



WESTERN  
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GOVERNMENT

# Gazette

6241



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In all cases notices are published on page 2 and readers are urged to check accordingly prior to contacting State Law Publisher.

JOHN A. STRIJK,  
Government Printer.

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**AGRICULTURE**

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**AG401\*****AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976**Agriculture Protection Board,  
South Perth.

Pursuant to the powers granted by sections 15(3) and 15(2) of the Agriculture and Related Resources Protection Act 1976, the Agriculture Protection Board hereby;

- (a) cancels the appointments of the persons listed,
- (b) appoints the persons listed to be members of the Zone Control Authorities shown, to serve until the first day in August in the year specified, and;

**Cancellation of Appointments**

Name	Zone Control Authority
Mark Reginald Godlonton	2
Raymond Ward	6

**Re appointments**

Name	Zone Control Authority	Retires
John Walter Kellock	3	2001
Peter Carter	9	2001
John Francis Cotter	9	2001
John Campbell	9	2001
John Moyes	6	2001
Lynette Coleman	5	2001
Daniel Henderson	4	2001
Eric Farrow	5	2001
Kingsley Palmer	6	2001

Dated 12 November, 1998.

KERYL ENRIGHT, Chairman,  
Agriculture Protection Board.

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**FAIR TRADING**

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**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—

- Southern Cross Homes (WA) Incorporated
- The Samaritan Befrienders Incorporated

Dated this 11th day of November 1998.

DOUG SHAVE, Minister for Fair Trading.

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**LOCAL GOVERNMENT**

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**LG301\*****LOCAL GOVERNMENT ACT 1995***Shire of Kalamunda***LOCAL LAW RELATING TO BEE KEEPING**

In pursuance of the powers conferred upon it by the above mentioned Act, the Council of the Shire of Kalamunda hereby records having resolved on the 21st September, 1998 to repeal the Local Law relating to Bees Kept on Residential Zoned Land published in the *Government Gazette* on 18th March 1988 and adopt the following Local Law.

**Part 1—INTRODUCTORY MATTERS****Title**

1.1. This law may be cited as the *Shire of Kalamunda Local Law Relating to Bee Keeping*.

**Commencement**

1.2 This Local Law comes into operation on the 14th day after the day on which it is published in the *Gazette*.

**Content and intent**

1.4 (1) This local law—

- (a) provides for the repeal of a previous local law relating to bees;
- (b) identifies the need for bee keeping to be licensed;
- (c) explains the way an application may be made for a licence;
- (d) describes the actions the local government may take when determining an application;
- (e) describes the conditions which apply to the keeping of bees;
- (f) explains the actions the local government may take to order the removal of bees;
- (g) provides for a right of appeal.

(2) This local law is intended to result in—

- (a) the licensing of bee keeping on residential land;
- (b) the promotion of sound hive management practices;
- (c) the local government being able to take action where bees are causing a nuisance.

**1.5 Relationship to other legislation**

Bee keeping is subject to provisions contained in the Beekeepers Act 1963. Despite other provisions relating to bees, the Beekeepers Act 1963 does not regulate where bees may or may not be kept. Under that Act, beekeepers are required to register with Agriculture WA. Remedies in relation to any nuisance caused by bees may be pursued through Common Law.

**1.6 Public Interest**

The public interest is not served by the indiscriminate siting of bee hives on residential zoned land where they may cause a nuisance. However, where sound hive management practices are observed, it is reasonable to provide for an individual to pursue an interest or hobby as long as it does not adversely impact on others to the point of causing injury or hardship.

**1.7 Interpretation**

In this local law, unless the context requires otherwise—

“Act” means the Local Government Act 1995

“bee-hive” means a container made by a person specifically for the purpose of keeping bees

“bee nest” means a structure, container or object used by feral bees

“CEO” means the Chief Executive Officer of the Shire of Kalamunda

“district” means the district of the Shire of Kalamunda

“licence” means a licence issued under this local law

“licensee” means the person named in the licence as the licensee

“local government” means the Shire of Kalamunda

“lot” has the meaning given it in the Town Planning and Development Act 1928 as amended

“residential” means any land zoned Residential under the Shire of Kalamunda District Planning Scheme.

