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— PART 1 —

LOCAL GOVERNMENT

LG301*

**WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007
LOCAL GOVERNMENT ACT 1995**

Shire of Dowerin

WASTE LOCAL LAW 2010

Under the powers conferred by the *Waste Avoidance and Resource Recovery Act 2007* and the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Dowerin resolved on the 18 May 2010 to make the following local law.

PART 1—PRELIMINARY

1.1. Citation

This local law may be cited as the *Shire of Dowerin Waste Local Law 2010*.

1.2. Definitions

In this local law unless the context otherwise requires—

- “**Act**” means the Waste Avoidance and Resource Recovery Act 2007;
- “**collection day**” means the day of the week on which waste is collected and removed by the local government or its contractor;
- “**collection time**” where used in connection with any premises, means the time of the day on which waste is collected and removed from the premises by the local government or its contractor;
- “**district**” means the district of the local government;
- “**local government**” means the Shire of Dowerin;
- “**owner**”, in relation to premises comprised of or on land, has the meaning given in section 1.4 of the Local Government Act 1995;
- “**occupier**” where used in relation to land, has the meaning given in section 1.4 of the Local Government Act 1995;
- “**public place**” includes a street, way or place which the public are allowed to use, whether the street, way or place is or is not on private property;
- “**receptacle**” where used in connection with any premises means—
 - (a) a polyethylene cart fitted with wheels, a handle and a lid and having a capacity of either 120 litres or 240 litres;
 - (b) a polyethylene or steel container fitted with wheels and lockable lids and having a capacity of 1100 litres; or
 - (c) a container provided by the local government or its contractor for the deposit, collection or recycling of specific materials; and supplied to the premises by the local government or its contractor;
- “**refuse, rubbish or disused material**” includes any material which is abandoned or unwanted by its owner or the person in possession of it;
- “**regulations**” means the *Waste Avoidance and Resource Recovery Regulations 2008*;
- “**street**” has the same meaning as in the *Local Government Act 1995*;
- “**street alignment**” means the boundary between the land comprising a street and the land that abuts thereon, but where a new street alignment is prescribed under the *Local Government (Miscellaneous Provisions) Act 1960*, means the new street alignment so prescribed;
- “**waste**” includes matter—
 - (a) whether liquid, solid, gaseous or radioactive and whether useful or useless, which is discharged into the environment;
 - (b) prescribed by the regulations to be waste;
- “**waste facility**” means premises approved for the storage, treatment, processing, sorting, recycling or disposal of waste; and

“waste service” means—

- (a) the collection, transport, storage, treatment, processing, sorting, recycling or disposal of waste; or
- (b) the provision of receptacles for the temporary deposit of waste; or
- (c) the provision and management of waste facilities, machinery for the disposal of waste and processes for dealing with waste.

PART 2—WASTE SERVICES

2.1. Provision of Waste Service

The local government shall undertake or contract for the efficient execution of a waste service in those parts of the district to which this local law apply.

2.2. Obligations of the Owner or Occupier

(1) Owners or occupiers shall—

- (a) not remove waste from premises other than in accordance with the local law; and
- (b) pay to the local government the annual waste collection rate imposed under section 66 of the Act, the receptacle charge imposed under section 67 of the Act or a fee set in accordance with section 68 of the Act and pursuant to section 6.16 of the *Local Government Act 1995*;

(2) The local government may in writing authorise the occupier of premises within its district to remove or dispose of waste from or on the premises if—

- (a) the waste on the premises is not available for removal at regular periods or is of such a nature or quantity as to be unsuitable for removal by the local government or its contractor; or
- (b) there is installed on the premises efficient apparatus for the destruction of the waste and the apparatus is used to dispose of the waste on the premises without causing a nuisance or permitting the discharge of smoke into the atmosphere in such quantities or of such a nature as to cause annoyance to persons.

(3) Where any waste is removed from the premises under a written authority of a local government, the person removing it shall dispose of it at a waste facility.

