



**WESTERN  
AUSTRALIAN  
GOVERNMENT  
Gazette**

783



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JOHN A. STRIJK, Government Printer.

# — PART 1 —

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## FISHERIES

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FI301\*

Fish Resources Management Act 1994

### Fish Resources Management Amendment Regulations (No. 2) 2002

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Fish Resources Management Amendment Regulations (No. 2) 2002*.

**2. Commencement**

These regulations come into operation on 1 March 2002.

**3. The regulations amended**

The amendments in these regulations are to the *Fish Resources Management Regulations 1995*\*.

[\* *Reprinted as at 2 March 2001.*

*For amendments to 11 February 2002 see Gazette 27 March, 29 June, 13 July, 25 September, 12 and 31 October, 14 and 20 November and 18 December 2001 and 22 January 2002.]*

**4. Regulation 14 amended**

Regulation 14 is amended as follows:

- (a) after paragraph (g), by deleting “and”;
- (b) in paragraph (h) by deleting the full stop and inserting instead —  
“  
; and  
(i) Division 4F — Bag limit in Broome area (Barramundi).  
”.

**5. Regulation 16 amended**

Regulation 16(1) is amended by deleting “5” and inserting instead —

“ 2 ”.

**6. Part 4 Division 4F inserted**

After regulation 30K the following Division is inserted —

“

**Division 4F — Bag limit in Broome area (Barramundi)**

**30L. Interpretation**

In this Division —

“**Broome area**” means all land and waters and the waters off the coast of Western Australia west of 123° 8' 2" east longitude passing through Cunningham Point and north of 19° south latitude;

“**Broome area waters**” means any waters within the Broome area.

**30M. Bag limit for barramundi in Broome area waters**

For the purposes of section 50 of the Act, the bag limit in respect of barramundi taken from the Broome area waters is one barramundi.

”.

**7. Schedule 2 amended**

- (1) Schedule 2 Part 2 Division 3 is amended by inserting in the heading before the entry relating to “Barramundi, when taken from the Ord River area waters (as defined in regulation 30F)” and after “each class of fish” —

“ (mm) ”.

- (2) Schedule 2 Part 2 Division 3 is amended by inserting after the entry relating to “Barramundi, when taken from the Ord River area waters (as defined in regulation 30F)” the following entry —

“

Barramundi, when taken from the waters of the Fitzroy River upstream from 17° 27' south latitude ..... 800

”.

**8. Schedule 3 amended**

- (1) Schedule 3 Part 1 is amended in the entry relating to Barramundi by deleting “5” and inserting instead —

“ 2 ”.

- (2) Schedule 3 Part 2 Division 1 is amended in the entry relating to Barramundi by deleting “5” and inserting instead —  
“ 2 ”.

By Command of the Governor,

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

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## TREASURY AND FINANCE

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TF301\*

State Trading Concerns Act 1916

### **State Trading Concerns (Authorization) Amendment Regulations (No. 2) 2001**

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *State Trading Concerns (Authorization) Amendment Regulations (No. 2) 2001*.

**2. The regulations amended**

The amendments in these regulations are to the *State Trading Concerns (Authorization) Regulations 1998\**.

[\* Reprinted as at 15 September 2000.

*For amendments to 8 November 2001 see 2000 Index to Legislation of Western Australia, Table 4, p. 337, and Gazette 20 February 2001.]*

**3. Schedule 2 amended**

- (1) Schedule 2 Part 1 is amended by inserting after the entry “The Western Australian Government Railways Commission” the following —  
“ Wheatbelt Development Commission ”.

- (2) Schedule 2 Part 2 is amended by inserting after the entry “The Western Australian Government Railways Commission” the following —

“

Wheatbelt Development Commission

The provision by the Wheatbelt Development Commission of —

- (a) goods, information or intellectual property developed by the Commission;
- (b) scientific, technical, educational, training, management or advisory services; or
- (c) advertising opportunities.

”.

