



2833



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EFFECTIVE FROM 1 JULY 2006 (Prices include GST).

Deceased Estate notices, (per estate)—\$23.70

Real Estate and Business Agents and Finance Brokers Licences, (per notice)—\$55.20

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Bulk Notices—\$201.70 per page

Clients who have an account will be invoiced for advertising charges.

Clients without an account will need to pay at time of lodging the notice.

# — PART 1 —

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## TRANSPORT

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TR301\*

Road Traffic Act 1974

### Road Traffic (Infringements) Amendment Regulations (No. 3) 2006

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Road Traffic (Infringements) Amendment Regulations (No. 3) 2006*.

**2. The regulations amended**

The amendments in these regulations are to the *Road Traffic (Infringements) Regulations 1975\**.

[\* Reprinted as at 18 February 2000.  
For amendments to 10 April 2006 see *Western Australian Legislation Information Tables for 2005, Table 4, p. 358, and Gazette 24 February 2006.*]

**3. Regulation 3 amended**

Regulation 3(4)(a) is amended by deleting “2002;” and inserting instead —

“ 2000; ”.

**4. Regulation 4 amended**

Before regulation 4(2) the following subregulation is inserted —

“

- (1) For the purposes of section 102(5) of the Act, a person is a prescribed officer in relation to the notice for withdrawing a traffic infringement notice issued for an alleged offence relating to the traffic regulation provisions of the Act if the person is —

- (a) a commissioned officer of Police;

- (b) in a district to which section 110 of the Act applies, the traffic inspector, or where there is more than one, the senior traffic inspector for the district.

”.

By Command of the Governor,

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

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## — PART 2 —

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### CONSUMER AND EMPLOYMENT PROTECTION

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CE401

**ASSOCIATIONS INCORPORATION ACT 1987****REINSTATED ASSOCIATIONS****Section 35(4)****UNITARIAN ASSOCIATION OF WESTERN AUSTRALIA PERTH  
CONGREGATION INCORPORATED**

Notice is hereby given that the incorporation of the above-named association has been re-instated as from the date of this notice.

Dated the 27th day of July 2006.

PATRICK WALKER, Commissioner for Trading.

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### EDUCATION & TRAINING

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ED401\*

**MURDOCH UNIVERSITY ACT 1973****AMENDING STATUTE**

It is hereby notified that the Governor in Executive Council, acting under the provisions of Section 25 of the *Murdoch University Act 1973*, has approved an amendment to Statute No. 22—*Fees* as set out in the attached schedule.

LJILJANNA RAVLICH MLC, Minister for Education and Training.  
M. C. WAUCHOPE, Clerk of the Executive Council.

\_\_\_\_\_

The proposed amendments to *Statute 22—Fees*, as set out in the attached schedule, have been approved and ratified by an absolute majority of the members of the Senate in accordance with sub-section 25(1) of the *Murdoch University Act 1973 (WA)*.

The University has sealed this document in accordance with Senate resolution S/54/2004

GEOFFREY BOLTON, Chancellor.  
DIANE SINAGRA, Acting General Counsel.

By Command of the Governor,

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

**Date of Senate endorsement:**

**Statute 22—Fees**

24/05/2006

**Senate resolution number:**

S/20/2006

- 3 (1) Every student, other than those exempt under either sub-section 3(5) of this statute or the Fee Regulations, is required to pay the amenities and services fee, in accordance with s.20A of the Murdoch University Act.
- (2) The amount of the fee shall be determined by Senate after receiving a report and recommendation from

the Guild of Students. In the absence of a report by the Guild by 15 September in any year, concerning the fees payable for the following year, Senate may determine the fee in any event, provided that if it does not do so, the fee shall remain unchanged for the following year.

- (3) The Senate may determine different fee levels for different classes of students.
- (4) The Senate shall pay to the Guild the amenities and services fees received from all students who are members of the Guild, or 51% of the total fees received, whichever is the greater.
- (5) At the time of enrolment, the University will provide all students with a list of amenities, services and facilities covered by the Amenities & Services Fee, together with the amount of the fee payable if a student elects to use or have access to those amenities, services and facilities. A student may elect not to use or have access to those amenities, services and facilities, in which case the student is exempt from paying any Amenities & Services Fee.

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## HEALTH

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HE401\*

### HEALTH ACT 1911

#### MATERNAL MORTALITY COMMITTEE (APPOINTMENT OF MEMBERS) INSTRUMENT (2) 2006

Made by the Minister for Health under sections 340B and 340C of the Act.

#### 1. Citation

This instrument may be cited as the *Maternal Mortality Committee (Appointment of Members) Instrument (2) 2006*.

#### 2. Interpretation

In this instrument—

“the Act” means the *Health Act 1911*; and

“the Committee” means the *Maternal Mortality Committee* constituted under section 340B of the Act.

