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## GOVERNMENT GAZETTE

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Tuesday, 23 December 2014 at 12 noon

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Friday, 2 January 2015 at 12 noon



## — PART 1 —

## **CONSUMER PROTECTION**

**CP101** 

#### PRINTERS CORRECTION

#### PETROLEUM PRODUCTS PRICING ACT 1983

PETROLEUM PRODUCTS PRICING (DECLARED TERMINALS) ORDER 2014

An error occurred in the notice published under the above heading on page 4001 of *Government Gazette* No. 166 dated 17 October 2014 and is corrected as follows.

Under Section 3 (2)—

Delete "Schedule 0."

and

Insert "Schedule 2."

## RACING, GAMING AND LIQUOR

RA301\*

#### RACING AND WAGERING WESTERN AUSTRALIA ACT 2003

RACING AND WAGERING WESTERN AUSTRALIA (FOB RULES) NOTICE (No. 4) 2014

Made by Racing and Wagering Western Australia under section 61 of the Act.

#### 1. Citation

This notice is the Racing and Wagering Western Australia (FOB Rules) Notice (No. 4) 2014.

#### 2. Commencement

These rules came into operation on 12 June 2012.

#### 3. Interpretation

In this notice—

"the Act" means the Racing and Wagering Western Australia Act 2003;

"the Rules" means the rules described in clause 4, adopted by Racing and Wagering Western Australia.

#### 4. Rules adopted under section 61 of the Act

- (1) In a meeting held on 31 May 2012, Racing and Wagering Western Australia resolved—  $\,$ 
  - (a) to adopt and operate under rules relating to a jointly operated fixed odds wagering system in accordance with section 61(2) and (4) of the Act.
- (2) A copy of the rules adopted was published for public information in the Special Gazette of 12 June 2012 at pp. 2413-2441.
- (3) Further amendments to the Rules were adopted by resolution of the Board dated 11 October 2012, 25 March 2013, 30 August 2013, 31 October 2013, 20 December 2013, 1 May 2014 and 3 September 2014 and published for public information in the Gazettes of 23 October 2012 at pp. 5058-5060, 5 April 2013 at pp. 1490-1491, 17 September 2013 at pp. 4337-4346, 15 November 2013 at pp. 5262-5265, 10 January 2014 at pp. 24-25, 13 May 2014 at pp. 1455-1465 and 12 September at pp. 3290-3291.

## 5. Changes to Rules published for public information section 61(6)(c) of the Act

- (1) Further amendments to the Rules were adopted by resolution of the Board dated 28 November 2014.
- (2) Those further amendments to the Rules are published in the Schedule to this notice for public information, as required by section 61(6)(c) of the Act.

#### Schedule 1—Amendments to Adopted Rules

#### Rule 73.

Delete the following—

A reference to the "Field Size Rule" sets out how place dividends are paid.

For races within Australia the Field Size Rule is as follows—

- (a) where there are 8 or more runners in a race, a dividend shall be paid on 1st, 2nd and 3rd places;
- (b) where there are 5, 6 or 7 runners in a race, a dividend shall be paid on 1st and 2nd places only;

and

(c) where there are less than 5 runners in a race, the wagers shall be Win Only.

For overseas races, the organising country's rules for the place dividends payable will apply.

For example—

South Africa

- (a) where there are 16 or more runners in a race, a dividend shall be paid on 1st, 2nd, 3rd and 4th places;
- (b) where there are 8—15 runners in a race, a dividend shall be paid on 1st, 2nd and 3rd places; and
- (c) where there are less than 8 runners in a race, the wagers shall be Win Only.

Sweden, Finland, Denmark, Norway

- (a) where there are 7 or more runners in a race, a dividend shall be paid on 1st, 2nd and 3rd places;
- (b) where there are 4, 5, or 6 runners in a race, a dividend shall be paid on 1st and 2nd places only;

and

(c) where there are less than 4 runners in a race, the wagers shall be Win Only.

France, Switzerland

- (a) where there are 8 or more runners in a race, a dividend shall be paid on 1st, 2nd and 3rd places;
- (b) where there are 4—7 runners in a race, a dividend shall be paid on 1st and 2nd places only; and
- (c) where there are less than 4 runners in a race, the wagers shall be Win Only.

And Insert the following—

A reference to the "Field Size Rule" sets out how place dividends are paid.

For all races within Australia and overseas the Field Size Rule is as follows—

- (a) where there are 8 or more runners in a race, a dividend shall be paid on 1st, 2nd and 3rd places;
- (b) where there are 5, 6 or 7 runners in a race, a dividend shall be paid on 1st and 2nd places only; and
- (c) where there are less than 5 runners in a race, the wagers shall be Win Only

#### **Rule 74.**

Delete the following—

A reference to "Win/Place Fixed Odds" means the price quoted by RWWA of a specified runner at the time of placing the wager.