2.3. Use of Receptacles

(1) The occupier of every premises shall—

- (a) subject to paragraph (c), cause all refuse to be deposited in a receptacle;
- (b) at all times keep the lid of the receptacle closed except when depositing refuse in or cleaning the receptacle;
- (c) not deposit or permit to be deposited in a receptacle—
 - (i) more than 70 kg of refuse in the case of a receptacle with a capacity of 240 litres; or
 - (ii) more than 50 kg of refuse in the case of a receptacle with a capacity of 120 litres; and
 - (iii) any material being or consisting of—
 - (a) hot or burning ashes;
 - (b) oil, motor spirit or other flammable liquid;
 - (c) liquid, liquid paint, or other solvent;
 - (d) bricks, concrete, earth or other like substances;
 - (e) drugs, dressings, bandages, swabs or blood samples unless placed in a sealed impervious and leak-proof container;
 - (f) hospital, medical, veterinary, laboratory or pathological substances containing blood unless placed in a sealed impervious and leak-proof container;
 - (g) syringes, needles, surgical hardware, broken glass, sharps or other sharp objects unless placed in a sealed impervious leak-proof and impenetrable container; or
 - (h) cytotoxics, radioactive substances, vehicle batteries and dangerous chemicals;
 - (iv) any object which is greater in length, width or breadth than the corresponding dimensions of the receptacle or which will not allow the lid to be tightly closed; or
 - (v) refuse which is or likely to become offensive or a nuisance or to give off any offensive or noxious odour or to attract flies or cause fly breeding unless it is first wrapped in absorbent or impervious material or placed in a sealed impervious container;
- (d) except for collection day, keep the receptacle on the premises located behind the building line, or other location approved by the local government;

- (e) at all times keep the receptacle clean and whenever directed by the local government to do so, thoroughly cleanse and disinfect the receptacle and place and keep in the receptacle a deodorant material;
 - (f) notify the local government within seven days (7) after the event if the receptacle is lost, stolen, damaged or becomes defective;
 - (g) not mark or disfigure the receptacle in any manner other than by the placement of a street or unit number upon it in numerals no higher than 100mm; and
 - (h) not use the receptacle for any purpose other than the storage of refuse.
- (2) An owner or occupier of premises shall—
- (a) within the 12 hours prior to 0600 hours on collection day;
 - (i) place the receptacle on the verge between 1 to 3 metres from the kerb line, and so as not to cause an appreciable interference to public use of the road, footpath or other carriageway. The receptacle may otherwise be placed at a position specifically approved by the local government; or
 - (ii) where the receptacle is collected via a right-of-way or lane abutting the premises, place the receptacle adjacent to the boundary of the premises so abutting and in such a manner as to be serviceable from the right-of-way or lane; and
 - (b) within 12 hours of the contents of the receptacle having been removed, return the receptacle to its place of storage.
- (3) Where refuse emanating from premises is of a nature that the local government considers that it requires to be treated before being placed in a receptacle, the local government may give directions as to the manner in which it is to be so treated and the occupier of those premises shall comply with those directions.
- (4) Collection of refuse shall be once weekly unless otherwise determined by the local government.
- (5) In the case of multi-residential, commercial or industrial premises, where it is considered that individual receptacles for each premises would not be practical, the local government may exercise discretion as to the number of receptacles to be provided and to the number of collections carried out each week.
- (6) In the case of premises consisting of more than 3 dwellings or any premises used for commercial or industrial purposes or as a food premises, the Local government may authorise rubbish or refuse to be deposited in a container other than a receptacle.
- (7) The owner or occupier of premises who is authorised under this section to deposit rubbish or refuse in a container shall—
- (a) unless approved by the local government not deposit or permit to be deposited in the container anything specified in clause 2.3(1)(c)(iii)-(v);
 - (b) take all reasonable steps to prevent fly breeding in, and the emission of offensive or noxious odours from, the container;
 - (c) whenever directed by the local government to do so, thoroughly clean, disinfect, deodorise and apply a residual insecticide to the container;
 - (d) cause the container to be located on the premises in an enclosure constructed and located in accordance to Clause 2.7(3).
 - (e) ensure that the container is not visible from the street but is readily accessible for the purposes of collection; and
 - (f) ensure that the container does not cause a nuisance to an occupier of adjoining premises.
- (8) An owner or occupier shall—
- (a) ensure that there are a sufficient number of receptacles provided to contain all rubbish and refuse which accumulates or may accumulate in or from the premises;
 - (b) ensure that each receptacle on the premises—
 - (i) has a close fitting lid;
 - (ii) is constructed of non -absorbent and non-corrosive material; and
 - (iii) is clearly marked, for the use of, and is used only for, the temporary deposit of rubbish or refuse;
 - (c) keep or cause to be kept each receptacle thoroughly clean and in good condition and repair;
 - (d) place any rubbish or refuse in, and only in, a receptacle marked for that purpose;
 - (e) keep the cover on each receptacle except when it is necessary to place something in, or remove something from, it; and
 - (f) ensure that the receptacles are emptied at least weekly or as directed by the local government.