#### 3. Appointment of Permanent Member and Deputy

Ms Janice Butt and Ms Dale Michelle Pugh are appointed as provisional members of the Committee pursuant to section 340B(4)(c) of the Act, for a period of 3 years from the date of appointment.

JIM MCGINTY MLA, Minister for Health.

Date: 24 July 2006.

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HE402

### MEDICAL ACT 1894

#### MEDICAL (UNMET AREA OF NEED) AMENDMENT DETERMINATION (NO. 1) 2006

Made by the Minister for Health pursuant to section 11AF of the *Medical Act 1894*.

#### Citation

1. This determination may be cited as the *Medical (Unmet Area of Need) Amendment Determination (No. 1) 2006*.

#### Commencement

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

#### Unmet area of need

3. The area of need specified in the Schedule is determined to be an unmet area of need for the purposes of section 11AF(1)(D) of the Act.

**Expiry of determination**

4. This determination expires 2 years after its commencement.

**Schedule**

The Schedule to the *Medical (Unmet Area of Need) Determination (No. 13) of 2006*<sup>1</sup> is amended by deleting the schedule and inserting the following schedule—

General Medical Services in the Town of Kwinana

Dated this 23rd day of July 2006.

JIM McGINTY MLA, Minister for Health.

<sup>1</sup> This determination declares the provision of general medical services in the suburb of Naval Base in the Town of Kwinana to be an unmet area of need for the purposes of section 11AF(1)D of the *Medical Act 1894*.

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## HERITAGE

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HR401\*

**HERITAGE OF WESTERN AUSTRALIA ACT 1990****ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES**

Pursuant to directions from the Minister for Heritage, notice is hereby given in accordance with section 49(1) of the *Heritage of Western Australia Act 1990* that it is proposed that the places described in Schedule 1 be entered in the Register of Heritage Places on a permanent basis. The Heritage Council invites submissions on the proposal, which must be in writing & should be forwarded to the address below not later than 12 September 2006. The places will be entered in the Register on an interim basis with effect from today in accordance with section 50(1) of the *Heritage of Western Australia Act 1990*.

**Schedule 1****Description of Place**

**Bon Marché Arcade Buildings** at 78-82 Barrack Street, Perth; Lot 123 on D 1116 and being the whole of the land comprised in C/T V 1109 F 361.

**St James' Chapel, Kojarena** at Kojarena South Road, Kojarena; Firstly Ptn of Victoria Loc 2186 being Lot 180 on D 9612 and secondly Ptn of Victoria Loc 2177 being Lot 201 on DP 302269 and being the whole of the land contained in C/T V 1038 F 645.

**St Mary's Anglican Church Complex** at 9 Ridge Street, South Perth; Lot 87 on D 83901 being the whole of the land contained in C/T V 1972 F 921.

**NOTICE OF ADVICE REGARDING REGISTRATION OF CROWN PROPERTY**

In accordance with section 47(5) of the *Heritage of Western Australia Act 1990*, the Heritage Council hereby gives notice that it has advised the Minister for Heritage that it has resolved that—

1. the places listed in Schedule 2 are of cultural heritage significance, and are of value for the present community and future generations;
2. the protection afforded by the *Heritage of Western Australia Act 1990* is appropriate; and
3. the places should be entered in the Register of Heritage Places on an interim basis.

The places will be entered in the Register of Heritage Places on an interim basis with effect from today in accordance with section 50(1)(b) of the *Heritage of Western Australia Act 1990*. The places listed in Schedule 2 are vested in the Crown, or in a person on behalf of the Crown, in right of the State.

The Heritage Council hereby invites submissions as to whether the places listed in Schedule 2 should be entered in the Register of Heritage Places on a permanent basis. The submissions must be in writing and should be forwarded to the address set out below not later than 12 September 2006.

**Schedule 2****Description of Place**

**CBH Bins, Pingelly** at Quadrant Street, Pingelly; Ptn of Pingelly Lot 848 and Ptn of Avon Locs 28630 and 13468 being part of Res 16969 as shown on HCWA Survey Drawing No. 5934 prepared by Whelans and dated 14 February 2005.

**Methodist Church (fmr), Denmark** at Cnr Price and Mitchell Streets, Denmark; Denmark Lot 1010 and being the whole of Res 18535.

**Narrogin Memorial Park & War Memorial Pavilion** at 9 Williams Road Cnr Fortune Street, Narrogin; Narrogin Lot 1267 and being the whole of Res 17532.

1 August 2006.

(sgd) IAN BAXTER, Director,  
Office of the Heritage Council of W.A.  
108 Adelaide Terrace East Perth WA 6004.

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## HOUSING AND WORKS

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HW401\*

**COUNTRY HOUSING ACT 1998****STANDARD RATE OF INTEREST**

Notice is hereby given, in accordance with Section 40 of the *Country Housing Act 1998* that the standard rate of interest to apply for assistance provided under this act is 7.75% effective from September 1, 2006.

