

# PERTH, TUESDAY, 28 SEPTEMBER 1999 No. 186

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.30 PM

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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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contacting State Law Publisher.

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## **PUBLISHING ALTERATIONS**

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

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

In these instances, notices warning of the change are generally published on page 2 for approximately 4 weeks prior to the date. Readers are urged to check *Gazettes* accordingly, prior to

JOHN A. STRIJK, Government Printer.

# — PART 1 —

## **FISHERIES**

FI301\*

Fish Resources Management Act 1994

## Fish Resources Management Amendment Regulations (No. 7) 1999

Made by the Governor in Executive Council.

## 1. Citation

These regulations may be cited as the *Fish Resources Management Amendment Regulations (No. 7) 1999.* 

## 2. Part 3 of Schedule 1 amended

Part 3 of Schedule 1 to the *Fish Resources Management Regulations 1995\** is amended as follows:

- (a) in item 3(23) in column 2 by deleting "1 002.00" in each place where it occurs and inserting instead
  - " 634.00 ":
- (b) in item 3(25) in column 2 by deleting "436.00" and inserting instead
  - " 914.00 ";
- (c) in item 3(28) in column 2 by deleting "83.00" and inserting instead
  - " 77.00 ".
- [\* Published in Gazette 29 September 1995, pp. 4503-646. For amendments to 13 September 1999 see 1998 Index to Legislation of Western Australia, Table 4, pp. 98-9, and Gazette 26 March, 23 April, 4 and 25 June and 13 August 1999.]

By Command of the Governor,

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

FI302\*

#### FISH RESOURCES MANAGEMENT ACT 1994

NOTICE OF INTENTION TO DETERMINE A MANAGEMENT PLAN FOR THE SHARK BAY PINK SNAPPER FISHERY

I, Monty House, the Minister for Fisheries, hereby give notice in accordance with section 64(2) of the *Fish Resources Management Act 1994* of my intention to determine a management plan for the Shark Bay Pink Snapper Fishery.

A copy of the draft management plan may be obtained from the Fisheries Department, 168 St George's Terrace, Perth or by phoning the Regional Officer on (08) 9941 1185.

Interested persons who wish to comment on the draft management plan are invited to make representations in writing to the Minister for Fisheries by 6 October 1999.

Representations in connection with the draft management plan may be forwarded to Minister for Fisheries, c/- Executive Director, Fisheries Department, PO Box 774, Carnarvon WA 6701.

Dated this 20th day of September 1999.

MONTY HOUSE, Minister for Fisheries.

## HEALTH

HE301\*

Hospitals and Health Services Act 1927

# Hospitals and Health Services (Lower Great Southern Health Service Board Appointments) Instrument 1999

Made by the Governor in Executive Council under section 15 of the Act.

## 1. Citation

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

### 2. Commencement

This instrument comes into operation immediately after the re-organization notice comes into operation.

## 3. Interpretation

In this instrument —

"former board" means a board mentioned in Division 1 of Schedule 1 to the re-organization notice;

"Lower Great Southern Health Service Board" means the board assigned that corporate name under clause 4 of the re-organization notice;

"re-organization notice" means the Hospitals and Health Services (Re-organization of Hospital Boards) Notice (No. 2) 1999.

## 4. Termination of term of tenure

The term of tenure of every member of a former board who holds office on the coming into operation of this instrument is terminated.

# 5. Appointment to the Lower Great Southern Health Service Board

The persons mentioned in Schedule 1 to this instrument are appointed to constitute the Lower Great Southern Health Service Board —

- (a) in the case of the persons mentioned in Division 1 of that Schedule, from the date on which this instrument comes into operation to 30 September 2000; and
- (b) in the case of the persons mentioned in Division 2 of that Schedule, from the date on which this instrument comes into operation to 30 September 2001.

## Schedule 1 — Appointments to Lower Great Southern Health Service Board

[cl. 5]

## Division 1 — Appointments to 30 September 2000

Francis Edwin Stuart Carnachan

Herbert Arthur Copeman

Brian William Keding

Warren John York

## Division 2 — Appointments to 30 September 2001

Edward Charles Argyle

Graham Maxwell Carthew

Beverley Jean McGuinness

Marjorie Hope Sharp

By Command of the Governor,

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

HE302\*

Hospitals and Health Services Act 1927

# Hospitals and Health Services (Re-organization of Hospital Boards) Notice (No. 2) 1999

Made by the Governor in Executive Council.

## 1. Citation

This notice may be cited as the *Hospitals and Health Services* (Re-organization of Hospital Boards) Notice (No. 2) 1999.

## 2. Commencement

This notice comes into operation on 1 October 1999.

## 3. Amalgamation of boards to form new board

The boards mentioned in Division 1 of Schedule 1 are re-organized by amalgamating them to form a new board.

## 4. Assignment of corporate name to new board

The new board formed under clause 3 is assigned the name "Lower Great Southern Health Service Board".

# 5. Constitution of Lower Great Southern Health Service Board in relation to certain public hospitals

The Lower Great Southern Health Service Board is constituted in relation to the public hospitals mentioned in Division 2 of Schedule 1 to this Notice.

