



**WESTERN
AUSTRALIAN
GOVERNMENT
Gazette**

ISSN 1448-949X

PRINT POST APPROVED PP665002/00041

5453



PERTH, FRIDAY, 29 NOVEMBER 2013 No. 211

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 12.00 NOON

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PUBLISHING DETAILS

The Western Australian *Government Gazette* is published by State Law Publisher for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances.

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically.

The following guidelines should be followed to ensure publication in the *Government Gazette*.

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
- Copy must be lodged with the Sales and Editorial Section, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

Delivery address:

State Law Publisher
Ground Floor,
10 William St. Perth, 6000
Telephone: 9426 0000 Fax: 9321 7536

- Inquiries regarding publication of notices can be directed to the Editor on (08) 9426 0010.
- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

If it is necessary through isolation or urgency to fax copy, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*



GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2013 AND NEW YEAR HOLIDAY PERIOD 2014

Publishing Dates and times	Closing Dates and Times for copy
Friday, 20 December 2013 at 12 noon	Wednesday, 18 December 2013 at 12 noon
Friday, 27 December 2013 at 12 noon	Monday, 23 December 2013 at 12 noon
Tuesday, 31 December 2013 at 12 noon	Friday, 27 December 2013 at 12 noon
Friday, 3 January 2014 at 12 noon	Monday, 30 December 2013 at 12 noon



— PART 1 —

PROCLAMATIONS

AA101*

(Act 11 of 2013)

Fair Trading Amendment Act 2013

Fair Trading Amendment Act 2013 Commencement Proclamation 2013

Made under the *Fair Trading Amendment Act 2013* section 2(b) by the Governor in Executive Council.

1. Citation

This proclamation is the *Fair Trading Amendment Act 2013 Commencement Proclamation 2013*.

2. Commencement of Act

The *Fair Trading Amendment Act 2013*, other than sections 1 and 2, comes into operation on the day after the day on which this proclamation is published in the *Government Gazette*.

M. J. McCUSKER, Governor.

L.S.

M. MISCHIN, Minister for Commerce.

AA102*

Marine and Harbours Act 1981

Marine and Harbours (Port Walcott) Proclamation 2013

Made under the *Marine and Harbours Act 1981* section 9 by the Governor in Executive Council.

1. Citation

This proclamation is the *Marine and Harbours (Port Walcott) Proclamation 2013*.

2. Terms used

- (1) In this proclamation —
coastal waters of the State has the meaning given in the *Coastal Waters (State Powers) Act 1980* (Commonwealth) section 3(1);
Deposited Plan, followed by a number, means the deposited plan of that number held by the Western Australian Land Information Authority established by the *Land Information Authority Act 2006*;
The Minister for Transport is the body corporate created under the *Marine and Harbours Act 1981* section 8(1).
- (2) Latitude and longitude coordinates in this proclamation use the Geocentric Datum of Australia (GDA 94).

3. Previous proclamation cancelled

The proclamation made under the *Marine and Harbours Act 1981* section 9, dated 16 April 2013 and published in the *Gazette* on 23 April 2013 at p. 1589-90, is cancelled.

4. Land revested in the Crown

The land comprised in Lots 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431 and 432 on Deposited Plan 77603 is revested in the Crown.

5. Port Walcott land vested in The Minister for Transport

The land described in Schedule 1 is vested in The Minister for Transport.

Schedule 1 — Port Walcott land

[cl. 5]

1. Part A Land

Lot 672 on Deposited Plan 77624 and Lot 7901 on Deposited Plan 71098.

2. Part B Land

The area of land (excluding De Witt Location 69 (Special Lease 3116/4628)) bounded by a line that —

- (a) starts at the intersection of latitude 20°27'55.18"S and the limit of the coastal waters of the State (at approximately longitude 117°11'05.50"E);
- (b) then goes east to latitude 20°27'55.18"S and longitude 117°17'04.78"E;
- (c) then goes south to latitude 20°30'49.18"S and longitude 117°17'04.78"E;
- (d) then goes south-easterly to latitude 20°36'49.18"S and longitude 117°31'40.78"E;
- (e) then south to the intersection of longitude 117°31'40.78"E and the limit of the coastal waters of the State (at approximately latitude 20°37'45.96"S);
- (f) then goes generally westerly and north-westerly along the limit of the coastal waters of the State to the start.

M. J. McCUSKER, Governor.

L.S.

T. R. BUSWELL, Minister for Transport.

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

Town of Victoria Park

PARKING AND PARKING FACILITIES AMENDMENT (GENERAL) LOCAL LAW 2013
 Under the powers conferred by the *Local Government Act 1995* and by all other powers enabling it, the Council of the Town of Victoria Park resolved on 9 July 2013 to make the following local law.

1. Citation

This local law may be cited as the *Town of Victoria Park Parking and Parking Facilities Amendment (General) Local Law 2013*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Repeal

The Town of Victoria Park Parking and Facilities Amendment Local Law 2013 as published in the *Government Gazette* on 5 April 2013 is repealed.

4. Principal local law

In this local law the *Town of Victoria Park Parking and Parking Facilities Local Law 2008* as published in the *Government Gazette* on 14 January 2009 and as amended and published in the *Government Gazette* on 1 December 2009 is referred to as the Principal Local Law. The Principal Local Law is amended as follows.

5. Clause 1.3 Amended

Clause 1.3 is amended as follows—

- (a) Insert the following definitions in alphabetical order—

‘car carrier’ means a vehicle together or separately from any attached trailer that is designed for the transportation of cars or of other vehicles but excludes tow trucks;

‘heavy or long vehicle’ means a vehicle or any combination of vehicles, that, together with any projection on, or load carried by, the vehicle or combination of vehicles, is 7.5 metres or more in length or exceeds a GVM of 4.5 tonnes;

‘parking system’ includes a parking meter, ticket issuing machine, and any other similar device, mechanism, or system, for which currency is inserted or provided and which measures, records, or displays the period of time during which a vehicle is, or is permitted to be, parked in a particular area;

‘Parking Permit’ means a permit issued by the Town pursuant to clause 8.1 of this local law; and

‘tow truck’ means a motor vehicle equipped with a crane on winch used or intended to be used for the lifting, salvaging, carrying or towing of vehicles and includes any motor vehicle to which is attached (temporarily or otherwise) a device or trailer which is used or intended to be used for the lifting, salvaging and carrying of any motor vehicle.

- (b) Delete the definition for **‘metered zone’** and replace with the following—

‘metered zone’ means any parking facility, parking area, thoroughfare or reserve, or any part of a parking facility, parking area, thoroughfare or reserve in which parking meters regulate the parking of vehicles.

- (c) Delete the definition for **‘parking meter’** and replace with the following—

“parking meter” means a machine either manually or electronically operated by the insertion of currency to measure and display the initial period of time purchased and decreasing time available until expired, for a vehicle to occupy the parking bay, or one of the parking bays, to which the meter relates and includes the stand on which the meter is erected.

- (d) Amend the definition for **‘metered space’** by deleting ‘parking meter’ and inserting ‘parking system’.

- (e) Amend the definition for **‘metered zone’** by deleting ‘parking meter’ and inserting ‘parking system’.

- (f) Amend the definition for **‘ticket issuing machine’** by deleting ‘parking meter’ and inserting ‘machine’.

6. Clause 1.6 Amended

Delete Clause 1.6 and substitute with the following—

1.6 Classes of vehicles

For the purpose of this Local Law, vehicles are divided into classes as follows—

- (a) buses;
- (b) commercial vehicles;
- (c) motorcycles;
- (d) bicycles;
- (e) taxis;
- (f) heavy or long vehicles;
- (g) car carriers;
- (h) tow trucks;
- (i) special purpose vehicles; and
- (j) all other vehicles.

7. Clause 2.2 Amended

Delete Clause 2.2 and substitute with the following—

2.2 Parking fee to be paid

(1) Subject to clause 2.5, a person shall not park, or permit to remain parked, a vehicle in a metered space unless any fee applicable to the metered space, as indicated on a sign or parking system referable to the metered space or as otherwise displayed, determined or required by the local government, has been paid.

(2) A person who parks a vehicle in contravention of subclause (1) above does not commit an offence against subclause (1) if the person, after parking the vehicle, immediately pays the parking fee in accordance with subclause (1).

(3) If—

- (a) a person commits an offence against subclause (1) in a metered space; and
- (b) an infringement notice for the offence is placed on or attached to the vehicle; and
- (c) the vehicle in relation to which the offence is committed remains parked in the space after the notice is affixed,

the person commits a separate and further offence under subclause (1) for each further time equal to the maximum time indicated on the sign installed in relation to that space that the vehicle remains parked in the space during a period in respect of which a parking fee is required to be paid.

8. Clause 2.3 Amended

Delete Clause 2.3 and substitute with the following—

2.3 Limitation on parking in a metered space

Notwithstanding clause 2.2, a person shall not park a vehicle in a metered space during any period when parking in that space is prohibited by a sign or in accordance with this Local Law.

9. Clause 2.4 Amended

In clause 2.4 delete the words “parking meter” and replace with “parking system”.

10. Clause 2.8 Amended

Delete Clause 2.8 and substitute with the following—

2.8 Parking ticket to be displayed

(1) A person shall not stop or park a vehicle in a metered zone which is regulated by a ticket issuing machine during any permitted period unless an unexpired ticket is displayed inside the vehicle such that the date, expiry time and the number (if any) printed on the ticket are clearly visible to and able to be read by an Authorised Person from outside the vehicle at all times while that vehicle remains stopped or parked in that zone.

(2) In this clause “permitted period” means the period stated on a ticket issuing machine or sign referable to the area in which the vehicle was parked during which the parking of a vehicle in that area is permitted only upon the purchase of a parking ticket.

11. Clause 2.11 Inserted

After Clause 2.10, insert the following—

2.11 No movement of vehicles to avoid time limitations in metered zones

Where the parking of vehicles in a metered zone is permitted for a limited time, a person shall not move a vehicle within the metered zone so that the total time of parking exceeds the maximum permitted unless the vehicle has first been removed from that thoroughfare for at least 2 hours since the vehicle was last parked in that thoroughfare.

12. Clause 3.2 Amended

Delete Clause 3.2 and substitute with the following—

3.2 Vehicles to be within parking stall

(1) Subject to subclause (2), (3) and (4), a person shall not park a vehicle in a parking stall in a thoroughfare or parking station otherwise than—

- (a) parallel to and as close to the kerb as is practicable;
- (b) wholly within the stall; and
- (c) headed in the direction of the movement of traffic on the side of the thoroughfare or right of way in which the stall is situated.

(2) Subject to subclause (3) where a parking stall in a thoroughfare or parking station is set out otherwise than parallel to the kerb, then a person must park a vehicle in that stall wholly within it.

(3) If a vehicle is too long or too wide to fit completely within a single parking stall then the person parking the vehicle shall do so within the minimum number of parking stalls needed to park that vehicle.

(4) A person shall not park a vehicle partly within and partly outside a parking area.

13. Clause 3.3 Amended

Delete Clause 3.3 and substitute with the following—

3.3 Payment of fee to park in a parking station

(1) A person shall not park, or permit to remain parked, a vehicle in any parking station during any period for which a fee is payable unless—

- (a) in the case of a parking station having an Authorised Person on duty, the appropriate fee is paid when demanded; or
- (b) in the case of a parking station regulated by a parking system, any fee applicable to the part of the parking station on which the vehicle is parked, as indicated on a sign or parking system referable to the metered space or as otherwise displayed, determined or required by the local government, has been paid.

(2) A person who parks a vehicle in contravention of subclause (1)(b) above does not commit an offence against subclause (1)(b) if the person, after parking the vehicle, immediately pays the parking fee in accordance with subclause (1)(b).