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## JUSTICE

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JU401\*

**COURT SECURITY AND CUSTODIAL SERVICES ACT 1999****PERMIT DETAILS**

Pursuant to the provisions of section 51 of the *Court Security and Custodial Services Act 1999*, the Director General of the Department of the Attorney General has issued the following persons with Permits to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Issued	Permit Commence Date	Permit Expiry Date
Bride	Natalie Jean	CS6-642	7/07/2006	7/07/2006	30/07/2008

Pursuant to the provisions of section 56 of the *Court Security and Custodial Services Act 1999*, the Director General of the Department of the Attorney General has revoked the following Permits to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Revoked
Taylor	Robert	CS6-092	21/07/2006
Bynder	Kevin James	CS6-214	21/07/2006
Rankin	Walter	CS6-321	21/07/2006
O'Donnell	David	CS6-348	21/07/2006
Baker	Terry Roy	CS6-517	21/07/2006
Rowe	Jasmin Ann	CS6-580	21/07/2006

This notice is published under section 57(1) of the *Court Security and Custodial Services Act 1999*.

GREGORY RICKIE, A/ CSCS Contract Manager.

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## LOCAL GOVERNMENT

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LG401\*

**BUSH FIRES ACT 1945***Shire of Wandering***APPOINTMENT OF AUTHORISED PERSONS**

In accordance with the *Bush Fires Act 1976* as amended, the following persons are hereby appointed as authorised Fire Control Officers and Fire Weather Officers as described for the Shire of Wandering—

Chief Bush Fire Control Officer	Bruce Dowsett
Deputy Chief Bush Fire Control Officer	Peter Monk

**Vehicle Movement Ban Officers**

Peter Monk  
Graeme Parsons  
Bayden Ferguson

**Clover Burning Permit Officers**

Bruce Dowsett  
Peter Monk  
Alan Turton



**Hastings Bush Fire Brigade**

Graeme Parsons

Graeme Kerr

Chad Ferguson

Richard Bostock

Anthony Turton

**Codjototine Bush Fire Brigade**

Bruce Penny

Peter Monk

Dean Warburton

**Dual Registered—Pingelly**

Chad Ferguson

Graeme Parsons

**Wandering Bush Fire Brigade**

Tim Hardie

Bruce Dowsett

Bayden Ferguson

Steve Watts

**Wandering Town Bush Fire Brigade**

Errol Dickerson

All previous appointments are hereby revoked.

Dated: 26 July 2006.

GARRY BIRD, Chief Executive Officer.

**LG402\*****CARAVAN PARKS AND CAMPING GROUNDS ACT 1995***Shire of Wandering***APPOINTMENT OF AUTHORISED PERSONS**

It is hereby notified for public information that the following persons have been appointed as authorised persons for the Shire of Wandering—

**Authorised Officers**

Garry Bird

David Carstairs

Jane Brown

Jemma Cornish

Ralph Ferguson

All previous appointments are hereby revoked.

Dated: 26 July 2006.

GARRY BIRD, Chief Executive Officer.

**LG403\*****CONTROL OF VEHICLES (OFF ROAD AREAS) ACT 1978***Shire of Wandering***APPOINTMENT OF AUTHORISED OFFICERS**

It is hereby notified for public information that the following persons have been appointed as authorised persons for the Shire of Wandering—

**Authorised Officers**

Garry Bird

David Carstairs

Jane Brown

Jemma Cornish

Ralph Ferguson

All previous appointments are hereby revoked.

Dated: 26 July 2006.

GARRY BIRD, Chief Executive Officer.

**LG404\*****LITTER ACT 1979***Shire of Wandering***APPOINTMENT OF AUTHORISED PERSONS**

It is hereby advised for public information that the following persons have been appointed as authorised persons for the Shire of Wandering—

**Authorised Officers**

Garry Bird  
David Carstairs  
Jane Brown  
Jemma Cornish  
Ralph Ferguson

All previous appointments are hereby revoked.

Dated: 26 July 2006.

GARRY BIRD, Chief Executive Officer.

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**LG405\*****LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960***Shire of Wandering***APPOINTMENT OF AUTHORISED PERSONS AND POUND KEEPERS**

It is hereby advised for public information that the following persons have been appointed as authorised persons for the Shire of Wandering—

**Authorised Officers**

Garry Bird  
David Carstairs  
Jane Brown  
Jemma Cornish  
Ralph Ferguson  
Darryle Baxter  
Maurice Walsh

All previous appointments are hereby revoked.

Dated: 26 July 2006.

GARRY BIRD, Chief Executive Officer.

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**LG406\*****DOG ACT 1976***Shire of Wandering***APPOINTMENT OF AUTHORISED PERSONS AND REGISTRATION OFFICERS**

It is hereby advised for public information that the following persons have been appointed as authorised persons for the Shire of Wandering—

**Authorised Officers**

Garry Bird  
David Carstairs  
Jane Brown  
Jemma Cornish  
Ralph Ferguson

**Registration Officers**

Garry Bird  
Jane Brown  
David Carstairs  
Jemma Cornish

All previous appointments are hereby revoked.

