

WESTERN AUSTRALIAN GOVERNMENT Gazette

3351



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Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically. The following guidelines should be followed to ensure publication in the *Government Gazette*.

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If it is necessary through isolation or urgency to fax copy, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*

ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 2002 (Prices include GST).

Deceased Estate notices, (per estate)—\$21.10

Real Estate and Business Agents and Finance Brokers Licences, (per notice)—\$49.20

Other articles in Public Notices Section—\$49.20 (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

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Per Column Centimetre—\$9.80

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

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PUBLISHING ALTERATIONS

Periodically the normal *Gazette* publishing times need to be altered to cater for disruption caused by public holidays.

- Easter and Christmas holidays cause disruption each year.
- Australia Day and Anzac Day cause disruption when they fall on a Tuesday or Friday.

In these instances, notices warning of the change are generally published on page 2 for approximately 4 weeks prior to the date.

Readers are urged to check *Gazettes* accordingly, prior to contacting State Law Publisher.

JOHN A. STRIJK, Government Printer.

— PART 1 —

HEALTH

HE301*

Hospitals and Health Services Act 1927

Hospitals and Health Services (Repeal) By-laws 2002

Made by the Minister for Health in his capacity as the WA Country Health Service.

1. Citation

These by-laws may be cited as the *Hospitals and Health Services (Repeal) By-laws 2002*.

2. The by-laws repealed

The following by-laws are repealed —

- (a) the *Hospitals and Health Services (Upper Great Southern Health Service Board) By-laws 1998*;
- (b) the *Hospitals and Health Services (Western Health Service) By-laws 1998*;
- (c) the *Hospitals and Health Services (Lower Great Southern Health Service Board) By-laws 1999*;
- (d) the *Hospitals and Health Services (Central Great Southern Health Service Board) By-laws 2000*.

R. C. KUCERA, Minister for Health
in his capacity as the WA Country Health Service.

— PART 2 —

FIRE AND EMERGENCY SERVICES

FE401

FIRE BRIGADES ACT 1942
FIRE AND EMERGENCY SERVICES AUTHORITY
 2002-2003 ESTIMATES

His Excellency the Governor in Council on 25th June 2002 approved, pursuant to Section 36 of the Fire Brigades Act 1942, the expenditure program of \$86,292,000 for the Western Australian Fire Brigades Board for the year 2002-2003.

BOB MITCHELL, FESA Chief Executive Officer.

LOCAL GOVERNMENT

LG401*

TOWN OF EAST FREMANTLE
 APPOINTMENTS

Authorisations of Rangers

1. Pursuant to the Local Government Act 1995, the following persons be appointed as an "authorised person" for the purpose of the section appearing after their name—

Employee	Local Government Act	Authority
Peter Green	3.39	Remove & Impound Goods
	9.11	Demand Name & Address
	9.16	Issuing an Infringement Notice
	9.29	Represent Council in Court
	3.27 [Schedule 3.2 (7)]	To make safe a tree that presents an immediate danger.
Thomas Graeme Raine	3.39	Remove & Impound Goods
	9.11	Demand Name & Address
	9.16	Issuing an Infringement Notice
	9.29	Represent Council in Court
	3.27 [Schedule 3.2 (7)]	To make safe a tree that presents an immediate danger.

2. Peter Green and Thomas Graeme Raine be appointed as Authorised Officers for the following—
- Dog Act & Regulations 1976 (as amended).
 - Local Government Act Local Laws as adopted by Council.
 - Bush Fires Act.
 - Local Government Uniform General (Parking for Disabled Persons) Local Law 1988.
 - Parking and Parking Facilities Local laws.
 - Control of Vehicles (Off-Road Areas) Regulations 1979.
 - Spear Guns Act.
 - Justices Act.
 - Evidence Act.
3. The appointment of Ian Holbrook is hereby revoked.

MINERALS AND PETROLEUM

MP401*

PETROLEUM ACT 1967

Surrender of Exploration Permit EP111

The surrender of Exploration Permit No. EP111 has been registered and will take effect on the date this Notice appears in the Government Gazette.

RICHARD CRADDOCK, Acting Director Petroleum Division.

MP402*

Commonwealth of Australia

PETROLEUM (SUBMERGED LANDS) ACT 1967

Notice of Renewal of Exploration Permit

EXPLORATION PERMIT No. WA-208-P held by Woodside Energy Ltd, Santos Offshore Pty Ltd, Agip Australia Limited and Mosaic Oil NL, has been renewed to have effect for a period of five (5) years from 4 June 2002.

RICHARD CRADDOCK, Acting Director Petroleum Division.

