

# PERTH, TUESDAY, 15 FEBRUARY 2000 No. 29

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

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

JOHN A. STRIJK, Government Printer.

# — PART 1 —

# **HEALTH**

#### HE301\*

#### **MENTAL HEALTH ACT 1996**

MENTAL HEALTH (AUTHORIZED MENTAL HEALTH PRACTITIONERS)
REVOCATION ORDER 2000

Made by the Chief Psychiatrist under section 20.

#### Citation

1. This order may be cited as the *Mental Health (Authorized Mental Health Practitioners) Revocation Order 2000.* 

#### Commencement

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

#### **Revocation of designation**

- **3.** The designation of each of the mental health practitioners specified in the schedule to this order as an authorized mental health practitioner, as provided for by the *Mental Health (Authorized Mental Health Practitioners) Order (1999©; Mental Health (Authorized Mental Health Practitioners) Order (No. 2) 1999©; Mental Health (Authorized Mental Health Practitioners) Order (No. 7) 1999© and Mental Health (Authorized Mental Health Practitioners) Order (No. 8) 1999©, is revoked.* 
  - [ @ Published in Gazette 22 January 1999, pp. 225-22;
  - @ Published in Gazette 13 April 1999, pp. 1550-51;
  - 3 Published in Gazette 19 November 1999, pp. 5790;
  - @ Published in Gazette 24 December 1999, pp. 6901.]

#### Schedule

NAME	PROFESSION	WORKPLACE	ADDRESS
① David Bishop	Mental Health Nurse	South East Metropolitan Mental Health Region	Mill Street BENTLEY
② Karl Monaghan	Mental Health Nurse	Midwest Mental Health Region	CARNARVON
Chris Abrahams	Mental Health Nurse	North Metropolitan Mental Health Region	Graylands Campus CLAREMONT
⊕ Craig Broadway	Mental Health Nurse	East Metropolitan Mental Health Region	Royal Perth Hospital PERTH

Dated: 10 February 2000.

GEORGE LIPTON, Chief Psychiatrist.

#### HE302\*

# **MENTAL HEALTH ACT 1996**

MENTAL HEALTH (AUTHORIZED MENTAL HEALTH PRACTITIONERS) ORDER (No. 2) 2000

Made by the Chief Psychiatrist under section 20.

#### Citation

1. This order may be cited as the Mental Health (Authorized Mental Health Practitioners) Order (No. 2) 2000.

# Commencement

 ${f 2.}$  This order comes into operation on the day on which it is published in the  ${\it Gazette.}$ 

# Authorized mental health practitioner

**3.** The mental health practitioners specified in the schedule to this order are designated as authorized mental health practitioners.

#### Limitation

**4.** The authorized mental health practitioners specified in the schedule are to perform the functions vested in such a practitioner by sections 29 and 63 of the Act only in connection with their employment at the workplace specified opposite their name in the schedule.

Schedule			
NAME	PROFESSION	WORKPLACE	ADDRESS
Carol Little	Mental Health Nurse	North Metropolitan Mental Health Region	Osborne Lodge STIRLING
Angie McCarthy	Mental Health Nurse	North Metropolitan Mental Health Region	Erindale Road WARWICK
Vic Godinet	Mental Health Nurse	South East Metropolitan Mental Health Region	Mill Street BENTLEY
Hellen Webb	Mental Health Nurse	Goldfields Mental Health Region	KALGOORLIE

Dated: 10 February 2000.

GEORGE LIPTON, Chief Psychiatrist.

# **WATER**

WA301\*

Water Agencies (Powers) Act 1984

# Water Agencies (Charges) Amendment By-laws 2000

Made by the Minister under section 34(1) of the Act.

# 1. Citation

These by-laws may be cited as the *Water Agencies (Charges) Amendment By-laws 2000*.

# 2. Schedule 2 amended

Schedule 2 to the *Water Agencies (Charges) By-laws 1987\** is amended after the line commencing "Port Hedland" in the Table to item 3 of Part 2 by inserting —

"

Quairading 12.000 12.000

"

[\* Reprinted as at 25 August 1997. For amendments to 20 January 2000 see 1998 Index to Legislation of Western Australia, Table 4, pp. 329-30, and Gazette 7 May, 25 June, 29 June and 1 July 1999.]

KIM HAMES, Minister for Water Resources.

# — PART 2 —

# **ENVIRONMENTAL PROTECTION**

#### EP401\*

#### **ENVIRONMENTAL PROTECTION ACT 1986**

Section 20

**Delegation No 32** 

Pursuant to section 20 of the Environmental Protection Act 1986 ("the Act"), I Bryan Robert Jenkins, Chief Executive Officer, hereby delegate as follows—

Powers and duties delegated-

All the powers and duties of the Chief Executive Officer, where any noise is being or is likely to be emitted from any premises not being premises licensed under the Act, to serve a pollution abatement notice under section 65 in respect of those premises and, where a pollution abatement notice is so served in such a case, all the powers and duties of the Chief Executive Officer under Part V of the Act in respect of that pollution abatement notice.

Persons to whom the delegation applies—

This delegation applies to any person for the time being holding or acting in the office of Chief Executive Officer, under the Local Government Act 1995.

Pursuant to section 59(1) (e) of the Interpretation Act 1984, delegation No 7, dated 7 June 1989 is hereby revoked.

BRYAN JENKINS, Chief Executive Officer.

Approved by-

CHERYL EDWARDES, Minister for the Environment.

Dated this fourth day of February 2000.

# LOCAL GOVERNMENT

#### LG401

#### **DOG ACT 1976**

City of Geraldton

Janelle Anne White

The appointment of Barbara Muriel Amos is hereby cancelled.

Dated: 9 February 2000.