(3) If—

- (a) a person commits an offence against subclause (1)(b); and
- (b) an infringement notice for the offence is placed on or attached to the vehicle; and
- (c) the vehicle in relation to which the offence is committed remains parked in that part of the parking station after the notice is affixed,

the person commits a separate and further offence under subclause (1) for each further time equal to the maximum time indicated on the sign installed in relation to the part of the parking station on which the vehicle is parked that the vehicle remains parked on that part during a period in respect of which a parking fee is required to be paid.

14. Clause 3.7 Amended

Delete Clause 3.7 and substitute with the following—

3.7 Parking ticket to be displayed

(1) A person shall not stop or park a vehicle in a parking station which is regulated by a ticket issuing machine during any permitted period unless an unexpired ticket is displayed inside the vehicle such that the date, expiry time and the number (if any) printed on the ticket are clearly visible to and able to be read by an Authorised Person from outside the vehicle at all times while that vehicle remains stopped or parked in that parking station.

(2) In this clause “permitted period” means the period stated on the ticket issuing machine or sign referable to the area in which the vehicle was parked during which the parking of a vehicle in that area is permitted only upon the purchase of a parking ticket.

15. Clause 3.8 Amended

In clause 3.8 after subclause (3) insert the following—

(4) Where the parking of vehicles in a parking station is permitted for a limited time, a person shall not park a vehicle so that the total time of parking exceeds the maximum permitted unless the vehicle has first been removed from that parking station for at least 2 hours since the vehicle was last parked in that parking station.

16. Clause 4.1 Amended

In clause 4.1 after subclause (5) insert the following—

(6) Where the parking of vehicles in a thoroughfare is permitted for a limited time, a person shall not park a vehicle so that the total time of parking exceeds the maximum permitted unless the vehicle has first been removed from that thoroughfare for at least 2 hours since the vehicle was last parked in that thoroughfare.

17. Clause 4.8 Deleted

Clause 4.8 is deleted and the remaining clauses 4.9 to 4.12 be renumbered accordingly.

18. Clause 6.1 Amended

Clause 6.1 is amended as follows—

- (a) In paragraph (c) delete “sign.” and insert “sign); or”; and

- (b) After paragraph (c) insert the following—
 - (d) unless the vehicle is a taxi and—
 - (i) the vehicle stopped for no longer than 2 minutes; and
 - (ii) the driver is with the vehicle at all times; and
 - (iii) the driver is picking up or dropping off a passenger.

19. Clause 7.10 Amended

In clause 7.10 after subclause (2) insert the following—

(3) Subclause (2) does not apply to the driver if he or she is the owner or occupier of the premises adjacent to that driveway, or is a person authorised by the occupier of those premises to stop the vehicle so that any portion of it is on the driveway unless otherwise prohibited by a written resolution of the strata company responsible for the common property of the lot adjacent to that driveway and so long as—

- (a) no part of the vehicle is parked over the adjacent carriageway or any adjacent footpath; and
- (b) no other parking restriction applies to that driveway.

20. Clause 7.12 Amended

In clause 7.12 delete the words “vehicle or any combination of vehicles, that, together with any projection on, or load carried by, the vehicle or combination of vehicles, is 7.5 metres or more in length or exceeds a GVM of 4.5 tonnes” and replace with “heavy or long vehicle”.

21. Part 8 Amended

Delete Part 8 and substitute with the following—

PART 8—PARKING PERMITS

8.1 Parking Permits

- (1) A person may apply for a Parking Permit to park a vehicle on a thoroughfare.
- (2) An application for a permit shall be made in the form determined by the local government.
- (3) The local government may in respect of an application for a permit for the purpose of subclause (1)—
 - (a) approve it;
 - (b) approve it subject to such conditions as the local government considers appropriate; or
 - (c) refuse to approve it.
- (4) Where the local government makes a decision under subclauses (3)(a) or (b), it shall issue a permit in the form determined by it to the person who applied for the permit.
- (5) A Parking Permit issued for the purpose of subclause (1) is valid for the dates, days and or times as set out in the conditions of the approval of the permit, and is valid until the expiry date and or time set out in the conditions of the permit.

8.2 Conditions of exemption for Parking Permits

Where stopping or parking of a vehicle on any part of a thoroughfare within the district is prohibited by a sign, the holder of a permit issued under clause 8.1 is exempted from such prohibitions if—

- (a) the vehicle is parked in an area specified in the permit;
- (b) the permit is affixed to the vehicle in the manner specified in the conditions of the permit;
- (c) the period in respect of which the permit was issued has not expired;
- (d) the permit is being used only in accordance with any conditions under which the permit was issued;
- (e) the permit is being used in a vehicle in which the permit is authorised to be used in accordance with the conditions of the permit; and
- (f) the total time which the vehicle is parked does not exceed 24 hours.

8.3 Work zone parking

- (1) In this clause, unless the context otherwise requires—

“**builder**” means a person employed to construct any building or to demolish, alter or execute any work on a building already constructed, and includes the owner or occupier of the land upon which any such building is intended to be constructed, or other person for whom, or by whose order or under whose direction and control such alteration or work was done or is intended to be done, as the case may be;

“**construction site**” means any land subject to development;

“**development**” means the demolition, erection, construction, alteration of or addition to any building or structure on land or the carrying out on the land of any excavation or other works;

“**eligible person**” means an owner or occupier of a construction site or any builder carrying out work on a construction site; and

“**work zone**” means any thoroughfare or part of a thoroughfare whether or not marked as a metered space or parking stall, set aside by the local government by the use of a sign, for a period specified on the sign, for the parking of commercial vehicles.

(2) An eligible person seeking to establish a work zone adjacent to a construction site may make written application to the local government which may approve or refuse the application.

(3) Where the local government approves an application made under subclause (2), it shall give the applicant written notice specifying—

- (a) the portion of thoroughfare approved for use as a work zone;
- (b) the term of the approval and the times during which the parking of commercial vehicles in the work zone is permitted;
- (c) any conditions applicable to the approval;
- (d) the amount of any establishment fee as determined by the local government from time to time.

(4) Where the establishment fee specified in a notice referred to in subclause (3) is paid to the local government within fourteen days from the date of issue of the notice, the local government shall set aside a work zone in accordance with the notice.

(5) An eligible person shall, in addition to the establishment fee, pay to the local government a daily fee as determined by the local government from time to time for each day that a work zone is set aside.

(6) A person shall not park a vehicle in a work zone unless—

- (a) the vehicle is a commercial vehicle;
- (b) the vehicle is parked during a time in which the parking of a commercial vehicle on that zone is permitted by a sign; and
- (c) a person is continuously engaged in loading or unloading goods—
 - (i) to or from the commercial vehicle; and
 - (ii) to or from the construction site.

22. Clause 9.5 Amended

Delete clause 9.5 and substitute with the following—

9.15 Special purpose and emergency vehicles

(1) Notwithstanding anything to the contrary in this local law, the driver of—

- (a) a special purpose vehicle may, only in the course of his or her duties and when it is expedient and safe to do so, stop, or park the vehicle in any place, at any time; and
- (b) an emergency vehicle may, in the course of his or her duties and when it is expedient and safe to do so or where he or she honestly and reasonably believes that it is expedient and safe to do so, stop, or park the vehicle in any place, at any time.

(2) For the purposes of this local law, a special purpose vehicle includes a vehicle in use by an Authorised Person.

23. Clause 9.6 Amended

In clause 9.6, delete the words “so that it obstructs the use of any part of that public place”.

24. Clause 9.8 Inserted

After clause 9.7, insert the following—

9.8 No parking Car Carriers and Heavy and Long Vehicles

A person shall not park a heavy or long vehicle, or a car carrier in any area specified in Schedule 5 except where—

- (a) the driver of that vehicle has received prior written permission from an Authorised Person; or
- (b) that vehicle is parked wholly within a designated Loading Zone,

and in any case only in accordance with the provisions of this Local Law.

25. Schedule 2 Amended

Delete Schedule 2 and substitute with the following—

*Schedule 2***PARKING AND PARKING FACILITIES LOCAL LAW 2008
PRESCRIBED OFFENCES**

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
1	2.2	Failure to pay fee for metered space	60
2	2.3	Parking in excess of period shown on metered space	60
3	2.4	Parking when meter has expired	60
4	2.6(1)	Failure to park wholly within metered space	60
5	2.6(3)	Parking outside metered zone	60
6	2.7	Non-permitted insertion in parking meter	60
7	2.8(1)	Failure to display ticket clearly in metered zone	60
8	2.9	Parking or attempting to park a vehicle in a metered space occupied by another vehicle	60
9	2.10	Parking contrary to a meter hood	120
10	2.11	Move vehicle to avoid time limit in metered zone	60
11	3.2	Failure to park wholly within parking stall	60
12	3.2(4)	Failure to park wholly within parking area	60
13	3.3	Failure to pay parking station fee	60
14	3.5	Leaving without paying parking station fee	60
15	3.7(1)	Failure to display ticket clearly in parking station	60
16	3.8(1)(a)	Causing obstruction in parking station	90
17	3.8(1)(c)	Parking contrary to sign in parking station	60
18	3.8(1)(d)	Parking contrary to directions of Authorised Person	120
19	3.8(1)(e)	Parking or attempting to park a vehicle in a parking stall occupied by another vehicle	60
20	3.8(4) or 4.1(3)(b) or 4.1(6)	Parking contrary to signs or limitations	60
21	4.1(1)(a)	Parking wrong class of vehicle	60
22	4.1(1)(b)	Parking by persons of a different class	60
23	4.1(1)(c)	Parking during prohibited period	120
24	4.1(3)(a)	Parking in no parking area	120
25	4.1(3)(c)	Parking vehicle in motor cycle only area	60
26	4.1(4)	Parking motor cycle in stall not marked 'M/C'	60
27	4.1(5)	Parking without permission in an area designated for 'Authorised Vehicles Only'	120
28	4.2(1)(a) or 4.2(1)(b)	Parking against the flow of traffic	60
29	4.2(1)(c)	Parking when distance from farther boundary less than 3 metres	120
30	4.2(1)(d)	Parking closer than 1 metre from another vehicle	60
31	4.2(1)(e)	Causing obstruction	120
32	4.3	Failure to park at approximate right angle	60
33	4.4(2)	Failure to park at an appropriate angle	60
34	4.5(2)(a) and 7.2	Double parking	120
35	4.5(2)(b)	Parking on or adjacent to a median strip	60
36	4.5(2)(c)	Denying access to private drive or right of way	120

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
37	4.5(2)(d)	Parking beside excavation or obstruction so as to obstruct traffic	60
38	4.5(2)(e)	Parking within 10 metres of traffic island	60
39	4.5(2)(f)	Parking on footpath/pedestrian crossing	120
40	4.5(2)(g)	Parking contrary to continuous line markings	60
41	4.5(2)(h)	Parking on intersection	120
42	4.5(2)(i)	Parking within 1 metre of fire hydrant or fire plug	60
43	4.5(2)(j)	Parking within 3 metres of public letter box	60
44	4.5(2)(k)	Parking within 10 metres of intersection	60
45	4.5(3)(a) or (b)	Parking vehicle within 10 metres of departure side of bus stop, children's crossing or pedestrian crossing	60
46	4.5(4)(a) or (b)	Parking vehicle within 20 metres of approach side of bus stop, children's crossing or pedestrian crossing	60
47	4.5(5)	Parking vehicle within 20 metres of approach side or departure side of railway level crossing	60
48	4.6	Parking contrary to direction of Authorised Person	120
49	4.7(2)	Removing mark of Authorised Person	120
50	4.8(a)	Parking in thoroughfare or parking facility for purpose of sale	60
51	4.8(b)	Parking unlicensed vehicle in thoroughfare	60
52	4.8(c)	Parking a trailer/caravan on a thoroughfare	60
53	4.8(d)	Parking in thoroughfare or parking facility for purpose of repairs	60
54	4.9(2)	Parking on land that is not a parking facility without consent	120
55	4.9(3)	Parking on land not in accordance with consent	60
56	4.10	Driving or parking on reserve	60
57	5.1(1)	Stopping contrary to a 'no stopping' sign	120
58	5.1(2)	Parking contrary to a 'no parking' sign	120
59	5.1(3)	Stopping within continuous yellow lines	120
60	6.1	Stopping unlawfully in a loading zone	60
61	6.2	Stopping unlawfully in a taxi zone or bus zone	120
62	6.3	Stopping unlawfully in a mail zone	60
63	6.4	Stopping in a zone contrary to a sign	60
64	7.1	Stopping in a shared zone	60
65	7.3	Stopping near an obstruction	60
66	7.4	Stopping on a bridge or tunnel	60
67	7.5	Stopping on crests/curves etcetera	60
68	7.6	Stopping near fire hydrant	60
69	7.7	Stopping near bus stop	120
70	7.8	Stopping on path, median strip or traffic island	120
71	7.9	Stopping on verge	120
72	7.10	Obstructing path, a driveway etcetera	120
73	7.11	Stopping near letter box	60
74	7.12	Stopping heavy or long vehicles on carriageway or parking facility	90
75	7.13	Stopping in bicycle parking area	60