PREMIER AND CABINET

PC401

INTERPRETATION ACT 1984

MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the Governor in accordance with Section 52(1)(b) of the Interpretation Act 1984 has approved the following temporary appointment in the place of the—
Hon Dr G. I. Gallop BEc MA MPhil DPhil MLA in the period 6 to 14 July and 20 to 28 July 2002 (all dates inclusive)

Premier; Minister for Public Sector Management; Federal Affairs; Science; Citizenship and Multicultural Interests—Hon E. S. Ripper BA DipEd MLA

Hon C. M. Brown MLA in the period 4 to 14 July 2002 (both dates inclusive)

Minister for State Development; Tourism; Small Business—Hon N. D. Griffiths LLB MLC

Hon R. C. Kucera APM MLA in the period 21 July to 11 August 2002 (both dates inclusive)

Minister for Health—Hon S. M. McHale MLA

M. C. WAUCHOPE, Director General,
Department of the Premier and Cabinet.

PLANNING AND INFRASTRUCTURE

PI401*

TOWN PLANNING AND DEVELOPMENT ACT, 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Belmont

TOWN PLANNING SCHEME No. 14—AMENDMENT No. 9

Ref: 853/2/15/12 Pt 9

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 and Infrastructure approved the City of Belmont Town Planning Scheme Amendment on 1 July 2002 for the purpose of—

1. Scheme Text

1.1 Table 1—Zoning Table

The Zoning Table currently shows “Garden Centre” as an “X” use in the “Town Centre” and “Commercial” zones.

Table 1—Zoning Table being amended to designate “Garden Centre” as a “D” use in the “Commercial” and “Town Centre” zones.

1.2 Part 11: Schedule No. 1—Interpretations

The definition of a “Garden Centre” which currently reads as follows—

“means any land or building used for the display and sale of garden products, including but without limiting the generality of the foregoing garden ornaments, plants, seeds, domestic garden implements and motorised implements and the display but not manufacture of prefabricated garden buildings.”

being modified to read as follows—

“means any land or building used for the display and sale of garden products, including but without limiting the generality of the foregoing garden ornaments, plants, seeds, domestic garden implements and motorised implements and the display but not manufacture of prefabricated garden buildings. This does not include the bulk bin storage and sales of materials such as gravel, sand, rocks, mulch, woodchips and firewood.”

1.3 Part 11: Schedule No. 1—Interpretations

The following definitions being included under Part 11: Schedule No. 1—Interpretations—

“hoarding” means a detached or detachable structure other than a pylon sign that is erected for the sole purpose of displaying a sign or signs and includes a poster panel or an illuminated panel; but does not mean a hoarding within the meaning of Section 377 of the Local Government (Miscellaneous Provisions) Act 1960.

“pylon sign” means a sign supported by one or more piers and not attached to a building and includes a detached sign framework supported by one or more piers to which sign infills may be added.

“roof sign” means a sign erected on a roof.

1.4 Part 11: Schedule No. 2—Additional Uses, No. 2

The diagram in Schedule No 2—Additional Uses No. 2 being modified to include the entirety of amalgamated Lot 900 (165) Knutsford Avenue, Kewdale.

2. Map Amendments

Modifying the Scheme Map as follows—

- (a) the closed laneway contained in the superblock bounded by Hutchinson Street, Alexander Road, Knutsford Avenue and Sydenham Street being rezoned from “No Zone” to “Residential R20”.
- (b) Reserve 43530 (known as Lot 124 Manual Crescent) and Reserve 43208 (known as Lot 261 Towton Street) being reclassified from “Residential R20” zone to “Local Scheme Reserves—Parks and Recreation”.
- (c) Lot 85 (329) Orrong Road, Kewdale being rezoned from “Residential R20/R40” to “Place of Public Assembly (Place of Public Worship)”.
- (d) The closed portion of Second Street which has been added to Lots 4, 5, 51-54 between Boulder Avenue and Kanowna Avenue being zoned “Residential R20”.
- (e) The portions of Riverina Drive and Tidewater Way that are currently zoned “Residential” being amended to “Local Road Reserve” status by “No Zone”.
- (f) Swan Location 4875 (corner of Second Street and Central Avenue) being reclassified from “Residential (R20)” zone to “Local Scheme Reserves—Parks and Recreation”.

P. R. PASSERI, Mayor.
B. R. GENONI, Chief Executive Officer

PI402

TOWN PLANNING AND DEVELOPMENT ACT, 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Bridgetown-Greenbushes

TOWN PLANNING SCHEME No. 4—AMENDMENT No. 40

Ref: 853/6/5/4 Pt 40

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 and Infrastructure approved the Shire of Bridgetown-Greenbushes Town Planning Scheme Amendment on 1 July 2002 for the purpose of—

1. Rezoning a portion of Lot 2 Laverty Street, Bridgetown from the ‘Rural 2—General Agriculture’ zone to the ‘Special Residential’ zone as depicted on the amending map adopted by Council.

