



WESTERN AUSTRALIAN GOVERNMENT Gazette



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NEW FORMAT FOR GENERAL GOVERNMENT GAZETTES

For ease of access to particular notices the general Gazette will be divided into two parts as detailed below. In each part, the notices will appear in alphabetical order of the authorising Department.

Part 1 will contain Proclamations, Regulations, Rules, Local Laws and various other Instruments etc. but not Town Planning Schemes.

Part 2 will contain general notices and information and Town Planning Schemes.

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The following guidelines should be followed to ensure publication in the *Government Gazette*.

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

Clients without an account will need to pay at time of lodging the notice.

AUSTRALIA DAY ISSUE CANCELLED

Due to the Australia Day holiday falling on Tuesday 26th January 1999, the normal Tuesday edition will not be published that week.

For the Gazette published on Friday 22nd January, closing time for copy is noon Wednesday 20th January.

For the Gazette published on Friday 29th January, closing time for copy is noon Wednesday 27th January.

PART 1

PROCLAMATIONS

AA101**MAIN ROADS ACT 1930****PROCLAMATION**

WESTERN AUSTRALIA
P. M. Jeffery,
Governor.
[L.S.]

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

WHEREAS by paragraphs (c) and (d) of section 28A of the Main Roads Act 1930, as amended, it is provided that where the Commissioner is of the opinion that a proclamation made pursuant to section 28A of the Main Roads Act 1930-1982, should be varied or cancelled he shall make a recommendation to the Governor accordingly and that if of the opinion that the recommendation should be given effect the Governor may by subsequent proclamation vary or cancel a former proclamation; now, therefore, I do hereby declare that the proclamations made pursuant to section 28A of the said Act and generally described in the schedule hereto shall be varied or cancelled as specified in the schedule.

Given under my hand and the Public Seal of the State on 29 December 1998.

By His Excellency's Command,

MURRAY CRIDDLE, Minister for Transport.

GOD SAVE THE QUEEN !

Schedule**CONTROL OF ACCESS****(MRWA 42-200-D)**

Road No.	Road Name	Local Authority	Plans being replaced	Replacement Control of Access Plans
H049	Goldfields Highway	City of Kalgoorlie/ Boulder	9525-137	9623-136-1
			9525-138	9623-137
			9525-139	9623-138
			9525-140-1	9623-139-1

HEALTH

HE301*

Hospitals and Health Services Act 1927

**Hospitals and Health Services (Metropolitan
Health Service Board Appointments)
Instrument 1999**

Made by the Lieutenant-Governor and deputy of the Governor in
Executive Council under section 15 of the Act.

1. Citation

This instrument may be cited as the *Hospitals and Health
Services (Metropolitan Health Service Board Appointments)
Instrument 1999*.

2. Definition

In this instrument —

“**the Board**” means the Metropolitan Health Service Board
formed by the *Hospitals and Health Services
(Re-organization of Hospital Boards) Notice 1997*.

**3. Termination of term of tenure of *ex officio* members of
Board**

The term of tenure of the members of the Board mentioned in
Division 2 of Schedule 1 to the *Hospitals and Health Services
(Metropolitan Health Service Board Appointments)
Instrument 1997* is terminated.

4. Appointments to Board

- (1) Dr Bryant Allan Rigbye Stokes is appointed as a member of the Board.
- (2) The person from time to time appointed or engaged by the Board to be, or the person acting as, the chief executive of the Board is appointed as a member of the Board.
- (3) The term of tenure of the person appointed under subclause (1) ceases on 30 June 1999.

By Command of the Lieutenant-Governor and
deputy of the Governor,

ROD SPENCER, Clerk of the Executive Council.

PART 2

COUNTRY HOUSING AUTHORITY

CE401***COUNTRY HOUSING ACT 1998****STANDARD RATE OF INTEREST**

Notice is hereby given, in accordance with Section 40 of the Country Housing Act 1998 that the standard rate of interest to apply for assistance provided under this Act is 6.75% effective from 1 February 1999.

Dr KIM HAMES, Minister for Housing.

EDUCATION

ED401**EDITH COWAN UNIVERSITY ACT 1984**

Office of the Minister for Education,
Perth 1998.

It is hereby notified that the Governor in Executive Council acting under the provisions of Section 27 of the Edith Cowan University Act 1984 has approved Amending Statute No. 2 of 1998 as set out in the attached schedule.

