

**WESTERN  
AUSTRALIAN  
GOVERNMENT  
Gazette**

6819



**PERTH, TUESDAY, 5 DECEMBER 2000 No. 261**

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## GOVERNMENT GAZETTE

### PUBLISHING DETAILS FOR CHRISTMAS 2000 AND NEW YEAR HOLIDAY PERIOD 2001

#### Publishing Dates and times

Friday 29 December 2000 at 3.30 pm

Friday 5 January 2001 at 3.30 pm

Government Gazettes will not be published on Tuesday 26<sup>th</sup> December 2000 or Tuesday 2<sup>nd</sup> January 2001

#### Closing Dates and Times for copy

Wednesday 27 December at 12 noon

Wednesday 3 January 2001 at 12 noon

From week commencing January 8 normal publishing resumes.



# — PART 1 —

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## CONSERVATION AND LAND MANAGEMENT

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**CM301\***

Conservation and Land Management Amendment Act 2000

### Conservation and Land Management (Determination of Positions) Order 2000

Made by the Minister for the Environment.

**1. Citation**

This order may be cited as the *Conservation and Land Management (Determination of Positions) Order 2000*.

**2. Determination of positions for transfer from the Department of Conservation and Land Management to the Forest Products Commission**

- (1) Each position referred to in the Table to this subclause, as identified in that Table in column 1 by reference to the title of the position and in column 2 by reference to the number of the position, is determined for the purposes of clause 6(1) of Schedule 1 to the *Conservation and Land Management Amendment Act 2000*.

**Table**

<i>Column 1</i>	<i>Column 2</i>
<i>Position title</i>	<i>Position number</i>
Manager	0078013
Principal research scientist	0078189
Regional operations officer	0078300
Planning officer	0078311
Senior research scientist	0078372
Planning officer	0078440
Financial auditor	0079698
Economist — management support	0079730
Scientific adviser	0210493
Operations officer	0291122
Field manager	0291730
Forester	0293039

<i>Column 1</i>	<i>Column 2</i>
<i>Position title</i>	<i>Position number</i>
Plantation forester	0293143
Officer	0293453
Plantation forester	0293544
Utilisation officer	0293600
Assistant operations officer	0293623
Operations officer	0293635
Operations officer — harvesting	0293660
Assistant area coordinator	0294007
Assistant operations officer	0294548
Operations officer — silviculture	0294640
Plantation forester	0295103
Assistant operations officer	0295231
Plantation forester	0295383
Field officer	0295498
Forest ranger — photogrammetry	0295760
Technical officer	0295905
Mill worker	0865590
Hardwood nursery supervisor	0871140
Overseer	0874358
Roading supervisor	0875375
Nursery worker	0875570
Field worker	0875582
Forest ranger	0937411
Forester — harvesting	1227208
Marketing manager	1326867
Operations officer — harvesting	1329509
Senior forester — planning	1451303
Operations officer	1507813
Softwood nursery supervisor	1539565
Assistant operations officer	1626218
Senior finance officer	1693943
Field manager	1771929
Manager	1795673
Senior forester	1814308
Area coordinator	1816573
Area coordinator	1816615
Area coordinator	1816640
Senior forester	1856194
Economist	1889692
Manager	1908080
Manager	1943674
Senior forest officer	2014506
Senior forester	3000023
Plantation forester	3000065

<i>Column 1</i>	<i>Column 2</i>
<i>Position title</i>	<i>Position number</i>
Nursery manager	3000084
Manager	3000090
Manager — seed centre	3000091
Plantation forester	3000098
Forester	3000099
Technical adviser	3000103
Manager	3000104
Seed distribution and sales officer	3000112
Forester	3000156
Forester — planning	3000211
Forester — harvesting	3000212
Forester — roading	3000301
Overseer	3000339
Assistant area coordinator	3000343
Assistant area coordinator	3000344
Assistant area coordinator	3000345
Senior forester — harvesting	3000505
Senior forester — silviculture	3000508
Overseer	3000546
Nursery worker	3000568
Operations officer — harvesting	3000731
Operations officer — silviculture	3000732
Operations officer — silviculture	3000733
Operations officer — silviculture	3000734
Operations officer — silviculture	3000735
Forester — harvesting	3000736
Forester — harvesting	3000737
Forester — roading	3000738
Assistant operations officer	3000828
Officer	3000885
Manager — timber technology centre	3000996
Nursery worker	3001209
Nursery worker	3001220
Overseer	3001247
Overseer	3001348
Operations officer — silviculture	3001349
Operations auditor	3001467
Assistant forester	3001494
Industry training and standards officer	3001506
Site evaluation coordinator	3001509
Nursery worker	3001572
Nursery worker	3001573
Nursery worker	3001636
Technical officer	3001711

<i>Column 1</i>	<i>Column 2</i>
<i>Position title</i>	<i>Position number</i>
Field officer	3001845
Senior forester	3001846
Nursery worker	3001928
Nursery worker	3001944
Manager	3001964
Overseer	3001968
Liaison and promotions officer	3002038
Assistant area coordinator	3002080
Forester	3002101
Business manager	3002105
Senior forester	3002137
Plantation forester	3002215
Forester — roading	3002232
Assistant operations officer	3002298
Maritime projects officer	3002359
Timber worker	3002756
Forest ranger	3002774
Area coordinator	3002830
Overseer	3002833
Assistant area coordinator	3002881
Technical officer	3002888
Technical officer	3002890
Business manager	3002892
Assistant forester	3003031
Industry project officer	3003037
Operations officer	3003038
Technical officer	3003075
Conveyancing officer	3003077
Assistant area coordinator	3003085
Assistant area coordinator	3003086
Overseer	3003449
Manager	3003456
Operations officer — planning	3003663
Manager	3003673
Plantation forester	3003683
Graduate forester	3003685
Senior research scientist	3003858
Assistant area coordinator	3004121
Technical officer	3004312
Plantation forester	3004315
Overseer	3004447
Senior forester	3004508
Mill worker	3004648
Field officer	3005208

<i>Column 1</i>	<i>Column 2</i>
<i>Position title</i>	<i>Position number</i>
Technical assistant	3005612
Field worker	3006451
Technical officer	3008559
Manager	3009881
Manager	3009883
General manager	3009921
Ministerial policy officer	3010074
WA FISAP officer	3010143
Economics and pricing officer	3010144
Industry development manager	3010145
Industry project officer	3010146
Promotions officer	3010147
Project officer	3010184
Senior forester	3010261
Senior forester	3010281
Mill worker	3010664
Manager	3010924
Manager	3010927
Manager	3010944
Manager	3010945
Manager	3010963
Senior finance officer	3010964
Timber scientist	3011075
Manager — environmental management systems	3011076
Plantation silviculturist	3011103
Harvesting coordinator	3011123
Technical services coordinator	3011143
Manager — tree breeding	3011144
Manager — genetic deployment	3011145
Manager — nursery	3011146
Forester	3011263
Senior forester	3011363
Forester	3011467
Forester	3011468
Forester	3011469
Operations officer	3011485
Operations officer	3011486
Forester — roading	3011569
Operations officer — silviculture	3011570
Operations officer — harvesting	3011571
Operations officer — planning	3011572
Project officer	3011573
Environmental officer	3011576

<i>Column 1</i>	<i>Column 2</i>
<i>Position title</i>	<i>Position number</i>
Forester	3011577
Horticulturist	3011580
Nursery officer	3011583
Marketing officer	3011584
Plantation forester	3011643
Forester	3011644
Forester	3011646
Forester	3011647
Assistant forester	3011648
Assistant forester	3011649
Assistant forester	3011650

- (2) Each position referred to in the Table to this subclause, as identified in that Table in column 1 by reference to the title of the position and in column 2 by reference to the number of the position, is determined for the purposes of clause 6(2) of Schedule 1 to the *Conservation and Land Management Amendment Act 2000*.