## Schedule 1 — Formation and Constitution of the Lower Great Southern Health Service Board

[cls. 3 and 5]

## Division 1 — Amalgamated boards

Albany Health Service

Denmark District Hospital Board

Jerramungup Hospital Board

Plantagenet District Hospital Board of Management

## Division 2 — Public hospitals: Lower Great Southern Health Service Board

Albany Regional Hospital

**Denmark District Hospital** 

Jerramungup Hospital

Plantagenet District Hospital

By Command of the Governor,

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

#### HE303\*

#### **POISONS ACT 1964**

POISONS (AUTHORIZED POSSESSION OF SUBSTANCES) ORDER (NO. 2) 1999 Made by the Governor in Executive Council under section 41 of the Act.

## Citation

**1.** This order may be cited as the *Poisons (Authorized Possession of Substances) Order (No.2) 1999.* 

#### Commencement

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

## Revocation

**3.** The *Poisons (Authorized Possession of Substances) Order (No.8) 1996\** is revoked. [\* *Published in Gazette on 31 December 1996 at pp. 7443-4*]

### Interpretation

- **4.** In this order
  - "specified place" means the premises occupied by the Chemistry Centre (WA) at 125 Hay Street, East Perth;
  - **"specified substances"** means the substances in Schedule 9 to the Act, possession of which is authorized under clause 5.

## Possession of certain substance authorized

**5.** Subject to clause 6, the persons mentioned in the Table to this clause are authorized to together possess at the specified place, for the purpose of analytical analysis, the substances in Schedule 9 to the Act.

#### **Table**

John Hosking, director, Chemistry Centre (WA).

Michelle Suzanne Brockwell, officer, Chemistry Centre (WA)

Neil Thomas Campbell, officer, Chemistry Centre (WA).

Peter Andrew Collins, officer, Chemistry Centre (WA).

Timothy James Currie, officer, Chemistry Centre (WA).

Robert Charles Hansson, officer, Chemistry Centre (WA).

Charles Marion Polanski, officer, Chemistry Centre (WA).

Colin Roderick Priddis, officer, Chemistry Centre (WA).

Charles Ivan Russo, officer, Chemistry Centre (WA).

Alison Rosemary Hewitt, officer, Chemistry Centre (WA).

Theodore Horsten, officer, Chemistry Centre (WA).

Bernard Frank Lynch, officer, Chemistry Centre (WA).

Keith William Norman, officer, Chemistry Centre (WA).

Charles Alexander Pierce, officer, Chemistry Centre (WA).

Edward Toh, officer, Chemistry Centre (WA).

David Tranthim-Fryer, officer, Chemistry Centre (WA).

## Conditions of authorized possession

- **6.** The possession authorized under clause 5 is subject to the conditions that
  - (a) any amounts of the specified substances possessed by the persons mentioned in the Table to clause 5 are not more than are required for the purpose referred to in that clause;
  - (b) the specified substances, when not required for the purposes referred to in clause 5, are stored at the specified place in a secure manner, as directed by the Commissioner of Health;
  - (c) written records relating to the specified substances are maintained by the persons mentioned in the Table to clause 5 at the specified place, as directed by the Commissioner; and
  - (d) if requested by the Commissioner of Health, any oral information or written report relating to the specified substances is given by the persons mentioned in the Table to clause 5 to the Commissioner.

## **Expiry**

7. This order expires on 1 January 2000.

By Command of the Governor,

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

### HE304\*

#### **POISONS ACT 1964**

POISONS (AUTHORIZED POSSESSION OF SUBSTANCES) AMENDMENT ORDER (NO. 6) 1999

Made by the Governor in Executive Council under section 41 of the Act.

#### Citation

**1.** This order may be cited as the *Poisons (Authorized Possession of Substances) Amendment Order (No. 6) 1999.* 

## Commencement

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

## Principal order

- **3.** In this order the *Poisons (Authorized Possession of Substances) Order 1996\** is referred to as the principal order.
  - [\* Published in Gazette 31 December 1996, pp. 7435-6 and amended in Gazette of 11 June 1999, pp. 2540]

#### Clause 4 amended

- ${\bf 4.}$  The table in clause 4 of the principal order is amended by deleting the following entry
  - " Christopher Harper, prison officer, of the Metropolitan Complex.

By Command of the Governor,

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

## HE305\*

## **POISONS ACT 1964**

POISONS (AUTHORIZED POSSESSION OF SUBSTANCES) ORDER (NO. 3) 1999 Made by the Governor in Executive Council under section 41 of the Act.

## Citation

**1.** This order may be cited as the *Poisons (Authorized Possession of Substances) Order (No.3) 1999.* 

## Commencement

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

## Revocation

- **3.** The *Poisons (Authorized Possession of Substances) Order (No.4) 1997\** is revoked.
  - [\* Published in Gazette 11 November 1997, pp. 6215 and amended in Gazettes of 29 September 1998, pp. 5369 and 11 June 1999, pp. 2539]

## Interpretation

- 4. In this order
  - "specified place" means the premises occupied by St John of God Pathology (WA) at Monash Avenue, Nedlands;
  - **"specified substances"** means the amount of the substances included in Schedule 9 to the Act, possession of which is authorized under clause 4.