COLIN J BARNETT, Minister for Education.
ROD SPENCER, Clerk of the Executive Council.

Edith Cowan University Act 1984

Edith Cowan University

Amending Statute No 2 of 1998

University Statute No 20 Bunbury Campus Advisory Board is hereby amended—

1 Section 1 Definitions is amended by—

- (a) deleting the definition “ “Board” means the Bunbury Campus Advisory Board established under section 20 of the Edith Cowan University Act.”
- (b) substituting for the word “salaried” where it appears in the definition of “salaried staff” the word “general” and deleting the words “or wages”.

2 Section 2 Functions and Duties of the Board is amended by—

- (a) substituting for the wording in sub-section (b) the following—
“Subject to paragraph (a) of this clause, the functions and duties of the Board shall be the promotion and development of the Bunbury Campus including:”
- (b) substituting for the wording in sub-section (b)(i) the following—
“advising Council on strategic planning issues for the South West region including new courses, research needs, continuing education programmes, University community services, capital projects, and relationships with TAFE, schools, industry, and government agencies;”
- (c) substituting for the wording in sub-section (b)(ii) the following—
“advising Council on fundraising and community support strategies;”
- (d) substituting for the wording in sub-section (b)(iv) the following—
“advising Council on and engaging in the promotion and development of the Campus;”
- (e) substituting for the wording in sub-section (b)(v) the following—
“advising Council on the general welfare and development of students and staff at the Campus;”
- (f) substituting for the wording in sub-section (b)(vi) the following—
“advising Council on matters referred to it by Council for consideration;”

- (g) substituting for the wording in sub-section (b)(vii) the following—
“advising and making recommendations to Council on the development of land and property of the Campus including the construction of buildings and leasing of real property in accordance with Council policies;”
 - (h) substituting for the wording in sub-section (b)(viii) the following—
“control and management of funds specifically allocated to the Board by the University;”
 - (i) deleting sub-section (b)(ix).
- 3 Section 3 Constitution of the Board is amended by—
- (a) substituting for the wording in sub-section (a) the following—
“ten persons appointed by the Council who are drawn from communities in the south west of Western Australia being persons with experience in education, the professions, industry or commerce and such other persons who are representative of the community, one of whom shall be elected by the Board to be the Chairperson.”
 - (b) deleting sub-sections (b) and (c) and re-numbering sub-section (d) as (b).
 - (c) substituting for the wording in sub-section (e) the following and re-numbering the sub-section (c)—
“The Dean of the Campus.”
 - (d) deleting sub-section (f) and renumbering sub-sections (g) and (h) as (d) and (e) respectively.
 - (e) substituting for the wording in sub-section (i) the following and re-numbering the sub-section (f)—
“1 general staff member elected from and by the general staff employed at the Campus.”
 - (f) inserting new sub-sections (g) and (h) as follows—
“(g) 1 community member of Council appointed by the Council.
(h) 1 academic staff member of the University elected by the Academic Board.”
- 4 Section 4 Terms of Office is amended by—
- (a) substituting for the expression “3(h) and 3(i)” in sub-section (c) the expression “3(e) and 3(f)”;
 - (b) substituting for the expression “(g)” in sub-section (d) the expression “(d)”;
 - (c) substituting for the expression “(d)” in sub-section (e) the expression “(b)”;
 - (d) substituting for the expression “(e)” in sub-section (f) the expression “(c)”;
 - (e) substituting for the expression “3(d), 3(e) and 3(g)” in sub-section (g) the expression “3(b), 3(c) and 3(d)”.
- 5 Section 6 Committees of the Board is amended by substituting the word “Dean for the word “Principal” in sub-section (d).

The Common Seal of the Edith Cowan University was hereto affixed by authority of a resolution of the Council of the University in the presence of—

M. POOLE, Vice Chancellor.
D. EARL, Authorised Sealing Officer.

Dated this 26th day of October 1998.

Approved by the Lieutenant Governor and Deputy of the Governor,

ROD SPENCER, Clerk of the Council.

LOCAL GOVERNMENT

LG401

DOG ACT 1976

Shire of Narembeen

It is hereby notified for public information that the following people are appointed as Officers for the Shire of Narembeen, pursuant to the Dog Act 1976—

Authorised Officers

Alan Wright
Ian Ball
Arthur Cousins
Otto Zupanic

Registration Officers

Alan Wright
Ian Ball
Taryn Bristow
Patricia Knight

All previous appointments of Officers for the Shire of Narembeen are hereby cancelled.

