <i>Falco peregrinus</i>	Peregrine Falcon
6. <i>Northiella haematogaster narethae</i>	Naretha Blue Bonnet
7. <i>Tadorna radjah</i>	Burdekin Duck or Radjah Shelduck

### Division 3 — Reptiles

<i>Scientific name</i>	<i>Common name</i>
8. <i>Aspidites ramsayi</i>	Woma or Ramsay's Python
9. <i>Crocodylus johnstoni</i>	Australian Freshwater Crocodile
10. <i>Crocodylus porosus</i>	Saltwater Crocodile
11. <i>Morelia spilota imbricata</i>	Carpet Python

CHERYL EDWARDES, Minister for the Environment.

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## FAIR TRADING

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### FT401

#### FINANCE BROKERS CONTROL ACT 1975

##### EXCEPTION UNDER SECTION 5(2)

I, Douglas James Shave MLA, Minister for Fair Trading and Minister for the time being responsible for the administration of the Finance Brokers Control Act 1975 ("the Act") being satisfied that, apart from the provisions of the Act, adequate safeguards exist against loss to others by defalcation, hereby except Elkbay Pty Ltd (ACN 070 545 452), trading as Ray White Financial Services, from the definition of 'finance broker' for the purposes of the Act upon the following terms and conditions.

##### Terms and conditions:

1. This exception applies only to finance broking activities carried on by Elkbay Pty Ltd on behalf of lenders which are—

- (a) licensed as a credit provider under the Credit Act 1984; or a body exempted from licensing by section 7(1) of the Credit (Administration) Act 1984; and
- (b) nominated in writing to the Ministry of Fair Trading for the purpose of this exception by Elkbay Pty Ltd. (\*Nomination of lenders).

2. Elkbay Pty Ltd and its employees covered by this exception will disclose to intending borrowers the amount of any commission payable to Elkbay Pty Ltd by a nominated lender, in relation to the intending borrower's loan.

3. Elkbay Pty Ltd is liable for the duration of this exception to ensure that—

- (a) no loan funds are received or held by Elkbay Pty Ltd or any of its employees;
- (b) neither Elkbay Pty Ltd, nor any of its employees, have any role in the actual structuring of loans, other than providing preliminary advice to prospective borrowers, assisting them in the preparation of loan applications and forwarding the duly completed application forms to a nominated lender for its consideration, and matters incidental thereto; and
- (c) Elkbay Pty Ltd keeps in place professional indemnity and fidelity insurance of not less than \$250 000 in respect of any one claim and such insurance shall extend to include liability for any defalcation, dishonesty, misleading or deceptive conduct or conduct likely to deceive under the Fair Trading Act 1987 (Western Australia) and the Trade Practices Act 1974 (Commonwealth), of any person covered by this exception.

(A copy of a professional indemnity insurance policy and the insurer's certificate of currency of that insurance must be lodged with the Ministry of Fair Trading prior to this exception taking effect. Thereafter, the insurer's certificate of currency of such insurance is to be lodged with the Ministry of Fair Trading within 14 days of each renewal date of that insurance.)

4. Prior to this exception coming into effect, Elkbay Pty Ltd is to provide the Ministry of Fair Trading with—

a written undertaking by Elkbay Pty Ltd that it will fully indemnify any member of the public of Western Australia against all losses or damage that any such member of the public may sustain through the finance broking activities of any of its employees with respect to any involvement in loans transactions to the extent that such loss or damage—

- (i) is not covered by the insurance referred to in paragraph 3(c) of this exception; and
- (ii) has occurred during the operation of this exception;

\* Nomination of lenders:

Nomination of lenders shall include the name and Australian Company Number of the lender, any business name under which the lender carries on business as a lender and the lender's postal address and telephone and facsimile numbers.

Dated this 27th day of May 1998.

DOUG SHAVE, Minister for Lands; Fair Trading;  
Parliamentary and Electoral Affairs.

## FT402

### CHARITABLE COLLECTIONS ACT 1946

I, Doug Shave, being the Minister administering the Charitable Collections Act 1946, acting in the exercise of the powers conferred by subsection (3) of section 12 of that Act, hereby give notice that I have revoked the licence of the organisation listed below—

Marrngu Aged Persons Homes Inc

Dated this 7th day of July 1998.

DOUG SHAVE, Minister for Fair Trading.

## JUSTICE

### JM401\*

#### LAND TAX ASSESSMENT ACT 1976

##### NOTICE PURSUANT TO SECTION 50

To: Tain Loi Fong, Chiu Khyun Chan and Thomas Hon Min Fong, all of Flat 11, 939 Albany Highway, East Victoria Park Western Australia, James Hon Kiong Fong, PO Box 86, Petersham New South Wales, Richard Hon Ying Fong, 163 Newland Park, Cottingham Road North Humberside England being the owners of all the land contained in Certificate of Title Volume 510 Folio 112A being portion of Swan location 36 and being Lot 285 on Plan 2916

Take notice that the amount of Land Tax due and owing in respect of the abovementioned land is as follows:

	Amount	Total
1991/92 Assessment	\$	\$
Land Tax .....	355.47	
*MRIT .....	120.38	
Late Payment Penalty .....	<u>23.75</u>	499.60

	Amount	Total
	\$	\$
1992/93 Assessment		
Land Tax .....	355.48	
MRIT .....	120.37	
Late Payment Penalty .....	23.75	
Memorial lodged F270130 .....	<u>62.00</u>	561.60
1993/94 Assessment		
Land Tax .....	460.00	
MRIT .....	202.50	
Late Payment Penalty .....	<u>33.10</u>	695.60
1994/95 Assessment		
Land Tax .....	550.00	
MRIT .....	225.00	
Late Payment Penalty .....	38.75	
Summons Plaintiff No. 12161/95 .....	104.00	
Re-issue Summons 12161/95 .....	<u>75.00</u>	992.75
1995/96 Assessment		
Land Tax .....	736.25	
MRIT .....	281.25	
Late Payment Penalty .....	<u>50.85</u>	<u>1,068.35</u>
	TOTAL	<u>3,817.90</u>

\* Metropolitan Region Improvement tax.

And further take notice that if the amount of \$3,817.90 being the amount of land tax unpaid for a period of 2 years is not paid within one year from the first publication of this notice, the Commissioner of State Revenue intends to apply to the Supreme Court for an Order for the sale of the said land. Upon such sale, the Commissioner shall be entitled to retain proceeds of the said sale sufficient to pay all arrears of land tax due up to the time of sale and all costs of and attending the application, and of attending the sale of the land.

ALISTAIR BRYANT, Commissioner of State Taxation.

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## LAND ADMINISTRATION

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### LA401

#### DAMPIER TO BUNBURY PIPELINE ACT 1997

I, Douglas James Shave, DBNGP Land Access Minister, give notice in accordance with Section 33(1) of the Dampier to Bunbury Pipeline Act 1997 that the land now described and identified on DOLA Miscellaneous E Plan 102 is designated, at the beginning of this day, as additional land in the DBNGP corridor.

The Plan may be inspected at the office of the Chief Executive, Department of Land Administration, Midland Square, Midland.

(Sgd.) DOUG SHAVE, MLA.

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## LOCAL GOVERNMENT

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### LG401

#### LOCAL GOVERNMENT ACT 1995

#### HEALTH ACT 1911

*Shire of Boyup Brook*

#### MEMORANDUM OF IMPOSING RATES

To whom it may concern.

At a meeting of the Boyup Brook Shire Council, held on 1 July 1998 it was resolved that the rates and charges specified hereunder be imposed for the 1998/99 financial year on all rateable property within the district of the Shire of Boyup Brook in accordance with the provisions of the Local Government Act 1995 and Health Act 1911.

