

WESTERN
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Gazette

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JOHN A. STRIJK, Government Printer.

— PART 1 —

PROCLAMATIONS

AA101

PRISONS ACT 1981

PROCLAMATION

WESTERN AUSTRALIA
P. M. Jeffery,
Governor.
[LS]

} By His Excellency Major General Philip Michael
Jeffery, Companion of the Order of Australia, Officer
of the Order of Australia (Military Division), Military
Cross, Governor of the State of Western Australia.

I, the Governor, acting with the advice and consent of the Executive Council under section 5(1) of the *Prisons Act 1981*, amend the proclamation made under section 5(1)(a) of that Act and published in the *Government Gazette* of 4 December 1998 on page 6447 by deleting "but excluding the building known as the Gwynne Lea Hostel and the area of land within 3 metres of the outside wall of that Hostel,".

Given under my hand and the Public Seal of the State on 19 October 1999.

By Command of the Governor,

PETER FOSS, Minister for Justice.

GOD SAVE THE QUEEN !

CONSERVATION AND LAND MANAGEMENT

CM301*

Conservation and Land Management Act 1984

Public Firewood Areas Order (No. 2) 1999

Made by the Executive Director under regulation 98 of the *Forest Management Regulations 1993*.

1. Citation

This order may be cited as the *Public Firewood Areas Order (No. 2) 1999*.

2. Interpretation

- (1) References in this order to CALMAPS are to maps produced by the Department of Conservation and Land Management.
- (2) Copies of the maps are available for inspection by the public during normal office hours at the place referred to in clause 4.

3. Public firewood areas

- (1) The areas of State forest named in column 1 and described in column 3 of Schedule 1 are set aside for the purposes of the collection of firewood by members of the public.
- (2) The areas set aside under subclause (1) are delineated on the relevant CALMAPS referred to in column 2 of Schedule 1.
- (3) No fees are payable in respect of the removal of firewood from the areas designated in Schedule 1.

4. Inspection of CALMAPS

A CALMAP referred to in Schedule 1 may be inspected at the Department of Conservation and Land Management Pemberton District Office, Kennedy Street, Pemberton.

Schedule 1 — Free public firewood areas

[cl. 3]

Southern Forest region

Name of area	Name of CALMAP	Description
Dombakup	Northcliffe & Shannon	That part of State forest 39 bounded by a line commencing on the south-east corner of the road surface at the junction of Rowney Road and the Pemberton/Northcliffe Road and extending — 800 metres on 186 degrees, then 750 metres on 150 degrees, then 500 metres on 116 degrees, then 250 metres on 160 degrees, then 750 metres on 209 degrees, then 250 metres on 185 degrees, then 200 metres on 116 degrees, then 400 metres on 64 degrees, then 250 metres on 30 degrees, then 350 metres on 55 degrees, then 350 metres on 5 degrees, then 400 metres on 20 degrees, then 350 metres on 46 degrees, then 250 metres on 10 degrees, then 800 metres on 339 degrees, then 200 metres on 298 degrees, then 350 metres on 262 degrees, then 350 metres on 315 degrees, then 450 metres on 290 degrees, then 250 metres on 200 degrees, then 350 metres on 255 degrees, to the starting point.

Name of area	Name of CALMAP	Description
Fly Brook	Lake Jasper & Charwood	<p>That part of State forest 36 bounded by a line commencing on the south-west corner of the road surface at the junction of Tobruk Road and the Vasse Highway and extending —</p> <p>500 metres on 215 degrees, then 250 metres on 164 degrees, then 1 250 metres on 212 degrees, then 350 metres on 60 degrees, then 1 500 metres on 146 degrees, then 1 100 metres on 98 degrees, then 650 metres on 59 degrees, then 900 metres on 90 degrees, then 300 metres on 332 degrees, then 300 metres on 39 degrees, then 750 metres on 351 degrees, then 350 metres on 315 degrees, then 400 metres on 14 degrees, then 950 metres on 270 degrees, then 350 metres on 0 degrees, then 400 metres on 268 degrees, then 1 300 metres on 289 degrees, to the starting point.</p>
Sutton	Pemberton & Deeside	<p>That part of State forest 38 bounded by a line commencing on the north-east corner of the road surface at the junction of Wallace Road and Reptile Road and extending —</p> <p>1 700 metres on 18 degrees, then 900 metres on 95 degrees, then 1 200 metres on 125 degrees, then 500 metres on 119 degrees, then 250 metres on 140 degrees, then 1 100 metres on 254 degrees, then 1 300 metres on 276 degrees, then 750 metres on 245 degrees, to the starting point.</p>

S. SHEA, Executive Director.

HEALTH

HE301*

Health Act 1911

Health (Meat Inspection, Branding and Processing) Amendment Regulations (No. 2) 1999

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Health (Meat Inspection, Branding and Processing) Amendment Regulations (No. 2) 1999*.

2. The regulations amended

The amendments in these regulations are to the *Health (Meat Inspection, Branding and Processing) Regulations 1950**.

[* Reprinted as at 21 May 1999.

For amendments to 16 September 1999, see Gazette of 14 September 1999.]

3. Schedule C Table 2 Part 1 amended

Schedule C Table 2 Part 1 is amended as follows:

- (a) in the item commencing "Scale D" in the first column headed "Unit of Livestock" by inserting after "goat," —
" rabbit, ";
- (b) after the item commencing "Scale V" by inserting the following 2 items —

“

Scale W

Unit of Livestock	Carcass	Side	Piece
For each sheep, lamb, deer, goat or calf (under 70 kg).....	40c	—	—
For each swine.....	\$1.85	—	—
For each cow, bull, heifer or steer.....	\$2.95	—	—

Scale X

Unit of Livestock	Carcass	Side	Piece
For each sheep, lamb, deer, goat or calf (under 70 kg).....	10c	—	—
For each cow, bull, heifer or steer.....	50c	—	—

”.

4. Schedule C Table 2 Part 2 amended

Schedule C Table 2 Part 2 is amended as follows:

- (a) in the item commencing "Scale D" by inserting —
" City of Rockingham ";
- (b) in the item commencing "Scale E" by inserting in the appropriate alphabetical position —
" Shire of Gingin ";
- (c) in the item commencing "Scale F" by deleting "City of Bunbury" and "City of Rockingham";
- (d) in the item commencing "Scale J" by deleting "Shire of Gingin";
- (e) in the item commencing "Scale K" by deleting "Shire of Wyndham-East Kimberley";
- (f) in the item commencing "Scale N" by inserting in the appropriate alphabetical position —
" Shire of Wyndham-East Kimberley ";
- (g) after the item commencing "Scale V" by inserting the following 2 items —

"

Scale W	City of Bunbury (Dardanup Butchering Co., Wimbridge Road, Picton)
Scale X	City of Bunbury (V & V Walsh Wholesale Butchers, South Western Highway, Bunbury)

".

By Command of the Governor,

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

HE302*

Optometrists Act 1940

Optometrists Registration Board Amendment Rules 1999

Made by The Optometrists Registration Board with the approval of the Governor in Executive Council.

1. Citation

These rules may be cited as the *Optometrists Registration Board Amendment Rules 1999*.

2. The rules amended

The amendments in these rules are to the *Optometrists Registration Board Rules 1941**.

[* Reprinted as authorized 15 July 1966.

For amendments to 20 August 1999 see 1998 Index to Legislation of Western Australia, Table 4, p. 223-4.]

3. Headings to Part I replaced

Part I is amended by deleting the heading and subheading and inserting instead —

“

Part 1 — Preliminary

”.

