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JOHN A. STRIJK,
Government Printer.

CONSERVATION & LAND MANAGEMENT

CM301*

Conservation and Land Management Act 1984

Forest Management Amendment Regulations (No. 2) 1998

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Forest Management Amendment Regulations (No. 2) 1998*.

2. Regulation 137A inserted

After regulation 137 of the *Forest Management Regulations 1993** the following regulation is inserted —

“

137A. Unauthorized structures in a State forest or timber reserve

- (1) In this regulation “**structure**” includes —
- (a) a building;
 - (b) a post, pile, stake, pipe, chain, wire or other thing that is fixed to the land or to anything fixed to the land;
 - (c) materials, objects and fixtures in the area of the structure; and
 - (d) a pontoon or other floating structure.
- (2) Any person who erects or places a structure on or in land in a State forest or timber reserve without the authority in writing of the Executive Director or a forest officer commits an offence.

Penalty: \$2 000.

”.

[* *Published in Gazette 9 February 1993, pp. 1119-201. For amendments to 29 May 1998 see 1997 Index to Legislation of Western Australia, Table 4, p. 41, and Gazette 21 April 1998.*]

By Command of the Governor,

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

ENVIRONMENTAL PROTECTION

EP401**ENVIRONMENTAL PROTECTION ACT 1986**

Section 18 (1)

Delegation No. 7

1. This delegation is made pursuant to section 18(1) of the Environmental Protection Act 1986 ('The Act').

2. The following powers and duties of the Minister for the Environment ("the Minister") under the Act are hereby delegated to the Deputy Chairman of the Environmental Protection Authority ("the Deputy") appointed under section 7(4a) of the Act—

The powers and duties of the Minister to publish and distribute a report of the Environmental Protection Authority under section 44(3) of the Act.

3. Conditions under which this delegation applies:

In the absence of the Chairman on business, on leave, through illness or due to a conflict of interest. The Minister is to be informed of the periods when the Deputy is exercising the delegation.

Dated the 12th day of August 1998.

CHERYL EDWARDES, Minister for the Environment.

EP402**ENVIRONMENTAL PROTECTION ACT 1986**

Section 18 (1)

Delegation No. 8

1. This delegation is made pursuant to section 18(1) of the Environmental Protection Act 1986 ('The Act').

2. The following powers and duties of the Minister for the Environment under the Act are hereby delegated to the Deputy Chairman of the Environmental Protection Authority appointed under section 7 (4A) of the Act—

The powers and duties of the Minister for the Environment to nominate a person responsible for a proposal, and to revoke a nomination under Sections 38(6), 38(7) and 38(8) of the Act.

3. Conditions under which this delegation applies:

In the absence of the Chairman on business, on leave, through illness or due to a conflict of interest. The Minister is to be informed of the periods when the Deputy is exercising the delegation.

Dated the 12th day of August 1998.

CHERYL EDWARDES, Minister for the Environment.

EP403**ENVIRONMENTAL PROTECTION ACT 1986**

Section 18 (1)

Delegation No. 9

1. This delegation is made pursuant to section 18(1) of the Environmental Protection Act 1986 ('The Act').

2. The following powers and duties of the Minister for the Environment ("the Minister") under the Act are hereby delegated to the Chairman of the Environmental Protection Authority appointed under section 7(4a) of the Act—

The powers and duties of the Minister for the Environment to publish and distribute a report of the Environmental Protection Authority under section 48D (3) of the Act.

Dated the 12th day of August 1998.

CHERYL EDWARDES, Minister for the Environment.

EP404**ENVIRONMENTAL PROTECTION ACT 1986**

Section 18 (1)

Delegation No. 10

1. This delegation is made pursuant to section 18(1) of the Environmental Protection Act 1986 ('The Act').

2. The following powers and duties of the Minister for the Environment ('the Minister') under the Act are hereby delegated to the Deputy Chairman of the Environmental Protection Authority ('the Deputy') appointed under section 7(4a) of the Act—

The powers and duties of the Minister for the Environment to publish and distribute a report of the Environmental Protection Authority under section 48D (3) of the Act.

Conditions under which this delegation applies:

In the absence of the Chairman; on business, on leave, through illness or due to a conflict of interest. The Minister is to be informed of the periods when the Deputy is exercising the delegation.

Dated the 12th day of August 1998.

CHERYL EDWARDES, Minister for the Environment.

EP405**ENVIRONMENTAL PROTECTION ACT 1986**

Section 19

Delegation No. 8

Notice is hereby given that the Environmental Protection Authority ('the Authority') acting pursuant to section 19 of the Environmental Protection Act 1986 ('the Act') has resolved to delegate as follows:

Powers delegated:

1. Power to determine whether or not a proposal referred under section 38 of the Act should be assessed under Part IV of the Act.
2. Power to inform the proponent, any person who referred the proposal and any relevant decision making authority that a proposal referred under section 38 of the Environmental Protection Act 1986 will not be assessed under Part IV of the Act, as required under section 40(1) (a) of the Act.
3. Power to inform the proponent, any person who referred the proposal and any relevant decision making authority that a proposal referred under section 38 of the Environmental Protection Act 1986 will be assessed under Part IV of the Act, as required under section 40(1) (b) of the Act.
4. Power under section 46 of the Act, to inquire into, and to report to the Minister on whether or not conditions or procedures agreed or decided under section 45 should be changed.
5. Person to whom this delegation applies:

This delegation applies to the Deputy Chairman of the Environmental Protection Authority ('the Deputy') appointed under section 7 (4a) of the Act.

Conditions under which this delegation applies:

In the absence of the Chairman; on business, on leave, through illness or due to a conflict of interest. The Minister is to be informed of the periods when the Deputy is exercising the delegation.

Pursuant to section 59(1) (e) of the Interpretation Act 1984 delegation No 6 dated 15 day of March 1994 is hereby revoked.

SALLY ROBINSON, Deputy Chairman,
Environmental Protection Authority.

Approved by—

CHERYL EDWARDES Minister for the Environment.

Dated this 12th day of August 1998.

EP406**ENVIRONMENTAL PROTECTION ACT 1986**

Section 19

Delegation No. 9

Notice is hereby given that the Environmental Protection Authority ('the Authority') acting pursuant to section 19 of the Environmental Protection Act 1986 ('the Act') has resolved to delegate as follows:

Matters delegated are all the powers and duties of the Authority under the Act in relation to:

1. determining whether or not a scheme referred under section 48A should be assessed under Division 3 of Part IV of the Act.

2. inform the responsible authority that a scheme will not be assessed under section 48A(1)(a), give advice and make recommendations to the responsible authority.
3. inform the responsible authority that a scheme will be assessed under section 48A(1)(b).
4. inform the responsible authority and the Minister that a scheme is by its nature incapable of being made environmentally acceptable under section 48A(1) (c).
5. require the responsible authority to undertake an environmental review of a scheme referred under s 48A and report on it to the Authority and issue instructions concerning the scope and content of that environmental review under section 48C(1) (a).
6. require any person to provide information as specified under section 48C (1) (b).

The person to whom the delegation applies:

This delegation applies to the Chairman of the Environmental Protection Authority appointed under section 7 (4a) of the Act.

