



WESTERN AUSTRALIAN GOVERNMENT Gazette

3463



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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 Western Australian *Government Gazette* is published by State Law Publisher for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances (changes to this arrangement will be advertised beforehand on the inside cover).

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*.

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
- Copy should be received by the Manager (Sales and Editorial), State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

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- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

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 1999.

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

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

Other articles in Public Notices Section—\$41.50 (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

All other Notices

Per Column Centimetre—\$8.20

Bulk Notices—\$154.00 per page

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.

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 —

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

TOWN OF VINCENT PARKING FACILITIES LOCAL LAW AMENDMENT

IN pursuance of the powers conferred by the abovementioned Act and of all other powers enabling it, the Council of the Town of Vincent resolved on the 24 May 1999 to make the following amendments to the Town of Vincent Local Law Relating to Parking Facilities—

- (i) That the existing Third Schedule be amended as follows—
 - (a) In column 4, by replacing the words “50 cents per hour to a maximum of \$3.00” with the words “70 cents per hour to a maximum of \$4.00” wherever it occurs; and
 - (b) In column 4, in the line referring to Brisbane Street Parking Station, Monday to Friday 8.00am to 8.00pm and Saturday 8.00am to 12 noon, by replacing the words “40 cents per hour to a maximum of \$2.00” with the words “50 cents per hour to a maximum of \$3.00”;
- (ii) That the existing Schedule 3A be amended as follows—
 - (a) In column 2, by replacing the words “\$40.00” with the words “\$45.00” everywhere they occur; and
 - (b) In column 2, by replacing the words “\$20.00” with the words “\$23.00” everywhere they occur;
- (iii) That the existing Sixth Schedule relating to “Modified Penalties” be amended as follows—
 - (a) In column 3, opposite Item No. 1, by replacing the words “\$40.00” with the words “\$50.00”;
 - (b) In column 2, opposite Item No. 2, by deleting the words “11(a)”, “11(c)”, “18” and “54”;
 - (c) In Column 3, opposite Item No. 2, by replacing the words “\$50.00” with the words “\$55.00”;
 - (d) In column 2, opposite Item No. 3 by deleting the words “10(c)”, “15(1)” and “74”;
 - (e) In column 2, opposite Item No. 3 by inserting the words “11(a)”, “11(c)”, “18”, “54” and “81”;
 - (f) In column 3, opposite Item No. 3, by replacing the words “\$75.00” with the words “\$80.00”;
 - (g) In column 2, opposite Item No. 4 by inserting the words “10(c)”, “15(1)” and “74”;
 - (h) In Column 3, opposite Item No. 4, by replacing the words “\$80.00” with the words “\$100.00”;
 - (i) In column 3, opposite Item No. 5, by replacing the words “twenty-five dollars (\$25.00)” with the words “thirty dollars (\$30.00)” wherever it appears; and
 - (j) In column 3, opposite Item No 6, by replacing the words “\$25.00” with the words “thirty dollars (\$30.00)”;
- (iv) That the existing Second Schedule relating to “Ticket Machine Zones—Period and Fees” be amended as follows—
 - (a) In column 3, by replacing the words “80 cents per hour” with the words “one dollar (\$1.00) per hour.”

The common seal of the Town of Vincent was affixed in the presence of—

JOHN HYDE, Mayor.
JOHN GIORGI, J.P. Chief Executive Officer.

LG302***LOCAL GOVERNMENT ACT 1995***TOWN OF VINCENT***LOCAL LAW RELATING TO STANDING ORDERS**

IN pursuance of the powers conferred by the abovementioned Act and of all other powers enabling it, the Council of the Town of Vincent resolved on the 24 May 1999 to make the following amendments to the Town of Vincent Local Law Relating to Standing Orders:

1. Index

Clause 2.21 be amended by deleting the words "by the CEO" from the title.

Clause 3.6.7 be deleted.

Clauses 3.6.8 and 3.6.9 are renumbered "3.6.7" and "3.6.8" respectively.

Clause 3.7.7 is amended by inserting a new clause "Implementation of a Decision."

Insert "Clause 4.5 Calling of Meetings."

Insert a new "Clause 4.6 Appointment of Deputy Committee Members."

Insert a new "Clause 5.11 "Common Seal."

2. Clause 1.1

Short title to be amended by inserting the words "Town of Vincent" before the words "Standing Orders Local Law" where it appears in this clause.

3. Clause 2.8 – Order of Business

Clause 2.8 Order of Business is amended by deleting sub clauses (1) – (15) inclusive and inserting—

- "(1) Declaration of Opening;
- (2) Apologies/Members on Leave of Absence;
- (3) Public Question Time and receiving of public statements;
- (4) Applications for Leave of Absence;
- (5) The receiving of Petitions and Deputation's;
- (6) Confirmation of Minutes;
- (7) Announcements by the Presiding Member (without discussion);
- (8) Declaration of Interests;
- (9) Questions by members of which due notice has been given (without discussion);
- (10) Reports;
- (11) Motions on which previous notice has been given;
- (12) Representation of statutory authorities and public bodies;
- (13) Urgent business;
- (14) Closure."