## Schedule of Rates and Charges Levied

## General Rates—

- Residential—11.5616 cents in the dollar on Gross Rental Values
- Industrial—11.5616 cents in the dollar on Gross Rental Values
- Commercial—11.5616 cents in the dollar on Gross Rental Values
- Rural—0.5899 cents in the dollar on Unimproved Values
- Special Rural—0.5899 cents in the dollar on Unimproved Values
- Special Rural (Town)—11.5616 cents in the dollar on Gross Rental Values
- Outside Town—0.5899 cents in the dollar on Unimproved Values

## Minimum Rates—

- \$325 per assessed Lot, Location or other piece of land on Gross Rental Values in the Residential, Commercial and Industrial areas.
- \$430 per assessed Lot, Location or other piece of land on Gross Rental Values in the Special Rural Townsite area.
- \$330 per assessed Lot, Location or other piece of land on Unimproved Values in the Rural and Mining areas.
- \$270 per assessed Lot, Location or other piece of land on Unimproved Values in the Outside Townsite (Rural) area.
- \$430 per assessed Lot, Location or other piece of land on Unimproved Values in the Special Rural area.

## Due dates for payment of 1998/99 Rates and services charges levied—

- 14 August 1998, or, where the instalment option is chosen, 14 August 1998, 16 October 1998, 18 December 1998 and 12 February 1999.

The rubbish removal charge be \$95.00 for one collection per week of the 240 litre mobile garbage bin  
Instalment Plan Interest Rate

A charge of 6.5% per annum calculated daily by simple interest will be applied to all rates paid by instalment as from 35 days of date of notice

Late Payment Interest Rate—A charge of 13% per annum calculated daily by simple interest as from 15 November 1998

Instalment Administration Fee—A \$7.50 administration charge applies for rates and service charges levied for instalments 2, 3 and 4

The Council also adopted a schedule of Fees and Charges for the 1998/99 financial year, a copy of which is available for inspection at the Shire Offices.

G. WINTON, Chief Executive Officer.

**LG402**

## SHIRE OF NORTHAM

## Appointment of Ranger

It is notified for public information that David John Ashford has been appointed by the Shire of Northam to administer controls under the Dog Act, Litter Act and Regulations, Local Government Act, Bush Fires Act, Off Road Vehicles Act and Local Laws Relating to Parking and Local Laws Relating to Signs & Hoardings as a Ranger, Authorised Officer and Poundkeeper.

A. J. MIDDLETON, Chief Executive Officer.

**LG403***PRINTERS CORRECTION***LOCAL GOVERNMENT ACT 1995***Shire of Trayning*

## STANDING ORDER LOCAL LAW

An error occurred in the notice published under the above heading on page 3615 of *Government Gazette* No. 138 dated 7 July 1998 and is corrected as follows.

## In Line 1—

- delete "Council of the State of"
- and insert " Council of the Shire of ".

**LG404****SHIRE OF ROEBOURNE****Appointment**

It is hereby notified for public information that Mr Michael David Ellerton has been appointed to the position of Senior Ranger effective from the 22nd day of June 1998 and is authorised on behalf of the Shire of Roebourne to enforce and administer the provisions of the following Acts and Regulations as an Authorised Person within the Shire of Roebourne—

Local Government Act 1995  
 Local Government Miscellaneous Provisions Act 1995  
 Dog Act 1976  
 Litter Act 1979  
 Control of Vehicles (Off Road Areas) Act 1978

and all other Local Laws and/or Regulations administered or enforced by the Shire of Roebourne.

The appointment of Mr Robert Stephen Marlborough, Mrs Lisa Marree Lee and Mr Ronald Brett Frame are hereby cancelled.

T. S. RULAND, Chief Executive Officer.

**LG405****BUSH FIRES ACT 1954****SHIRE OF ROEBOURNE**

It is hereby notified for public information that Mr Michael David Ellerton has been appointed in accordance with the provisions of the Bush Fires Act 1954 as Chief Bush Fire Control Officer for the Shire of Roebourne.

The appointments of Mr Robert Stephen Marlborough, Mrs Lisa Marree Lee and Mr Ronald Brett Frame are hereby cancelled.

T. S. RULAND, Chief Executive Officer.

**LG406****DOG ACT 1976****SHIRE OF ROEBOURNE**

It is hereby notified for public information that Michael David Ellerton has been appointed as a Registration Officer pursuant to the provisions of the Dog Act 1976.

The appointments of—

Lesley Every, Robert Stephen Marlborough, Ronald Brett Frame, Leisa Musham, Lisa Marree Lee are hereby cancelled.

T. S. RULAND, Chief Executive Officer.

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**PARLIAMENT**


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**PA401\*****PARLIAMENT OF WESTERN AUSTRALIA****Bills Assented To**

It is hereby notified for public information that the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Bills passed by the Legislative Council and the Legislative Assembly during the First Session of the Thirty-Fifth Parliament.

Short Title of Bill	Date of Assent	Act No
Supreme Court Amendment Bill 1998	3 July 1998	31 of 1998
Appropriation (Consolidated Fund) Bill (No 1) 1998	3 July 1998	36 of 1998
Appropriation (Consolidated Fund) Bill (No 2) 1998	3 July 1998	37 of 1998
Rail Safety Bill 1998	6 July 1998	32 of 1998
Government Railways Amendment Bill 1998	6 July 1998	33 of 1998
Real Estate and Business Agents Amendment Bill 1998	6 July 1998	34 of 1998
Criminal Law Amendment Bill 1998	6 July 1998	29 of 1998
Mining Amendment Bill 1998	6 July 1998	35 of 1998

Dated 8 July, 1998.

L. B. MARQUET, Clerk of the Parliaments.

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## PRODUCTIVITY AND LABOUR RELATIONS

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**PB401****QUEENS BIRTHDAY 1998—TRANSFER OF PUBLIC HOLIDAY**

The following local authorities have the Governor's approval to transfer the Queen's Birthday holiday to an alternative date—

Town of Marble Bar and a 150 kilometre radius from that town	Monday 6 July 1998
Town of Kununurra	Friday 24 July 1998
Town of Port Hedland	Monday 3 August 1998
Shire of Roebourne	Monday 3 August 1998
Townsite of Newman and a 150 km radius north, east and west from the townsite and to the southern boundary of the Shire of East Pilbara	Monday 17 August 1998
Shire of Murchison	Monday 5 October 1998
All other localities	Monday 28 September 1998

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## PLANNING

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**PD401\*****TOWN PLANNING AND DEVELOPMENT ACT 1928**

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*CITY OF BAYSWATER*

## TOWN PLANNING SCHEME No. 21—AMENDMENT No. 69

Ref: 853/2/14/25, Pt 69.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Bayswater Town Planning Scheme Amendment on July 7, 1998 for the purpose of rezoning Lot 1 Rudloc Road, corner Russell Street, Morley from "Service Station" to "Business".

J. D'ORAZIO, Mayor.  
M. J. CAROSELLA, Chief Executive Officer.

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

## TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

*SHIRE OF DENMARK*

## TOWN PLANNING SCHEME No. 3—AMENDMENT No. 55

Ref: 853/5/7/3, Pt 55.

Notice is hereby given that the local government of the Shire of Denmark has prepared the abovementioned scheme amendment for the purpose of—

- 1 Rezoning portion of Lot 411 South Coast Highway from the Rural Zone to the Tourist Zone.
- 2 Deleting Lot 411 from the Schedule of Additional Use Sites (Appendix 2).
- 3 Amending the Scheme Map accordingly.
- 4 Incorporating portion of Lot 411 within Appendix 13 of the Scheme Text with appropriate land description, uses and conditions.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Strickland Street, Denmark and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including August 25, 1998.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before August 25, 1998.