2. Adding to Schedule 7—Special Residential Zones the following—

Schedule 7

Special Residential Zone

Site Description	Special Provisions
Portion of Lot 2 Laverty Street, Bridgetown	<ol style="list-style-type: none"> 1. Subdivision is to be generally in accordance with the Development Guide Plan (Plan No. 2002-7711-SG1) forming part of Shire of Bridgetown-Greenbushes Town Planning Scheme No. 4 Amendment No. 40 Report. 2. Council, at the time of considering an Application for Subdivision of the subject land, will require the preparation of engineering studies of the drainage and soils of the land in the north-west corner of the site, to be conducted in the winter months. In addition to Council, the engineering studies will require the endorsement of the Department of Environmental Protection, Health Department of Western Australia and Water and Rivers Commission. 3. Council shall require the preparation of a Landscape Master Plan as a condition of subdivision approval. The Landscape Master Plan shall address the suitability of planting native vegetation corridors along drainage lines and elsewhere if appropriate. 4. (a) Landscape buffers of 25m and 15m shall be provided on the eastern and northern boundaries of Lot 2 (or subdivided portion thereof), respectively where it abuts private land holdings and shall be plated in accordance with the recommended species and planting of the Landscape Master Plan. Within the Landscape Buffers— <ol style="list-style-type: none"> (i) no building or structures shall be permitted to be erected: and (ii) all existing and planted vegetation shall be retained and protected. (b) With the intention of preventing land degradation, Council may, with the advise of the Agriculture Western Australia, require removal of, or reduction in, the number of stock on any lot within the zone. Where an owner of a lot which includes the landscape buffer strip permits livestock, Council shall require the owner to fence the landscape buffer to Council's satisfaction to exclude the activity of livestock therefrom. (c) Where it is intended to permit the grazing of lot affected by the landscape buffer, Council shall require a minimum area of 4,000m² on any such lot not inclusive of the landscape buffer. 5. As a condition of development approval Council shall require lot owners to plant and maintain at least 30 trees or such number and species recommended in the Landscape Master Plan.

Site Description	Special Provisions
	<ol style="list-style-type: none"> <li data-bbox="815 255 1335 741">6. Council shall recommend to the Western Australian Planning Commission at the time of subdivision that a Fire Management Plan be prepared and implemented at the time of subdivision. The Fire Management Plan is to address, but not be limited to the following issues— <ul style="list-style-type: none"> <li data-bbox="863 443 1118 472">• Strategic firebreaks; <li data-bbox="863 481 1335 562">• Fuel free zones/disposal of vegetation which has been cleared for fire fighting purposes; <li data-bbox="863 568 1335 627">• Water supply for fire fighting purposes (domestic/strategic); <li data-bbox="863 633 1335 692">• Emergency fire access to a two wheel drive standard; and <li data-bbox="863 698 1335 741">• Fire fighting equipment required to service the subdivision. <li data-bbox="815 750 1335 853">7. The developer shall fence off and graze those portions of land not subdivided (ie the second and third stages) to aid in fire control of the site. <li data-bbox="815 862 1335 965">8. Land within the 100m building setback along the southern boundary shall be classified as a 'Fuel Reduced Area' as shown on the Development Concept Plan. <li data-bbox="815 974 1335 1077">9. No building, outbuilding or any other structure shall be permitted within the 100m 'Fuel Reduced Area' shown on the Development Concept Plan. <li data-bbox="815 1086 1335 1234">10. The grazing of lots of a size in excess of 4,000m² may be permitted with the approval of Council to assist in managing ground vegetation however the grazing of lots of a size less than 4,000m² shall not be permitted. <li data-bbox="815 1243 1335 1480">11. Council shall, as a condition of subdivision approval, require the subdivider to provide a trafficable fire break through Lot 731 to connect between Maslin Street and that nearest internal road to the west of Lot 731. In addition, Council shall require the provision of gates along the required fire break where it passes through lot boundaries and/or fence lines. <li data-bbox="815 1489 1335 1592">12. No effluent disposal system for the Special Residential lots will be permitted within 50 metres of the dam within the tourist site. <li data-bbox="815 1601 1335 1771">13. Council shall require building envelopes to be located on all lots abutting the southern boundary of Lot 2 (or subdivided portions thereof) at the application for subdivision stage. Council shall not permit the relocation of, or modifications to such building envelopes thereafter. <li data-bbox="815 1780 1335 1906">14. Design Guidelines specifying minimum building standards and materials for the subdivision must be prepared and submitted for Council approval prior to clearance of subdivisional conditions. <li data-bbox="815 1915 1335 2123">15. Council shall require the owner or subdivider of the land to inform prospective purchasers of those provision relating to the land and such other provisions of the Scheme that may affect it. In addition, Council shall require the owner or subdivider of the land to inform prospective purchasers of the

environmental importance of the adjoining nature reserve and its associated restrictions.

3. Rezoning a portion of Lot 2 Laverty Street, Bridgetown from the 'Rural 2—General Agriculture' zone to the 'Special Use' zone as depicted on the amending map adopted by Council.
4. Adding to Schedule 1—Interpretations (in alphabetical order) definitions for 'Art & Craft Showroom and Sales', 'Local Shop', 'Local Shop' and 'Souvenir Shop' as follows—
 - “**Art & Craft Showroom and Sales**—means a building or portion of a building used for the manufacture, display and selling of works of art or craft.”
 - “**Local Shop**—means any land or buildings used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens and newsagents.”
 - “**Licensed Premises**”—shall have the same meaning as is given to it and for the purposes of the Liquor Licensing Act 1988.”
 - “**Souvenir Shop**—means a building or portion of a building used for the retail sale of souvenir items and manufactured in, or depicting, the local and regional area.”
5. Adding to Schedule 6—Special Use Zones the following—