**Part 2—SUBSTANCE OF THIS LAW****Licence to Keep Bees**

2.1 (1) A person must not keep or permit to be kept bees on any land zoned for residential purposes within the Shire of Kalamunda;

- (a) unless the person is the holder of a valid and current licence;
- (b) otherwise than in accordance with any terms set out in, or applying in respect of, the licence.

Penalty \$500 and a daily penalty not exceeding a fine of \$50 in respect of each day or part of a day during which an offence has continued.

**Application for Licence**

2.2 (1) A person seeking the issue of a licence in respect of any residential land must apply in the form determined by the local government from time to time and pay the application fee determined by the local government from time to time.

(2) The application fee is to cover the cost of processing the application and is not refundable whether or not the application is approved.

(3) An application must be accompanied by evidence that the applicant is the holder of a current Certificate of Registration as a bee keeper from Agriculture WA.

**Determination of Application**

2.3 (1) The local government may—

- (a) approve an application unconditionally; or
- (b) approve an application subject to conditions; or
- (c) refuse to approve an application.

(2) Without limiting the application of sub-clause (1) the local government may require the licensee to provide a screen or barrier in a manner which affords protection to neighbouring residents and passers by.

(3) The local government will restrict any approval for the keeping of bees to no more than two hives of bees on any land zoned for residential purposes within the Shire of Kalamunda.

(4) Without limiting the application of sub-clause (3) the local government may give approval for more than two hives to be kept on residential land, to bee keepers who can demonstrate sound hive management and where it is anticipated that a nuisance will not be caused to neighbouring residents and passers-by.

**Payment of Fee and Issue of Licence**

2.3 Where the local government approves the issue of a licence, the CEO upon receipt by the local government of payment of the licence fee determined by the local government from time to time, is to issue the licence to the applicant.

**Conditions Applying to the Keeping of Bees**

2.4 (1) A person must not keep or permit to be kept any bees or bee hives on a lot within the district unless at all times—

- (a) an adequate and permanent supply of water is provided in a shaded area nearby so as not to cause a nuisance to neighbours;
- (b) sound hive management practices are followed;
- (c) each bee hive is not less than 5 metres from the boundary of the lot unless the written approval of the CEO is obtained to a lesser distance;
- (d) the bee keeper holds a current Certificate of Registration as a bee keeper from Agriculture WA;
- (e) the bees do not cause a nuisance to any other person.

(2) A person must not keep or permit to be kept bees or bee hives on a thoroughfare, public place or public reserve.

Penalty \$500 and a daily penalty not exceeding a fine of \$50 in respect of each day or part of a day during which an offence has continued.

**Order to Remove Bees**

2.5. (1) Whenever, in the opinion of the local government, a nuisance arises because of the keeping of any bees or bee hives or bee nests on a lot within its district, or a person has contravened any provisions of these local laws, the local government may order, by written notice to the owner or occupier, the removal or extermination of such bees or bee hives or bees nest from that lot within the time specified in the notice.

(2) On service of the notice referred to in sub-clause (1), any licence given by the local government relating to the keeping of bees on that lot is cancelled from the time specified in the notice.

**Part 3—APPEAL RIGHTS****Objections and Appeals**

3.1 When the local government makes a decision as to whether it will—

- (a) grant a person a licence under this local law; or
- (b) renew, vary, or cancel a licence that a person has under this local law, the provisions of Division 1 of Part 9 of the Act and regulations 33 and 34 of the Local Government (Functions and General) Regulations 1996 shall apply to that decision.

Dated this 23rd day of September 1998.

The Common Seal of the Shire of Kalamunda was affixed to this document in the presence of:

OWEN McGRATH, President.  
DAVID VAUGHAN, Chief Executive Officer.