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

P. DURTANOVICH, Chief Executive Officer.



**PD403\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
 ADVERTISEMENT OF SCHEME AMENDMENT AVAILABLE FOR INSPECTION  
*SHIRE OF IRWIN*  
 TOWN PLANNING SCHEME No. 4—AMENDMENT No. 6

Ref: 853/3/9/4, Pt 6.

It is hereby notified for public information that the period in which to lodge submissions on the above Amendment No. 6, published at page 3253 of the *Government Gazette* No. 119 dated June 16, 1998 has been extended up to and including August 11, 1998.

J. MERRICK, Chief Executive Officer.

**PD404\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  
*SHIRE OF WANNEROO*  
 TOWN PLANNING SCHEME No. 1—AMENDMENT No. 815

Ref: 853/2/30/1, Pt 815.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Wanneroo Town Planning Scheme Amendment on July 7, 1998 for the purpose of rezoning Lot 4 (1) Lancaster Road (corner Wanneroo Road), Wangara from Special Zone (Restricted Use) Retail Nursery to Mixed Business and Local Reserve—Parks and Recreation.

C. ANSELL, Chairman of Commissioners.  
 L. DELAHAUNTY, Chief Executive Officer.

**PD405**

**METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959**  
**LAND ADMINISTRATION ACT 1997**  
**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**WESTERN AUSTRALIAN PLANNING COMMISSION ACT 1985**  
 NOTICE OF INTENTION

To Take Interests for a Public Work

I, Graham Kierath, Minister for Planning, hereby give notice in accordance with section 170 of the *Land Administration Act 1997* (LAA) that it is proposed to take the interests in the land described in the following Schedule for the purpose stated below.

**Local Government:** City of Belmont

**Plan/Diagram:** LTO Diagram 21114

**Nature of Interest to be taken:** Fee Simple

**Purpose of public work for which the land is proposed to be taken:** Improvement Plan No. 20—Ascot Fields

**Reason why the land is suitable for, or is needed, for the public work:** For the completion of the urban renewal of the Ascot environs under Improvement Plan No. 20.

SCHEDULE

No.	Owner or reputed owner	Occupier or reputed occupier	Description	Area
1.	Alfred Stephen Gittens and Keith Gittens	Alfred Stephen Gittens and Keith Gittens	Portion of Swan Location 33 and being Lot 2 on Diagram 21114 being the whole of the land contained in Certificate of Title Volume 1255 Folio 326	2003m <sup>2</sup>

**Date from which land is likely to be required:** The taking of the land is subject to the procedural requirements of the LAA. Occupation will proceed if the Minister for Planning decides to proceed with the taking upon completion of the procedures provided by Division 3, Subdivision 2, Part 9 of the LAA.



**Minister's consent to transactions affecting and improvements to the land:** A person may not enter into a transaction in relation to the above land without obtaining the prior consent in writing of the Minister for Planning, except as provided in section 172 (7) of the LAA. Any transaction entered into without prior consent is void in accordance with section 172 (3) of the LAA. An application for consent must be made in accordance with section 172 (5) of the LAA.

Under section 173 of the LAA a person must not cause the building or making of any improvements to the land to be commenced or contained except with the approval in writing of the Minister for Planning.

**Objections in writing may be lodged:** Persons having or claiming any interests in any parcel of land specified in the Schedule may, under section 175 of the LAA, lodge an objection in writing to the proposed taking with the Ministry for Planning, 469 Wellington Street, Perth WA 6000, no later than 7 September 1998. Objections must be lodged in the approved form, copies of which are available from the Ministry for Planning or by telephoning (08) 9264 7534.

**Plans of land taken may be inspected at:** Ministry for Planning, 469 Wellington Street, Perth WA 6000.

**For further information contact:** Properties & Parks Branch, Ministry for Planning, 469 Wellington Street, Perth WA 6000 or by telephoning (08) 9264 7534.

Dated this 18th day of June 1998.

G. D. KIERATH, Minister for Planning.

PD406\*

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME  
*SHIRE OF DERBY/WEST KIMBERLEY*  
 TOWN PLANNING SCHEME NO. 7  
 A Special Rural Zone—Birdwood Rise and a Rural Zone

Ref: 853/7/4/6.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928, that the Hon Minister for Planning approved the Shire of Derby/West Kimberley Town Planning Scheme No. 7 on 6 July 1998, the Scheme Text of which is published as a Schedule annexed hereto.

P. J. McCUMSTIE, President.  
 P. D. ANDREW, Chief Executive Officer.

SCHEDULE  
*SHIRE OF DERBY/WEST KIMBERLEY*  
 Town Planning Scheme No. 7

The Derby/West Kimberley Shire Council, under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act, 1928 (as amended), hereinafter referred to as the Act, hereby makes the following Town Planning Scheme for the purposes of:

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

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**PART 1—PRELIMINARY****1.1 CITATION**

This Town Planning Scheme may be cited as the Shire of Derby/West Kimberley Scheme No. 7 (hereinafter called "the Scheme") and shall come into operation on the publication of the Scheme in the *Government Gazette*.

**1.2 RESPONSIBLE AUTHORITY**

The authority responsible for implementing the Scheme is the Council of the Shire of Derby/West Kimberley (hereinafter called "the Council").

**1.3 SCHEME AREA**

The Scheme applies to the whole of the land contained within the maps forming part of the Scheme.

**1.4 CONTENTS OF THE SCHEME**

The Scheme comprises:

- a) This Scheme Text;
- b) The Scheme Map; and
- c) The Subdivision Guide Plan.

**1.5 ARRANGEMENT OF THE SCHEME TEXT**

The Scheme Text is divided into the following parts:

- PART 1—Preliminary
- PART II—Reserves
- PART III—Zones
- PART IV—General Development Requirements
- PART V—Use and Development of Land
- PART VI—Non-Conforming Uses
- PART VII—Finance and Administration

**1.6 SCHEME OBJECTIVES**

The objectives of the Scheme are to:

- a) make available lots for residential use in a rural setting with appropriate land use and management controls to maintain the rural landscape and amenity; and
- b) provide a buffer zone between pastoral land and the Special Rural zone in order to protect the amenity of the Special Rural Zone.

**1.7 INTERPRETATION**

1.7.1 Words and expressions used in the Scheme shall have the respective meanings given to them in Appendix 1 or elsewhere in the Scheme.

1.7.2 Words and expressions used in the Scheme but not defined in Appendix 1, elsewhere in the Scheme or in the Residential Planning Codes shall have their normal and common meanings.

**PART II—RESERVES****2.1 SCHEME RESERVES**

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

**PART III—ZONES****3.1 CLASSIFICATION**

3.1.1 There are hereby created the two zones set out hereunder:

- Special Rural Zone—"Birdwood Rise"; and
- Rural Zone.

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

3.1.3 The Scheme sets out against each zone a general statement of objective and development will be in accordance with the provisions adopted for the zone by Council.

**3.2 ZONING TABLES**

3.2.1 The table for each zone sets out a list of permitted uses and when appropriate the conditions if any under which such uses are permitted.

3.2.2 Table 1—Special Rural Zone—Birdwood Rise

USE	PERMISSIBILITY
Aquaculture Caretaker's Dwelling Dwelling House Hobby Farm Home Occupation Industry- Cottage Industry - Rural Intensive Agriculture Public Utility Rural Pursuit	Uses permitted subject to complying with the relevant standards and requirements specified in the Scheme and all conditions (if any) imposed by the Council in granting planning consent.
Not Listed	Uses not listed may be deemed to be prohibited within this zone.