#### Table

<i>Column 1</i>	<i>Column 2</i>
<i>Position title</i>	<i>Position number</i>
Manager	0078220
Administrative assistant	0079753
Timber revenue officer	0079820
Administrative assistant	0210900
Officer	0230844
Consultant — employee relations	0290853
User liaison officer	0291171
Officer	0292394
Clerical officer	0293430
Timber inspector	0295243
Senior timber inspector	0523665
Analyst/programmer	1142173
Senior LOIS officer	1352490
Administration officer	1379343
Senior forester	1451315
Clerical officer	1556459
Systems support officer	1564092
Officer	1627340
Clerical officer	1695071
Administrative assistant	1783889
Administration officer	1828370
Clerical officer	1952973
Clerical officer	2027021



<i>Column 1</i>	<i>Column 2</i>
<i>Position title</i>	<i>Position number</i>
Administrative assistant	3000113
Clerical officer	3000306
Clerical officer	3000509
Officer	3000510
Administrative assistant	3000592
Administration officer	3000910
Programmer/analyst	3000926
LOIS officer	3001040
Clerical officer	3001185
LOIS officer	3001311
Conveyancing officer	3001674
Administrative assistant	3001687
Forest ranger	3002021
Conveyancing officer	3002037
Clerical officer	3002098
Clerical officer	3002236
Officer	3002268
Senior LOIS officer	3002341
Administrative assistant	3002750
Clerical officer	3002827
Officer	3002948
Finance officer	3003671
Clerical officer	3008000
Administrative assistant	3008019
Technical officer	3008484
Administration officer	3009990
Executive assistant	3009994
Senior auditor	3010068
Public affairs manager	3010069
Policy adviser	3010070
Executive officer	3010071
Administration officer	3010072
Corporate communications officer	3010073
Receptionist	3010923
Manager	3011069
Senior systems support officer	3011071
Records officer	3011072
Contracts administrator	3011073
Accountant	3011074
Clerical officer	3011183
Clerical officer	3011184
Administrative assistant	3011523
Administrative assistant	3011524
Clerical officer	3011525

<i>Column 1</i>	<i>Column 2</i>
<i>Position title</i>	<i>Position number</i>
Clerical officer	3011567
Clerical officer	3011568
Administration officer	3011574
Clerical officer	3011575
Clerical officer	3011578
Clerical officer	3011579
Finance manager	3011585
Administrative assistant	3011586
Systems support officer	3011587
Senior LOIS officer	3011588
LOIS officer	3011589
Records officer	3011590
Technical officer	3011656

C. L. EDWARDES, Minister for the Environment.

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## LOCAL GOVERNMENT

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### LG101\*

#### *CORRECTION*

#### **HEALTH ACT 1911**

#### SHIRE OF HARVEY

In the Notice appearing on Pages 5769 and 5770 of the *Government Gazette* published on 17th October, 2000, the heading "Health Amendment (No. 1) Local Law 2000" was printed. This is incorrect and the correct heading should read as follows—

"Health Amendment Local Law 2000"

K. J. LEECE, Chief Executive Officer.

### LG301\*

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

#### *Shire of Toodyay*

#### LOCAL GOVERNMENT PROPERTY LOCAL LAW

Under the powers conferred by the Local Government Act 1995 and under all other powers enabling it, the Council of the Shire of Toodyay resolved on November 23, 2000 to make the following local law—

The model local law as proposed by the Western Australian Municipal Association with the following modifications—

#### **3. Clause 1.1—Citation**

In clause 1.1, in the citation delete "Local Authority" and substitute 'Shire of Toodyay'.

#### **2 Clause 1.2—Definitions**

In clause 1.2, in the definition of local government include the "Shire of Toodyay".

**3. Clause 1.4—Application**

In clause 1.4 delete the phrase “and in the sea adjoining the district for a distance of 200 meters seawards from the low water mark at ordinary spring tides”

**4. Clause 1.5—Repeal**

Include the following—

The Toodyay Memorial Hall By Laws published in the *Government Gazette* on October 12, 1979.

The Management and Use of Toodyay Memorial Hall By Laws published in the *Government Gazette* on October 14, 1983.

The Toodyay Memorial Hall By Laws published in the *Government Gazette* on March 17, 1989.

**5. Clause 2.7—Activities which may be pursued on specified local government property.**

In clause 2.7(1) delete subclause (e) and (f) and renumber subclauses (g),(h),(i) and (j) to (e),(f),(g) and (h).

In clause 2.7(2)(d) delete all reference to “boat”.

**6. Clause 2.8—Activities which may be prohibited on specified local government property.**

In clause 2.8(1) delete subclause (e) and renumber subclauses (f),(g) and (h), (e),(f) and (g).

In subclause (g), delete “sand dunes or”

In clause 2.8(2) delete all reference to “boats”.

**7. Division 2—Beaches**

Delete clauses 5.2 to 5.4 inclusive.

**8. Division 5—Aerodrome (airport) and Division 6—Golf course**

Delete clauses 5.7 to 5.9 inclusive.

**9. Part 7—Jetties and Bridges**

Delete clauses 7.1 to 7.14 inclusive.

**10. Schedule 1—Prescribed Offences**

Delete the following Prescribed Offences:

Clause 5.4, Clause 5.7(1), Clause 5.7(2), Clause 5.7(3), Clause 5.9, Clause 7.3, Clause 7.4, Clause 7.5, Clause 7.6, Clause 7.7, Clause 7.8, Clause 7.9, Clause 7.10, Clause 7.11, Clause 7.12 and Clause 7.14.

**11. Schedule 3—Golf Course Reserve.**

Delete the whole of Schedule 3.

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Dated this 24th day of November, 2000.

The Common seal of the Shire of Toodyay was affixed in the presence of—

A. J. W. BOLTON, Mayor/President.  
A. D. SMITH, Chief Executive Officer.

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LG302\*

**LOCAL GOVERNMENT ACT 1995***Shire of Toodyay***ACTIVITIES ON THOROUGHFARES AND TRADING IN  
THOROUGHFARES AND PUBLIC PLACES LOCAL LAW**

Under the powers conferred by the Local Government Act 1995 and under all other powers enabling it, the Council of the Shire of Toodyay resolved on November 23, 2000 to make the following local law —

This is the model local law as proposed by the Western Australian Municipal Association with the following modifications:—

**1 Clause 1.1—Citation**

In clause 1.1, in the citation delete “Local Authority” and substitute “Shire of Toodyay”.