SALLY ROBINSON, Deputy Chairman,
Environmental Protection Authority.

Approved by—

CHERYL EDWARDES Minister for the Environment.

Dated this 12th day of August 1998.

EP407

ENVIRONMENTAL PROTECTION ACT 1986

Section 19

Delegation No. 10

Notice is hereby given that the Environmental Protection Authority ("the Authority") acting pursuant to section 19 of the Environmental Protection Act 1986 ("the Act") has resolved to delegate as follows: Matters delegated are all the powers and duties of the Authority under the Act in relation to:

1. determining whether or not a scheme referred under section 48A should be assessed under Division 3 of Part IV of the Act.
2. inform the responsible authority that a scheme will not be assessed under section 48A(1)(a), give advice and make recommendations to the responsible authority.
3. inform the responsible authority that a scheme will be assessed under section 48A(1)(b).
4. inform the responsible authority and the Minister that a scheme is by its nature incapable of being made environmentally acceptable under section 48A(1) (c).
5. require the responsible authority to undertake an environmental review of a scheme referred under s 48A and report on it to the Authority and issue instructions concerning the scope and content of that environmental review under section 48C(1) (a).
6. require any person to provide information as specified under section 48C (1) (b).

The person to whom the delegation applies:

This delegation applies to the Deputy Chairman of the Environmental Protection Authority ("the Deputy") appointed under section 7 (4a) of the Act.

Conditions under which this delegation applies:

In the absence of the Chairman; on business, on leave, through illness or due to a conflict of interest. The Minister is to be informed of the periods when the Deputy is exercising the delegation.

SALLY ROBINSON, Deputy Chairman,
Environmental Protection Authority.

Approved by—

CHERYL EDWARDES Minister for the Environment.

Dated this 12th day of August 1998.

EP408

ENVIRONMENTAL PROTECTION ACT 1986

Section 19

Delegation No 11

Notice is hereby given that the Environmental Protection Authority ("the Authority") acting pursuant to section 19 of the Environmental Protection Act 1986 ("the Act") has resolved to delegate as follows: Matters delegated are all the powers and duties of the Authority under the Act in relation to:

1. inform the responsible authority that a scheme will not be assessed under section 48A(1)(a), give advice and make recommendations to the responsible authority.

2. inform the responsible authority that a scheme will be assessed under section 48A(1)(b). This delegation applies to the Officer of the Department of Environmental Protection appointed under section 22 of the Act for the time being exercising the duties of the office designated Director, Evaluation Division.

SALLY ROBINSON, Deputy Chairman,
Environmental Protection Authority.

Approved by—

CHERYL EDWARDES Minister for the Environment.

Dated this 12th day of August 1998.

FAIR TRADING

FT301*

CHARITABLE COLLECTIONS ACT 1946

CHARITABLE COLLECTIONS AMENDMENT REGULATIONS 1998

Made by the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Charitable Collections Amendment Regulations 1998*.

Regulation 16 repealed and a regulation substituted

2. Regulation 16 of the *Charitable Collections Regulations 1947** is repealed and the following regulation is substituted —

“

Investments

16. Except with the approval of the Minister, a charitable organization shall not invest monies belonging to the organization other than —

- (a) in a fixed deposit in any company registered to carry on business in Western Australia; or
- (b) as trust funds may be invested under Part III of the *Trustees Act 1962*.

[* Reprinted as at 14 July 1966.

For amendments to 8 June 1998 see 1997 Index to Legislation of Western Australia, Table 4, p.32.]

By Command of the Governor,

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

LOCAL GOVERNMENT

LG301

HEALTH ACT 1911

SHIRE OF BROOME HEALTH AMENDMENT LOCAL LAWS 1998

Made by the Council of the Shire of Broome under the *Health Act 1911*.

Citation

1. These local laws may be cited as the *Shire of Broome Health Amendment Local Laws 1998*.

Principal local laws

2. In these local laws, the *Shire of Broome Health Local Laws 1995* made under the *Health Act 1911* by the Council of the Shire of Broome on 16 December 1994, by notice published in the *Government Gazette* on 22 August 1995 and as amended by notices published in the *Government Gazette* on 29 December 1995 and 23 August 1996 are referred to as the principal local laws.

Clause 47 of Part 4 amended

3. Clause 47 of Part 4 of the principal local laws is amended by inserting after subclause (2) a new subclause (3) as follows:

“

(3) A person depositing any refuse or rubbish on a refuse disposal site, shall pay to Council the fee as fixed from time to time by Council under Section 344C of the Act.

”

Schedule 20 deleted

4. Schedule 20 of the principal local laws is deleted.

Passed at a meeting of the Council of the Shire of Broome held on 16 June 1998.
The Common Seal of the Shire of Broome was hereunto affixed in the presence of:
On this 16th day of July 1998.

A. MURRAY, President.
G. POWELL, Chief Executive Officer.

Consented to—

C. F. QUADROS,
delegate of Executive Director, Public Health.

Dated this 30th day of July 1998.

LG401

LOCAL GOVERNMENT ACT 1995

HEALTH ACT 1911

City of Geraldton

Memorandum of Imposing Rates 1998/99

At a meeting of the Geraldton City Council held on 11 August 1998, it was resolved that the rates and charges specified hereunder be imposed on all rateable property within the City of Geraldton in accordance with the Local Government Act 1995 and the Health Act 1911 for the period 1 July 1998 to 30 June 1999.

Dated this 14th day of August 1998.

P. G. COOPER, Mayor.
G. K. SIMPSON, Chief Executive Officer.

Schedule of Rates and Charges Levied

General Rates—

- 8.5248 cents in a dollar on Gross Rental Values on all rateable land within the District.
- 8.5248 cents in a dollar on Unimproved Values on all rateable land within the District.
- The Urban Farmland rate will be the same as the General Rate imposed on the City.

Minimum Rates—

- A minimum rate of \$459.50 for each separate location on Gross Rental Values within the District.
- A minimum rate of \$459.50 for each separate location on Unimproved Values within the District.

Administration Charge—A charge of \$7.50 for the Two Instalment option and \$22.50 for the Four Instalment option.

Interest on Instalments—Interest will be charged on each instalment at the rate of 6.5% per annum calculated on a daily basis. Instalments which are not paid by the due date will be charged penalty interest at the rate of 10% per annum calculated on a daily basis and the ratepayer's instalment option may be revoked.

Penalty Interest Charged on Overdue Rates and Charges—The rate of penalty interest is 10% per annum calculated on a daily basis. All arrears, rates and charges will be charged as from 1 July 1998 until paid. Penalty Interest will be charged on Rates and Charges raised this financial year, that remain outstanding fifty six (56) days after the date of issue of the rate notice.

Discount—A discount of 2.5% will be allowed on current rates paid in full within 35 days of the date of issue of the Rate Notice. The payment must be received at the Council office by 4.00 pm on the due date.

