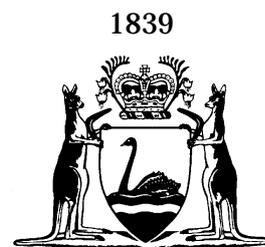


WESTERN AUSTRALIAN GOVERNMENT Gazette



PERTH, TUESDAY, 11 APRIL 2000 No. 65

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ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 1999.

Deceased Estate notices, (per estate)—\$17.80

Real Estate and Business Agents and Finance Brokers Licences, (per notice)—\$41.50

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Per Column Centimetre—\$8.20

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Clients who have an account will be invoiced for advertising charges.

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SPECIAL PUBLICATION NOTICE GOVERNMENT GAZETTE—EASTER 2000

Advertisers are advised to note the following changes to publication dates for *Government Gazette* over the Easter period 2000.

EASTER ISSUES:

THURSDAY 20 APRIL (Copy closes Tuesday 18 April at 12.00 noon)

FRIDAY 28 APRIL (Copy closes Wednesday 26 April at 12.00 noon)

There will be no edition for TUESDAY 25 APRIL.

Any enquiries should be directed to John Thompson, Phone (08) 9426 0010

— PART 1 —

AGRICULTURE

AG301*

Veterinary Surgeons Act 1960

Veterinary Surgeons Amendment Regulations 2000

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Veterinary Surgeons Amendment Regulations 2000*.

2. Schedule amended

The Schedule to the *Veterinary Surgeons Regulations 1979** is amended in Form No. 9 as follows:

- (a) in the heading, by deleting “CHARGE” and inserting instead —
“ **ALLEGATION** ”;
- (b) by deleting “charged you with” and inserting instead —
“ made an allegation against you of ”;
- (c) by deleting “charge” and inserting instead —
“ allegation ”.

[* Reprinted as at 7 March 1997.

For amendments to 9 March 2000 see *Gazette 30 July 1999*.]

By Command of the Governor,

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

EAST PERTH REDEVELOPMENT

EC301

EAST PERTH REDEVELOPMENT ACT 1991

East Perth Redevelopment (Transfer of Land) Order 2000

Made by the Governor in Executive Council under section 22.

1. Citation

This order may be cited as the *East Perth Redevelopment (Transfer of Land) Order 2000*.

2. Northbridge Project Land

The land described as the "Northbridge Project Land" is the whole of the land shown in the Schedule and was required by the Western Australian Planning Commission and Main Roads Western Australia for purpose of regional infrastructure improvements.

3. Direction to transfer land

Upon being satisfied—

- (a) that the Northbridge Project Land is required by the East Perth Redevelopment Authority for development or redevelopment under, or otherwise for the purposes of, the *East Perth Redevelopment Act 1991*;
and
- (b) the entities holding the estate and interest over the Northbridge Project Land are "public authorities" within the meaning of that term in section 3 of the *East Perth Redevelopment Act 1991*.

The Governor directs under section 22 of the *East Perth Redevelopment Act 1991*, that public authorities transfer to the East Perth Redevelopment Authority, all of the estate and interest over which the public authorities have power of disposition, in the Northbridge Project Land, subject to the following terms and conditions—

- (I) The Northbridge Project Land will be transferred subject to all existing tenancies, the encumbrances described in the Schedule and any encroachments.
- (II) The consideration for transfer of land will be the market value of the land derived from a valuation approach reflecting the proposed development plan and associated works of the Northbridge Project as required by Government and determined by the Valuer General on the following basis—
 - (a) The valuation should take into account constraints (heritage, environmental and tunnel covenants), infrastructure upgrading requirements, likely risks, all costs and returns from the redevelopment;
 - (b) The valuation should note property exclusions including land that is to be retained and not transferred to EPRA. These properties are—
 - The Aberdeen Hotel;
 - Land used by the MRWA at the eastern and western ends of the tunnel for vent buildings (Lots Nos 1010 and 130)
 - Land used for TAFF, purposes;
 - Private land (majority).
- (III) The public authorities will indemnify the Authority in respect of any outstanding claims for compensation resulting from the resumption or taking of the Northbridge Project Land, by the public authorities.
- (IV) The public authorities will indemnify the Authority from and against any claim arising out of the construction or operation of the Northbridge Tunnel.
- (V) The consideration to be made available to the public authorities on the following basis—

2000-01	- 15 per cent total
2001-02	- 35 per cent total
2002-03	- 50 per cent total

By command of the Governor.,

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

RACING, GAMING AND LIQUOR

RA301*

WESTERN AUSTRALIAN TROTTING ASSOCIATION
By-laws of the Western Australian Trotting Association
NOTICE OF AMENDMENT

Notice is hereby given that at a meeting of the Committee of the Western Australian Trotting Association held at Gloucester Park, East Perth, on the 30th day of March 2000, it was resolved by an absolute majority of the Committee of the Association

that the By-laws of the Western Australian Trotting Association made under the Western Australian Trotting Association Act 1946 ("the Act") be amended as follows:

Amend By-law 13.5:

Subclause (3)

Present wording:

13.5 Only participating members may apply and nominate under the Rules

(3) No person may:

(a) make application for:

- (i) registration as a driver, trainer, owner, stable hand, bookmaker or bookmaker's clerk;
- (ii) registration of a horse or foal (or for a certificate of service) or of any transfer, lease or cancellation of lease of a horse;
- (iii) registration of a syndicate;
- (iv) registration of a harness racing stud;
- (v) registration of colours; or
- (vi) full time employment with the Association, or any other licence or registration under the Rules;

(b) lodge a nomination of a horse for any race or trial; or

(c) lodge a stable return,

and, subject to subclause (6), the Controlling Body may not accept or deal with such an application, nomination or return, unless

(d) the person is a participating member; and

(e) all persons referred to in the application, nomination or, return are participating members.