4. Headings to Part II replaced

Part II is amended by deleting the heading and subheading and inserting instead —

“

Part 2 — Election of nominees for appointment to Board

”.

5. Headings to Part III replaced

Part III is amended by deleting the heading and subheading and inserting instead —

“

Part 3 — Meetings

”.

6. Headings to Part IV replaced

Part IV is amended by deleting the heading and subheading and inserting instead —

“

Part 4 — Registrar

”.

7. Headings to Part V replaced

Part V is amended by deleting the heading and subheading and inserting instead —

“

Part 5 — The Register

”.

8. Headings to Part VI replaced

Part VI is amended by deleting the heading and subheading and inserting instead —

“

Part 6 — Registration of optometrists

”.

9. Headings to Part VII replaced

Part VII is amended by deleting the heading and subheading and inserting instead —

“

Part 7 — Students and examinations

”.

10. Headings to Part VIII replaced

Part VIII is amended by deleting the heading and subheading and inserting instead —

“

Part 8 — Licenses

”.

11. Heading to Part VIIIA replaced

Part VIIIA is amended by deleting the heading and inserting instead —

“

Part 8A — Advertising

”.

12. Headings to Part IX replaced

Part IX is amended by deleting the heading and subheading and inserting instead —

“

**Part 9 — Charges or complaints against
optometrists**

”.

13. Headings to Part X replaced

Part X is amended by deleting the heading and subheading and inserting instead —

“

Part 10 — Fees and fines

”.

14. Headings to Part XI replaced

Part XI is amended by deleting the heading and subheading and inserting instead —

“

Part 11 — Miscellaneous

”.

15. Second Appendix amended

The Second Appendix is amended by deleting “Part I”, “Part II” and “Part III”.

Passed by a resolution of The Optometrists Registration Board at a meeting of the Board held on 7 September 1999.

The Common Seal of)
 The Optometrists Registration)
 Board was at the time of the)
 above resolution affixed in the)
 presence of —)

ANNE DURACK, Chairman.
 COLIN EMMOTT, Registrar.

Approved by the Governor,

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

— PART 2 —

AGRICULTURE

AG401**HORTICULTURAL PRODUCE COMMISSION ACT 1988**

NOTICE OF FEE FOR SERVICE

Midland WA 6056.

I, the undersigned Minister for Primary Industry, Fisheries being the Minister charged with the administration of the Horticultural Produce Commission Act 1988 grant, pursuant to Section 14 of the said Act, implementation of the following Fee for Service for the Carnarvon Banana Compensation Growers' Committee—

20 cents per 13 kilogram carton or equivalent.

The above rates to operate from 19 November 1999.

HON. M. G. HOUSE, JP, MLA,
Minister for Primary Industry; Fisheries.

AG402***AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976**

Agriculture Protection Board
South Perth.

Acting pursuant to the powers granted by Section 35 and 36 of the Agriculture and Related Resources Protection Act 1976, the Agriculture Protection Board hereby—

- (a) declares the plants listed below to be declared plants and assigns them to the categories specified, in those regions shown.

Apple of sodom (Solanum linnaeanum);

P1, P2; Municipal districts of Cranbrook, Denmark, Plantagenet, Jerramungup, Albany, except for Albany locations 4901,3433,5154,3434 and 3435.

P1, P3; Albany locations 4901,3433,5154,3434 and 3435

Candle bush (Senna alata)

P1, P2 for the whole the State, except those areas constituted as townsites under Section 26 the Land Administration Act 1997.

Cape tulip (Moraea flaccida) (One leaf), (Moraea miniata) (two leaf);

P1, P3; Municipal districts of Denmark, Kent and Cranbrook, except that area bordered by Albany Highway, Weir Rd, Boyup-Cranbrook Road, Shamrock & Yeriminup Roads & Frankland-Cranbrook Road

P1, P4; Municipal districts of Augusta/Margaret River, Busselton, Capel, Donnybrook, Dardanup, BoyupBrook, Bridgetown, Manjimup and Nannup.

Cottonbush (Gomphocarpus fruticosus) (narrow leaf);

P1, P3; Municipal districts of Albany, Plantagenet, Cranbrook, Denmark, Katanning, Woodanilling, Kojonup, Broomehill, Dumbleyung, Tambellup, Gnowangerup, West Arthur, Kent, Jerramungup.

P1, P4; Municipal districts of Augusta/Margaret River, Busselton, Capel, Dardanup, Donnybrook, Collie, Harvey, Murray, Serpentine/Jarrahdale, Waroona, and the Cities of Mandurah and Bunbury.

Glaucous star thistle (Carthamus leucocaulos);

P1, P3; Municipal districts of Tambellup and Gnowangerup

Heliotrope (Heliotropium europaeum);

P1, P3; Municipal districts of Albany, Cranbrook, Denmark, Plantagenet, Woodanilling, Kojonup, Broomehill, Gnowangerup, West Arthur, Augusta/Margaret River, Busselton, Capel, Dardanup, Donnybrook, Collie, Harvey, Murray, Serpentine/Jarrahdale, Waroona, and the Cities of Mandurah and Bunbury.

Horehound (Marrubium vulgare);

P1, P2; Municipal districts of Albany, Cranbrook, Denmark, Katanning, Woodanilling, Broomehill, Dumbleyung, Tambellup, Gnowangerup, West Arthur, Wagin

P1, P3; Municipal district of Plantagenet

Paterson's curse (Echium plantagineum);

P1, P3; Municipal districts of Cranbrook, Denmark, Woodanilling, Kojonup, Broomehill, Tambellup, West Arthur, Wagin, Kent, Ravensthorpe, Augusta/Margaret River, Busselton, Capel, Dardanup, Donnybrook, Collie, Harvey, Murray, Serpentine/Jarrahdale, Waroona, and the Cities of Mandurah and Bunbury.

P1, P4; Those parts of the municipal districts of Carnamah and Coorow west of the Midlands Road.

Saffron thistle (Carthamus lanatus);

P1, P3; Municipal districts of Albany, Cranbrook, Denmark, Plantagenet, Katanning, Woodanilling, Kojonup, Broomehill, Dumbleyung, Tambellup, Gnowangerup, West Arthur, Wagin, Kent, Jerramungup, Augusta/Margaret River, Busselton, Capel, Dardanup, Donnybrook, Collie, Harvey, Murray, Serpentine/Jarrahdale, Waroona, Carnamah, Coorow, and the Cities of Mandurah and Bunbury.

Stemless thistle (Onopordum acaulon)

P1, P2; Municipal districts of Albany, Cranbrook, Denmark, Plantagenet, Katanning, Woodanilling, Kojonup, Broomehill, Dumbleyung, Tambellup, Gnowangerup, West Arthur, Wagin,

P1, P3; Municipal districts of Ravensthorpe

Thornapple (Datura stramonium) (common), (Datura ferox) (fierce), (Datura leichhardtii) (Leichhardt's or Mexican), (Datura wrightii) (hairy), (Datura innoxia) (downy) and (Datura metel).

P1, P3; Municipal districts of Albany, Cranbrook, Denmark, Plantagenet, Katanning, Woodanilling, Kojonup, Broomehill, Dumbleyung, Tambellup, Gnowangerup, West Arthur, Wagin, Kent, Ravensthorpe, Jerramungup, Collie, Harvey, Murray, Serpentine/Jarrahdale, Waroona, and the Cities of Mandurah and Bunbury.

- (b) cancels the declaration of Geraldton carnation weed (*Euphorbia terracina*) in the municipal districts of Albany, Cranbrook, Denmark and Plantagenet.