3.2.3 Table 2—Rural Zone

USE	PERMISSIBILITY
Dwelling House Rural Pursuit Irrigated Fodder Production	Uses permitted subject to complying with the relevant standards and requirements specified in the Scheme and all conditions (if any) imposed by the Council in granting planning consent.
Not Listed	Uses not listed may be deemed to be prohibited within this zone.

**PART IV—GENERAL DEVELOPMENT REQUIREMENTS****4.1 SPECIAL RURAL ZONE—BIRDWOOD RISE****Objective**

To allow the closer subdivision of land in a rural setting that may be used for rural residential living with limited rural pursuits and retention of rural landscape.

**Provisions**

4.1.1 Within the zone no building may be erected closer than:

- a) 20m (twenty metres) to the road frontage of the lot; and
- b) 15m (fifteen metres) to the side and rear boundaries of the lot.

4.1.2 Not more than one private dwelling house and a caretaker's house will be permitted to be erected on a lot within Special Rural Zone—Birdwood Rise.

4.1.3 Within the zone a building may not be occupied as a residence unless the building has been approved by the Council in conformity with the Building Code of Australia and the provisions of this Scheme and is connected to an adequate supply of potable water.

4.1.4 Noise emitted from electricity generators and engine driven bore pumps shall comply with maximum noise levels set by Category A of the Neighbourhood Noise Levels specified in the Noise Abatement (Neighbourhood Annoyance) Regulations 1979. Noise attenuation shall be achieved through the use of acoustic enclosures, earth mounds and separation from dwellings.

4.1.5 Within twelve (12) months of electricity being made available from the Derby town supply owners of land shall make arrangements to connect to the grid.

4.1.6 Biodegradable waste may be composted onsite. Composting shall be carried out in a manner which prevents the breeding of insects or vermin. All other waste materials, toxic or otherwise, shall be disposed of at the Derby Refuse Site.

4.1.7 No dumping or burning of waste materials permitted in the Special Rural Zone.

4.1.8 Fire breaks are to be maintained in accordance with the directions of the Fire Control Officer and the Bush Fires Board. These include observing prohibited burning times, obtaining permits for burning and immediate notification of any wildfires to the Fire Control Officer and Bush Fires Board.

4.1.9 Any agricultural use must be in keeping with the principles of sound agricultural practice and in this respect the Council may request the advice of Agriculture WA before determining any application.

4.1.10 No person shall use or permit to be used any lot for the grazing of animals at an intensity which would adversely affect the pastures of and other vegetation on the lot concerned, the neighbouring lots or be likely to result in soil erosion. Stocking rates shall be in accordance with those specified by Agriculture WA.

4.1.11 In order to conserve the natural beauty of the locality, native trees including White Gums and Boabs are to be left standing. Bauhenia, Woollybutts, and Bloodwood trees can be removed only for direct home and outbuilding construction, and are otherwise to be retained. The Wattle Scrub tree may be removed.

4.1.12 Future subdivision within the Special Rural Zone—Birdwood Rise shall generally be in accordance with the Subdivision Guide Plan adopted by the Council and forming part of this Scheme.

4.1.13 There shall be a general presumption against further subdivision of the land contrary to the endorsed Subdivision Guide Plan in the interest of protection and conservation of groundwater resources.

4.1.14 The land contained within the Scheme area is located within the proclaimed Canning/Kimberley Groundwater Area and therefore, the establishment of all wells and bores will be subject to the approval and licensing of the Water and Rivers Commission.

4.1.15 The total water draw for each lot shall be subject to the approval of the Water and Rivers Commission and shall not in any case exceed a maximum of 40,000 litres per day.

4.1.16 On-site effluent disposal shall be by a method approved by the Health Department of Western Australia.

4.1.17 Domestic water supply methods shall be in accordance with the Shire of Derby/West Kimberley Health Bylaws 1997.

## **4.2 RURAL ZONE**

### **Objectives**

The objectives of the Rural zone are to:

- a) ensure the continuation of rural use and encourage where appropriate the retention of pastoral and grazing activities; and
- b) provide a buffer zone between the Special Rural Zone—Birdwood Rise and adjacent non-zoned pastoral land.

### **Provisions**

4.2.1 Within the zone no subdivision will be supported except under conditions normally applied by the Western Australian Planning Commission to rural land.

4.2.2 Within the zone no building may be erected closer than:

- a) 20m (twenty metres) to the road frontage of the lot; and
- b) 15m (fifteen metres) to the side and rear boundaries of the lot.

4.2.3 Not more than one private dwelling house and a caretaker's house will be permitted to be erected on a lot within the Rural zone.

4.2.4 Within the Rural zone a building may not be occupied as a residence unless the building has been approved by the Council in conformity with the Building Code of Australia and the provisions of this Scheme and is connected to an adequate supply of potable water.

4.2.5 Any agricultural use must be in keeping with the principles of sound agricultural practice and in this respect the Council may request the advice of Agriculture WA before determining any application.

4.2.6 No person shall use or permit to be used any lot for the grazing of animals at an intensity which would adversely affect the pastures of and other vegetation on the lot concerned, the neighbouring lots or be likely to result in soil erosion.

4.2.7 Stocking rates shall be in accordance with those specified by Agriculture WA.

4.2.8 In order to conserve the natural beauty of the locality, native trees including White Gums and Boabs are to be left standing. Bauhenia, Woollybutts, and Bloodwood trees can be removed only for direct home and outbuilding construction, and are otherwise to be retained. The Wattle Scrub tree may be removed.

### **4.3 DISCRETION TO MODIFY DEVELOPMENT STANDARDS**

4.3.1 If a development the subject of an application for planning consent does not comply with a standard prescribed by the Scheme with respect to minimum lot sizes, building height, setbacks, site coverage, car parking, landscaping and related matters, the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit. The power conferred by this clause may only be exercised if the Council is satisfied that:

- a) approval would not be contrary to the objectives of the Scheme or relevant zone;
- b) approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the location; and
- c) the non-compliance will not have any adverse effect upon occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality.

## **PART V—USE AND DEVELOPMENT OF LAND**

### **5.1 REQUIREMENT FOR PLANNING APPROVAL**

5.1.1 In order to give full effect to the provisions and objectives of this Scheme, all development, including a change in the use of land, except as otherwise provided, requires the prior written approval of the Council in each case. Accordingly, no person shall commence or carry out any development, including a change in the use of any land, without first having applied for and obtained the planning approval of the Council pursuant to the provisions of this Part.

5.1.2 The planning approval of the Council is not required for the following development of land:

- a) The use of land in a reserve, where such land is held by the Council or vested in a public authority;
  - i) for the purpose for which the land is reserved under the Scheme; and
  - ii) in the case of land vested in a public authority, for any purpose for which such land may be lawfully used by that authority.
- b) The erection of a boundary fence except as otherwise required by the Scheme.
- c) The carrying out of any works on, in, over or under a street or road by a public authority acting pursuant to the provisions of any Act.
- d) The carrying out of works for the maintenance, improvement or other alteration of any building, being works which affect only the interior of the building or which do not materially affect the external appearance of the building.
- e) The carrying out of works urgently necessary in the public safety or for the safety or security of plant or equipment or for the maintenance of essential services.

### **5.2 APPLICATION FOR PLANNING APPROVAL**

5.2.1 Every application for planning approval shall be made in the form prescribed in Appendix 2 to the Scheme and shall be accompanied by such plans and other information as is required by the Scheme.