C. J. ALDRED, Chief Executive Officer.

## LG402\*

# **CEMETERIES ACT 1986**

## SHIRE OF COLLIE CEMETERY FEES AND CHARGES

Under the powers conferred by Section 53 of the Cemeteries Act 1986, the Council of the Shire of Collie resolved on the  $25^{th}$  January 2000 to adopt the schedule of Fees and Charges.

#### LIST OF CEMETERY FEES

In Open Ground—	\$
For sinking grave for an adult (including Government contract)	418.00
For sinking grave for child if under 14 years of age (including Government contract)	418.00
For sinking grave for stillborn child	214 35

	\$
For re-opening grave for an adult	418.00
For re-opening grave for child under 14 years	418.00
For sinking adult's grave beyond 1.8 metres for each addition 0.3 metres	76.80
For placement of cremated ashes in grave	44.00
Fees for exhumation	858.00
For sinking grave Saturdays, Sundays, Public Holidays	561.00
Ordinary land for grave, including issue of grant of right of burial 2.4 metres x 1.8 metres and use of iron number plate	220.00
Reserved special land for grave 2.4 metres x 1.8 metres selected by applicant in section where burials take place (including use of iron number plate)	66.00
Single niche, including tablet and standard inscription	231.00
Double niche, including tablets and first standard inscription only	313.50
Second standard inscription	143.00
Affixing niche plaque to wall	66.00
To reserve niche only (single or double)	66.00
For interment without due notice	159.50
For permission to construct a vault	49.50
For permission to erect any iron railings, stone, brick or concrete kerb gravestone, or any Combination of the same subject to terms of paragraph 2 of the Cemetery By-laws	49.50
Permission to construct a brick grave	49.50
Monumental Mason Licence payable annually in July	165.00
Undertaker's Licence Fee payable annually in July	165.00

Dated this 7th day of February 2000.

The Common Seal of the Shire of Collie was hereunto affixed by authority of a decision of the Council in the presence of—

ROSANNE PIMM, Shire President. IAN MIFFLING, Chief Executive Officer.

# MINERALS AND ENERGY

MN401\*

#### State of Western Australia

# **PETROLEUM ACT 1967**

Section 112—Release of Information

I, William Lee Tinapple, Director of the Petroleum Division of the Department of Minerals and Energy by virtue of the provisions of the Act by instrument of delegation dated 4 June 1998 and published in the *Government Gazette* of Western Australia on 16 June 1998, do hereby advise that in accordance with Section 112

- (i) As of 1 April, 2000, it is my intention to make available all interpreted data submitted prior to 31 December 1994 in accordance with the Petroleum Act, 1967;
- (ii) therefore invite interested persons to advise of any objection to this release of information within 45 days of publication of this notice

- (a) any trade secret, or
- (b) any other information the disclosure of which would, or could reasonably be expected to adversely affect the person in respect of the lawful business, commercial or financial affairs of the person.

If no objections are received in accordance with this notice, it shall be deemed that the person who furnished the document containing the information has consented to the information being made available or publicly known.

Any objections to the release of information should be addressed to-

Director Petroleum Division Department of Minerals and Energy Level 11, Mineral House 100 Plain Street EAST PERTH WA 6004 Tel: (08) 9222 3291

Tel: (08) 9222 3291 Fax: (08) 9222 3515 MN402\*

#### State of Western Australia

#### PETROLEUM (SUBMERGED LANDS) ACT 1982

Section 118—Release of Information

I, William Lee Tinapple, Director of the Petroleum Division of the Department of Minerals and Energy by virtue of the provisions of the Act by instrument of delegation dated 4 June 1998 and published in the *Government Gazette* of Western Australia on 16 June 1998, do hereby advise that in accordance with Section 118

- (i) As of 1 April, 2000, it is my intention to make available all interpreted data submitted prior to 31 December 1994 in accordance with the Petroleum (Submerged Lands) Act, 1982;
- (ii) therefore invite interested persons to advise of any objection to this release of information within 45 days of publication of this notice

A person is not entitled to make an objection to information being made available or publicly known except on ground that to do so would disclose—

- (a) any trade secret, or
- (b) any other information the disclosure of which would, or could reasonably be expected to adversely affect the person in respect of the lawful business, commercial or financial affairs of the person.

If no objections are received in accordance with this notice, it shall be deemed that the person who furnished the document containing the information has consented to the information being made available or publicly known.

Any objections to the release of information should be addressed to-

Director Petroleum Division Department of Minerals and Energy Level 11, Mineral House 100 Plain Street EAST PERTH WA 6004

Tel: (08) 9222 3291 Fax: (08) 9222 3515

W. L. TINAPPLE. Director Petroleum Division.

MN403\*

#### Commonwealth of Western Australia

# PETROLEUM (SUBMERGED LANDS) ACT 1967

Section 118—Release of Information

I, William Lee Tinapple, Director of the Petroleum Division of the Department of Minerals and Energy by virtue of the provisions of the Act by instrument of delegation dated 4 June 1998 and published in the *Government Gazette* of Western Australia on 16 June 1998, do hereby advise that in accordance with Section 118

- (i) As of 1 April, 2000, it is my intention to make available all interpreted data submitted prior to 31 December 1994 in accordance with the Petroleum (Submerged Lands) Act, 1967;
- (ii) therefore invite interested persons to advise of any objection to this release of information within 45 days of publication of this notice

A person is not entitled to make an objection to information being made available or publicly known except on ground that to do so would disclose—

- (a) any trade secret, or
- (b) any other information the disclosure of which would, or could reasonably be expected to adversely affect the person in respect of the lawful business, commercial or financial affairs of the person.

If no objections are received in accordance with this notice, it shall be deemed that the person who furnished the document containing the information has consented to the information being made available or publicly known.