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
76	7.14	Stopping in motorcycle parking area	60
77	7.15	Stopping in a disability parking area	500
78	9.6	Leaving vehicle so as to obstruct a public place	120
79	9.8	Park car carrier or heavy or long vehicle in prohibited area.	60
80		All other offences not specified	60

26. Schedule 4 Amended

Delete Schedule 4 and substitute with the following—

Schedule 4

PARKING AND PARKING FACILITIES LOCAL LAW 2008

DEEMED PARKING STATIONS

- (1) Swan TAFE, Bentley Campus—Hayman Road, Bentley;
- (2) Canning College—Marquis Street, Bentley;
- (3) Centro Victoria Park Shopping Centre—366 Albany Highway, Victoria Park;
- (4) Burswood Entertainment Complex and Burswood Park—Great Eastern Highway, Burswood;
- (5) Fraser Park Road—Lot 123 (88) Hampshire Street, East Victoria Park;
- (6) Right of Way off Burswood Road adjacent to G.O. Edwards Park—Lots 66 and 67 Burswood Road, Burswood;
- (7) Electrical Substation—Lot 301, 1 MacKay Street, Belmont;
- (8) Portion of Canning Location 3252 and being lots—
 - (a) Lot 101 on Plan 15736 and whole of land comprised in Certificate of Title Volume 1764 Folio 573—101 Jarrah Road, Bentley;
 - (b) Lot 6 on Plan 15403 and whole of land comprised in Certificate of Title Volume 1738 Folio 479—6 Brodie-Hall Drive, Bentley;
 - (c) Lot 112 on Plan 16869 and whole of land comprised in Certificate of Title Volume 1840 Folio 585—Lot 112 Brodie-Hall Drive, Bentley;
 - (d) Lot 5 on Plan 15403 and whole of land comprised in Certificate of Title Volume 1738 Folio 478—5 Brodie Hall Drive, Bentley;
 - (e) Lots 1-4 on Strata Plan 28659 and whole of land comprised in Certificate of Title Volume 2129 Folio 162, 163, 164 & 165—9 De Laeter Way Bentley;
 - (f) Lot 25 on Plan 24975 and whole of land comprised in Certificate of Title Volume 2205 Folio 71—7A De Laeter Way, Bentley; and
 - (g) Lot 76 on Plan 34132 and whole of land comprised in Certificate of Title Volume 2529 Folio 98—2 Brodie Hall Drive, Bentley.

27. Schedule 5 Inserted

Insert Schedule 5 as follows—

Schedule 5

PARKING AND PARKING FACILITIES LOCAL LAW 2008

LARGE VEHICLE EXCLUSION ZONE

- (1) Albany Highway and side streets off Albany Highway to a distance of 250 metres.

Dated: 19 November 2013.

The Common Seal of the Town of Victoria Park was affixed by authority of a resolution of the Council in the presence of—

TREVOR VAUGHAN, Mayor.
ATHANASIOS KYRON, Chief Executive Officer.

RACING, GAMING AND LIQUOR

RA301*

Liquor Control Act 1988

**Liquor Control (Bayulu Restricted Area)
Amendment Regulations 2013**

Made by the Governor in Executive Council on the recommendation of the Minister for Racing and Gaming under section 175(1a) of the Act.

1. Citation

These regulations are the *Liquor Control (Bayulu Restricted Area) Amendment Regulations 2013*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Liquor Control (Bayulu Restricted Area) Regulations 2013*.

4. Regulation 9 amended

In regulation 9 delete “6 months” and insert:

3 years

R. KENNEDY, Clerk of the Executive Council.

RA302*

Betting Control Act 1954

Betting Control Amendment Regulations (No. 2) 2013

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Betting Control Amendment Regulations (No. 2) 2013*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Betting Control Regulations 1978*.

4. Regulation 37 amended

- (1) Delete regulation 37(1)(h) and insert:
 - (h) the amount of the bet and the odds at which it was made or the method by which the odds will be calculated (if the odds are not known);
- (2) After subregulation 37(2) insert:
 - (3A) For the purposes of subregulation (2)(a) if the odds are not known at the time the bet is made, the method by which the odds will be calculated must be recorded.
- (3) In regulation 37(1) after each of paragraphs (a) to (g), (j) and (k) delete “and”.

R. KENNEDY, Clerk of the Executive Council.

RA303*

Racing and Wagering Western Australia Act 2003

Rules of Wagering Amendment Rules (No. 2) 2013

Made by Racing and Wagering Western Australia with the approval of the Commission under section 120 of the Act.

1. Citation

These rules are the *Rules of Wagering Amendment Rules (No. 2) 2013*.

2. Commencement

These rules come into operation as follows —

- (a) rules 1 and 2 — on the day on which these rules are published in the *Gazette*;
- (b) the rest of the rules — on the day after that day.

3. Rules amended

These rules amend the *Rules of Wagering 2005*.

4. Rule 3 amended

In rule 3 insert in alphabetical order:

Australian Prices Network means the body endorsed by RWWA that is responsible for determining the Australian on-course bookmakers' pricing information;

Australian totalisator means a totalisator operated under a licence in New South Wales, Victoria or Queensland;

middle dividend means —

- (a) where there are 3 Australian totalisators paying a dividend, the middle dividend paid; or
- (b) where there are 2 Australian totalisators paying a dividend, the higher of the 2 dividends paid; or
- (c) where there is one Australian totalisator paying a dividend, that dividend;

starting price guarantee wager means a win wager where the odds for a runner are the higher of the fixed odds for that runner at the time of the wager and the final on-course bookmakers' odds for that runner as

determined by the Australian Prices Network or rule 51A(1);

top fluc wager means a win wager where the odds for a runner are the highest on-course bookmakers' odds for that runner as determined by the Australian Prices Network or rule 51A(2);

tote bet wager means a win wager or a place wager where the odds are based on the final totalisator price as determined by the Australian totalisator;

5. Rule 5 amended

After rule 5(1)(a) insert:

- (ba) where the matter relates to wagering conducted by a bookmaker offering odds determined by an Australian totalisator — by the steward in charge of the race meeting or racecourse at which the bookmaker is operating; or

6. Rule 40 amended

(1) Delete rule 40(a)(iii) and insert:

- (iii) the amount of the bet and the odds at which it was made or the method by which the odds will be calculated (if the odds are not known),

(2) In rule 40(c) delete “dividends” and insert:

odds

7. Rule 50 amended

(1) In rule 50(1):

- (a) in paragraph (e) delete “wagers.” and insert:

wagers;

- (b) after paragraph (e) insert:

- (f) starting price guarantee wagers;
- (g) top fluc wagers;
- (h) tote bet wagers.

- (2) In rule 50(2):
- (a) in paragraph (e) delete “day.” and insert:

day;
 - (b) after paragraph (e) insert:
 - (f) subject to rule 51A, in a starting price guarantee wager the bookmaker offers odds against a runner winning a particular race by taking the higher of —
 - (i) the fixed odds for that runner as at the time of the wager; or
 - (ii) the final odds for that runner offered by on-course bookmakers as determined by the Australian Prices Network;
 - (g) subject to rule 51A, in a top fluc wager the bookmaker offers odds against a runner winning a particular race with those odds being the highest odds offered by on-course bookmakers as determined by the Australian Prices Network;
 - (h) in a tote bet win wager the bookmaker offers odds against a runner winning a particular race based on the —
 - (i) highest dividend paid for the win by an Australian totalisator; or
 - (ii) middle dividend paid for the win by an Australian totalisator;
 - (i) in a tote bet place wager the bookmaker offers odds against a runner achieving a place in a particular race based on the —
 - (i) highest dividend paid for the place by an Australian totalisator; or
 - (ii) middle dividend paid for the place by an Australian totalisator.
- (3) After rule 50(3) insert:
- (4) A bookmaker must not negotiate and accept a starting price guarantee wager, a top fluc wager or a tote bet wager unless the wager is communicated to the bookmaker by —
- (a) a telephone in accordance with rule 45; or
 - (b) the internet in accordance with rule 46.

- (5) For the purposes of subregulation (4), a bookmaker cannot —
- (a) negotiate and accept a wager communicated by a telephone unless the bookmaker is authorised by endorsement under the *Betting Control Regulations 1978* regulation 72(1); and
 - (b) negotiate and accept a wager communicated by the internet unless the bookmaker is authorised by endorsement under the *Betting Control Regulations 1978* regulation 75.
- (6) In a tote bet win wager or a tote bet place wager the parties must agree to the dividend to be paid (the highest dividend or the middle dividend) at the time the bet is made.

8. Rule 51A inserted

After rule 50 insert:

51A. Default odds for starting price guarantee and top fluc wagering

- (1) If a bookmaker accepts a starting price guarantee wager on a runner and the Australian Prices Network does not determine the pricing information for that runner immediately prior to the start of the race, the odds will be based on the middle dividend paid for the win for that runner by an Australian totalisator.
- (2) If a bookmaker accepts a top fluc wager on a runner and the Australian Prices Network does not determine the pricing information for that runner immediately prior to the start of the race, the odds will be based on the middle dividend paid for the win for that runner by an Australian totalisator.

9. Rule 51 amended

- (1) In rule 51(b) delete “Act; and” and insert:

Act.

- (2) Delete rule 51(c).

10. Rule 54 amended

In rule 54(a) delete “the wagers is” and insert:

the wagers are

Approved by the Gaming and Wagering Commission on 18th November 2013.

Common seal

BARRY A. SARGEANT, Chairman.

Made by Racing and Wagering Western Australia on 19th November 2013.

Common seal

JEFFEREY OVENS, Chairman.

RICHARD BURT, Chief Executive Officer.

RA304*

RACING AND WAGERING WESTERN AUSTRALIA ACT 2003

RWWA RULES OF THOROUGHBRED RACING 2004

In accordance with Section 45(1)(a) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on the 25th November 2013 resolved to amend the RWWA Rules of Thoroughbred Racing 2004 as follows—

Amendments to Australian Racing Rules (National Rules)

Add AR.8(z)

Amendments/Additions of the following rules made to facilitate rules regarding Anabolic Steroids;

Add definition of “Anabolic Androgenic Steroid Clearing Certificate” into AR.1

Amend AR.177C, Paragraph (1) of AR.178C(1), AR.178G, AR.196(5)

Add new rules AR.15D, AR.178H

Delete current AR.177B(2)(r) and insert new rule AR.177B(2)(r) and (s) as follows—

- (r) anabolic androgenic steroids (other than an anabolic androgenic steroid which is present at or below the relevant concentrations set out in AR.178C(1)),
- (s) metabolites, artifacts and isomers of any of the substances specified in paragraphs (a) to (r).