5.2.2 Unless Council waives any particular requirement every application for planning approval shall be accompanied by:

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

### **5.3 CONSULTATIONS WITH OTHER AUTHORITIES**

5.3.1 In determining any application for planning approval the Council may consult with any other statutory, public or planning authority and with any other party it considers appropriate.

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



#### **5.4 MATTERS TO BE CONSIDERED BY COUNCIL**

5.4.1 The Council in considering an application for planning approval shall have due regard to the following:

- (a) the provisions of this Scheme and any other relevant town planning scheme operating within the district;
- (b) any relevant proposed new town planning scheme of the Council or amendment insofar as they can be regarded as seriously entertained planning proposals;
- (c) any approved Statement of Planning Policy of the Commission;
- (d) any other policy of the Commission or any planning policy adopted by the Government of the State of Western Australia;
- (e) any planning policy, strategy or plan adopted by the Council under the provisions of clause 7.6 of this Scheme;
- (f) the preservation of any object or place of heritage significance;
- (g) the requirements of orderly and proper planning;
- (h) the preservation of the amenities of locality;
- (i) any other planning considerations which the Council considers relevant; and
- (j) any relevant submissions or objections received on the application.

#### **5.5 DETERMINATION OF APPLICATIONS**

5.5.1 In determining an application for planning approval the Council may:

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

5.5.2 The Council shall convey its decision to the applicant in the form prescribed in Appendix 3 to the Scheme.

5.5.3 Where the Council grants planning approval, that approval:

- (a) continues in force for two years, or such other period as specified in the approval, after the date on which the application is approved; and
- (b) lapses if the development has not substantially commenced before the expiration of that period.

5.5.4 Where the Council grants planning approval, the Council may impose conditions limiting the period of time for which the development is permitted.

#### **5.6 DEEMED REFUSAL**

5.6.1 An application for planning approval shall be deemed to have been refused where a decision in respect of that application is not conveyed to the applicant by the Council within 60 days of the receipt of it by the Council, or within such further time as agreed in writing between the applicant and the Council.

5.6.2 Notwithstanding that an application for planning approval may be deemed to have been refused under subclause 5.6.1, the Council may issue a decision in respect of the application at any time after the expiry of the 60 day period specified in these clauses, and that decision shall be regarded as being valid.

### **PART VII—NON-CONFORMING USES**

#### **6.1 NON-CONFORMING USE RIGHTS**

6.1.1 Except as otherwise provided in this part, no provision of the Scheme shall prevent:

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

#### **6.2 EXTENSION OF NON-CONFORMING USE**

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

#### **6.3 CHANGE OF NON-CONFORMING USE**

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

#### **6.4 DISCONTINUANCE OF NON-CONFORMING USE**

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

6.4.2 The Council may effect the discontinuance of a non-conforming use by the purchase of the affected property, or by 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.

## **6.5 DESTRUCTION OF BUILDINGS**

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

## **PART VII—ADMINISTRATION**

### **7.1 POWERS OF THE SCHEME**

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

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

### **7.2 OFFENCES**

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

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

7.2.2 Any 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 such penalties as are prescribed by section 10 of the Act.

### **7.3 COMPENSATION**

7.3.1 Except as otherwise provided, the time limit for the making of claims for compensation for injurious affection pursuant to Section 11 of the Act resultant from the making of, or the making of an amendment to, the Scheme is six (6) months from the date of publication of the Scheme or the Scheme Amendment in the Government Gazette.

7.3.2 Where, in respect of any application for planning approval to commence and carry out development on land reserved under this Scheme, the Council, or any appellate body hereafter, refuses or grants approval subject to conditions such that the effect of the decision is to permit the land to be used or developed for no purpose other than a public purpose, the owner of the land may, within six (6) months of the date of the relevant decision, claim compensation from the Council for injurious affection.

### **7.4 ELECTION TO PURCHASE AND VALUATION**

7.4.1 Where compensation for injurious affection is claimed pursuant to either sub-clauses 7.3.1 or 7.3.2, the Council may, at its option elect to acquire the land so affected instead of paying compensation.

7.4.2 Where the Council elects to acquire the land in respect of which the claim for compensation for injurious affection is made, the Council shall give notice of that election to the claimant by notice in writing within three (3) months of the claim for compensation being made.

7.4.3 Where the Council elects to acquire land as provided in sub-clause 7.4.1, if the Council and the owner of the land are unable to agree as to the price to be paid for the land by the Council, the price at which the land may be acquired by the Council shall be the value of the land as determined in accordance with sub-clause 7.4.4.

7.4.4 The value of the land referred to in sub-clause 7.4.3 shall be the value thereof on the date that the Council elects to acquire the land and that value shall be determined by:

- a) arbitration in accordance with the Commercial Arbitration Act 1985; or
- b) some other method agreed upon by the Council and the owner of the land,

and the value shall be determined without regard to any increase or decrease, if any, in value attributable wholly or in part to this Scheme.

7.4.5 The Council may deal with or dispose of land acquired for a Local Reserve or pursuant to the preceding sub-clause 7.4.4 upon such terms and conditions as it thinks fit provided the land is used for, or preserved for, a use compatible with the use for which it was reserved.

## 7.5 RIGHTS OF APPEAL

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

## 7.6 PLANNING POLICIES

7.6.1 The Council may prepare a planning policy (hereinafter called "a Policy") and may make a provision for any matter related to the planning or development of the Scheme Area and which may be prepared so as to apply:

- a) generally or in a particular class of matter or in particular classes of matter; and
- b) throughout the Scheme Area or in one or more parts of the Scheme Area,

and may amend or add to or rescind a Policy so prepared.

7.6.2 A policy shall become operative only after the following procedures have been completed:

- a) The Council having prepared and adopted a draft Policy shall publish a notice once a week for two consecutive weeks in a local newspaper circulating within the Scheme Area giving details of where the draft Policy may be inspected, and in what form and during what period (being not less than 21 days) submissions may be made;
- b) Policies which the Council considers may be inconsistent with other provisions of the Scheme or with state and regional planning policies are to be submitted to the Commission for consideration and advice;
- c) The Council shall review the draft Policy in the light of any submissions made and advice received and shall then resolve either to finally adopt the draft Policy with or without modification, or not to proceed with the draft Policy; and
- d) Following final adoption of a Policy, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area.

7.6.3 The Council shall keep copies of any Policy with the Scheme documents for public inspection during normal office hours.

7.6.4 An amendment or addition to a Policy may be made after the Policy has become operative and shall be made in the same manner as provided for the making of a Policy in sub-clause 7.6.2.

7.6.5 A Policy may be rescinded by:

- a) preparation or final adoption of a new Policy pursuant to this clause, specifically worded to supersede an existing Policy; and
- b) publication of a formal notice of rescission by the Council twice in a local newspaper circulating in the district.

7.6.6 A Policy shall not bind Council in respect of any application for planning approval but the Council shall have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its decision.

7.6.7 Any Policy prepared under this clause shall be consistent with the Scheme and where any inconsistency arises the Scheme shall prevail.

## 7.7 DELEGATION

7.7.1 The Council may, either generally or in a particular case or cases, by resolution passed by an absolute majority of the Council, delegate to the following eligible persons the authority to deal with an application for Planning Approval made under this Scheme:

- a) that officer of the Council, holding or eligible to hold a Municipal Town Planners Certificate, appointed to the position of Town Planner for the purpose of the Local Government Act with overall responsibility for the planning functions of the Council or appointed by the Council to supervise the development control functions of the Council; or
- b) those persons who from time to time occupy the positions referred to in a) above.

7.7.2 Any delegation made under sub-clause 7.7.1 shall have effect for the period of twelve (12) months following the resolution unless the Council stipulates a lesser or greater period in the resolution.