**LG302\*****LOCAL GOVERNMENT ACT 1995***Shire of Kalamunda***AMENDMENT TO LOCAL LAW RELATING TO NUMBERING HOUSES & BUILDINGS**

In pursuance of the powers conferred upon it by the above mentioned Act, the Council of the Shire of Kalamunda hereby records having resolved on the 21st September, 1998 to make the following amendment to its Local Law regarding Numbering Houses & Buildings published in the *Government Gazette* on 31st March 1994.

1. Delete 'by-law' wherever it occurs and substitute 'local law'.
2. Delete the words 'Local Government Act 1960' wherever they occur and substitute 'Local Government Act 1995.'
3. Delete the word 'Municipality' wherever it occurs and substitute 'local government.'
4. Delete the words 'not more than 50c per number or set of numbers' in clause 5 and substitute 'an amount determined by the Council from time to time'.
5. Delete the figure \$20 in clause 8 and substitute 'fifty dollars (\$50).

Dated this 23rd day of September 1998.

The Common Seal of the Shire of Kalamunda was affixed to this document in the presence of:

OWEN McGRATH, President.  
DAVID VAUGHAN, Chief Executive Officer.

**LG303\*****LOCAL GOVERNMENT ACT 1995***Shire of Kalamunda***AMENDMENT TO LOCAL LAW RELATING TO TRADING IN PUBLIC PLACES**

In pursuance of the powers conferred upon it by the above mentioned Act, the Council of the Shire of Kalamunda hereby records having resolved on the 21st September, 1998 to make the following amendment to its Local Law regarding Trading in Public Places published in the *Government Gazette* on 31st March 1994.

1. Delete "by-law" wherever it occurs and substitute "local law".
2. Delete the words "Local Government Act 1960" wherever they occur and substitute "Local Government Act 1995".
3. Delete the word "Municipality" wherever it occurs and substitute "local government".
4. In clause 5 after the word licence add "or Variation to a Licence".
5. In clause 6 delete sub-clause (d).
6. Delete the figure "\$100.00" in clause 9 (1) and substitute "an amount determined by the Council from time to time".
7. Delete the words "specified in the Third Schedule hereto" in clause 9 (2) and substitute the words "determined by the Council from time to time".
8. Add the words "or assistant specified in a licence" after the words "A licence holder" in clause 12 and delete sub-clause 12 (a).
9. Delete the words "or imprisonment for 6 months" in clause 17 (a).
10. In the First Schedule after the words "Application for Licence" add the words "or Variation of a Licence".
11. Delete the Third Schedule.
12. Delete "Shire Clerk/Chief Executive" where it appears in the Second Schedule and substitute "Chief Executive Officer".
13. After clause 17 insert clause designated "18" as follows—  
Objections and Appeals—
18. When the local government makes a decision as to whether it will:  
(a) grant a person a licence under this local law; or

- (b) renew, vary, or cancel a licence that a person has under this local law, the provisions of Division 1 of Part 9 of the Act and regulations 33 and 34 of the Local Government (Functions and General) Regulations 1996 shall apply to that decision.

Dated this 23rd day of September 1998.

The Common Seal of the Shire of Kalamunda was affixed to this document in the presence of:

OWEN McGRATH, President.  
DAVID VAUGHAN, Chief Executive Officer.

#### LG401

#### DOG ACT 1976

##### *Shire of Serpentine-Jarrahdale*

##### Appointment of Authorised Persons and Registration Officers

It is hereby notified for public information that the following persons have been appointed as authorised officers pursuant to the Dog Act 1976—

##### Authorised Persons

David George Gossage  
Allen Roy Kent  
Leonard Allen Alexander Lewis  
Brian Douglas Owston  
Clive John Petrie  
Lindsay May Windram

##### Registration Officers

Charmaine Margaret Daly  
Sarah Kirsty Downes  
Naomi Jayne Galbraith  
Katrina Louise Miller Gittos  
Pauline Isla Igglesden  
Natalie Ann Jahn  
Roslyn Anne Moore

Any previous appointments are hereby cancelled.

IAN BODILL, Chief Executive Officer.