Amended wording:

13.5 Only participating members may apply and nominate under the Rules

(3) No person may:

(a) make application for:

- (i) registration as a driver, trainer, owner, stable hand, bookmaker or bookmaker's clerk;
- (ii) registration of a horse or foal (or for a certificate of service) or of any transfer, lease or cancellation of lease of a horse;
- (iii) registration of a syndicate;
- (iv) registration of a harness racing stud; or
- (v) registration of colours, or any other licence or registration under the Rules;

(b) lodge a nomination of a horse for any race or trial; or

(c) lodge a stable return,

and, subject to subclause (6), the Controlling Body may not accept or deal with such an application, nomination or return, unless

(f) the person is a participating member; and

(g) all persons referred to in the application, nomination or, return are participating members.

Amend By-law 13.10:

Subclause (2)

Present wording:

13.10 Eligibility and election of full members

(2) Clause 1.3 applies to the election of a full member.

Amended wording:

13.10 Eligibility and election of full members

(2) Clause **13.3** applies to the election of a full member.

Amend By-law 13.24:

Present wording:

13.24 No recourse to law and limitation of liability

(1) A member agrees not to commence proceedings in a court of law against the Association or against any member of the Committee or any official arising out of the performance by that person of the person's duties or functions except for a claim for goods or services supplied in the ordinary course of business of that member.

- (2) The Association, the members of the Committee and the Association's employees, agents and members shall not be liable to any member or any person claiming by or through a member for any injury, death, loss or damage to person or property whether caused directly or indirectly by any act or omission of the Association, a member of the Committee, the Association's employees, agents or members arising out of the performance by that person of the person's duties or functions except for claims for goods or services supplied in the ordinary course of the business of a member".

Amended wording:

Delete Clause 13.24 and substitute with:

13.25 Protection of Committee members and employees

A member of the Committee or any employee of the Association is not personally liable for any act done or omitted to be done in good faith by the Association in the performance, or purported performance, of any function under these by-laws.

Dated 30 March 2000.

GARY PAPADOPOULOS, President.

SALARIES AND ALLOWANCES

SA301*

Salaries and Allowances Act 1975

Salaries and Allowances Amendment Regulations 2000

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Salaries and Allowances Amendment Regulations 2000*.

2. Schedule to regulation 3 amended

The Schedule to regulation 3 of the *Salaries and Allowances Regulations 1975** is amended by deleting "Fremantle Port Authority Act 1902" specified in column 1 and the office specified in column 2 opposite and corresponding to that written law.

[* Reprinted as at 26 November 1999.]

By Command of the Governor,

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

— PART 2 —

AGRICULTURE

AG401

STOCK DISEASES (REGULATIONS) ACT 1968
STOCK (IDENTIFICATION AND MOVEMENT) ACT 1970
BEEKEEPERS ACT 1963

Agriculture Western Australia,
South Perth WA 6151.

I hereby revoke the following former Agriculture Western Australia officers as Inspectors under the following Acts—

Section 37 of the Stock (Identification and Movement) Act 1970—

Elverd, Ronald Ivan
Randell, Franklyn Penrhy

Section 5 of the Beekeepers Act 1963—

Elverd, Ronald Ivan
McGill, Garry William
Randell, Franklyn Penrhy
Robbins, Michael Leonard
Strickland, Peter James

Section 8 of the Stock Diseases (Regulations) Act 1968—

Elverd, Ronald Ivan
McGill, Garry William
Randell, Franklyn Penrhy

MONTY HOUSE, Minister for Primary Industry; Fisheries.

FAIR TRADING

FT401

SUNDAY ENTERTAINMENTS ACT 1979

NOTICE

I, Douglas James Shave, Minister for Fair Trading, acting, pursuant to Section 3(2) of The Sunday Entertainments Act 1979 do hereby declare that the provisions of Section 3(1) of the Act shall not apply to or in relation to any person involved in operating the Pot Black Family Pool and Snooker Centres listed in the Schedule below from 12.00 noon to 12.00 midnight on Good Friday, 21 April 2000.