## Possession of certain substance authorized

- **5.** Subject to clause 6, the people listed in the table to this clause are authorized to together possess at the specified place, for analytical chemical analysis, not more than
  - (a) 2mg of heroin;
  - (b) 2mg of N-Ethl-alpha-Methyl-3,4,-(Methylenedioxy)Phenethylamine (N-Ethyl MDA);
  - (c) 2mg of 3,4-Methylenedioxy-N, a-Dimethylphenylethylamine (MDMA);
  - (d) 4mg of Phencyclidine (PCP);
  - (e) 2mg of Tetrahydrocannabinols;
  - (f) 2mg of Lysergide (LSD); and
  - (g) 2mg of 3,4-Methylenedioxyamphetamine (MDA).

#### Table

Andrew Wester, Toxicology Unit Manager, St John of God Pathology (WA), Nedlands.

John Alexander Bonar, Head of Chemistry Department, St John of God Pathology (WA), Nedlands.

Terry Chilvers, Scientist Pathology Department, St John of God Pathology (WA), Nedlands.

#### Conditions of authorized possession

- **6.** The possession authorized under clause 5 is subject to the conditions that
  - (a) the specified substances, when not required for the purposes referred to in clause 5, are stored at the specified place in a secure manner, as directed by the Commissioner of Health;
  - (b) written records relating to the specified substances are maintained by the persons mentioned in the Table to clause 5 at the specified place, as directed by the Commissioner; and
  - (c) if requested by the Commissioner of Health, any oral information or written report relating to the specified substances is given by the persons mentioned in the Table to clause 5 to the Commissioner.

## **Expiry**

7. This order expires on 30 November 1999.

By Command of the Governor,

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

## TRANSPORT

TR301\*

Road Traffic Act 1974

## Road Traffic (Infringements) Amendment Regulations (No. 2) 1999

Made by the Governor in Executive Council.

## 1. Citation

These regulations may be cited as the *Road Traffic* (*Infringements*) *Amendment Regulations* (*No.* 2) 1999.

## 2. Commencement

These regulations come into operation on 1 January 2001.

## 3. The First Schedule amended

The First Schedule to the *Road Traffic (Infringements) Regulations 1975\** is amended as follows:

- (a) by deleting item 69 and inserting instead
  - 69. Regulation 1507 Driver allowing passenger to travel in the back of an open
- ute, goods vehicle tray, etc...

  (b) after item 71 by inserting

[\* Reprinted as at 4 June 1996. For amendments to 3 September 1999 see 1998 Index to Legislation of Western Australia, Table 4, p. 265, and Gazette 20 July 1999.]

By Command of the Governor,

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

TR302\*

Road Traffic Act 1974

# Road Traffic (Drivers' Licences) Amendment Regulations 1999

Made by the Governor in Executive Council.

## 1. Citation

These regulations may be cited as the *Road Traffic (Drivers' Licences) Amendment Regulations 1999*.

## 2. Commencement

These regulations come into operation on 1 January 2001.

## 3. The Second Schedule amended

The Second Schedule to the *Road Traffic (Drivers' Licences)*Regulations 1975\* is amended by deleting item 76 and inserting instead —

76. 1507 Driver allowing passenger to travel in the back of an open ute, goods vehicle tray,

[\* Reprinted as at 29 October 1996. For amendments to 3 September 1999 see 1998 Index to Legislation of Western Australia, Table 4, p. 264 and 25 May 1999.]

By Command of the Governor,

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

TR303\*

Road Traffic Act 1974

# Road Traffic Code Amendment Regulations (No. 2) 1999

Made by the Governor in Executive Council.

## 1. Citation

These regulations may be cited as the *Road Traffic Code Amendment Regulations (No. 2) 1999*.

## 2. Commencement

These regulations come into operation on 1 January 2001.

## 3. The regulations amended

The amendments in these regulations are to the *Road Traffic Code 1975\**.

[\* Reprinted as at 23 September 1997. For amendments to 3 September 1999 see 1998 Index to Legislation of Western Australia, Table 4, p. 263-4, and Gazette 5 February 1999.]

## 4. Regulation 1501 amended

After regulation 1501(2) the following subregulation is inserted —

"

- (3) Regulations 1507 and 1510 do not apply to the following:
  - (a) the driver of, or passengers on or in, an emergency vehicle;
  - (b) the driver of, or passengers on or in, a vehicle while it is being used solely, or principally, for agricultural purposes or farming activities.

,,

## 5. Regulation 1507 amended

- (1) Regulation 1507(1) is amended by deleting "unless each seat position for which a seat belt is fitted is occupied by another person".
- (2) Regulation 1507(2)(b) is amended by deleting "section 4 (1) of the *Child Welfare Act 1947*" and inserting instead
  - " section 3 of the Young Offenders Act 1994".
- (3) After regulation 1507(2) the following subregulations are inserted —

"

- (3) On or before 31 December 2005, the driver does not commit an offence against subregulation (1) if
  - (a) a passenger is in a part of the passenger car derivative, or goods vehicle, that is enclosed;
  - (b) all seating positions in that vehicle are occupied by other passengers;
  - (c) the doors and hatches used to enter that part of the vehicle are closed; and
  - (d) any goods carried in that part of the vehicle are securely stowed.
- (4) In subregulation (3) —

"enclosed" means enclosed —

- (a) at the time of manufacture; or
- (b) by a "roll over protection device" to which is affixed an identification plate, approved by the Director General, indicating that the device is constructed and fitted in an approved manner.

".