4. Clause 2.10 Receiving of Tabled Correspondence

Clause 2.10 is deleted and a new clause 2.10 is substituted as follows—

- "(a) The Chief Executive Officer, in liaison with the Mayor, is to use discretion in deciding what correspondence to place before the Council or a committee;
- (b) Correspondence may be placed before the Council or a committee in the form of a precis, provided all relevant and material facts are contained in the precis; and
- (c) Where correspondence contains a matter to be decided by the Council or committee, the Chief Executive Officer is, if the circumstances permit, to recommend a course of action to the Council or committee, or state the alternative courses of action available."

5. 2.18 Declaration of Interest

Clause 2.18 is deleted and the following new clause is substituted as follows—

"2.18.3 Member with an Interest may ask to be Present

- (1) Where a member has disclosed the nature of his or her interest in a matter, immediately before the matter is considered by the meeting, he or she may, after disclosing the extent of the interest, request that he or she be allowed to be present during any discussion or decision making procedure related to the matter.
- (2) If such a request is made, the member is to leave the room while the request is considered. If the request is allowed by the members, the member may return to the meeting and be present during the discussion or decision making procedure related to that matter, but is not permitted to participate in any way.

2.18.4 Member with an Interest may ask Permission to Participate

- (1) A member, who discloses both the nature and extent of an interest, may request permission to take part in the consideration or discussion of the matter, or to vote on the matter.
- (2) If such a request is made, the member is to leave the room while the request is considered. If it is decided at a meeting that a member who has disclosed both the nature and extent of any interest in a matter, be permitted to participate in the consideration and discussion of the matter or to vote on the matter, or both, then the member may return to participate to the extent permitted.

2.18.5 Invitation to Return to Provide Information

Where a member has disclosed an interest in a matter and has left the room in accordance with the Act, the meeting may resolve to invite the member to return to provide information in respect of the matter or in respect of the member's interest in the matter and in such case the member is to withdraw after providing the information.

2.18.6 Disclosures by Employees

- (1) If an employee within the meaning of section 5.70 of the Act, presents a written report to a meeting, on a matter in which the employee has an interest, the nature of the interest is to be disclosed at the commencement of the report.
- (2) If such an employee makes a verbal report to a meeting on a matter in which the employee has an interest, the employee is to preface his or her advice to the meeting by verbally disclosing the nature of the interest.

2.18.7 Separation of Committee Recommendations

Where a member of the Council has disclosed an interest in a matter, at a committee meeting, and the matter is contained in the recommendations of the committee to an ordinary meeting of Council or to another committee meeting that will be attended by the member, the recommendation concerned is to be separated on the agenda of that ordinary meeting or other committee meeting, from other recommendations of the committee, to enable the member concerned to declare the interest and leave the room prior to consideration of that matter only."

6. 2.19 Minutes

- (a) Sub clause 2.19 (3) is deleted and the following new sub-clause 2.19(3) is inserted in its place as follows—

"2.19 (3) Each page of the Minutes shall be dated. The last page of the Minutes must receive a full signature and date by the Mayor or person presiding over the meeting as prescribed in the Act. The Minutes, when confirmed, shall not be altered, except by resolution after notice has been given in accordance with the Act."

- (b) A new sub clause 2.19 (4) is inserted as follows—

"When minutes of a meeting are submitted to an ordinary meeting of the Council or committee for confirmation, if a member is dissatisfied with the accuracy of the minutes, then he or she is to—

- (a) State the item or items with which he or she is dissatisfied; and
- (b) Propose a motion clearly outlining the alternative wording to amend the minutes."

7. 2.20.1 Questions of which due notice has been given

This clause is amended by deleting "six (6) hours" and inserting "four (4) clear working days" in its place.

8. 2.20.3 Questions without notice

Sub clause (1) of clause 2.20.3 is amended by deleting the words "be asked" where it appears in the first sentence and by inserting the word "ask" in its place."

9. 2.20.5 Questions or public statements by members of the public (Section 5.24)

Sub clause (1) (i) of Clause 2.20.5 is amended by deleting the words "be for a maximum period of 15 (minutes) and is to"—

And a new sub-clause (3) is to be inserted as follows—

"The presiding member or the majority of members present voting in the affirmative, may determine that the time available for question time is to be limited or extended, as the case may be, however, in any case shall not be less than fifteen (15) minutes."

10. 2.21 Reports by the Chief Executive Officer

Delete the words "by the CEO" in the title.

11. 3.4.9 Leaving and entering meetings

Clause 3.4.9 is amended by deleting the words "acknowledging the presiding member" and substituting the words "advising or acknowledging the presiding member, in order to facilitate the recording in the minutes of the time of entry or departure."

12. 3.5.3 Recording of votes

Clause 3.5.3 is deleted and a new clause inserted in its place as follows—

"The names and vote/s of each member shall be recorded in the minutes."

13. 3.6.7 Unopposed business

Clause 3.6.7 is deleted.

14. Clause 3.6.8

Clause 3.6.8 is re-numbered "3.6.7" And Clause 3.6.8. is amended by deleting the words "subject to clause 3.6.7," the small 'a' is amended to capital 'A'.