Schedule

- 17 Queen Victoria Street, Fremantle
- 58 Francis Street, Northbridge
- 106 James Street, Northbridge
- 5 Mallard Way, Cannington
- 1st Floor, Hillarys Boat Harbour, West Coast Drive, Hillarys
- 464 Fitzgerald Street, North Perth
- 61 Pinjarra Road, Mandurah
- 8/2209 Albany Highway, Gosnells

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

SUNDAY ENTERTAINMENTS ACT 1979

NOTICE

I, Douglas James Shave, Minister for Fair Trading, acting pursuant to Section 3(2) of The Sunday Entertainments Act 1979 do hereby declare that the provisions of Section 3(1) of the Act shall not apply to or in relation to any person involved in operating The Rosemount Bowl situated at 464 Fitzgerald Street, North Perth from 12.00 noon to 12.00 midnight on Good Friday, 21 April 2000.

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

HEALTH**HE401*****MENTAL HEALTH ACT 1996**

MENTAL HEALTH (AUTHORIZED MENTAL HEALTH PRACTITIONERS) ORDER (No. 4) 2000
Made by the Chief Psychiatrist under section 20.

Citation

1. This order may be cited as the *Mental Health (Authorized Mental Health Practitioners) Order (No. 4) 2000*.

Commencement

2. This order comes into operation on the day on which it is published in the *Gazette*.

Authorized mental health practitioner

3. The mental health practitioners specified in the schedule to this order are designated as authorized mental health practitioners.

Limitation

4. The authorized mental health practitioners specified in the schedule are to perform the functions vested in such a practitioner by sections 29 and 63 of the Act only in connection with their employment at the workplace specified opposite their name in the schedule.

Schedule

Name	Profession	Workplace	Address
Ruth Dennis	Mental Health Nurse	East Metropolitan Mental Health Region	KALAMUNDA
Christina Down	Mental Health Nurse	East Metropolitan Mental Health Region	Inner City Clinic PERTH
Natarsha Swallow	Mental Health Nurse	East Metropolitan Mental Health Region	Inner City Clinic PERTH
Vincenzo La Mela	Social Worker	North Metropolitan Mental Health Region	Avro Clinic SUBIACO
Luke Paskaran	Mental Health Nurse	North Metropolitan Mental Health Region	Selby Lodge SHENTON PARK
Samara Harris	Mental Health Nurse	Great Southern Mental Health Region	NARROGIN

Dated 6th April 2000.

GEORGE LIPTON, Chief Psychiatrist.

HOUSING**HM401****HOUSING ACT 1980**

DETERMINATION OF STANDARD RATES OF INTEREST

Ministry of Housing (The State Housing Commission),
Perth, 4 April 2000.

Pursuant to Sections 33 and 42 being loans under Section 36 of the Housing Act 1980, The State Housing Commission by this determination which was approved by the Honourable Minister for Housing fixes the following maximum standard rates of interest to apply in respect of the various classes of loan granted by it.

1. Income Based Loans, pre 1985 Variable Interest Schemes and Wisechoice under Sections 33 and 36 to 7.75% per annum.
 2. In respect of Shared Equity 1994 (Real Start) (Subsidised Rate) Loans the standard rate of interest shall be 6.5% per annum, rising by 1.0% per annum on every June 30 subsequent to the date from which interest is to be calculated until the rate of interest is 7.75% per annum.
 3. In respect of Shared Equity 1994 (Aboriginal) (Subsidised Rate) Loans the standard rate of interest shall be 6.5% per annum rising 0.5% per annum on every June 30 subsequent to the date from which interest is to be calculated until the rate of interest is 7.75% per annum.
 4. In respect of Shared Equity 1994 (Access) (Subsidised Rate) Loans the standard rate of interest shall be 6.5% per annum rising 0.5% per annum on every June 30 subsequent to the date from which interest is to be calculated until the rate of interest is 7.75% per annum.
 5. In respect of Shared Equity 1994 (Real Start) (Unsubsidised Rate) Loans the standard rate of interest shall be 7.75% per annum.
 6. In respect of Shared Equity 1997 (GoodStart) (Subsidised Rate) Loans the standard rate of interest shall be 6.5% fixed per annum, until the borrowers' income exceeds Homeswest's maximum rental income eligibility limits. The rate will then move to the Commonwealth Bank standard home loan variable interest rate subject a minimum interest rate of 6.5% per annum.
- This determination shall take effect from April 1, 2000.

GREG JOYCE, Managing Director.

LEGAL PRACTICE BOARD

LB401*

LEGAL PRACTICE BOARD RULES 1949

THE LEGAL PRACTICE BOARD OF WESTERN AUSTRALIA

It is hereby notified for general information in accordance with Rule 10 of the Legal Practice Board Rules that, at a duly convened meeting of the Board held on Wednesday 5 April 2000, the following practitioners were declared to be duly elected members of the Legal Practice Board for the year commencing Thursday 6 April 2000—D. R. Clyne, Ms A. M. Liscia, S. Penglis, M. T. Ritter, T. H. Sharp, A. S. Stavrianou, J. G. Syminton, D. M. Watt & I. Weldon.

Dated this 5th day of April 2000.

Mrs. A. J. THOMPSON, Secretary to the Legal Practice Board, Perth,
Returning Officer.