Schedule 6
Special Use Zones

Site Description	Conditions of Development
Portion of Lot 2 Laverty Street, Bridgetown (Tourist Site)	<p><u>Permitted Uses</u></p> <ul style="list-style-type: none"> Restaurant Reception Centre Carpark Local Shop Holiday Accommodation Private Recreation Public Recreation Art & Craft showroom and sales Caretaker's Dwelling Office Public Utility Public Amusement Licensed Premises, to be limited to production, sales and tasting of locally produced wine, beer and spirits Souvenir Shop <p><u>Conditions</u></p> <ol style="list-style-type: none"> 1. A Guide Development Plan shall be prepared for the land in accordance with the requirements of Clause 5.1.1 of the Scheme to the satisfaction of Council and endorsed by the Chief Executive Officer prior to Council granting its planning consent to any development on the land. 2. In the preparation of the Guided Development Scheme a separate Landscape Master Plan is to be provided identifying recommended species for planting, the Landscape Master Plan is to identify invasive vegetation species not appropriate for planting on land adjacent to the nature reserve. 3. No vegetation is to be planted other than in accordance with the endorsed Landscape Master Plan for the land. 4. Any modification to a watercourse or water body, the construction of a dam or other impediment which artificially retards the flow of water, or pumping or diversion of water is not permitted, unless with the prior approval of Council and the Water Corporation. 5. Council at the time of issuing development approval for the tourist site dam will require as a condition of approval the planting of nutrient stripping vegetation. 6. Council shall require, as a condition of subdivision approval, the erection of a stock proof fence along the common boundary with the adjoining nature reserve. The construction of the fence is to be to the satisfaction of the Department of Conservation and Land Management and Council to a standard that will prevent domestic animals accessing the reserve.

Site Description	Conditions of Development
	<p>7. Prior to the preparation of the Development Guide Plan for the tourist site, the proponent shall consult with the Department of Conservation and Land Management for appropriate input.</p> <p>8. No development of the tourist lot shall be approved if it has a negative impact on the adjoining nature reserve.</p> <p>9. A trafficable fire break shall be provided along the western boundary of the site from the dam wall connecting to an internal road of the subdivision (in accordance with the Development Concept Plan, Plan No. 2002-7711-SG1). In addition, Council shall require the provision of gates along the required fire break where it passes through lot boundaries and/or fence lines. The land owner shall be required to maintain the firebreak to the satisfaction of Council.</p> <p>10. Council shall require the Development Guide Plan to incorporate specifications in relation to the proposed fire control measures for the tourist site.</p> <p>11. The tourist site shall be serviced by Alternative Treatment Units for effluent disposal to the satisfaction of Council, the Water Corporation and the Health Department of Western Australia.</p> <p>12. The development of a local shop shall be limited to a maximum gross leasable floor space area of 100m².</p>
6. Rezoning a portion of Lot 2 Laverty Street, Bridgetown from the 'Rural 2—General Agriculture' zone to the 'Recreation' reserve as depicted on the amending map adopted by Council; and	
7. Rezoning a portion of Lot 2 Laverty Street, Bridgetown from the 'Rural 2—General Agriculture' zone to the 'Public Purpose' reserve as depicted on the amending map adopted by Council.	

B. KAVANAGH, President.
A. MacNISH, Chief Executive Officer.

PI403*

TOWN PLANNING AND DEVELOPMENT ACT, 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Bridgetown-Greenbushes
TOWN PLANNING SCHEME No. 4—AMENDMENT No. 49

Ref: 853/6/5/4 Pt 49

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 and Infrastructure approved the Shire of Bridgetown-Greenbushes Town Planning Scheme Amendment on 1 July 2002 for the purpose of—

1. Adding to Schedule 4 - Additional Uses, the following—

Location of Additional Use	Conditions Applicable to the Use
Lot 43 Moriarty Street, Bridgetown	Additional uses permitted— Cabinet Making <ol style="list-style-type: none"> (i) Council reserves the right to reduce the operating hours if legitimate claims of noise pollution are received. (ii) Floor area is restricted to 175m² and no extensions will be permitted.
2. Amending the Scheme Map by delineating the symbol 'A' on Lot 43 Moriarty Street, Bridgetown.
3. Adding the following definition to Schedule 1—Interpretations of the Scheme Text, between the interpretations of 'Building Setback' and 'Camping Area'—

Cabinet Making: means an activity where timber and timber by-products are sawn and joined for the production of fine furniture, cabinets, windows and other timber based products.

4. Adding the following clause to the Scheme Text—

5.5 Term of Planning Approval

5.5.1 Where the Council grants planning approval, that approval—

- (a) shall be substantially commenced within two years, or such other period as specified in the approval, after the date of determination; and
- (b) lapses if the development has not substantially commenced before the expiration of that period.

5.5.2 A written request may be made to the Council for an extension of the term of planning approval at any time prior to the expiry of the approval period in sub-clause 5.5.1(a).