Dated: 26 July 2006.

GARRY BIRD, Chief Executive Officer.

LG501\*

**BUSH FIRES ACT 1954***Shire of Bridgetown-Greenbushes***FIREBREAK ORDER**

Notice to all owners and/or occupiers of land in the Shire of Bridgetown-Greenbushes

In accordance with Section 33 of the *Bush Fires Act 1954*, you are required to carry out fire prevention work on land owned or occupied by you in accordance with the requirements of this Order by the 1st December 2006 until the 26th April 2007.

IF THE REQUIREMENTS OF THIS NOTICE ARE NOT DONE BY THE DUE DATE, OR NOT DONE TO THE SATISFACTION OF AN INSPECTING OFFICER, AN ON THE SPOT FINE OF \$250 WILL BE ISSUED. THE MAXIMUM FINE FOR FAILURE TO CARRY OUT THE WORK IS \$5000.

COUNCIL CAN ALSO ENTER UPON THE LAND AND CARRY OUT REQUIRED WORKS AT THE OWNER/OCCUPIER'S EXPENSE.

CATEGORY	MINERAL EARTH FIREBREAK	FUEL REDUCTION	BUILDING PROTECTION ZONES	FUEL STORAGE AREAS
ALL LAND UNDER 2000 m <sup>2</sup>	Not Applicable	Slash and remove all flammable materials likely to create a fire hazard except living trees and shrubbery and maintain throughout the required period. Height of grass not to exceed 50mm	Not Applicable See Fuel Reduction Section	Not Applicable See Fuel Reduction Section
UNMANAGED LAND OVER 2000 m <sup>2</sup>	A firebreak not less than 4 metres in width shall be installed inside and along the internal boundary. All branches, shrubs and trees overhanging the firebreak are to be pruned to a minimum of 4 metres height measured vertically from the ground. OR	Slash and remove all flammable materials likely to create a fire hazard except living trees and shrubbery and maintain throughout the required period. Height of grass not to exceed 50mm	If Installing Firebreaks only— A firebreak not less than 4 metres in width and height shall be provided immediately adjacent to, or as near as practicable, surrounding all buildings and haystacks.	If Installing Firebreaks only— A firebreak not less than 4 metres in width and height shall be provided immediately adjacent to, or as near as practicable, surrounding all fuel storage areas.
MANAGED LAND OVER 2000 m <sup>2</sup>	Nil along internal boundaries	Property Owner and Occupier to ensure that measures are in place which will prevent the existence of a high level of fuel accumulation over the period specified in this Firebreak Order to the satisfaction of an Authorised Officer, otherwise it will be classed as unmanaged.	A firebreak not less than 4 metres in width and height shall be provided immediately adjacent to, or as near as practicable, surrounding all buildings and haystacks.	A firebreak not less than 4 metres in width and height shall be provided immediately adjacent to, or as near as practicable, surrounding all fuel storage areas.
ALL PLANTATIONS PLANTED AFTER 1ST MAY 1990	The first row of trees must be a minimum of 15 metres from all formed public roads. A 10 metre firebreak to be constructed on the internal boundaries of the Plantation, along the boundaries of separate ownerships. A firebreak 6 metres wide shall be provided in such a position that no compartment of a plantation should exceed 30 hectares.	No planting will be allowed within a distance of 20 metres on either side of all power lines, and a 6 metres firebreak shall be provided as near as practical either side of the power lines. Trees adjoining the firebreak progressively pruned to a minimum height of 4 metres to maintain an effective width of firebreak	A firebreak not less than 4 metres in width and height shall be provided immediately adjacent to, or as near as practicable, surrounding all buildings and haystacks.	A firebreak not less than 4 metres in width and height shall be provided immediately adjacent to, or as near as practicable, surrounding all fuel storage areas.
PINE PLANTATIONS PLANTED PRIOR TO 1ST MAY 1990	A 10 metre firebreak to be constructed on the internal boundaries of the Plantation, along the boundaries of separate ownership, and all formed public roads. A firebreak 6 metres wide shall be provided in such a position that no	No planting will be allowed within a distance of 20 metres on either side of all power lines, and a 6 metre firebreak shall be provided as near as practical either side of the power lines. Trees adjoining the firebreak progressively pruned to a minimum height of 4 metres to maintain an effective width of firebreak	A firebreak not less than 4 metres in width and height shall be provided immediately adjacent to, or as near as practicable, surrounding all buildings and haystacks.	A firebreak not less than 4 metres in width and height shall be provided immediately adjacent to, or as near as practicable, surrounding all fuel storage areas.

	compartment of a plantation should exceed 30 hectares			
EUCALYPT PLANTATION S PLANTED PRIOR TO 1ST MAY 1990	A 5 metre firebreak to be constructed on the boundaries of the plantation, including the boundaries of each separate location and all formed public roads	No planting will be allowed within a distance of 20 metres on either side of all power lines, and a 6 metre firebreak shall be provided as near as practical either side of the power lines.  Trees adjoining the firebreak progressively pruned to a minimum height of 4 metres to maintain an effective width of firebreak	A firebreak not less than 4 metres in width and height shall be provided immediately adjacent to, or as near as practicable, surrounding all buildings and haystacks.	A firebreak not less than 4 metres in width and height shall be provided immediately adjacent to, or as near as practicable, surrounding all fuel storage areas.