15. Clause 3.6.9 is re-numbered "3.6.8"**16. Clause 3.7.7 Implementation of a Decision**

A new "Clause 3.7.7 Implementation of a Decision" be inserted—

- "(1) If a notice of motion to revoke or change a decision of the Council or a committee is received before any action has been taken to implement that decision, then no steps are to be taken to implement or give effect to that decision until such time as the motion of revocation or change has been dealt with, except that—
 - (a) if a notice of motion to revoke or change a decision of the Council or a committee is given during the same meeting at which the decision was made, the notice of motion is of no effect unless the number of members required to support the motion under Regulation 10 of the Regulations indicate their support for the notice of motion at that meeting; and
 - (b) if a notice of motion to revoke or change a decision of the Council or a committee is received after the closure of the meeting at which the decision was made, implementation of the decision is not to be withheld unless the notice of motion has the support in writing, of the number of members required to support the motion under Regulation 10 of the Regulations.
- (2) Implementation of a decision is only to be withheld under sub-clause (1) if the effect of the change proposed in a notice of motion would be that the decision would be revoked or would become substantially different.
- (3) The Council or a committee shall not vote on a motion to revoke or change a decision of the council or committee whether the motion of revocation or change is moved with or without notice, if at the time the motion is moved or notice is given—
 - (a) action has been taken to implement the decision; or
 - (b) where the decision concerns the issue of an approval or the authorisation of a licence, permit or certificate and where that approval or authorisation of a licence, permit or certificate has been put into effect by the Council in writing to the applicant or the applicant's agent by an employee of the Council authorised to do so;
without having considered a statement of impact prepared by or at the direction of the Chief Executive Officer of the legal and financial consequences of the proposed revocation or change."

17. 4.6 Appointment of Deputy Committee Members

A new "Clause 4.6 Appointment of Deputy Committee Members" be inserted as follows—

- "(1) The Council may appoint one or more persons to be the deputy or deputies, as the case may be, to act on behalf of a member of a committee, statutory body or group, whenever that member is unable to be present at a meeting thereof and where two or more deputies are so appointed they are to have seniority in the order determined by the Council.
- (2) Where a member of a committee does not attend a meeting thereof a deputy of that member, selected according to seniority, is entitled to attend that meeting in place of the member and act for the member, and while so acting has all the powers of that member."

18. 5.11 Common Seal

A new "Clause 5.11 Common Seal" be inserted as follows—

- "(1) The Chief Executive Officer is to have charge of the common seal of the Local Government, and is responsible for the safe custody and proper use of it.

- (2) The common seal of the Local Government may only be used on the authority of the Council given either generally or specifically and every document to which the seal is affixed must be signed by the Mayor and the Chief Executive Officer.
- (3) The common seal of the Local Government is to be affixed to any local law, which is made by the Local Government.
- (4) The Chief Executive Officer is to record in a register and report to the Council each date on which the common seal of the Local Government was affixed to a document, the nature of the document, and the parties to any agreement to which the common seal was affixed.
- (5) Any person who uses the common seal of the Local Government or a replica thereof without authority commits an offence."

The common seal of the Town of Vincent was affixed in the presence of—

JOHN HYDE, Mayor.
JOHN GIORGI, J.P. Chief Executive Officer.

LG303*

LOCAL GOVERNMENT ACT 1995

TOWN OF VINCENT

LOCAL LAW RELATING TO FENCES, FLOODLIGHTS AND OTHER EXTERNAL LIGHTS

IN pursuance of the powers conferred upon it by the above mentioned Act, and all other powers enabling it, the Local Government of the Town of Vincent hereby records having resolved on the 24 day of May 1999 to make the following Local Law:

Citation

1. This Local Law may be cited as the *Town of Vincent Local Law Relating to Fences, Floodlights and Other External Lights*.

Repeal

2. The Town of Vincent Local Law Relating to Fences published in the *Government Gazette* on 25 October 1967 as amended is repealed.

Interpretation

3. In this Local Law, unless the context otherwise requires—

"Chief Executive Officer" means the Chief Executive Officer of the Town of Vincent or other Officer who, for the time being, is acting in that capacity;

"Commercial area", "Industrial area" and "Residential area" means any areas, which are zoned or set apart for those respective uses in the Town of Vincent Town Planning Scheme;

"Council" means the Council of the Town of Vincent;

"Dangerous" relating to any fence or part of a fence which is declared by the Chief Executive Officer to be likely to collapse or fall by reason of its faulty or unsatisfactory design, location or construction, deterioration of materials, damage by termites, decay, changes in ground levels or any other cause whatsoever;

"Fence" means any structure, including a retaining wall and gate, used or functioning as a delineation or barrier, irrespective of where it is located;

"Height" and "High" in relation to a fence means the vertical distance between—

- (a) the top of the fence at any point; and
- (b) the natural ground level or, where the ground levels on each side of the fence are not the same, the higher ground level, immediately below that point;

"Lot" has the same meaning as in the Town Planning Development Act 1928;

"Occupier" has the same meaning as in the Local Government Act 1995;

"Owner" has the same meaning as in the Local Government Act 1995;

"Property" means land in the District and includes houses, buildings, works and structures, in or upon the land and includes developed or undeveloped land;

"Retaining Wall" means any structure, which prevents the movement of soil in order to allow ground levels of different elevations to exist adjacent to one another;

"Served" has the same meaning as in the Interpretation Act 1984;

"Town" means the Local Government of the Town of Vincent.