N. OAKS, President.
A. MacNISH, Chief Executive Officer.

PI404***TOWN PLANNING AND DEVELOPMENT ACT, 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

SHIRE OF DENMARK

TOWN PLANNING SCHEME No. 3—AMENDMENT No. 75

Ref: 853/5/7/3 Pt 75

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 and Infrastructure approved the Shire of Denmark Town Planning Scheme Amendment on 1 July 2002 for the purpose of—

1. Inserting Portion Lot 5 Ocean Beach Road, Denmark within Appendix 2—Schedule of Additional Use Sites (Site No. 22) to allow for ‘Private Institution’ as follows—

(a) Particulars of Land A	(b) Additional Use B	(c) Conditions of Use C
Lot 5 Ocean Beach Road	Private Institution (Masonic Lodge)	Site to be occupied only for Masonic Lodge purposes. Vehicular access to be to Council’s satisfaction. Any new building shall be single storey and consist of external materials and finishes in green and brown tonings. Car parking is to be provided, paved, drained and line marked to Council’s satisfaction. All signage to meet Council’s requirements. All lighting to be low level controlled spill to avoid disturbance to neighbours and to avoid traffic conflict.

2. Amending the face of the Scheme Map accordingly.

C. DONNELLY, President.
P. DURTANOVICH, Chief Executive Officer.

PI406***TOWN PLANNING AND DEVELOPMENT ACT, 1928**

NOTICE OF REVOCATION OF TOWN PLANNING SCHEME

SHIRE OF GREENOUGH

TOWN PLANNING SCHEME No. 2

WOORREE SMALL HOLDINGS SCHEME

Ref: 853/3/7/4

Notice is hereby given that the Council of the Shire of Greenough in pursuance of its powers under the Town Planning and Development Act, 1928 (as amended) hereby resolved—

1. to adopt the Financial Scheme Accounts for the years 1997/98, 1998/99 and 1999/2000, as contained within the report entitled ‘Shire of Greenough Woorree Small Holdings Scheme Town Planning Scheme No. 2 Final Scheme Accounts and Report on Scheme Revocation’ as prepared by Urban Focus on 27 June 2001;

2. to wind up Town Planning Scheme No. 2 - The Woorree Small Holding Scheme;
 3. to seek the Minister for Planning and Infrastructure's consent to revoke the Town Planning Scheme No. 2 - The Woorree Small Holding Scheme; and
 4. to advise the Minister for Planning and Infrastructure that any surplus monies remaining after the revocation of the Town Planning Scheme No. 2 - The Woorree Small Holding Scheme will be allocated to further developments/works/facilities within the Scheme area for the benefit of the residents of the Scheme area through the establishment of a Reserve Fund;
- at the Ordinary meeting of Council held on the 25th day of July 2001, and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of—

M. C. CULLOTON, President.

12 March 2002

W. T. PERRY, Chief Executive Officer.

12 March 2002

Recommended/Submitted for Approval—

EUGENE FERRARO.
DELEGATED UNDER S.20 OF WAPC ACT 1985

27 March 2002

Approval Granted—

ALANNAN MacTIERNAN, Minister for Planning and Infrastructure.

1 July 2002

PI405*

TOWN PLANNING AND DEVELOPMENT ACT, 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
SHIRE OF EXMOUTH

TOWN PLANNING SCHEME No. 3—AMENDMENT No. 4

Ref: 853/10/7/3 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 and Infrastructure approved the Shire of Exmouth Town Planning Scheme Amendment on 1 July 2002 for the purpose of—

1. Adding the following provisions to 5.5.1—
 - (g) promote and safeguard health, safety, convenience, environmental quality and the general welfare and amenity of the locality.
 - (h) to encourage a high standard of development within the zone.
 - (i) to promote a high standard of maintenance of artificial waterways and other waterways through cooperation with the Waterways Manager and the Department for Planning and Infrastructure.
2. Deleting 5.5.2 Site Requirements.
3. Renumbering and re-titling 5.5.3 by replacing '5.5.3 Development Requirements' with '5.5.2 Preparation of an Outline Development Plan'.
4. Adding section '5.5.3 Development Requirements' with the following provisions—

5.5.3 Development Requirements

In addition to the above the following requirements shall apply to all development within the Marina Zone—

- (a) Land comprised of artificial waterways in a canal estate developed within the Marina Zone is land for the purpose of this Scheme and, notwithstanding any other provision of this Scheme Text, any development in, on, over, or abutting any such waterways requires the Council's prior approval in accordance with the procedures set out in this Scheme.
- (b) Any development proposed between the boundary of a canal waterway and the setback distance for any buildings on the land as prescribed by this and other provisions of this Scheme, requires the prior approval of the Council in accordance with the procedures set out in this Scheme.
- (c) Where development is proposed on the land as described in clauses 5.5.3 (a) and (b) above, Council shall refer the development application to the Department for Planning and Infrastructure (Portfolio Management – Coastal Facilities Management) for their consideration and shall give the Department 42 days within which to respond. Council shall take into account any comments received in making its determination. Council shall require the proponent to provide certification from a consulting engineer that the development is constructed to a standard to withstand a 100 year average recurrence interval cyclone event.