Due Dates for Payment of Rates and Service Levies for 1998/99—

| Two Instalment Plan | Four Instalment Plan |
|---------------------|----------------------|
| 18 September 1998 | 18 September 1998 |
| 20 November 1998 | 20 November 1998 |
| | 20 January 1999 |
| | 20 March 1999 |

Sanitation—

Rubbish Rate Residential areas—\$112.00 per annum for one standard service for 240/120 ltr MGB. Eligible pensioners entitled to a concessional rate of (10%) for a standard service. An eligible pensioner is a pensioner under the provisions of the Rates and Charges (Rebates and Deferments) Act 1992.

Commercial properties—\$128.00 per annum for one standard service for a 240 ltr MGB.

Non Rateable properties—\$160.00 per annum for a standard service for a 240 ltr MGB.

Bulk refuse disposal—\$15.00 per loose cubic metre

Mobile Garbage Bins (MGB's)—

| | |
|---|-------------------|
| Rental 240 litre MGB | \$22.00 per annum |
| Purchase of 240/120 litre MGB | \$75.00 |
| Delivery Charge | \$ 5.00 |
| Bulk bin application to be located on road reserve/verge— | \$20.00 app. fee |

G. K. SIMPSON, Chief Executive Officer.

PLANNING

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

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENTS

CITY OF ALBANY

TOWN PLANNING SCHEME No. 3—AMENDMENT Nos. 148, 149 & 174

Ref: 853/5/4/5, Pts 148, 149 & 174.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Acting Hon Minister for Planning approved the City of Albany Town Planning Scheme Amendments on August 7, 1998 for the purpose of—

AMENDMENT No. 148

1. Rezoning Lot 47 and Part Lot 46, Elizabeth Street, Bayonet Head from 'Rural' to 'Residential Development' zone.
2. Amending the Scheme Map in accordance with the Scheme Amendment Map.

AMENDMENT No. 149

Rezoning Pt Plantagenet Location 284 and 285 Allwood Parade, Bayonet Head from Rural to Residential Development Zone and by amending the Scheme Map accordingly.

AMENDMENT No. 174

1. Rezoning Lot 43 Location 4790 Elizabeth Street and Lower King Road Bayonet Head, Albany from the Rural zone to the Residential Development zone.
2. The Scheme Maps are hereby amended accordingly.

K. MICHAEL, Chairman of Commissioners.
E. H. KELLY, Chief Executive Officer.

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

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

CITY OF GOSNELLS

TOWN PLANNING SCHEME No. 1—AMENDMENT No. 500

Ref: 853/2/25/1, Pt 500.

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

1. Deleting from the first paragraph of Clause 26B of the Scheme Text the words "provided that the number of units on any particular lot shall not be more than the equivalent of 16 per hectare" which appear after the word "factoryettes".
2. Deleting from Item 11 of "Table 4—Number of Parking Spaces" of the Scheme Text the word "warehouses" in the left hand column.
3. Adding to Item 12 of "Table 4—Number of Parking Spaces" of the Scheme Text the word "warehouses" in the left hand column and amending the floor space reference in the right hand column from "50 square metres" to "100 square metres".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 2120 Albany Highway, Gosnells 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 September 29, 1998.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before September 29, 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.

S. HOLTBY, Chief Executive Officer.

PD403***TOWN PLANNING AND DEVELOPMENT ACT 1928**

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

CITY OF JOONDALUP

TOWN PLANNING SCHEME No. 1—AMENDMENT No. 833

Ref: 853/2/30/1, Pt 833.

Notice is hereby given that the local government of the City of Joondalup has prepared the abovementioned scheme amendment for the purpose of rezoning Swan Loc 8809 (former Reserve 31790 Greenwood Primary School), and portions of Reserves 30958 and 31016 from Local Reserve—Public Use to Residential R20 and Local Reserve (POS).

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Boas Avenue, Joondalup 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 September 29, 1998.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before September 29, 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.

L. DELAHAUNTY, Chief Executive Officer.

PD404*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF STIRLING

DISTRICT PLANNING SCHEME No. 2—AMENDMENT No. 325

Ref: 853/2/20/34, Pt 325.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Stirling Town Planning Scheme Amendment on August 10, 1998 for the purpose of rezoning of Reserve 26969, Location 7427 (HN 118) Dundas Road, Inglewood from "Private Institution" to "Residential R30".

D. C. VALLENLONGA, Mayor.
M. J. WADSWORTH, Chief Executive Officer.

PD405*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

SHIRE OF CHITTERING

TOWN PLANNING SCHEME No. 5—AMENDMENT No. 65

Ref: 853/3/4/5, Pt 65.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Acting Hon Minister for Planning approved the Shire of Chittering Town Planning Scheme Amendment on August 7, 1998 for the purpose of adding to Schedule 2—Special Uses against Lot 11 Wandena Road, Muchea, provisions for the use of the lot to include Composting Facilities and Associated Uses.

SCHEDULE 2—SPECIAL USES

| (a) Specified Areas or Localities | (b) Special Provisions to refer to Rural 1— Landscape Protection Zone |
|--------------------------------------|---|
| Lot 11, Wandena Road, Muchea | A Composting Facility and Associated Uses may be permitted subject to— (a) Council Planning Consent; (b) Restriction of the facility to an area of 8 hectares at the western side of the lot, to be not less than 500 metres from the Wandena Special Rural Zone. |

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

PD406*

TOWN PLANNING AND DEVELOPMENT ACT 1928

TOWN PLANNING SCHEME AMENDMENTS AVAILABLE FOR INSPECTION

SHIRE OF CHITTERING

TOWN PLANNING SCHEME No. 5—AMENDMENT Nos. 69 and 72

Ref: 853/3/4/5, Pts 69 & 72.

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

AMENDMENT No. 69

Adding to Schedule 6—Places of Heritage Value—Hall on Part of Lot 1 Great Northern Highway, Bindoon.

AMENDMENT No. 72

Modifying part of Schedule 5—Special Rural Zones the provisions marked against lots Pt M 2083, M 1591 and Part Loc M 1471, Blue Plains Road, Chittering, by deleting part of Provision 14 relating to the keeping of horses and including provisions for the stocking rates and approval for the keeping of horses.

Plans and documents setting out and explaining the scheme amendments have been deposited at Council Offices, Great Northern Highway, Bindoon 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 September 29, 1998.

Submissions on the scheme amendments may be made in writing on Form No. 4 and lodged with the undersigned on or before September 29, 1998.

These amendments are available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

R. HOOPER, Chief Executive Officer.

PD407*

TOWN PLANNING AND DEVELOPMENT ACT 1928

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

SHIRE OF EAST PILBARA

TOWN PLANNING SCHEME No. 1—AMENDMENT No. 24

Ref: 853/8/2/2, Pt 24.

Notice is hereby given that the local government of the Shire of East Pilbara has prepared the abovementioned scheme amendment for the purpose of rezoning Lot 2272 Armstrong Way from "Residential A" to "Residential B".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Kalgan Drive, Newman 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 September 29, 1998.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before September 29, 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. A. ANNING, Chief Executive Officer.

PD408*

TOWN PLANNING AND DEVELOPMENT ACT 1928

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

SHIRE OF MOUNT MARSHALL

TOWN PLANNING SCHEME No. 2—AMENDMENT No. 1

Ref: 853/4/19/5, Pt 1.