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

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

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## — PART 2 —

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### FISHERIES

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#### FI401

**FISH RESOURCES MANAGEMENT ACT 1994**  
**STATEMENT OF DETERMINATION**  
**ABALONE MANAGEMENT PLAN 1992**

Pursuant to clause 11(3) of the *Abalone Management Plan 1992*, my determination of the maximum quantity of Roe's abalone, Greenlip abalone and Brownlip abalone that may be taken from the relevant Areas of the Abalone Managed Fishery during the year commencing on 1 April 2002 is set out below—

**Area 1**

9,900 kilograms of Roe's abalone (whole weight),  
3,000 kilograms of Greenlip abalone (meat weight), and  
30 kilograms of Brownlip abalone (meat weight).

**Area 2**

18,000 kilograms of Roe's abalone (whole weight),  
30,000 kilograms of Greenlip abalone (meat weight), and  
7,920 kilograms of Brownlip abalone (meat weight).

**Area 3**

40,032 kilograms of Greenlip abalone (meat weight), and  
6,000 kilograms of Brownlip abalone (meat weight).

**Area 4**

0 kilograms of Greenlip abalone (meat weight), and  
0 kilograms of Brownlip abalone (meat weight).

**Area 5**

20,000 kilograms of Roe's abalone (whole weight).

**Area 6**

12,000 kilograms of Roe's abalone (whole weight).

**Area 7**

36,000 kilograms of Roe's abalone (whole weight).

**Area 8**

12,000 kilograms of Roe's abalone (whole weight).

P. J. MILLINGTON, Executive Director,  
Fisheries Western Australia.

Dated this 19<sup>th</sup> day of February 2002.

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#### FI402

**FISH RESOURCES MANAGEMENT ACT 1994**

**NICKOL BAY PRAWN FISHERY MANAGEMENT PLAN AMENDMENT 2002**

FD 74/02 [469]

Made by the Minister under section 54.

**Citation**

**1.** This amendment may be cited as the *Nickol Bay Prawn Fishery Management Plan Amendment 2002*.

**Schedules amended**

**2.** The *Nickol Bay Prawn Management Plan 1991*\* is amended by deleting Schedules 1, 2, and 3 and inserting instead—

“

**Schedule 1****Description of the Fishery**

All waters of the Indian Ocean and Nickol Bay between 116° 45.00' east longitude and 120° 00.00' east longitude adjacent to Western Australia on the landward side of a line commencing at the intersection of 19° 09.454' south latitude and 116° 45.00' east longitude; thence east by north along the geodesic to the intersection of 19° 09.00' south latitude and 116° 50.00' east longitude; thence east north east along the geodesic to intersection of 19° 00.00' south latitude and 117° 14.00' east longitude; thence north east by east along the geodesic to the intersection of 18° 01.00' south latitude and 119° 00.00' east longitude; thence continuing north east by east along the geodesic to the intersection of 17° 55.00' south latitude and 119° 11.00' east longitude; thence east by north along the geodesic to the intersection of 17° 41.712' south latitude and 120° 00.00' east longitude, being the end point of the line.

**Schedule 2****Item 1. Nickol Bay Nursery**

All waters of the Fishery south of a line drawn from Sloping Point, at the intersection of 20° 31.62' south latitude and 116° 51.96' east longitude; thence south east by east along the geodesic to the westernmost extremity of Dixon Island, at the intersection of 20° 38.07' south latitude and 117° 02.18' east longitude; thence southerly along the geodesic to the high water mark on the mainland at the intersection of 20° 39.00' south latitude and 117° 02.15' east longitude.

**Item 2. Extended Nickol Bay Nursery**

All waters of Nickol Bay bounded by a line commencing on Dolphin Island at the intersection of 20° 28.91' south latitude and 116° 53.10' east longitude; thence south easterly along the geodesic to the westernmost extremity of Dixon Island, at the intersection of 20° 38.07' south latitude and 117° 02.18' east longitude; thence north west by west along the geodesic to Sloping Point, at the intersection of 20° 31.62' south latitude and 116° 51.96' east longitude; thence north along the geodesic to the high water mark on Dolphin Island at the intersection of 20° 31.04' south latitude and 116° 51.96' east longitude; thence generally northerly along the high water mark on the eastern side of Dolphin Island to the commencement point.