- (d) All canal revetment walls along the canal frontage shall be kept in a structurally sound condition and shall not be altered, extended or removed without the prior written approval of the Council and the Department for Planning and Infrastructure (Portfolio Management – Coastal Facilities Management).

The owner of any canal frontage lot shall be responsible for the ongoing maintenance of the stabilized surfaces and revetment walls and private jetties within their lot. Each owner shall also be responsible for the ongoing maintenance of any pontoon or jetty that gives access to that lot.

The Council, as the vested manager of land adjoining the canal waterway, shall be responsible for the stability of the interface between the water of the canal and that land.

The Council may direct the owners of lots adjoining/abutting the canals to maintain the canal interface to the requirements of the Department for Planning and Infrastructure (Portfolio Management – Coastal Facilities Management).

- (e) All dwellings shall be set back a minimum of 7m from the canal setout line. Building pads are to be located no closer than 11 metres from the canal setout line.
- (f) No retaining wall or fencing shall be erected along the canal frontage or within 1.5m of the canal setout line.
- (g) No retaining wall or fence situated more than 1.5m but less than 7m from a canal setout line shall exceed 0.9m above the stabilised surface level.
- (h) No retaining wall situated more than 7.5m but less than 9m from a canal setout line shall exceed 1.5m above the stabilised surface.
- (i) No fence situated more than 7.5m from a canal setout line shall exceed 1.8m above the original stabilised surface.
- (j) All other setbacks and general design requirements are to be in accordance with the Exmouth Marina Village Broad Design Guidelines and Scheme requirements.

M. S. PURSLOW, President.
K. J. GRAHAM, Chief Executive Officer.

PI407*

TOWN PLANNING AND DEVELOPMENT ACT, 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
TOWN OF KWINANA
TOWN PLANNING SCHEME No. 2—AMENDMENT No. 73

Ref: 853/2/26/3 Pt 73

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 and Infrastructure approved the Town of Kwinana Town Planning Scheme Amendment on 1 July 2002 for the purpose of—

1. Rezoning Portion of Reserve 31914 (Portion of Lot E9) Parmelia Avenue, Parmelia, from “No Zone” to Residential and applying an R20 Coding.
2. Amending the Scheme designation for that portion of Reserve 31914 from “No Zone” to Public Purposes (Local Reserve) - Primary School.
3. Rezoning portions of Lot E9 Challenger Avenue from Residential to Parks, Recreation and Drainage—Conservation Reserve.

J. H. D. SLINGER, Mayor.
F. R. EDWARDS, Chief Executive Officer.

PI408*

TOWN PLANNING AND DEVELOPMENT ACT, 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
TOWN OF NARROGIN
TOWN PLANNING SCHEME No. 2—AMENDMENT No. 20

Ref: 853/4/2/10 Pt 20

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 and Infrastructure approved the Town of Narrogin Town Planning Scheme Amendment on 1 July 2002 for the purpose of—

1. Rezoning Lot 178 Hansard Street, from “Single Residential” to “Additional Use—Storage Shed”.

2. Including Lot 178 in the Additional Use Zone Table as follows—

Particulars of Land	Base Area Zone	Additional Use	Conditions
Lot 178 Hansard Street	Single Residential	Storage of Vehicles and Building Materials	Storage of vehicles and building materials to be confined to the shed. No extension or change of land use without the special approval of the Council.

S. A. HIGGINS, President.

S. D. TINDALE, Chief Executive Officer.

PI409*

TOWN PLANNING AND DEVELOPMENT ACT, 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

SHIRE OF NORTHAMPTON

TOWN PLANNING SCHEME No. 6—AMENDMENT No. 6

Ref: 853/3/14/8 Pt 6

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 and Infrastructure approved the Shire of Northampton Town Planning Scheme Amendment on 1 July 2002 for the purpose of—

1. Inserting Pt Victoria Location 7156 North West Coastal Highway and Appertarra Agricultural Area Lot 18, Alma within “Appendix No 7—Special Sites Zone Schedule” to enable the development of tourist accommodation and day visitor/tourist activities as follows—

Lot No	Location	Purpose	Development Provisions
ALMA Pt Victoria Location 7156 and Appertarra Agricultural Area Lot 18	North West Coastal Highway	Tourist accommodation and day visitor/ tourist activities	<ul style="list-style-type: none"> (i) All development is to be generally in accordance with the “Northbrook Farmstay” Development Plan (Drawing 05701PS1-1-1 & 05701PS1-2-1) as endorsed by the Chief Executive Officer with minor variations subject to Council approval. (ii) Use of a Country Kitchen subject to compliance with the directions of Council’s Environmental Officer regarding health matters and refuse/effluent disposal. (iii) Office/Store—sale of convenience items to tourist accommodation patrons and day visitors only. (iv) No removal of any remnant vegetation is permitted within the Special Site zone without the prior written approval of Council. (v) All buildings shall be sympathetic to existing landscape elements, namely landform and vegetation, in terms of their design, height, materials and cladding colours. (vi) All new buildings shall be constructed utilizing roof and external wall materials comprising natural earth or green vegetation colours. (vii) The development being connected to approved on-site effluent disposal systems designed for long term usage to the satisfaction of the Health Department of WA and Council.