**2 Clause 1.2—Definitions**

In clause 1.2, in the definition of local government include the “Shire of Toodyay”.

In clause 1.2, in the definition of townsite include “Toodyay”.

Dated this 24th day of November, 2000.

The Common seal of the Shire of Toodyay was affixed in the presence of—

A. J. W. BOLTON, Mayor/President.  
A. D. SMITH, Chief Executive Officer.

**LG303\*****LOCAL GOVERNMENT ACT 1995***Shire of Toodyay*

**LOCAL LAWS RELATING TO THE REPEAL OF DEFUNCT AND OBSOLETE  
LOCAL LAWS MADE UNDER THE LOCAL GOVERNMENT ACT 1960 AND  
EARLIER LEGISLATION**

Under the powers conferred by the Local Government Act 1995 and by all other powers, the local government of the Shire of Toodyay resolved on November 23, 2000 to make the following local law—Repeal of Defunct and Obsolete Local Laws

**Repeal of Obsolete and Defunct Local Laws**

The following local laws are repealed—

By-laws relating to—

Order in Council—amend—general by-laws—application published in the *Government Gazette* on October 5, 1973.

Fees—cemetery By Law published in the *Government Gazette* on December 24, 1976.

Metrication—cemetery By Law published in the *Government Gazette* on January 27, 1976.

Pest plants By Law published in the *Government Gazette* on October 12, 1979.

Pest Plants By Law published in the *Government Gazette* on March 31, 1983.

Toodyay and Jumperding Cemetery By Law published in the *Government Gazette* on March 17, 1989.

Standing Orders By Law published in the *Government Gazette* on April 20, 1990.

Caravan Parks and Camping Grounds By Law published in the *Government Gazette* on November 24, 1995.

Dated this 24th day of November, 2000.

The Common Seal of the Shire of Toodyay was affixed in the presence of—

A. J. W. BOLTON, Shire President.  
A. D. SMITH, Chief Executive Officer.

**LG304\*****LOCAL GOVERNMENT ACT 1995***CITY OF ALBANY***PREVENTION AND ABATEMENT OF SAND DRIFT LOCAL LAW**

Under the powers conferred by the Local Government Act 1995 and by all other powers, the Council of the City of Albany resolved to make the following Local Law on the twenty eighth day of November 2000.

**PART 1—DEFINITION AND OPERATION****Operation**

1. This local law will come into operation on the fourteenth day after the day on which it is published in the *Government Gazette*.

**Interpretation**

2. (a) In this local law unless the context otherwise requires—
- “Act” means the Local Government Act 1995;
- “authorised person” means a person authorised by the City to perform all or any of the functions conferred on an authorised person under this local law;
- “CEO” means the Chief Executive Officer of the City of Albany;
- “City” means the City of Albany;
- “district” means the district of the City of Albany and includes any area placed under the jurisdiction of the City pursuant to any Act or Regulation;
- “land” includes any building or other structures on the land;
- “occupier” includes any person who, at the time the notice is served, is in control of any place or part of any place or authorised by the owner, lessee, licensee or any other person empowered to exercise control in relation to a place to perform any work in relation to any place and without limiting the generality of the foregoing and for the avoidance of doubt includes a builder or contractor;
- “sand” means any granular or particulate material consisting of small eroded fragments of rocks finer than gravel, and includes dust and organic matter.
- (b) Where in this Local Law a duty, obligation or liability is imposed on an “owner or occupier” the duty shall be deemed to be imposed jointly and severally on each of the owner and occupier.
- (c) Where, under this Local Law, an act is required to be done or forbidden to be done in relation to any land, the owner or occupier of the land has the duty of causing to be done the act so required to be done, or preventing from being done the act forbidden to be done.
- (d) Where this Local Law refers to the giving of a notice, other than the giving of an infringement notice, no particular form is prescribed and it will be sufficient that the notice be in writing giving sufficient details to enable the owner or occupier to know the offence committed and the measures required to be taken or conditions to be complied with, as the case may be.

## PART 2—APPLICATION OF LOCAL LAW

3. This Local Law applies to all land in the district.

## PART 3—PROHIBITED ACTIVITIES

4. An owner or occupier of land must take effective measures to—
- (a) Stabilise sand on such land; and
- (b) Ensure no sand is released or escapes from the land whether by means of wind, water or any other cause.
5. Where the City forms the opinion that—
- (i) an owner or occupier has not complied with sub-section 4(a); or
- (ii) sand has escaped from land and is such as to cause a nuisance, risk to health, hazard or environmental damage,
- the City may serve on the owner or occupier of the land a notice requiring the owner or occupier to—
- (iii) comply with sub-section 4(a); or
- (iv) clean up and make good any damage resulting from the release or escape; and
- (v) take effective measures to stop any further release or escape of sand.
6. Where the City is of the opinion that, as a result of an activity being carried on, or likely to be carried on from any land, sand may be released or escape, the City may give to the owner or occupier a notice providing that the activity can only be carried on subject to conditions and specifying the conditions.
7. Where the owner or occupier—
- (a) fails to comply with a notice issued pursuant to section 5; or
- (b) fails to comply with any conditions specified in a notice issued pursuant to section 6,
- the City may undertake or cause to be undertaken the requirement not complied with.
8. (a) Where the City undertakes or causes to be undertaken any work pursuant to section 7, it may give to the owner or occupier of the land written notice of the amount expended by the City in carrying out that work.

- (b) The amount specified in the notice must be paid to the City within 14 days of the service of notice.
- (c) The amount expended by the City in carrying out the work shall be charged against the land to which it relates and the City shall be entitled to lodge an absolute caveat against the certificate of title to the relevant land to secure repayment of the amount.
- (d) If the amount specified is not paid to the City within 14 days from the giving of the notice, the City may recover it, as well as the costs of proceedings, and interest thereof, in a court of competent jurisdiction.

#### PART 4—MISCELLANEOUS

9. Where a notice is served on the owner or occupier of any land and the owner or occupier satisfies the City within 14 days from the date of the giving of the notice that—

- (a) It was not responsible for the conduct in respect of which the notice was given pursuant to section 5, or the activity in respect of which conditions were imposed pursuant to section 6 as the case may be; and
- (b) It took all reasonable precautions to prevent the conduct or all reasonable steps to comply with, or cause the conditions to be complied with, as the case may be; and
- (c) Where another person was responsible for the conduct, it identifies the person responsible for the conduct sufficiently to enable the notice to be issued to that person;

the City may cancel the notice.

10. (a) The City may lawfully enter upon any land for the purpose of giving effect to, or carrying out, any provision of this Local Law.

- (b) A person must not prevent or impede a duly authorised officer or employee of the City from carrying out his or her duties under this Local Law.

11. The City may delegate any of its powers, functions and duties under this Local Law to the CEO or to an authorised person.