**Item 3. Depuch Nursery**

All waters of the Fishery bounded by a line commencing at the high water mark on the mainland at the intersection of 20° 40.74' south latitude and 117° 44.33' east longitude; thence north by west along the geodesic to the southernmost extremity of Depuch Island, at the intersection of 20° 39.35' south latitude and 117° 43.92' east longitude; thence generally north westerly along the high water mark on the western side of Depuch Island to the northernmost extremity of Depuch Island at the intersection of 20° 36.55' south latitude and 117° 43.00' east longitude; thence west along the parallel to the intersection of 20° 36.55' south latitude and 117° 33.00' east longitude; thence south along the meridian to the high water mark on the mainland at the intersection of 20° 42.58' south latitude and 117° 33.00' east longitude.

**Item 4. De Grey River Nursery**

All waters of the Fishery bounded by a line commencing at the high water mark on the mainland at the intersection of 20° 10.60' south latitude and 118° 53.46' east longitude; thence north west by north along the geodesic to the intersection of 20° 06.60' south latitude and 118° 50.00' east longitude; thence north by west along the geodesic to the western side of Little Turtle Island at the intersection of 20° 01.20' south latitude and 118° 48.30' east longitude; thence north north east along the geodesic to the intersection of 19° 57.00' south latitude and 118° 50.50' east longitude; thence continuing north north east along the geodesic to the north western side of North Turtle Island at the intersection of 19° 53.26' south latitude and 118° 53.58' east longitude; thence north east by east along the geodesic to the intersection of 19° 49.20' south latitude and 119° 00.20' east longitude; thence east north east along the geodesic to the intersection of 19° 47.46' south latitude and 119° 05.30' east longitude; thence east south east along the geodesic to the intersection of 19° 49.90' south latitude and 119° 11.53' east longitude; thence south easterly along the geodesic to the intersection of 19° 53.62' south latitude and 119° 15.83' east longitude; thence south along the meridian to the high water mark on the mainland at the intersection of 19° 58.60' south latitude and 119° 15.83' east longitude.

**Schedule 3**

Port Areas are the areas within 2 nautical miles of the following locations—

1. Point Samson—The intersection of 20° 38.28' south latitude and 117° 11.45' east longitude
2. Port of Dampier—The intersection of 20° 39.40' south latitude and 116° 40.70' east longitude
3. Port Hedland—The intersection of 20° 19.00' south latitude and 118° 34.54' east longitude

”

[\*Published in the *Gazette* of 19 April 1991. For amendments to 31 January 2002 see Notice No. 533 published in the *Gazette* of 3 March 1993, Notice No. 591 published in the *Gazette* of 2 March 1993, Notice No. 645 published in the *Gazette* of 11 March 1994, Notice No. 694 published in the *Gazette* of 21 February 1995 and the *Nickol Bay Prawn Management Plan Amendment 1996* published in the

*Gazette of 15 March 1996, the Nickol Bay Prawn Management Plan Amendment 1998 published in the Gazette of 20 March 1998 and the Nickol Bay Prawn Management Plan Amendment 2001 published in the Gazette of 14 December 2001. See regulation 183 of the Fish Resources Management Regulations 1995 concerning the citation of notices made under the Fisheries Act 1905 immediately before the commencement of those regulations.]*

Dated this 20th day of February 2002.

K. M. CHANCE, Minister for Agriculture,  
Forestry and Fisheries.

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## LOCAL GOVERNMENT

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LG401

### LOCAL GOVERNMENT ACT 1995

*Shire of Katanning*

(Basis of Rates)

Department of Local Government and  
Regional Development.  
Perth, 26 February 2002.

DLGRD: KA 5-4

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Minister for Local Government and Regional Development has determined that the method of valuing the land described in the schedule hereunder shall be gross rental value for the purposes of rating with effect from 5 February 2002.

CHERYL GWILLIAM, A/Director General.

\_\_\_\_\_  
Schedule

Lot 10 and Pt 1619 Round Drive, Katanning.