A. B. WRIGHT, Chief Executive Officer.

LG402**CITY OF BELMONT****Appointment of Authorised Person**

It is hereby notified for public information that the person listed hereunder has been appointed an "authorised person" in accordance with Section 9.10 of the Local Government Act 1995 and are hereby authorised to exercise powers in accordance with the following Acts, Regulations and Local Laws—

- Local Government (Parking for Disabled Persons) Regulations 1996
- City of Belmont—Parking and Parking Facilities Local Laws

This authorisation is confined to the Belmont Forum Shopping Centre Parking Station (Parking Station No. 1).

Authorised Person—

- Michael Elliot

This appointment is effective from 11th January 1999. The appointment of Kevin Andrews is hereby cancelled.

BRUCE GENONI, Chief Executive Officer.

MEDICAL BOARD

MH401**MEDICAL ACT 1894****THE MEDICAL BOARD OF WESTERN AUSTRALIA**

Date Heard: 18 December 1998

IN THE MATTER OF AN INQUIRY WITH REFERENCE TO THE CONDUCT OF DR GREGORY JAMES DUCK

The Board having held an Inquiry on 18 December 1998 pursuant to Section 13(1)(b) of the Medical Act 1894, found that Dr Duck be allowed to continue to practise as a Medical Practitioner under the following conditions—

Particulars of the Order of the Board are as follows—

1. That Dr Duck give an undertaking to be of good behaviour for a period of three years and to comply during that period with conditions in relation to his practice of medicine as set out below. The period of three years is to be calculated taking into account only those periods during which Dr Duck is resident within the State.
2. The following conditions and restrictions be imposed namely—
 - A. that Dr Duck work under the supervision, at all times, of another practitioner who can monitor his working hours, case load and variety of case material.
 - B. that Dr Duck continue attending Dr James Fellows-Smith or a psychiatrist with similar expertise regularly for treatment.
 - C. that progress reports from his treating psychiatrist be provided to the Medical Board every three months.
 - D. that Dr Duck's practice in the field of addiction and psychological counselling be professionally supervised by Dr R. Hester or a therapist suggested by Dr Hester and that confirmation of his attendance for such supervision sessions shall be provided to the Medical Board every three months.
 - E. that Dr Duck undergo urine testing for the presence of opiates and other substances to be specified from time to time, three times per week and that the results be forwarded to the Medical Board on a regular basis.
 - F. that Dr Duck may not prescribe or administer any drugs of addiction.
 - G. that Dr Duck may not procure, prescribe or administer Pethidine.
 - H. that Dr Duck undergo a formal psychiatric review every 12 months by Dr Winston Chiu or another practitioner appointed by the Medical Board to reassess his condition.
 - I. that Dr Duck undergo a formal psychiatric review by a practitioner appointed by the Medical Board to reassess his condition, within 14 days of his return to the State after any period of absence from the State.
 - J. the said conditions do not apply during any period of absence by Dr Duck from the State.
 - K. Dr Duck notify the Board in writing of any intended date of departure from the State and notify the Board in writing, within 7 days of his return to the State.
 - L. Dr Duck to pay the costs of the inquiry.

By Order of the Medical Board of Western Australia,

(Sgd.) Registrar.

PLANNING

PD401***TOWN PLANNING AND DEVELOPMENT ACT 1928****ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT***CITY OF BUNBURY***TOWN PLANNING SCHEME No. 6—AMENDMENT No. 205**

Ref: 853/6/2/9, Pt 205.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Acting Hon Minister for Planning approved the City of Bunbury Town Planning Scheme Amendment on 7 January, 1999 for the purpose of:

1. Rezoning portion of Bunbury Lot 437 Dodson Road, Bunbury from 'Parks, Recreation and Drainage' Reserve to 'General Industry' zone, 'Sub-Arterial Road' Reserve and 'Local Road' Reserve.
2. Rezoning portion of a 'Local Road' Reserve to 'Parks, Recreation and Drainage' Reserve and 'General Industry'

as depicted on the amending map adopted by the Council of the City of Bunbury.

J. JONES, Acting Mayor.
R. M. GREEN, Acting Chief Executive Officer.

PD402***TOWN PLANNING AND DEVELOPMENT ACT 1928****TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION***CITY OF BUNBURY***TOWN PLANNING SCHEME No. 6—AMENDMENT No. 215**

Ref: 853/6/2/9, Pt 215.