Dated 7 October 1999.

KERYL ENRIGHT, Chairman,
Agriculture Protection Board.

CONSERVATION AND LAND MANAGEMENT

CM401

CONSERVATION AND LAND MANAGEMENT ACT 1984

ORDER TO EXCISE A PORTION OF STATE FOREST NO. 69

CALM File: 011460F3001

DOLA File: 618/1998/01

Made by His Excellency the Governor under Section 9(2).

Whereas both Houses of Parliament passed a resolution that a proposal from His Excellency the Governor dated the 23rd day of March 1999, for the revocation of State forest No. 69, should be carried out. Now, His Excellency the Governor, with the advice and consent of the Executive Council, declares that the dedication of Crown land as State forest No. 69 is partially revoked by excision of the area described in the schedule.

Schedule

All that portion of land being the whole of Swan Locations 13257 and 13380 as surveyed and shown on Land Administration Act Diagrams 94122 and 94331 respectively.

Area: Swan Location 13257	1.5452 hectares
Swan Location 13380	<u>1.8391</u> hectares
TOTAL	<u>3.3843</u> hectares

Public Plan: Swan 1:2,000 BG 35 8.07.

M. C. WAUCHOPE, Clerk of the Council.

FAIR TRADING

FT401**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 organisations listed below—

- * The Speech and Hearing Centre for Deaf Children W.A. (Inc)
- * Westrek Foundation Inc
- * Lions Club of Subiaco Inc
- * St Columba College

Dated this 19th day of October 1999.

DOUG SHAVE, Minister for Fair Trading.

HEALTH

HE401***HUMAN REPRODUCTIVE TECHNOLOGY ACT 1991**

**WESTERN AUSTRALIAN REPRODUCTIVE TECHNOLOGY COUNCIL
(APPOINTMENT OF MEMBERS) INSTRUMENT (No.2) 1999**

Made by the Governor pursuant to section 8(2) of the Act.

1. Citation

This instrument may be cited as the *Western Australian Reproductive Technology Council (Appointment of Members) Instrument (No.2) 1999*.

2. Interpretation

In this instrument—

- “table” means the table in the Schedule to this instrument;
- “the Act” means the *Human Reproductive Technology Act 1991* (WA);
- “the Council” means the Western Australian Reproductive Technology Council established under section 8(1) of the Act;

3. Appointment of Members

Each of the persons named in column 2 of the table are appointed as members of the Council, pursuant to the provision of the Act specified in column 1 of the table adjacent to the name of that person, for a period of 3 years commencing from the date of appointment.

4. Appointment of Deputies

Pursuant to clause 2 of the Schedule of the Act, the person named in column 3 of the table is appointed as Deputy to act in the place of the member specified in column 2 of the table adjacent to the name of that person, for a period of 3 years commencing from the date of appointment.

Schedule
TABLE

COLUMN 1 Section	COLUMN 2 Member	COLUMN 3 Deputy
8(2)(a)(ii)	Mr Philip MATTHEWS	No deputy
8(2)(a)(ii)	Dr Beverley Anne PETTERSON	No deputy
8(2)(a)(i)(D)	Ms Antonia R CLISSA	Ms Suzanne Maree MIDFORD
8(2)(a)(i)(D)	Dr Ken Mark McKENNA	Assoc Prof James Michael CUMMINS
8(2)(a)(i)(D)	Dr Kaye Elizabeth MILLER	Mrs Christine Leslie LEMON

By Command of the Governor,

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

LAND ADMINISTRATION

LA401***TRANSFER OF LAND ACT 1893**Department of Land Administration,
MIDLAND.

DOLA File 886-1998

His Excellency the Governor in Executive Council is pleased to appoint under section 6 of the Transfer of Land Act 1893 Valerie Sook-Yin Tham as Deputy Commissioner of Titles.

ALLAN SKINNER, Chief Executive.

LA402***TRANSFER OF LAND ACT 1893**Department of Land Administration,
MIDLAND.

DOLA File 886-1998

His Excellency the Governor in Executive Council is pleased to appoint under section 5 of the Transfer of Land Act 1893 John Lindon Gladstone as Commissioner of Titles.

ALLAN SKINNER, Chief Executive.

LOCAL GOVERNMENT

LG401**BUSH FIRES ACT 1954***Shire of Mukinbudin*

APPOINTMENT OF OFFICERS

It is hereby notified for public information that in accordance with section 38 of the Act, the Council of the Shire of Mukinbudin has appointed the following Officers—

Chief Fire Control Officer	Kenneth Brierly
Deputy Chief Fire Control Officer	Andrew John Borrett
Fire Control Officers	James Barber Bruce Shadbolt Albert Shadbolt Ernie Ventris Don Bent Phil Smith Alan Carlton Ashley Walker
Deputy Control Officers	Allan Jones Reg Maddock
Dual Registered Fire Control Officers (also appointed in Mt Marshall Shire)	Alan Gracie Laurie O'Neil Michael Hegarty

All previous appointments are hereby cancelled.

ANDREW J. BORRETT, Chief Executive Officer.

PLANNING

PD401*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

SHIRE OF SWAN

TOWN PLANNING SCHEME NO 9—AMENDMENT NO 332

Ref: 853/2/21/10 Pt 332

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Swan Town Planning Scheme Amendment on 13 October, 1999 for the purpose of—

(1) Amending the Scheme Text by—

(a) Amending Schedule 1—Definitions by—

(i) Modifying the definition of “Home Occupation” to read—

“**Home Occupation**” means an occupation carried on in a dwelling on land around a dwelling, or in a domestic outbuilding on the land by a resident of the dwelling which—

- (a) entails the conduct of a business, office or workshop only;
- (b) does not entail the retail sale, display or hire of goods of any nature;
- (c) does not entail hairdressing, services involving skin penetration, the preparation of food, a “Bed and Breakfast” facility, vehicle service or vehicle repairs but may include a child family care centre;
- (d) does not detract from the residential use and appearance of the property;
- (e) does not entail employment of any person not a member of the occupier’s household;
- (f) does not occupy an area greater than 25 square metres;
- (g) does not display more than one advertisement sign and that sign not exceeding 0.2 square metres in area; and
- (h) does not entail the presence, parking or garaging of a commercial vehicle contrary to the provisions of this Scheme; and
- (i) will not adversely affect the amenity of the neighbourhood in any way including—
 - the appearance of any building, works or materials used;
 - the parking of motor vehicles;
 - the transporting of materials or goods to or from the dwelling;
 - the hours of operation;
 - electrical interference;
 - the storage of chemicals, gasses or other hazardous materials; or
 - emissions from the site including noise.