LOCAL GOVERNMENT

LG401

CITY OF SWAN

SENIOR COMMUNITY RANGER

It is hereby notified for public information that as of Monday, 17th April, 2000, Ian Peter Robinson has been appointed Senior Community Ranger for the City of Swan, and is an authorised officer for the following Acts until termination of the appointment—

- (1) Local Government Act 1995
- (2) Dog Act 1976
- (3) Litter Act 1979
- (4) Bush Fires Act 1954 (as a Bush Fire Control Officer)
- (5) Off Road Vehicles Act 1978

And, for the purpose of control and supervision of any of the Local Laws of Council as required.

ERIC LUMSDEN, Chief Executive Officer.

LG402**LOCAL GOVERNMENT ACT 1995**
Shire of Coorow
Local Government Property Local LawDepartment of Local Government,
Perth, 11 April 2000.

LG: CW 7-13

It is hereby notified for public information that the Governor has approved under the provisions of section 3.6 of the Local Government Act 1995 of the Shire of Coorow extending the area of application of its Local Government Property Local Law for a distance of 200 metres seawards of its western district boundary.

JOHN LYNCH, Executive Director,
Department of Local Government.**LG403****LOCAL GOVERNMENT ACT 1995**
Shire of Exmouth
(Basis of Rates)Department of Local Government,
Perth, 11 April 2000.

LG: EX 5-4

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the Local Government Act 1995, the Minister for Local Government has determined that the method of valuing the land described in the schedule hereunder shall be gross rental values for the purposes of rating with effect from 1 July 2000.

JOHN LYNCH, Executive Director,
Department of Local Government.

Schedule

All those portions of land comprised in Lots 50 and 51 of Lyndon Location 221 as shown on Office of Titles Diagram 95508.

Department of Land Administration Public Plan: Leannonth N.W (1:25000)

LG404**BUSH FIRES ACT 1954**
SHIRE OF GINGIN

Notice is hereby given, pursuant to section 38 of the Bush Fires Act 1954, that the following person has been appointed as Fire Control Officer—

Ocean Farm Fire Area—John Cavin Culhane

The appointment of Ross Osborne as a Fire Control Officer for the Ocean Farm Fire Area is hereby cancelled.

S. D. FRASER, Chief Executive Officer.

LG405**LOCAL GOVERNMENT ACT 1995**
Shire of Gingin
Appointment of Authorised Officers

It is hereby notified for public information that the following persons have been appointed as authorized officers for the registration of dogs under the Dog Act 1976—

Louise Margaret Moore

Deborah Kay Wright

The appointment of Odette Constance Lyon, Penelope Jane Donaldson-Stiff, Erin Maree Nolan and Sonia Jane Crofts as authorized officers is hereby cancelled.

S. D. FRASER Chief Executive Officer.

PHARMACEUTICAL COUNCIL

PB401**PHARMACY ACT REGULATIONS 1976**

(Regulation 14)

The Pharmaceutical Council of Western Australia.

The following persons have been elected members of the Pharmaceutical Council of Western Australia—

Kevin Thomas James McAnuff
5 Orana Crescent, Brentwood WA 6153John Lionel Harvey
11 Trafford Street, Beaconsfield WA 6162Anne Ramshaw
55 Central Avenue, Rossmoyne WA 6155

The following persons have been elected to the offices shown—

President—

Kevin Thomas James McAnuff,
5 Orana Crescent, Brentwood WA 6153

Deputy President—

Neville Peter Garrity,
41 Archdeacon Street, Nedlands, WA 6009

R. J. BRENNAN, Registrar

PLANNING

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

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF GERALDTON

TOWN PLANNING SCHEME NO 3—AMENDMENT NO 4

Ref: 853/3/2/7 Pt 4

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Geraldton Town Planning Scheme Amendment on 4 April 2000 for the purpose of rezoning Portion Lot 24 Bayly and Wittenoom Streets from Community and Public Purposes Reserve (School) to Residential R20/40.

P. G. COOPER, Mayor.
C. ALDRED, Chief Executive Officer.**PD402****TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF WANNEROO

TOWN PLANNING SCHEME NO 1—AMENDMENT NO 837

Ref: 853/2/30/1 Pt 837

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 City of Wanneroo Town Planning Scheme Amendment on 3 April 2000 for the purpose of—

1. Inserting the following zone at the end of Clause 3.2—
(27) Rural Community Zone
2. Inserting "Rural Community Zone" after "...Special Rural Zone,..." In Clause 3.4.
3. Inserting the following new provisions in Part 5—
5.48 Rural Community Zone
 - (a) The purpose of the Rural Community Zone is to provide for the orderly and integrated subdivision and development of larger areas of land proposed for rural residential use, in a manner which maintains the environmental, vegetation and landscape characteristics of the locality.