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

1. Rezoning portion of Lot 14 Spencer Street and portion of the road reserve on Edward Street from "Special Use—Hospital" to "Special Use—City Centre" zone.
2. Rezoning portion of Lot 14 Spencer Street from "Commercial A" to "Special Use—City Centre" zone.
3. Rezoning the rear portion of Lots 11 and 12 Sampson Road from "Residential R15" to "Special Use—City Centre" zone.
4. Recoding the front portion of Lots 11 and 12 Sampson Road from "R15" to R40".
5. Amending Appendix IV—First Schedule—"Special Uses" of the Scheme text to allow for the extension of the Central Business District subject to a number of specific development conditions.
6. Amending the Policy Area Boundaries to include Lot 14 Spencer Street and portion of Lots 11 and 12 Sampson Road within Policy Area 4—Central Business District.
7. Amending the Scheme Maps accordingly.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Stephen Street, Bunbury 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 2 March 1999.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before 2 March 1999.

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.

G. P. BRENNAN, Chief Executive Officer.

PD403*

TOWN PLANNING AND DEVELOPMENT ACT 1928
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
CITY OF CANNING
TOWN PLANNING SCHEME No. 40—AMENDMENT No. 86

Ref: 853/2/16/44, Pt 86.

Notice is hereby given that the local government of the City of Canning has prepared the abovementioned scheme amendment for the purpose of rezoning a 5m wide portion of 24 Kembla Way/23 Herald Avenue (Lot 186), Willetton, from "Residential R17.5" to "Mixed Business".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 1317 Albany Highway, Cannington 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 2 March 1999.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before 2 March 1999.

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.

I. F. KINNER, Chief Executive Officer

PD404*

TOWN PLANNING AND DEVELOPMENT ACT 1928
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
CITY OF STIRLING
DISTRICT PLANNING SCHEME No. 2—AMENDMENT No. 343

Ref: 853/2/20/34, Pt 343.

Notice is hereby given that the local government of the City of Stirling has prepared the abovementioned scheme amendment for the purpose of rezoning Lots 229-231 (Hns 83-87) Duke Street, corner Sackville Terrace, Scarborough from "Service Station" to "Residential R40".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Civic Place, Stirling 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 2 March 1999.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before 2 March 1999.

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.

M. J. WADSWORTH, Chief Executive Officer.

PD405*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
SHIRE OF AUGUSTA-MARGARET RIVER
TOWN PLANNING SCHEME No. 11—AMENDMENT No. 97

Ref: 853/6/3/8, Pt 97.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Acting Hon Minister for Planning approved the Shire of Augusta-Margaret River Town Planning Scheme Amendment on 11 January, 1999 for the purpose of:

1. Rezoning portion of Sussex Location 1398 and portion of Sussex Location 636 from "Rural" to "Special Use Zone—Special Residential, Landscape Protection, and Tourist" in accordance with the Scheme Amendment Map.
2. Amending the Scheme Text by adding provisions to Schedule 3: Special Use Sites as follows;

Lot and Location

Portion of Sussex Location 1398
and portion of Sussex Location 636

Permitted Uses

1. Subdivision shall be generally in accordance with the Subdivision Guide Plan attached to the Scheme Amendment Report (Amendment No. 97).

Lot and Location**Permitted Uses****Landscape Protection**

2. The objective of the area designated Landscape Protection on the Subdivision Guide Plan is to ensure the conservation of the natural environment to safeguard against uses of the land that could damage or destroy its ecological, scenic or recreational values, and to ensure harmony with the adjoining rural, rural residential and tourist development.

3. Within areas designated as Landscape Protection on the Subdivision Guide Plan, no use or development, including buildings, fencing, driveways or any permanent clearing, but not including clearing for essential fire protection purposes, shall be permitted.

4. Notwithstanding the above, development may only be permitted within the area designated as Landscape Protection on the Subdivision Guide Plan to provide improved public amenity including passive recreation uses in accordance with the objective for the area and shall require planning consent.

5. Council may request the preparation and implementation of a management plan for this portion of land. The plan should address mechanisms to protect the land from future fragmentation, vegetation and fauna preservation, bush fire management, public access. All landuses in the landscape protection area shall be in accordance with the management plan.