Win/Place Fixed Odds refers to the Fixed Price quoted by RWWA of a specific runner prior to placing a wager. These odds are fixed at the time of placing the wager. All Fixed Win/Place wagers are subject to the Field Size Rule (Rule 69). [excluding races held in Europe, Africa, Middle East, or the Americas which are subject to the following—

Unless clearly displayed otherwise, all each-way bets except ante-post bets will be settled on the actual number of starters according to the following place terms—

- Fewer than 5 runners—all to win
- 5-7 runners—1/4 odds a place 1-2
- 8 or more runners—1/5 odds a place 1-2-3
- Handicaps with 12-15 runners—1/4 odds a place 1-2-3
- Handicaps with 16 or more runners—1/4 odds a place 1-2-3-4

If a Fixed Price wager is struck once the "Final Field" is declared, such wagers are subject to scratching and deductions.

All deductions applied by RWWA on Fixed Odds wagers struck after official opening prices have been

announced will be sourced from the race track of race origin or, where applicable, with the following —  $\,$ 

## And insert the following—

- (a) A reference to "Win/Place Fixed Odds" means the price quoted by RWWA of a specified runner at the time of placing the wager.
- (b) Win/Place Fixed Odds refers to the Fixed Price quoted by RWWA of a specific runner prior to placing a wager. These odds are fixed at the time of placing the wager. All Fixed Win/Place wagers are subject to the Field Size Rule (Rule 73). If a Fixed Price wager is struck once the "Final Field" is declared, such wagers are subject to scratching and deductions.
- (c) All deductions applied by RWWA on Fixed Odds wagers struck after official opening prices have been announced will be sourced from the racetrack of race origin or, where applicable, with the following—

#### Rule 165.

At the second last line after the word thoroughbred, insert the word harness.

## **TRAINING**

TA301\*

Vocational Education and Training Act 1996

# Vocational Education and Training (General) Amendment Regulations 2014

Made by the Governor in Executive Council.

#### 1. Citation

These regulations are the *Vocational Education and Training* (General) Amendment Regulations 2014.

#### 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 *Vocational Education and Training (General) Regulations 2009.* 

## 4. Regulation 42 amended

- (1) After regulation 42(2)(b) insert:
  - (ca) the chief executive is not satisfied that the vocational outcome set out in the contract is

- appropriate for the intended occupation during the contract; or
- (cb) the chief executive is satisfied that registering that contract would result in an effect or outcome that is contrary to the objects of the Act; or
- (cc) the party to be trained is not an Australian citizen, or does not hold an Australian visa that will support the employment and study arrangements specified in the training contract; or
- (2) After regulation 42(2) insert:
  - (3A) For the purposes of subregulation (2)(ca), if the occupation during the contract is, in fact, the vocational outcome set out in the contract, that is an appropriate vocational outcome.

## 5. Schedule 1 replaced

Delete Schedule 1 and insert:

## Schedule 1 — Training contract

[r. 38]

Apprenticeship/Traineeship **Training Contract**Western Australia
including
Assessment for Australian
Government
Australian Apprenticeships Incentives.

This contract must be completed with the assistance of an Australian Apprenticeships Centre. This is a free service.

Please read this before completing the Training Contract. This Training Contract must be completed with the assistance of your chosen Australian Apprenticeships Centre.

- Find out the Australian Apprenticeships Centres that are contracted in your region by calling 13 38 73; or
- Visit the Australian Apprenticeships website at www.australianapprenticeships.gov.au

Australian Apprenticeships Centres are contracted by the Australian Government Department of Industry to provide a FREE service to employers and apprentices/trainees. Australian Apprenticeships Centres are required to personally visit employers and apprentices/trainees to assist in the

completion of this Training Contract and related State/Territory Training Authority documentation.

Only an officially contracted Australian Apprenticeships Centre is authorised to provide advice on the eligibility and payment of Australian Government Australian Apprenticeships Incentives.

## Before completing the Training Contract please read the following sections:

- Information You Need to Know and Information to Help Complete the Training Contract.
- Training Contract Declaration and Obligations.
- Information on Australian Government Australian Apprenticeships Incentives.

If filling this Contract out by hand, please write clearly, in BLOCK LETTERS, and push firmly with a ball point pen. Do not use correction fluid. Cross out the error and write the correct information above it.

ALL corrections must be initialled by all parties to the Contract.

When the Training Contract is completed your Australian Apprenticeships Centre will lodge it for approval/registration with the relevant State/Territory Training Authority.

- You should give the original Training Contract with original signatures to your Australian Apprenticeships Centre.
- You should keep a copy of the Training Contract for your records.
- You should give your apprentice or trainee a copy of the Training Contract.

An unsigned or incomplete Training Contract cannot be processed and will be returned for completion. Before you lodge it, make sure you have taken the steps in the following checklist:

question	ıs 21, <i>1</i>	22 and 2	4 is pr	ovided	if necessary.	
Addition	al into	rmation	and/or	eviden	ce required b	Эy

- The employer, the apprentice/trainee, and any guardian or parent as required, have all read, signed and dated the Training Contract.
- Any alterations to any part of the document are initialled by all those who sign the Training Contract.