(ii) Inserting (in alphabetical order) the following new definitions—

“**Home Business**” means a business, service, trade or similar activity carried on in a dwelling, in an approved building on the land or on land around a dwelling by a resident of the dwelling which—

- (a) does not entail the retail sale of any goods produced, other than goods manufactured, serviced or repaired in the business;
- (b) does not entail employment of more than two persons, not members of the occupier’s household;
- (c) in a residential zone, does not occupy an area greater than 50 square metres and in any other zone does not occupy an area greater than 150 square metres, providing that no more than 50 square metres is within a dwelling, no more than 100 square metres is within another approved building and no more than 100 square metres is used for outdoor storage;
- (d) will not result in traffic conflict as a result of the inadequacy of on-site and off-site parking;
- (e) will not result in a substantial increase in the amount of vehicular traffic in the vicinity;
- (f) does not display more than one sign and that sign not exceeding 0.2 square metres in area in a residential zone or 0.6 square metres in area in any other zone;
- (g) does not entail the presence, parking or garaging of a commercial vehicle contrary to the provisions of this Scheme; and
- (h) will not adversely affect the amenity of the neighbourhood in any way including—
 - the appearance of any building, works or materials used;
 - the transporting of materials or goods to or from the dwelling;
 - the hours of operation;
 - electrical interference;

- the storage of chemicals, gasses or other hazardous materials; or
 - emissions from the site including noise.
- (i) does not detract from the residential appearance of the dwelling or domestic outbuilding.
- “Rural Home Occupation”** means an occupation carried on in a dwelling on land around a dwelling by a resident of the dwelling or in a domestic outbuilding on the land by a resident of the dwelling which—
- (a) entails the conduct of a business, office or workshop only;
 - (b) is carried out on a lot which has a minimum area of 1 hectare;
 - (c) does not occupy an area greater than 150 square metres, providing that no more than 25 square metres is within a dwelling on the property, no more than 100 square metres is within another approved building and no more than 100 square metres is used for outdoor storage;
 - (d) does not entail the sale of goods, other than goods of an arts or craft nature which are manufactured in the occupation;
 - (e) does not entail the hire of goods of any nature;
 - (f) does not entail hairdressing, services involving skin penetration, the preparation of food, vehicle service or repairs, or the storage of disused materials or vehicles, but may include a child family care centre;
 - (g) does not detract from the residential appearance of the dwelling house or domestic outbuilding;
 - (h) does not entail employment of more than one person not a member of the occupier’s household;
 - (i) does not display more than one sign and that sign not exceeding 0.6 square metres in area;
 - (j) does not impose a load on any utility greater than normally required for domestic use;
 - (k) does not entail the presence, parking or garaging of a commercial vehicle contrary to the provisions of this Scheme; and
 - (l) will not adversely affect the amenity of the neighbourhood in any way including—
 - the appearance of any building, works or materials used;
 - the parking of motor vehicles;
 - the transporting of materials or goods to or from the dwelling;
 - the hours of operation;
 - electrical interference;
 - the storage of chemicals, gasses or other hazardous materials;
 - or emissions from the site including noise.
- (b) Amending Table 3A—Midland Sub-Regional Centre Zones and Table 3B—District Zones Other than for the Midland Sub-Regional Centre by—
- (i) Deleting the existing use classifications as attached.
 - (ii) Inserting (in alphabetical order) new use classes of Home Business and Rural Home Occupation with attendant use classifications as set out in Appendix 1 and Appendix 2.
- (c) Amending Appendix 7 Special Rural Zones—Provisions relating to Specified Area by modifying the Special Provisions relating to the various Special Rural Zones set out below—

Special Rural Zone No. 4—‘Henley Brook’

by adding under 2a) the following uses as ‘P’ uses—

- Home Occupation
- Rural Home Occupation

deleting under 2b) the following use as an ‘AA’ use—

- Home Occupation

by adding under 2b) the following use as an ‘AA’ use—

- Home Business

Special Rural Zone No. 4A—‘Henley Brook’

by adding under 2a) the following uses as ‘P’ uses—

- Home Occupation
- Rural Home Occupation

by deleting under 2b) the following use as an ‘AA’ use—

- Home Occupation

by adding under 2b) the following use as an ‘AA’ use—

- Home Business

Special Rural Zone No. 4B—‘Henley Brook’

by adding under 2a) the following uses as ‘P’ uses—

- Home Occupation
- Rural Home Occupation

by deleting under 2b) the following use as an 'AA' use—

- Home Occupation

by adding under 2b) the following use as an 'AA' use—

- Home Business

Special Rural Zone No. 4C—'Henley Brook'

by adding under 2a) the following uses as 'P' uses—

- Home Occupation
- Rural Home Occupation

by deleting under 2b) the following use as an 'AA' use—

- Home Occupation

by adding under 2b) the following use as an 'AA' use—

- Home Business

Special Rural Zone No. 4D—'Henley Brook'

by adding under 2a) the following uses as 'P' uses—

- Home Occupation
- Rural Home Occupation

by deleting under 2b) the following use as an 'AA' use—

- Home Occupation

by adding under 2b) the following use as an 'AA' use—

- Home Business

Special Rural Zone No. 7—'Belhus Estate'

by adding under 2a) the following uses as 'P' uses—

- Home Occupation
- Rural Home Occupation

by deleting under 2b) the following use as an 'AA' use—

- Home Occupation

by adding under 2b) the following use as an 'AA' use—

- Home Business

Special Rural Zone No. 11—'Adams Road, Red Hill'

by adding under 2a) the following uses as 'P' uses—

- Home Occupation
- Rural Home Occupation

by deleting under 2b) the following use as an 'AA' use—

- Home Occupation

by adding under 2b) the following use as an 'AA' use—

- Home Business

- (d) Amending Appendix 6—Special Purpose Zones by modifying the permissibility of uses and special conditions for the following Special Purpose Zones, Upper Swan, Lexia Avenue, Maralla Road and Rose Street, by adding before "P' Use—Tourism & Recreation Resort"—

'P' use—Home Occupation

'P' use—Rural Home Occupation

and adding after "Single houses or multiple dwellings at densities depicted on the Overall Development Plan"—

'AA' use—Home Business

Gidgegannup, Clenton Road, Lots 105 and 106:

by adding under 2a) the following uses as 'P' uses—

- Home Occupation
- Rural Home Occupation

by deleting under 2b) the following use as an 'AA' use—

- Home Occupation

by adding under 2b) the following use as an 'AA' use—

- Home Business,

Guildford, Terrace Road, Lots W1 & W2:

by adding—

'P' Use—Home Occupation

'AA' Use—Home Business

Guildford, Stirling Street, TL44 Lot 194:

by adding—

'P' Use—Home Occupation

'AA' Use—Home Business

Caversham, Lord Street, Portion of Swan Loc 11942 (Reserve 43131):

by adding the following uses as 'P' uses—

- Home Occupation
- Rural Home Occupation

by deleting the following use as an 'AA' use—

- Home Occupation

Appendix 2
TABLE 3A
DISTRICT ZONES FOR THE MIDLAND SUB-REGIONAL CENTRE

Zones Use Classes	City Centre—Business	City Centre—Regional Shopping	City Centre—Commercial Deferred+	City Centre—Showroom/Warehouse	City Centre—Civic & Administration	City Centre—Residential & Mixed Uses	City Centre—Residential 1	City Centre—Residential 2	City Centre—Light Industrial
Home Business			AA				AA	AA	
Home Occupation			AA				P	P	
Rural Home Occupation									

C. M. GREGORINI, Shire President.
E. W. T. LUMSDEN, Chief Executive Officer.

PD402

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
TOWN OF VICTORIA PARK
TOWN PLANNING SCHEME NO 1—AMENDMENT NO 2

Ref: 853/2/32/2 Pt 2

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Town of Victoria Park Town Planning Scheme Amendment on 13 October, 1999 for the purpose of—

Including a new provision into Clause 22 *Special Application of the Residential Planning Codes* following subclause 3—

(4) Sunbury Park Precinct—setback, building heights, plot ratio and site coverage shall comply with the Site Design Guidelines for Sunbury Park—Part A and Part B as contained in the Town of Victoria Park Town Planning Scheme No. 1—Policy Manual.