T. P. CLYNCH, Chief Executive Officer.

Dated: 29th June 2006.

LG407\*

### LOCAL GOVERNMENT ACT 1995

#### *Town of Northam*

#### APPOINTMENT OF CHIEF EXECUTIVE OFFICER

It is hereby notified for public information that the Town of Northam appointed Mr Bruce William Mead as Chief Executive Officer for the Town of Northam effective from 15 May 2006. This notice cancels all previous appointments.

RAY HEAD, Mayor.

## PLANNING AND INFRASTRUCTURE

PI401\*

### PLANNING AND DEVELOPMENT ACT 2005

#### APPROVED LOCAL PLANNING SCHEME AMENDMENT

#### *Shire of Plantagenet*

#### TOWN PLANNING SCHEME NO. 3—AMENDMENT NO. 37

Ref: 853/5/14/4 Pt 37

It is hereby notified for public information, in accordance with Section 87 of the *Planning and Development Act 2005* that the Minister for Planning and Infrastructure approved the Shire of Plantagenet local planning scheme amendment on 8 June 2006 for the purpose of—

1. Rezoning Location 3764 from the Rural zone to Rural Smallholding zone.
2. Amending the Scheme Maps accordingly.
3. Incorporating a new zone “Rural Smallholding” within the Scheme Text in the following manner—
  - i. Including a Rural Smallholding zone after Landscape Protection in Clause 3.1.1.
  - ii. Amending the legend on the Scheme Map to include a Rural Smallholding zone as shown below.
  - iii. Amending the Zoning Table to include a Rural Smallholding zone, with reference to be made to Schedule 13 to determine the classification of various uses.
4. Amending Clause 3.5 in the following manner—
  - 3.5 Rural Residential & Rural Smallholding Zone
 

The following provisions shall apply to all land included in the Rural Residential Rural Small Holding zones, in addition to any other provisions which are more generally applicable to such land under this Scheme:

    - a) The objective of the Rural Residential and Rural Smallholding zones is to select areas within the rural areas wherein closer subdivision will be permitted to provide for conservation and retention of the rural and natural landscape, and provide for uses such as hobby farms, rural retreats and keeping of animals.
    - b) The provisions for controlling subdivision, landuses and development relating to specific areas will be as laid down in Schedules 5 & 13 to the Scheme.

Subdivision within these areas shall be in accord with the Subdivision Guide Plan for the specified area referred to in the Schedule and such Plan shall form part of the Scheme. Before making provision for a Rural Residential or Rural Smallholding zone, the local government will prepare or require the proponent to prepare a submission supporting the creation of the Rural Residential or Rural Smallholding zone and such submission shall be in accordance with the Western Australian Planning Commission's Rural Land Use Planning Policy.

- c) The Scheme provisions for a Rural Residential or Rural Smallholding zone shall include a Subdivision Guide Plan showing:
  - i. The proposed ultimate subdivision including approximate lot sizes and dimensions.
  - ii. Areas to be set aside for Public Open Space, pedestrian accessways, horse trails, community facilities, etc as may be considered appropriate.
  - iii. Those physical features it is intended to conserve.
  - iv. Any other features relevant from the Local Rural Strategy.
- d) In addition to the Subdivision Guide Plan, the Scheme provisions for a specific Rural Residential or Rural Smallholding zone shall specify:
  - i) The facilities which the purchasers of the lots will be required to provide (eg. their own potable water supply, liquid and solid waste disposal system etc).
  - ii) Provisions for the control of land uses and development which will ensure that the purpose or intent of the zone and the rural environment and amenities are not impaired.
  - iii) Any special provisions appropriate to secure the objectives of the zone.

5. Adding Schedule 13 to the rear of the Scheme Text as set out below—

AREA	LOCALITY	LOTS	LOCATIONS
------	----------	------	-----------

6. Inserting in Schedule No. 13 the area identification and special provisions in the following manner—

#### **Schedule No. 13**

#### **“Rural Smallholding” Zone—Provisions Relating to Specific Areas**

AREA	LOCALITY	LOTS	LOCATIONS
1	Plantagenet		3764

#### **1.0 Subdivision Guide Plan**

- 1.1 Subdivision within Area 1 shall generally be in accordance with the Subdivision Guide Plan endorsed by the Chief Executive Officer.
- 1.2 The Council will not recommend lot sizes less than 4 hectares. The Council may recommend that the Western Australian Planning Commission approve minor variations to the Subdivision Guide Plan.