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## MINERALS AND ENERGY

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#### MN401\*

##### NOTICE OF APPLICATION FOR A PIPELINE LICENCE UNDER THE PETROLEUM PIPELINES ACT 1969

I, WILLIAM LEE TINAPPLE, Director of the Petroleum Operations Division in the Department of Minerals and Energy for the State of Western Australia being the Officer for the time being holding certain powers and functions of the Minister in respect of the area specified in the State of Western Australia by virtue of an instrument of delegation dated 4 June 1998 and published in the *Government Gazette* of Western Australia on 16 June 1998, GIVE NOTICE pursuant to Section (8) 4 of the Petroleum Pipelines Act, 1969 that an application recorded as 2P/98-9 has been received from:

AGL PIPELINES (WA) PTY LTD

Level 6, Chancery House, 37 St George's Terrace, PERTH WA 6000; and

THE ELECTRICITY CORPORATION (trading as Western Power Corporation)

363 Wellington Street, PERTH WA 6000 for a licence to construct and operate a pipeline to supply natural gas from the Mainline valve immediately south of Compressor Station 7 on the Dampier to Bunbury Natural Gas Pipeline near Geraldton to Mt Magnet and then from the Mt Magnet scraper station to the Windimurra Vanadium Mine.

A map showing the proposed route of the pipeline may be examined during public office hours until 9 December 1998 at the Petroleum Operations Division, Department of Minerals and Energy, 11th Floor, Mineral House, 100 Plain Street, East Perth.

Dated this 12th day of November 1998.

W. L. TINAPPLE, Director Petroleum Operations Division.



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**PARLIAMENT**

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**PA101\***

PARLIAMENT OF WESTERN AUSTRALIA  
ERRATUM TO DISALLOWANCE OF REGULATIONS  
**FISH RESOURCES MANAGEMENT ACT 1994**

It is hereby notified for public information that the following Notice of Disallowance of Regulations which was published in the *Gazette* of Tuesday, November 3, 1998 was incorrectly placed. These Regulations have not been disallowed and are still in force.

“ It is hereby notified for public information that the Legislative Council, by resolution passed on Wednesday, October 21, 1998, has disallowed the following Regulations made under the *Fish Resources Management Act 1994* —

Order No 6 of 1998, made by the Minister for Fisheries under Section 43 of the Fish Resources Management Act 1994, the Prohibition of Fishing for Pink Snapper (Shark Bay, Eastern Gulf) Order 1998, published in the *Gazette* on June 9, 1998 and Tabled in the Legislative Council on June 16, 1998

Disallowance is effective on and from the date of resolution. ”.

L. B. MARQUET, Clerk of the Parliaments.

November 11, 1998

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**PA401\***

**CONSERVATION AND LAND MANAGEMENT ACT 1984**  
DISALLOWANCE OF REGULATIONS

It is hereby notified for public information that the Legislative Council, by resolution passed on Wednesday, October 28, 1998, has disallowed the following Regulations made under the *Conservation and Land Management Act 1984* —

That the *Forest Management Amendment Regulations (No 2) 1998* published in the *Gazette* on August 18, 1998 and tabled in the Legislative Council on September 8, 1998 under the *Conservation and Land Management Act 1984*, be and are hereby disallowed.

Disallowance is effective on and from the date of resolution.

L. B. MARQUET, Clerk of the Parliaments.

November 11, 1998.

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**PLANNING**

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**PD101\****CORRECTION***TOWN PLANNING AND DEVELOPMENT ACT 1928****ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT***CITY OF SOUTH PERTH***TOWN PLANNING SCHEME NO. 5—AMENDMENT NO. 81**

Ref: 853/2/11/7, Pt. 81.

It is hereby notified for public information that the notice under the above Amendment No. 81 published at page 6082 of the *Government Gazette* No. 220 dated Tuesday, 3 November, 1998, contained an error which is now corrected as follows:

For the words:

0.55 MINIMUM NUMBER OF CAR PARKING SPACES: 1 PER UNIT AND 3 ADDITIONAL SPACES FOR STAFF.

Read:

0.50 MINIMUM NUMBER OF CAR PARKING SPACES: 1 PER UNIT; PLUS 6 ADDITIONAL SPACES FOR VISITORS; AND 5 ADDITIONAL SPACES FOR STAFF.