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Tel: (08) 9222 3291 Fax: (08) 9222 3515

# **PLANNING**

#### PD401

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

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  $SHIRE\ OF\ MANJIMUP$ 

TOWN PLANNING SCHEME NO 2—AMENDMENT NO 91

Ref: 853/6/14/20 Pt 91

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Manjimup Town Planning Scheme Amendment on 3 February 2000 for the purpose of—

- 1. Rezoning Lot 266 Chopping Street, Manjimup from 'Rural' to 'Special Rural' as depicted on the amending map adopted by the Council of the Shire of Manjimup.
- 2. Insert in Section 1.7 'Interpretation' of the Planning Scheme the following
  - i. Ancillary Accommodation: means self contained living accommodation on the same site as a single house intended to accommodate a member of the family of the occupier of the main dwelling.
  - ii. Outbuilding: means a non-habitable building used in conjunction with a dwelling house and includes a carport, private garage, shed, private workshop or the like, but does not include farmsheds.
- 3. Amending the Scheme Text by adding to 'Appendix 1—Schedules relating to additional requirements and modifications to the provisions of the Scheme Text for Specific Special Rural Zones'; the following—

Location	Special Provisions
Area No. 23 Lot 266 Chopping Street Manjimup.	1 Subdivision of Lot 266 shall be generally in accordance with the Subdivision Guide Plan No. 98136 attached to the Scheme Amendment Report (Amendment 91) and dated February 1999. 2(a) The following uses are permitted "P" within Special Rural
	Area No. 23
	Dwelling House Outbuilding Home Occupation
	(b) The following uses are not permitted unless approval is granted by Council "AA"
	Ancillary Accommodation Duplex House Rural Use Public Utility Cottage Industry Private Recreation
	(c) All other uses not mentioned in (a) and (b) are not permitted "X".
	3 The landscaping areas shown on the Subdivision Guide Plan shall be established to the satisfaction of Council prior to clearance of the subdivision being given.
	4 Council may recommend as a condition of subdivision that a Geotechnical Report be provided to identify and address the well located on Lot 2 of the approved Subdivision Guide Plan.
	K. D. LIDDELOW, President.

PD402

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

V. McKAY. Chief Executive Officer.

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  $SHIRE\ OF\ MURRAY$ 

TOWN PLANNING SCHEME NO 4—AMENDMENT NO 136

Ref: 853/6/16/7 Pt 136

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Murray Town Planning Scheme Amendment on 3 February 2000 for the purpose of—

1 Rezoning Lot 1 Lakes Road North Dandalup from Rural to Special Rural

 $2\,$  Adding to Schedule 4 of the Scheme Text the following land description and Special Provisions Schedule 4

(A) (B)
Specified Land Special Provisions Relating to (A)

#### Lot 1 Lakes Road North Dandalup

- 1. The objectives for this land are to permit limited residential use in a rural environment and to conserve and revegetate the landscape.
- 2. (a) The following uses are permitted ("P"):
  - -Single House
  - —Outbuilding
  - —Public Utility
- (b) The following uses may be permitted at the discretion of the Council ("AA"):
  - —Home Occupation
  - -Stables
- (c) All other uses are not permitted ("X"), including Ancillary Accommodation, Aged or Dependent Persons Dwellings, Veterinary Clinic, and Rural Pursuit.
- 3. The keeping or agistment of livestock shall be limited to a dry sheep equivalent per lot in accordance with the recommendations of Agriculture Western Australia. The type and number of any livestock shall comply with the recommendations of Agriculture Western Australia in accordance with the pasture type. Notwithstanding the foregoing, the Council may require stocking rates to be reduced where, in the opinion of Agriculture Western Australia, they are excessive or the land is subjected to significant additional nutrient application.
- 4. In order to conserve the landscape, no trees or other vegetation shall be felled or cleared without the prior written approval of the Council except where required for the erection of a single house, outbuildings, effluent disposal system, accessways, fences and firebreaks.
- 5. No building, other than fencing, shall be constructed without a building licence being issued by the Council.
- 6. No building, or outbuilding shall be constructed within 20 metres of any boundary.
- 7. No dwelling shall be approved by the Council unless it is connected to either reticulated sewerage or an alternative domestic wastewater treatment system (as approved by the Health Department of Western Australia) with an adequate phosphorus retention capacity, as determined by the Environmental Protection Authority, and with the base of the system or the modified irrigation area being above the highest known water table.
- 8. An alternative domestic wastewater treatment system shall not be constructed within 100 metres of the North Dandalup River.
- 9. Each dwelling shall be provided with a supply of potable water from either an underground bore or a rainwater storage tank with a capacity of not less than 92,000 litres being connected to a roof catchment with an area of not less than 120 square metres in projected plan area as reticulated water supply cannot be provided by the Water Corporation.
- 10. (a) The land is subject to the provisions of the Water and Rivers Commission's By-laws applicable to underground water supply and pollution control. The subdivider shall inform all prospective purchasers in writing of the Water and Rivers Commission's requirements mentioned in 10(b) below.
- (b) Activities carried out on this land shall not contravene the Water and Rivers Commission's control.
- 11. A well or bore shall not be constructed without a Well Licence being issued by Water & Rivers Commission.
- 12. Water shall not be drawn from the North Dandalup River, or its flow interrupted without the written approval of the Water and Rivers Commission.
- 13. A dam shall not be constructed without the written approval of the Council.
- 14. All fencing shall be of open post and rail or post and wire construction and shall be maintained to the satisfaction of the Council.
- 15. Fences shall be erected to protect trees and other vegetation from damage by grazing livestock where required.