LG402

### BUSH FIRES ACT 1954

*Shire of Menzies*

#### APPOINTMENTS

Chief Bush Fire Control Officer

It is hereby notified for public information that effective from 14 January 2002, Mr Melvyn Godfrey Cheverton has been appointed as the Chief Bush Fire Control Officer for the District of the Shire of Menzies, in accordance with the Bush Fires Act 1954.

The appointment of Mr Gregory Reginald Carter is cancelled.

M. G. CHEVERTON, Chief Executive Officer.

LG403

### DOG ACT 1976

*Shire of Menzies*

#### APPOINTMENTS

Registration Officers

It is hereby notified for public information that effective from 14 January 2002, Mr Melvyn Godfrey Cheverton and Mrs Patricia Cheverton have been appointed as Registration Officers in accordance with the Dog Act 1976.

The appointments of Mr Gregory Reginald Carter and Ms Eileen McCahon are cancelled.

M. G. CHEVERTON, Chief Executive Officer.

LG404

**LOCAL GOVERNMENT ACT 1995***Shire of Narembeen***APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER**

It is hereby notified for public information that Mr Ryan Nicholas Duff has been appointed Acting Chief Executive Officer for the Shire of Narembeen as from and including 27th February 2002—6th March 2002 in the absence of the Chief Executive Officer being on annual leave.

STEPHEN C. PADFIELD, President.

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**PLANNING AND INFRASTRUCTURE**


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PI401

**TOWN PLANNING AND DEVELOPMENT ACT 1928****ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT*****SHIRE OF CHITTERING*****TOWN PLANNING SCHEME No. 5—AMENDMENT No. 79**

Ref: 853/3/4/5 Pt 79

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 and Infrastructure approved the Shire of Chittering Town Planning Scheme Amendment on 18 February 2002 for the purpose of—

1. rezoning lots 180 and 181 Great Northern Highway, Chittering from “Rural 1—Landscape Protection” to “Rural Living A—Rural Residential” zone; and
2. adding to Schedule 5 the following—

(a) Specified Area of Localities	(b) Special Provisions to refer to Special Rural and Rural Living Zones
Lots 180 and 181 Great Northern Highway, Chittering	<p>(1) Development Plan Subdivision and development of the land shall be generally in accordance with a Development Plan for the subject land or any variation approved by the Commission. The Development Plan shall not be implemented unless it has been advertised by the Council for a period of 21 days and adopted by the Council and the Western Australian Planning Commission following the consideration of any submissions received.</p> <p>(2) Density of Rural Residential Development Notwithstanding any other provision of the Scheme, the overall density of rural residential development shall be consistent with the Shire of Chittering Rural Strategy, February 1995.</p> <p>(3) Vegetation Protection Areas Vegetation Protection Areas shall be defined on the Development Plan. No clearing of vegetation shall be permitted or undertaken within a vegetation protection area unless—</p> <ol style="list-style-type: none"> <li>(a) within a building envelope shown in the Development Plan;</li> <li>(b) required for an approved access, firebreak or essential services; or</li> <li>(c) the Council determines that a tree is dead, diseased or dangerous, in which case the Council may require revegetation to be undertaken.</li> </ol> <p>(4) Revegetation The Council or the Commission may require Revegetation Areas to be shown on the Development Plan. Within a Revegetation Area, the Council may require revegetation to be undertaken and maintained.</p>