L. L. METCALF, Chief Executive Officer.



**PD402\***

WESTERN AUSTRALIAN PLANNING COMMISSION  
METROPOLITAN REGION SCHEME (SECTION 33) AMENDMENT  
SOUTH EAST DISTRICTS OMNIBUS (No. 4)  
CALL FOR PUBLIC SUBMISSIONS

File No: 809-2-1-52.

Amendment No: 1005/33.

The Western Australian Planning Commission intends to amend the Metropolitan Region Scheme for land in the Cities of Armadale, Belmont, Canning, Gosnells and South Perth and the Shires of Kalamunda and Serpentine-Jarrahdale and is seeking public comment.

The purpose of this amendment is to transfer land between various zones and reservations as detailed in the Commission's *Amendment Report*.

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

Copies of the amending plans and detail plans showing the proposed changes to the zones and reservations of the Scheme, and the Commission's *Amendment Report* which explains the various proposals, will be available for public inspection from Monday 16 November 1998 to Friday 19 February 1999 at each of the following places:

- |  |   |
|--|---|
| • Ministry for Planning<br>1st Floor<br>Albert Facey House<br>469 Wellington Street<br>PERTH           | Council Offices of the municipalities of:   |
| • J S Battye Library<br>Alexander Library Building<br>Cultural Centre<br>Francis Street<br>NORTHBRIDGE | • City of Perth<br>• City of Fremantle<br>• City of South Perth<br>• City of Belmont<br>• City of Canning<br>• City of Gosnells<br>• City of Armadale<br>• Shire of Kalamunda<br>• Shire of Serpentine-Jarrahdale |

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

Submissions must be lodged with the:

Secretary  
Western Australian Planning Commission  
469 Wellington Street  
PERTH WA 6000

on or before 5.00pm, Friday 19 February 1999. Late submissions will not be considered.

PETER MELBIN, Secretary,  
Western Australian Planning Commission.

**PD403\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION  
*CITY OF JOONDALUP*  
TOWN PLANNING SCHEME NO. 1—AMENDMENT NO. 842

Ref: 853/2/34/1, Pt. 842.

Notice is hereby given that the local government of the City of Joondalup has prepared the abovementioned scheme amendment for the purpose of replacing current Home Occupation provisions with Home Business provisions.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Boas Avenue, Joondalup and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 29 December, 1998.

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

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

J. B. TURKINGTON, A/Chief Executive Officer.

**PD404\*****TOWN PLANNING AND DEVELOPMENT ACT 1928**

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*CITY OF GERALDTON*

## TOWN PLANNING SCHEME NO. 3—AMENDMENT NO. 1

Ref: 853/3/2/7, Pt. 1.

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 8 November, 1998 for the purpose of rezoning the Residential zoned portion of Lot 41 and Lot 18 Chapman Road Bluff Point to the Local Centre zone.

P. G. COOPER, Mayor.  
N. WILSON, A/Chief Executive Officer.

**PD405\*****TOWN PLANNING AND DEVELOPMENT ACT 1928**

## TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

*CITY OF GOSNELLS*

## TOWN PLANNING SCHEME NO. 1—AMENDMENT NO. 510

Ref: 853/2/25/1, Pt. 510.

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

- 1 Changing the zoning of Lot 15 Nicholson Road from "Special Use Zone—Drive Through Fast Food/Restaurant" to "Commercial Non-Retail"
- 2 Adding to the Eighth Schedule Permitted Restricted Use
- 3 Adding to the Fifth Schedule—Additional Use Zone

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Albany Highway, Gosnells and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 29 December, 1998.