(A) Specified Land

#### (B) Special Provisions Relating to (A)

- 16. The land is situated within the catchment of the Peel Harvey System where fertiliser application is to be restricted. Therefore the application, type and distribution of fertiliser to the land shall be subject to the guidelines of the Peel-Harvey Community Catchment Centre and the Environmental Protection Authority.
- 17. All household rubbish and refuse shall be transported to and deposited in a disposal site gazetted under the Health  ${\sf Act}.$
- 18. Subdivision of the land shall be generally in accordance with the Subdivisional Guide Plan adopted by the Council.
- 19. No lot shall have an area of less than two hectares.
- 20. Each lot shall contain a building envelope, the area of which shall not exceed 2000 square metres.
- 21. Within the area shown as the building envelope, an area no greater than 1000 square metres may be cleared of vegetation to allow for the construction of a single house and any ancillary outbuildings.
- 22. The subdivision design shall allow for the maximisation of retention and consumption of rainwater on site including both stormwater run-off from roads and drainage from land. For the purpose of preparing calculation, a one-in-ten year storm event shall be contained on site for a period of not less than three days.
- 23. The subdivider shall submit a landscape plan to the Council showing site contours, stands of existing trees and vegetation to be retained, and proposals for tree planting and maintenance at the time of making an application for subdivision.
- 24. The subdivider shall, in accordance with the landscape plan approved by the Council, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the issue of clearances by the Council for the subdivision of the land.
- 25. The subdivider shall either maintain the trees and shrubs planted until the land is sold; or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement of those trees and shrubs planted by the subdivider to the satisfaction of the Council.
- 26. In addition to other tree planting areas, the subdivider shall plant trees and shrubs within the Foreshore Reserve to the satisfaction of the Council.
- 27. Firebreaks shall be established and maintained to the specifications and satisfaction of the Council.
- 28. The Council will facilitate discussions between the subdivider and the Bushfires Board to determine a financial contribution from the subdivider towards the cost of fire suppression equipment for the Shire of Murray Bushfire Brigade and any other fire prevention measures that may be required by Council.
- 29. Prior to the sale of any subdivided lots the subdivider shall erect a sign in a prominent place to inform prospective purchasers of these Special Provisions relating to the land.
- 30. A fuel free zone, clear of all flammable material/vegetation to a distance of 20 metres, is required around all buildings.
- 31. Land uses other than a Single House, that are permitted or may be permitted by the Council pursuant to the Scheme shall only be permitted when Council is satisfied, following consultation with the Department of Environmental Protection that the land use does not involve excessive nutrient application or the clearing of the land.
- 32. The drainage system shall not be altered without the prior approval of the Department of Environmental Protection, in writing. In considering any proposal to obstruct or dam any part of the drainage system the Council shall have regard to the effect on the drainage system and the impact on the land and the environment in general, and shall consult with any appropriate authority prior to granting approval.

#### PD403

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

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  $TOWN\ OF\ NORTHAM$ 

TOWN PLANNING SCHEME NO 4—AMENDMENT NO 16

Ref: 853/4/3/4 Pt 16

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 Town of Northam Town Planning Scheme Amendment on 8 February 2000 for the purpose of—

- 1. Rezoning Avon district Lot 342, Location 36 and Pt Location P5 Spencers Brook Road from Rural to Special Residential.
- 2. Inserting in Schedule 4 Part B the following Specified Area and Special Provisions.

Burlong Special Residential Zone.

- a) Subdivision shall be generally in accordance with the approved Subdivision Guide Plan endorsed by the CEO on 10th March 1999.
- b) The keeping of horses, sheep, goats and other grazing animals, where permitted, shall be subject to the prior approval of the Council. Approval to keep animals shall not exceed the stocking rates recommended by Agriculture W.A. for the applicable pasture types.
- c) In considering applications for Rural Pursuits (e.g. growing of crops, vegetables, rearing of animals, agistment or stabling of animals, viticulture and horticulture) the Council may require the applicant/landowner to submit detailed, site-specific information confirming the capability of the lot to sustain the proposed activity without degrading the land or resulting in unacceptable off-site impacts to neighbouring properties and residences.
- d) In addition to complying with General Provision 6 of Part A of this Schedule, the subdivider shall in accordance with the Subdivision Guide Plan plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.
- e) The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers and trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of Council;
- f) A maximum of only one dwelling per lot is permitted.

J. E. SMITH, Mayor. D. S. BURNETT, Chief Executive Officer.

PD404

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

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  $SHIRE\ OF\ DENMARK$ 

TOWN PLANNING SCHEME NO 3—AMENDMENT NO 32

Ref: 853/5/7/3 Pt 32

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the

Shire of Denmark Town Planning Scheme Amendment on 8 February 2000 for the purpose of—

Inserting Lot 1, Loc 1976 and 5390 South Coast Highway, Denmark, within Appendix 2—Schedule of Additional Use Sites (Site No. 20) to allow for "Chalet Development" as follows—

(a) Particulars of Land A	(b) Additional Use B	(c) Conditions of Use C
Lot 1, Loc 1976 and 5390 South Coast	Holiday Accommodation	1. Maximum of eight (8) chalets as depicted on the Development Plan No. 95/7/1 or variation
Highway		there to, subject to Council approval.
		2. All existing vegetation to be retained other than in areas for chalet and associated development as depicted on Plan No. 95/7/1.
		3. On-site effluent disposal to be in accordance with the Health Department, Council, and Department of Environmental protection requirements.
		4. Suitable fire control measures being undertaken to the satisfaction of the Council.
		5.The development of part of Lot 1, Loc 1976 and Loc 5390 for the purposes of holiday accommodation is undertaken with the full knowledge that agricultural pursuits are conducted on properties neighbouring the proposed chalet sites and that current and future land uses and development shall be designed and conducted in such a manner so as not to create conflict from these landuses and adversely impact on the amenity of the area to the satisfaction of Council.

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

# PD405\*

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

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT SHIRE OF JERRAMUNGUP

TOWN PLANNING SCHEME NO 1—AMENDMENT NO 11

Ref: 853/5/19/1 Pt 11

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Jerramungup Town Planning Scheme Amendment on 8 February 2000 for the purpose of—

- 1. Rezoning portion of Reserve 25216 Mary Road from Light Industrial to Residential—R2, in accordance with the Scheme Amendment Map.
- 2. Rezoning portion of Lot 109 Bremer Bay Road from Light Industrial to Residential—R2 and Rural Residential, in accordance with the Scheme Amendment Map.
- 3. Extending the area included in the Subdivision Guide Plan Rural Residential Zone No 2 in accordance with the plan dated May, 1999.
- 4. Rezoning portion of Lot 1208 Bremer Bay Road, Bremer Bay, from Light Industrial to Rural, in accordance with the Scheme Amendment Map.