A copy of the above rules may be obtained during office hours from the RWWA offices at 14 Hasler Road, Osborne Park 6017, WA or Racing and Wagering Western Australia website, www.rwwa.com.au.

RICHARD BURT, Chief Executive Officer.

RA305*

RACING AND WAGERING WESTERN AUSTRALIA ACT 2003

RWWA RULES OF GREYHOUND RACING 2008

In accordance with Section 45(1)(c) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 25th November 2013 resolved to amend the RWWA Rules of Greyhound Racing 2008 with effect from 1st January 2014 as follows—

Amendments to National Rules

Add Definition of “failing to pursue”

In Definition of “exempted substance” confirm correct spelling of “Antimicrobials”

Amend rules AR23(4) & (5), 62(1), 74(2), 79A(2), 84(2), 86(e), 106(3), 135(2)

Amend and replace rules AR28, 33 & 34(1), 57(2)

Delete and replace Rules AR69-72

Re-number old rule AR23(6) to AR23(7)

Add AR20(3)(v), 23(6), 79A(4)(iii), (5), (6) & (7), 83(7), 84A

A copy of the above rules may be obtained during office hours from the RWWA offices at 14 Hasler Road, Osborne Park 6017, WA or Racing and Wagering Western Australia website, www.rwwa.com.au.

RICHARD BURT, Chief Executive Officer.

— PART 2 —

CONSUMER PROTECTION

CP401*

ASSOCIATIONS INCORPORATION ACT 1987

CANCELLED ASSOCIATION

Gawooleng Dawang Incorporated—A1001365A

United L Events Inc—A1014194G

Water Association of Western Australian Incorporated—A1005430R

Notice is hereby given that pursuant to section 35 of the *Associations Incorporation Act 1987*, the incorporation of the above named association has been cancelled as from the date of this notice.

Dated: 25 November 2013.

DAVID HILLYARD, Director, Retail and Services
for the Commissioner for Consumer Protection.

CP402*

RETAIL TRADING HOURS ACT 1987

RETAIL TRADING HOURS (SHIRE OF ESPERANCE) CHRISTMAS VARIATION ORDER 2013

Made by the Minister for Commerce under section 12E of the Act.

1. Citation

This order is the *Retail Trading Hours (Shire of Esperance) Christmas Variation Order 2013*.

2. Commencement

This order comes into operation as follows—

- (a) clauses 1 and 2—on the day on which this order is published in the *Gazette*;
- (b) the rest of the order—on the day after that day.

3. Variation of retail trading hours

General retail shops, other than motor vehicle shops, in the Esperance local government district are authorised to be open at times when the shops would otherwise be required to be closed—

- (a) on each day specified in the Table; and
- (b) during the hours specified for that day in the Table.

Table

Day	Hours
Monday 9 December 2013	From 6.00pm until 9.00pm
Tuesday 10 December 2013	From 6.00pm until 9.00pm
Wednesday 11 December 2013	From 6.00pm until 9.00pm
Friday 13 December 2013	From 6.00pm until 9.00pm
Sunday 15 December 2013	From 11.00am until 6.00pm
Monday 16 December 2013	From 6.00pm until 9.00pm
Tuesday 17 December 2013	From 6.00pm until 9.00pm
Wednesday 18 December 2013	From 6.00pm until 9.00pm
Friday 20 December 2013	From 6.00pm until 9.00pm
Sunday 22 December 2013	From 11.00am until 5.00pm
Monday 23 December 2013	From 6.00pm until 9.00pm

M. MISCHIN, Minister for Commerce.

CORRECTIVE SERVICES

CS401*

PRISONS ACT 1981 PERMIT DETAILS

Pursuant to the provisions of section 15P of the *Prisons Act 1981*, the Commissioner of the Department of Corrective Services has revoked the following Permit to do High-Level Security Work—

Surname	Other Names	Permit No.	Revocation Date
Goodwin	Ryan	AP 0750	21 November 2013

This notice is published under section 15P of the *Prisons Act 1981*.

DAVID HUGHES, A/Manager,
Acacia Prison Contract.

FIRE AND EMERGENCY SERVICES

FE401*

BUSH FIRES ACT 1954 *Shire of Ravensthorpe* BUSH FIRES NOTICE 2013

Correspondence No 00109-04

1. Citation

This notice may be cited as the *Bush Fires (Section 24E) Notice 2013—Shire of Ravensthorpe*.

2. Permission to burn garden refuse or rubbish in rubbish tip during restricted burning times

- (1) Permission is given for the use of fire in the open air for the purpose of burning the garden refuse and rubbish specified in clause 1 of Schedule 1.
- (2) This permission applies to Shire of Ravensthorpe employees and contractors.
- (3) This permission has effect for the period of 5 years from the day on which this Notice is published in the *Government Gazette*.

3. Land to which Permission applies

This notice only applies in respect of the Ravensthorpe and Hopetoun Rubbish Disposal Sites situated on Reserves 7380 and 35865 respectively, located within the Shire of Ravensthorpe.

4. Conditions applying during the permission—Schedule 1

During the period of permission, the conditions specified in the attached schedule (Schedule 1) apply to a fire which is to be lit, or which is lit, for the purpose of burning garden refuse or rubbish or for any like purpose in a rubbish tip during the restricted burning times.

Schedule 1—SPECIFIED CONDITIONS

1. Only dry untreated wood, timber and garden refuse may be burnt under this permission.
2. A firebreak of a minimum ten (10) metres width, cleared of all inflammable material, is to be established and maintained around the piles that are to be burnt.
3. A separation zone of a minimum of twenty five (25) metres must be maintained between the waste to be burnt and any other domestic or commercial waste.
4. Prior to the lighting of any fire under this permission the Shire of Ravensthorpe will place a notice within a newspaper circulating in their District and upon their website, advising the public of the intention to burn, the purpose for which the burning is being undertaken and the expected periods of burning.
5. Before any fires are lit the following notifications must be made—
 - Shire of Ravensthorpe Chief Fire Control Officer;
 - Shire of Ravensthorpe Community Emergency Services Manager;
 - DFES Communications Centre; and
 - Department of Parks and Wildlife (DPaW) District Officers prior to any fire being lit within five (5) kilometres of DPaW land.

6. No fires are to be lit on the site subject to this permission on a day or part of a day for which the fire danger forecast issued by the Bureau of Meteorology in respect of that locality is **Catastrophic, Extreme, Severe** or **Very High**.

7. Fires are only to be lit under the following conditions—

- the fire is lit by personnel specifically authorised to do by the Local Government;
- the fire is lit after a local forecast for the day has been obtained from the Bureau of Meteorology; and
- the Chief Bush Fire Control Officer or his designated deputies have been consulted and agreed to the burn taking place.

8. Burning shall take place in designated areas of the rubbish tip. The designated areas shall be cleared of all inflammable material, save minor grasses, for a radius of 50 metres minimum. The burning site will be located a minimum of 50 metres from the rubbish tip boundary.

9. Materials for burning shall be arranged in trenches or windrows, as directed by the Local Government. This area should not be sited over a site which has been previously land filled.

10. All materials burnt shall be regularly heaped and stoked throughout the duration of the burn to ensure, as far as possible, a rapid and complete burn.

11. The volume of waste to be burnt shall not exceed that which can be safely burnt and declared safe within the hours of 12 Midday and 12 Midnight on any one day.

12. Until the fire is declared safe, by the Shire of Ravensthorpe's Chief Fire Control Officer or his designated deputy, the fire must be attended by—

- at least three able bodied personnel who have successfully undertaken the minimum of Bush Fire Training, as defined by DFES; and
- A fire fighting appliance, fitted with a two-way radio, with a minimum water carrying capacity of 2000 litres fitted with a minimum of 30 metres of 19 millimetre diameter rubber hose and a pump capable of delivering a minimum of 1000 litres of water per minute at a minimum of 700Kpa through an adjustable nozzle capable of projecting water in spray and jet configurations.

13. The personnel referred to in Condition 12 are to be provided a mobile telephone and contact numbers for those persons described in Condition 5.

14. All burns are to be declared "SAFE" by the Chief Bush Fire Control Officer or his designated deputies prior to any fire fighter personnel or equipment being permitted to depart the area.

WAYNE GREGSON APM, FES Commissioner,
as a delegate of the Minister under section 15
of the *Fire and Emergency Services Act 1998*

LOCAL GOVERNMENT

LG401*

LOCAL GOVERNMENT ACT 1995

City of Wanneroo

(BASIS OF RATES)

Department of Local Government and Communities.

DLGC: WC5-4#07

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, as Minister for Local Government and Communities charged with the administration of the *Local Government Act 1995*, I have 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 the date of publication in the *Government Gazette* of 29 November 2013.

Hon TONY SIMPSON MLA, Minister for Local Government
and Communities.

SCHEDULE

ADDITIONS TO GROSS RENTAL VALUE AREA

CITY OF WANNEROO

All that portion of land being Lot 7 as shown on Diagram 16447.

LG402*

LOCAL GOVERNMENT ACT 1995*Shire of Laverton*

(BASIS OF RATES)

Department of Local Government and Communities.

DLGC: LA5-4#02

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, as Minister for Local Government and Communities charged with the administration of the *Local Government Act 1995*, I have 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 28 October 2013.

Hon TONY SIMPSON MLA, Minister for Local Government
and Communities.

SCHEDULE

ADDITIONS TO GROSS RENTAL VALUE AREA

SHIRE OF LAVERTON

All those portions of land contained in the Schedules below—

SCHEDULE "A"

Regis Resources Limited: GARDEN WELL PROJECT M38/1250—Workers Campsite

All that portion of land being part of Pastoral Lease L3114/693, starting from a point at coordinate 437051.454 metres East, 6917150.745 metres North (MGA94 Zone 51) and extending easterly 89 degrees, 39 minutes, 21.2 seconds, 554.26 metres; thence southerly 180 degrees, 23 minutes, 45.9 seconds, 356.169 metres; thence westerly 270 degrees, 0 minutes, 0.0 seconds, 551.748 metres; thence northerly 359 degrees, 59 minutes, 36.6 seconds, 352.832 metres to the starting point.

SCHEDULE "B"

Regis Resources Limited: GARDEN WELL PROJECT M38/1250—Gold Processing Plant

All that portion of land being part of Pastoral Lease L3114/693, starting from a point at coordinate 436971.24 metres East, 6914348.15 metres North (MGA94 Zone 51) and extending easterly 90 degrees, 0 minutes, 0.0 seconds, 667.114 metres; thence southerly 178 degrees, 37 minutes, 12.1 seconds, 629.089 metres; thence westerly 270 degrees, 0 minutes, 0.0 seconds, 954.001 metres; thence northerly 358 degrees, 54 minutes, 38.5 seconds, 217.643 metres; thence northeasterly 46 degrees, 19 minutes, 56.0 seconds, 457.657 metres; thence northwesterly 329 degrees, 55 minutes, 53.1 seconds, 110.121 metres to the starting point.

LG403*

LOCAL GOVERNMENT ACT 1995*Shire of Harvey*

(BASIS OF RATES)

Department of Local Government and Communities.

DLGC: H5-4#03

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, as Minister for Local Government and Communities charged with the administration of the *Local Government Act 1995*, I have 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 24 October 2013.

Hon TONY SIMPSON MLA, Minister for Local Government
and Communities.

SCHEDULE

ADDITIONS TO GROSS RENTAL VALUE AREA

SHIRE OF HARVEY

All that portion of land being Lot 301 as shown on Deposited Plan 62226.

LG404*

SHIRE OF WYALKATCHEM
APPOINTMENTS/REVOCATIONS

It is hereby notified for public information that the following persons have been appointed Authorised Officers of the Shire of Wyalkatchem in accordance with the provisions of the relevant Acts hereunder.