- (b) No subdivision (including strata or survey strata subdivision) or other development should be commenced or carried out in a Rural Community zone until a Structure Plan has been prepared and adopted under the provisions of Part 10 of the Scheme. No subdivision (including strata or survey strata subdivision) should be commenced or carried out, and no development shall be commenced or carried out otherwise than in conformity with an Agreed Structure Plan and the special provisions contained in Schedule 12 of the Scheme.
- (c) The intent of this subclause is to address the possibility of strata cluster subdivisional development being approved as an alternative to conventional subdivisional development in the Rural Community zone.
- For the purpose of this subclause, the terms “conventional subdivision” and “cluster subdivision” are explained by the following hypothetical examples—
- i. conventional subdivision may involve a 100 hectare lot being subdivided into fifty lots each of 2 hectares where 2 hectares is the minimum lot size stipulated by the special provisions contained in Schedule 12 of the Scheme.
 - ii. A cluster subdivision in the same circumstances may involve fifty small lots clustered perhaps on one 10 hectare portion of the 100 hectare original lot, leaving 90 hectares in a single common rural area lot, protected from further subdivision (including strata or survey strata Subdivision) and development.
Consistent with the aim of preserving the environmental, vegetation and landscape characteristics of the Rural Community zone, in specific cases a cluster subdivision lot yield equal to or greater (if specified in Schedule 12) than the maximum lot yield possible by conventional subdivision may be permitted.
- (d) The permissibility of uses in the Rural Community zone shall be determined in accordance with the provisions of the relevant Agreed Structure Plan and any provisions contained in Schedule 12. The provisions of subclauses 10.8.2 and 10.8.3 shall apply save that it is not intended that Agreed Structure Plan provisions will be replaced by an amendment to the Scheme in the case of the Rural Community Zone.
- (c) Schedule 12 is incorporated in the Scheme and the provisions of that Schedule shall have full force and effect as provisions of the Scheme.
4. Modifying Clause 10.12.1 to read as follows—
It is the intent of Clauses 5.45(b), 5.46(b), 5.47(b) and 5.48(b) that no development, or subdivision (including strata or survey strata subdivision) should occur on land in the Centre Zone, Urban Development Zone, Industrial Development Zone and the Rural Community Zone, respectively until a Structure, Plan in respect of that land has been prepared and adopted.
5. Modifying Clauses 5.45(b), 5.46(b) and 5.47(b) by inserting “(including strata or survey strata subdivision)” following the word “subdivision” in the first and third lines.
6. Adding the following interpretation to Clause 1.8—
“RURAL-RESIDENTIAL” means a land use where land is utilised primarily for residential purposes in a rural landscape, but often also for some form of limited agricultural or rural use.
7. Amending the legend of the Scheme Map to include the Rural Community zone and make provision for annotating the Scheme Maps with a number identifying specific Rural Community zones.
8. Rezoning Lots 201 and 202 Breakwater Drive, Two Rocks from the Rural zone to the Rural Community zone (as Rural Community Zone No 1).
9. Introducing a new Schedule, Schedule 12—RURAL COMMUNITY ZONES.
10. Adding to Schedule 12 the following—
- Rural Community Zone No. 1
Description of Locality
Lots 201 and 202 Breakwater Drive, Two Rocks.
Special Provisions (General)
- 1.1 Rural Community Zone No 1 provides for conventional or cluster subdivision or a combination of both. The special provisions which follow are in the first instance general, thereafter additional provisions apply to conventional subdivision and cluster subdivision. Where a combination of both conventional and cluster subdivision is proposed, the lot yield shall not exceed 300 lots and shall be determined by the Commission after consultation with the Council. Should Lots 201 and 202 be developed separately, then the lot yields specified in Special Provisions 2.1 and 3.1 shall be divided between Lots 201 and 202 on a pro-rata basis.
- 1.2 In addition to the matters contained in Schedule 9 of the Scheme, a Structure Plan for this land shall also include the following—
- (a) Identification of the aboriginal, heritage, environmental and landscape features and significant vegetation to be retained, and management provisions to maintain these qualities.
 - (b) The management provisions prepared pursuant to (a) above shall include preparation of a Vegetation and Fauna Management Plan to the satisfaction of the Council on advice from the relevant State Government agencies and which addresses—
 - the identification and retention of “locally significant” areas of native vegetation, especially those areas of native vegetation that provide fauna habitat;