G. F. McGRATH, President. M. BROWN. Chief Executive Officer.

#### PD406\*

#### **WESTERN AUSTRALIAN PLANNING COMMISSION ACT 1985**

NOTICE OF DELEGATION TO OFFICERS AND COMMITTEES

File: 970-1-1-3 970-1-1-58

Notice is hereby given that the Western Australian Planning Commission ("the Commission") by resolution made on 28 September 1999 and acting pursuant to the provisions of section 20 of the Western Australian Planning Commission Act 1985 ("the Act") does hereby—

A. Cancel its delegation of powers and functions to various eligible persons and bodies as detailed in a notice published in the *Government Gazette* of 27 November 1998 (pages 6360 to 6364);

#### AND

- B. DELEGATES ITS POWERS AND FUNCTIONS as set out in-
  - (a) schedule 1, to those eligible persons and bodies set out in schedule 2;
  - (b) schedule 3, to those eligible bodies set out in schedule 4;
  - (c) schedule 5, to those eligible persons set out in schedule 6;
  - (d) schedule 7, to those eligible persons set out in schedule 8;
  - (e) schedule 9, to those eligible persons and bodies set out in Schedule 10;
  - (f) schedule 11, to the eligible body set out in schedule 12;
  - (g) schedule 13, to the eligible body set out in schedule 14; and
  - (h) schedule 15, to the eligible body set out in schedule 16.

#### SCHEDULE 1—POWERS DELEGATED

- 1. All powers and functions of the Commission as set out in—
  - (i) paragraphs (i), (ii), (iv) and (v) of subsection (1)(e) of section 18 of the Act,
  - (ii) the Metropolitan Region Town Planning Scheme Act 1959, and
  - (iii) the Metropolitan Region Scheme.
- 2. Power to determine applications for approval to commence and carry out development lodged with or referred to the Commission pursuant to the provisions of the Metropolitan Region Scheme.
- 3. Power to determine applications for approval to commence and carry out development lodged with or referred to the Commission pursuant to the provisions of the Metropolitan Region Scheme but only where those determinations will not be significantly at variance with the recommendations made by the relevant local government authority.
- 4. Power to issue Clause 42 Certificates pursuant to the provisions of the Metropolitan Region Scheme.

# **SCHEDULE 2—APPLICATION OF DELEGATION**

The delegation of powers and functions set out in Schedule 1 apply as follows—

- 1. Paragraph 1 of Schedule 1 applies to the Statutory Planning Committee meeting as the Perth Region Planning Committee being a committee of that name established by the Commission under section 19 (1d) of *the Act*.
- 2. Paragraph 1 of Schedule 1 applies to the Central Perth Planning Committee being a committee of that name established by the Commission under section 19 (1) of *the Act* but only where the matters under consideration by the Committee are within the area of the City of Perth.
- 3. Paragraph 2 of Schedule 1 applies to the Statutory Planning Committee established under section 19 (1c) of *the Act* except where the matters under consideration are within the area of the City of Perth.
- 4. Paragraph 3 of Schedule 1 applies to the officers of the Ministry for Planning for the time being exercising the duties of the offices designated below but subject to the conditions specified—
  - (i) Senior Manager, Policy and Legislation
  - (ii) Manager, Metro-North, and
  - (iii) Co-ordinator, Metro-North

but for (ii) and (iii) confined to those matters related to land within the Perth Metropolitan Region within the Cities, Towns or Shires of—

Bassendean, Bayswater, Cambridge, Claremont, Cottesloe, Joondalup, Kalamunda, Mosman Park, Mundaring, Nedlands, Peppermint Grove, Perth, Stirling, Subiaco, Swan, Vincent and Wanneroo.

- (iv) Manager, Metro-South, and
- (v) Senior Project Planner—Co-ordinator, Metro-South

but for (iv) and (v) confined to those matters related to land within the Perth Metropolitan Region within the Cities, Towns and Shires of—  $\,$ 

Armadale, Belmont, Canning, Cockburn, East Fremantle, Fremantle, Gosnells, Kwinana, Melville, Rockingham, Serpentine-Jarrahdale, South Perth and Victoria Park.

5. Paragraph 4 of Schedule 1 applies to the officers of the Ministry for Planning for the time being exercising the duties of the offices of Secretary, Western Australian Planning Commission and Co-ordinator, Statutory Mapping.

# SCHEDULE 3—POWERS DELEGATED

All powers and functions of the Commission as set out in-

- (i) Section 7B, 19, 20, 20C, 21, 24 and 25 of the Town Planning and Development Act 1928.
- (ii) Town Planning Regulations 1967.
- (iii) Western Australian Planning Commission Regulations 1962.
- (iv) Strata Titles Act 1985.
- (v) Strata Titles General Regulations 1996.
- (vi) Section 295 (2a) and Section 297A (6) (a) of the Local Government (Miscellaneous Provisions) Act 1960.
- (vii) Section 18 (1) (a), (ba) and (c) of the Act.
- (viii) Power to advise the Minister for Planning on any appeal or matter arising therefrom pursuant to Part V of the Town Planning and Development Act 1928 and to defend or otherwise deal with appeals lodged with the Town Planning Appeal Tribunal.
  - (ix) Power to prepare and submit for approval Statements of Planning Policy pursuant to Section 5AA of the Town Planning and Development Act 1928 and to prepare and promulgate, subject to the prior approval of the Minister of Planning, other Policy Statements relating to planning matters and/or the functions of the Commission.