(a) Specified Area of Localities	(b) Special Provisions to refer to Special Rural and Rural Living Zones
	<p>Within a Vegetation Protection Area, only endemic species shall be used for revegetation measures. Outside Vegetation Protection Areas, use of endemic species is encouraged but non-endemic species may be used, provided these comply with any guidelines adopted by the Council.</p> <p>(5) Building Envelopes A building envelope shall be shown on each lot on the Development Plan. No development shall be permitted or undertaken outside the building envelope. A building envelope should not generally exceed 2000m<sup>2</sup> unless a greater area is supported by the Fire and Emergency Services Authority.</p> <p>(6) Land Management Any remedial works or new works for the purposes of conservation or catchment management, as depicted on the Development Plan, shall be implemented by the landowner to the satisfaction of the Council. All owners or occupiers shall maintain the land, including any watercourses or drainage swales, in a manner which prevents degradation of the land or any vegetation thereon. No stormwater shall be discharged onto Great Northern Highway.</p> <p>(7) Fire Management The Council shall adopt a Bush Fire Management Plan for the land which shall be prepared in consultation with the Fire and Emergency Services Authority. The Council may amend the plan where it considers this to be necessary. All owners of affected land shall manage their properties in accordance with the plan. Development which would conflict with or impede fire management in accordance with the plan shall not be permitted or undertaken.</p> <p>(8) Livestock Management No livestock shall be permitted within a Vegetation Protection Area or a Revegetation Area. With the intention of preventing overstocking or other practices detrimental to the amenity of the zone and to prevent land degradation and nutrient export, the keeping of livestock in other parts of the land shall not be permitted without approval in writing from the Council. In considering applications for the keeping of livestock, the Council will have regard to advice from Agriculture Western Australia. Notwithstanding the above, in cases where the keeping of livestock has been approved but environmental or land degradation problems develop, the Council may, after consultation with Agriculture Western Australia, take appropriate action to prohibit, restrict or reduce the number or type of animals kept on the property.</p> <p>(9) Fencing Within Vegetation Protection Areas, the Development Plan shall define areas where fencing is excluded in order to avoid fragmentation of vegetated areas and wildlife habitats. No fencing shall be permitted, undertaken or maintained where excluded by the Development Plan.</p>

(a) Specified Area of Localities	(b) Special Provisions to refer to Special Rural and Rural Living Zones
	<p>Areas where livestock are permitted shall be fenced to exclude stock from Vegetation Protection Areas.</p> <p>In all parts of the land, the Council may determine the type, height and materials for any fencing.</p> <p>(10) Dams and Water Courses The construction of dams and the extraction of surface water is not permitted without the approval of the Council, the Water and Rivers Commission and Agriculture Western Australia.</p> <p>(11) Domestic Water Supply Dwellings shall be connected to any reticulated water supply provided by a licensed water provider or otherwise provided with domestic water supply in accordance with Western Australian Planning Commission policy.</p> <p>(12) Effluent Disposal Where indicated on the Development Plan, effluent disposal systems shall be high performance (nutrient stripping) effluent disposal systems or other measures to be determined by Council in consultation with the Department of Environmental Protection and the Health Department of Western Australia.</p> <p>(13) Permitted Uses Notwithstanding any other provision of the Scheme, the following uses are permitted ("P") uses—</p> <ul style="list-style-type: none"> <li>Single Residence</li> <li>Home Occupation</li> <li>Cottage Industry</li> <li>Bed and Breakfast</li> <li>Public Utility</li> </ul> <p>The following uses are discretionary ("AA") uses—</p> <ul style="list-style-type: none"> <li>Ancillary Accommodation</li> </ul>

J. TOMLINSON, President.  
D. STEWART, Acting Chief Executive Officer.

# **PI402\***

## **TOWN PLANNING AND DEVELOPMENT ACT 1928** **ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT** **CITY OF ROCKINGHAM**

### **TOWN PLANNING SCHEME No. 1—AMENDMENT No. 326**

Ref: 853/2/28/1 Pt 326

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 and Infrastructure approved the City of Rockingham Town Planning Scheme Amendment on 18 February 2002 for the purpose of—

- (a) Inserting into sub-clause 3.2 the following—  
“(u) Port Kennedy Business Enterprise”
- (b) Inserting the Port Kennedy Business Enterprise zone into the Legend of the Scheme Maps.
- (c) Rezoning Part of Peel Estate Lots 603 and 604 Warnbro Sound Avenue, Port Kennedy, from ‘Service Commercial’ and ‘Light Industry’ zones to the ‘Port Kennedy Business Enterprise’ zone, as depicted on the Scheme Amendment Map, by amending the Scheme Maps accordingly.