7.7.3 A delegation of authority pursuant to the provisions of this clause has effect and may be exercised according to its tenor, but is revocable at the will of the Council and does not preclude the Council from exercising the power.

7.7.4 The performance of the function by a delegate under sub-clause 7.7.1 shall be deemed to be the performance of the function by the Council in all circumstances where the Council is able to delegate its powers.

7.7.5 Without affecting the generality of the provisions of this clause, where in the exercise of any power under this Scheme the Council is required to form any opinion or view or have any state of mind or to consider to have due regard to any matter, then that requirement shall be satisfied if a person exercising delegated authority in respect of that power performs the function.

7.7.6 A resolution to revoke or amend a delegation under this clause may be passed by a simple majority.

7.7.7 An officer or member exercising the power delegated pursuant to the provisions of this clause shall comply with the provisions of the Scheme governing the exercise of the power by the Council, insofar as such provisions are reasonably applicable.



7.7.8 A person who is or has been a delegate of the Council is not personally liable for anything done or omitted in good faith in, or in connection with, the exercise or purported exercise of any powers conferred, or the carrying out of any duty imposed on the Council by this Scheme.

## 7.8 AMENDMENTS TO THE SCHEME

7.8.1 The Council shall keep the Scheme under constant review and where appropriate carry out investigations and study with a view to maintaining the Scheme as an up-to-date and efficient means for pursuing community objectives regarding development and land use.

7.8.2 The Council may, from time to time, initiate an amendment to the Scheme in accordance with the Act and Regulations and shall give consideration to any application to have the Scheme amended.

7.8.3 In the case of a proposed amendment to the zoning of land other than requested by the owner, the Council shall before initiating any amendment to the Scheme, invite comment from the owner of the land concerned.

7.8.4 Council shall take into consideration any comments or submissions received in respect of a proposed amendment to the Scheme and shall only proceed with the amendment where it is satisfied the amendment would be consistent with the objectives of the Scheme and would not be contrary to public interest.

## 7.9 NOTICE FOR REMOVAL OF CERTAIN BUILDINGS

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

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

## APPENDIX 1

### INTERPRETATIONS

**absolute majority:** has the same meaning as given to it in the Local Government Act 1960.

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

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

**amenity building:** means a building or part of a building used by employees or persons otherwise engaged in the conduct of an industry or business on the same site, for their personal comfort, convenience or enjoyment of leisure, but not used or intended for use for the work of the industry or business.

**ancillary use:** means a use which is incidental to the predominant use of land and buildings.

**appendix:** means an appendix to the Scheme.

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

**authorised officer:** means an officer of the Council, authorised by the Council to exercise all or some of the powers of the Council under this Scheme.

**Building Code of Australia:** means the Building Code of Australia 1988 (as amended).

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

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

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

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

**child family care centre:** means a Child Minding Centre conducted in a private dwelling where children are received for care but does not include a Child Day Care Centre.

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

**community purpose:** means the use of land or buildings designed or adapted primarily for the provision of educational, social and recreational facilities and services by organisations involved in activities for community benefit.

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

- (a) enable the cultural heritage significance of that place or precinct to be retained; and
- (b) yield the greatest sustainable benefit for the present community without diminishing the cultural heritage significance of that place or precinct, and may include the preservation,

stabilisation, protection, restoration, reconstruction, adaptation and maintenance of that place or precinct in accordance with relevant professional standards, and the provision of an appropriate visual setting;

**Council:** means the executive body of the Shire of Derby/West Kimberley

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

**cultural use:** means any use aimed at the improvement or refinement of people by entertainment and/or education.

**curtilage:** in relation to a dwelling means the yard of the dwelling, or an area in the immediate vicinity of the dwelling on the same lot used for purposes ancillary to the dwelling. The curtilage shall not include the area located between the street frontage of the lot and the dwelling thereon except with the special approval of the Council. The term shall have a like meaning in relation to land around buildings other than dwellings.

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

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

**District:** means the Municipal District of the Shire of Derby/West Kimberley

**educational establishment:** means a school, college, university, technical institute, academy or other educational centre, but does not include a reformatory.

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

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

**facade:** means the exposed faces of a building towards roads or open space or the frontal outward appearance of the building.

**floor area:** shall have the same meaning given to it in and for the purposes of the Building Code of Australia 1988 (as amended).

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

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

**gross floor area:** shall have the same meaning as Floor Area in the Building Code of Australia.

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

**height:** when used in relation to a building that is used for—

- (a) residential purposes, has the same meaning given to it in and for the purpose of the Residential Planning Codes; or
- (b) purposes other than residential purposes, means the measurement taken from the natural ground level immediately in front of the centre of the face of the building to a level of the top of the eaves, parapet or flat roof, whichever is the highest.

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

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

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

**home occupation:** means a business or activity carried out within a dwelling 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) entails the conduct of a business, office, a workshop only, and does not entail the retail sale or display of goods of any nature;
- (b) does not cause injury to or prejudicially affect the amenity of the neighbourhood;

- (c) does not detract from the residential appearance of the dwelling house or domestic out-building;
- (d) does not entail employment of any person not a member of the occupier's household;
- (e) does not occupy an area greater than 20 m<sup>2</sup>;
- (f) does not display a sign exceeding 0.2 m<sup>2</sup> in area.
- (g) in the opinion of the Council is compatible with the principal uses to which land in the zone in which it is located may be put;
- (h) will not result in the requirement for a greater number of parking facilities than normally reserved for a single dwelling, and will not result in a substantial increase in the amount of vehicular traffic in the vicinity;
- (i) does not entail the presence, parking and garaging of a vehicle of more than two (2) tonnes tare weight;

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

- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood;
- (b) where operated in a Residential Zone, does not entail the employment of any person other than a member of the occupier's household;
- (c) is conducted in an out-building which is compatible within the principal uses to which land in the zone in which it is located may be put;
- (d) does not occupy an area in excess of 50 m<sup>2</sup>;
- (e) does not display a sign exceeding 0.2 m<sup>2</sup> in area.

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

**intensive agriculture:** means the use of land for the purposes of trade, commercial reward or gain, including such buildings and earthworks normally associated with the following—

- (a) the production of grapes, vegetables, flowers, exotic and native plants, fruit and nuts;
- (b) the establishment and operation of plant and fruit nurseries;
- (c) the development of land for irrigated fodder production and irrigated pasture (including turf farms);
- (d) the development of land for the keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat, or fur production), and other livestock in feedlots;
- (e) dairy milking sheds;
- (f) the development of land for the keeping, rearing or fattening of other livestock above those stocking rates recommended by Agriculture Western Australia in consultation with surrounding farmers for the applicable pasture type;
- (g) aquaculture.

**land:** shall have the same meaning given to the term in and for the purposes of the Act.

**lot:** shall have the same meaning given to the term in and for the purposes of the Act, and "allotment" has the same meaning.

**Minister:** means the Minister for Planning or the Minister of the Western Australian Government responsible for town planning.

**net lettable area (nla):** means the area of all floors confined within the finished surfaces of permanent walls but excludes the following areas—

- (a) all stairs, toilets, cleaners cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;
- (b) lobbies between lifts facing other lifts serving the same floor;
- (c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;
- (d) areas set aside for the provision of facilities or services to the floor or building where such facilities are not for the exclusive use of occupiers of the floor or building.

**non-conforming use:** means any use of land or building which, was lawful immediately prior to the coming into operation of this Scheme, but is not in conformity with the provisions of this Scheme.