Notice is hereby given that the local government of the Shire of Mount Marshall has prepared the abovementioned scheme amendment for the purpose of reclassifying Bencubbin Lot 201 (Reserve 45154) Grant/Powell/Canberra Streets, Bencubbin from Scheme Reserve—Recreation and Open Space to Special Use zone (Caravan Park).

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Monger Street, Bencubbin 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 September 8, 1998.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before September 8, 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. BRADBROOK, Chief Executive Officer.

PD409*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

SHIRE OF SWAN

TOWN PLANNING SCHEME No. 9—AMENDMENT No. 299

Ref: 853/2/21/10, Pt 299.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Swan Town Planning Scheme Amendment on August 9, 1998 for the purpose of—

1. Replacing the R40 Residential Planning Code in the Residential 2 zone within West Midland (south of railway) with the R20 Code.

2. Replacing the Residential 2 zoning with the Residential 1 zoning.
3. Depicting the boundaries of the conservation precincts around the southern region of West Midland being the land bounded by the Amherst Road and Devon Street to the north and west, Helena River to the South and Archer Street to the east.

A. C. FREWING, Executive Manager, Management Services.
E. W. LUMSDEN, Chief Executive Officer.

PD410***TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF SCHEME AMENDMENT AVAILABLE FOR INSPECTION

SHIRE OF SWAN

TOWN PLANNING SCHEME No. 9—AMENDMENT No. 320

Ref: 853/2/21/10, Pt 320.

It is hereby notified for public information that the period in which to lodge submissions on the above Amendment No. 320, published at pages 3196 and 3197 of the *Government Gazette* No. 116 dated June 12, 1998 has been extended up to and including August 28, 1998.

E. W. LUMSDEN, Chief Executive Officer.

PD411**TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

SHIRE OF WONGAN-BALLIDU

TOWN PLANNING SCHEME No. 3—AMENDMENT No. 5

Ref: 853/3/19/4, Pt 5.

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 Wongan-Ballidu Town Planning Scheme Amendment on August 9, 1998 for the purpose of—

1. Amending the Scheme Map by rezoning Melbourne Lots 163-165 Danubin Street, Wongan Hills from Special Industry to Rural Residential.
2. Include the following in Schedule No. 2.

| No. | Land Particulars | Permitted Uses | Development Standards/Conditions |
|-----|---|-------------------------------------|---|
| 1. | Lots 803-812 of Melbourne Lot 163, Wongan Hills | Cottage Industry and Light Industry | <ol style="list-style-type: none"> 1. The industry being located behind a residence. 2. The size, height, colour and location of industrial buildings and extra landscaping to minimise visual impacts as determined by Council. 3. Council shall consider the nature of the proposed activity so as to not impact on the amenity of the area. |

3. Introduce Schedule 8 as follows—

Schedule No. 8

Special Requirements—Rural-Residential Zones

Area

1. Wongan Hills south of Manmanning Road

Special Requirements

1. General compliance with the Sub-division Guide Plan
2. Effluent disposal systems be located over 100m horizontally and 2m vertically from any water body.
3. The area shall be re-vegetated with native vegetation to the satisfaction of Council.
4. Closure and re-contouring of any sand pits.
5. Removal and re-contouring of waste disposal ponds to the satisfaction of the EPA

AreaSpecial Requirements

6. All buildings and effluent disposal systems being located within the defined building envelopes.

D. G. HOOD, President.
F. J. PECZKA, Chief Executive Officer.

PD701*

**WESTERN AUSTRALIAN PLANNING COMMISSION
METROPOLITAN REGION SCHEME (SECTION 33) AMENDMENT
WESTERN SUBURBS OMNIBUS (No. 2)
CALL FOR PUBLIC SUBMISSIONS**

File No: 809-2-1-35

Amendment No: 1002/33

The Western Australian Planning Commission intends to amend the Metropolitan Region Scheme for land in the City of Nedlands and the Towns of Cambridge, Claremont and Mosman Park and is seeking public comment.

The purpose of this amendment is to implement recommendations for the rezoning and reservation of land in the City of Nedlands and the Towns of Cambridge, Claremont and Mosman Park. The amendment proposes to transfer various portions of land between various adjustments in the Urban zone and the Important Regional Roads, Parks and Recreation, Public Purposes (WSD) and Railways reservations, as detailed in the Commission's *Amendment Report*.

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

Copies of the amending plans and detail plans showing the proposed changes to the zones and reservations of the Scheme, and the Commission's *Amendment Report* which explains the various proposals, will be available for public inspection from Monday 20 July 1998 to Friday 23 October 1998 at each of the following places:

- Ministry for Planning
1st Floor
Albert Facey House
469 Wellington Street
PERTH
- J S Battye Library
Alexander Library Building
Cultural Centre
Francis Street
NORTHBRIDGE

Council Offices of the municipalities of:

- City of Perth
- City of Fremantle
- City of Nedlands
- Town of Cambridge
- Town of Claremont
- Town of Mosman Park

Any person who desires to make a submission either supporting or objecting to any provisions of the proposed amendment should do so on the Form 6A. This submission form is available on request from the display locations and is also contained in the explanatory *Amendment Report*.

Submissions must be lodged with the:

Secretary
Western Australian Planning Commission
469 Wellington Street
PERTH WA 6000

on or before 5.00pm Friday 23 October 1998. Late submissions will not be considered.

PETER MELBIN, Secretary,
Western Australian Planning Commission.

PD702*

**TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME
TOWN OF KWINANA
TOWN PLANNING SCHEME NO 3 (TOWN CENTRE)**

Ref: 853/2/26/4.

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 Town of Kwinana Town Planning Scheme No 3 (Town Centre) on August 9, 1998—the Scheme Text of which is published as a Schedule annexed hereto.

J. H. D. SLINGER, Mayor.
R. K. SMILLIE, Chief Executive Officer.

Schedule
THE TOWN OF KWINANA
TOWN PLANNING SCHEME NO 3.

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

TOWN PLANNING SCHEME NO 3.

PART I—PRELIMINARY

1.1 Citation

This Town Planning Scheme may be cited as the Town of Kwinana Town Planning Scheme No 3 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 Town of Kwinana hereinafter called 'the Council'.

1.3 Scheme Area

The Scheme applies to the whole of the area of land contained within the inner edge of the broken border of the Scheme Map, which area is hereinafter referred to as the 'Scheme Area'.

1.4 Contents of Scheme

The Scheme comprises:

- (a) The Scheme Text
- (b) The Scheme Map
- (c) Town Centre Strategy Plan and Report (as amended)

1.5 Arrangement of Scheme Text

The Scheme Text is divided into the following parts:—

- Part 1—Preliminary
- Part II—Zones and objectives of Scheme
- Part III—Scheme Development Requirements
- Part IV—Precinct Use and Development Requirements

1.6 Scheme Objectives

The objectives of the Scheme are as follows:

- (a) providing development controls for the purpose of securing and maintaining an orderly and properly planned use and development of land within the Scheme Area;
- (b) implementing the development proposals contained in the Town Centre Strategy Plan adopted by Council.