## 6. Regulation 1510, 1511 and 1512 inserted

In Part XV, after regulation 1509, the following regulations are inserted —

6

## 1510. No passengers in open utes, trays, etc.

- (1) A person who is travelling upon a road as a passenger in a passenger car derivative or goods vehicle shall not travel in or on the back of that vehicle.
- (2) It is a defence in proceedings for an offence against subregulation (1) for the passenger to prove that
  - (a) at the relevant time the driver was an officer of a detention centre (as defined in section 3 of the *Young Offenders Act 1994*) or an officer of a prison, and the passenger was lawfully detained;
  - (b) at the relevant time, the passenger was undergoing or giving *bona fide* medical treatment; or
  - (c) at the relevant time
    - (i) the passenger was engaged in work that required the passenger to alight from and re-enter the vehicle at frequent intervals; and
    - (ii) the vehicle was being driven at a speed not exceeding 25 kilometres per hour.
- (3) On or before 31 December 2005, the passenger does not commit an offence under subregulation (1) if
  - (a) the passenger is in a part of the passenger car derivative, or goods vehicle, that is enclosed;
  - (b) all seating positions in that vehicle are occupied by other passengers;
  - (c) the doors and hatches used to enter that part of the vehicle are closed; and
  - (d) any goods carried in that part of the vehicle are securely stowed.
- (4) In subregulation (3) —

## "enclosed" means enclosed —

- (a) at the time of manufacture; or
- (b) by a "roll over protection device" to which is affixed an identification plate, approved by the Director General, indicating that the device is constructed and fitted in an approved manner.

".

## 1511. Exemptions

- (1) The Director General may, in writing, exempt the driver of a particular vehicle and any passengers on that vehicle, either generally, or for a specified time or purpose, from the provisions of regulations 1507 and 1510.
- (2) The Director General may at any time, and in the same manner, revoke an exemption given under subregulation (1).

## 1512. Police to consider safety of alleged offenders

- (1) A police officer who apprehends a driver or a passenger committing an offence under regulation 1507 or 1510 may, having regard to the location in which the offence is alleged, and the safety of the apprehended person, give a direction authorizing the apprehended person to travel to a specified destination, even though travelling to that destination would otherwise involve a further breach of the relevant regulation.
- (2) A person acting under the authority of a police officer under subregulation (1) does not commit a further offence against regulation 1507 or 1510 when travelling to the specified destination.

By Command of the Governor,

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

# — PART 2 —

## HERITAGE COUNCIL

#### HR401\*

## **HERITAGE OF WESTERN AUSTRALIA ACT 1990**

Section 38 Order

- 1. This order may be cited as the Coronado Hotel Order 1999.
- 2. In this order-

"Land" means that part of Melville Suburban Lot 95 and being Lot 16 the subject of diagram 42709 being the whole of the land comprised in Certificate of Title Volume 1717 Folio 825.

"TPS 3" means the Town of Claremont Town Planning Scheme No 3.

- 3. TPS 3 is amended by-
  - 3.1 Including the Land in the Special Development (Restricted Use) Zone on the TPS 3 Scheme Map; and
  - 3.2 Adding to Appendix VIII of the TPS 3 Scheme Text—

Column 1	Column 2	Column 3	Column 4
Location	Particulars of Land	Permitted Use	Standards/Conditions
206 Stirling Highway	Lot 16 the subject of Diagram 42709 being the whole of the land in Certificate of Title Volume 1717 Folio 825	All of the uses Permitted in the Highway Zone in accordance with Table 1— Land Use Table, and Clause 14 of the Scheme Text, but to the extent that where the Land is to be used for residential dwellings, the density coding and plot ratio requirements under the Residential Planning Codes shall not apply providing the number of units does not exceed twenty four (24), together with such uses and activities as may be reasonably incidental or ancillary to the purpose of such dwellings.	The uses permitted on the Land in Column 3 additional to those otherwise permitted in the Highway Zone are subject to:  1. The conservation and restoration of the original Hotel building constructed in 1940.  2. No building being constructed between the original Hotel building and the Stirling Highway frontage.  3. No building exceeding 10.5m in height from natural ground level to eaves height and 13m from roof ridge to natural ground.  4. The grant by the Owner of the Land of: (a) a right of carriageway along the southern boundary of the Land in favour of Pt Lot 1 and Lot 2 on Plan 640, Lot 25 on Diagram 78091, Lot 400 on Diagram 71718 and Lot 13 on Diagram 30920; and (b) the grant of an easement for drainage in favour of Lot 13 on Diagram 30920 over and along the width of the right of carriageway referred to in condition 5; contemporaneously with the surrender by the Town of Claremont of the drainage easement set out in Transfer 22877/65.