Including a new policy 3.12 in the Town Planning Scheme Policy Manual following existing Policy 3.11 Raphael Residential Design Guidelines;

The new policy 3.12 to be “Sunbury Park Site Design Guidelines” and to read as follows—

3.12. SUNBURY PARK SITE DESIGN GUIDELINES

3.12.1. INTRODUCTION

3.12.2. OBJECTIVES AND PURPOSE OF THE GUIDELINES

3.12.3. RELATIONSHIP TO TOWN PLANNING SCHEME AND POLICIES

3.12.4. APPROVALS

3.12.5. APPLICATION OF THE GUIDELINES

PART A LOTS 500 TO 569

3.12.6. SITE PLANNING

3.12.7. BUILDING ENVELOPE

3.12.7.1 *Setbacks*

3.12.7.2 *Building Height*

3.12.7.3 *Plot Ratio and Site Coverage*

3.12.8. BUILDING DESIGN AND MATERIALS

a) *Articulation and Detailing*

b) *Building Materials*

c) *Roof Form*

3.12.9. SOLAR ACCESS AND ENERGY EFFICIENCY

3.12.10. RELATIONSHIP TO SECONDARY FRONTAGES

- 3.12.11. FENCING AND SCREEN WALLS
 - a) *Front Fences*
 - b) *Fences on Secondary Frontages and to Public Open Space*
 - c) *Fencing Materials*
- 3.12.12. VEHICLES AND GARAGING
- 3.12.13. PRIVATE OPEN SPACE AND PRIVACY
- 3.12.14. VEGETATION AND LANDSCAPING
- 3.12.15. SITE SERVICES
- 3.12.16. AIR CONDITIONERS AND EVAPORATIVE AIR COOLERS
- 3.12.17. TV ANTENNAS, SATELLITE DISHES, RADIO MASTS AND OTHER SERVICES
- PART B LOTS 474 TO 499**
- 3.12.18. SITE PLANNING
- 3.12.19. BUILDING ENVELOPE
 - 3.12.19.1. *Setbacks*
 - 3.12.19.2. *Building Height*
 - 3.12.19.3. *Plot Ratio and Site Coverage*
- 3.12.20. BUILDING DESIGN AND MATERIALS
 - a) *Articulation and Detailing*
 - b) *Building Materials*
 - c) *Roof Form*
- 3.12.21. SOLAR ACCESS AND ENERGY EFFICIENCY
- 3.12.22. RELATIONSHIP TO SECONDARY FRONTAGES
- 3.12.23. FENCING AND SCREEN WALLS
 - a) *Front Fences*
 - b) *Fences on Secondary Frontages*
 - c) *Fencing Materials*
- 3.12.24. VEHICLES AND GARAGING
- 3.12.25. PRIVATE OPEN SPACE AND PRIVACY
- 3.12.26. VEGETATION AND LANDSCAPING
- 3.12.27. SITE SERVICES
- 3.12.28. AIR CONDITIONERS AND EVAPORATIVE AIR COOLERS
- 3.12.29. TV ANTENNAS, SATELLITE DISHES, RADIO MASTS AND OTHER SERVICES

3.12. SUNBURY PARK

Site Design Guidelines

3.12.1. Introduction

Victoria Park is a diverse residential area containing pre and post war development on large lots. The locality is generally characterised by traditional conservative Australian housing within a grid road pattern. The redevelopment and upgrading of the Victoria Park locality in the past decade has introduced smaller lots which are more urban in nature.

Sunbury Park is a continuation of this new urban lifestyle. It offers solar orientated lots fronting tree lined streets with areas of high quality, conveniently located parkland. Sunbury Park also offers convenient walking access to both the Lathlain Train Station and the East Victoria Park Primary School.

The aim of these guidelines is to ensure that the resultant dwellings continue the traditional theme of the locality whilst allowing for the lifestyle needs of families into the next century.

3.12.2. Objectives and Purpose of the Guidelines

The objectives of the policy are to guide the redevelopment of the land so as to promote—

- new development that is undertaken in a manner consistent with the streetscape and landscape character of the locality;
- development that is appropriately scaled, complementary to the surrounding locality and suited to small lot development;
- solar efficient residential development which minimises overshadowing of neighbouring properties and open space; and
- adequate privacy for new and existing development.

The development of small lot subdivisions require specific attention to be given to the relationship between dwellings that are constructed in close proximity to each other. These guidelines provide a series of points to consider when siting and designing housing within the subdivision to maximise privacy and quality of life.

Specifically, the document provides development and performance standards that encourage—

- the creation of a vibrant, balanced streetscape;
- innovative and attractive design;

- a variety of housing styles to suit current and future living requirements; and
- high levels of open space provision, solar access and privacy.

3.12.3. Relationship to Town Planning Scheme and Policies

These guidelines are intended to supplement the provisions of the Town Planning Scheme No. 1, Residential Planning Codes and Statements of Planning Policy and should be read in conjunction with those documents. In determining any applications for planning consent the Council will have regard to these guidelines, the Scheme and Policies.

Where there is inconsistency between these Site Design Guidelines and the Residential Design Guidelines, the Site Design Guidelines shall apply.

The following Town of Victoria Park Scheme Policies will also be considered in the design of residential buildings—

- 2.1 Applications for Planning Approval
- 2.2 Public Notification/Advertising Procedure
- 3.1 Residential Design Guidelines
- 3.2 Ancillary Accommodation
- 3.4 Home Occupation
- 3.8 Structures within Setbacks in Residential Areas
- 5.1 Parking Policy

3.12.4. Approvals

All dwellings within the subdivision require planning approval from the Town of Victoria Park. A Schedule 3: Application for Planning Approval Form (Town Planning Scheme No. 1) will need to be lodged with the Town along with plans of the proposed development.

3.12.5. Application of the Guidelines

These guidelines apply to lots 474 to 569 as shown on the attached Drawing S1.

There are two distinct areas covered by the guidelines. The first area contains lots 500 to 569 which will be dealt with in Part A of this document. The second area contains lots 474 to 499 and the relevant guidelines for these lots are contained in Part B of this document.

In a bid to signify the importance of a particular design aspect, the guidelines for each element have been divided into two categories—

- (E) Essential: these aim to ensure that the integrity of the build form is protected and the scale of new development is compatible with that in the locality. These controls are non-negotiable. The Council will require adherence to matters relating to the public interface between the house and the street.
- (D) Discretionary: these recommendations allow certain variations to occur which are aimed at preventing the reproduction of any one type of housing, and aim to strongly encourage individual designs and site finishes.

PART A

LOTS 500 TO 569

3.12.6. Site Planning

There are two distinct lot sizes within the subdivision. The majority of the lots are between 250m² and 300m². The second type of lot is the terrace or villa lots of 160m² with a 9.6m frontage.

- (a) With respect to any lot in excess of 231m² in area, the amalgamation to form larger development sites or subdivision of single house lots. will not be supported. (E)
- (b) All lots must address their primary street frontage, whilst meeting the necessary on-site parking and open space requirements of the guidelines. (E)
- (c) Lot levels must not be varied from those provided. (E)

3.12.7. Building Envelope

Building envelopes form an important part of the guidelines as they define the maximum size and bulk of buildings. These two factors have a direct impact on the liveability of small lot development and, at a broader level, the character of the streetscape.