1. *Local Government Act 1995*
Ian McCabe—Chief Executive Officer
Peter McConnell—Deputy Chief Executive Officer
Trevor Webb—Manager of Works
Julian Goldacre—Principal Environmental Health Officer/Building Surveyor
Ashley Sutherland—Ranger Services
Paul King—Ranger Services
2. *Local Government (Miscellaneous Provisions) Act 1960*
Ian McCabe—Chief Executive Officer
Peter McConnell—Deputy Chief Executive Officer
Trevor Webb—Manager of Works
Julian Goldacre—Principal Environmental Health Officer/Building Surveyor
3. *Bush Fires Act 1954*
Ian McCabe—Chief Executive Officer
Peter McConnell—Deputy Chief Executive Officer
Trevor Webb—Manager of Works
Ashley Sutherland—Ranger Services
Paul King—Ranger Services
4. *Dog Act 1976*
Ian McCabe—Chief Executive Officer
Peter McConnell—Deputy Chief Executive Officer
Trevor Webb—Manager of Works
Caroline Pattinson—Executive Support Officer
Claire Green—Senior Finance Officer
Shauna Webb—Rates/Finance Officer
Robyn Ovens—Customer Service Officer
Ashley Sutherland—Ranger Services
Paul King—Ranger Services
5. *Health Act 1911*
Ian McCabe—Chief Executive Officer
Julian Goldacre—Principal Environmental Health Officer/Building Surveyor
6. *Litter Act 1979*
Ian McCabe—Chief Executive Officer
Peter McConnell—Deputy Chief Executive Officer
Trevor Webb—Manager of Works
Julian Goldacre—Principal Environmental Health Officer/Building Surveyor
Ashley Sutherland—Ranger Services
Paul King—Ranger Services
7. *Caravan Parks and Camping Grounds Act 1995*
Ian McCabe—Chief Executive Officer
Peter McConnell—Deputy Chief Executive Officer
Trevor Webb—Manager of Works
Julian Goldacre—Principal Environmental Health Officer/Building Surveyor
Ashley Sutherland—Ranger Services
Paul King—Ranger Services
8. *Control of Vehicles (Off Road Areas) Act 1978*
Ian McCabe—Chief Executive Officer
Peter McConnell—Deputy Chief Executive Officer
Trevor Webb—Manager of Works
Ashley Sutherland—Ranger Services
Paul King—Ranger Services

9. *Strata Title Act 1985*
Ian McCabe—Chief Executive Officer
Julian Goldacre—Principal Environmental Health Officer/Building Surveyor
10. *Planning and Development Act 2005*
Ian McCabe—Chief Executive Officer
Julian Goldacre—Principal Environmental Health Officer/Building Surveyor
11. *Building Act 2011*
Ian McCabe—Chief Executive Officer
Julian Goldacre—Principal Environmental Health Officer/Building Surveyor
Peter McConnell—Deputy Chief Executive Officer
12. *Cat Act 2011*
Ian McCabe—Chief Executive Officer
Peter McConnell—Deputy Chief Executive Officer
Trevor Webb—Manager of Works
Caroline Pattinson—Executive Support Officer
Claire Green—Senior Finance Officer
Shauna Webb—Rates/Finance Officer
Robyn Ovens—Customer Service Officer
Ashley Sutherland—Ranger Services
Paul King—Ranger Services
13. *Public Interest Disclosure Act 2003*
Peter McConnell—Deputy Chief Executive Officer
14. Under section 38 (1) of the *Bush Fires Act 1954*, the following persons have been appointed—
Marcus Riley as Chief Bush Fire Control Officer
Trent Tyler as Deputy Chief Bush Fire Control Officer
Ray Reid, Dennis Reid and Quentin Davies as Bush Fire Control Officers for the Yorkrakine Brigade
Trent Tyler as FCO and Captain, Sean Stratford as 1st Lieutenant and Secretary for the Wyalkatchem Brigade
Marcus Riley, FCO, Brad Martin Captain, David Gamble 1st Lieutenant & Steve Gamble Secretary/Treasurer and publicity officer for the Nalkain Brigade.

It is hereby notified for public information that the following persons have been revoked as Authorised Officers of the Shire of Wyalkatchem—

1. *Local Government Act 1995*
Peter Kocian—Chief Executive Officer
2. *Local Government Miscellaneous Provisions Act 1960*
Peter Kocian—Chief Executive Officer
3. *Caravan Parks and Camping Grounds Act 1995*
Peter Kocian—Chief Executive Officer
4. *Control of Vehicles (Off Road Areas) Act 1978*
Peter Kocian—Chief Executive Officer
5. *Litter Act 1979*
Peter Kocian—Chief Executive Officer
6. *Dog Act 1976*
Peter Kocian—Chief Executive Officer
Claire Sharp—Rates/Finance Officer
Jade Verbruggen—Customer Service Officer
Jules Austin—Visitor Centre/Library Coordinator
7. *Bush Fires Act 1954*
Peter Kocian—Chief Executive Officer
8. Under Section 40 of the *Bush Fires Act 1954*, the following persons are revoked as Dual Fire Control Officers for the Shires of Wyalkatchem, Kellerberrin, and Tammin—

Mr Max Ward	Wyalkatchem BFB
Mr Ray Reid	Yorkrakine BFB
Mr Marcus Reilly	Nalkain BFB
Mr Frank Morley	North Kellerberrin BFB
Mr Haydon Dixon	Tammin Shire
Mr Shane Mackin	Tammin Shire
Mr Tim York	Tammin Shire

9. Under Section 40 of the *Bush Fires Act 1954*, the following persons are revoked as Dual Fire Control Officers for the Shires of Wyalkatchem, Koorda, Cunderdin, and Mt Marshall—

Mr Max Ward	Wyalkatchem BFB
Mr Ray Reid	Yorkrakine BFB
Mr Marcus Reilly	Nalkain BFB
Mr Tim York	Tammin Shire

IAN McCABE, Chief Executive Officer.

21 November 2013.

LG405*

BUSH FIRES ACT 1954

City of Albany

APPOINTMENTS

2013/2014 Fire Season

The following persons have been appointed to the designated positions for the City of Albany in accordance with the *Bush Fires Act 1954*. All other appointments are hereby cancelled—

Chief Bush Fire Control Officer—Ross Fenwick

Deputy Chief Bush Fire Control Officer (North East)—Terry Bradshaw

Deputy Chief Bush Fire Control Officer (South West)—Ken Johnson

Bush Fire Control Officers—

Bornholm—Laurie Nissen, Chris Ayres

Elleker—Roy Parsons, Dale Ferguson

Gnowellen—Morgan Sounness, Michael Moir

Green Range—Ian Smith, Mark Plunkett

Highway—Martin Van Dongen, Jeff Van Dongen

Kalgan—Graeme Poole, , Brent Findlay, Julian Cole

King River—Sandy Lyons, Simon Whitfort, Alan Hawley

Kojaneerup—Craig Nelson, Tony Slattery

Manypeaks—Richard Metcalf, Kim Lester

Napier—Tom Collins, Brett Smoker

Redmond—Lance Flett, Phil Dunkley

South Coast—Derek Jones, Gary Duncan, Darren Prior

South Stirling—Graeme Pyle, Luke Bennett

Torbay—Phillip Marshall,

Wellstead—Steven Hall, Peter Diprose

Youngs—Kevin Martin, Martin Peterson

City of Albany—Tony Ward, Mark Ford, Garry Turner, Robert Forster, Gerry Monkhorst, Nathan Tysoe, Deborah Walker, Larrah Hughes, Steve Childs. Andrew Bennett

Permit Issuing—Sarah Abbott, Suzan Lees, Jenny Ferrel, John Powis, Mal Parsons

Chief Fire Weather Officer—Ross Fenwick

Deputy Fire Weather Officers—Ken Johnson, Kevin Martin, Terry Bradshaw Mick Moir

Clover Burning Officers—Ross Fenwick

Fire Weather Recording Officers—

South West Sector—Chris Norton, Keith Smith, John Bocian, Kevin Martin, Jim Whitem, Darren Prior, Pieter Mostert, Don Tomlinson

North East Sector—Brian Lester, John Hood, Morgan Sounness, Ian Smith, Alan Lubcke, Graeme Pyle, Steven Hall.

For more information visit our website—

<http://www.albany.wa.gov.au/your-community/volunteer-bush-fire-brigades/>

MARINE/MARITIME

MA401*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
SWIMMING PROHIBITED AREA

City of South Perth

Mount Pleasant Ski Area, Canning River

Department of Transport,
Fremantle WA, 29 November 2013.

Acting pursuant to the powers conferred by Regulation 10A(b) of the *Navigable Waters Regulations 1958*, the department hereby prohibits swimming in the following area of water between 9:00am to 4:00pm on 1st December 2013—

All the waters of Mount Pleasant Ski Area, bounded by lines commencing from a point on the foreshore approximately 20m south of the Manning street boat ramp, thence to a point at 115° 51.369'E, 32° 0.986'S (approximately 100m north-westerly and 60m west of the shoreline), thence to 115° 51.372'E, 33° 0.825'S (approximately 300m north north-westerly, and 60m west from the shoreline), thence to 115° 51.295'E, 32° 0.828'S (approximately 150m west), thence 115° 51.321'E, 32° 0.996'S (approximately 300m south south-easterly) thence to a point on the shoreline approximately 60m south of the Manning street boat ramp.

This area is set aside for the Jet Sport West Safe Series approved aquatic event.

RAY BUCHHOLZ, Director, Waterways Management,
Department of Transport.

PLANNING

PL401*

PLANNING AND DEVELOPMENT ACT 2005
METROPOLITAN REGION SCHEME MINOR AMENDMENT 1247/57

Part Lot 1 Alexander Drive, Mirrabooka and Surrounds

Approved Amendment

File: 833-2-20-47 (RLS/0386)

The Minister for Planning has approved, as advertised, the abovementioned amendment to the Metropolitan Region Scheme. The amendment is shown on Western Australian Planning Commission (WAPC) plan number 3.2550 and is effective from the date of publication of this notice in the *Government Gazette*.

Copies of the amendment and the accompanying report on submissions are available for public inspection from Friday 29 November 2013 to Friday 27 December 2013 at—

- Western Australian Planning Commission, Gordon Stephenson House, 140 William Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Stirling
- City of Bayswater

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

TIM HILLYARD, Secretary,
Western Australian Planning Commission.

PREMIER AND CABINET

PR401*

APPOINTMENT OF DEPUTY OF THE GOVERNOR

It is hereby notified for public information that the Governor, under clause XVI of the *Letters Patent relating to the Office of Governor of the State of Western Australia*, dated 14 February 1986, has appointed the Lieutenant-Governor, the Honourable Wayne Stewart Martin AC, to be the deputy of

the Governor and in that capacity to perform and exercise all the powers and functions of the Governor for the period 26 December 2013 to 20 January 2014, both dates inclusive.

R. KENNEDY, Clerk of the Executive Council.

SALARIES AND ALLOWANCES TRIBUNAL

SA401*

SALARIES AND ALLOWANCES ACT 1975 DETERMINATION

Commissioners of the Western Australian Industrial Relations Commission

PREAMBLE

1. Section 6(1)(e) of the *Salaries and Allowances Act 1975* (“the Act”) requires the Salaries and Allowances Tribunal (“the Tribunal”), at intervals of not more than twelve months, to inquire into and determine the remuneration to be paid to a person holding any office prescribed for the purposes of that section.

2. The offices of the members of the Western Australian Industrial Relations Commission are prescribed in section 20 of the *Industrial Relations Act 1979* for the purposes of section 6(1)(e) of the Act.

BACKGROUND

3. The Tribunal issued a General Remuneration Adjustment Determination on 27 June 2013 providing a 2.6 per cent salary increase with effect from 1 July 2013 for Members and office holders of the Parliament, Clerks and Deputy Clerks of the Parliament, holders of offices in the Special Division of the Public Service, members of the State Administrative Tribunal and holders of offices Prescribed for the purposes of section 6(1)(e) of the Act, including Western Australian Industrial Relations Commissioners (“Commissioners”).