2.4. Exemption

- (1) An owner or occupier of premises may apply in writing to the local government for an exemption from compliance with the requirements of clause 2.3.(1)(a) or 2.3.(2).
- (2) The local government may grant or refuse, with or without conditions, an application for exemption from compliance under this clause.
- (3) An exemption granted under this clause shall state—
 - (a) the premises to which the exemption applies;
 - (b) the period during which the exemption applies; and
 - (c) any conditions imposed by the local government.
- (4) The local government may rescind the exemption or from time to time vary conditions imposed by it under this clause by giving written notice of the variation to the person to whom the exemption was given.

2.5. Ownership of Receptacles

A receptacle supplied by the local government or its contractor remains the property of the local government or its contractor as the case may be.

2.6. Damage to Receptacles

A person other than the local government or its contractor, shall not—

- (a) damage, destroy or interfere with a receptacle supplied by the local government or its contractor; or
- (b) except as permitted by this Local law or as authorised by the local government, remove a receptacle from any premises to which it was delivered by the local government or its contractor.

2.7. Suitable Enclosure

(1) An owner or occupier of premises—

- (a) consisting of more than three (3) dwellings; or
- (b) used for commercial or industrial purposes, or a food premises;

shall if required by the local government provide a suitable enclosure for the storage and cleaning of receptacles on the premises.

(2) An owner or occupier of premises required to provide a suitable enclosure under this clause shall keep the enclosure thoroughly clean and disinfected.

(3) For the purposes of this clause, a “suitable enclosure” means an enclosure—

- (a) of sufficient size to accommodate all receptacles used on the premises but in any event having a floor area not less than 3 metres by 3 metres;
- (b) constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness approved by the local government;
- (c) having walls not less than 1.8 metres in height and having an access way of not less than 1 metre in width and fitted with a self-closing gate;
- (d) containing a smooth, non-slip and impervious floor—
 - (i) of not less than 75 millimetres in thickness; and
 - (ii) which is evenly graded to a grated outlet connected to the existing sewer disposal system connection on the property;
- (e) which is easily accessible to allow for the removal of the receptacles;
- (f) provided with a ramp into the enclosure having a gradient no steeper than 1:8 unless otherwise approved by the local government; and
- (g) provided with a tap connected to an adequate supply of water.

2.8. Building Construction

(1) During all periods of construction on any building site, the builder shall—

- (a) provide and maintain on such site a waste disposal bin, being either—
 - (i) a bin of not less than 4 cubic metres in capacity; or
 - (ii) a receptacle or other container approved by the local government;
- (b) keep such site free of waste and offensive matter; and
- (c) maintain the street verge immediately adjacent to such site free of waste or offensive matter.

(2) On completion of construction, the builder shall immediately clear the site and the adjacent street verge of all waste, waste materials and offensive matter and all waste bins provided by the builder.

(3) In subclauses (1) and (2), “waste” includes all discarded stones, brick, lime, timber, iron, tiles, bags, plastics and any broken, used or discarded matter.

2.9. Deposit of Waste

- (1) A person shall not deposit or cause or permit to be deposited any waste in or on any street or on any land other than a waste facility.
- (2) The driver of a vehicle, upon entering a waste facility, shall not deposit any waste until authorised to do so by the attendant or person in charge.
- (3) A person shall not deposit waste in or on a waste facility except—
 - (a) at such place on the site as may be directed by the person in charge of the facility; or
 - (b) if the person in charge is not in attendance at the facility, as may be directed by a notice erected on the site.