- (a) A person who—
  - (i) fails to comply with a notice given under section 5;
  - (ii) carries on an activity without complying with a notice given under section 6; or
  - (iii) contravenes sub-section 10(b).
 commits an offence, in respect of which the City may issue an infringement notice.
- (b) A person who commits an offence under sub-section 12(a) is liable to—
  - (i) a penalty which is not more than \$5,000.00 and not less than—
    - (a) in the case of a first offence, \$500.00;
    - (b) in the case of a second such offence, \$2,500.00; and
    - (c) in the case of a third or subsequent such offence, \$5,000.00, and
  - (ii) if the offence is of a continuing nature, a daily penalty not exceeding a fine of \$500.00 in respect of each day or part of a day for which the offence continues.

13. (a) An offence against any provision of this Local Law is a prescribed offence for the purposes of Section 9.16(1) of the Act.

- (b) The amount of the modified penalty for an offence against any provision of this Local Law is \$200.00.

#### PART 5—INFRINGEMENT NOTICE

14. An infringement notice in respect of an offence prescribed in this Local Law may be given under Section 9.16 of the Act and shall be in the or to the effect of Form 1 of the Schedule provided that no error or misdescription will invalidate the notice if its meaning is otherwise clear.

Dated this 1st day of December 2000.

The Common Seal of the City of Albany was affixed by authority of a resolution of the Council in the presence of—

ALISON GOODE, JP, Mayor.  
ANDREW HAMMOND, Chief Executive Officer.

**LG305\*****LOCAL GOVERNMENT ACT 1995***TOWN OF VINCENT*

## LOCAL LAW RELATING TO PARKING FACILITIES

IN pursuance of the powers conferred upon it by the above mentioned Act, and all other powers enabling it, the Local Government of the Town of Vincent hereby records having resolved on the 7<sup>th</sup> day of November 2000 to amend *Clause 27—Commercial Vehicles in Residential Streets* of the Local Law Relating to Parking Facilities as gazetted on 23 May 2000 by—

- (1) deleting the words “one hour” in line 3 of Clause (1) and inserting the words “two hours” in its place;
- (2) deleting the words “one hour.” in line 2 of Clause (2) and inserting the words “two hours;” in its place;
- (3) inserting a new subclause (3) as follows—

“(3) Nothing in clause (1) or (2) above shall prevent a delivery, removal or other commercial vehicle from being parked in a residential street for the purpose of carrying out the normal duties associated with the owner’s business or activity.”

Dated 7 November 2000.

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

JOHN HYDE, JP, Mayor.  
JOHN GIORGI, JP, Chief Executive Officer.

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**LG306\*****DOG ACT 1976***TOWN OF VINCENT*

## LOCAL LAW RELATING TO DOGS

IN pursuance of the powers conferred upon it by the above mentioned Act, and all other powers enabling it, the Local Government of the Town of Vincent hereby records having resolved on the 24<sup>th</sup> day of October 2000 to amend *Clause 19—Penalty* of the Local Law Relating to Dogs as gazetted on 23 May 2000 by deleting the word “\$5,000” and inserting “\$2,000” in line 2 and deleting “\$500” and inserting “\$200” in line 3.

Dated 24 October 2000.

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

JOHN HYDE, JP, Mayor.  
JOHN GIORGI, JP, Chief Executive Officer.

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**LG307\*****LOCAL GOVERNMENT ACT 1995***TOWN OF VINCENT*

## LOCAL LAW RELATING TO STREETS AND FOOTPATHS

IN pursuance of the powers conferred upon it by the above mentioned Act, and all other powers enabling it, the Local Government of the Town of Vincent hereby records having resolved on the 7<sup>th</sup> day of November 2000 to amend Local Law Relating to Streets and Footpaths as gazetted on 14 June 2000 by—

- (1) deleting subclause (c) from Clause 4—Obstruction.
- (2) deleting “4(c)” where it appears in the First Schedule.

Dated 7 November 2000.

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

JOHN HYDE, JP, Mayor.  
JOHN GIORGI, JP, Chief Executive Officer.

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**RAILWAYS**

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**RB301\***

Rail Freight System Act 2000

**Rail Freight System (Chief Executive Officer)  
Notice 2000**

Given under the *Rail Freight System (Corridor Land) Regulations 2000*  
by the Rail Corridor Minister.

**1. Citation**

This notice may be cited as the *Rail Freight System (Chief Executive Officer) Notice 2000*.

**2. The chief executive officer**

The holder of the office of Commissioner of the Western Australian Government Railways, under the *Government Railways Act 1904*, is designated as the chief executive officer for the purposes of the *Rail Freight System (Corridor Land) Regulations 2000*.

MURRAY CRIDDLE, Rail Corridor Minister.

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— PART 2 —

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**FAIR TRADING**

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**FT401\***

**FINANCE BROKERS CONTROL ACT 1975**

SECTION 5 (2) EXCEPTION

I, Douglas James Shave MLA, Minister for Fair Trading and Minister for the time being responsible for the administration of the *Finance Brokers Control Act 1975* (the 'Act') being satisfied that, apart from the provisions of the Act, adequate safeguards exist against loss to others by defalcation, hereby except Associated National Finance Brokers Ltd from the definition of 'finance broker' for the purposes of the Act upon the terms and conditions set out below.

**Terms and Conditions**

1. This exception applies only to finance broking services carried on by Associated National Finance Brokers Ltd, on behalf of lenders which are—

- (a) licensed as a credit provider under the *Credit Act 1984*; or a body exempted from licensing by section 7 (1) of the *Credit (Administration) Act 1984*; and
- (b) nominated in writing to the Ministry of Fair Trading for the purpose of this exception by Associated National Finance Brokers Ltd as nominated lenders (1).

2. Associated National Finance Brokers Ltd and its employees covered by this exception will disclose to intending borrowers the amount of any commission payable to Associated National Finance Brokers Ltd in relation to the intended borrowing, or if this amount cannot be ascertained, then that a commission is payable and the formula for calculating such commission.

3. Associated National Finance Brokers Ltd is, for the duration of this exception to ensure that—

- (a) no loan funds are to be received or held by Associated National Finance Brokers Ltd, or any of its employees; and
- (b) Associated National Finance Brokers Ltd, nor any of its employees, are to have any role in the actual structuring of loans, other than providing preliminary advice to prospective borrowers, assisting them in the preparation of loan applications and forwarding the duly completed application forms to a nominated lender for its consideration, and matters incidental thereto.

4. Associated National Finance Brokers Ltd shall keep in place professional indemnity and fidelity insurance of not less than \$250,000 in respect of any one claim, and such insurance shall indemnify against loss by defalcation.

A copy of the professional indemnity insurance policy covered by this exception must be lodged with the Ministry of Fair Trading prior to the exception taking effect.

5. Prior to this exception coming into effect, Associated National Finance Brokers Ltd shall provide the Ministry of Fair Trading with—

- (a) a written undertaking that it will indemnify any member of the public against loss by any defalcation; and
- (b) a copy of the current professional indemnity and fidelity insurance policy of not less than \$250,000 in respect of any one claim for loss by defalcation. Evidence of the currency of such policy is to be lodged with the Ministry of Fair Trading within fourteen days of each renewal date of that policy.

6. Associated National Finance Brokers Ltd shall give the Ministry of Fair Trading written advice of any change in the nominated lenders details (1) within 14 days of that change taking place.