#### **2.0 Objective of Rural Smallholding Zone Area No. 1**

- 2.1 To provide for rural smallholding lots from four hectares upwards and allow small scale rural pursuits, hobby farms and alternative residential lifestyles.
- 2.2 To conserve and enhance the landscape quality of the area by ensuring all development is sensitively designed and integrated with the landscape.

#### **3.0 Landuse**

- 3.1 Within Rural Smallholding Area No. 1 the following uses are permitted—

- Single House & Associated Outbuildings;
- Livestock grazing, subject to provision 4.0.

- 3.2 The following uses may be permitted at the discretion of Council (AA)—

- Aquaculture;
- Home Occupation;
- Holiday Accommodation;
- Horticulture
- Cottage Industry;
- Rural Industry;
- Public recreation;
- Viticulture;
- Winery

Other incidental or non defined activities considered appropriate by Council which are consistent with the objectives of the zone.

- 3.3 No development within the Rural Smallholding zone may proceed without Council's planning consent.

**4.0 Keeping of Livestock/Animals**

- 4.1 Intensive agricultural pursuits such as piggeries, feed lotting, poultry farms are not permitted. The keeping of livestock shall be restricted to fenced pastured areas of the lot. The owner shall be responsible for the maintenance of stock proof fencing to protect remnant vegetation and revegetation areas. Animal numbers shall not exceed the stocking rates recommended by Agriculture WA. The keeping of animals shall not result in the removal or damage of vegetation and trees or result in soil degradation and dust nuisance.
- 4.2 Where in the opinion of Council the continued presence of animals on any portion of land is likely to contribute, or is contributing to the dust nuisance or soil degradation, notice may be served on the owner of the land, requiring immediate removal of those animals specified in the notice.
- 4.3 Where notice has been served on a landowner in accordance with this Clause, the Council may also require the land to be rehabilitated to its satisfaction within three (3) months of serving the notice.
- 4.4 In the event that such action is not undertaken, Council may carry out such works as are deemed necessary, with all costs being borne by the landowner.

**5.0 Horticulture & Viticulture**

- 5.1 A nutrient, drainage and irrigation management plan is to be required as a condition of planning consent for applications for horticulture and viticulture and shall have regard to best environmental management practice as outlined in current guidelines and codes of practice.
- 5.2 A management plan that has regard to the "Draft Environmental Guidelines for Vineyards (February 2001)", or any subsequent updates, shall be required as a condition of planning consent for applications for viticulture.
- 5.3 Council will only approve of commercial scale horticulture/viticulture enterprises where the proponent can demonstrate the use would be located and managed in such a way as to avoid creating conflicts with existing or likely future uses on adjoining or nearby lots.

**6.0 Location of Buildings & Structures**

- 6.1 Any variations to the building envelopes shown on the Subdivision Guide Plan are to comply with relevant fire management requirements, including Hazard Separation and Building Protection Zones.
- 6.2 All dams require the approval of Council prior to construction.

**7.0 Building Design, Materials & Colour**

- 7.1 Dwellings and outbuildings and structures associated with the use of the land shall be designed and constructed of materials which allow them to blend into the landscape of the site. Council will be supportive of walls and roofs with natural tonings in keeping with the amenity of the area.
- 7.2 Dwelling houses shall not exceed 7.5 metres in height which is measured vertically from the natural ground level. The maximum height of all outbuildings and structures associated with use of the land will be at the discretion of Council in order to minimise the visual impacts of such buildings when viewed from surrounding roads.
- 7.3 No boundary fencing shall be constructed of fibre cement, metal sheeting or wooden picket. If fencing is utilised, it shall be of rural construction such as post and strand to the satisfaction of Council.
- 7.4 Water tanks shall be coloured an appropriate natural shade of brown or green or suitably screened with vegetation in keeping with the amenity of the area to the satisfaction of Council.
- 7.5 All habitable buildings are to be constructed to AS 3959.

**8.0 Vegetation and Revegetation**

- 8.1 No clearing of vegetation shall occur except for:
  - a) Clearing to comply with the requirements of the Bush Fires Act 1954 (as amended);
  - b) Clearing which may reasonably be required to construct an approved building and curtilage;
  - c) Trees that are dead, diseased or dangerous;
  - d) Clearing to gain vehicular access to an approved dwelling or any other clearing which may be approved by the Council;
  - e) Clearing required to establish a low fuel buffer;
- 8.2 Additional tree planting and revegetation may be required as a condition of development approval. Revegetation shall utilise local indigenous flora.
- 8.3 In order to minimise clearing, demarcation of lot boundaries within areas of remnant vegetation shall be by way of bollards, stone or concrete cairns or by some other similar means.