3.12.7.1. Setbacks

- (a) Setbacks are measured at 90 degrees to the boundary. Because of the desire to achieve a consistent building line to streets, averaging of setbacks is not considered appropriate in this subdivision and will not be supported. (E)
- (b) On all lots garages/carports shall be setback 1 metre from the rear right-of-way boundary with a 45 degree truncation from the structure to the boundary. (E)
Other than this requirement, development may be up to the rear boundary, excluding any service easements. (E)
- (c) Lots 500 to 521 and 532 to 569 are required to be setback between 2 metres (minimum) and 4.5 metres (maximum) from the primary street boundary. (E)
Nil side setbacks are permitted, although not a requirement, on the boundaries identified on Drawing S1. (D)

- (d) In all other cases the side setbacks and permitted side openings shall be in accordance with the Residential Planning Codes of Western Australia (R-Codes). Variations to these requirements may be supported provided the development—
- complies with the guidelines' solar access requirements; (D)
 - does not impinge on the privacy of adjoining properties; (E) and
 - does not adversely impact on the useability of adjacent areas of public or private open space. (E)
- (e) Lots 522 to 531 are required to be setback between 1 metre (minimum) and 2 metres (maximum) from the primary street boundary. Nil setbacks are permitted to both side boundaries to facilitate terrace development, except lots 526 and 527. (E)

3.12.7.2 Building Height

- (a) The maximum height limit of the facade facing the primary street for any residence is 6m to the underside of the eaves from natural ground level, which may incorporate two storeys. A loft may separately be incorporated in the roof space. (E)
- (b) Building height is defined as the average finished site level to the underside of the eaves. Variations to this height limit may be supported provided they are of a minor or decorative nature such as chimneys and finials, etc. (D)
- (c) The external wall height for the ground floor of any dwelling must be a minimum of 2.7 metres above natural ground level.

3.12.7.3 Plot Ratio and Site Coverage

- (a) All single house lots are limited to 70% building site coverage with no specified plot ratio limit. (E)

3.12.8. Building Design and Materials

(a) Articulation and Detailing

Building elevations should be articulated and provide visual interest through the use of elements such as verandahs, balconies, awnings, decorative brick courses, finials, dormers and window projections. Building design should provide contemporary interpretations of traditional housing elements. Windows and doors (fenestration) should generally have a vertical rather than horizontal or square shape, as is typical of traditional housing types in Victoria Park. (E)

(b) Building Materials

Preference will be given to the use of traditional materials typical of Victoria Park, including—

Structural: Stone, limestone, red/orange and crea bricks and timber

Wall Cladding: Face brick, rendered masonry and the selected use of contoured weatherboard

Roofing: Single colour Colourbond Roofs, traditional terracotta coloured tiles and grey slate.

The darker Colourbond colours and dark grey/black slate roofs will not be permitted as they are inconsistent with the character of the desired streetscape and absorb more heat in summer than the lighter shades. (E)

(c) Roof Form

Roofs should generally be traditional in form with symmetrical roof planes and gables being the preferred form of detailing. (D)

Roofs should be pitched between 30 and 45 degrees with shallower pitches being acceptable for verandahs and canopies, small areas of skillion and flat roofs hidden or screened from the primary and, if applicable, secondary street. (E)

The use of appropriately proportioned dormer and attic windows is encouraged to assist with solar access, climate control and add visual interest to the dwelling and streetscape generally. (D)

3.12.9. Solar Access and Energy Efficiency

The majority of the lots within the subdivision have an orientation that can provide good access to the northerly winter aspect.

The house should be designed so that most of the daytime rooms are orientated to receive the maximum amount of northern winter sun whilst at the same time preserving solar access to adjoining properties. (D)

Plans showing any overshadowing impact of the proposed development, may be required by Council to be submitted as part of the information lodged at the development approval stage. Council will not require strict compliance with the provisions of Clause 1.7.2. of the Residential Planning Codes in respect of overshadowing. (D)

Openings should be orientated to capture prevailing breezes from the south and south-west. Protection should be provided to east and west facing windows in summer with such devices as awnings, eaves or a pergola. (D)

Where possible, construction materials from renewable sources should be selected. The selection of energy efficient services and appliances is also encouraged. (D)

3.12.10. Relationship to Secondary Frontages

Houses on lots with more than one frontage to a public space (street, lane or public open space) are to address all frontages. The secondary frontage/s should be articulated and provide a degree of visual interaction with the public space. Blank walls and fences and service ducts should be avoided on these elevations. (E)

3.12.11. Fencing and Screen Walls*(a) Front Fences*

Low front fences are encouraged in order to maintain an interaction between the dwellings and the street. Front fences are to comply with the Town Planning Scheme Policy 3.1 Residential Design Guidelines, Section 3.1.6.6. (E)

(b) Fences on Secondary Frontages and to Public Open Space

On corner lots and lots abutting the public open space, the maximum permitted fence height is 1.8 metres. In these cases, at least 50% of the length of the fence on each public boundary must be of open construction, with infill of a design acceptable to the Council. (E)

(c) Fencing Materials

Fences should be constructed of traditional materials including limestone, cement render, wrought iron and timber pickets and should compliment the materials used in the dwelling. Generally a vertical style of fencing is preferred. (E)

Fencing materials and designs are to be specified in plans submitted to the Council for approval. Fibro cement and steel panels will not be permitted. (E)

3.12.12. Vehicles and Garaging

Carpports and Garages to all lots shall be accessed from the right-of-way and provide for the storage of a minimum of two cars. (E)

A nil setback to either side boundary is permitted, however, a minimum 1 metre setback must be maintained to the right-of-way boundary. (E)

Council may require the carport or the garage to incorporate external wall mounted street lighting.

Open carports comprising visually permeable gates, wrought iron, etc are acceptable. Ideally, all garage doors should be panelled to reduce their impact on the street or accessway and be constructed of the same or similar material and colours as those of the house. (E)

Habitable rooms with independent access may be built into the space above the garages and may overhang the setback extending out to the lot boundary. (D)

3.12.13. Private Open Space and Privacy

A minimum of 30% of the lot area is to be open space. As this area is limited, it is important that its location, dimensions and relationship to the dwelling be carefully planned. The open space should—

- have a north aspect for winter solar penetration; (D)
- be directly accessible from a living area; (E)
- have a consolidation minimum area of 24m² with a minimum dimension of 4 metres; (E)
- generally be a contiguous area; (D)
- be at ground level although a deck or balcony area may be permissible in some circumstances; (D) and
- not be enclosed but may be covered with a pergola or weatherproof canopy. (D)

Council acknowledges that because of lot sizes, some level of overlooking is likely to occur. Nevertheless, the design of dwellings should attempt to minimise the potential for overlooking of and by adjoining properties. (D)

Smaller lot sizes also means neighbours are closer together. If the possibility of noise is a concern, consideration should, be given to incorporating noise attenuation measures into the design of the dwellings in order to minimise the transmittal of noise. Such measures may involve the choice of building materials including insulation, glazing and orientation of major openings. (D)

3.12.14. Vegetation and Landscaping

Careful selection and positioning of new planting is encouraged, taking into account—

- mature height and spread of vegetation in relation to the location of lot boundaries and buildings; (D)
- potential for the species to cause structural damage through root growth, shedding of limbs or other habits; (D)
- solar design principles; (D)
- watering requirements; (D)
- maintenance requirements; (D) and
- selection of species appropriate to the character of Victoria Park and soil conditions. (D)

3.12.15. Site Services

Sewerage, water, power and gas will be distributed to each site via the rear lane. Meter boxes and the like should be integrated within the development in underground pits or integrated in the fencing design. (D)

3.12.16 Air Conditioners and Evaporative Air Coolers

Air conditioners and evaporative air coolers are often noisy and it is therefore important that they are located so they are not easily heard by neighbours. Air conditioners and evaporative air coolers can only be roof mounted and be the rear of the roof and below the ridge line where they cannot be seen from the street or other public areas. (E)

3.12.17. TV Antennas, Satellite Dishes, Radio Masts and other Services

These facilities are very much a part of society's requirements for modern living. They can, however, be an ugly element of our residential environment if not carefully located. If possible, they should be located within a roof space or on rear walls or roof planes. (D)

Other building services such as air conditioning ducts, condensers, bin storage areas, hot water systems and clothes drying areas are to be screened from view from public spaces and neighbouring buildings. (D)

PART B

LOTS 474 TO 499

3.12.18. Site Planning

There are two distinct lot sizes within this section of the subdivision. The majority of the lots are between 200m² and 330m². The second type of lot is the grouped dwelling lots of 568m² with battleaxe leg access.