Special Residential

6. The objective of the area designated Special Residential on the Subdivision Guide Plan is to provide for the subdivision of the land into special residential clusters, responsive to the environment and amenity of this unique site.

7. Setbacks for special residential development shall be in accordance with the provisions of the R2.5 Code of the Residential Planning Codes. No trees or other flora shall be felled within the setback without Council approval.

8. Those lots adjoining Wooditch Road shall have a building setback of 10 metres from the boundary fronting Wooditch Road.

9. All effluent disposal systems shall be located the following minimum distances from any dam, bore or watercourse:

- i) 100 metres for Conventional Systems
- ii) 50 metres for Alternative Treatment Units

In addition, all effluent disposal systems shall be designed to the satisfaction of Council, the Health Department of Western Australia and Water & Rivers Commission.

10. Each lot shall be connected to the reticulated water supply.

11. All development shall be consistent with Council's Visual Management Guidelines.

12. No livestock shall be permitted.

13. Fencing shall be designed and constructed so as to minimise site disturbance, shall consist of rural post and wire as approved by Council.

14. Council shall request the preparation of a Bush Fire Management Plan at the time of subdivision. The plan is to be complied with by all landowners. The Plan is to be prepared to the satisfaction of Council and the Bush Fires Board.

Lot and Location**Permitted Uses****Tourist**

15. The primary objective for the area designated tourist within the Subdivision Guide Plan is to allow for tourist uses which are subservient to the amenity and landscape quality of the area. The secondary objective is to ensure that the tourist node and the adjoining special residential area creates a synergy between the two uses.

16. Council may require that development applications are accompanied by an Overall Development Plan which shall include a full assessment report and an accompanying environmental management plan that addresses, where relevant, the following issues:

- i) effluent disposal
- ii) nutrient and waste management
- iii) stormwater management
- iv) water supply
- v) water usage
- vi) vehicular and pedestrian access
- vii) protection of riparian vegetation
- viii) protection of remnant vegetation
- ix) protection of watercourses
- x) fire management
- xi) landscaping
- xii) fertiliser, herbicide and pesticide usage
- xiii) built form (including building materials and building bulk)
- xiv) proposed land uses.
and any other issues that Council considers relevant to the type of development proposal.
- xv) development shall have building setbacks of 10 metres from the lot boundary adjoining Wooditch Road, and 15 metres from the tot boundary adjoining Hennessey Street.

17. With respect to the area designated Tourist on the Subdivision Guide Plan the uses permitted as "AA" in the Special Use zone are:

- (i) chalets (maximum of 10 chalets) or lodging house (maximum 40 guests);
- (ii) private recreation;
- (iii) eating house or reception centre (maximum seating capacity 100);
- (iv) caretakers dwelling;
- (v) art & craft manufacturing consistent with cottage industry as outlined in Appendix 3 of the Scheme;
- (vi) arts and craft studio and sales.

18. No development application shall be approved unless effluent disposal is to the satisfaction of the Water & Rivers Commission, the Health Department of WA and Council.

Council shall not approve any application unless the site effluent disposal capacity is sufficient to support the proposed development.

19. Development within the Tourist Node is to be consistent with the Visual Management Guidelines contained within Council Rural Strategy.

3. Amending Appendix No. 3 Interpretations by inserting the following land use definitions;
"Reception Centre"

Means any land or buildings used for functions on formal or ceremonial occasions, but not for unhosted use for general entertainment purposes.

B. GODLEY, President.
M. EASTCOTT, Chief Executive Officer.

PD406***TOWN PLANNING AND DEVELOPMENT ACT 1928****TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION***SHIRE OF CHITTERING***TOWN PLANNING SCHEME No. 5—AMENDMENT No. 76**

Ref: 853/3/4/5, Pt 76.

Notice is hereby given that the local government of the Shire of Chittering has prepared the abovementioned scheme amendment for the purpose of rezoning Lot 2, Great Northern Highway, Bindoon from Residential Zone to Commercial Zone.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Great Northern Highway, Bindoon and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 2 March 1999.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before 2 March 1999.

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.

R. P. HOOPER, Chief Executive Officer.

PD407***TOWN PLANNING AND DEVELOPMENT ACT 1928****TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION***SHIRE OF MURRAY***TOWN PLANNING SCHEME No. 4—AMENDMENT No. 137**

Ref: 853/6/16/7, Pt 137.