4. (a) This Local Law shall apply to all fences, floodlights and other exterior lights within the Town.
- (b) This Local Law shall not be binding on the Town for Land owned, vested in or under the care, control and management of the Council.
- (c) All fences, floodlights and other external lights shall comply with the provisions of the Town Planning Scheme and Policies of the Town.
- (d) Where the Local Law is inconsistent with a provision of the Town Planning Scheme and Policies of the Town, the provision of the Town Planning Scheme and Policies shall prevail.

Fences to Comply with Specifications

5. A fence constructed in accordance with the specifications and provisions contained in the First Schedule and Second Schedule of this Local Law is hereby prescribed to be a "sufficient fence" for the purposes of the Dividing Fences Act 1961.

Erection of Fences

6. A person shall not erect a fence otherwise than in accordance with the specifications and provisions contained in this Local Law unless the prior written approval of the Chief Executive Officer is obtained.

7. A person shall not permit the storage of any materials whatsoever used in conjunction with any fence to remain on any public reserve, road reserve, public place or land vested in or under the care, control and management of the Council unless the prior written approval of the Chief Executive Officer is obtained.

Barb wire or the like, not to be used, without approval

8. A person shall not erect, affix or allow to remain on any fence any barbed or other wire with sharp, spiked or jagged projection or any broken glass, metal or other material capable of inflicting injury to any person, animal or bird unless the prior written approval of the Chief Executive Officer is obtained. Barbed wire shall be allowed on land in an Industrial area provided it is carried on posts angled at 45 degrees from the face of the fence with the bottom row of barbed wire set 150 millimetres from the face of the fence. The barbed wire shall not be nearer to the ground surface than 2.1 metres and the total height shall not exceed 2.5 metres.

Second Hand, Recycled or Unsuitable Material

9. A person shall not erect, cover or clad any fence with second hand, recycled or previously used material which is in the opinion of the Chief Executive Officer, unsightly or prejudicial to the amenity of the locality.

Permitted Materials

10. A person may construct a fence of brick, stone, concrete, masonry, wrought iron, tubular steel, timber, palings, boarding, plastic coated or galvanised link mesh, fibre reinforced cement sheeting, colorbonded metal or other similar materials approved by the Chief Executive Officer.

Gates in Fences

11. A person shall not erect or maintain a gate in a fence, which does not—
 - (a) open into the property; or
 - (b) open by sliding parallel and on the side of the boundary fence, of which it forms part when closed.

Fences Across Right of Ways, Public Access Ways or Road Reserves

12. A person shall not, without the consent of the Town, erect or maintain a fence or obstruction of a temporary or permanent nature across any right of way, public access way or road reserve so as to impede or prevent use of those facilities in the manner for which they are intended and constructed.

Graffiti Protection

13. (a) A person shall not erect a fence or wall constructed of masonry or other materials, adjacent to a public place or reserve without treating the fence or wall with non sacrificial graffiti protection;
- (b) A person, owner, or occupier of a lot with a fence or wall erected adjacent to a public place or reserve shall treat that fence or wall with non sacrificial graffiti protection; where required by the Town;
- (c) The graffiti protection treatment required in accordance with sub-clauses (a) and (b) shall be applied to the manufacturer's specifications.

Record of Graffiti Protection

14. Where in accordance with this local law, a person is required to treat a fence or wall adjacent to a public place or reserve with graffiti protection, that person shall cause to be affixed to that fence a plate inscribed with the approved number relating to the data base with identifies the name of the graffiti protection applied to the fence or wall, plus details of the manufacturer's recommended treatment including materials to be used for removal of graffiti.

Dangerous or Unsightly Fences

15. An owner or occupier of any land on which a fence is erected shall maintain the fence in good condition and so as to prevent it, in the opinion of the Chief Executive Officer from becoming dangerous, dilapidated, unsightly or prejudicial to the amenity of the locality.

Obstructing Fences

16. A person shall not allow to remain on any land of which the person is the owner or occupier a fence, wall, hedge, tree or the like structure or thing that is so situated, in the opinion of the Chief Executive Officer to constitute an obstruction of or interference with the vision of persons driving vehicles approaching, entering or passing through a section of a street or right of way that is at or nearby the intersection of that street or right of way with another street or right of way.

17. A person shall not erect a fence adjacent to any public reserve, road reserve, public place or land vested in or under the care, control and management of the Council, which, in the opinion of the Chief Executive Officer, is unsightly or prejudicial to the amenity of the locality.

Nuisances

18. A person shall not cause a nuisance by floodlighting or other bright lighting.

Use of Floodlights

19. A person shall not erect or use floodlights or other exterior lights over land or buildings—

- (a) If any direct light source is or would shine onto an adjoining lot;
- (b) Unless all poles or posts to or on which floodlights or exterior lights are affixed—
 - (i) are of a single column construction, and
 - (ii) are not more than 7 metres in height above the natural level of the ground;
- (c) Unless those lights and the poles or posts to which they are affixed are located at a distance greater than 2 metres from the closest boundary of an adjoining lot; provided that the Chief Executive Officer may in any case or cases, determine that the distance may be less; and
- (d) Unless all electric power lines and cables within the lot on which the floodlights or exterior lights are erected or used to which those lights are connected are underground.