- (d) Inserting the 'Port Kennedy Business Enterprise' zone and the use classes permissible in the zone into the 'Zoning Table: Table 1' of the Scheme Text as follows—

USE CLASS	Port Kennedy Business Enterprise Zone
Abattoir	X
Advertising Structure (General)	AA
Agriculture	X
Boat Building	AA*
Boat Launching	AA*
Boat Sales Premises	AA
Boat Storage	AA
Bulk Store	P
Canal or Canal Waterway	X
Canal Structure	X
Caravan Parks	X
Caretakers House/Flat	IP
Carparks	P
Car Sales Premises	P
Cemeteries/Crematoria	X
Civic Buildings	AA
Club Premises	X
Convenience Store	X
Consulting Rooms	P
Commercial Signs	P
Drive-in Theatre	X
Dry Cleaning Premises	P
Education Establishments	AA
Fish Shop	X
Fuel Depot	AA*
Funeral Parlour	AA
Health Center	AA
Home Occupation	X
Hospital	X
Hotel	X
Industry Extractive	X
Industry General	X
Industry Hazardous	X
Industry Light	P*
Industry Noxious	X
Industry Rural	AA*
Industry Service	P*
Junk Yard	X
Laundromat	AA
Lunch Bar	AA
Marine Filling Station	AA*
Medical Centre	P
Milk Depot	P*
Motel	X
Motor Repair Station	P*
Motor Showroom	P
Navigable Water	X
Office	P
Place of Amusement	AA
Market	AA
Private Hotel	X
Private Recreation	AA
Professional Office	P
Public Amusement	P
Public Assembly	P
Public Recreation	AA
Public Utility	P*
Public Worship	AA
Radio/TV Installation	AA
Reformatory Institution	X
Refreshment Room	X
Residential Building	X
Residential—	
(a) Dwelling	IP
(b) Single House	IP
Residential—	
(c) Attached House	X
(d) Grouped Dwelling	X
(e) Multiple Dwelling	X

USE CLASS	Port Kennedy Business Enterprise Zone
Sawmill	X
Service Station	AA*
Shop	X
Showroom	P
Sportsground	AA
Stables	X
Stock & Sale Yards	X
Tavern	X
Trade Display	P
Transport Depot	P*
Veterinary Surgery	AA
Veterinary Hospital	AA
Warehouse	P
Zoological Garden	AA
Any use not listed	AA


Note: \*—Refer to Clause 4 and/or 5 of Table V

- (e) Inserting the following clause into Part V of the Scheme Text—

“Development of land within the Port Kennedy Business Enterprise zone shall be in accordance with the provisions of the Scheme and ‘Table V—Port Kennedy Business Enterprise Zone—Specific Provisions Therein’.”

- (f) Replacing Table V of the Scheme with the following—

TABLE V  
PORT KENNEDY BUSINESS ENTERPRISE ZONE—SPECIFIC  
PROVISIONS THEREIN

Column (a) Locality	Column (b) Provisions
<p>Land Comprising the following— Part of Peel Estate Lots 603 and 604 Warnbro Sound Avenue, Port Kennedy</p> 	<p>1. The subdivision shall generally be in accordance with the Subdivision Guide Plan certified by the Chief Executive Officer as the subdivision plan relating to the area as described in Column (a).</p> <p>2. In considering an application for town planning approval in the area described in Column (a), the Council, in addition to any other aim or objective of the Scheme and to any other matter it is required or permitted to consider, shall have regard to the following objectives—</p> <ul style="list-style-type: none"> <li>(a) promotion of a high standard of building development, landscaping and working environment;</li> <li>(b) protection of the amenities of the adjacent residential areas;</li> <li>(c) management of drainage systems and landuse to promote groundwater conservation;</li> <li>(d) safe movement of vehicular and pedestrian traffic in the area;</li> <li>(e) to promote service commercial and office land uses within the area to service the demands of the locality and to provide local employment opportunities;</li> <li>(f) in recognition of Council's regional responsibility to provide light industrial land within the region, encourage the development of light industrial land uses in an orderly and proper manner, having regard to objectives 2(a) and 2(b).</li> </ul> <p>3. The following general provisions apply to the Port Kennedy Business Enterprise zone.</p> <p>3.1 Facades</p> <p>The facades of all buildings visible from a road or open space reserve shall be constructed in brick, stone or concrete in respect of ground floor level. The second floor level, or its equivalent, may be constructed of other material in accordance with the Building Code of Australia and to the satisfaction of Council.</p>