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

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

**outbuilding:** As per BCA.

**place:** means an area of land sufficiently identified by survey, description or otherwise as to be readily ascertainable, and includes—

- (a) an area of land situated below low water mark on the seashore or on the bank of tidal waters, or in the bed of any watercourse, lake or estuary;
- (b) any works or buildings situated there, their contents relevant to the purpose of this Scheme, and such of their immediate surroundings as may be required for the purposes of the conservation of those works or buildings; and
- (c) as much of the land beneath the place as is required for the purposes of its conservation.

**plant nursery:** means any land or buildings used for the propagation, rearing and sale of plants and the storage and sale of products associated with horticultural and garden decor.

**plot ratio:** shall have the same meaning given to the term in the Building Code of Australia except for residential dwellings where the term shall have the same meaning given to it in the Residential Planning Codes.

**potable water:** means water in which level of physical, chemical and bacteriological constituents do not exceed the maximum permissible levels set out in 'International Standards for Drinking Water' published by the World Health Organisation.

**poultry farm:** means any land or buildings used for hatching, rearing or keeping of poultry for either egg or meat production which does not constitute an offensive trade within the meaning of the Health Act 1911-1990 (as amended).

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

**public exhibition:** means any building or land used for the display of materials, for promotion of artistic, cultural or educational purposes.

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

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

**reserve:** means any land reserved for a public purpose.

**Residential Planning Codes:** means the Residential Planning Codes, in Appendix 2 to the Western Australian Planning Commission Statement of Planning Policy No.1.

**restricted premises:** means any land or building, part or parts thereof, used or designed to be used primarily for the sale of retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or deliver of—

- (a) publications that are classified as restricted publications pursuant to the Indecent Publications and Articles Act 1902 (as amended); or
- (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity.

**rural pursuit:** means the use of land for any of the purposes set out hereunder and shall include such buildings normally associated therewith—

- (a) the rearing or agistment of goats, sheep, cattle or beasts of burden;
- (b) the stabling, agistment or training of horses;
- (c) the growing of trees, plants, shrubs, or flowers for replanting in domestic, commercial or industrial gardens;
- (d) the sale of produce grown solely on the lot;

but does not include intensive agriculture.

**sign:** means a notice, message or display by means of a freestanding or fixed sign or hoarding.

**special rural use:** means uses carried out under the interpretation of Rural Pursuit, but does not include—

- (a) any commercial production;
- (b) any use which involves ground water consumption greater than the allowance determined by Water Corporation;
- (c) piggeries or other intensive animal husbandry;
- (d) except with the consent of the Council, the stabling, agistment, or training of horses;
- (e) other uses considered by Council to be detrimental to the public health or amenity of the area.

**stable:** means any land, building or structure used for the housing, keeping and feeding of horses, asses and mules and associated incidental activities.

**stockyards:** means any land, building or other structure used for holding and/or sale of animal stock.

**storage yard:** means any land used for the storage of goods.

**structure plan:** means a plan which indicates broad land use options for the development and subdivision of an area and provides a policy framework for such future subdivision and development.

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

**zoological gardens:** means any land or buildings used for the keeping, breeding or display of fauna and the term includes Zoo but does not include kennels or keeping, breeding or showing of domestic pets.

## APPENDIX 2

Shire of Derby/West Kimberley

## APPLICATION FOR APPROVAL

Please tick which approval is being sought and fill in the appropriate section(s) only:

Planning Approval	<input type="checkbox"/>	Building Licence	<input type="checkbox"/>
Demolition Licence	<input type="checkbox"/>	Sign Licence	<input type="checkbox"/>

 **PROPERTY DETAILS:**

Lot No.\* ..... House/Street No..... Location No.\* ..... Plan/Diagram\* .....

Certificate of Title:..... Vol.\* ..... Folio\* ..... Lot Area (m<sup>2</sup>)

Title Encumbrances\* .....

Street Name ..... Suburb .....

Nearest Street Intersection\* .....

Ward\* .....

*\*Note: These details should be provided where known to assist in the processing of this application.*

 **OWNER DETAILS (IF PLANNING CONSENT IS REQUIRED):**

Name .....

Address (Postal) .....

..... Postcode .....

Phone (Work) ..... (Home) .....

Fax .....

Contact Person .....

Signature(s) .....

Signature(s) .....

Date .....

*The signature of the landowner(s) is required for Planning Approval. This application will not proceed without that signature.*

 **APPLICANT DETAILS: (To be completed *only* if different from the owner)**

Name .....

Address (Postal) .....

..... Postcode .....

Phone (Work) ..... (Home) .....

Fax .....

Contact Person .....

Signature(s) .....

Date .....

## OFFICE USE ONLY

Accepting Officer's Initials:

Date Received:

Application No:

 **PLANNING APPROVAL:**

Existing Building/Land Use .....

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

Description of Development/or Proposed Use .....

.....



**BUILDING LICENCE**

**Type of Work:**

- | <b>New Buildings</b>                                | <b>Alterations/Internal Additions</b>          | <b>Outbuildings</b>                           |
|---|--|---|
| 1A <input type="checkbox"/> New Building            | 2A <input type="checkbox"/> Habitable          | 9A <input type="checkbox"/> Habitable         |
| 1B <input type="checkbox"/> Display Home            | 2B <input type="checkbox"/> Internal Additions | 9B <input type="checkbox"/> Workshop          |
| 1C <input type="checkbox"/> Preliminary Application | 2C <input type="checkbox"/> Garage             | 9C <input type="checkbox"/> Carport           |
| <input type="checkbox"/> Other (specify)            | 2D <input type="checkbox"/> Carport            | 9D <input type="checkbox"/> Above ground pool |
|   | 2E <input type="checkbox"/> Verandah           | 9E <input type="checkbox"/> Below ground pool |
|   | <input type="checkbox"/> Other (specify)       | 9I <input type="checkbox"/> Garage            |
|   |  | 9J <input type="checkbox"/> Other (specify)   |

**Type of Building:**

- | <b>House</b>                               | <b>Multi-Residential</b>                             | <b>Other</b>                             |
|--|--|--|
| 11 <input type="checkbox"/> Separate House | 21 <input type="checkbox"/> Single storey            | <input type="checkbox"/> Other (specify) |
| 12 <input type="checkbox"/> Kit House      | 22 <input type="checkbox"/> 2 or more storey         |  |
| 19 <input type="checkbox"/> Transportable  | 23 <input type="checkbox"/> 1 or 2 storey flat/units |  |
|  | <input type="checkbox"/> Other (specify)             |  |

**Materials:**

- | <b>Walls</b>                                     | <b>Floor</b>                                | <b>Roof</b>                              |
|--|---|--|
| 11A <input type="checkbox"/> Double Brick        | 20A <input type="checkbox"/> Concrete—85mm  | 10 <input type="checkbox"/> Tiles        |
| 12 <input type="checkbox"/> Brick Veneer         | 20B <input type="checkbox"/> Concrete—Other | 60A <input type="checkbox"/> 'Colorbond' |
| 11B <input type="checkbox"/> Thermalite interior | 10 <input type="checkbox"/> Timber          | 60B <input type="checkbox"/> 'Zincalume' |
| 60A <input type="checkbox"/> 'Colorbond' Walls   | <input type="checkbox"/> Other (specify)    | <input type="checkbox"/> Other (specify) |
| 60B <input type="checkbox"/> 'Zincalume' Walls   |   |  |
| 60C <input type="checkbox"/> Steel Columns       |   |  |
| 60D <input type="checkbox"/> Timber Posts        |   |  |
| 50A <input type="checkbox"/> Fibreglass (pools)  |   |  |
| <input type="checkbox"/> Other (specify)         |   |  |

Builder Name .....

Address (Postal) .....

Registration No ..... Phone .....

Fax .....