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

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

S. HOLTBY, Chief Executive Officer.

**PD406****TOWN PLANNING AND DEVELOPMENT ACT 1928**

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*SHIRE OF CHITTERING*

## TOWN PLANNING SCHEME NO. 5—AMENDMENT NO. 49

Ref: 853/3/4/5, 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 approved the Shire of Chittering Town Planning Scheme Amendment on 10 November, 1998 for the purpose of:

- (a) Rezoning Lot 6, Great Northern Highway, Chittering, from Rural 1 Zone to Rural Living Zone and B.
- (b) Modifying Schedule 5 of the Scheme Text—Special Rural Zones to read "Special Rural and Rural Living Zones".
- (c) Adding to Schedule 5—Special Rural and Rural Living Zones provisions for Lot 6 Great Northern Highway.

(a) Specified Areas or Localities	(b) Special Provisions to refer to Special Rural— Rural Living Zones
Lot 6—Great Northern Highway Lady Jennifer Estate	<p>(1) <b>Lot Sizes</b> In considering development and subdivision, the Scheme requirements for the 'Rural Living A' zone (Category 4) and Rural Living B' zone shall apply, and should generally be in accordance with the approved Development Plan.</p> <p>(2) <b>Tree Preservation Areas</b> Tree Preservation areas shall be defined on the Development Plan. In the areas identified for the preservation of trees, no clearing shall be permitted outside the designated building and horticulture/floriculture envelopes as depicted on the Development Plan;</p> <p>(3) <b>Building Envelopes</b> Building envelope shall be defined on the Development Plan and shall not exceed 1000m<sup>2</sup> without prior approval of the Council and on the advice of the Bush Fires Board;</p> <p>(4) <b>Floriculture/Horticulture Envelopes</b> Floriculture/horticulture envelopes as shown on the Development Plan shall depict the limits of clearing on any lot and shall not exceed 1.0 hectare.</p> <p>(5) <b>Fencing:</b> Boundary fences may be permitted in tree preservation areas and along the front boundaries of lots.</p> <p>(6) <b>Crossovers</b> Council may request, as a condition of subdivision the construction of crossovers to each lot;</p> <p>(7) <b>Land Management</b> Any remedial or new works depicted on the Development Plan for the purpose of water catchment and management shall be implemented prior to subdivision. The maintenance of any swales and associated tree planting shall be the responsibility of the owner/occupier;</p> <p>(8) <b>Dams and Water Courses</b> The construction of dams and the extraction of surface water is not permitted without the approval of the Council, Waters and Rivers Commission and Agriculture WA;</p> <p>(9) <b>Fire Control</b> Strategic Fire Breaks as shown on the Development Plan shall be constructed by the developer and maintained to the satisfaction of the Council and the Bush Fires Board. A Bush Fire management plan shall be prepared by the developer/subdivider to the satisfaction of the Bush Fires Services W.A. and the Council.</p> <p>(10) <b>Effluent Disposal</b> The Development Plan shall depict areas where conventional septic tanks may not be suitable. In these areas, Alternative On-site Effluent Disposal Systems shall be limited to high performance environmental systems acceptable to the Council and the Health Department;</p> <p>(11) <b>Permitted Uses:</b> Single Dwelling Additional Accommodation Floriculture/horticulture.</p> <p>(12) <b>Easements</b> Where an easement for land drainage or water supply traverses any lot, the owner/occupier of that lot shall maintain that easement in accordance with the requirements of the Council.</p> <p>(13) <b>Stocking Restrictions</b> The keeping of any grazing stock shall be prohibited. The keeping of pigs, horses or poultry is not permitted.</p> <p>(14) <b>Landscape Buffer Strip</b> A landscape buffer being provided along Great Northern Highway and depicted on the Development Plan. The buffer to be established by the developer prior to subdivision.</p>

(a) Specified Areas or Localities	(b) Special Provisions to refer to Special Rural— Rural Living Zones
	Maintenance of any landscape buffer shall be the responsibility of the owner/occupier of those affected lots.
	(15) <b>Vendor Responsibility</b> The developer/vendor shall inform prospective purchasers of the lots, in writing, of the provisions of Council's Town Planning Scheme relating to the use and management of land.

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

PD407\*

### TOWN PLANNING AND DEVELOPMENT ACT 1928

#### ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

#### *SHIRE OF CHITTERING*

#### TOWN PLANNING SCHEME NO. 5—AMENDMENT NO. 69

Ref: 853/3/4/5, Pt. 69.