## LOCAL GOVERNMENT

## **LG401**

#### **LOCAL GOVERNMENT ACT 1995**

LOCAL GOVERNMENT (FUNCTIONS AND GENERAL) REGULATIONS 1996

Town of Cambridge

## INFRINGEMENT NOTICE

In pursuance of the powers conferred upon it by the abovementioned Act and Regulations, the Council of the Town of Cambridge hereby records having resolved on the 27th day of July 1999 to adopt a general purpose Infringement Notice to enable a single form to be used for the issue of infringements of all Council Local Laws as follows—

TOWN OF CAMBRIDGE	TOWN OF CAMBRIDGE
No.	INFRINGEMENT NOTICE
Local Government Act 1995 Local Government (Functions and General) Regulations 1996 INFRINGEMENT NOTICE	You may finalise this matter:  1. In person: (Monday – Friday 8am to 5pm) by payment to the Cashier, Town of Cambridge Administration/Civic Centre,
To:	Bold Park Drive, Floreat 6014     By Mail: Addressed to the Chief Executive Officer, Town of Cambridge, PO Box 15, Floreat 6014
It is alleged that on:	Cheques should be made payable to the TOWN OF CAMBRIDGE
at: am/pm at:	For enquiries in relation to this infringement please telephone 9347 6000.
you committed the following offence:	Please be aware that if a final demand is issued by the Town in relation to this matter, additional costs will be incurred.
contrary to regulation	If you take no action on the final demand, this matter will then be registered with the Fines Enforcement Registry. This is the State Government authority which can suspend your driver's licence or any vehicle licence held by you pending full payment of the initial fine, final demand costs and any further costs caused through referral to the Fines Enforcement Registry.
\$	THIS SECTION MUST BE COMPLETED WHEN MAKING PAYMENT
the notice:	If you change address prior to the finalisation of this matter it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence you hold being suspended without your knowledge.
Signature:	PERSON MAKING PAYMENT:
If you do not wish to have a complaint of the alleged offence heard and determined by a Court, the amount of the modified penalty may be paid to an authorised person at the	First Name:
Town of Cambridge at 1 Bold Park Drive, Floreat, 6014 within a period of 28 days after the giving of this notice.	Address:

ROSS J. WILLCOCK, JP, Mayor. GRAHAM D. PARTRIDGE, Chief Executive Officer. LG501\*

#### **BUSH FIRES ACT 1954**

#### METROPOLITAN FIRE DISTRICT

Town of East Fremantle/City of Fremantle

Notice to All Owners and/or Occupiers of Land in East Fremantle and Fremantle

Pursuant to the powers contained in section 33 of the above Act, you are hereby required on or before 30th day of November, 1999 or within fourteen days of the date of your becoming owner or occupier should this be after the 30th day of November, 1999 and thereafter up to and including the 31st day of March, 2000 to have a firebreak clear of all flammable materials, at least three metres wide immediately inside all external boundaries of land and also immediately surrounding all buildings situated on the land.

If it is considered to be impractical for any reason to clear firebreaks as required by this notice, you may apply to the Council or its duly authorised officer not later than the 15th day of November, 1999 for permission to provide firebreaks in alternative positions on the land. If permission is not granted by the Council or its duly authorised officer, you shall comply with the requirements of this notice.

The penalty for failing to comply with this notice is a fine of not more than \$1000 and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this notice if it is not carried out by the owner or occupier by the date required by this notice.

NOTE: Burning is prohibited to achieve the requirements of this notice, no permits will be issued.

By Order of Town of East Fremantle,

G.

G. WILSON, Chief Bush Fire Control Officer.

By Order of City of Fremantle,

D. WHITE, Chief Bush Fire Control Officer.

LG502\*

## **BUSHFIRES ACT 1954**

Shire of Trayning

Notice to Owners and Occupiers of Land within the Shire of Trayning

Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954, you are required on or before the date mentioned in the following Schedule to have a firebreak clear of all flammable matter and maintain the firebreak to at least the width mentioned and in the manner described in the following Schedule of Land owned or occupied by you.

## **SCHEDULE**

#### 1. DATES

- (a) RURAL LAND—1st November 1999 to 30th April 2000 Surrounding Buildings/Haystacks and Fuel Dumps
- (b) TOWNSITE LAND-1st November 1999 to 30th April 2000

## 2. WIDTH AND MANNER DESCRIBED

(a) Rural Land

At least 3 metres wide and not more than 100 metres from the perimeter of all buildings and/or haystacks or groups of buildings and/or haystacks so as to completely surround the buildings, haystacks and/or fuel dumps or so as to effectively surround the buildings, haystacks and/or fuel dumps which may be combined with strategic breaks e.g. roads, clear ground etc, with an effective cleared width of 3 metres.

- (b) Townsite Land
  - 1. If lot is 2024m² (1/2 acre) or less, clear of all flammable material from the whole of the area. Acceptable methods of clearing include grazing, mowing, grading or burning.
  - 2. If lot is larger than  $2024m^2$  (1/2 acre), there be a firebreak of either 3 metres inside the boundary or 3 metres outside the boundary. Where there is a road free of flammable material, applications can be made annually to the Chief Fire Control Officer for exemption.
- (c) Fuel Dumps

In respect of land owned or occupied by you, on which is situated any fuel dump, in addition to the requirements of paragraphs (a) and (b) you shall remove all flammable materials or material likely to become flammable during summer from land occupied by bulk storage tanks and/or drums used for storage of liquid fuel whether the bulk storage tanks and/or drums contain liquid fuel or not. This includes the land on which ramps for holding the drums are constructed. The flammable material free ground must be maintained to a distance of at least 3 metres

The flammable material free ground must be maintained to a distance of at least 3 metres outside the perimeter of any drum, stack of drums or drum ramp or bulk storage tank.

Flammable material is defined for the purpose of this notice to include vegetation, timber, boxes, cartons, paper and like materials, rubbish and any other combustible matter, but does not include green standing trees, garden plants, growing bushes or maintained lawns, stacked wood heaps or buildings.