Column (a) Locality	Column (b) Provisions
	<p>3.2 Fencing</p> <p>No fence visible from a road shall be constructed of materials/colours which in the opinion of Council are unsightly or detract from the amenity of the locality. Any industrial (eg. "Cyclone") fencing forward of the street building setback line shall be landscaped to the satisfaction of Council.</p> <p>3.3 Building and Setback Areas</p> <p>(a) Front Setback</p> <p>All buildings within the Port Kennedy Business zone shall be setback no less than 9m from the primary street. A lesser setback, as determined by the Council, will be permitted to the secondary street.</p> <p>(b) Side Setback</p> <p>Parapet masonry walls may be built to one of the side boundaries, provided the other side boundary setback is equal to the height of the adjoining wall. In all other cases, distance from the building to the boundary must be equal or greater than the height of the wall, unless otherwise determined by the Council.</p> <p>(c) General</p> <p>No use of the area between the street alignment and building setback lines shall be permitted other than for planting or for pedestrian and vehicular circulation and parking, except not more than 20% of the setback area may be used for trade display purposes approved by Council.</p> <p>3.4 Parking</p> <p>Shall generally be provided in accordance with Table 3 of this Scheme with the exception of a Showroom, which shall be required to provide one (1) space to every 46m<sup>2</sup> of gross floor area or part thereof.</p> <p>3.5 Landscaping</p> <p>Minimum area equivalent to 10% of the site, comprising a minimum 5m wide planting strip adjacent to the street boundary, plus the street verge to be landscaped and maintained to the satisfaction of the Council.</p> <p>3.6 Site Coverage</p> <p>The maximum site coverage shall be 0.70 (70% of the site).</p> <p>3.7 Plot Ratio</p> <p>The maximum plot ratio for development shall be 1.0.</p> <p>3.8 Lot Size</p> <p>The minimum lot size for any block shall be 1,500m<sup>2</sup>, however under special circumstances, Council may agree to the creation of lots having a lesser area.</p> <p>4. Notwithstanding Appendix "A"—Zoning Table : Table I of the Scheme, the following specific provisions shall apply to any lot with frontage to Warnbro Sound Avenue, Port Kennedy Drive, Ennis Avenue or any adjacent parallel service road, as shown hatched on the Subdivision Guide Plan certified by the Chief Executive Officer,</p> <p>4.1 "Boat Building", "Boat Launching", "Fuel Depot", "Industry Rural", "Milk Depot" and "Transport Depot" shall be "X" uses within the above described portion of the zone.</p>

Column (a) Locality	Column (b) Provisions
	<p>4.2 "Industry Light", "Service Industry", "Motor Repair Station" and "Public Utility" shall be "AA" uses within the above described portion of the zone.</p> <p>4.3 In considering any development applications within this portion of the zone, Council may—</p> <p>(a) Only approve a use that is not considered to have a detrimental affect on the visual amenity of the estate as viewed from the perimeter roads and in this regard, may impose specific requirements relating to both landscaping and use of building materials to achieve this objective.</p> <p>(b) Only consider uses which do not emit any light, noise, dust or odours considered detrimental to the existing or future amenity of landowners in the vicinity.</p> <p>5. Notwithstanding Appendix "A"—Zoning Table : Table I of the Scheme, the following specific provisions shall apply to any Lot within 50m of the northern boundary of the zone, as defined by the broken black line on the Subdivision Guide Plan certified by the Chief Executive Officer.</p> <p>5.1 "Boat Building", "Boat Launching", "Fuel Depot", "Industry Light", "Industry Rural", "Industry Service", "Marine Filling Station", "Milk Depot", "Motor Repair Station", "Public Utility", "Service Station" and "Transport Depot" shall be "X" uses within the above described portion of the zone.</p> <p>5.2 Lots directly abutting the northern boundary of the zone will be required to provide and maintain a vegetation buffer to the satisfaction of Council.</p> <p>5.3 Development on Lots directly abutting the northern boundary shall be setback a distance no less than 1.0 times the maximum height of the proposed structure.</p> <p>5.4 Residential dwellings within this portion of the zone shall be located between the predominant use on the site and the northern boundary.</p> <p>5.5 Council may impose special conditions in relation to landscaping and use of building materials if deemed appropriate.</p> <p>5.6 No use will be permitted if it is deemed by Council to have a detrimental affect on the existing or future amenity of the residential land to the north.</p>