Notice to Comply

20. The Town may give notice in writing signed by the Chief Executive Officer to the owner or occupier of any land upon which there exists a fence, floodlight or other exterior light that is not in accordance with the provisions of this Local Law requiring such owner or occupier to comply with such notice and within the time constraints specified in the notice.

21. The Town may give notice in writing signed by the Chief Executive Officer to the owner or occupier of any land upon which floodlighting or other exterior lighting is erected or located requiring that the hours of use of the lighting be limited to the hours prescribed in the notice.

Offences

22. Any person who has been served a notice in accordance with this Local Law and who fails to comply with the notice commits an offence and the Town may enter upon the land to fulfil the conditions of such notice and recover the expenses incurred in effecting such work from that person in a court of competent jurisdiction.

23. Work effected by the Town and action initiated to recover the expenses of such work pursuant to the provisions of this Local Law shall not restrict the right of the Town to initiate action under this Local Law for a breach of any of the provisions of this Local Law.

Penalty

24. Any person who contravenes any provisions of these Local Laws commits an offence and is liable upon conviction to a penalty not less than \$200 and not exceeding \$5,000 and if the offence is of a continuing nature, such person may be liable to a further penalty not exceeding a fine of \$500 in respect of each day or part of a day during which the offence has continued.

FIRST SCHEDULE
RESIDENTIAL AREA

- (a) No part of a fence, including retaining wall and gate, shall exceed 2.4 metres in height.
- (b) A person shall not erect a fence or alter a fence exceeding 2.4 metres in height until that person has submitted to the Chief Executive Officer and the Chief Executive Officer has approved a copy of a specifications of and a plan showing clearly the fence proposed to be erected or the alteration to be made as the case may be.
- (c) A sufficient fence for a property in a Residential area shall be defined as a 1.8 metres high closed solid fence constructed of brick, stone, concrete, masonry, timber, palings, boarding, fibre reinforced cement sheeting, colorbonded metal or similar materials as approved by the Chief Executive Officer.
- (d) A 1.8 metres high fibre reinforced cement sheeting fence requires a 2.4 metres long sheet buried to a depth of 600 millimetres.
- (e) A fence constructed of sheeting shall be capped with lock capping with jointing sleeves centrally in position at capping joints, have side laps of fencing sheets not bolted, and have capping rigidly mitred at corners and intersecting fence junctions.
- (f) A freestanding fibre reinforced cement sheeting fence shall not have more than 150 millimetres difference in soil levels on each side.
- (g) Trenches are not to be filled with concrete.
- (h) All fences, floodlights and other external lights shall comply with the provisions of the Town Planning Scheme and Policies of the Town.

SECOND SCHEDULE

COMMERCIAL AREA AND INDUSTRIAL AREA

- (a) A sufficient fence for a property in a Commercial area or Industrial area shall be defined as a 2.1 metres high fence constructed of plastic coated or galvanised link mesh with a steel wire top and bottom all supported by galvanised iron posts of a minimum diameter of 30 millimetres spaced at no more than 3 metres centres and sunk in the ground a minimum of 600 millimetres encased in concrete with a minimum diameter of 150 millimetres.

The Common Seal of The Town of Vincent was affixed in the presence of—

JOHN HYDE, Mayor.
JOHN GIORGI, J.P. Chief Executive Officer.

— PART 2 —

AGRICULTURE**AG401*****AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976****APPROVED LOW VOLATILE ESTERS**

The following acids in the form of esters are approved low volatile forms of esters under the Agriculture and Related Resources Protection (Spraying Restrictions) Regulations 1979. All previous approvals are hereby revoked.