2.10. Removal of Waste from Premises or Receptacle

- (1) A person shall not remove any waste from premises unless that person is—
 - (a) the owner or occupier of the premises;
 - (b) authorised to do so by the owner or occupier of the premises; or
 - (c) authorised in writing to do so by the local government.
- (2) A person shall not, without the approval of the local government or the owner of a receptacle, remove any waste from the receptacle or other container provided for the use of the general public in a public place.
- (3) Where the local government provides—
 - (a) a collection service for recyclable material, the occupier of premises shall comply with and observe the directions given by the local government in relation to that collection;
 - (b) a collection for bulk material, the occupier of premises shall comply with and observe the directions given by the local government in relation to that collection.
- (4) Where additional collection services are provided upon request by the occupier of premises, fees as set by the local government from time to time under sections 6.16 and 6.19 of the *Local Government Act 1995* shall be paid.

2.11. Burning Waste

- (1) A person shall not—
 - (a) without the approval of the local government; and
 - (b) except in accordance with the terms and conditions to which the approval is subject, set fire to, or cause to be set on fire, any waste either—
 - (i) in any incinerator; or
 - (ii) on the ground.
- (2) Subject to subclause (3), an approval of the local government is issued subject to the following conditions—
 - (a) the material to be burnt—
 - (i) does not include any plastic, rubber, food scraps, green garden cuttings and other material which may become offensive when burnt; and
 - (ii) is of such quantity, or of such a nature, as to be unsuitable for removal by the local government's waste collection service;
 - (b) there is no other appropriate means of disposal;
 - (c) an incinerator must have a minimum of 205 litre capacity fitted with a caste iron top with a reverse vortex cone and connected to a 1.8 metre air adjustable flue terminating with a mesh spark arrestor; and
 - (d) an incinerator unit used for fire must be located—
 - (i) at least 3 metres from a fence, building or inflammable matter; and
 - (ii) in such a position so as not to create a nuisance or be offensive to other persons.
- (3) Subject to the provisions of the *Bush Fires Act 1954*, it is prohibited to clear by burning any fire breaks, vacant lots or other land of grass, straw, hay, undergrowth, herbage and other vegetation whether or dead and standing or not standing, without written approval of the local government.

2.12. Waste Removal Vehicles

- A vehicle used by the local government, its contractor or any person for the collection and transport of waste shall—
- (a) be provided with a compartment in which all waste shall be deposited for removal, and of which the interior is constructed from or surfaced with impermeable material; and
 - (b) have a cover over the compartment at all times when the vehicle is engaged in the transport of waste.

2.13. Method of Removal of Waste

A person engaged in the removal of waste from premises shall—

- (a) convey all waste from the receptacles of the occupier of the premises and deposit the waste in the portion of the collection vehicle intended to hold the waste; and
- (b) replace the receptacle at the point designated by the local government and in accordance with contractual obligations.

2.14. Removal from Waste Facility

- (1) A person shall not remove any waste from a waste facility without the written approval of the local government.
- (2) A person who obtains approval from the local government shall comply with any conditions imposed by the local government and set out in the approval.

PART 3—OFFENCES AND PENALTIES**3.1. Offences and penalties**

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) Any person who commits an offence under this local law is liable, upon conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

Dated the 27th day of May, 2010.

The Common Seal of the Shire of Dowerin was affixed by authority of a resolution of the Council in the presence of—

DALE METCALF, President.
DACRE ALCOCK, Chief Executive Officer.

KEIRAN McNAMARA, Chief Executive Officer,
Department of Environment and Conservation.

— PART 2 —

AGRICULTURE AND FOOD

AG401*

BEEKEEPERS ACT 1963

APPOINTMENT

Department of Agriculture and Food,
South Perth WA 6151.

The Governor is pleased to appoint the following person as an Inspector pursuant to section 5 of the *Beekeepers Act 1963*—

Mark Robert Hillbrick

PETER CONRAN, Clerk of the Executive Council.
TERRY REDMAN MLA, Minister for Agriculture and Food.

AG402*

BEEKEEPERS ACT 1963

APPOINTMENTS

Department of Agriculture and Food,
South Perth WA 6151.