Lot No	Location	Purpose	Development Provisions
			(viii) Suitable fire control measures being undertaken to the satisfaction of Council in consultation with the Fire and Emergency Services Authority of WA.
			(ix) Registration of the property as a Caravan Park/Camping Ground/Accommodation Premises and payment of the appropriate fees.
			(x) Landscaping to be undertaken throughout the development in accordance with an overall landscape plan prepared by the proponent to the satisfaction of Council.
			(xi) All accessways and carparking areas shall be designed, constructed and drained to the satisfaction of Council.
			(xii) All access intersections with North West Coastal Highway are to be redesigned, constructed and sealed by proponent with approval of the Regional Manager for Midwest Region Office of Main Roads Western Australia.
			(xiii) No building or effluent disposal system is permitted within the area defined as the Building/Effluent Disposal System Exclusion Area on the 'Northbrook Farmstay' Development Plans (Drawing 05701PS1-1-1 & 05701PS1-2-1).
			(xiv) All stormwater and runoff from the development shall be contained within and disposed of within the lot to the satisfaction of Council, in consultation with Water and Rivers Commission, to ensure the protection of water quality within the Northampton Water Reserve.
			(xv) The proponent preparing a Foreshore Management Plan for that portion of the Udandarra Gully impacted upon by the development to the satisfaction of Council, in consultation with the Water and Rivers Commission.
			(xvi) All habitable buildings (i.e. dwelling(s)) and other publicly accessible buildings (i.e. eating house, restaurant and shop) shall be provided with an individual supply of potable water, as defined in the "Australian Drinking Water Guidelines 1996" published by the National Health and Medical Research Council and the Agriculture and Resource Management Council of Australia and New Zealand, to the satisfaction of Council.

2. Amending the Scheme Maps accordingly.

G. V. PARKER, President.
G. L. KEEFFE, Chief Executive Officer.

PI410*

TOWN PLANNING AND DEVELOPMENT ACT, 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
SHIRE OF RAVENSTHORPE

TOWN PLANNING SCHEME No. 4—AMENDMENT No. 15

Ref: 853/5/20/6 Pt 15

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 and Infrastructure approved the Shire of Ravensthorpe Town Planning Scheme Amendment on 1 July 2002 for the purpose of—

(1) Amending the Scheme Map by rezoning part of Oldfield Location 628 from “Rural” to “Special Rural”.

(2) Amending the Scheme Text by inserting in Appendix No. V to the Scheme under the heading “(a) SPECIFIED AREA OF LOCALITY” the following—

Part of Oldfield Location 628, Hopetoun

(3) Amending the Scheme Text by inserting in Appendix No. V to the Scheme under the heading “(b) PROVISIONS RELATIVE TO (a)” the following.

1. Objective

The objective of this Special Rural Zone is for rural residential purposes in a natural bushland setting and the conservation of the existing natural vegetation is of paramount importance.

2. Subdivision

Subdivision shall generally be in accordance with the Subdivision Guide Plan, Ref. HOPE01 and dated DEC 2001 and signed by the Chief Executive Officer.

3. Land Use

The following land use provisions will apply.

(a) The following uses are permitted—

Dwelling

(b) the following uses may be permitted with the approval of Council—

Ancillary Accommodation

Home Occupation

(c) All other uses are not permitted.

(d) Notwithstanding any other provisions of the Scheme the keeping and rearing of livestock and horses is not permitted.

4. Building Envelopes

(a) Prior to the time of commencing development, the lot owner shall determine a building envelope in consultation with and to the satisfaction of Council.

(b) When considering the location of a building envelope Council is to have due regard to the following.

(i) No building envelopes are to be located in the area designated as such on the Subdivision Guide Plan.

(ii) The effective operation of an on-site effluent disposal unit.

(iii) Building set back of 50 metres from any water body or wetland.

(iv) Building set back from roads and boundaries.

(v) Building set back for bush fire protection purposes.

(vi) The building envelope and accessway do not adversely affect any rare flora and fauna.

5. Service Requirements

(a) No dwelling shall be constructed or approved for construction unless a minimum of 92,000 litre water storage tank and an approved method of effluent disposal has been incorporated into the approved plans, and no dwelling shall be fit for human habitation unless such supply of water and method of effluent disposal has been installed and is operating.

(b) On-site effluent disposal systems are to be located where the vertical separation from the natural ground level to the highest known water table meets the relevant standards. Alternative treatment units are to be installed where the vertical separation is inadequate for conventional septic units.

(c) Council shall require that a prospective purchaser of a lot is made aware of the responsibility to install an individual supply of water and method of effluent disposal.

(d) Reference shall be made to the Department of Agriculture guidelines relating to water storage, tank size, and area of roof catchment.