Registration Number	Trade Name	Active Constituent	
42229	Nufarm LV Estercide 600 Herbicide	600 g/L	2,4-D as butoxy ethyl ester
42091	Actril DS Selective Herbicide	577 g/L	2,4-D as ethyl hexyl ester
31213	Nufarm Low Volatile Ester 400 Herbicide	400 g/L	2,4-D as iso-octyl ester
50489	Nufarm Nutril Selective Herbicide	577 g/L	2,4-D as iso-octyl ester
39307	Davison LV 2,4-D Ester 600 Selective Herbicide	600 g/L	2,4-D as butoxyethanol ester
31456	Chemspray Bin-Die Selective Lawn Herbicide	200 g/L	bromoxynil as octanoic acid ester
		200 g/L	MCPA as iso octyl ester
31462	Bromotril M Selective Herbicide	200 g/L	bromoxynil as octanoic acid ester
		200 g/L	MCPA as iso octyl ester
31463	Brominil M EC Selective Herbicide	200 g/L	bromoxynil as octanoic acid ester
		200 g/L	MCPA butoxyethanolester
31464	Nufarm Bromicide MA Selective Herbicide	200 g/L	bromoxynil as octanoic acid ester
		200 g/L	MCPA as iso octyl ester
41091	Barmac Bindii Killer Selective Herbicide	200 g/L	bromoxynil as octanoic acid ester
		200 g/L	MCPA butoxyethanolester
42281	David Grays Jo-Jo Onehunga Weed Killer	200 g/L	bromoxynil as octanoic acid ester
		67 g/L	MCPA butoxyethanolester
49706	Crop Care Bromoxynil MCPA Dicamba Selective Herbicide	140 g/L	bromoxynil as octanoic acid ester
		280 g/L	MCPA as 2-ethyl hexyl ester
31466	Buctril MA Selective Herbicide	200 g/L	bromoxynil as the octanoate
		200 g/L	MCPA as 2-ethyl hexyl ester
48913	Quatto Selective Herbicide	200 g/l	bromoxynil as the octanoate
		200 g/L	MCPA as ethyl hexyl ester
40776	Yates Bindii Weed Killer	200 g/L	bromoxynil as n-octanoyl ester
		200 g/L	MCPA as iso octyl ester
47231	Chipco Buctril Turf Selective Herbicide	200 g/L	bromoxynil as n-octanoyl ester
		200 g/L	MCPA as iso octyl ester
47667	Farmoz Bronco MA Selective Herbicide	200 g/L	bromoxynil as n-octanoyl ester
		280 g/L	MCPA as iso octyl ester
31525	Tigrex Selective Herbicide	250 g/L	MCPA as 2-ethyl hexyl ester
		25 g/L	diflufenican
47232	Polo Low Volatile Ester Herbicide	500 g/L	MCPA as 2-ethyl hexyl ester
48737	Agroxone LV Herbicide	500 g/L	MCPA as 2-ethyl hexyl ester
31521	Nufarm L.V.E. MCPA Low Volatile Ester Herbicide	500 g/L	MCPA as iso octyl ester
39140	Davison L.V. MCPA Ester 500 Selective Herbicide	500 g/L	MCPA as iso octyl ester
39144	Rhone-Poulence MCPA LVE Herbicide	500 g/L	MCPA as iso octyl ester
46892	Farmoz LVE MCPA 500 Low-Volatile Ester Herbicide	500 g/L	MCPA as iso octyl ester
49714	United Phosphorus LVE MCPA 500 Herbicide	500 g/L	MCPA as iso octyl ester
50263	Generex LVE MCPA 500 Low Volatile Ester Herbicide	500 g/L	MCPA as iso octyl ester
50470	LVE MCPA Low Volatile Ester Herbicide	500 g/L	MCPA as iso octyl ester

G. A. ROBERTSON, Chief Executive Officer.

LOCAL GOVERNMENT

LG402**DOG ACT 1976***Shire of Cranbrook***APPOINTMENT OF AUTHORISED OFFICERS**

It is hereby notified for public information that the following persons have been appointed under the provisions of the Dog Act 1976.

Registration Officers
Mr Reece Barrett
Mr Anthony Gollan
Mrs Shirley Worth
Mrs Tina Pope

Authorised Officers
Mr Reece Barrett
Mr Anthony Gollan
Mr Robert Childs
Mr Iain Scally
Mr Gordon Gibbon
Mr Norman Baker

All other appointments are hereby cancelled.

R. D. BARRETT, Chief Executive Officer.

PLANNING

PD401**TOWN PLANNING AND DEVELOPMENT ACT, 1928****ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT***CITY OF ALBANY***TOWN PLANNING SCHEME No. 3—AMENDMENT No. 192**

Ref: 853/5/4/5 Pt 192

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 Albany Town Planning Scheme Amendment on 15 July 1999 for the purpose of—

1. Rezoning Lot 6 of Loc 811 Charles Street Gledhow from the Rural Zone to the Special Rural Zone;
2. Amending the scheme maps accordingly; and
3. Introducing into Schedule 1.—Special Rural Zones, Special Rural Zone Area No. 22 being Lot 6 of Loc 811 Lowanna Drive Gledhow, as follows—

SCHEDULE No. 1**SHIRE OF ALBANY****TOWN PLANNING SCHEME No. 3****SPECIAL RURAL ZONES****Provisions Relating to Specified Areas**

AREA	LOCALITY	LOT(S)	LOCATION
22	GLEDHOW	6 LOWANNA DRIVE	811

1.0 PLAN OF SUBDIVISION

- 1.1 Subdivision of Special Rural Zone Area No. 22 shall be generally in accordance with the Subdivision Guide Plan/s endorsed by the Chief Executive Officer.
- 1.2 The Council will not recommend lot sizes less than 1.0 hectare. Council may recommend that the Western Australian Planning Commission approve minor variations to the Subdivision Guide Plan.

2.0 OBJECTIVES OF THE ZONE

Within the Special Rural Zone Area No. 22 the objective is to—

- provide lots with a flexible special rural zoning that among other things, may permit the keeping of domestic stock in accord with the principles of good land management;
- provide land for rural residential living in close proximity to existing urban areas and facilities; and
- provide for site beautification in terms of tree/shrub planting and standard of dwelling construction.

3.0 LAND USE

3.1 Within Special Rural Zone Area No. 22 the following uses are permitted—

- Residential Dwelling House

3.2 The following uses may be permitted subject to the special approval of Council—

- Home Occupation
- Livestock Grazing
- Stables
- Public Utility
- Cottage Industry
- Other incidental or non defined activities considered appropriate by Council which are consistent with the objective of the zone.