#### SCHEDULE 4—APPLICATION OF DELEGATION

- 1. The powers and functions set out in Schedule 3 apply to the Statutory Planning Committee established under section 19 of the Act, except for matters concerning land within that area of the State comprising the South West Region as defined in Schedule 1 of the Act or matters concerning land within the area of the City of Perth and subject to the exercise of the powers and functions under this clause having due regard in each case to published Commission policy.
- 2. The powers and functions set out in Schedule 3 apply to the South West Region Planning Committee being a Committee by that name established by the Commission under Section 19 of the Act, but only in respect of the matters within the South West Region of the State as defined in Schedule 1 to the Act and subject to the exercise of the powers and functions under this clause having due regard in each case to published Commission policy.
- 3. The powers and functions set out in Schedule 3 apply to the Central Perth Planning Committee being a Committee by that name established by the Commission under Section 19 of the Act, but only in respect of the matters within the area of the City of Perth and subject to the exercise of the powers and functions under this clause having due regard in each case to published Commission policy.

#### **SCHEDULE 5—POWERS DELEGATED**

- 1. Powers to recommend to the Minister for Planning that approval be granted or withheld with respect to Interim Development Orders and extensions thereto made or extended pursuant to section 7B of the Town Planning and Development Act 1928.
- 2. Powers to determine all applications to the Commission under section 20 of the Town Planning and Development Act 1928 where such determination is in accordance with predetermined policies (if any) of the Commission.
- 3. Powers, with respect to applications to the Commission under section 20 of the Town Planning and Development Act 1928 determined by or on behalf of the Commission to accept revised plans of subdivision in substitution for those previously approved in circumstances where the acceptance of the revised plan does not materially affect the decision given by or on behalf of the Commission.
- 4. Power pursuant to subsection (6) of section 24 of the Town Planning and Development Act 1928 to determine the requests for reconsideration made pursuant to subsection (5) of that section.
- 5. Power to give or withhold consent, pursuant to section 295 (2) of the Local Government (Miscellaneous Provisions) Act 1960, to the setting out and construction within a subdivision approved in accordance with section 20 of the Town Planning and Development Act 1928 of street or streets the width or widths of which are less than 20 metres; such power having been delegated pursuant to section 295 (2a) of the first mentioned Act by instrument in writing dated 9 December 1986 by the Minister for Planning and the power being limited by the provision of section 295 (2b) of that Act.
- 6. Power to determine requests for variations to plans of subdivision where Commission approval is required pursuant to the provisions of an approved town planning scheme.
- 7. Power to provide responses to the Minister for Planning on appeals arising from decisions related to the subdivision of land pursuant to Part III of the Town Planning and Development Act 1928, to the development of land pursuant to the provisions of the Metropolitan Region Scheme and local government town planning schemes and to strata schemes pursuant to the provisions of the Strata Titles Act 1985 and power to defend or take any other relevant action in the Town Planning Appeal Tribunal in respect of any such appeals lodged with that body.
- 8. Power to determine applications and other matters lodged with the Commission for decision under the provisions of the Strata Titles Act 1985 where any such determination is in accordance with predetermined policies (if any) of the Commission.
- 9. Power to give consent to advertise amendments to local government Town Planning Schemes in cases where such determination rests with the Commission under the provisions of the Town Planning Regulations 1967, and to determine the periods for which those amendments are advertised where variations to the 42 day period prescribed by regulation 25(fa) are justified.
- 10. Power to recommend to the Minister for Planning as to whether or not requests for extensions of time for the consideration of submissions be granted pursuant to regulations 17 (1) and 25 (fb) of the Town Planning Regulations 1967.

- 11. Power to recommend to the Minister for Planning that amendments to local government Town Planning Schemes be given Final Approval where no submissions were made during the advertising period, or where that recommendation accords with the local government=s determination of any submissions received, under the provisions of regulations 19 and 25 (g) of the Town Planning Regulations 1967
- 12. Power to comment to members of the Town Planning Appeal Committee on submissions made pursuant to the provisions of section 33A of the Metropolitan Region Town Planning Scheme Act 1959.
- 13. Power to grant approval to plans known generally as outline development plans and similar documents or amendments thereto requiring the approval of the Commission pursuant to the provisions of a town planning scheme.

# **SCHEDULE 6—APPLICATION OF DELEGATION**

The delegation of powers and functions set out in Schedule 5 apply to the officers of the Ministry for Planning for the time being exercising the duties of the offices designated below but subject to the conditions specified—

- (i) Manager, Metro-North, and
- (ii) Co-Ordinator, Metro-North

but for (i) and (ii) confined to those matters related to land within the Perth Metropolitan Region within the Cities, Towns and Shires of—

Bassendean, Bayswater, Cambridge, Claremont, Cottesloe, Joondalup, Kalamunda, Mosman Park, Mundaring, Nedlands, Peppermint Grove, Perth, Stirling, Subiaco, Swan, Vincent and Wanneroo.

- (iii) Manager, Metro South, and
- (iv) Senior Project Planner—Co-ordinator, Metro-South

but for (iii) and (iv) confined to those matters related to land within the Perth Metropolitan Region within the Cities, Towns and Shires of—

Armadale, Belmont, Canning, Cockburn, East Fremantle, Fremantle, Gosnells, Kwinana, Melville, Rockingham, Serpentine-Jarrahdale, South Perth and Victoria Park.

(v) Manager, State-Other Regions

but confined to those matters related to land outside the Perth Metropolitan Region and the South West Region of the State as defined in Schedule 1 to the Act.

(vi) Regional Manager, State-Other Regions

but confined to those matters related to land outside the Perth Metropolitan Region and including the Gascoyne, Goldfields-Esperance, Kimberley, Pilbara and Wheatbelt Regions, as defined in Schedule 1 to the Act, but excluding the Shires of West Arthur, Wagin, Dumbleyung, Lake Grace and Ravensthorpe.