**9.0 Water Supply**

- 9.1 Where lots are not serviced by a reticulated water supply, each dwelling house shall be provided with a water supply with a minimum capacity of 92,000 litres. This may be supplied from Water Corporation licenced underground water supplies or rainwater storage systems to the satisfaction of Council and the Health Department of Western Australian.

**10.0 Effluent Disposal**

- 10.1 On-site effluent disposal shall be the responsibility of the individual landowner.
- 10.2 The disposal of liquid and/or solid wastes shall be carried out with an effluent disposal system approved by Council and the Health Department of WA. Systems shall be designed and located to minimise nutrient export and/or release into any waterway or groundwater. Conventional effluent disposal areas for new dwellings shall be set back a minimum of 100 metres from any natural permanent watercourse or water body and situated 2 metres above the highest known groundwater level.
- 10.3 Council shall require the use of amended soil type effluent disposal systems, such as Ecomax/ATU Systems in situations where a 100 metre setback from a drainage line or water body cannot be achieved, where soil conditions are not conducive to the retention of nutrients, and in low lying areas. Separation from waterways and ground water shall be determined by Council in conjunction with the Health Department of WA. A minimum setback of 50 metres is required from any creekline.
- 10.4 Variations to the design or location of effluent disposal areas will require a suitably qualified practitioner demonstrating that effluent disposal will not cause environmental or health impacts to the satisfaction of Council and the Department of Health.
- 10.5 No more than one effluent disposal system will be permitted on one lot unless approval is granted for short stay-holiday accommodation.

**11.0 Bushfire Management Control**

- 11.1 Subdivision and development are to be in accordance with the Fire Management Plan for the land, as endorsed by FESA and the Shire of Plantagenet and shall require the implementation and ongoing maintenance of the developer's, property owner's, and local government's responsibilities as set out in the plan.

**12.0 Drainage/Roads**

- 12.1 All stormwater shall be contained within the site to Council's specification and satisfaction.
- 12.2 At the subdivisional stage of development the Council may request the Commission impose a condition requiring a comprehensive Stormwater Management Plan to be prepared for the site utilising water sensitive design principles.
- 12.3 Council may request the Commission impose a condition at the subdivision stage of development to contribute to the upgrade of St Werburgh's Road.
- 12.4 Council may request the Commission impose a condition at the subdivisional stage of development requiring all subdivisional road(s) and battleaxe legs to be constructed to Council's specification and satisfaction.

**13.0 Notification of Prospective Owners**

- 13.1 Provision shall be made to Council's satisfaction to ensure prospective purchasers of land within Rural Smallholding Area No. 1
- are given a copy of these Special Provisions prior to entering into an agreement to acquire any property; and
  - acknowledge that horticulture/viticulture uses may be permitted in this area and that these uses may have some impact on smallholding uses.

K. M. FORBES, President..  
R. STEWART, Chief Executive Officer.

PI402\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*City of Subiaco*  
Town Planning Scheme No. 4—Amendment No. 6

Ref: 853/2/12/7 pt 6

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning and Infrastructure approved the City of Subiaco local planning scheme amendment on 11 July 2006 for the purpose of—

1. Replace the definition of Height, wall contained in Schedule 1 of the City of Subiaco Town Planning Scheme No. 4 with—

- (a) in the case of any wall other than a gable wall which exceeds 9 metres in length, means the vertical distance measured at any point along the wall, from the natural ground level immediately below the wall to the upper most part of the wall;
- (b) in the case of a gable wall which exceeds 9 metres in length, means—
  - (i) the vertical distance measured at any point along the wall from the natural ground level immediately below the wall to a line which joins the points where the walls meet the eaves; plus
  - (ii) a distance equal to one third of the vertical distance between—
    - (A) the highest point of the gable wall; and
    - (B) the lowest point at which the wall meets an eave.

NOTE 1: For the avoidance of doubt, for the purpose of measuring “wall height” a wall does not include any roof element.

NOTE 2: For the purpose of measuring setbacks the definition of “Height, wall” as defined by the Residential Design Codes prevails.

NOTE 3: In the majority of circumstances the uppermost part of a wall is equal to plate height.

2. Clause 12(3) is amended by deleting the words “*notwithstanding anything else in this Scheme*” and substituting—

*“unless the word or term is defined in this Scheme”.*

3. A new clause 42A is inserted as follows—

**42A. Determination of application where wall/overall height is non compliant**

- (1) If a development is the subject of an application for planning approval and does not comply with the maximum overall height or the maximum wall height referred to in clause 42, then, despite the non-compliance, the Council may approve the application where—
  - (a) the Council is satisfied that—
    - (i) the non-compliance will have no undue adverse effect on any adjoining residential land or the amenity of the locality; and
    - (ii) the wall or overall height which is non compliant is compatible with the wall and overall heights of surrounding developments that are designed for residential purposes and are considered by the Council to enhance the streetscape;
  - (b) the wall/overall height which is non-compliant—
    - (i) meets the Acceptable Development standards of the Residential Design Codes in relation to setbacks; or
    - (ii) is necessitated by a sloping site and would be unlikely to occur if the site had been level; or
    - (iii) is the result of a irregular roof design and is unlikely to have occurred if the proposed development had a conventionally shaped roof.
- (2) For the purpose of this clause the expression “surrounding development” may be defined in a planning policy.
- (3) For the purpose of this clause a “conventionally shaped roof” means a uniform flat, pitched, hipped, or skillion roof.