1.7 Relationship To The Operative Town Planning Scheme

The provisions of the Scheme are in addition and complementary to the provisions of the Operative Town Planning Scheme published in the *Government Gazette* and controlling development throughout the entire Municipal Area.

All of the provisions of the Operative Town Planning Scheme shall continue to apply to the 'Scheme Area' except that where there is inconsistency between the specific provisions of the Operative Town Planning Scheme and 'the Scheme', the Scheme shall prevail.

1.8 Interpretations

Unless the context requires, the terms and expressions used in this Scheme shall have the meaning assigned to them in and for the purposes of the Operative Town Planning Scheme and additionally the following terms shall have the meanings assigned to them hereunder:

Design Guidelines:

Means criteria adopted by Council to guide the design and assessment of development in order to achieve the objectives of the Scheme (as amended from time to time) and which deal with the location, siting, orientation, height, design, bulk finish, colour and texture of buildings and associated development.

Externalised Form:

Means a composite of development within a defined area oriented towards public places (being public roads, pedestrian and cyclist thoroughfares) and applies to development having two or more frontages to public places and where orientation of the development is towards two or more of these frontages.

Internalised Form:

Means a composite of development within a defined area orientated away from public places (being public roads, pedestrian and cyclist thoroughfares) and applies to development having two or more frontages to public places and where orientation is away from these frontages.

Operative Town Planning Scheme:

Means the Town Planning Scheme published in the *Government Gazette* where the Scheme Boundary co-incides with the Municipal Boundary under the Local Government Act.

Orientation:

Means the focus of a development where the direction(s) of focus is/are governed by the coincidence of feature windows, major openings, entrances, foyers, feature stairways, footpaths or highlight landscaping treatments or the direction where by virtue of building symmetry and form a building is designed to face.

Strategy Plan:

Means a plan adopted by Council (as amended from time to time) to guide development within the Town Centre area and deals with (but not limited to) broad land use precincts, vehicle/pedestrian/cyclist movement systems, spatial layout of build form and landscaping.

Single Storey:

Means a building having only one floor level at natural ground level (to be determined by Council) and no floor level above natural ground level but may include parking areas below natural ground level.

Two Storey:

Means a building having not more than two floor levels at or above natural ground level (to be determined by Council).

PART II—ZONE AND POLICIES

2.0 Scheme Area Policies

2.1.1 Land use and development shall occur generally in accordance with the Town Centre Strategy Plan adopted by Council (as amended).

2.1.2 Land use and development proposals at variance to the Strategy shall be considered by Council, in the light of the Scheme Objectives where discretionary powers are available under the Scheme to permit such variance.

2.1.3 Where such variance undermines the objectives of the Scheme Council shall refuse to grant planning approval or require that the proposal be modified where appropriate so as to more effectively reflect the Scheme Objectives.

2.1.4 Works undertaken by Council and Public Authorities on publicly owned land should be undertaken generally in accordance with the adopted Town Centre Strategy Plan.

2.1.5 In consideration of land use and development proposals within the Scheme Area Council shall have regard to Precinct land use and development policies contained in Part IV of the Scheme.

2.1.6 In making recommendations on subdivision proposals, Council shall have regard to the Town Centre Strategy Plan as adopted by Council and amended from time to time and Council in considering any variance to the Strategy Plan shall have regard to policies contained in the Scheme.

2.1.7 Landscaping, entry features on publicly owned land and works within road reserves shall be carried out by Council or Public Authorities generally in accordance with the Town Centre Strategy Plan in order to achieve a consistent Town Centre Streetscape within and surrounding the Town Centre so as to visually define the Town Centre.

2.1.8 In order to achieve consolidation and integration of use and development, future development within the Town Centre should be designed and laid out in an internalised form to balance existing externalised development and to focus on pedestrian movement systems and areas designated for social interaction generally in accordance with the Town Centre Strategy Plan and Kwinana Town Centre Design Guidelines.

2.2 Zones

2.2.1 The Scheme Area is classified and divided into the following zones:

1. General Town Centre Zone
2. Market Square Zone
3. Shopping/Business Zone
4. Town Centre Residential Zone

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

2.2.3 Zoning Table

Table 1 indicates, subject to the provisions of the Scheme, the uses permitted in the Scheme Area in the various zones. The permissibility of any uses being determined by cross reference between the list of use classes on the left hand side of the zoning table and the list of zones at the top of the zoning table.

2.2.4 The symbols used in the Zoning Table have the following meaning:

‘P’ means that the use is permitted by the Scheme.

‘AA’ means that the use is not permitted unless the Council has granted planning approval.

‘SA’ means that the use is not permitted unless the Council has granted planning approval after giving notice in accordance with the provisions of the Operative Town Planning Scheme relating to advertising of Applications to Commence Development.

‘IP’ means a use that is not permitted unless such use is incidental to the predominant use as decided and approved by Council.

‘X’ means a use that is not permitted by the Scheme.

2.2.5 Uses Specified

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

2.2.6 Uses Not Specified

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

- (a) determine that the use is consistent with the objectives and purposes of the particular zone and is therefore permitted; or
- (b) determine that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow the 'SA' procedure provisions of the Operative Town Planning Scheme in considering an Application to Commence Development; or
- (c) determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted.

2.3 Objectives of Zones

2.3.1 General Town Centre Zone

To encourage the development of Public and Private Sector services and facilities in order to meet the civic, cultural, medical and entertainment needs of the community.

2.3.2 Market Square Zone

To encourage the development of small scale retail, leisure and entertainment establishments focused on a traditional market square which provides a venue for temporary open market stalls and community activities.

2.3.3 Town Centre Residential Zone

To encourage the development of medium density residential accommodation including aged persons and group housing units in close proximity to, interfaced and interacting with civic and shopping/business activities.

2.3.4 Shopping/Business Zone

To accommodate retail and commercial use and development necessary to meet the district level shopping needs of the community.

TABLE 1
Zoning and Use Classes

| Use Classes | General Town Centre Zone | Town Centre Residential Zone | Market Square Zone | Shopping/Business Zone |
|-------------------------------------|--------------------------|------------------------------|--------------------|------------------------|
| Ancillary Accommodation | X | P | X | X |
| Aged and Dependent Persons Dwelling | X | P | X | X |
| Amenity Building | P | X | P | P |
| Amusement Centre | SA | X | P | P |
| Aquaculture | X | X | X | X |
| Boatel | X | X | X | AA |
| Boat Sales | X | X | X | AA |
| Bus Station | AA | X | AA | AA |
| Caravan Park | X | X | X | X |
| Caretaker's House/Flat | IP | X | IP | IP |
| Car Park | IP | IP | IP | IP |
| Chicken Farm | X | X | X | X |
| Civic Building | P | X | X | AA |
| Club | AA | X | AA | SA |
| Commercial Hall | P | X | AA | SA |
| Consulting Rooms | AA | X | X | AA |
| Dog Kennels | X | X | X | X |
| Drive-In Takeaway Food Shop | X | X | AA | P |
| Drive-In Theatre | X | X | X | X |
| Dry Cleaning Premises | X | X | X | AA |
| Eating House | AA | X | P | AA |
| Educational Establishment | P | X | X | AA |
| Extractive Industry | X | X | X | X |
| Factory Units | X | X | X | X |
| Family Day Care Centre | AA | AA | X | P |
| Fish Shop | AA | X | P | P |
| Forestry (Selective) | X | X | X | X |
| Fuel Depot | X | X | X | X |
| Funeral Parlour | AA | X | X | P |
| General Industry | X | X | X | X |
| Grouped Dwelling | X | P | X | X |
| Hazardous Industry | X | X | X | X |
| Health Centre | AA | X | AA | AA |
| Health Studio | P | X | AA | P |
| Holiday Accommodation | X | AA | X | X |
| Home Occupation | X | X | X | P |
| Hospital | SA | X | X | AA |
| Hotel | SA | X | P | SA |
| Intensive Agriculture | X | X | X | X |