4.0 KEEPING OF LIVESTOCK/ANIMALS

4.1 Intensive agricultural pursuits such as piggeries, horticultural operations are not permitted. The keeping of livestock shall be restricted to fenced pastured areas of the lot. The owner shall be responsible for the maintenance of stock proof fencing to protect remnant vegetation and revegetation areas. Animal numbers shall not exceed the stocking rates recommended by Agriculture W.A. The keeping of animals shall not result in the removal or damage of vegetation and trees or result in soil degradation or dust nuisance.

4.2 Where in the opinion of Council the continued presence of animals on any portion of land is likely to contribute, or is contributing to dust nuisance or soil degradation, notice may be served on the owner of the land, requiring immediate removal of those animals specified in the notice.

4.3 Where notice has been served on a landowner in accordance with Provision 4.2, Council may also require the land to be rehabilitated to its satisfaction within three (3) months of serving the notice.

4.4 In the event that such action is not undertaken, Council may carry out such works as are deemed necessary, with all costs being borne by the landowner.

5.0 LOCATION OF BUILDINGS AND STRUCTURES

5.1 Buildings and structures shall be setback a minimum of 15 metres from the lot boundary abutting George Street, Lowanna Drive and Charles Street and 10 metres from all other lot boundaries.

5.2 Buildings shall be sited to allow a “low fuel buffer” not less than 20 metres wide, which does not encroach into tree/shrub planting as designated on the Subdivision Guide Plan.

5.3 Buildings and tanks shall not be permitted within the Building Exclusion Area designated on the Subdivision Guide Plan.

5.4 All dams/soaks require the approval of Council prior to construction. Dams shall be sited to avoid visual impact from George Street to the satisfaction of Council.

6.0 BUILDING DESIGN, MATERIALS & COLOUR

6.1 Dwellings and outbuildings shall be designed and constructed of materials which allow them to blend into the landscape of the site. Council shall refuse to approve walls and roofs constructed of reflective materials such as unpainted zincalume and off-white colours. Council will be supportive of walls and roofs with green, brown or red tonings in keeping with the amenity of the area.

6.2 Dwelling houses shall not exceed 7.5 metres in height which is measured vertically from the natural ground level. The maximum height of all outbuildings will be at the discretion of Council in order to minimise the visual impacts of such buildings when viewed from George Street and within the subdivision.

6.3 No boundary fencing shall be constructed of fibre cement, metal sheeting or wooden picket. If boundary fencing is utilised, it shall be of rural construction such as post and strand to the satisfaction of Council.

6.4 Any water tanks shall be coloured an appropriate natural shade of brown or green or suitably screened with vegetation in keeping with the amenity of the area to the satisfaction of Council.

7.0 VEGETATION AND REVEGETATION

7.1 No clearing of vegetation shall occur except for—

- (a) clearing to comply with the requirements of the Bush Fires Act 1954 (as amended);
- (b) clearing as may reasonably be required to construct an approved building and curtilage;
- (c) trees that are dead, diseased or dangerous;
- (d) clearing to gain vehicular access to an approved dwelling or any other clearing which may be approved by the Council;
- (e) clearing required to establish a low fuel area.

7.2 Council may request the Commission to impose a condition at the time of subdivision for the planting of native trees & shrubs in areas shown on the Subdivision Guide Plan. Such planting shall be appropriately maintained for a minimum of 3 years.

7.3 Council may request the Commission to impose a condition at the time of subdivision for the fencing of tree/shrub planting.

7.4 Additional tree planting may be required as a condition of development approval.

8.0 WATER SUPPLY

8.1 Council may request the Commission to impose a condition at the time of subdivision for the provision of reticulated water to the lots.

8.2 All lots below 2ha in area shall be provided with reticulated water.

9.0 EFFLUENT DISPOSAL

9.1 On-site effluent disposal shall be the responsibility of the individual landowners.

9.2 The disposal of liquid and/or solid wastes shall be carried out with an effluent disposal system approved by Council, the Health Department of WA and the Waters & Rivers Commission.

9.3 Systems shall be designed and located to minimise nutrient export and/or release into any waterway or ground water. Effluent disposal areas for new dwellings shall be set back a minimum of 50m from the natural permanent watercourse and situated 2m above the highest known groundwater level. Council will require the use of amended soil type effluent disposal systems, such as Ecomax/ATU Systems unless a suitably qualified practitioner can demonstrate to the satisfaction of Council, the Health Department of WA and the Waters & Rivers Commission that an alternative method of effluent disposal on the proposed lots will not cause an environmental or health impact.

9.4 No more than one effluent disposal system will be permitted on a lot.

10.0 BUSHFIRE MANAGEMENT & CONTROL

10.1 Low fuel areas, at least 20 metres wide shall be established and maintained around all buildings.

10.2 Council may request the Commission to impose a condition at the time of subdivision for a contribution towards the provision of fire fighting facilities.

10.3 Fire hydrants shall be provided at intervals of 200 metres along subdivisional water mains to the satisfaction of Council and the Bush Fires Board.