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 Chittering Town Planning Scheme Amendment on 8 November, 1998 for the purpose of:

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

#### SCHEDULE 6—Places of Heritage Value

Description	Location
Community Hall	Part of Lot 1, Great Northern Highway, Bindoon

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

PD408\*

### TOWN PLANNING AND DEVELOPMENT ACT 1928

#### ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

#### *SHIRE OF CHITTERING*

#### TOWN PLANNING SCHEME NO. 5—AMENDMENT NO. 72

Ref: 853/3/4/5, Pt. 72.

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 Chittering Town Planning Scheme Amendment on 8 November, 1998 for the purpose of modifying part of Schedule 5—Special Rural Zones the provisions marked against lots Pt M 2083, M 1591 and Part Loc M 1471, Blue Plains Road, Chittering, by deleting part of Provision 14:

“The keeping of pigs, horses or goats is not permitted.”

and adding to Provision 14:

“The keeping of any grazing animal shall be subject to Planning Consent.”

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

**PD409\*****TOWN PLANNING AND DEVELOPMENT ACT 1928**

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*SHIRE OF MURRAY*

## TOWN PLANNING SCHEME NO. 4—AMENDMENT NO. 130

Ref: 853/6/16/7, Pt. 130.

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 Murray Town Planning Scheme Amendment on 8 November, 1998 for the purpose of:

- 1 Rezoning Lot 9 South Yunderup Road, South Yunderup, from 'Residential Development' zone to 'Public Recreation/Conservation Reserve'.
- 2 Amending the Scheme Maps accordingly.

N. H. NANCARROW, President.  
N. G. LEACH, Chief Executive Officer.

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

## TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

*SHIRE OF WANNEROO*

## TOWN PLANNING SCHEME NO. 1—AMENDMENT NO. 842

Ref: 853/2/30/1, Pt. 842.

Notice is hereby given that the local government of the Shire of Wanneroo has prepared the abovementioned scheme amendment for the purpose of replacing current Home Occupation provisions with Home Business provisions.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Boas Avenue, Joondalup and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 29 December, 1998.

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

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

J. B. TURKINGTON, A/Chief Executive Officer.

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**POLICE**

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**PE701****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 December 5, 1998.

R. FALCONER, Commissioner of Police.

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**PREMIER AND CABINET**

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**PR401**

## 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 C. J. Barnett MLA in the period 8 to 10 November 1998 inclusive—

Minister for Resources Development; Energy; Education—Hon M. F. Board MLA

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

**PR402****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 P. G. Foss MLC in the period 11 to 13 November 1998 inclusive—

Minister for Justice; The Arts—Hon A. K. R. Prince MLA

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

**PR403****SUPREME COURT ACT 1935****DESIGNATION OF ACTING ATTORNEY GENERAL ORDER (No. 4) 1998**

Made by His Excellency the Governor in Executive Council under section 154(3) and (4).

The Honourable Antony Kevin Royston Prince is designated for the purposes of section 154 of the Supreme Court Act 1935 as the Minister of the Crown—

(a) who may exercise the powers referred to in subsection (3) of that section; and

(b) by, to or with reference to whom acts may be done under subsection (4) of that section,

during the period from 11 November 1998 to 13 November 1998 (both dates inclusive).

By His Excellency's Command,

ROD SPENCER, Clerk of the Council.

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**TRANSPORT**

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**TR301\***

Road Traffic Act 1974

## **Road Traffic (Vehicle Standards) Amendment Regulations (No. 3) 1998**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Road Traffic (Vehicle Standards) Amendment Regulations (No. 3) 1998*.

**2. The regulations amended**

The amendments in these regulations are to the *Road Traffic (Vehicle Standards) Regulations 1977\**.

[\* Reprinted as at 29 July 1996.