H. HENDERSON, Mayor.  
C. BURTON, Chief Executive Officer.

PI403\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*Shire of Busselton*  
Town Planning Scheme No. 20—Amendment No. 97

Ref: 853/6/621 Pt 97

It is hereby notified for public information, in accordance with Section 87 of the *Planning and Development Act 2005* that the Minister for Planning & Infrastructure approved the Shire of Busselton local planning scheme amendment on June 27, 2006 for the purpose of—

- 1. Rezoning portion of Part Sussex Location 170 Peppermint Drive, Dunsborough from unzoned (uncoloured) to “Residential R15” on the Scheme Map.
- 2. Rezoning portion of Part Sussex Location 170 Peppermint Drive, Dunsborough from unzoned (uncoloured) to “Residential R30” on the Scheme Map.
- 3. Rezoning portion of Part Sussex Location 170 Peppermint Drive, Dunsborough from unzoned (uncoloured) to “Recreation” reserve on the Scheme Map.



4. Lot 123 and portion of Part Sussex Location 170 being included in a "Special Provision" area on the Scheme Map.
5. Schedule 7 of the Scheme being amended to include the following—

Particulars of Land	Zone	Special Provisions
Lot 123 Geographe Bay Road and portion of Part Sussex Location 170 Peppermint Drive, Dunsborough	Residential R15 and R30 as per the Scheme Map	<p>1. Restrictive covenants apply to the title of lots created from the land and identify a vegetation protection area which serves to prevent the removal of WA peppermint (<i>Agonis flexuosa</i>). The purpose of the restrictive covenants is to preserve habitat for Western Ringtail Possum.</p> <p>2. No vegetation is permitted to be removed from within the area specified in the restrictive covenant as a vegetation protection area unless such removal is first determined by the Shire as being necessary for fire protection or safety purposes.</p>

KEVIN DOUGLAS, President.  
ANDREW MacNISH, Chief Executive Officer.

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## POLICE

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PO501\*

### POLICE ACT 1892

#### POLICE AUCTION

Under the provisions of the Police Act 1892-1992, unclaimed and forfeited property and bicycles will be sold by Public Auction Ross's Sales & Auctions, 241 Railway Parade, Maylands on Wednesday 16 August 2006 at 10.00am.

The auction is to be conducted by Mr Brad Buckle, Mr. Craig Edwards, Mr. Kevin Grickage.

K. O'CALLAGHAN, Commissioner of Police,  
Western Australia Police Service.

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## PREMIER AND CABINET

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PC401\*

### INTERPRETATION ACT 1984

#### MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the Governor in accordance with Section 52(1)(b) of the *Interpretation Act 1984* has approved the following temporary appointment—

Hon N R Marlborough MLA to act temporarily in the office of Minister for Education and Training in the absence of the Hon L Ravlich MLC for the period 5 to 20 August 2006 (both dates inclusive).

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

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## WATER/SEWERAGE

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WA401\*

### WATER SERVICES LICENSING ACT 1995

#### NOTICE UNDER SECTION 31 (5) AMENDMENT OF LICENCE

Notice is given that the following Operating Licence has been amended—

Licensee: Water Corporation  
Issue Date: 27 July 2006

Address of Licensee: PO Box 100  
Leederville WA 6092

Classification: Operating Licence, Water Supply, Sewerage, Irrigation and  
Drainage Services.

Term of Licence: Up to and including 28 June 2021.

Amendment: Substitution of a new licence for the existing licence with  
amendment to—  
• Margaret River Potable Water Supply Services map  
No. OWR OA-095H

Inspection of Licence: Economic Regulation Authority  
6th Floor  
197 St Georges Terrace  
Perth WA 6000  
[http:// www.era.wa.gov.au](http://www.era.wa.gov.au)

LYNDON G. ROWE, Chairman.  
Economic Regulation Authority.

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## DECEASED ESTATES

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ZX401

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

Estate of the late Craig Dean of 2 Hagart Way, Lockridge, Electrician, deceased.

Anyone having a claim against the estate of the said deceased, who died on 6 December 2005 should forward details to the Administrator at the address stated above, by 29 August 2006, after which date the Administrator may distribute the assets without regard to any claims not so satisfied.

WESTERN AUSTRALIA

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