The Governor is pleased to appoint the following persons as Inspectors pursuant to section 5 of the *Beekeepers Act 1963*—

Simone Andrews
Katrina Jane Barrett

PETER CONRAN, Clerk of the Executive Council.
TERRY REDMAN MLA, Minister for Agriculture and Food.

AG403

MARKETING OF POTATOES ACT 1946

POTATO MARKETING POOLS

Potato Marketing Corporation of Western Australia

Public notice in accordance with Section 26(2) of the *Marketing of Potatoes Act 1946*.

Pool 1, Season 2010/11

Pool period: The pool commences on 1 July 2010 and ends on 4 September 2010.

The quantity of ware potatoes required to be accepted: 10,130 tonnes.

Additional specifications: Nil

Pool 2, Season 2010/11

Pool period: The pool commences on 5 September 2010 and ends on 16 October 2010.

The quantity of ware potatoes required to be accepted: 5,665 tonnes.

Additional specifications: Nil

Pool 3, Season 2010/11

Pool period: The pool commences on 17 October 2010 and ends on 20 November 2010.

The quantity of ware potatoes required to be accepted: 4,945 tonnes.

Additional specifications: Nil

Pool 4, Season 2010/11

Pool period: The pool commences on 22 November 2010 and ends on 1 January 2011.

The quantity of ware potatoes required to be accepted: 5,664 tonnes.

Additional specifications: Nil

MARINE/MARITIME

MX401*

SHIPPING AND PILOTAGE ACT 1967
APPOINTMENT OF HARBOUR MASTER

It is hereby notified for general information that the Minister for Transport has appointed Captain David Kimberley Heppingstone as Harbour Master for the Port of Cape Preston pursuant to section 4 of the *Shipping and Pilotage Act 1967*.

SIMON O'BRIEN MLC, Minister for Transport.

MX402*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
WATER SKI AREA RESTRICTIONS
All Navigable Waters

Department of Transport,
Fremantle WA, 15 June 2010.

Acting pursuant to the powers conferred by Regulation 48A of the *Navigable Waters Regulations 1958*, the Department of Transport by this notice advises that water skiing in all gazetted water ski areas is not permitted outside the hours of Sunrise to Sunset. For the removal of doubt, this does not alter any gazetted permissible water skiing hours between Sunrise and Sunset and applies to all water ski areas that have been published in the *Government Gazette*.

DAVID HARROD FNI, General Manager,
Marine Safety,
Department of Transport

MINERALS AND PETROLEUM

MP401*

DANGEROUS GOODS SAFETY ACT 2004
EXEMPTION NO. 22

Made by the Chief Dangerous Goods Officer, Malcolm Paul Russell.

Pursuant to section 22 of the *Dangerous Goods Safety Act 2004*, I hereby exempt loaders, consignors, prime contractors, rail operators and drivers of placard loads of ammonium nitrate, classified as UN 1942 and UN 2067, from the requirement of section 5.3.1.3 of the Australian Dangerous Goods Code 7th Edition, "Emergency Information Panels", to display a Hazchem Code of "1Z" as required by Regulations 111, 112, 113, 114 and 115 of the *Dangerous Goods Safety (Road and Rail Transport of Non-explosives) Regulations 2007*.

Conditions of Exemption

Where a loader, consignor, prime contractor, rail operator or driver takes advantage of this exemption they must use a Hazchem Code of "1Y" as part of the Emergency Information Panel.

Period of Exemption

This exemption is valid from the date of grant until the 8th Edition of the Australian Dangerous Goods Code becomes law.

MALCOLM RUSSELL, Chief Dangerous Goods Officer.

10 June 2010.

PARLIAMENT

PA401*

PARLIAMENT OF WESTERN AUSTRALIA

Royal Assent to Bills

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

Title of Act	Date of Assent	Act No.
Revenue Laws Amendment Act 2010	10 June	9 of 2010

MALCOLM PEACOCK, Clerk of the Parliaments.

11 June 2010.

PLANNING

PI401*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Nannup

Local Planning Scheme No. 3—Amendment No. 3

Ref: 853/6/17/3 Pt 3

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Nannup local planning scheme amendment on 20 May 2010 for the purpose of—

1. Rezoning Lot 74 East Nannup Road, Nannup from the Agriculture zone to the Special Use zone for the purpose of various tourism and agricultural purposes and amending the Scheme Map by including a notation “V” accordingly.
2. Inserting applicable special provisions into Schedule 4 of the Scheme.
3. Introducing a Structure Plan referenced in Schedule 4 of the Scheme Text.