- (d) If it is considered to be impracticable for any reason to clear firebreaks on the land in the situations required by this Notice or by the date required by this Notice, you may apply to the Council or its duly Authorised Officer for variations by the Order. An application must be made no later than 14 days prior to the date by which firebreaks are required to be constructed, for permission to provide firebreaks in alternative positions or by an alternative date or to take alternative action to abate fire hazards on the land. If permission is not granted by the Council or its duly Authorised Officer you shall comply with the requirements of this Notice.
- (e) The penalty for failing to comply with this Notice is a fine of \$80 by infringement or not more than \$1,000 if prosecuted, and the person in default is liable, whether prosecuted or not, to pay the cost of performing the work.
- (f) If the requirements of this notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act, 1954.

#### 3. ROAD RESERVES

Owners and occupiers of land are hereby notified that Council has adopted a policy of NO roadside burning. In certain circumstances, Council permission can be granted to burn upon application.

#### 4. PADDOCK BURNS

At any time, where a landholder intends to burn, a three (3) metre firebreak clear of flammable material must be placed within the property alongside the road reserve to prevent the escape of fire from the paddock to the road reserve.

Where a fire escapes through a lack of a suitable firebreak, the landholder will be responsible for the cost of reinstating the lost vegetation in addition to any fine or infringement incurred for not complying with this notice.

By order of the Council

## LG503

## **BUSH FIRES ACT 1954**

Shire of Wickepin

Notice to all Owners and/or Occupiers of Land situated in the Shire of Wickepin

Pursuant to the powers contained in section 33 of the Bush Fires Act 1954, owners and occupiers of property within the Shire of Wickepin are hereby required on or before the 31st October 1999 and thereafter to the 1st April 2000 to plough, scarify or otherwise provide and maintain firebreaks clear of all inflammable material at least 2.5 metres wide as follows—

- 1 Rural Land
  - (a) Inside the boundary of all land held by each owner or occupier, their firebreaks need not follow the perimeter of any paddock but will be acceptable following land contours in an endeavour to overcome water erosion; and
  - (b) To subdivide each holding into lots of no greater than 200 hectares; and
  - (c) To surround the homestead, out buildings and fuel storages on any such land.
- 2. Townsite Land

All lots within the townsites of Harrismith, Tincurrin, Toolibin, Wickepin and Yealering are required to be cleared and maintained free of all debris or inflammable material. Failure to comply with these requirements renders the owner or occupier liable to a penalty not more than \$400.

FRANK GOW, Relieving Chief Executive Officer.

## **PLANNING**

### PD401\*

### **METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959**

NOTICE OF PROPOSED AMENDMENT (SECTION 33) TO THE METROPOLITAN REGION SCHEME

Metropolitan Region Scheme Amendment No. 999/33A Northbridge Urban Renewal

CALL FOR PUBLIC SUBMISSIONS

The Western Australian Planning Commission intends to amend the Metropolitan Region Scheme (MRS) for land in the City of Perth and the Town of Vincent and is seeking public comment.

#### Purpose

This proposal to amend the Metropolitan Region Scheme arises from the initiatives and recommendations of the Northbridge Urban Renewal Study jointly undertaken by the Ministry for Planning and Main Roads W.A.

The purpose of the amendment is to transfer the land on top of the alignment of the Graham Farmer Freeway (currently under construction) from the current Primary Regional Roads reservation which reflects its purpose as a road, to zones in the Metropolitan Region Scheme which will reflect the surface land use following completion of the Graham Farmer Freeway.

## Environmental Review (Assessment No. 1185)

The Environmental Protection Authority (EPA) required the Amendment to be formally assessed by way of an environmental review.

An Environmental Review report has been prepared which examines the potential environmental impacts associated with the implementation of the amendment, and puts forward proposed environmental management measures. The report is being advertised concurrently with the Metropolitan Region Scheme amendment so that environmental matters related to the Amendment can be commented on.

In addition to the official display centres shown below, the Environmental Review report, along with the Commission's *Amendment Report*, can be examined at the public libraries of Perth and Vincent, and the Library Information Centre of the Department of Environmental Protection, 8th floor, Westralia Square, 141 St Georges Terrace, Perth.

Copies of the Environmental Review report may also be purchased from the Ministry for Planning.

#### **Procedure**

The procedure for amending the Scheme, as set out in section 33A of the *Metropolitan Region Town Planning Scheme Act*, is to be used to advertise this proposal. Public submissions are invited.

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 proposal, will be available for public inspection from Tuesday 28 September 1999 to Monday 29 November 1999 at each of the following places—

 Ministry for Planning 1st floor, Albert Facey House 469 Wellington Street PERTH

 State Reference Library Alexander Library Building Francis Street NORTHBRIDGE Council Offices of the municipalities of—

- · City of Perth
- Town of Vincent

### **Submissions**

Any person who desires to make a submission supporting, objecting to, or providing comment on any provisions of the proposed Amendment including the Environmental Review should do so on the Form 6A. This submission form is available on request from the display locations, all metropolitan local government offices, the office of the Minister for Planning (Planning appeals) and is also contained in the explanatory *Amendment Report*.