TABLE 1—*continued*
Zoning and Use Classes

| Use Classes | General Town Centre Zone | Town Centre Residential Zone | Market Square Zone | Shopping/ Business Zone |
|-------------------------------|-----------------------------|---------------------------------|-----------------------|-------------------------------|
| Laundry (Laundrette) | X | X | X | AA |
| Laundry (Industrial) | X | X | X | X |
| Licensed Restaurant | X | X | P | SA |
| Light Industry | X | X | X | X |
| Liquor Store | X | X | SA | P |
| Local Shop | SA | X | AA | P |
| Lodging House | X | SA | X | X |
| Marina | X | X | X | X |
| Market Stalls | AA | X | P | AA |
| Medical Clinic | AA | X | X | AA |
| Motel | SA | X | X | SA |
| Motor Repair Station | X | X | X | AA |
| Multiple Dwelling | X | SA | X | X |
| Museum | P | X | AA | AA |
| Non-Residential Health Centre | AA | X | X | SA |
| Noxious Industry | X | X | X | X |
| Office | P | X | X | P |
| Open Air Display | AA | X | P | P |
| Open Air Storage Yard | X | X | X | X |
| Petrol Filling Station | X | X | X | AA |
| Piggery | X | X | X | X |
| Private Hotel | SA | X | P | SA |
| Private Recreation | AA | X | AA | AA |
| Professional Office | P | X | X | P |
| Public Amusement | P | X | AA | AA |
| Public Assembly - Place of | P | X | P | AA |
| Public Recreation | P | X | AA | P |
| Public Utility | P | P | P | P |
| Public Worship | P | X | AA | AA |
| Recreation Facilities | P | X | AA | AA |
| Residential Building | X | AA | X | X |
| Restricted Premises | X | X | X | AA |
| Rural Industry | X | X | X | X |
| Service Industry | X | X | X | SA |
| Service Station | X | X | X | AA |
| Shop | SA | X | AA | P |
| Showroom | X | X | X | P |
| Single House | X | P | X | X |
| Stables | X | X | X | X |
| Tailings Pond | X | X | X | X |
| Tavern | SA | X | P | SA |
| Trade Display | X | X | AA | P |
| Transport Depot | X | X | X | AA |
| Vehicle Sales | X | X | X | AA |
| Vehicle Wreckers | X | X | X | X |
| Veterinary Clinic | AA | X | X | P |
| Veterinary Hospital | SA | X | X | AA |
| Warehouse | X | X | X | SA |

PART III—SCHEME DEVELOPMENT REQUIREMENTS

3.1 General Scheme

3.1.1 Development shall be carried out incorporating the following principles:

3.1.1.1 Building design and layout shall generally accord with the Kwinana Town Centre Design Guidelines adopted by Council (as amended from time to time) and Council shall have regard for the guidelines when assessing development proposals.

3.1.1.2 Building setback shall be at the absolute discretion of Council (except in the case of residential development) and Council shall have regard for the following when approving setbacks:

- to ensure that no buildings are constructed over designated internal accessways which impede directly or indirectly vehicular or pedestrian movement along designated routes; and
- Council has discretion to determine setbacks having regard to matters dealt with under the Kwinana Town Centre Design Guidelines, referred to in clause 3.1.1.1.

3.2 Site Coverage and Set Backs

3.2.1 In determining the site coverage and set backs of any development other than residential development Council may permit site coverage of up to 100 percent and a set back variation to zero subject to it first being satisfied on matters relating to access, car parking, circulation, servicing, loading and unloading and other matters which Council in its absolute discretion may take into consideration, including design guidelines referred to in clause 3.1.1.1.

3.3 Lighting

3.3.1 Lighting within carparking and landscaped areas where light fixtures are detached from buildings shall be of a consistent standard and conform to Council's specification.

3.4 Fencing

3.4.1 Fencing shall be in accordance with the Kwinana Town Centre Design Guidelines.

3.5 Landscaping

3.5.1 Council's objective in specifying and controlling landscaping standards within the Scheme Area is to promote a distinct identity and character for the Town Centre.

3.5.2 Siting planning and building layout should secure the preservation of significant vegetation and in particular tall Tuarts.

3.5.3 Landscaping of individual developments shall be consistent with an overall landscaping strategy adopted by Council and centred around the use of existing vegetation. All developers shall lodge detailed landscaping plans for Council approval prior to the commencement of development.

3.5.4 Council may require that individual trees or groups of trees are retained and no person shall remove such designated vegetation without the prior written consent of Council.

3.5.5 Vehicle parking areas shall be landscaped with shading vegetation so that a vegetation island is situated between not more than 5 grouped vehicle parking bays.

3.5.6 Council may specify a schedule of vegetation to be used in individual landscaping plans.

3.5.7 Developers may be required to provide a performance bond to Council, to an amount estimated by Council necessary to install landscaping and parking areas and shall be refunded upon installation of the required works to the satisfaction of Council.

3.5.8 In considering development applications for land within the Scheme Area an area of at least 8% of the lot shall be designed, developed and maintained as a landscaped area and shall include existing vegetation identified by Council, except in the case of residential development.

3.5.9 Where, in the opinion of Council, sufficient landscape features exist in the lot or nearby streets and reserves, the landscaped area may be reduced by up to 50%.

3.5.10 Existing vegetation in excess of 1.8 metres in height within the specified landscaping areas shall be retained in good order provided that it does not interfere with the orderly or proper planning of the development or pose a threat to the safety of the development or to the public.

3.5.11 Service areas of buildings within the Scheme Area shall be screened by native shrubs.

3.5.12 Council may specify a schedule of vegetation species to be used in landscaping of development.

3.6 Parking and Drainage

3.6.1 Car parking areas shall be constructed, sealed, kerbed and drained to Council's specifications.

3.6.2 Drainage from roofed and paved areas shall be disposed of on site to Council's specifications.

PART IV—PRECINCT USE AND DEVELOPMENT REQUIREMENTS

4.0 Zones and Precincts

4.1 The Zones listed in Part II of the Scheme are further classified and divided into the following Policy Precincts

4.1.1 General Town Centre Zone

- Civic Precinct
- Medical Precinct
- Hotel/Motel Precinct

4.1.2 Market Square Zone

- Market Square Precinct
- Entertainment/Eating House Precinct

4.1.3 Shopping/Business Zone

- Retail Precinct
- Commercial Precinct

4.2 Specific Development Requirements

4.2.1 Council when considering proposals to use and develop land or buildings within precinct areas shall have regard to Table 1, stated Precinct Land Use Policies and Predominant Uses listed hereafter and also the Town Centre Strategy Plan, Scheme Area Policies and Scheme development requirements referred to in Part III of the Scheme. In the case of subdivision proposals, Council shall have regard to the Precinct Policies when making a recommendation to the Western Australian Planning Commission.