Building Details: Area (m2) ..... Outbuildings Area (m2) .....

Contract Value \$ ..... Building Height .....

Signature .....

**DEMOLITION LICENCE:**

Application to be made on separate form.

**SIGN LICENCE:**

Type of Sign .....

Position .....

Dimensions ..... Materials .....

Illumination—Internal/External .....

Wording/Illustration (Plan/Design attached) .....

**APPENDIX 3**

Shire of Derby/West Kimberley  
Town Planning Scheme No. 7  
**GRANT OF PLANNING CONSENT**

APPLICANT:  
OWNER:  
POSTAL ADDRESS:  
PROPOSAL:  
PROPERTY:  
DATE OF ISSUE:

Planning Consent for the above proposal is GRANTED in accordance with plans submitted on ..... and subject to the following conditions:

- 1.
- 2.
- 3.
- 4.

If the development, the subject of this approval, is not substantially commenced within a period of 12 months from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of Council having first been obtained.

Under the Town Planning and Development Act 1928 (as amended) you have the **right of appeal** to Council and/or the Minister for Planning within 60 days of granting of this consent if you consider any or all of the conditions contained within the consent to be unreasonable.

This Planning Consent does not constitute a Building Licence in terms of the Local Government Act. The application has now been passed to the Building Surveyor for the processing of a **Building Licence**.

SHIRE PLANNER

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#### ADOPTION

Adopted by Resolution of the Council of the Shire of Derby/West Kimberley at the Ordinary meeting of the Council held on the 25<sup>th</sup> day of June 1997.

P. J. McCUMSTIE, President.  
P. D. ANDREW, Chief Executive Officer.

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#### FINAL APPROVAL

1. Adopted by Resolution of the Council of the Shire of Derby/West Kimberley at the Ordinary meeting of the Council held on the 29<sup>th</sup> day of April 1998 and pursuant to that Resolution the Seal of the Municipality was hereunto affixed in the presence of—

P. J. McCUMSTIE, President.  
P. D. ANDREW, Chief Executive Officer.

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#### 2. RECOMMENDED/SUBMITTED FOR FINAL APPROVAL—

EUGENE FERRARO, for Chairperson of the  
Western Australian Planning Commission

Date: 3<sup>rd</sup> July, 1998.

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#### 3. FINAL APPROVAL GRANTED—

G. D. KIERATH, Hon Minister for Planning.

Date: 6<sup>th</sup> July, 1998.

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## RACING, GAMING AND LIQUOR

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RA401

### LIQUOR LICENSING ACT 1988

#### SUMMARY OF LIQUOR LICENSING APPLICATIONS

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

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
1399/97	Mandurah Hockey Stadium Inc	Application for the grant of a Club Restricted licence in respect of premises situated in Mandurah and known as Mandurah Hockey Stadium.	30/7/98

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE— <i>continued</i>			
1400/97	Jurg Muggli & Sandra Fay Hancock	Application for the grant of a Producer-Wine licence in respect of premises situated in Witchcliffe and known as Hesperos Wines.	9/8/98
1401/97	Stonebridge Holdings Pty Ltd	Application for the grant of a Liquor Store licence in respect of premises situated in Coogee and known as Coogee Plaza Liquor Store.	2/8/98
1402/97	Serbian Community Centre of WA	Application for the grant of a Club licence in respect of premises situated in Maddington and known as Serbian Community Centre of WA.	4/8/98
1403/97	Saruman Holdings Pty Ltd	Application for the grant of a Special Facility licence in respect of premises situated in Wilyabrup and known as Driftwood Estate Winery.	11/8/98

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

G. B. AVES, Director of Liquor Licensing.

## PUBLIC NOTICES

### ZZ201

#### TRUSTEES ACT 1962

##### NOTICE TO CREDITORS AND CLAIMANTS

Claims against the estate of Myra Hedges May Fowler late of 5 Cooma Court, Albany, WA should be lodged with the Executors C/- P.O. Box 485, Albany, W.A. before 29/7/1998 after which date the assets will be distributed having regard only to the claims received.

HAYNES ROBINSON.

### ZZ401

#### DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership previously existing between Terrence Keith Benson and Kelly May Benson (as trustees of The T & K Benson Family Trust) and Bradley Maurice Crawford and Anne-Marie Rena Walker (as trustees of The A M Walker Family Trust) carrying on business as Top Video Eaton and Eaton Video Centre was dissolved on 30 June 1998.

WESTERN AUSTRALIA

## MINES SAFETY AND INSPECTION ACT 1994

Price: \$23.50 Counter Sales  
Plus Postage on 350 grams

\*Prices subject to change on addition of amendments.



WESTERN AUSTRALIA

**PUBLIC SECTOR MANAGEMENT  
ACT 1994**

**Price: \$21.90 Counter Sales  
Plus Postage on 1.2 kilograms**

\*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

**FISH RESOURCES MANAGEMENT  
ACT 1994**

**Price: \$21.90 Counter Sales  
Plus Postage on 360 grams**

\*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

**ADOPTION ACT 1994**

**Price: \$18.70 Counter Sales  
Plus Postage on 215 grams**

\*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

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

**\*Price: \$9.50 Counter Sales  
Plus Postage on 175 grams**

\*Prices subject to change on addition of amendments.

## Reprinted Regulations

Individual Acts and Regulations are from time to time reprinted under the *Reprints Act 1984* incorporating all amendments up to a particular date.

This program is managed by Parliamentary Counsel's Office, Ministry of Justice.

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

Invoices are despatched with the goods to enable clients to check the contents prior to returning with payment.

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

Manager, Sales & Editorial  
State Law Publisher  
10 William Street,  
Perth 6000

These Regulations have been Reprinted in 1998.

Taxi Regulations 1995

Public Sector Management (General) Regulations 1994

Settlement Agents Regulations 1982

Mines Safety and Inspection Regulations 1995

Real Estate and Business Agents (General) Regulations 1979

Associations Incorporation Regulations 1988

Psychologists Board Rules 1978

Industrial Relations Commission Regulations 1985

Pay-Roll Tax Assessment Regulations 1971

Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974

Transport (Country Taxi-Car) Regulations 1982

WESTERN AUSTRALIA

### **NURSES ACT 1992**

**\*Price: \$6.70 Counter Sales**

**Plus Postage on 150 grams**

### **NURSES RULES 1993**

**\*Price: \$5.30 Counter Sales**

**Plus Postage on 80 grams**

\* Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

### **FREEDOM OF INFORMATION ACT 1992**

**\*Price: \$15.50 Counter Sales**

**Plus Postage on 365 grams**

\* Prices subject to change on addition of amendments.

## 1998 Acts

These Acts have been passed by Parliament during 1998.

1. Local Government Amendment Act
2. Country High School Hostels Authority Amendment Act
3. Misuse of Drugs Amendment Act
4. Country Housing Act
5. Small Business Development Corporation Amendment Act
6. Building and Construction Industry Training Fund and Levy Collection Amendment Act
7. Charitable Trusts Amendment Act
8. Guardianship and Administration Amendment Act
9. Agricultural Legislation Amendment and Repeal Act
10. Statutes (Repeals and Minor Amendments) Act (No. 2)
11. Environmental Protection (Landfill) Levy Act
12. Liquor Licensing Amendment Act
13. Industry and Technology Development Act
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WESTERN AUSTRALIA

### **RETIREMENT VILLAGES ACT 1992**

**Price: \$23.50 Counter Sales**  
**Plus Postage on 695 grams**

### **RETIREMENT VILLAGES REGULATIONS 1992**

**\*Price: \$2.50 Counter Sales**  
**Plus Postage on 25 grams**

\* Prices subject to change on addition of amendments.

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