C. S. ELLIOTT, Mayor.  
G. G. HOLLAND, Chief Executive Officer.

#### PI501\*

### METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959

#### METROPOLITAN REGION SCHEME AMENDMENT No. 1037/33 NORTH WEST DISTRICTS OMNIBUS (No.5)

#### CALL FOR PUBLIC SUBMISSIONS

The Western Australian Planning Commission intends to amend the Metropolitan Region Scheme for land in the Cities of Joondalup, Stirling and Wanneroo and the Town of Vincent and is seeking public comment

The purpose of this amendment is to transfer land between various zones and reservations as detailed in the Commission's *Amendment Report*.

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

amendment will eventually be put to Parliament for final approval. In accordance with the procedure in section 33, the Hon Minister for Planning and Infrastructure has approved the amendment for public display and for the calling of submissions.

Copies of the amending plan and detail plan showing the proposed changes to the zones of the Scheme, and the Commission's *Amendment Report* which explains the proposal, will be available for public inspection from Monday 11 December 2001 to Friday 5 April 2002 at each of the following places:

- |   |  |
|---|--|
| <ul style="list-style-type: none"><li>• Department for Planning and Infrastructure<br/>1st Floor, Albert Facey House<br/>469 Wellington Street<br/>PERTH</li><li>• J S Battye Library<br/>Alexander Library Building<br/>Francis Street<br/>NORTHBRIDGE</li></ul> | <p>Council Offices of the municipalities of:</p> <ul style="list-style-type: none"><li>• City of Perth</li><li>• City of Fremantle</li><li>• City of Joondalup</li><li>• City of Stirling</li><li>• City of Wanneroo</li><li>• Town of Vincent</li></ul> |
|---|--|

Any person who desires to make a submission either supporting, objecting or providing comment on any provisions of the proposed Amendment should do so on a Form 6A. This submission form is available on request from the display locations and is also contained in the explanatory *Amendment Report*.

Submissions must be lodged with the:

Secretary  
Western Australian Planning Commission  
469 Wellington Street  
PERTH WA 6000

on or before 5.00pm FRIDAY 5 APRIL 2002. Late submissions will not be considered.

R. N. STOKES, Secretary,  
Western Australian Planning Commission.

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## POLICE

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PO501

### 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 Esperance Police Station, 100 Dempster Street, Esperance on Saturday the 16th of March 2002 at 10.00am.

The auction is to be conducted by Mr Peter Pelliccione.

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

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## REGIONAL DEVELOPMENT

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RD401

### REGIONAL DEVELOPMENT COMMISSIONS ACT 1993

#### GOLDFIELDS ESPERANCE DEVELOPMENT COMMISSION INSTRUMENT OF APPOINTMENT

I, Nicholas David Griffiths LLB MLC, being the Minister responsible for the administration of the Regional Development Commissions Act 1993 in respect of the Goldfields Esperance Development Commission, hereby appoint Kenneth Brian O'Reilly as a Member of the Board of the Goldfields Esperance Development Commission for a term expiring on 31 December 2004.

Dated this 18<sup>th</sup> day of February 2002.

N. D. GRIFFITHS, Minister for Goldfields-Esperance.

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**PUBLIC NOTICES**

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**ZZ201****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the estates of the undermentioned deceased persons, are required to send particulars of their claim to Trustees of Western Australia Limited of Level 22, 108 St George's Terrace Perth on or before the expiration of one month from the date of publication of this notice after which date the Company may convey or distribute the assets, having regard only to the claims of which it then has notice.

Micke, Roy Julian late of 71 Milloy Street, Morawa Retired Farmer died on 13 December 2001

Sattell, Louise late of 28B Murray Road, Palmyra Widow died on 1 January 2002

Dated this 20<sup>th</sup> day of February 2002.

SABINA SCHLINK, Manager Estates.

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