Submissions must be lodged with the—

Office of the Minister for Planning (Planning appeals) Level 30, Allendale Square 77 St. Georges Terrace PERTH WA 6000

on or before 4.30 pm MONDAY 29 November 1999. Late submissions will not be considered.

PETER MELBIN, Secretary, Western Australian Planning Commission.

#### PD402

## **TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  $CITY\ OF\ ALBANY$ 

TOWN PLANNING SCHEME No. 3—AMENDMENT No. 175

Ref: 853/5/4/5, Pt 175.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Albany Town Planning Scheme Amendment on 21 September, 1999 for the purpose of—

- 1. Rezoning Lot 16 of Loc. 5488 Lancaster Road from the rural zone to the special rural zone.
- 2. Amending the scheme maps accordingly.

3. Including within Schedule No. 1 to Town Planning Scheme No. 3, the following identification and special provisions.

## Schedule 1

continued

# CITY OF ALBANY SHIRE OF ALBANY TOWN PLANNING SCHEME No. 3 SPECIAL RURAL ZONES

#### **Provisions Relating to Specified Areas**

AREA	LOCALITY	LOTS	LOCATION
25	McKAIL	16	5488

## 1.0 PLAN OF SUBDIVISION

- 1.1 Subdivision of Special Rural Zone Area No. 25 shall be generally in accordance with the Subdivision Guide Plan endorsed by the Chief Executive Officer.
- 1.2 The Council will not recommend lot sizes less than 1ha. Council may recommend that the Western Australian Planning Commission approve minor variations to the Subdivision Guide Plan.
- 1.3 Substantial modifications may be required to the Subdivision Guide Plan to ensure that subdivision can accommodate changing landuse activity in the area inclusive of the potential construction of the Albany Ring Road.

#### 2.0 OBJECTIVES OF THE ZONE

Within Special Rural Zone Area No. 25 the objective is to-

- provide for rural residential lifestyle opportunities in close proximity to the Albany Central Area in accord with capability constraints;
- provide for the protection of important site features whilst retaining same in private ownership;
- remove the potential for the startup or undertaking of potentially inappropriate rural and other uses;
- · provide for ongoing weed control and tree/shrub planting; and
- provide for development in accord with the objectives of the Local Rural Strategy and the Albany Residential Expansion Strategy.

## 3.0 LAND USE

- 3.1 Within Special Rural Zone Area No. 25 the following uses are permitted—
  - Residential Dwelling House
- 3.2 The following uses may be permitted subject to the special approval of Council—
  - Livestock Grazing
  - Home Occupation
  - 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 construction and 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 or trees and/or result in soil degradation and/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 and/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 this Clause the 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, tanks and effluent disposal systems shall not be located within the Development and Effluent Disposal Exclusion Area designated on the Subdivision Guide Plan.
- 5.2 Buildings shall be generally located within the Nominated Building Site as shown on the Subdivision Guide Plan. Further, buildings shall be setback a minimum of 12 metres from the lot boundary abutting Lancaster Road and 10 metres from all other lot boundaries unless Council approves a lesser distance; that is, if Council is of the opinion that (i) the topography or shape of the lot, or natural vegetation on it, makes it desirable to alter this provision and (ii) that the location of the building or structure will not detract from the environmental quality of the area or from the amenity of existing or future residences on adjoining lots.
- 5.3 Where possible, buildings shall be sited to allow a "low fuel buffer" not less than 20 metres wide.

#### 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 and will be supportive of buildings which minimise the amount of cut and fill required.
- 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 Lancaster Road 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 TREE/SHRUB PLANTING

- 7.1 No clearing of vegetation or tree/shrub planting shall occur except for—
  - (a) clearing to comply with the requirements of the Bush Fires Act 1954 (as amended);
  - (b) clearing may reasonably be required to construct an approved building and curtilage;
  - (c) trees that are 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 buffer.
- 7.2 Council may request the Commission to impose a condition at the time of subdivision for the eradication of Taylorina within the creekline environs. Areas within Lot 16 cleared of the abovementioned invasive weed species shall be suitably replanted/seeded and shall be appropriately maintained for a minimum of 3 years.
- 7.3 It shall be the responsibility of the landowner to preclude the establishment of invasive weed species on individual allotments.
- 7.4 Where in the opinion of Council invasive weed species are invading an individual or combination of allotments, notice may be served on the owner of the land, requiring immediate eradication of those weed species specified in the notice.
- 7.5 Where notice has been served on a landowner in accordance with this Clause the Council may also require the land to be replanted to its satisfaction within three (3) months of serving the notice.
- 7.6 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.
- 7.7 Council may request the Commission to impose a condition at the time of subdivision requiring tree/shrub planting using local native species in the areas and locations indicated on the Subdivision Guide Plan. Such planting is to be designed/implemented in consultation with the Waters & Rivers Commission and Agriculture WA.
- 7.8 Additional tree planting may be required as a condition of development approval.

## 8.0 WATER SUPPLY

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

## 9.0 EFFLUENT DISPOSAL

- 9.1 On-site effluent disposal shall be the responsibility of the individual landowner.
- 9.2 The disposal of liquid and/or solid wastes shall be carried out with an effluent disposal system approved by Council and the Health Department of WA.
- 9.3 Council shall require the use of amended soil or aerobic type effluent disposal systems in all situations.
- 9.4 No more than one effluent disposal system will be permitted per lot.