Notice is hereby given that the local government of the Shire of Murray has prepared the abovementioned scheme amendment for the purpose of modifying in the Table No 1—Zoning Table of the Scheme Text to identify Aged or Dependent Persons Dwellings and Retirement Villages as an "AA" use in the Town Centre zone.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Pinjarra Road, Pinjarra 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 2 March 1999.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before 2 March 1999.

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.

N. LEACH, Chief Executive Officer.

PD408***TOWN PLANNING AND DEVELOPMENT ACT 1928****ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT***SHIRE OF SERPENTINE-JARRAHDALE***TOWN PLANNING SCHEME No. 2—AMENDMENT No. 85**

Ref: 853/2/29/3, Pt 85.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Acting Hon Minister for Planning approved the Shire of Serpentine-Jarrahdale Town Planning Scheme Amendment on 11 January, 1999 for the purpose of:

- 1 Rezoning Lot 239 & Lot 5 Gossage Road, Peel Estate, from "Rural" to "Rural Living A" as depicted on the Scheme Amendment Map;
- 2 Inserting the following definition for "technical guidelines" into Appendix 1—Interpretations, after the definition for "tavern":

"technical guidelines" means a set of precise statements of performance and quantitative design criteria and procedures for development that includes aspects of planning, roadworks, stormwater drainage, soil stability, erosion, water, power and sewerage reticulation, on-site effluent disposal, building design, tree preservation, environmental protection and such other matters as are considered desirable by Council; and

- 3 Amending Appendix 4A of the Scheme to include special provisions relating to the Rural Living A zone described hereunder:

(a) SPECIFIED AREA OF LOCALITY

Lots 5 & 239 Gossage Road, Peel Estate.

(b) SPECIAL PROVISIONS TO REFER TO (a)

- 1 Within the Rural living A zone the following land uses are permitted or are permitted at the discretion of the Council:

Uses classes permitted (P)

Residence
Public Recreation
Public Utility
Discretionary Uses (AA)
Ancillary Accommodation
Home Occupation
Rural Use/Intensive Agriculture
Stables

All other uses are prohibited.

In exercising its discretion in respect to AA uses, the Council having regard to the planning guidelines for Nutrient Management contained in the Shire of Serpentine-Jarrahdale Rural Strategy shall only permit such uses when it is satisfied following consultation with Government agencies that the land use does not involve excessive nutrient application or clearing of land.

- 2 No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.
- 3 No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent of the Council in writing, where such vegetation is dead, diseased or where the clearing is required for the purposes of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the discretionary uses identified under Provision 1.
- 4 The subdivider shall, in accordance with the endorsed Subdivision Guide Plan and the Schedule of landscaping for this estate plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.
- 5 The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.
- 6 The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fires Board of WA
- 7 Notwithstanding the obligations of the subdivider under clause 5.12.9e of the Scheme the subdivider shall drain the land and provide detention areas in accordance with a Drainage Concept Plan provided prior to the commencement of on-the-ground works. Those easements and reserves required by Council or Water Corporation shall be provided to the Council or Water Corporation at the time of subdivision to provide for ongoing maintenance of the drainage system components.
- 8 At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.
- In addition to this, the site plan and proposal shall demonstrate that the development and use of the land will not compromise the implementation of the overlay subdivision, as depicted on the endorsed Subdivision Guide Plan.
- 9 The land is situated within the catchment of the Peel-Harvey estuarine system where active nutrient management and responsible use of fertiliser is crucial to the health of the catchment and estuary. The application, type and distribution of fertiliser to the land shall be within limits set by the Department of Environmental Protection for irrigated and non-irrigated land.
- 10 Direct access to Hopkinson Road shall be prohibited. Any existing private access to Hopkinson Road is to be closed once internal access is established and the crossover revegetated with indigenous species to the satisfaction of Council.
- 11 Bridle paths to be constructed by the subdivider in accordance with the Subdivision Guide Plan, and shall include the main roads and drain reserve.

- 12 The Council shall not support any application for subdivision of the land into Rural Living A lot sizes unless the subdivision is consistent with a Subdivision Guide Plan endorsed by Council and the Commission for whole or part of the area.
- 13 A Subdivision Guide Plan for the subdivision of land into Rural Living A lot sizes, shall have regard to the objectives set out in this Scheme for the zone or zones affected by it, and the requirements of Clause 5.9.3.
- 14 The Subdivision Guide Plan referred to in Clause 12 shall include and be accompanied by Technical Guidelines that provide a prescription for development and the implementation of subdivision in areas of planning, roadworks, drainage, effluent disposal, water, bushfire control, protection of the environment, landscaping, easements, landowner coordination, infrastructure cost sharing, controlling developments, or generally regulating or prescribing the use or development of land to overcome problems which would occur, should the land be developed.