SCHEDULE 4—SPECIAL USE ZONES

Description of Land	Permitted Land Use	Special Provisions
Lot 74 East Nannup Road, Nannup	<ul style="list-style-type: none"> • Chalet development • Caretaker’s dwelling/ Administration office • Restaurant • Reception centre • Recreation and leisure • Rural pursuit 	<ol style="list-style-type: none"> 1. Subdivision and development of the site shall be generally in accordance with the Structure Plan adopted by the Local Government and endorsed by the Western Australian Planning Commission. 2. Development may be considered by the Local Government as a variation from the Structure Plan provided that, in the opinion of the Local Government, such development would not compromise the intent of the Structure Plan. 3. Any variation to the endorsed Structure Plan not considered within the general intent of the Structure Plan will require an amendment to the endorsed Structure Plan in accordance with schedule 14.

Description of Land	Permitted Land Use	Special Provisions
		<p><i>Use and Development</i></p> <p>4. All 'permitted land uses' shall be deemed to be 'D' uses pursuant to the Scheme.</p> <p>5. An Application for Planning Approval shall be lodged and approved by the Local Government prior to the commencement of any use or development.</p> <p>6. The maximum number of bedrooms for the Chalet development shall not exceed 39.</p> <p>7. As a condition of development approval, the following shall be required to be prepared and/or implemented to the satisfaction of the Local Government—</p> <ul style="list-style-type: none"> • Preparation of a development staging plan. • Preparation of a landscape assessment of all proposed buildings and works in relation to the view from adjoining Lot 74 and from East Nannup Road. • Preparation and implementation of a fire management plan (prepared to the requirements of FESA and DEC) which amongst other things, identifies fire risk and proposes appropriate mitigation while recognising the objective to minimise clearing of quality vegetation. • All chalets shall be designed and constructed in accordance with the requirements of Standards Australia AS3969-1999 "Construction of Buildings in Bush Fire Prone Areas" (Level 2) construction standards. • Geotechnical Study being undertaken prior to development to confirm acceptable locations of buildings and appropriate methods and locations for effluent disposal. Each habitable building shall be connected to an approved effluent disposal system to the satisfaction of the Shire and Department of Health. In some cases an Alternative Treatment Unit (ATU) may be required. • Buildings are to be designed to incorporate a common thread of architectural style to ensure the development takes the form of one contiguous development.

Description of Land	Permitted Land Use	Special Provisions
		<ul style="list-style-type: none"> • The colours and materials of buildings shall be essentially natural and earthy tone complimentary to the landscape. • Each single bedroom chalet shall be connected to a water storage tank/s with a minimum capacity of 50,000 litres either as individual or 'common' tanks. • All other chalets shall be connected to a water storage tank with a minimum capacity of 92,000 litres. <p>8. No trees or substantial vegetation shall be felled or removed from the site except where—</p> <ol style="list-style-type: none"> i. required for approved development works; ii. compliance with an approved Fire Management Plan iii. the establishment of a firebreak as required by Regulation or By-Law; or iv. trees are dead, diseased or dangerous. <p>9. All development and ongoing management on the site to comply with the requirements of the Fire Management Plan.</p> <p>10. No person shall occupy a chalet for more than a total of three months in any twelve month period.</p> <p>11. No dams or lakes shall be constructed without the written consent of the Local Government.</p> <p><i>Subdivision</i></p> <p>12. Subdivision will not be permitted unless development has been issued by the local government. Lot boundaries will be limited to the approved chalet(s) and immediate curtilage (including tank water and outdoor living area).</p> <p>13. Subdivision approval will be subject to—</p> <ul style="list-style-type: none"> • The preparation of a Management Statement; • The inclusion of communal facilities within common property or an alternative access arrangement being facilitated; • A construction and staging program that demonstrates that common facilities and viable management arrangements are provided in each stage; • Limitation of the extent of strata lots to the area of the proposed chalets and their immediate cartilage;