4.2.2 Council may grant approval to uses and development or classes of uses and development not listed as Predominant Uses provided that Council is satisfied that the proposals are consistent with Precinct Land Use Policies.

4.2.3 Council in considering proposals for uses not listed as Predominant Uses within a specific precinct shall have regard to uses listed as Predominant Uses in other precincts and shall be satisfied that approval does not undermine the viability or level of service of these Predominant Uses, whether existing or planned.

4.3 General Town Centre Zone

4.3.1 Retail and commercial use and development will not be supported unless Council is satisfied that such use is ancillary to Civic function or that the use provides a convenient service to land uses, users and the workforce within the Civic Precinct.

4.3.2 Uses which would detract from the viability of similar uses within the Market Square or Shopping/Business Zones shall not be supported.

4.3.3 Civic Precinct

4.3.3.1 Land Use Policies

The Predominant uses shall be:

- Federal, State and Local Government administrative services and facilities,
- Commercial Offices,
- Recreation,
- Community facilities accommodating welfare, cultural, spiritual and administrative uses,
- Public walkways and civic square.

4.3.3.2 Buildings abutting or adjacent to the Civic Square delineated on the Town Centre Strategy Plan (as amended) shall:

- (a) Have foyer and main entrances at the same level as that of the finished level of the Civic Square and such buildings shall be oriented towards the Civic Square to the satisfaction of Council.
- (b) Shall be constructed at a setback of zero on lot boundaries common to the Civic Square.
- (c) Shall be 2 storeys from the finished level of the Civic Square excluding underground parking and shall be designed so as to accentuate vertical elevation either by height of building, external features or roof pitch.

4.3.3.3 Where buildings are required to be oriented towards the Civic Square as required by clause 4.3.3.2 the rear of the buildings adjacent to the internal accessways shall employ material and be designed, constructed and landscaped so as to enhance the streetscape of the internal access road.

4.3.3.4 All buildings adjacent to the designated pedestrian/cycleway shall make provision for direct connection of on-site pedestrian/cycle movement to designated Town Centre pedestrian/cycle pathways designated on the Town Centre Strategy Plan (as amended).

4.3.4 Land Use Policies

Medical Precinct

The Predominant uses shall be:

- Medical and Paramedical services and facilities,
- Public and private hospitals,
- Consulting Rooms,
- Pharmaceutical Sales.

4.3.5 Land Use Policies

Hotel/Motel Precinct

The Predominant uses shall be:

- Private Hotels,
- Motels,
- Public Assembly.

4.4 Market Square Zone

4.4.1 The predominant uses shall be those that attract regular customer patronage and promote leisure activities and social interaction.

4.4.2 Large scale retail development will not be supported as such use/development should be concentrated in the Shopping/Business zone.

4.4.3 Market Square Precinct

4.4.3.1 Land Use Policies

The Predominant uses shall be:

Market Stalls,
Open Air Displays,
Growers Markets.

4.4.3.2 No permanent structures will be permitted within the Market Square Precinct other than those installed by Council for purposes of lighting, seating, refuse collection, parking control, urban arts, public entertainment, weather/climate protection and amenities.

4.4.3.3 Temporary Market Stalls and ancillary fittings may be established and operated within the Market Square Precinct with the approval of Council within times designated by Council. At the close of these designated times all stalls and ancillary fittings shall be removed from the site.

4.4.4 Entertainment/Eating House Precinct

4.4.4.1 Land Use Policies

The Predominant uses shall be:

Cafes,
Fish Shops,

Licensed Restaurants,
Eating House,
Local Shops,
Public Assembly—Place of.

4.4.4.2 All buildings and development within the Entertainment/Eating House Precinct shall be oriented towards the Market Square Precinct to the satisfaction of Council.

4.4.4.3 All buildings constructed within the Entertainment/Eating House Precinct shall make provision for outdoor eating, drinking and entertainment areas between the building line and the Market Square Precinct area.

4.4.4.4 Council will support strata subdivision within the Entertainment/Eating House Precinct where the outdoor eating area is under common ownership.

4.4.4.5 No building within the Entertainment/Eating House Precinct shall exceed single storey in height.

4.5 Shopping / Business Zone

4.5.1 The zone should generally accommodate and consolidate undercover convenience and comparison goods retail and other commercial core uses.

4.5.2 Service commercial, bulk retail and service trades will not generally be supported unless Council is satisfied that such land use and development would be consistent with the orderly and proper planning of the Town Centre and the preservation of the amenity of the Town Centre.

4.5.3 The siting and layout of buildings south of Chisham Avenue within the Entertainment Eating House precinct shall allow for direct pedestrian/cycle movement between the Market Square Precinct and the main northern entrance to the shopping centre complex within the Retail Precinct.

4.5.4 Expansion and modification of the retail shopping complex shall make provision for direct pedestrian/cyclist connection between the complex and the Market Square Zone to the north.

4.5.5 Provision shall be made for pedestrian/cyclist crossing installations and treatment at major internal thoroughfares, with priority assigned to pedestrians and cyclists.

4.5.6 Landscaping of parking areas should be based upon a theme which employs continuous vegetation strips within parking areas generally parallel to surrounding roads.

4.5.7 Retail Precinct

4.5.7.1 Land Use Policies

The Predominant uses shall be:

Amusement Centre,
Eating House,
Health Studio,
Liquor Store,
Office,
Professional Office,
Shops,
Fish Shop,
Private Recreation,
Service Station,
Bus Station.

4.5.8 Commercial Precinct

4.5.8.1 Land Use Policies

The Pedominant uses shall be:

Boat Sales,
Funeral Parlour,
Open Air Display,
Service Station,
Trade Display,
Vehicle Sales,
Bulk Retail,
Offices,
Service Industry,
Showrooms,
Vehicle Sales,
Veterinary Clinic,
Warehouse.

4.5.8.2 Subdivision and development within the Commercial Precinct should be designed so as to minimise the number of driveways from commercial premises to Meares Avenue and Council shall have regard to this requirement in recommending to the Western Australian Planning Commission in respect of subdivision proposals.

4.5.8.3 No lot within the Commercial Precinct shall be served by more than one driveway to Meares Avenue.

4.5.8.4 In determining setbacks within the Commercial Precinct Council shall have regard to the likely impact of development on residential development.

4.6 Town Centre Residential Zone

4.6.1 Development within the Town Centre Residential Zone should accord with a development guide plan adopted by Council that specifies:

- Residential densities,

- Lot size and dimensions,
- Finished levels,
- Minimum and maximum building height,
- Building envelopes and orientation of dwellings,
- Existing vegetation to be retained,
- Street parking.