- (a) If any of the lots are amalgamated to form larger development sites the discretions provided for under Clause 3.12.19.1 of these Guidelines in relation to setbacks will not apply and building setbacks will be assessed in accordance with the provisions of the Residential Planning Codes. (E)
- (b) All lots must address their primary street frontage, reduce the impact of garaging on the streetscape whilst meeting the necessary on-site parking and open space requirements of the guidelines. (E)
- (c) Lot levels must not be varied from those provided. (E)

3.12.19. Building Envelope

Building envelopes form an important part of the guidelines as they define the maximum size and bulk of buildings. These two factors have a direct impact on the liveability of small lot development and at a broader level, the character of the streetscape.

3.12.19.1 Setbacks

- (a) Setbacks are measured at 90 degrees to the boundary. Because of the desire to achieve a consistent building line to streets, averaging of setbacks is not considered appropriate in this subdivision and will not be supported. (E)
- (b) Lots 474, 475, 478 to 485, 488 to 491 and 494 to 499 are required to be setback between 2 metres (minimum) and 4.5 metres (maximum) from the primary street boundary. (E)

Nil side setbacks are permitted, although not a requirement, on the boundaries identified on Drawing S1. (D)

In all other cases, the side setbacks and permitted side openings shall be in accordance with the Residential Planning Codes of Western Australia (R-Codes).

Variations to these requirements may be supported provided the development—

- complies with the guidelines' solar access requirements; (D)
 - does not impinge on the privacy of adjoining properties; and (E)
 - does not adversely impact on the useability of adjacent areas of public or private open space. (E)
- (c) Lots 476, 477, 486, 487, 492 and 493 are accessed via a battle axe leg. Nil setbacks are permitted in accordance with Drawing. (D)

3.12.19.2. Building Height

- (a) The maximum height limit of the facade facing the primary street for any residence is 6m to the underside of the eaves from natural ground level, which may incorporate two storeys. A loft may separately be incorporated in the roof space. (E)
- (b) Building height is defined as the average finished site level to the underside of the eaves. Variations to this height limit may be supported provided they are of a minor or decorative nature such as chimneys and finials, etc. (D)
- (c) The external wall height for the ground floor of any dwelling must be a minimum of 2.7 metres above natural ground level.

3.12.19.3. Plot Ratio and Site Coverage

- (a) All single house lots are limited to 70% building site coverage with no specified plot ratio limit. (E)

Lots 476, 477, 486, 487, 492 and 493 are limited to 70% maximum building site coverage.

3.12.20. Building Design and Materials

(a) Articulation and Detailing

Building elevations should be articulated and provide visual interest through the use of elements such as verandahs, balconies, awnings, decorative brick courses, finials, dormers and window projections. Building design should provide contemporary interpretations of traditional housing elements. pseudo historic style housing will not be supported. Windows and doors (fenestration) should generally have a vertical rather than horizontal or square shape, as is typical of traditional housing types in Victoria Park. (E)

(b) Building Materials

Preference will be given to the use of traditional materials typical of Victoria Park, including—
Structural: Stone, limestone, red/orange and crea bricks and timber

Wall Cladding: Face brick, rendered masonry and the selected use of contoured weatherboard

Roofing: Single colour Colorbond Roofs, traditional terracotta coloured tiles and grey slate.

The darker Colourbond colours and dark grey/black slate roofs will not be permitted as they are inconsistent with the character of the desired streetscape and absorb more heat in summer than the lighter shades. (E)

(c) *Roof Form*

Roofs should generally be traditional in form with symmetrical roof planes and gables being the preferred form of detailing. (D)

Roofs should be pitched between 30 and 45 degrees with shallower pitches being acceptable for verandahs and canopies, small areas of skillion and flat roofs hidden or screened from the primary and, if applicable, secondary street. (E)

The use of appropriately proportioned dormer and attic windows is encouraged to assist with solar access, climate control and add visual interest to the dwelling and streetscape generally. (D)

3.12.21. Solar Access and Energy Efficiency

The majority of the lots within the subdivision have an orientation that can provide good access to the northerly winter aspect.

The house should be designed so that most of the daytime rooms are orientated to receive the maximum amount of northern winter sun whilst at the same time preserving solar access to adjoining properties. (D)

Plans showing any overshadowing impact of the proposed development may be required by Council to be submitted as part of the information lodged at the development approval stage. Council will not require strict compliance with the provisions of Clause 1.7.1. of the Residential Codes in respect to overshadowing. (D)

Openings should be orientated to capture prevailing breezes from the south and south-west. Protection should be provided to east and west facing windows in summer with such devices as awnings, eaves or a pergola. (D)

Where possible, construction materials from renewable sources should be selected. The selection of energy efficient services and appliances is also encouraged. (D)

3.12.22. Relationship to Secondary Frontages

Houses on lots with more than one street frontage are to address all frontages. The secondary frontages should be articulated and provide a degree of visual interaction with the public space. Blank walls and fences and service ducts should be avoided on these elevations. (E)

3.12.23. Fencing and Screen Walls

(a) *Front Fences*

Low front fences are encouraged in order to maintain an interaction between the dwellings and the street. Front fences are to comply with the Town Planning Scheme Policy 3.1 Residential Design Guidelines, Section 3.1.6.6. (E)

(b) *Fences on Secondary Frontages*

On corner lots the maximum permitted fence height is 1.8 metres. In these cases, at least 50% of the length of the fence on each public boundary must be of open construction, with infill of a design acceptable to the Council. (E)

(c) *Fencing Materials*

Fences should be constructed of traditional materials including limestone, cement render, wrought iron and timber pickets and should compliment the materials used in the dwelling. Generally a vertical style of fencing is preferred. (E)

Fencing materials and designs are to be specified in plans submitted to the Council for approval. Fibro cement and steel panels will not be permitted. (E)

3.12.24. Vehicles and Garaging

If not carefully handled in design terms, carports and garages that are located at the front of the house have the potential to have a detrimental impact on the streetscape.

Carports and garages located at the rear of the house have the least impact on the streetscape as it reduces the amount of carport frontage to the street, it reduces the width of vehicle crossovers, allowing more street parking, and it leaves land available for useable private open space.

(a) Carports and garages are to be provided to all lots with a minimum storage capacity of two. (E)

(b) Lots 475, 478, 485, 488, 491, and 494 are to be provided with a carport or garage with a nil setback to the rear boundary of the property, accessed via the battleaxe leg which provides for reciprocal access, in accordance with Drawing S1. (E)

(c) On Lots 474, 479, 480, 481 to 484, 489, 490 495 to 498 and 499, open carports (visually permeable gates, wrought iron, etc are acceptable) and enclosed garages must be setback in accordance with the requirements of the Residential Planning Codes. Ideally, all garage doors should be panelled to reduce their impact on the street or accessway and be constructed of the same or similar material and colours as those of the house.