Description of Land	Permitted Land Use	Special Provisions
		<ul style="list-style-type: none"> • The conditions outlined in the WAPC's endorsed Tourist Accommodation Strata Title Guidelines • The imposition of a restriction under Section 6 of the <i>Strata Titles Act (1985)</i> ensuring that no chalet is occupied for longer than 3 months in any one twelve month period; • Notification in the form of a section 70A notification, pursuant to the Transfer of Lands Act 1893 (as amended) is to be placed on the Certificates of Title of the chalet lots advising— <i>This lot is adjacent to agricultural land on neighbouring lots and within the subject land, wherein rural production activity may have a nuisance effect on amenity, from time to time.</i> • Notification in the form of a section 70A notification, pursuant to the Transfer of Lands Act 1893 (as amended) is to be placed on the Certificates of Title of the chalet lots advising that some or all of the following approved activities may occur in the State forest from time to time— • Prescribed burning for conservation and/or fire hazard reduction purposes; • Timber harvesting and regeneration in accordance with a Government approved forest management plan; • Baiting with poison to control predators of native fauna; and • Application of herbicides and other chemicals for weed and plant disease control. <p>14. The Management Strategy will be required to address the following—</p> <ul style="list-style-type: none"> • The management of common property; • The management of the tourist development as a single entity from a communal management entity; • The coordinated management of fire risk to or from within the Site; • Limitations on redevelopment to a common theme and style (linked to any previous or future development consent);

Description of Land	Permitted Land Use	Special Provisions
		<ul style="list-style-type: none"> • Provision for servicing, the management of waste and refuse; • Integrated common management of the units for a minimum period of 25 years; • The by-laws outlined in the WAPC's endorsed Tourist Accommodation Strata Title Guidelines; and • The requirement for the WAPC, in consultation with Tourism WA, to approve any variations to the management statement.

B. DUNNET, Shire President.
S. A. COLLIE, Chief Executive Officer.

PI501*

PLANNING AND DEVELOPMENT ACT 2005
METROPOLITAN REGION SCHEME MAJOR AMENDMENT 1186/41
WANDI TRANSIT ORIENTED DEVELOPMENT PRECINCT

Call for Public Submissions

The Western Australian Planning Commission (WAPC) intends to amend the Metropolitan Region Scheme (MRS) for land in the local government of Kwinana and is seeking public comment.

The amendment seeks to rezone approximately 6.8ha of portion of Lot 683 Lyon Road, Wandu from the rural-water protection zone to the urban zone.

Display locations

The plans showing the proposed change and the WAPC's amendment report which explains the proposal, will be available for public inspection, free of charge from Tuesday 13 April 2010 to Friday 16 July 2010 at each of the following places—

- | | |
|---|---|
| <ul style="list-style-type: none"> • Western Australian Planning Commission
469 Wellington Street, Perth • J S Battye Library
Level 3, Alexander Library Building
Perth Cultural Centre | <ul style="list-style-type: none"> • City of Perth • City of Fremantle • City of Cockburn • Town of Kwinana |
|---|---|

Documents are also available from the Planning WA website www.planning.wa.gov.au.

Submissions

Any person who desires to make a submission to support, object or provide comment on any part of the proposed amendment should do so on a form 41. This submission form is available from the display locations, the amendment report and the internet.

Submissions must be lodged with the Secretary, Western Australian Planning Commission, 469 Wellington Street, PERTH WA 6000; on or before 5.00pm Friday, 16 July 2010.

Late submissions will not be considered.

TONY EVANS, Secretary,
Western Australian Planning Commission.

TRAINING

TA401

VOCATIONAL EDUCATION AND TRAINING ACT 1996
CLASSIFICATION OF PRESCRIBED VOCATIONAL EDUCATION
AND TRAINING QUALIFICATIONS

Amendment to Western Australian *Government Gazette* 2009/225

Under the *Vocational Education and Training Act 1996* section 60C, the Minister for Training and Workforce Development classifies the following—

Class B qualifications

No.	Qualification	Conditions	Training contract requirements				
			Title of apprentice under training contract	Nominal period (months) full time	Part time	School based	Other requirements
568.1	Certificate IV in Food Processing FDF40103		Trainee	24	Y		

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