4.6.2 Residential development shall be in accordance with 'Statement of Planning Policy No. 1 Residential Planning Codes' (as amended), except where variations are specifically reflected on a development guide plan adopted by Council.

4.6.3 Development should reflect a transition of residential densities with lower densities facing Meares Avenue.

4.6.4 One vehicle parking bay per dwelling shall be provided on site.

4.6.5 All buildings on lots fronting the Civic Square, Town Park and Pedestrian Path as delineated on the Town Centre Strategy Plan shall be constructed to two storeys in height and be oriented towards the Civic Square.

4.6.6 Fencing on lots fronting the Civic Square, Town Park and Pedestrian Path between the building line and the Civic Square shall not exceed 1.5 metres in height when measured from the level of the Civic Square, Town Park and Pedestrian Path and shall be constructed to a uniform standard and of material and colours as specified by Council.

ADOPTION

Adopted by resolution of the Council of the Town of Kwinana at the Ordinary Meeting of the Council held on the 9th day of November 1997.

Date 26/6/98.

J. H. D. SLINGER, Mayor.
R. K. SMILLIE, Chief Executive Officer.

FINAL APPROVAL

1. Adopted by resolution of the Council of the Town of Kwinana at the Ordinary Meeting of Council held on the 24th day of June 1998 and the Common Seal of the Town of Kwinana was pursuant to that resolution hereunto affixed in the presence of:

J. H. D. SLINGER, Mayor.
R. K. SMILLIE, Chief Executive Officer.

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

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

Date: 29 July 1998.

P. SEWELL, for Chairperson,
Western Australian Planning Commission.

3. Final approval granted.

Date: 9 August 1998.

G. D. KIERATH, Hon Minister For Planning.

POLICE

PE401

ROAD TRAFFIC ACT 1974

Peter John Otway, A/Commander (Traffic and Operation Support) being the delegated officer of the Minister for Transport under section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a cycle race by members/entrants of the Albany Cycling Club Inc on August 29th, 1998 between the hours of 1330-1700 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on—Marine Dr, Forts Rd, Apex Dr.

All participants to wear approved head protection at all times.

Dated at Perth this 12th day of August 1998.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

PE402**ROAD TRAFFIC ACT 1974**

Peter John Otway, A/Commander (Traffic and Operation Support) being the delegated officer of the Minister for Transport under section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a cycle race by members/entrants of the Albany Cycle Club Inc on August 29th, 1998 between the hours of 1330-1630 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on—Stead Rd, Sanford Rd, Graham St, Borker Rd.

All participants to wear approved head protection at all times.

Dated at Perth this 12th day of August 1998.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

PE403**ROAD TRAFFIC ACT 1974**

Peter John Otway, A/Commander (Traffic and Operation Support) being the delegated officer of the Minister for Transport under section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a cycle race by members/entrants of the Peel District Cycle Club Inc on August 29th, 1998 between the hours of 1200-1700 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on—Williams Rd between Pinjarra and Dwellingup.

All participants to wear approved head protection at all times.

Dated at Perth this 12th day of August 1998.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

PE404**ROAD TRAFFIC ACT 1974**

Peter John Otway, A/Commander (Traffic and Operation Support) being the delegated officer of the Minister for Transport under section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a cycle race by members/entrants of the Bunbury Cycle Club Inc on September 13th, 1998 between the hours of 0930-1200 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on—Dardinup Rd, Furguson Rd, Wellington-Lowden Rd, Donnybrook-Boyup Brook Rd.

All participants to wear approved head protection at all times.

Dated at Perth this 12th day of August 1998.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

PE405**ROAD TRAFFIC ACT 1974**

Peter John Otway, A/Commander (Traffic and Operation Support) being the delegated officer of the Minister for Transport under section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a cycle race by members/entrants of the Eastern Goldfields Cycle Club on August 29th, 1998 between the hours of 1430-1600 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on—Lane St.

All participants to wear approved head protection at all times.

Dated at Perth this 12th day of August 1998.

P. J. OTWAY, A/Commander (Traffic and Operation Support).

RACING, GAMING AND LIQUOR

RA401**LIQUOR LICENSING ACT 1988**

SUMMARY OF LIQUOR LICENSING APPLICATIONS

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

| App. No. | Applicant | Nature of Application | Last Date for Objections |
|---|-----------------------------|---|--------------------------|
| APPLICATIONS FOR THE GRANT OF A LICENCE | | | |
| 1414/98 | Robert Ramage & Mary Ramage | Application for the grant of a Hotel Licence in respect of premises situated in Geraldton and known as Geraldton Motor Inn. | 9/9/98 |
| 1416/98 | Suntree Nominees Pty Ltd | Application for the grant of a Producer—Wine Licence in respect of premises situated in Herne Hill and known as Sittella. | 3/9/98 |
| 1419/98 | Excelink Pty Ltd | Application for the grant of a Restaurant Licence in respect of premises situated in Highgate and known as The Chorus. | 8/9/98 |

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

G. B. AVES, Director of Liquor Licensing.

STATE REVENUE

SX301*

Fuel Suppliers Licensing Act 1997

Fuel Suppliers Licensing Amendment Regulations 1998

Made by the Governor in Executive Council.

1. **Citation**
These regulations may be cited as the *Fuel Suppliers Licensing Amendment Regulations 1998*.
2. **Regulation 4A inserted**
After regulation 4 of the *Fuel Suppliers Licensing Regulations 1998** the following regulation is inserted —
“
 - 4A. **General diesel and ORD subsidy rates (s. 3)**
 - (1) For the purposes of the definition of “general diesel subsidy rate” in section 3 of the Act the subsidy rate of 0.654 cents per litre is prescribed.

- (2) For the purposes of the definition of "ORD subsidy rate" in section 3 of the Act the subsidy rate of 7.495 cents per litre is prescribed.

[* *Published in Gazette 30 January 1998, pp. 549-58.*
For amendments to 3 August 1998 see Gazette 23 June and 21 July 1998.]

By Command of the Governor,

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

PUBLIC NOTICES

ZZ401

NOTICE OF DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the Partnerships previously subsisting between Robert Ross Waddell and Karen Gail Weaver, known as "Waddell Reticulation and Landscaping" and the Network Marketing Partnership, "Jewelway", in the names of Robert Ross Waddell and Karen Gail Weaver have been dissolved as from 13/8/98.

ZZ402

CORPORATIONS LAW

NOTICE OF FINAL MEETING OF MEMBERS

Pursuant to Section 509

KEITH MURPHY PTY LTD (IN LIQUIDATION)

A.C.N. 008 675 107

Notice is hereby given that a meeting of the members of Keith Murphy Pty Ltd (In Liquidation) will be held on Tuesday the 15th September 1998 at 10.00 a.m. at 2nd Floor, Garland House, 52 Kings Park Road, West Perth, for the purpose of having an account laid before them showing the manner in which the winding up has been conducted and the property of the company disposed of and of hearing any explanation that may be given by the Liquidator and also resolving the manner in which the books, accounts and documents of the company and of the Liquidator thereof shall be disposed of.

Dated at West Perth this 12th day of August 1998.

G. WOODLEY-PAGE, Liquidator.

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