4. At the same time, the Tribunal issued a report under Section 7 of the Act recommending a 2.6 per cent increase to the salaries to be paid to Judges of the Supreme and District Courts, Masters of the Supreme Court, Magistrates and the Parliamentary Inspector of the Corruption and Crime Commission with effect from 1 July 2013.

CURRENT INQUIRY

5. In discharging its statutory requirements with respect to the remuneration of Commissioners, the Tribunal’s approach has been to—

- advertise for public submissions;
- seek submission from key office holders; and
- consider relevant labour market and economic data including the—
 - o Public Sector Wages Policy Statement 2014;
 - o Government Financial Strategy Statement; and
 - o Government Financial Projections Statement.

6. This process provides an opportunity for members of the public, the Government, Commissioners themselves or any other interested party to make a submission. It also helps to inform the Tribunal of changes which might have taken place in the roles or responsibilities of Commissioners over the past year and other remuneration.

Public submissions

7. An advertisement calling for public submissions to the Tribunal’s inquiry was placed in *The West Australian* newspaper on Thursday, 13 June 2013 with a closing date of Friday, 21 June 2013. The advertisement was also placed on the Tribunal’s website at <http://www.sat.wa.gov.au/LatestNews/Pages/Default.aspx>

Invitation to Office Holders

8. The Tribunal wrote to the Chief Commissioner of the Western Australian Industrial Relations Commission, inviting submissions to its inquiry.

Labour Market and Economic Data

9. Relevant labour market and economic data were considered in the context of the general remuneration determination of June 2013 which resulted in a 2.6 per cent adjustment being applied to various office holders under the Tribunal’s jurisdiction, including Commissioners. This data is considered relevant to the current inquiry.

10. Since then, the Government has issued the Public Sector Wages Policy Statement 2014. Although not specifically applying to Commissioners, the Policy essentially requires that all industrial agreements expiring after 1 November 2013 be capped at the projected growth in the Perth Consumer Price Index, as published from time to time by the Department of Treasury. The Government Financial Strategy Statement and Financial Projection Statement were also considered during the Tribunal’s inquiry.

SUBMISSIONS

11. The Tribunal received a joint submission from the Chief Commissioner, Senior Commissioner and Commissioners of the Western Australian Industrial Relations Commission.

12. The submission focused on two issues—

- **Relativities and Alignments**—The submission stated that the Western Australian Industrial Relations Commissioners had lost salary relativity since 2005 with certain interstate comparators and Western Australian judicial officers. Reference was also made to a Tribunal determination issued in 2005 which stated “[*the Tribunal*] considers that the salaries of the WAIRC Commissioners warrant some comparison with the Deputy Presidents in Queensland and South Australian’.
- **Superannuation**—The submission indicated that two Commissioners receive a State contribution of 9.25 per cent to their accumulation superannuation scheme while the remaining Commissioners receive higher State contributions to a defined benefit superannuation scheme (the Gold State Superannuation Scheme) which is now closed to new members. In relation to the members of the accumulation scheme, the submission stated, “*This is an inequity compared with other members of the Commission, and we raise this for the Tribunal’s consideration*”.

CONSIDERATIONS

13. In exercising its statutory responsibilities, the Tribunal applies broad principles upon which levels of remuneration are determined for all categories of offices and positions coming within the scope of the Act. These principles, particularised to Commissioners, have been applied by the Tribunal to make judgments with respect to the remuneration and entitlements in this determination. These principles are—

- the value of the offices to the State and our democratic system of government;
- measures of the “work value” of the offices; and
- the level of remuneration of the offices within the context of wage and salary rates applying generally in the community.

14. **Relativities and Alignments**—The Tribunal is required under the Act to review the remuneration provided to Commissioners on an annual basis. In so doing, the Tribunal has taken into account local factors such as the State wages policy and global factors such as the financial crisis of 2008. The Tribunal has also considered the remuneration paid to judicial officers and industrial commissioners in other Australian jurisdictions as well as the framework of public sector salaries in Western Australia. The outcomes determined annually reflect the judgement of the Tribunal at a particular point in time balancing local factors, global factors and factors in other jurisdictions. Hence in 2009, the Tribunal determined that Commissioners along with a range of other office holders should not receive any pay increase in the wake of the global financial crisis. In January 2013 however, Commissioners received a 5 per cent pay increase which exceeded the general increase applied to other classes of office holder at that time.

15. Salary parity with a particular office, either in Western Australia or another jurisdiction on an ongoing basis is not something that the Tribunal considers to be appropriate. It limits the capacity of the Tribunal to exercise its judgement in the light of other factors which might prevail in any particular year. In this determination, the Tribunal has noted the submission from the Commissioners and taken into account the salaries of Commissioners in Western Australia relative to Deputy Presidents in Queensland and South Australia. In the context of the current inquiry, the Tribunal does not consider that a realignment of salary relativities is warranted, particularly in the light of the State’s current fiscal position and wages policy.

16. **Superannuation**—The Tribunal has previously considered the issue of different superannuation schemes applicable to offices under the Tribunal’s jurisdiction. The Tribunal specifically reviewed the superannuation contributions for Commissioners in 2011 where it stated “*In relation to the disparities between the different superannuation schemes accessible by the Commissioners, the Tribunal noted that such disparities applied across the wider public sector. The Tribunal concluded that any attempt to equalise the retirement benefits of individuals by means of salary adjustments would be impossible because of the variables pertaining to each scheme and each individual (e.g. varying investment outcomes, lengths of service, retirement age and life expectancy).*”¹

17. The Tribunal acknowledges that there is a disparity in superannuation contributions and benefits applicable to office holders of the same classification caused by the closing of the Gold State Superannuation Scheme in 1995. The Tribunal is also aware that other public office holders have been similarly affected by the closure of other superannuation schemes such as the Parliamentary Pension Scheme which was closed to new members in 2000. The disparities in total employment cost created by membership of different superannuation schemes continues to be wide spread within the offices under the Tribunal’s jurisdiction. This includes disparities for members of the Special Division of the Public Service, other Prescribed Office holders and Members of Parliament. It is also widespread in the General Division of the public service.

¹ Special Division and Prescribed Office Holders Determination 31 March 2011

18. It remains the case, as stated in 2011, that attempts to equalise retirement benefits for members would be impossible due to the numerous variables pertaining to each scheme and individual. It would also be inequitable to attempt to equalise the retirement benefits for a small section of the public sector without it also applying to other offices within the Tribunal's jurisdiction and to the wider public service.

CONCLUSIONS

19. The Tribunal has examined the remuneration provided to Commissioners based upon the principles of remuneration set out above and within the framework of salaries for public offices under the Tribunal's jurisdiction and in Western Australia generally. It is the Tribunal's decision that the current remuneration for Commissioners is set at an appropriate rate.

20. The determination will now issue.

Signed this 22nd day of November 2013.

W. S. COLEMAN AM,
Chairman.

C. A. BROADBENT,
Member.

B. J. MOORE,
Member.

Salaries and Allowances Tribunal.

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION

Commissioners of the Western Australian Industrial Relations Commission
(Pursuant to Section 6(1)(e))

PART 1: INTRODUCTORY MATTERS

This part deals with some matters that are relevant to the determination generally.

1.1 Short Title

This determination may be cited as the *Commissioners of the Western Australian Industrial Relations Commission Determination No. 1 of 2013*.

1.2 Commencement

This determination comes into operation on 1 January 2014.

1.3 Content and intent

(1) This determination provides for the salary, allowances and other benefits to be paid, provided or reimbursed to holders of offices of the Western Australian Industrial Relations Commission ('the Commission') prescribed for the purposes of section 6(1)(e) of the *Salaries and Allowances Act 1975*.

(2) The offices to which this determination applies are the offices of the members of the Commission other than the President as prescribed in section 20(2) of the *Industrial Relations Act 1979*.

1.4 Terms used

In this determination, unless the contrary intention appears—

Chief Commissioner means a Chief Commissioner appointed under the *Industrial Relations Act 1979*;

Senior Commissioner means a Senior Commissioner appointed under the *Industrial Relations Act 1979*;

Commissioner means a commissioner appointed under the *Industrial Relations Act 1979*.

1.5 Conditions of service

(1) Pursuant to section 20(10) of the *Industrial Relations Act 1979* a Chief Commissioner, Senior Commissioner and Commissioner have a right to paid leave of absence and to lump sum payments on ceasing to hold office for the money equivalent of leave of absence which shall not be less than those applicable to a permanent public office under the *Public Sector Management Act 1994*.

(2) To the extent that conditions of service affect remuneration (e.g. paid leave of absence), a Chief Commissioner, Senior Commissioner and Commissioner are entitled to the same terms and conditions as contained in the *Public Service Award 1992* and the *Public Service and Government Officers General Agreement 2011*. Where there is any inconsistency between the remuneration payable under this determination and the terms of the *Public Service Award 1992* and the *Public Service and Government Officers General Agreement 2011*, the remuneration specified in this determination shall prevail to the extent of any inconsistency.

1.6 Salary Packaging

A Chief Commissioner, Senior Commissioner and Commissioner are entitled to participate in salary packaging arrangements for superannuation and novated leases in accordance with the "Guidelines for Salary Packaging in the WA Public Sector" document, which can be accessed at—

http://www.commerce.wa.gov.au/LabourRelations/PDF/Circulars/2012_004.pdf

PART 2: SALARY

This part deals with the salary payable to a Chief Commissioner, Senior Commissioner or Commissioner for the performance of their duties pursuant to their appointments under the Industrial Relations Act 1979.

2.1 General

The amount of a person's entitlement to an annual salary shall be calculated on a pro rata basis in accordance with the proportion of full-time hours worked by an office holder.

2.2 Offices and salaries

The annual salaries specified in Table 1 of this Part apply to a Chief Commissioner, Senior Commissioner and Commissioner.

Table 1: Annual salaries payable to a Chief Commissioner, Senior Commissioner and Commissioner

OFFICE	ANNUAL SALARY
Chief Commissioner	\$332,176
Senior Commissioner	\$310,264
Commissioner	\$293,935

PART 3: MOTOR VEHICLE BENEFITS

This Part deals with the motor vehicle benefits paid or provided to a Chief Commissioner, Senior Commissioner and Commissioner.

3.1 General

(1) Each Chief Commissioner, Senior Commissioner and Commissioner is entitled to the provision of a fully maintained motor vehicle for business and private use.

(2) All vehicles (being part of the Government-owned State Fleet) are to be managed in accordance with the policies and conditions established and amended from time to time by the Department of Finance (the effective owner of the State Fleet). Applicable terms and conditions are currently set out in the document "State Fleet—Agency General Agreement".

(3) Selection of appropriate vehicles is to be subject to consultation between the Chief Commissioner and the Department of the Registrar of the Commission as the department administratively supporting the Commission and therefore the "Agency" responsible for managing the leasing arrangements for vehicles provided under this determination.

(4) In providing for the use of a motor vehicle under this arrangement, the Tribunal requires that the Department of the Registrar of the Commission will take account of the following principles established by the Tribunal. The provision of a motor vehicle should—

- (a) meet the operational conveyance needs of the Commissioners;
- (b) provide for adequate safety and security of Commissioners;
- (c) be representative of fair value and benefit;
- (d) be supportive of the efficient, effective and ethical use of State resources;
- (e) be consistent with current principles of environmental sustainability, in particular, fuel efficiency and Government emissions targets;
- (f) be commensurate with the status of Commissioners; and
- (g) where private use of a vehicle is permitted, provide scope for personal preference in choice of motor vehicle consistent with the above principles.

(5) Motor vehicles leased for a Chief Commissioner, Senior Commissioner and Commissioner shall not be changed prior to the expiration of the lease unless it is for operational reasons approved by the Chief Commissioner and the Department of the Registrar of the Commission.