(1) Nominated lenders details shall include their—

- (a) Name and Australian Company Number;
- (b) Business name;
- (c) Principal place of business;
- (d) Registered office;
- (e) Postal address; and
- (f) Telephone and facsimile numbers.

Dated this 22nd day of November 2000.

DOUG SHAVE MLA, Minister for Lands; Fair Trading;  
Parliamentary and Electoral Affairs.

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## LOCAL GOVERNMENT

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**LG401\*****BUSH FIRES ACT 1954***Shire of Koorda***DUAL FIRE CONTROL OFFICERS**

It is hereby notified for public information that the following persons have been appointed as Dual Fire Control Officers for the Shire of Koorda—

Mr Ian Jones Shire of Wylkatchem  
 Mr Terry Gobbart Shire of Mt Marshall  
 Mr John Bear Shire of Dowerin  
 Michael Kalajzic Shire of Wongan-Ballidu  
 Mr Carl Wasmann Shire of Dalwallinu

in accordance with the above Act.

GRAEME McDONALD, Chief Executive Officer.

**LG402****BUSH FIRES ACT 1954***Shire of Dumbleyung***FIRE RADIO OFFICER**

Notice is hereby given that, pursuant to Section 38 of the Bush Fires Act 1954, Mr Chris Ramm as been appointed as a Fire Radio Officer with the Shire of Dumbleyung for 2000/2001.

A. J. BOWMAN, Chief Executive Officer.

**LG403****BUSH FIRES ACT 1954***Shire of Mt Marshall***Appointment**

It is hereby notified for public information that Mr R. D. G. Storer of Koorda has been appointed dual Bush Fire Control Officer with the Shire of Mt Marshall.

K. R. DONOHOE, Chief Executive Officer.

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## PARLIAMENT

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**PA401\*****PARLIAMENT OF WESTERN AUSTRALIA****Bills Assented To**

It is hereby notified for public information that the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Bills passed by the Legislative Council and the Legislative Assembly during the Fourth Session of the Thirty-Fifth Parliament.

<b>Short Title of Bill</b>	<b>Date of Assent</b>	<b>Act No.</b>
Rights in Water and Irrigation Amendment Bill 1999	November 28, 2000	49 of 2000
Protective Custody Bill 2000	November 28, 2000	50 of 2000
Railways (Access) Amendment Bill 2000	November 28, 2000	55 of 2000
Acts Amendment (Fines Enforcement and Licence Suspension) Bill 2000	November 28, 2000	51 of 2000
State Records Bill 1999	November 28, 2000	52 of 2000
State Records (Consequential Provisions) Bill 1999	November 28, 2000	53 of 2000
Acts Amendment (Australian Datum) Bill 2000	November 28, 2000	54 of 2000

November 30, 2000.

L. B. MARQUET, Clerk of the Parliaments.

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## PERTH THEATRE TRUST

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**PB401****PERTH THEATRE TRUST ACT 1979**

## DECLARATION OF THEATRE

I hereby declare in accordance with the provisions of Section 3(2) of the Perth Theatre Trust Act 1979 that the Swan Bells belltower to be a theatre for the purposes of this Act.

MIKE BOARD, Minister for the Arts.

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## PLANNING

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**PD401****TOWN PLANNING AND DEVELOPMENT ACT 1928**

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*SHIRE OF BEVERLEY*

## TOWN PLANNING SCHEME No. 2—AMENDMENT No. 9

Ref: 853/4/5/2 Pt 9

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 Beverley Town Planning Scheme Amendment on 22 November 2000 for the purpose of—

- (a) Modifying Table 1—Zoning Table by—
  - (i) In renumbered Use 35, Single House—delete Use/Class symbol “P” in the Rural Townsite and Farming Zones and replacing this with symbol “AA”.
  - (ii) Adding Uses 20—Intensive Agriculture, 21—Land Drainage Works and 33—Sheds to Table 1—Zoning Table with the symbols “AA” in all Zones and renumbering the other listed uses in the appropriate manner.
- (b) Adding the following definitions to Schedule 1—Interpretation.

Intensive Agriculture—means the use of land for the purposes of trade, commercial reward or gain, including such buildings and earthworks normally associated with the following—

  - (a) the production of grapes, vegetables, flowers, exotic and native plants, fruit and nuts;
  - (b) the establishment and operation of plant and fruit nurseries;
  - (c) the development of land for irrigated fodder production and irrigated pasture (including turf farms);
  - (d) the development of land for irrigated tree production;
  - (e) the development of land for the keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat, or fur production), and other livestock in feedlots;
  - (f) dairy milking sheds;
  - (g) the development of land for the keeping, rearing or fattening of other livestock above those stocking rates recommended by Agriculture Western Australia in consultation with surrounding farmers for the applicable pasture type;
  - (h) aquaculture.

This definition to be included in Schedule 1 after the definition “Industry—Service” and before the definition “Land”.

“Land Drainage Works means all work undertaken, on lots/locations which have any potential for significant off-site impacts, in the interest of altering contours, directing and or storing stormwater and/or natural water runoff, through or on any property, via landfill or construction such as contour banks, dams or any on-site building stormwater runoff system.”

This definition to be included in Schedule 1 after the definition “Land” and before the definition “Lot”.
- (c) Adding the following sub-clause (g) to clause 3.4 Rural Residential Zone—
  - (g) In considering a recommendation with regard to any application for Subdivision and or application for Rezoning or Planning Consent within this zone, Council shall in addition to the general provisions of the Scheme pay regard to the appropriate District Rural Strategy Policy Area provisions detailed in clauses 3.5 and 3.6 of the Scheme Text.
- (d) Deleting clause 3.5 Farming Zone and replacing with the following—
  - 3.5 Farming Zone

In this zone the Council will support land use and subdivision proposals which are consistent with the continued viability of agricultural production, the establishment of uses ancillary to

agricultural activity, or which are required to service the travelling public or tourists, as well as the maintenance of rural character and amenity. Proposals in this zone shall have regard to the Shires of Beverley/Brookton District Rural Strategy and the provisions contained in clause 3.6 of the Scheme.

All proposals must also demonstrate the following—

- (i) How land use, land management and environmental issues are to be addressed.
- (ii) The reasons for more intensive agricultural development, the suitability and capability of the land to support the proposal and how the proposal relates to, the continuing operation and management of existing adjoining agricultural land uses and the District Rural Strategy.
- (iii) Landcare and other measures proposed to address land conservation, vegetation protection and rehabilitation issues affecting the land.
- (iv) The provision of water and services to the site, particularly where the rezoning of farming zoned land for Rural/Residential development is proposed on land identified for such land use on maps 13 and 14 of the District Rural Strategy.
- (v) The provision of bush fire services and fire prevention and fire suppression measures.