## 10.0 BUSHFIRE MANAGEMENT CONTROL

- 10.1 Council may request the Commission to impose a condition at the time of subdivision for the construction of strategic firebreaks as shown on the Subdivision Guide Plan.
- 10.2 The strategic firebreaks shall be constructed to a standard suitable for all year access by heavy duty fire appliances and two wheel drive vehicles.
- 10.3 Until such a time that strategic firebreak connections are available to the east and west of Lot 16, the lots created shall be subject to the requirements of Councils fire break notice.
- 10.4 Where possible, buildings shall be sited to allow a "low fuel buffer" not less than 20 metres wide.
- 10.5 Council may request the Commission to impose a condition at the time of subdivision for a contribution towards the provision of fire fighting facilities.
- 10.6 Fire hydrants shall be provided at intervals of 200 metres, along subdivisional water mains.
- 10.7 The subdivider shall make arrangements to the satisfaction of Council to ensure prospective purchasers are 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 Lancaster Road.
- 11.2 Council may request the Commission to impose a condition at the time of subdivision requiring the construction of joint crossovers as shown on the Subdivision Guide Plan.

#### 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. 25 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.
- 12.3 Provision shall be made to Council's satisfaction to ensure prospective purchasers of land with Special Rural Zone Area No. 25 are made aware that substantial modifications may be required to the Subdivision Guide Plan to ensure that subdivision can accommodate changing landuse activity in the area inclusive of the potential construction of the Albany Ring Road.

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

#### PD403\*

#### **TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  $CITY\ OF\ WANNEROO$ 

TOWN PLANNING SCHEME No. 1—AMENDMENT No. 862

Ref: 853/2/30/1, Pt 862.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Wanneroo Town Planning Scheme Amendment on 16 September, 1999 for the purpose of excising the following parcels of land from the Rural Zone and including them in the Urban Development Zone—

- 1. Lots 50, 51, 21, 1, 2 and 48 East Road, Pearsall.
- 2. Lot 27, 28 and 29 Kemp Street, Pearsall.

C. ANSELL, Chairman of Commissioners. K. WHITE, Chief Executive Officer.

## PD501\*

## METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959

NOTICE OF PROPOSED AMENDMENT (SECTION 33) TO THE METROPOLITAN REGION SCHEME

Metropolitan Region Scheme Amendment No. 992/33 Clarkson-Butler

#### CALL FOR PUBLIC SUBMISSIONS

The Western Australian Planning Commission intends to amend the Metropolitan Region Scheme (MRS) for land in the Cities of Joondalup and Wanneroo and is seeking public comment.

#### Purpose

The proposed Clarkson-Butler amendment is intended to facilitate the implementation of important elements of the Commission's *North West Corridor Structure Plan (1992)* in relation to the Parks and Recreation, Public Purposes, Railways, Primary Regional Roads and Other Regional Roads reservations and the Rural, Urban and Urban Deferred zones.

The inclusion of the necessary zones and reservations in the MRS will formalise long term planning within the North West Corridor. These include the alignments for the future extension of the Northern Suburbs Passenger Railway and the Mitchell Freeway.

## Environmental Review (Amendment No. 1139)

The Environmental Protection Authority (EPA) required an Environmental Review for six of the eleven proposals in the Amendment. These proposals relate to the rezoning of part lot 2 Burns Beach and the northern portion of lot 17; the reservation of two east-west roads and the Mitchell Freeway Transportation Corridor including a railcar depot; and the rationalisation of Wanneroo Road.

Separate Environmental Review reports have been prepared for each of the six proposals assessed by the EPA, along with an *Environmental Review Summary Report*. These examine the potential environmental impacts associated with the implementation of the amendment, and put forward proposed environmental management measures.

The Environmental Review Summary Report and associated separate reports are being advertised concurrently with the Metropolitan Region Scheme amendment so that environmental matters related to the Amendment can be commented on.

In addition to the official display centres shown below, the environmental review documents along with the Commission's *Amendment Report* can be examined at the public libraries of Joondalup, Wanneroo, Duncraig, Girrawheen, Whitford, Woodvale Yanchep/Two Rocks, and the Library Information Centre of the Department of Environmental Protection, 8th floor, Westralia Square, 141 St Georges Terrace, Perth.

Copies of each Environmental Review can be purchased from the Ministry for Planning.

#### **Procedure**

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.

Copies of the amending and detail plans showing the proposed changes to the zones and reservations of the Scheme, the Commission's Amendment Report, and the environmental review documents will be available for public inspection from Tuesday 28 September 1999 to Friday, 31 December 1999, at each of the following places-

- Ministry for Planning 1st floor, Albert Facey House 469 Wellington Street **PERTH**
- · State Reference Library Alexander Library Building Francis Street **NORTHBRIDGE**

Council Offices of the municipalities of—

- City of Perth
- City of Fremantle
- City of Joondalup City of Wanneroo
- City of Stirling

Any person who desires to make a submission supporting, objecting to, or providing comment on any provisions of the proposed Amendment including the Environmental Review 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 and Environmental Review Summary Report.

Submissions must be lodged with the—

Secretary Western Australian Planning Commission 469 Wellington Street PERTH WA 6000

on or before 5.00pm FRIDAY 31 December 1999. Late submissions will not be considered.

PETER MELBIN, Secretary, Western Australian Planning Commission.

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