(6) In order to contain additional administrative costs associated with "off contract" leases, office holders may request cost quotations for not more than three vehicles outside the Government's Common Use Contract for motor vehicles, in the process of selecting a vehicle under this arrangement.

(7) Vehicles with V8 engines are not included. Turbo charged and supercharged engines with a capacity greater than 3.0 litres are not included.

(8) Each lease is to be tailored to achieve the most cost-effective arrangement based on individual usage patterns.

(9) The Chief Commissioner must approve the selection of the vehicle and approve that the provision of an off road vehicle and factory fitted "roo" bar is substantiated by operational need.

3.2 Value of the Motor Vehicle Benefit

(1) For the purposes of determining the value of the motor vehicle lease relative to the value of the relevant benefit set out in this determination, the lease value shall be based on a whole of life lease over two years/40,000 kilometres. The lease value will be determined at the time of ordering the motor vehicle and will be inclusive of the cost of accessories. No additional costs shall be incurred by the office holder as a result of fluctuations in lease costs during the specified term of the lease.

(2) The notional lease value must include the lease cost, Fringe Benefits Tax (FBT) and all other operating costs based on the relevant figure of nominated kilometres to be travelled annually. The formula to be adopted in valuing the motor vehicle is—

L + R + aD + FBT + I + LCT, where		
L	=	Lease payments
R	=	Registration costs
a	=	Running cost per kilometre
D	=	nominated annual kilometres
FBT	=	Fringe Benefits Tax
I	=	Insurance
LCT	=	Luxury car tax

(3) A Chief Commissioner is entitled to the provision of a vehicle to the notional value of \$26,900 per annum.

(4) A Senior Commissioner and Commissioner are entitled to the provision of a vehicle to the notional value of \$25,400 per annum.

(5) The notional values specified in this Section shall be calculated on a pro rata basis in accordance with the proportion of full-time hours worked by the relevant office holder.

(6) A Chief Commissioner, Senior Commissioner and Commissioner may choose any vehicle and accessories in the relevant Western Australian Government Common Use Contract or an “off contract” vehicle and accessories available under Government leasing arrangements, the total cost of which does not exceed the maximum cost of accessing a motor vehicle benefit determined in this Part. Where the total cost of the chosen vehicle and accessories exceeds the maximum cost of accessing a motor vehicle benefit determined in this Part, the additional cost must be borne by the individual. This includes the purchase cost of any accessories and the installation cost and removal costs if required, before disposal of the vehicle.

(7) Off road vehicles shall be of a standard, the cost of which does not exceed the lease value of the Toyota Prado GXL Auto 3.0 litre Turbo Diesel fitted with “roo” bar (air bag compliant). This includes the purchase cost of other essential accessories approved by the Chief Commissioner.

PART 4: TRAVELLING AND ACCOMMODATION ALLOWANCE

This Part deals with the travelling and accommodation allowance to be paid or reimbursed to a Chief Commissioner, Senior Commissioner and Commissioner.

4.1 General

(1) A Chief Commissioner, Senior Commissioner and Commissioner shall be entitled to claim a travelling and accommodation allowance or reimbursement as specified in this Part while travelling on official business.

(2) Claims for overnight stays in the Perth metropolitan area shall be subject in each case to the approval of the Chief Commissioner.

4.2 Allowance or reimbursement payable

(1) Where an overnight stay away from home is involved, a travelling and accommodation allowance (inclusive of accommodation, meals and incidentals) shall be payable in accordance with the Australian Taxation Office reasonable benefit limit 2013/14 rates found in Taxation Determination TD 2013/16 and where accompanied by certification that the expense was appropriately incurred.

(2) If the reasonably and properly incurred travelling and accommodation expenses exceed the abovementioned specified rates, the actual costs should be reimbursed. Receipts or vouchers must be provided in support of any claim for reimbursement in excess of the specified rate.

(3) Part payment of travelling and accommodation allowances shall apply in the following circumstances

- (a) Where the Chief Commissioner, Senior Commissioner or Commissioner is accommodated in private, non-commercial accommodation, such as the home of a family member or friend, a rate of one third of the specified rate shall be payable.
- (b) Where the cost of commercial accommodation is met by an entity other than the Chief Commissioner, Senior Commissioner or Commissioner, an allowance shall be payable in accordance with the relevant Australian Taxation Office reasonable benefit limit 2013/14 rates found in Taxation Determination TD 2013/16 for meals and incidentals where accompanied by certification that the expense was appropriately incurred.
- (c) Where in the case of commercial accommodation referred to in sub section (b) above, the cost of a meal or meals is met by an entity other than the Chief Commissioner, Senior Commissioner or Commissioner, the amount of travelling allowance shall be reduced by the relevant amount or amounts referred to in the preceding paragraph.

Signed this 22nd day of November 2013.

W. S. COLEMAN AM,
Chairman.

C. A. BROADBENT,
Member.

B. J. MOORE,
Member.

Salaries and Allowances Tribunal.

SA402*

SALARIES AND ALLOWANCES ACT 1975**DETERMINATION**

Senior and Ordinary Members of the State Administrative Tribunal

PREAMBLE

1. Section 6(1)(e) of the *Salaries and Allowances Act 1975* (“the Act”) requires the Salaries and Allowances Tribunal (“the Tribunal”), at intervals of not more than twelve months, to inquire into and determine the remuneration to be paid to a person holding any office prescribed for the purpose of that section.

2. Senior and Ordinary Members of the State Administrative Tribunal have been so prescribed in regulation 3 of the *Salaries and Allowances Regulations 1975*.

BACKGROUND

3. The Tribunal issued a General Remuneration Adjustment Determination on 27 June 2013 providing a 2.6 per cent salary increase with effect from 1 July 2013 for Members and office holders of the Parliament, Clerks and Deputy Clerks of the Parliament, holders of offices in the Special Division of the Public Service and holders of offices Prescribed for the purposes of section 6(1)(e) of the Act, including Senior and Ordinary non-judicial Members of the State Administrative Tribunal (“Members”).

4. At the same time, the Tribunal issued a report under Section 7 of the Act recommending a 2.6 per cent increase to the salaries to be paid to Judges of the Supreme and District Courts, Masters of the Supreme Court, Magistrates and the Parliamentary Inspector of the Corruption and Crime Commission with effect from 1 July 2013.

CURRENT INQUIRY

5. In discharging its statutory requirements with respect to the remuneration of Members, the Tribunal’s approach has been to—

- advertise for public submissions;
- write to key office holders; and
- consider relevant labour market and economic data including the—
 - o Public Sector Wages Policy Statement 2014;
 - o Government Financial Strategy Statement; and
 - o Government Financial Projections Statement.

6. This process provides an opportunity for members of the public, the Government, Members themselves or any other interested party to make a submission. It also helps to inform the Tribunal of changes which might have taken place in the roles or responsibilities of Members over the past year and other remuneration issues for Members.

Public submissions

7. An advertisement calling for public submissions to the Tribunal’s inquiry was placed in *The West Australian* newspaper on Thursday, 13 June 2013 with a closing date of Friday, 21 June 2013. The advertisement was also placed on the Tribunal’s website at <http://www.sat.wa.gov.au/LatestNews/Pages/Default.aspx>

Invitation to Office Holders

8. The Tribunal wrote to the President of the State Administrative Tribunal, inviting submissions to its inquiry.

Labour Market and Economic Data

9. Relevant labour market and economic data were considered in the context of the general remuneration determination of June 2013 which resulted in a 2.6 per cent adjustment being applied to various office holders under the Tribunal’s jurisdiction, including Members. This data is considered relevant to the current inquiry.

10. Since then, the Government has issued the Public Sector Wages Policy Statement 2014. Although not specifically applying to Members, the Policy essentially requires that all industrial agreements expiring after 1 November 2013 be capped at the projected growth in the Perth Consumer Price Index, as published from time to time by the Department of Treasury. The Government Financial Strategy Statement and Financial Projection Statement were also considered during the Tribunal’s inquiry.

SUBMISSIONS

11. The Tribunal received a submission from Justice John Chaney, President of the State Administrative Tribunal.

12. The submission sought that the salary relativities between the Members of the State Administrative Tribunal and other judicial officers in Western Australia be maintained. The submission also suggested that motor vehicle entitlements should continue as at present.

CONSIDERATIONS

13. In exercising its statutory responsibilities, the Tribunal applies broad principles upon which levels of remuneration are determined for all categories of offices and positions coming within the scope of the Act. These principles, particularised to Members of the State Administrative Tribunal, have been

applied by the Tribunal to make judgments with respect to the remuneration and entitlements in this determination. These principles are—

- the value of the offices to the State and our democratic system of government;
- measures of the “work value” of the offices; and
- the level of remuneration of the offices within the context of wage and salary rates applying generally in the community.

14. There have been no issues identified in submissions, economic and labour market data reviewed, state government policy and financial strategies which would indicate the need for an additional increase in remuneration for the Members. The Tribunal also considered that there was no case for altering the existing salary relativities of Members. Therefore the Tribunal has concluded that there shall be no salary increase for Members at this time.

15. The Motor vehicle entitlements have also been examined during the inquiry. It has been determined that there are no reasons that would warrant altering the current motor vehicle entitlements.

CONCLUSIONS

16. The Tribunal has examined the remuneration provided to Members based upon the principles of remuneration set out above and within the framework of salaries for judicial office holders and court registrars under the Tribunal’s jurisdiction in Western Australia. It is the Tribunal’s decision that the current remuneration for Members is set at an appropriate rate.

The determination will now issue.

Signed this 22nd day of November 2013.

W. S. COLEMAN AM,
Chairman.

C. A. BROADBENT,
Member.

B. J. MOORE,
Member.

Salaries and Allowances Tribunal.

SALARIES AND ALLOWANCES ACT 1975

Determination

Senior and Ordinary Members of the State Administrative Tribunal
(Pursuant to Section 6(1)(e))

PART 1: INTRODUCTORY MATTERS

This part deals with some matters that are relevant to the determination generally.

1.1 Short Title

This determination may be cited as the *Senior and Ordinary Members of the State Administrative Tribunal Determination No. 1 of 2013*.

1.2 Commencement

This determination comes into operation on 1 January 2014.

1.3 Content and intent

(1) This determination provides for the salary, allowances and other benefits to be paid, provided or reimbursed to holders of offices of the State Administrative Tribunal prescribed for the purposes of section 6(1)(e) of the *Salaries and Allowances Act 1975*.

(2) The offices to which this determination applies are the Senior and Ordinary Members of the State Administrative Tribunal as prescribed in regulation 3 of the *Salaries and Allowances Regulations 1975*.

1.4 Terms used

In this determination, unless the contrary intention appears—

Senior Member means a Senior Member appointed under the *State Administrative Tribunal Act 2004*;

Ordinary Member means an Ordinary Member appointed under the *State Administrative Tribunal Act 2004*.

1.5 Conditions of service

(1) Pursuant to section 119(4) of the *State Administrative Tribunal Act 2004* the Governor may determine the leave of absence to which a Senior or an Ordinary Member is entitled and any other terms and conditions of service as a Senior or an Ordinary Member.

(2) To the extent that conditions of service affect remuneration (e.g. paid leave of absence), a Senior and an Ordinary Member are entitled to the same terms and conditions as contained in the *Public Service Award 1992* and the *Public Service and General Officers Agreement 2011*. Where there is any inconsistency between the remuneration payable under this determination and as determined by the Governor under section 119(1) of the *State Administrative Tribunal Act 2004*, the remuneration specified in this determination shall prevail to the extent of any inconsistency.

(3) In accordance with section 119(3) of the *State Administrative Tribunal Act 2004*, the emoluments and benefits to which a Senior and an Ordinary Member are entitled cannot, during the member's term of office, be changed to be less favourable without the member's consent.