(vii) Region Manager, Great Southern

but confined to those matters related to land within the Great Southern Region of the State as defined in Schedule 1 of the Act and including the Shire of West Arthur, Wagin, Dumbleyung, Lake Grace and Ravensthorpe.

- (viii) Region Manager, South West,
  - (ix) Coordinator, South West, and
  - (x) Manager, Local Planning, South West

but for (viii), (ix) and (x) confined to those matters related to land within the South West Region of the State as defined in Schedule 1 to the Act.

(xi) Region Manager, Mid West

but confined to those matters related to land within the Mid West Region of the State as defined in Schedule 1 to the  ${\sf Act}$ .

(xii) Region Manager, Peel

but confined to those matters related to land within the Peel Region of the State as defined in Schedule 1 to the  $\mathsf{Act}.$ 

(xiii) Senior Manager, Policy and Legislation.

#### SCHEDULE 7—POWERS DELEGATED

- 1. Powers to endorse approvals granted pursuant to Part III of the Town Planning and Development Act 1928—
  - (i) diagrams and plans of survey involving the subdivision or amalgamation of land; and
  - (ii) any other documents relating to leases, licences, transfers, conveyances and mortgages, and other dealings in land,

submitted for formal endorsement, subject to prior compliance with all conditions (if any) imposed with respect to any matter in respect of which this delegated power is exercised.

- 2. Powers pursuant to Regulation 22 of the Town Planning Regulations 1967 to endorse town planning scheme and town planning scheme amendment documents for submission to the Minister for Planning.
- 3. Powers pursuant to sections 25, 25A and 25B of the Strata Titles Act 1985 to endorse strata/survey-strata plans submitted for formal endorsement, subject to prior compliance with all conditions (if any) imposed relating to any matter in respect of which this delegated power is exercised.
- 4. Powers pursuant to section 5C of the Strata Titles Act 1985 to certify a Management Statement.

# SCHEDULE 8—APPLICATION OF DELEGATION

The delegation of powers and functions set out in Schedule 7 apply to the officers of the Ministry for Planning for the time being exercising the duties of the offices designated below but subject to the conditions specified—

- (i) Secretary, Western Australian Planning Commission
- (ii) Executive Director, Local and Regional Planning
- (iii) Senior Manager, Policy and Legislation
- (iv) Manager, Metro-North, and
- (v) Co-Ordinator, Metro-North

but for (iv) and (v) confined to those matters related to land within the Perth Metropolitan Region within the Cities, Towns and Shires of—

Bassendean, Bayswater, Cambridge, Claremont, Cottesloe, Joondalup, Kalamunda, Mosman Park, Mundaring, Nedlands, Peppermint Grove, Perth, Stirling, Subiaco, Swan, Vincent and Wanneroo.

- (vi) Manager, Metro-South, and
- (vii) Senior Project Planner-Co-ordinator, Metro-South

but for (vi) and (vii) confined to those matters related to land within the Perth Metropolitan Region within the Cities, Towns and Shires of—

Armadale, Belmont, Canning, Cockburn, East Fremantle, Fremantle, Gosnells, Kwinana, Melville, Rockingham, Serpentine-Jarrahdale, South Perth and Victoria Park.

(viii) Manager, State-Other Regions

but confined to those matters related to land outside the Perth Metropolitan Region as defined in Schedule 1 to the Act.

- (ix) Region Manager, South West
- (x) Coordinator, South West, and
- (xi) Manager, Local Planning, South West

but for (ix), (x) and (xi) confined to those matters related to land within the South West Region of the State as defined in Schedule 1 to the Act.

#### SCHEDULE 9—POWERS DELEGATED

Powers to undertake administrative and financial obligations and functions of the Commission—

- (i) Arrangements for the leasing of Commission property including the determination of rents in accordance with established Commission practice, and the signature of appropriate documentation;
- (ii) Arrangements for the management, maintenance, repair, insurance, valuation and other related incidental functions with respect to Commission property subject to a \$50,000 maximum figure of expenditure per property in any one financial year;
- (iii) Appointing of Incurring Officers, Certifying Officers and Collectors of Public Moneys;
- (iv) Prescribing charges, and setting conditions, for the sale and release of maps and publications;
- (v) Write-off of bad debts, disposal of assets or goods which have individual values not exceeding \$5,000, subject to compliance in each case with State Supply Commission procedures, and making recommendations to the Commission for the write-off of bad debts and disposing of assets and goods with values in excess of that figure;
- (vi) Appointing consultants pursuant to section 41 of the Act for activities to which a budget has been approved and allocated by *the Commission* and subject to compliance in each case with State Supply Commission procedures;

# SCHEDULE 10—APPLICATION OF DELEGATION

The powers and functions set out in Schedule 9 apply as follows—

- 1. (a) paragraphs (i), (ii), (iii), (iv), (v); and
  - (b) paragraph (vi), but subject to a limitation of \$30,000,

apply to the officer for the time being occupying the position of Chief Executive in the Ministry for Planning.

- 2. paragraphs (ii) and (iv) apply to the officer of the Ministry for Planning occupying the position of Executive Director, Corporate Management.
- 3. paragraph (iv) applies to the officers of the Ministry for Planning occupying the positions of Executive Director—Strategic Planning and Executive Director—Local and Regional Planning.
- 4. The powers and functions in paragraph (vi) of Schedule 9 but subject to a limitation of \$50,000 in any one contract, apply to—
  - (a) the Transport Committee, being a committee established under section 19(1a) and (1e) of the Act, for transportation studies and initiatives; and
  - (b) the Infrastructure Co-ordinating Committee, being a committee established under section 19(1a) and (1g) of the Act, for infrastructure studies and initiatives.

#### **SCHEDULE 11—POWERS DELEGATED**

Such powers and functions under the Act and the Metropolitan Region Town Planning Scheme Act 1958 as are necessary to—

- (i) determine alignments, reservations and plans for the protection of transportation reserves which may require amendments to the Metropolitan Region Scheme;
- (ii) determine transportation requirements of amendments to the Metropolitan Region Scheme; and
- (iii) prepare transportation strategies and policies both within and outside the Perth Metropolitan Region.