6. Vegetation Protection and Enhancement

(a) No trees or shrubs shall be felled or removed from a lot except where—

(i) in the opinion of Council they are diseased or dangerous;

- (ii) the establishment of fire hazard reduction measures are required;
 - (iii) it is necessary for Council approved building, road and access way construction; and
 - (iv) it is necessary for fence establishment and maintenance.
- (b) Upon the submission of plans for planning approval in accordance with clause 2.1 of the Scheme, Council may require that the lot owner plant and maintain trees and shrubs and of a density of planting as approved by Council

7. Bush Fire Measures

Council, CALM, and the Fire and Emergency Services Authority may at the subdivision stage request the Western Australian Planning Commission to impose a condition requiring the subdivider to prepare a Fire Management Plan.

8. Development Requirements

- (a) Council may at the subdivision stage request the Western Australian Planning Commission to impose a condition requiring the subdivider to prepare a stormwater disposal plan to the satisfaction of the Council and the Water and Rivers Commission.
- (b) During the construction of the roads and lot accessways, management practices shall be implemented to minimise the spread of dieback.
- (c) The approval must be sought from and granted by the Water and Rivers Commission and the Water Corporation before a bore is constructed.
- (d) The materials and colours used on the exterior surfaces of all buildings shall be designed to blend in with the landscape to the satisfaction of Council. Zincalume roofs shall not be permitted.
- (e) In order to limit the destruction of natural vegetation, and allow ease of access for fauna and emergency vehicles, fencing is restricted to around the building envelope only. The materials used in fencing shall be to the satisfaction of Council and appropriate for an area where the keeping of stock is not permitted.

9. Advice and Notifications

- (a) Council may at the subdivision stage request the Western Australian Planning Commission to impose a condition requesting the subdivider to advise prospective purchasers of the implications for lot owners of the adjoining reserve land. This advice is to be prepared in consultation with and to the satisfaction of the Dept. of Conservation and Land Management.
- (b) At the subdivision stage the Western Australian Planning Commission may impose a condition requiring the subdivider to make arrangements with the Commission for a notification in accord with Sec 12A of the Town Planning and Development Act to be deposited which will inform lot owners and prospective purchasers of the potential mosquito risk, and aircraft noise.

R. BESSO, President.
T. DYER, Chief Executive Officer.

PI411*

TOWN PLANNING AND DEVELOPMENT ACT, 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
CITY OF STIRLING

DISTRICT PLANNING SCHEME No. 2—AMENDMENT No. 382

Ref: 853/2/20/34 Pt 382

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 and Infrastructure approved the City of Stirling Town Planning Scheme Amendment on 1 July 2002 for the purpose of—

1. Rezoning Lot 1 and Lot 306, H.N. 276 and H.N. 281, Wanneroo Road, Balcatta, from “Residential R40” to “Special Use Zone—Medical Centre & Deli”.
2. Including in Schedule 2—Special Use Zones of the City’s Scheme, Lot 1 and Lot 306, H.N. 276 and H.N. 281 Wanneroo Road, Balcatta and its permitted use (Medical Centre & Deli).

D. C. VALLELONGA, Mayor.
L. DELAHAUNTY, Chief Executive Officer.

POLICE

PO501

POLICE ACT 1892
POLICE AUCTION

Under the provisions of the Police Act 1892, unclaimed and stolen property will be sold by Public Auction at South West Auctioneering Company, Lot 51 Strelley Street, Busselton on 13th July 2002.

B. MATTHEWS, Commissioner of Police.

PO502

POLICE ACT 1892
POLICE AUCTION

Under the provisions of the Police Act 1892, unclaimed and stolen property will be sold by Public Auction at South West Auctioneering Company, Lot 51 Strelley Street, Busselton on 13th July 2002.

B. MATTHEWS, Commissioner of Police.

TRANSPORT

TR101

CORRECTION
TRANSPORT CO-ORDINATION ACT 1966**NOTICE OF DETERMINATION OF FEES (AIRCRAFT LICENCES)**

An error occurred in the notice published on 2 July 2002 at page 3215 of the *Government Gazette*. The notice incorrectly referred to the *Transport Co-ordination Act 1996*. That reference should be deleted and substituted with the *Transport Co-ordination Act 1966*.

PUBLIC NOTICES

ZZ201

TRUSTEES ACT 1962
DECEASED ESTATE**Notice to Creditors and Claimants**

Estate of the late Robert John Tallents, late of 3/137 Reynolds Road, Mt Pleasant, deceased.

Creditors and other persons having claims in respect of the estate mentioned below to which Section 63 of the Trustees Act 1962 relates in respect of the estate of the deceased, who died on the 3rd day of September 1997 are required by the personal representatives Frederick Oliphant House and Ross John McCallum to send particulars of claims to the personal representatives c/- McCallum Donovan Sweeney, Solicitors of 2nd Floor, 16 Irwin Street, Perth one (1) month after the date of this advertisement after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they have notice and the personal representative shall not be liable to any person of whose claim they have had no notice at the time of distribution.

Dated this 2nd day of July 2002.

McCALLUM DONOVAN SWEENEY for the Personal Representatives.



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