1.6 Salary Packaging

A Senior and an Ordinary Member are entitled to participate in salary packaging arrangements for superannuation and novated leases in accordance with the "Guidelines for Salary Packaging in the WA Public Sector" document, which can be accessed at—

http://www.commerce.wa.gov.au/LabourRelations/PDF/Circulars/2012_004.pdf

PART 2: SALARY

This part deals with the salary payable to a Senior or an Ordinary Members for the performance of their duties pursuant to their appointments under the State Administrative Tribunal Act 2004.

2.1 General

The amount of a person's entitlement to an annual salary shall be calculated on a pro rata basis in accordance with the proportion of full-time hours worked by an office holder.

2.2 Offices and salaries

The annual salaries specified in Table 1 of this Part apply to Senior and Ordinary Members.

Table 1: Annual salaries payable to Senior and Ordinary Members

Office	Annual Salary
Senior Member	\$313,849
Ordinary Member	\$235,387

PART 3: MOTOR VEHICLE BENEFITS

This Part deals with the motor vehicle benefits paid or provided to a Senior or an Ordinary Member.

3.1 General

(1) In addition to the salary determined for the holders of offices listed in Part 2 of this Determination, those office holders have an entitlement to an allowance which may be taken as cash with salary or may be utilised to access a motor vehicle for private use leased through State Fleet.

(2) The motor vehicle (being part of the Government-owned State Fleet) should be managed in accordance with the policies and conditions established and amended from time to time by the Department of Finance (the effective owner of the State Fleet). Applicable terms and conditions are currently set out in the document "State Fleet—Agency General Agreement".

(3) A person holding more than one Special Division or Prescribed Office, shall be entitled to a motor vehicle or cash in lieu of a motor vehicle for one such office only, being the office classified or remunerated at the highest level.

(4) An individual accessing a vehicle under this Part shall take due care of the condition and security of the vehicle. This includes responsibility for ensuring the vehicle is regularly serviced and maintained at government expense according to the manufacturer's recommended specifications, and making arrangements for off-street parking at home, whenever practicable, with appropriate security precautions taken at all times. Any theft or damage should be reported to the Fleet Manager.

(5) Motor vehicles leased for office holders under this determination or a previous determination of the Tribunal shall not be changed or cash in lieu taken prior to the expiration of the lease.

(6) While the vehicle may be used anywhere in Western Australia at no cost to the individual, if the vehicle is driven interstate, the individual is liable for the cost of fuel and oil while interstate. Furthermore, if used outside of Western Australia, the custodian must be in the vehicle at all times that it is being used.

(7) Should the officer choose not to use the vehicle, supplied through State Fleet, for business, or for travelling to and from work, but allows and authorises the vehicle to be used for private use during business hours by another family member or person, he/she is not entitled to access another government vehicle for his/her private use, including transport to and from work.

(8) Should the officer choose to take cash in lieu of a motor vehicle supplied through State Fleet, it is not the Tribunal's intent that this should result in additional government expense or an increase in the government fleet to provide transport for the office holder during business hours. The office holder is not entitled to claim a mileage allowance for use of their private vehicle for work purposes. Neither is he or she entitled to access another government vehicle for their personal use including transport to and from work.

3.2 Notional value of the lease and the cost to the Office Holder

(1) The notional value of the lease (and all associated costs) per annum is \$24,000.

(2) The notional value of the lease shall be calculated on a pro rata basis in accordance with the proportion of full-time hours worked by an office holder.

(3) The total lease cost of the chosen vehicle and accessories determined in this section, must be borne by the office holder. This includes the purchase cost of any accessories and the installation cost and removal costs if required, before disposal of the vehicle. No additional costs shall be incurred by the office holder as a result of fluctuations in lease costs during the specified term of the lease.

(4) Where the total lease and associated costs of a vehicle and accessories in accordance with this determination is less than the relevant motor vehicle benefit determined in this section, the difference in the cost to Government is to be paid fortnightly as part of the office holder's remuneration.

(5) The method of determining whether an additional contribution must be made by the office holder or the surplus is to be paid to the office holder, shall be based on the notional lease cost to the Government of the vehicle sought (using the formula detailed below), compared with the relevant notional lease value determined for the benefit in this section. The cost at the time of entering into the lease is applicable.

(6) The notional value of the vehicle benefit must include the lease cost, Fringe Benefits Tax (FBT) and all other operating costs based on the relevant figure of nominated kilometres to be travelled annually. The formula to be adopted in valuing the motor vehicle is—

Value of Motor Vehicle =

$L + R + aD + FBT + I + LCT$, where

L	=	Lease payments
R	=	Registration costs
a	=	Running cost per kilometre
D	=	nominated annual kilometres
FBT	=	Fringe Benefits Tax
I	=	Insurance
LCT	=	Luxury Car Tax

(7) FBT is costed at applicable Australian Taxation Office rates. FBT is costed at purchase price (including GST) x Statutory fraction x Gross up (2.0647) x FBT rate (0.465).

Fringe Benefits Tax Exempt Agencies: Where an organisation is exempt from FBT in accordance with Commonwealth Government legislation, a notional amount equal to the standard FBT must be added to the cost of the benefit.

(8) Each lease should be tailored to achieve the most cost-effective arrangement based on individual usage patterns.

3.3 Choice of Motor Vehicle

(1) Where an office holder elects to access a leased vehicle under State Fleet arrangements, he/she may choose any vehicle and accessories in the relevant Western Australian Government Common Use Contract or an "off contract" vehicle and accessories available under Government leasing arrangements in accordance with the following criteria.

(2) Vehicles with V8 engines are not included. Supercharged and turbo-charged engines with a capacity greater than 3.0 litres are not included.

(3) Office holders unable to lease their choice of vehicle within the scope of the arrangements set out in this determination should elect to make their own arrangements to meet their personal transport needs.

3.4 Cash Value of the Motor Vehicle Allowance

(1) Where a person elects not to be provided with a motor vehicle through State Fleet he/she is entitled to the cash value being paid fortnightly as additional remuneration. The relevant cash value is \$24,000 per annum.

(2) The cash value of the motor vehicle allowance shall be calculated on a pro rata basis in accordance with the proportion of full-time hours worked by an office holder.

The determination will now issue.

Signed this 22nd day of November 2013.

W. S. COLEMAN AM,
Chairman.

C. A. BROADBENT,
Member.

B. J. MOORE,
Member.

Salaries and Allowances Tribunal.

TRAINING

TA101*

CORRECTION

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

An error occurred in the notice published on pages 4989 to 4991 of *Government Gazette* No. 200 dated 8 November 2013 and is corrected as follows—

The following qualifications published as ‘Class B qualifications’ should read ‘Class A qualifications’—

Class A qualifications

No.	Qualification	Conditions	Training contract requirements				
			Title of apprentice under training contract	Nominal period (months) full time	Part time	School based	Other requirements
8.2	52209 Certificate III in Bricklaying (Housing)		Apprentice	24	Y	Y	
9.2	52207 Certificate III in Carpentry (Housing)		Apprentice	24	Y	Y	
13.3	CPC32011 Certificate III in Carpentry and Joinery		Apprentice	36	Y	Y	
570.3	CPC31912 Certificate III in Joinery		Apprentice	36-48	Y	Y	
44.3	CPC30611 Certificate III in Painting and Decorating		Apprentice	36	Y	Y	
43.2	52210 Certificate III in Painting (Housing)		Apprentice	24	Y	Y	
45.2	52211 Certificate III in Plastering (Housing)		Apprentice	24	Y	Y	
50.3	CPC30811 Certificate in Roof Tiling		Apprentice	36	Y	Y	
40.4	CPC32111 Certificate III in Signing		Apprentice	36-48	Y	Y	
52.2	52212 Certificate III in Steel Framing (Housing)		Apprentice	24	Y	Y	
53.2	CPC32311 Certificate III in Stonemasonry (Monumental/ Installation)		Apprentice	42	Y	Y	
57.3	CPC31211 Certificate III in Wall and Ceiling Lining		Apprentice	36	Y	Y	
56.2	52208 Certificate III in Wall and Ceiling Fixing (Housing)		Apprentice	24	Y	Y	

Hon TERRY REDMAN MLA, Minister for Training and Workforce Development.

Dated: 21 November 2013.

TRANSPORT

TN401*

ROAD TRAFFIC (CHARGES AND FEES) REGULATIONS 2006

EXEMPTION

(RTCFR-2013-00905)

Pursuant to sub-regulation 42A(2) of the *Road Traffic (Charges and Fees) Regulations 2006*, (the Regulations), I, Reece Waldoock, Director General of the Department of Transport, hereby specify that the bodies listed in the schedule to this notice are bodies for the purpose of sub-regulation 42A(1) of the Regulations.

Sub-regulation 42A(1) of the Regulations provides that, "A person is not required to pay the fee set out in Schedule 2, items 1A and 1B of the Regulations to take or re-sit a theory test if the person or body administering the test is specified in a notice published under sub-regulation (2)."

This Notice is to be known as RTCFR-2013-00905, and revokes and replaces the notice RTCFR-2013-00887 made under these regulations and published in the *Government Gazette* on 13 August 2013.

SCHEDULE

Fortescue Metals Group Ltd	Level 2, 87 Adelaide Terrace, East Perth, WA 6004
Goomburrup Aboriginal Corporation	16 Little Street, Carey Park WA 6230
Karrayili Adult Education Centre	Flynn Drive, Fitzroy Crossing, WA 6765
Mowanjum Aboriginal Corporation	Gibb Rive Road, Derby WA 6728
Ngarliyandu Bindirri Aboriginal Corporation	2 Harding Street, Roebourne, WA 6718
Pilbara Iron Company (Services) Pty Ltd	Level 22, 152-158 St Georges Terrace, Perth, WA 6000
REMZ Unique Pty Ltd	PO Box 3103, Midland WA 6056
Wila Gutharra Aboriginal Corporation	78 Anderson Street, Geraldton, WA 6530
Winun Ngari Aboriginal Corporation	145 Loch Street, Derby, WA 6728
Wunan Foundation	Cnr Coolibah Drive and Messmate Way, Kununurra, WA 6743

Dated this 26th day of November 2013.

REECE WALDOOCK, Director General,
Department of Transport.

DECEASED ESTATES

ZX401*

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me, on or before 29 December 2013, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Allen, Patricia Marie, late of 9/90 Gilbertson Road, Kardinya, died 22.08.2013 (DE33017540 EM26)

Antill, Daphne May, late of Mont Clare 9 Dean Street, Claremont, died 08.11.2013 (DE19720468 EM35)

Burkin, Lloyd William, late of 50 Jervois Street, Dianella, died 07.11.2013 (DE19730814 EM32)

Capper, Rodney Quentin, late of U 4 2 Ader Court, Marangaroo, died 24.10.2013 (DE33073430 EM38)

Chalmers, Arthur Charles, late of City of Bayswater Hostel, 21 Emberson Avenue, Bayswater, died 10.11.2013 (DE19783736 EM36)

Potaznik, Szaja Aka Sam Potaznik, late of 71b Wordsworth Avenue, Yokine, died 09.05.2013 (DE19753055 EM26)

Rodriguez, Gerardo, late of 288c Wanneroo Road, Nollamara, died 18.10.2013 (DE19923646 EM13)

Taylor, Irene Margaret, late of Garden, Parklands U 49 11-15 Petterson Avenue, Samson, died 19.10.2013 (DE33009536 EM32)

Tickle, Dorothy May, late of Melville aged Care 1 French Road, Melville, died 14.10.2013 (DE19822478 EM110)

Watson, Dorothy Marian, late of Annesley Residential Care Facility 4-10 Hayman Road, Bentley, formerly of 1 Frazer Grove, Bentley, died 03.07.2013 (DE19961744 EM35)

Winton, John Charles, late of 945 Pechey Road, Swan View, died 22.10.2013 (DE33090767 EM15)

BRIAN, ROCHE, Public Trustee,
553 Hay Street, Perth WA 6000.
Telephone: 1300 746 212.