10.4 The subdivider shall make arrangements to the satisfaction of Council to ensure prospective purchasers are made aware of the fire management guidelines of the Homeowners Bushfire Survival Manual and the Australian Standard 3959 "Construction of Buildings in Bushfire Prone Areas."

11.0 ROAD UPGRADING, ACCESS AND DESIGN

11.1 Council may request the Commission to impose a condition at the time of subdivision for a contribution to the upgrading of George Street, Lowanna Drive and/or Charles Street as appropriate to the subdivision proposed.

12.0 NOTIFICATION OF PROSPECTIVE OWNERS

12.1 Provision shall be made to Council's satisfaction to ensure prospective purchasers of land with Special Rural Zone Area No. 22 are given a copy of these Special Provisions prior to entering into an agreement to acquire any property.

12.2 Application for Planning Scheme Consent shall require the submission of—

- (i) a completed "Application for Grant of Planning Scheme Consent" form;
- (ii) three copies of a Plan showing the precise location and size of all the buildings proposed and the parkland clearing and fire protection measures to be adopted;
- (iii) three scaled elevation plans showing the elevation of the buildings proposed and the materials and colour to be used.

A. GOODE, Mayor.
E. H. KELLY, Chief Executive Officer.

PD402*

TOWN PLANNING AND DEVELOPMENT ACT, 1928

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

CITY OF WANNEROO

TOWN PLANNING SCHEME No. 1—AMENDMENT No. 844

Ref: 853/2/30/1 Pt 844

Notice is hereby given that the local government of the City of Wanneroo has prepared the abovementioned Scheme Amendment for the purpose of rezoning Lot 20 East Road, Hocking from Rural to Urban Development Zone.

Plans and documents setting out and explaining the Scheme Amendment have been deposited at Council Offices, 11 Moolanda Boulevard, Kingsley and will be available for inspection during office hours up to and including 24 August 1999.

Submissions on the Scheme Amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before 24 August 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.

L. DELAHAUNTY, Chief Executive Officer.

PREMIER AND CABINET

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. M. J. Criddle MLC in the period 20 July to 1 August 1999 inclusive—

Minister for Transport

Hon. P. D. Omodei MLA.

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

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—AFL and Weststar Rules Football Matches

New Contingency—A nominated player or group of players to score more goals than another nominated player or group of players in a nominated match or round of matches.

D. I. HALGE, A/Chairman, Betting Control Board.

TRANSPORT

TR401*

WESTERN AUSTRALIAN MARINE ACT 1982

RESTRICTED SPEED AREAS

MANDURAH ESTUARY

Department of Transport
Fremantle WA, 27 July 1999.

ACTING pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982, the Department of Transport, by this notice revokes paragraph (d)(19) on page 5482 of the notice published in the *Government Gazette* of 25 October 1991 and substitutes the following—

(19) MANDURAH ESTUARY

All those waters commencing at the seaward end of the breakwaters at Mandurah and extending upstream to Navigation Marker Number 14 upstream of the new Mandurah Bypass Traffic Bridge.

MICHAEL LINLAY HARRIS, Acting Director General of Transport.

TR402*

NAVIGABLE WATERS REGULATIONS
WATER SKI AREAS
BAREFOOT WATER SKIING
BARKERS BRIDGE

Department of Transport
Fremantle WA, 27 July 1999.

ACTING pursuant to the powers conferred by Regulation 48A of the Navigable Waters Regulations, the Department of Transport, by this notice defines and sets aside all that portion of the Swan River commencing at a point 175 metres upstream of Barkers Bridge and extending for 750 metres upstream, for the purpose of barefoot water skiing, providing that this area is confined to members of the Australian Barefoot Water Ski Club (Western Australian Division (Inc)) and will only apply between the hours of 0800 and 1800 hours on the dates listed hereunder—

Saturday 9 October 1999	Saturday 29 January 2000
Saturday 6 November 1999	Saturday 26 February 2000
Saturday 20 November 1999	Sunday 27 February 2000
Saturday 4 December 1999	Saturday 11 March 2000
Saturday 18 December 1999	Saturday 22 April 2000
Saturday 15 January 2000	Saturday 6 May 2000

MICHAEL LINLAY HARRIS, Acting Director General of Transport.

TR403*

WESTERN AUSTRALIAN MARINE ACT 1982
RESTRICTED SPEED AREAS—ALL VESSELS
1999 AVON DESCENT MEDIA LAUNCH
SWAN RIVER, BELMONT

Department of Transport
Fremantle WA, 27 July 1999.

ACTING pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982 the Department of Transport by this notice revokes sub-paragraph d(1)(iii) of the notice published in the Government Gazette on 25 October 1991 relating to restricted speed areas for all vessels on the Swan River. Provided that this revocation will apply only to official bona fide competitors at the Coates Hire Avon Descent Media Launch and other bona fide vessels associated with the event in an area of Swan River 500 metres upstream and 500 metres downstream of the Sandringham Hotel, Belmont between the hours of 0730 and 0800 on Thursday 5 August 1999 and will not apply to normal traffic. After 0800 hours on Thursday 5 August 1999 the speed limits will be re-established in accordance with the terms of the Gazettal notice issued on 25 October 1991.

MICHAEL LINLAY HARRIS, Acting Director General of Transport.