- clear delineation and retention of all three significant stands of trees to avoid habitat loss for fauna, particularly threatened fauna;
 - details of maintenance arrangements for the onsite native vegetation;
 - allocation of management responsibilities relating to the onsite native vegetation and identification of timing for implementation as appropriate;
 - fire management;
 - control of off-road vehicle use and dumping of rubbish.
- (c) Detailed geotechnical assessment of the site to identify land unsuitable for development.
- (d) Preliminary assessment of the extent of UXO (unexploded ordnance) on the site.
- (e) Identification of areas to be ceded to the Crown free of cost as public open space and buffers for areas of environmental significance, landscape value, aboriginal and heritage sites.
- (f) Determination of the maximum development potential of the land as a result of the assessments carried out above, and having regard to the minimum permitted lot sizes and maximum lot yields referred to in special provisions for conventional subdivision or cluster subdivision.
- (g) Management provisions to address the interface with and maintain the environmental integrity of adjoining Parks and Recreation reserves and other conservation areas, and addressing the requirements of the relevant management agencies with respect to matters including, delineation of boundaries, fencing, access, signage and fire management.
- (h) Appropriate treatment for lots abutting Breakwater Drive shall reinforce the rural character of the area. There is to be no direct lot access onto Breakwater Drive. Building setback to Breakwater Drive is to be 50 metres.
- (i) The location of building envelope areas is to be justified by geotechnical testing, to be carried out by the developer to the satisfaction of the Council in order to minimise impacts on karstic structures. Building envelopes shall be located having due regard to existing stands of tuart and jarrah and rural landscape.
- (j) The design of the drainage system should be based on water sensitive design principles to ensure water conservation and maximum recharge to the groundwater system and avoid impacting on karstic structures.
- (k) Council will only grant approval to the keeping of horses when it is satisfied that the site has been suitably fenced to protect trees and other vegetation requiring protection. Should a horse or horses be kept and damage is being caused to trees and other vegetation by the horse or horses, then Council may require that the horse or horses be removed from the lot until such time as improvements to the satisfaction of Council have been made to the fencing which is intended to protect the trees and other vegetation. The landowner will be required to rehabilitate, to the satisfaction of the Council, any trees and other vegetation damaged by the keeping of horses on the property.
- (l) The exclusive use of aerobic treatment units, modified septic systems or small package treatment plants shall be required within the zone to minimise potential water pollution via subsurface drainage.
- (m) The identification of an area for local public open space and a 5000 sqm Community Purposes Site to be ceded to the Crown free of cost.
- 1.3 The land the subject of this zone may be used for rural-residential purposes, and no more than one residence shall be permitted on each lot. Home Occupation, and a maximum of one appropriately located Corner Store (as designated on the Structure Plan) may be considered as "AA" uses. Intensive agriculture may be considered as an "AA" use on the common rural area lot/s in a cluster subdivision.
- 1.4 The developer will undertake planting a 15 metre wide landscape buffer (i) parallel with the eastern boundary of Lots 201 and 202 and (ii) along both sides of Breakwater Drive.
- Special Provisions (Conventional Subdivision)
- 2.1 The lot yield of Rural Community Zone No 1 shall be determined through a detailed site analysis to be undertaken to the satisfaction of the Council and the Commission as part of the preparation of a Structure Plan for the land, but shall not exceed 255 lots. The size of the lots to be created in this zone shall also be determined through this detailed site analysis, but should not involve lot sizes less than 1 hectare.
- 2.2 A cleared building envelope measuring no greater than 2000m² will be permitted on each lot in a position to be endorsed by the Council. The clearing, of trees and native vegetation outside of the building envelope is prohibited other than for fences, fire breaks, access and servicing.
- 2.3 No more than one horse shall be permitted on any lot unless permitted by the Council in consultation with the relevant Government agencies.
- 2.4 The keeping of livestock and poultry for commercial purposes is prohibited.
- 2.5 The land is to be managed in such a manner as to avoid the land being laid bare of vegetation resulting in loose, wind erodible conditions. In particular, lots shall not be cleared of trees except where necessary to permit the construction of houses and outbuildings within the building envelope or where the Council agrees that trees are dead or pose a hazard to safety.

- 2.6 The interface with Crown land to the west, north and south must be perceived as being publicly accessible i.e. public open space area, road, bridle path, dual use path, walkway.
- 2.7 Building envelopes being located on the western side of those lots adjacent to the Mitchell Freeway to minimise noise impacts.
- 2.8 Building envelopes for the lots proposed under the conventional subdivision option being located to minimise development being viewed from the Mitchell Freeway.

Special Provisions (Cluster Subdivision)

- 3.1 The lot yield of Rural Community Zone No 1 shall be determined through a detailed site analysis to be undertaken to the satisfaction of the Council and the Commission as part of the preparation of a Structure Plan for the land, but shall not exceed 300 lots. The size of the lots to be created in this zone shall also be determined through this detailed site analysis, but should not involve lot sizes less than 2000 square metres.
 - 3.2 The permissibility of use/s of the common rural area lot/s, subject to subclauses 10.8.2 and 10.8.3, shall be determined in accordance with the provisions of the relevant Agreed Structure Plan, and appropriate plans for managing the use/s shall be prepared to the satisfaction of the Council on advice from the relevant State Government agencies.
 - 3.3 The common rural area lot/s shall be the subject of a management structure prepared and implemented to the satisfaction of Council to ensure regular maintenance. The Commission and/or Council may require the placement of a restrictive covenant or other covenant or obligation protected by a caveat on the Certificate of Title to ensure the retention of the common rural area lot/s.
 - 3.4 No livestock or horses shall be kept on cluster subdivision lots. Suitable agistment may be provided on the common rural area lot/s where agreed to by the Council in consultation with the relevant Government agencies.
 - 3.5 Treatment of the interface with surrounding Crown land is to be addressed to the Commission and Council's satisfaction in the preparation of a Structure Plan.
 - 3.6 Village clusters are to be located away from the Mitchell Freeway to minimise any noise and visual impacts.
11. Inserting a new Clause 5.13 as follows—
- 5.13 Environmental Conditions
 - 5.13.1 In accordance with Section 7AA of the Act, environmental conditions imposed by the Minister for the Environment on the Scheme or amendments to the Scheme and contained in Statements under Section 48F Environmental Protection Act, are incorporated into the Scheme by Schedule 13 of the Scheme.
 - 5.13.2 Where appropriate, the environmental conditions are indicated on the Scheme Map by the symbol EC to indicate that environmental conditions apply to the land.
 - 5.13.3 The Council shall maintain a register of all the Statements published under Section 48F referred to in sub-clause 5.13.1 which shall be made available for public inspection at the offices of the Council.
12. Introducing a new schedule, Schedule 13—ENVIRONMENTAL CONDITIONS, as follows—

Amendment No.