C. H. RANKIN, President.
I. BODILL, Chief Executive Officer.

POLICE

PE501

POLICE ACT 1892

POLICE AUCTION

Under the provisions of the Police Act 1892, unclaimed found and stolen property and bicycles will be sold by public auction at Ross's Auctioneers, 241 Railway Parade, Maylands on Saturday 30th January at 9.00 am.

The auction is to be conducted by Mr Frank Lee.

R. FALCONER, Commissioner of Police,
West Australian Police Service.

RACING, GAMING AND LIQUOR

RA401

BETTING CONTROL ACT 1954

SECTION 4B

Notice of Approval for Sport Betting Events and Contingencies

Notice is hereby given that the Betting Control Board, acting in accordance with section 4B(2) of the Betting Control Act 1954, has approved the following sporting events and contingencies on which betting by licensed bookmakers is permitted in accordance with the Betting Control Act.

Approved Events—

The US Masters, Open and PGA Golf Championship; the British Open Golf Championship; all Australian and United States golf tournaments sanctioned by the Australian and United States PGA's respectively.

Revised Contingencies—

1. A nominated player or group of players to win or achieve a nominated placing in a nominated tournament or a nominated round of a nominated tournament.
2. A nominated player or group of players to achieve a better score than another nominated player or group of players in a nominated tournament or in a nominated round of a nominated tournament.
3. A nominated player or group of players to achieve a hole in one at a nominated hole or group of holes during a nominated round of a nominated tournament.
4. A nominated player or group of players to achieve a nominated score in a nominated tournament or at the conclusion of a nominated round of a nominated tournament.

BARRY A. SARGEANT, Chairman,
Betting Control Board.

TRANSPORT

TR401***WESTERN AUSTRALIAN MARINE ACT 1982**
NAVIGABLE WATERS REGULATIONS
RESTRICTED SPEED AREAS—ALL VESSELS
PROHIBITED SWIMMING AREADepartment of Transport,
Fremantle WA, 12 January 1999.

ACTING pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982, and Regulation 10(b) of the Navigable Waters Regulations, the Department of Transport by this notice limits the speed of motor vessels to that of 8 knots, and prohibits bathing or swimming within the following area:

PORT OF PERTH—SWAN RIVER

All the waters of the Swan River commencing at Quarry Point and a line drawn north east to Mill Point and extending upstream to the Causeway Bridge.

Providing however that this speed restriction and prohibited bathing shall only apply between the hours of 4pm and 10pm on Tuesday 26 January 1999 and is not applicable to those bona fide vessels or persons involved in approved aquatic events or associated with the **Lotto Skyworks 1999**.

MICHAEL LINLAY HARRIS, Acting Director General of Transport.

WORKSAFE

WS401**OCCUPATIONAL SAFETY AND HEALTH ACT 1984**

Notice of Appointment

Under section 6 (2) (a) of the *Occupational Safety and Health Act 1984* the Lieutenant-Governor and deputy of the Governor in Executive Council has been pleased to appoint David Ian Palandri as chairperson of the WorkSafe Western Australia Commission for a term of 3 years as from and including 15 January 1999.

ROD SPENCER, Clerk of the Executive Council.

WESTERN AUSTRALIA

YOUNG OFFENDERS ACT 1994***Price: \$15.50 Counter Sales****Plus Postage on 300 grams****YOUNG OFFENDERS REGULATIONS 1995*****Price \$3.90 Counter Sales****Plus Postage on 65 grams****Prices subject to change on addition of amendments.*

WESTERN AUSTRALIA

THE CRIMINAL CODE

(Reprinted as at 17 December 1993)

Price: \$45.90 Counter Sales*Plus Postage on 900 grams**** Prices subject to change on addition of amendments.*



SafetyLine

Workplace Safety on the Internet

Information on solutions to work safety and health challenges has been delivered to your workplace.

Go to the World Wide Web on the Internet on your computer and contact <http://www.wt.com.au/safetyline>

Help yourself to the information WorkSafe Western Australia has put there to help you.

For further information call (08) 9327 8777.

Go on-line to SafetyLine



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