#### SCHEDULE 12—APPLICATION OF DELEGATION

The powers and functions set out in schedule 11 apply to the Transport Committee being a committee established under section 19(1a) and (1e) of the Act.

#### **SCHEDULE 13—POWERS DELEGATED**

Such powers and functions under the Act and the Metropolitan Region Town Planning Scheme Act 1958 as are necessary to—

- (i) co-ordinate the preparation of the Metropolitan Development Program; and
- (ii) plan for the co-ordinated provision of infrastructure for land development.

#### SCHEDULE 14—APPLICATION OF DELEGATION

The powers and functions set out in Schedule 13 apply to the Infrastructure Co-ordinating Committee being a committee established under section 19(1a) and (1g) of the Act.

#### **SCHEDULE 15—POWERS DELEGATED**

All powers and functions of the Commission that may lawfully be delegated under the Act, the Metropolitan Region Town Planning Scheme Act 1958, the Town Planning and Development Act 1928, and any other written law.

#### SCHEDULE 16—APPLICATION OF DELEGATION

The powers and functions set out in Schedule 15 apply to the Executive, Finance & Property Committee being a committee established under section 19(1a) and (1b) of the Act, subject to the application of this delegation being at the discretion of the Chairperson of the Commission.

P. MELBIN, Secretary, Western Australian Planning Commission.

# 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. F. Board MLA in the period 10 to 16 February 2000 inclusive—

Minister for Employment and Training; Youth; the Arts—Hon C. J. Barnett MLA

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

# TRANSPORT

# TR401\*

#### **WESTERN AUSTRALIAN MARINE ACT 1982**

RESTRICTED SPEED AREAS—ALL VESSELS PORT GEOGRAPHE MARINA

Department of Transport, Fremantle WA, 15 February 2000.

Acting pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982 the Department of Transport by this notice limits the speed of motor vessels to that of five (5) knots within the following area—

## SHIRE OF BUSSELTON

**Port Geographe Marina**: All the waters contained within the marina and the adjoining canals; including the entrance channel thereto commencing at a line joining the outer ends of the northern and southern breakwaters.

MICHAEL LINLAY HARRIS, Acting Director General of Transport.

TR402\*

#### **WESTERN AUSTRALIAN MARINE ACT 1982**

RESTRICTED SPEED AREAS—ALL VESSELS MANDURAH

Department of Transport, Fremantle WA, 15 February 2000.

Acting pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982, the Department of Transport, by this Notice limits the speed of motor vessels to that of five (5) knots within the following area—

#### MARINERS COVE

All the waters contained within the canals known as Mariners Cove commencing at the junction with the Mandurah Estuary Channel.

MICHAEL LINLAY HARRIS, Acting Director General of Transport.

TR403\*

#### **WESTERN AUSTRALIAN MARINE ACT 1982**

CLOSURE OF NAVIGABLE WATERS MOLLOY ISLAND—AUGUSTA

Department of Transport, Fremantle WA, 15 February 2000.

Acting pursuant to the powers conferred by Section 66 paragraph (d) of the Western Australian Marine Act, the Department of Transport closes the following waters to navigation by all craft until further notice—

# Molloy Island—Augusta

All of the waters within an area commencing from a point on the foreshore 45 metres north of Molloy Island Ferry Landing (East); thence in a westerly direction for 20 metres; thence in a northerly direction for 20 metres; thence in a easterly direction for 20 metres back to the foreshore.

MICHAEL LINLAY HARRIS, Acting, Director General of Transport.

# Public Notices

#### ZZ201

#### **TRUSTEES ACT 1962**

James Alexander Durward, late of Brightwater, Renegade Way, Kingsley, Western Australia, Retired Builder, deceased.

Creditors and other persons having claim (to which Section 63 of the Trustees Act 1962 relates) in respect of the abovenamed deceased who died on 25 August 1998 are required by the executors, Roger Lyn Harden and Gregory John Cochrane, to send particulars of their claims to the executors c/- Tolson & Co., 12 St Georges Terrace, Perth WA 6000 within 1 month of the date of publication of this notice, after which date the executors may convey or distribute the assets having regard only to the claims of which they then have notice.

**ZZ202** 

#### **TRUSTEES ACT 1962**

# NOTICE TO CREDITORS AND CLAIMANTS

Norman Alexander McNeill, late of Dongara, Retired Farmer deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962, relates) in respect of the estate of Norman Alexander McNeill, late of Dongara, Retired Farmer, deceased who died on 29th June 1999, are required by the personal representative, Rodney Leonard McNeill, of Carter Street, Three Springs in the State of Western Australia, Farmer, to send particulars of their claims to him by 31st March 2000, after which the date the personal representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

## **ZZ401**

# DISSOLUTION OF PARTNERSHIP

The partnership between B., A., & M. Gray and M. & F. Kennedy trading as D'Entrecasteaux Marron has been dissolved as of 28 January 2000.

# CLAIMS FOR MISSING ISSUES (SUBSCRIPTION ITEMS)

For a claim to be recognised as valid, written notification must be lodged at State Law Publisher, 10 William Street, Perth 6000 within 28 days of publication of the missing item.

Claims lodged after this date will attract payment in full.

# STATE LAW PUBLISHER

SUBSCRIPTION CHARGES 2000

All subscriptions are for the period from 1 January to 31 December 2000. Subject to certain limitations, refunds may be allowed if a subscription is cancelled during the year. The prices quoted include postage by surface mail unless stated otherwise.

<u>PLEASE NOTE:</u> A Goods and Services charge (GST) will be applicable to all goods and services supplied after 30 June 2000. Clients will be sent an additional invoice for these charges when details are finalised.

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