(Gazettal Date)

Location of Land

Environmental

Conditions

13. Insert the following environmental conditions in Schedule 13—

Amendment No. 837

(Gazetted XX/XX/2000)

Location of Land:

Lots 201 and 202 Breakwater Drive, Two Rocks

(Rural Community Zone No 1)

Environmental Conditions—

1.0 Environmental Management Plans

- 1.1 The following Environmental Management Plans shall be prepared in accordance with the specifications set out in Attachment 1 of the Minister for the Environment's "Statement that a Scheme may be implemented" No. 537 published on 15 February 2000—
 - Drainage, Nutrient and Water Management Plan
 - Karst Landform Management Plan
- 1.2 The Environmental Management Plans referred to in Condition 1.1 shall be prepared and implemented in accordance with the provisions of the Plans, to the requirements of the Responsible Authority.

2.0 Vegetation and Fauna Management

2.1 Regionally significant vegetation (draft *Perth's Bushplan* sites) which surrounds the amendment area (as shown in Figure 1 of the Minister's Statement) shall be protected from indirect and direct impacts associated with the development of the amendment area by the following—

- Clear delineation of regionally significant areas of vegetation from the amendment area through the use of dual use paths, public open space areas and the like.
- Control of off-road vehicle use and dumping of rubbish.
- Fire management.
- Promotion of community awareness of bushland protection.

3.0 Aboriginal Heritage Management

3.1 The subdivider shall protect on a lot or public open space area not less than 3 hectares, the identified heritage site and the area immediately surrounding the site shall be fenced and sign posted, as appropriate. The entrance to the cave (which is part of the Aboriginal site) shall be gated in as sensitive a manner as possible. The Responsible Authority shall also ensure that management of the cave is undertaken to ensure public safety and to protect the biodiversity and cultural values of the cave and surrounding 3 hectares.

3.2 Prior to commencement of site works, contractors shall undergo a briefing on Aboriginal Heritage issues to enable them to recognise materials that may constitute an Aboriginal Site. During, earthworks, all contractors shall be supervised by a Site Manager, who shall seek advice from the Aboriginal Affairs Department to confirm the identification of any suspected site.

J. KELLY, Mayor.
K. WHITE, Chief Executive Officer.

PD403*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

SHIRE OF YORK

TOWN PLANNING SCHEME NO 2—AMENDMENT NO 4

Ref: 853/4/34/2 Pt 4

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of York Town Planning Scheme Amendment on 4 April 2000 for the purpose of deleting Clause 5.8 and inserting the following therein—

5.8 Transported Dwellings

- 5.8.1 No person shall transport a building and place it on land in the Scheme Area and use it as a dwelling unless planning consent has been granted by the Council. The Council shall not grant planning consent if the land is within a Heritage Precinct designated in accordance with sub-clause 5.1.3.
- 5.8.2 The Council shall only grant planning consent pursuant to sub-clause 5.8.1 if the transported building—
- (a) complies with the provisions of the Scheme, the Residential Planning Codes, and any Local Laws applicable both to the transported building and the land on which it is to be situated; and
 - (b) is, in the opinion of the Council, in a satisfactory condition and will not detrimentally affect the amenity of the locality.
- 5.8.3 The planning consent which may be granted by the Council pursuant to sub-clause 5.8.2 may include a condition requiring the applicant to enter into an agreement with, and provide a bond to, the Council. Such an agreement and bond is to provide a surety for completion of the building to a standard acceptable to the Council within such time as may be specified by the Council.

G. W. MARWICK, President.
E. R. FISHER, Chief Executive Officer.

TOURISM

TB401**ROTTNEST ISLAND AUTHORITY ACT 1987**

It is hereby notified that His Excellency the Governor, in Executive Council, has in accordance with Section 6 of the Rottneest Island Authority Act 1987, approved of the following—

1. The reappointment of—
 1. Mr Guy Leyland as a member (Conservation and Environment) under Section 6(2)(a) for 1 year expiring 31 March 2001;
 2. Mrs Claire Huston as a member (Preservation of Historic Buildings) under Section 6(2)(b) for 1 year expiring 31 March 2001;
 3. Ms Celia Searle as a member (Commercial Experience) under Section 6(2)(c) for 3 years expiring 31 March 2003;
 4. Mr Joe Merillo as a member (Regular User) under Section 6(2)(d) for 3 years expiring 31 March 2003.
2. Publication of the attached notice in the *Government Gazette*.

NORMAN MOORE, MLC, Minister for Tourism.