**Note:** With regard to any particular proposal Council will have regard to the checklist included in Appendix G of the Shire's District Rural Strategy and may—

- Consider granting a concession on land rates, as an incentive which recognises any land and vegetation conservation, rehabilitation and/or scenic quality protection/enhancement initiatives undertaken by the landowner in accordance with a landscape/landcare/conservation plan for the designated area, to the satisfaction of Council and any other organisations to which such plan is referred by Council.
  - Annual continuance of any concession granted by Council in relation to any land rate, will require the owners of lots within the designated area covered by the approved landscape/landcare/conservation plan to manage their land in accordance with the approved plan.
- (e) Adding the following clause 3.6 to the Scheme Text.

#### 3.6 District Rural Strategy—Policy Areas

In considering subdivision and rezoning proposals and applications for Planning Approval in the Shire, Council shall in addition to the general provisions of the Scheme and Clause 3.2, 3.4 and 3.5, pay regard to the following specific provisions for the District Rural Strategy—Policy Areas and the Map of Policy Areas which forms part of this clause.

##### 3.6.1. POLICY AREA BE1

Policy Area BE1 provides for the future expansion of the Beverley Townsite Area and Environs in the manner illustrated on map 13 of the District Rural Strategy Report.

Within this Policy Area, subdivision and development will be recommended and promoted by Council provided—

- Access to the land and servicing of the land is to the satisfaction of Council.
- Landform, landscape and landcare issues are addressed to the satisfaction of Council.
- The proposal will not adversely impact on the amenity and character of the Townsite Area and Environs.
- The proposal complies with the general provisions of Council's Town Planning Scheme and any Town Planning Policies adopted by Council.
- The land is appropriately zoned.

The Council in supporting a proposal may require the preparation of a landscape/landcare/conservation plan for the particular site, including arrangements for the implementation and ongoing management of the plan.

##### 3.6.2 POLICY AREAS BE2, BE3, BE3a, BE4, BE5, BE6, BE7 AND BE8

In Policy Areas BE2, BE3, BE3a, BE4, BE5, BE6, BE7, and BE8 subdivision will not be recommended and development approval will not be supported for proposals which are inconsistent with the continued use of land for productive agricultural purposes. A minimum lot size of 40 hectares is recommended for the subdivision of land in these policy areas.

In Policy Areas BE3, BE3a, BE4 and BE8 subdivision to a minimum lot size of 20 hectares may be recommended by Council if it can be demonstrated that a proposal will not adversely affect the use of land for agricultural purposes in the area. Any proposed agricultural activity shall be subject to assessment by the Council in consultation with Agriculture Western Australia. If issues affecting the use of productive agricultural land arise as a result of the assessment the land may be required to be rezoned to ensure that appropriate land use and development controls are in place.

- (i) The Council will in any policy area recommend subdivision and support development when any of the following circumstances apply—
  - (a) The proposal involves property consolidation and/or boundary realignments in order to address matters such as—
    - \* waterway protection
    - \* physical landform constraints/protection
    - \* remnant vegetation protection/enhancement

- \* substantial revegetation projects
  - \* sound landcare practice
  - \* protection of landscape values
  - \* the provision of dedicated and constructed road access to existing lots without such access
  - \* the continued agricultural use of the majority of the land.
- (b) It is proposed to create lots for uses ancillary to the agricultural use of the land or for the travelling public and tourists. A minimum lot size of 2 hectares will apply in such circumstances.
- (c) It is proposed through the amalgamation of multiple farm lots or boundary redistribution to consolidate the most productive agricultural land into one new lot. Subdivision of the balance of the land may be supported where a detailed site assessment confirms that the land for environmental reasons is worthy of preservation/rehabilitation and/or is capable of supporting an intensive agricultural use.
- Note:** Council in such cases will not support the creation of more lots than originally existed prior to consolidation/boundary redistribution. Council's support of such a proposal will also be subject to the subdivider entering into a suitable legal agreement with the Council which ensures that the new lot containing the productive agricultural land is retained as one landholding for agricultural purposes.
- (d) It is proposed to create lots for intensive or other agricultural purposes and it can be demonstrated that the proposal will not adversely affect the use of land for agricultural purposes in the area. A detailed study of the suitability and capability of the site for the proposed use will be required, including information on the following matters—
- \* the availability and provision of a suitable water supply to the land
  - \* provision of constructed road access and services land management measures
  - \* environmental considerations
  - \* drainage catchment considerations
  - \* bush fire management
  - \* economic feasibility of the project
  - \* stocking levels relating to new lots created.
- (e) It is proposed to subdivide a property which is physically divided by a road, railway or service installation which adversely affects the farming management of the property. The minimum lot size specified for the particular policy area will not apply in such instances. In assessing such proposals Council will take into consideration the potential for adjoining land to be similarly subdivided/developed and may not support the proposal if an undesirable precedent will be set.
- (ii) Within the Farming Zone, the Council will not generally support the erection of more than one single dwelling per lot. Council may support additional dwellings in cases where it is clearly demonstrated that the development is required for farm management purposes, the siting of the development is to Council's satisfaction and the total number of dwellings on the lot does not exceed four (4).
- (iii) The Council may preclude the construction of dwellings on landholdings where proposals involve—
- the resubdivision of existing lots for farm management purposes
  - horticultural and or intensive agricultural pursuits
  - a survey strata scheme for specialist farming purposes.
- (iv) Within the Farming Zone any building and other works (including land drainage works) requires the planning approval of the Council.
- (v) When assessing any subdivision proposal in accordance with clause 3.6.2(i) Council will take into consideration the potential for similar subdivision of surrounding landholdings and cumulative impact of such proposals. It will not support proposals that are poorly planned, lack connection to adjoining landholdings which have been subdivided, are inadequately serviced and such development will adversely affect the existing farming activities, character and amenity of the area.
- (f) Deleting sub-clause 4.1.2(c) and replacing with the following—
- (c) a development in the Farming Zone outside the Beverley or Mawson townsites where the use is designated with the symbol "P" in the cross-reference to the Farming Zone in the Zoning Table except where the development is on a lot which does not have frontage to a constructed road;
- (g) Deleting sub-clause 4.12.2.

**PD402****TOWN PLANNING AND DEVELOPMENT ACT 1928**

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*SHIRE OF BROOKTON*

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

Ref: 853/4/6/3 Pt 1

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 Shire of Brookton Town Planning Scheme Amendment on 22 November 2000 for the purpose of—

## (a) Modifying Table 1—Zoning Table by—

- Deleting the symbol “P” from Use Class—Residential (a) Single House, in the Rural Townsite and Farming Zones and replacing this with the symbol “AA”.
- Adding Use Classes
  - \* “Land Drainage Works” and
  - \* “Sheds”

with the symbol “AA” in all zones, in the appropriate alphabetical location in the Table and \* “Intensive Agriculture” with the symbol “AA” in the Rural Townsite and Farming Zones.

## (b) Modifying Appendix No. 1—Interpretation, by adding the following definition for “Land Drainage Works” in the appropriate alphabetical location—

**Land Drainage Works**—means all work undertaken, on lots/locations which have any potential for significant off-site impacts, in the interest of altering contours, directing and or storing stormwater and/or natural water runoff, through or on any property, via landfill or construction such as contour banks, dams or any on-site building stormwater runoff system.