*For amendments to 29 September 1998 see 1997 Index to Legislation of Western Australia, Table 4, pp. 237-8 and Gazette 12 May and 23 June 1998.]*

### 3. Regulation 104 amended

Regulation 104(1) is amended by inserting the following definitions in their respective alphabetical positions —

“

“**overmass vehicle**” means a vehicle or combination of vehicles that does not comply with regulation 1401;

“**oversize vehicle**” means a vehicle or combination of vehicles that does not comply with regulation 1101, 1102 or 1103;

“**specified road or route**” means a road or route that is specified in a notice under regulation 1106A or 1401A, as the case requires;

”.

### 4. Regulation 1106A inserted

After regulation 1106 the following regulation is inserted —

“

#### 1106A. Roads or routes for use of oversize vehicles

- (1) The Commissioner of Main Roads may, by notice in the *Gazette*, specify a road or a route on which an oversize vehicle may be driven or used in accordance with any conditions specified in the notice.
- (2) A person who drives or uses an oversize vehicle on a specified road or route in accordance with any conditions specified in the notice does not commit an offence only because the vehicle does not comply with regulation 1102, 1103 or 1104.
- (3) If a member of the Police Force has reason to believe that an oversize vehicle is being driven or used on a specified road or route otherwise than in accordance with a condition specified in the notice, the member may require the driver —
  - (a) to discontinue driving or using the vehicle until the condition is complied with; or
  - (b) to take the vehicle by a route indicated by the member of the Police Force to the nearest police station or other suitable place and then to discontinue driving or using it until the condition is complied with.
- (4) If the driver is not the owner of the vehicle, the driver must tell the owner that the direction has been given.
- (5) If the direction is not complied with, each of the following persons commits an offence —
  - (a) the owner of the vehicle;
  - (b) the driver of the vehicle;



- (c) a person who drives or uses the vehicle except in accordance with the direction;
- (d) a person who permits another person to drive or use the vehicle except in accordance with the direction.

”.

**5. Regulation 1401A inserted**

After regulation 1401 the following regulation is inserted —

“

**1401A. Roads or routes for use of overmass vehicles**

- (1) The Commissioner of Main Roads may, by notice in the *Gazette*, specify a road or a route on which an overmass vehicle may be driven or used in accordance with any conditions specified in the notice.
- (2) A person who drives or uses an overmass vehicle on a specified road or route in accordance with any conditions specified in the notice does not commit an offence only because the vehicle does not comply with regulation 1401.
- (3) If a member of the Police Force has reason to believe that an overmass vehicle is being driven or used on a specified road or route otherwise than in accordance with a condition specified in the notice, the member may direct the driver —
  - (a) to discontinue driving or using the vehicle until the condition is complied with; or
  - (b) to take the vehicle by a route indicated by the member of the Police Force to the nearest police station or other suitable place and then to discontinue driving or using it until the condition is complied with.
- (4) If the driver is not the owner of the vehicle, the driver must tell the owner that the direction has been given.
- (5) If the direction is not complied with, each of the following persons commits an offence —
  - (a) the owner of the vehicle;
  - (b) the driver of the vehicle;
  - (c) a person who drives or uses the vehicle except in accordance with the direction;
  - (d) a person who permits another person to drive or use the vehicle except in accordance with the direction.

”.

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.

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**PUBLIC NOTICES**

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

Ruth Margaret Stephens late of Unit B, 11 Melville Street, Claremont.

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 8 August 1997 are required by the Executors Angela Elizabeth Keamy and Robert Keamy of care of Hammond Worthington Prevost, Level 8, 19 Pier Street, Perth, Western Australia (Ref: CJS:3014.KEA.1259/1) to send particulars of their claims to the Executors within one (1) month from the date of this notice after which date the Executors may convey or distribute the assets, having regard only to the claims of which the Executors then have notice.

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**ZZ202****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 Irene Maud Ware late of Permanent Care Unit Collie in the State of Western Australia, Widow who died on 8th August 1998 are required by the personal representative to send particulars of their claims addressed to the Executor of the estate of Irene Maud Ware deceased care of Young & Young, 5 Spencer Street, Bunbury by the 17th day of December 1998 after which date the personal representative may convey or distribute the assets having regard only to the claims of which the personal representative then has notice.

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