WATER

WA401**RIGHTS IN WATER AND IRRIGATION ACT 1914**

Notice under Section 13 of the Act (Regulation 14(1))

The Water and Rivers Commission has received the applications listed below to take and use surface water.

Any owner or occupier of land within 4.8 kilometres of the applicant's land and contiguous to the watercourse may object to that application.

Objections should be sent to reach myself at the Water & Rivers Commission, PO Box 261, Bunbury WA 6231 prior to 27th April 2000 by certified mail.

Any queries regarding this application should be referred to Damon Carter on telephone 08 9721 0666, Water Resources Officer, South West Region, Water and Rivers Commission.

W. F. TINGEY, Regional Manager, South West Region.

—————
Schedule

1. Applicant—Mervyn Osborne & Pete Adele Humphries
Property—Lots 20 & 21 of Diagram 65039 and Lots 2 & 3 of Diagram 3303 South West Highway, Boyanup.
Watercourse—Preston River.

PUBLIC NOTICES

ZZ201**TRUSTEES ACT 1962****NOTICE TO CREDITORS AND CLAIMANTS**

Creditors and other persons having claims (to which Section 63 of the Trustees Act, 1962 relates) in respect of the Estate of the undermentioned deceased persons, are required by Perpetual Trustees WA Limited of c/- 5th Floor 39 Hunter St Sydney NSW, to send particulars of their claims to the Company by the undermentioned date, after which date the said Company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

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

Estate late Susannah Chapman

Late of Bunbury Nursing Home, 39 Hayes Street, Bunbury WA 6230.

Died 22/11/1999.

ANNALISA GRAY, Estate Manager,
Perpetual Trustees WA Limited.
Direct Phone: (02) 9229 3349.

ZZ202**TRUSTEES ACT 1962****DECEASED ESTATE**

June Violet Williams late of Hollywood Senior Citizens Village, Wyvern, Unit 156/31 Williams Road, Nedlands in the State of Western Australia, Retired Deceased.

Creditors and other persons having claims to which Section 63 of the Trustees Act 1962, relates in respect of the estate of the deceased, who died on the 8th day of November 1999 at Hollywood Senior Citizens Village, Wyvern, Unit 156/31 Williams Road, Nedlands in the State of Western Australia, are required by the personal representatives, Penelope Styles and Bridget Houseman both care of Messrs Michell Sillar McPhee, Level 3, Allendale Square, 77 St George's Terrace, Perth in the State of Western Australia to send particulars of their claims to them by the 22nd day of May 2000, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

ZZ401**NOTICE OF VOLUNTARY LIQUIDATION S491
VINCENZO COMPANY PTY LTD (In Liquidation)**

ACN: 008 757 042

I, Geoffrey R. Paganoni, being appointed liquidator of the above Company wish to make known that—

- At a duly convened meeting of the Company held on 5 April 2000 the following resolution was passed: "*that the Company be wound up voluntarily and that the liquidator shall distribute in cash or in specie the assets of the Company to the shareholders in accordance with the Articles of Association*"
- The final meeting for the purpose of winding up the Company will be held at 154 High Street Fremantle on 11 May 2000.

G. R. PAGANONI,
154 High Street Fremantle

ZZ402**NOTICE OF VOLUNTARY LIQUIDATION S491
PHILLPA COMPANY PTY LTD (In Liquidation)**

ACN: 008 757 024

I, Geoffrey R. Paganoni, being appointed liquidator of the above Company wish to make known that—

- At a duly convened meeting of the Company held on 5 April 2000 the following resolution was passed: "*that the Company be wound up voluntarily and that the liquidator shall distribute in cash or in specie the assets of the Company to the shareholders in accordance with the Articles of Association*"
- The final meeting for the purpose of winding up the Company will be held at 154 High Street Fremantle on 11 May 2000.

ZZ403**NOTICE OF VOLUNTARY LIQUIDATION S491
OCEANIA TRADING EXCHANGE PTY LTD (In Liquidation)**

ACN: 008 757 364

I, Geoffrey R. Paganoni, being appointed liquidator of the above Company wish to make known that—

- At a duly convened meeting of the Company held on 5 April 2000 the following resolution was passed: "*that the Company be wound up voluntarily and that the liquidator shall distribute in cash or in specie the assets of the Company to the shareholders in accordance with the Articles of Association*"
- The final meeting for the purpose of winding up the Company be held at 154 High Street Fremantle on 11 May 2000.

G. R. PAGANONI,
154 High Street Fremantle.

ZZ403

NOTICE OF VOLUNTARY LIQUIDATION S491

CONO COMPANY PTY LTD (In Liquidation)

ACN: 008 757 051

I, Geoffrey R. Paganoni, being appointed liquidator of the above Company wish to make known the at—

- At a duly convened meeting of the Company held on 5 April 2000 the following resolution was passed: *“that the Company be wound up voluntarily and that the liquidator shall distribute in cash or in specie the assets of the Company to the shareholders in accordance with the Articles of Association”*
- The final meeting for the purpose of winding up the Company will be held at 154 High Street Fremantle on 11 May 2000.

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