This definition to be included in Appendix No. 1 after the definition “Land” and before the definition “Laundromat”, and by—

Modifying the definition for “Intensive Agriculture” so that it now reads as follows—

**Intensive Agriculture**—means the use of land for the purposes of trade, commercial reward or gain, including such buildings and earthworks normally associated with the following—

- (a) the production of grapes, vegetables, flowers, exotic and native plants, fruit and nuts;
- (b) the establishment and operation of plant and fruit nurseries;
- (c) the development of land for irrigated fodder production and irrigated pasture (including turf farms);
- (d) the development of land for irrigated tree production;
- (e) the development of land for the keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat, or fur production), and other livestock in feedlots;
- (f) dairy milking sheds;
- (g) the development of land for the keeping, rearing or fattening of other livestock above those stocking rates recommended by Agriculture Western Australia in consultation with surrounding farmers for the applicable pasture type;
- (h) aquaculture.

(c) Modifying Clause 3.2 Rural Residential by deleting sub-clause 3.2.6 and replacing with the following—

3.2.6 In considering a recommendation with regard to any application for Subdivision and or an application for Planning Consent within this zone, Council shall in addition to the general provisions of the Scheme pay regard to the appropriate District Rural Strategy Policy Area provisions detailed in clauses 3.4 and 3.5 of the Scheme Text.

## (d) Modifying Clause 3.3 Rural Townsite Zone by adding, a new sub-clause 3.3.4, as follows—

3.3.4 In considering a recommendation with regard to any application for Subdivision and or applications for Rezoning or Planning Consent within this zone, Council shall in addition to the general provisions of the Scheme, pay regard to the appropriate District Rural Strategy Policy Area provisions detailed in Clauses 3.4 and 3.5 of the Scheme Text.

## (e) Deleting Clause 3.4 Farming Zone and replacing with the following—

3.4 Farming Zone

In this zone the Council will support land use and subdivision proposals which are consistent with the continued viability of agricultural production, the establishment of uses ancillary to agricultural activity, or which are required to service the travelling public or tourists, as well as the maintenance of rural character and amenity. Proposals in this zone shall have regard to the Shires of Beverley/Brookton District Rural Strategy and the provisions contained in clause 3.5 of the Scheme.

All proposals must also demonstrate the following—

- (i) How land use, land management and environmental issues are to be addressed.
- (ii) The reasons for more intensive agricultural development, the suitability and capability of the land to support the proposal and how the proposal relates to, the continuing operation and management of existing adjoining agricultural land uses and the District Rural Strategy.
- (iii) Landcare and other measures proposed to address land conservation, vegetation protection and rehabilitation issues affecting the land.
- (iv) The provision of water and services to the site, particularly where the rezoning of farming zoned land for Rural/Residential development is proposed on land identified for such land use on maps 13 and 14 of the District Rural Strategy.
- (v) The provision of bush fire services and fire prevention and fire suppression measures.

**Note:** With regard to any particular proposal Council will have regard to the checklist included in Appendix G of the Shire's District Rural Strategy and may—

- Consider granting a concession on land rates, as an incentive which recognises any land and vegetation conservation, rehabilitation and/or scenic quality protection/enhancement initiatives undertaken by the landowner in accordance with a landscape/landcare/conservation plan for the designated area, to the satisfaction of Council and any other organisations to which such plan is referred by Council.
- Annual continuance of any concession granted by Council in relation to any land rate, will require the owners of lots within the designated area covered by the approved landscape/landcare/conservation plan to manage their land in accordance with the approved plan.

- (f) Adding the following clause 3.5 to the Scheme Text.

#### 3.5 District Rural Strategy—Policy Areas

In considering, subdivision and rezoning proposals and applications for Planning Approval in the Shire, Council shall in addition to the general provisions of the Scheme and Clause 3.2, 3.3, 3.4 and 3.5, pay regard to the following specific provisions for the District Rural Strategy—Policy Areas and the Map of Policy Areas which forms part of this clause.

##### 3.5.1 POLICY AREA BO1

Policy Area BO1 provides for the future expansion of the Brookton Townsite Area and Environs in the manner illustrated on map 14 of the District Rural Strategy Report.

Within this Policy Area, subdivision and development will be recommended and promoted by Council provided—

- Access to the land and servicing of the land is to the satisfaction of Council.
- Landform, landscape and landcare issues are addressed to the satisfaction of Council.
- The proposal will not adversely impact on the amenity and character of the Townsite Area and Environs.
- The proposal complies with the general provisions of Council's Town Planning Scheme and any Town Planning Policies adopted by Council.
- The land is appropriately zoned.

The Council in supporting a proposal may require the preparation of a landscape/landcare/conservation plan for the particular site, including, arrangements for the implementation and ongoing management of the plan.

##### 3.5.2 POLICY AREAS BO2, BO3, BO4, BO5, BO6, BO7 AND BO8

In Policy Areas BO2, BO3, BO4, BO5, BO6, BO7, and BO8 subdivision will not be recommended and development approval will not be supported for proposals which are inconsistent with the continued use of land for productive agricultural purposes. A minimum lot size of 40 hectares is recommended for the subdivision of land in these policy areas.

In Policy Areas BO2, BO3, BO4 and BO8 subdivision to a minimum lot size of 20 hectares may be recommended by Council if it can be demonstrated that a proposal will not adversely affect the use of land for agricultural purposes in the area. Any proposed agricultural activity shall be subject to assessment by the Council in consultation with Agriculture Western Australia. If issues affecting the use of productive agricultural land arise as a result of the assessment the land may be required to be rezoned to ensure that appropriate land use and development controls are in place.

- (i) The Council will in any policy area recommend subdivision and support development when any of the following circumstances apply—
  - (a) The proposal involves property consolidation and/or boundary realignments in order to address matters such as—
    - \* waterway protection
    - \* physical landform constraints/protection
    - \* remnant vegetation protection/enhancement
    - \* substantial revegetation projects
    - \* sound landcare practice