(d) On Lots 476, 477, 486, 487, 492 and 493, two car parking bays per dwelling are to be provided on site.

3.12.25. Private Open Space and Privacy

A minimum of 30% of the lot area for single residential lots is to be open space. As this area is limited, it is important that its location, dimensions and relationship to the dwelling be carefully planned.

The open space should—

- have a north aspect for winter solar penetration; (D)
- be directly accessible from a living area; (E)
- have a consolidated minimum area of 24m² with a minimum dimension of 4 metres; (E)
- generally be a contiguous area; (D)
- be at ground level although a deck or balcony area may be permissible in some circumstances; (D) and
- not be enclosed but may be covered with a pergola or weatherproof canopy. (D)

Council acknowledges that because of lot sizes, some level of overlooking is likely to occur. Nevertheless, the design of dwellings should attempt to minimise the potential for overlooking of and by adjoining properties. (D)

Smaller lot sizes also means neighbours are closer together. If the possibility of noise is a concern, consideration should be given to incorporating noise attenuation measures into the design of the dwellings in order to minimise the transmittal of noise. Such measures may involve the choice of building materials including insulation, glazing and orientation of major openings. (D)

3.12.26. Vegetation and Landscaping

Careful selection and positioning of new planting is encouraged, taking into account—

- mature height and spread of vegetation in relation to the location of lot boundaries and buildings; (D)
- potential for the species to cause structural damage through root growth, shedding of limbs or other habits; (D)
- solar design principles; (D)
- watering requirements; (D)
- maintenance requirements; (D)
- and selection of species appropriate to the character of Victoria Park and soil conditions. (D)

3.12.27. Site Services

Sewerage, water, power and gas will be distributed to each site from the primary street. Meter boxes and the like should be integrated within the development in underground pits or integrated in the fencing design. (E)

3.12.28. Air Conditioners and Evaporative Air Coolers

Air conditioners and evaporative air coolers are often noisy and it is therefore important that they are located so they are not easily heard by neighbours. Air conditioners and evaporative air coolers can only be roof mounted and be at the rear of the roof and below the ridge line where they cannot be seen from the street or other public areas. (E)

3.12.29. TV Antennas, Satellite Dishes, Radio Masts and other Services

These facilities are very much a part of society's requirements for modern living. They can, however, be an ugly element of our residential environment if not carefully located. If possible, they should be located within a roof space or on rear walls or roof planes. (D)

Other building services such as air conditioning ducts, condensers, bin storage areas, hot water systems and clothes drying areas are to be screened from view from public spaces and neighbouring buildings. (D)

J. A. LEE, Mayor.
J. BONKER, Chief Executive Officer.

PD501*

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959

NOTICE OF PROPOSED AMENDMENT (SECTION 33) TO THE METROPOLITAN REGION SCHEME

Metropolitan Region Scheme Amendment No. 992/33
Clarkson-Butler

CALL FOR PUBLIC SUBMISSIONS

The Western Australian Planning Commission intends to amend the Metropolitan Region Scheme (MRS) for land in the Cities of Joondalup and Wanneroo and is seeking public comment.

Purpose

The proposed Clarkson-Butler amendment is intended to facilitate the implementation of important elements of the Commission's *North West Corridor Structure Plan (1992)* in relation to the Parks and Recreation, Public Purposes, Railways, Primary Regional Roads and Other Regional Roads reservations and the Rural, Urban and Urban Deferred zones.

The inclusion of the necessary zones and reservations in the MRS will formalise long term planning within the North West Corridor. These include the alignments for the future extension of the Northern Suburbs Passenger Railway and the Mitchell Freeway.

Environmental Review (Amendment No. 1139)

The Environmental Protection Authority (EPA) required an Environmental Review for six of the eleven proposals in the Amendment. These proposals relate to the rezoning of part lot 2 Burns Beach and the northern portion of lot 17; the reservation of two east-west roads and the Mitchell Freeway Transportation Corridor including a railcar depot; and the rationalisation of Wanneroo Road.

Separate Environmental Review reports have been prepared for each of the six proposals assessed by the EPA, along with an *Environmental Review Summary Report*. These examine the potential environmental impacts associated with the implementation of the amendment, and put forward proposed environmental management measures.

The *Environmental Review Summary Report* and associated separate reports are being advertised concurrently with the Metropolitan Region Scheme amendment so that environmental matters related to the Amendment can be commented on.

In addition to the official display centres shown below, the environmental review documents along with the Commission's *Amendment Report* can be examined at the public libraries of Joondalup, Wanneroo, Duncraig, Girrawheen, Whitford, Woodvale Yanchep/Two Rocks, and the Library Information Centre of the Department of Environmental Protection, 8th floor, Westralia Square, 141 St Georges Terrace, Perth.

Copies of each Environmental Review can be purchased from the Ministry for Planning.

Procedure

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.

Copies of the amending and detail plans showing the proposed changes to the zones and reservations of the Scheme, the Commission's *Amendment Report*, and the environmental review documents will be available for public inspection from Tuesday 28 September 1999 to Friday, 31 December 1999, at each of the following places—

- | | |
|--|--|
| <ul style="list-style-type: none"> • Ministry for Planning
1st floor, Albert Facey House
469 Wellington Street
PERTH • State Reference Library
Alexander Library Building
Francis Street
NORTHBRIDGE | <p>Council Offices of the municipalities of—</p> <ul style="list-style-type: none"> • City of Perth • City of Fremantle • City of Joondalup • City of Wanneroo • City of Stirling |
|--|--|

Any person who desires to make a submission supporting, objecting to, or providing comment on any provisions of the proposed Amendment including the Environmental Review 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* and *Environmental Review Summary Report*.

Submissions must be lodged with the—

Secretary
Western Australian Planning Commission
469 Wellington Street
PERTH WA 6000

on or before 5.00pm FRIDAY 31 December 1999. Late submissions will not be considered.

PETER MELBIN, Secretary,
Western Australian Planning Commission.

TRANSPORT

TR401*

WESTERN AUSTRALIAN MARINE ACT 1982
CLOSURE OF WATERS TO NAVIGATION—ALL VESSELS
PAGES BEACH COVE
GERALDTON

Department of Transport
Fremantle WA, 26 October 1999.

ACTING pursuant to the powers conferred by Section 66 of the Western Australian Marine Act 1982 the Department of Transport by this notice revokes paragraph (a)(19)(iii) of notice TR402 as published in the *Government Gazette* of 27 January 1995 and paragraph (a)(19)(ii) of notice TR403 as published

in the *Government Gazette* of 25 May 1999 relating to the closure of navigable waters within Pages Beach Cove, Geraldton and hereby substitutes the following—

(19)(ii) PAGES BEACH COVE—(Eastern Groyne): All of those waters of Pages Beach Cove enclosed within an area marked by signs commencing at the intersection of the Eastern Groyne marking the eastern extremity of the beach and the shoreline and extending 150 metres in a westerly direction along the shoreline, thence to seaward 60 metres, thence parallel with the shoreline in an easterly direction to the northern extremity of the groyne.

(19)(iii) PAGES BEACH COVE—(Western Groyne): All of those waters of Pages Beach Cove enclosed within an area marked by signs and bounded by the shoreline extending 200 metres in an easterly direction from the Western Groyne to a point on the shoreline, thence in a northerly direction for 60 metres, thence in a westerly direction to the eastern extremity of the groyne.

Except during the hours of 0400 to 0830 daily when boats will be permitted to launch and recover from this beach area.

MICHAEL LINLAY HARRIS, Acting, Director General of Transport.

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