- \* protection of landscape values
  - \* the provision of dedicated and constructed road access to existing lots without such access
  - \* the continued agricultural use of the majority of the land.
- (b) It is proposed to create lots for uses ancillary to the agricultural use of the land or for the travelling public and tourists. A minimum lot size of 2 hectares will apply in such circumstances.
- (c) It is proposed through the amalgamation of multiple farm lots or boundary redistribution to consolidate the most productive agricultural land into one new lot. Subdivision of the balance of the land may be supported where a detailed site assessment confirms that the land for environmental reasons is worthy of preservation/rehabilitation and/or is capable of supporting an intensive agricultural use.
- Note:** Council in such cases will not support the creation of more lots than originally existed prior to consolidation/boundary redistribution. Council's support of such a proposal will also be subject to the subdivider entering into a suitable legal agreement with the Council which ensures that the new lot containing the productive agricultural land is retained as one landholding for agricultural purposes.
- (d) It is proposed to create lots for intensive or other agricultural purposes and it can be demonstrated that the proposal will not adversely affect the use of land for agricultural purposes in the area. A detailed study of the suitability and capability of the site for the proposed use will be required, including information on the following matters—
- \* the availability and provision of a suitable water supply to the land
  - \* provision of constructed road access and services
  - \* land management measures
  - \* environmental considerations
  - \* drainage catchment considerations
  - \* bush fire management
  - \* economic feasibility of the project
  - \* stocking levels relating to new lots created.
- (e) It is proposed to subdivide a property which is physically divided by a road, railway or service installation which adversely affects the farming management of the property. The minimum lot size specified for the particular policy area will not apply in such instances. In assessing such proposals Council will take into consideration the potential for adjoining land to be similarly subdivided/developed and may not support the proposal if an undesirable precedent will be set.
- (ii) Within the Farming Zone, the Council will not generally support the erection of more than one single dwelling per lot. Council may support additional dwellings in cases where it is clearly demonstrated that the development is required for farm management purposes, the siting of the development is to Council's satisfaction and the total number of dwellings on the lot does not exceed four (4).
- (iii) The Council may preclude the construction of dwellings on landholdings where proposals involve—
- the resubdivision of existing lots for farm management purposes
  - horticultural and or intensive agricultural pursuits
  - a survey strata scheme for specialist fanning purposes.
- (iv) Within the Farming Zone any building and other works (including land drainage works) requires the planning approval of the Council.
- (v) When assessing any subdivision proposal in accordance with clause 3.5.2(i) Council will take into consideration the potential for similar subdivision of surrounding landholdings and cumulative impact of such proposals. It will not support proposals that are poorly planned, lack connection to adjoining landholdings which have been subdivided, are inadequately serviced and such development will adversely affect the existing fanning activities, character and amenity of the area.
- (g) Modifying existing Clause 3.5 Zoning Table by renumbering to 3.6 Zoning Table.
- (h) Modifying Table 2—Development Standards/Requirements, so that Zone—Rural now reads Zone—Farming.
- (i) Modifying Clause 5.5 Special Application of Residential Planning Codes by adding the following sub-clause—
- 5.5.2 Within residential zones which have a Residential Planning Code density of either R10 or R12.5, where Council gives its consideration to residential development of a Grouped Dwelling nature the R25 Code will apply if a sewerage service is available to the project site concerned, in cases where no sewerage service is available the R10 and R12.5 Codes will apply to any Grouped Dwelling Project.

R. L. COPPING, President.  
I. N. CURLEY, Chief Executive Officer.



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**POLICE**

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**PE501****POLICE ACT 1892****POLICE AUCTION**

Under the provisions of the Police Act 1892, unclaimed found and stolen property and bicycles will be sold by public auction at Smith Broughton & Sons, 1 Clayton Street, Midland on Saturday 16th December 2000 at 10.00 am.

The auction is to be conducted by Mr Gary Silcock.

B. MATTHEWS, Commissioner of Police,  
West Australian Police Service.

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**PUBLIC NOTICES**

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

NOTICE IS HEREBY GIVEN that all persons having claims or demands (to which Section 63 of the Trustees Act 1962 relates) against the estate of JUDITH MAY RICE late of 17 McClelland Street, Bayswater, Home Duties who died on 9 March 2000, are requested to send particulars thereof in writing to the executors, DIANNE JOAN PENSINI and CRAIG WILLIAM RICE care of O'Toole & Co, Level 9, 55 St George's Terrace, Perth, Western Australia, before the expiration of one month from the date of this publication after which date the executors will proceed to distribute the assets of the deceased among the persons entitled thereto having regard only to the claims and demands of which they shall then have notice.

Dated this 30th day of November 2000.

**ZZ202****TRUSTEES ACT 1962****NOTICE TO CREDITORS AND CLAIMANTS**

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the Estate of the undermentioned deceased persons, are required by Perpetual Trustees WA Limited of c/- 5th Floor 39 Hunter St, Sydney NSW, to send particulars of such claims to the Company by the undermentioned date, after which date the said Company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

Claims for the following expire one month after the date of publication hereof.

Estate late David Wyndham Bridge, late of 9A Feldegg Avenue, Nhulunboy NT, Accountant, died 12/10/00.

Estate late Hesba Violet Brown, late of Unit 3, 23 Gardner Street, Como WA, Home Duties, died 2/8/00.

Estate late Hilda Lillian Cail, late of Acacia House, Dalwallinu Hospital, Dalwallinu WA, Widow, died 6/9/00.

Estate late Irene Ruth Ferguson, late of St Andrews Nursing Home, 37 Burwood Road, Balcatta WA, Widow, died 28/8/00.

Estate late Lydia Garbin, late of Brookton Nursing Home, 9 Lennard Street, Brookton WA, Retired Farmer, died 14/8/00.

Estate late Peter Robert George, late of 3 Arnel Street, Kelmscott WA, Salesman, died 18/9/00.

Estate late Liana Maria Helmar, late of 3 Valest Place, Darlington WA, Widow, died 15/9/00.

Estate late Ethel Mary Himing, late of Bunbury Nursing Home, 39 Hayes Street, Bunbury WA, Home Duties, died 6/9/00.

Estate late Charles Arthur Lambert, late of 234 Grand Promenade, Doubleview WA, Retired, died 7/9/00.

Estate late Edith Alexandra May, late of 4B Jukes Way, Glendalough WA, Widow, died 25/10/00.

Estate late May Stansfeld Moncrieff, late of 417/118-120 Monash Avenue, Nedlands WA, Retired Registered Nurse, died 16/10/00.

Estate late Margaret Moss, late of 49 Pearce Street, Cottesloe WA, Widow, died 1/9/00.

Estate late Edna May Raymond, late of 6 Amphion Place, Leeming WA, Retired Nurse, died 18/8/00.

Estate late Robert Hope Sandilands, late of Unit 302 Belgrade Village, 55 Belgrade Road, Wanneroo WA, Retired Storeman, died 14/10/00.

Estate late Winifred Jean Sazanov, late of Unit 2, 29 Drynan Street, Bayswater WA, Widow, died 8/9/00.

Estate late Allan John Scahill, late of Meath Anglican Homes, 77 Lynn Street, Trigg WA, Retired Accountant, died 21/8/00.

Estate late John James Simpson, late of Unit 10B Silver Chain Cottage Homes, 21 Wright Street, Perth WA, Retired Bank Officer, died 12/9/99.

Estate late Kathleen May Traill, late of 31 Ednah Street, Como WA, Widow, died 30/8/00.

Estate late Eunice Evie Webb, late of McDougall Park Nursing Home, 18 Ley Street, Como WA, Home Duties, died 7/9/00.

STEPHEN MAXWELL, Senior Estate Manager,  
Perpetual Trustees WA Limited.  
Direct Phone: (02) 9229 3419

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**ZZ401**

DISSOLUTION OF PARTNERSHIP  
"COXALL AUTOMOTIVE SERVICES"

Notice is hereby given that on the 20th November 2000, the Partnership known as "Coxall Automotive Services" ("the business") and carried on by Robin Stanley Coxall and Rachael Charlotte Abbott, and carried on at Unit 6, 60 (Lot 77) Norseman Road, Esperance was dissolved ("date of dissolution"). From the date of dissolution Robin Stanley Coxall will be carrying on business on his own account and not in the name of the business.

BASIL ISRAEL, Solicitor & Agent for Robin Stanley Coxall.

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