#### **Contacts for Further Information & Assistance**

#### **Australian Apprenticeships Centres**

- administer Australian Government incentive payments to employers and allowances for apprentices/trainees;
- provide information on Australian Apprenticeships options to employers and other interested people;

- market and promote Australian Apprenticeships;
- work with the State/Territory government department or agency to provide an integrated service;
- work with training providers, schools and other organisations to support Australian Apprenticeships; and
- provide support to employers and Australian Apprentices throughout the Australian Apprenticeship to encourage successful completion.

Australian Apprenticeships Centres are located throughout each State and Territory.

- Find an Australian Apprenticeships Centre in your region by calling 13 38 73; or
- Visit the Australian Apprenticeships website at www.australianapprenticeships.gov.au

#### Western Australia Government

#### Further information can be obtained from:

Department of Training and Workforce Development

Locked Bag 16, Osborne Park DC WA 6916

Ph: 13 19 54

**Ph**: (08) 6551 5499 **Fax**: (08) 6551 5307

Web: www.apprenticentre.wa.gov.au

#### **Training Contract**

This contract forms a legally binding agreement between an employer and employee for the training of Apprentices and Trainees leading to a nationally recognised qualification. In signing this contract the parties are bound by the obligations detailed below and the legislation of the State or Territory in which this training contract is to be registered.

## **Training Contract Declaration**

We, the employer, apprentice/trainee and parent or guardian (where applicable) have read and understood the **Training Contract Obligations** outlined below.

We declare that to the best of our knowledge the details entered on this Training Contract are true and correct. We understand that the giving of false or misleading information is a serious offence.

We understand that the information provided in this Training Contract:

- is collected for the purposes of registration, preparing statistics, reporting, program administration, monitoring and evaluation, calculating incentives and allowances paid to employers and apprentices/trainees and preventing dual payments;
- may be disclosed to and used for these purposes by the Australian Government, including the Department of Industry and Centrelink, State/Territory government departments and agencies, employers, our Australian

Apprenticeships Centre, Registered Training Organisation (RTO), non-government education authorities and the contractors or agents of any of these organisations, departments and agencies;

- may also be exchanged between the Department of Industry and Centrelink (for Youth Allowance, Austudy and ABSTUDY administration) to provide confirmation that the apprentice/trainee who signed this declaration is an Australian Apprentice;
- may otherwise be disclosed without consent where authorised or required by law.

We understand that this Apprenticeship/Traineeship Contract is legally binding in accordance with the **Training Contract Obligations** set out below and the legislation of the State or Territory in which this Training Contract is to be registered.

We understand that this Training Contract can only be terminated within the period of the probation and/or, in accordance with the requirements of the relevant State/Territory legislation, and that the probation periods are determined by the State/Territory Training Authority or relevant industrial award/agreement for this qualification and vocation.

We undertake to negotiate and sign a Training Plan with the chosen RTO as required by the relevant State/Territory Training Authority.

**The employer representative** (on behalf of the employer named in Question 28)

Surname (family name) Given names (in full)

Signed this day: Signature of employer

Day /Month /Year representative

The apprentice/trainee

Surname (family name) Given names (in full)

Signed this day: Signature of apprentice/trainee

Day /Month /Year

Signed this day: Signature of parent/guardian

Day /Month /Year (for apprentice/trainee under

18 years of age)

Name of Apprenticeship/Traineeship (as designated by legislation/regulation):

## **Training Contract Obligations**

## For the employer, apprentice or trainee, and parent or guardian (where applicable). We agree that:

- a) the Contract commences from the date stated in question 3, provided that it has been registered or approved under the provisions of the relevant State/Territory legislation;
- b) the Contract can only be changed by our agreement and according to State/Territory legislation and the State/Territory Training Authority must be informed of the proposed change/s. In some States/Territories approval for the change/s must be sought;
- the apprentice/trainee can see, and correct, any information about himself/herself in this Contract or held by the employer in relation to this Contract;
- d) the apprentice/trainee is not liable for any unintentional damage to material or property in the course of their work and training;
- e) we will try to resolve any dispute we have between us, and if we can't, we will contact our State/Territory Training Authority to request assistance or to access the appropriate dispute resolution processes;
- f) the Contract can be audited by the relevant State/Territory Training Authority or Australian Government Department;
- g) the Contract is successfully completed when there is agreement from the employer, Registered Training Organisation and apprentice/trainee, and/or an acknowledgment by the State/Territory Training Authority, that the apprentice/trainee has attained all the required competencies;
- h) this Contract expires if it reaches the expected term of the apprenticeship/traineeship referred to in question 4 without the apprentice/trainee having attained all the required competencies or a request for an extension of the contract having been endorsed by a State/Territory Training Authority;
- i) this Contract may be terminated in accordance with State/Territory legislation.

## For the employer. I agree that I will:

- a) employ and train the apprentice/trainee as agreed in our Training Plan and ensure the apprentice/trainee understands the choices that he/she has regarding the training;
- b) provide the appropriate facilities and experienced people to facilitate the training and supervise the apprentice/trainee while at work, in accordance with the Training Plan;
- c) make sure the apprentice/trainee receives on-the-job training and assessment in accordance with our Training Plan;
- d) provide work that is relevant and appropriate to the vocation and also to the achievement of the qualification referred to in this Contract;
- e) release the apprentice/trainee from work to attend any training and assessment specified in our Training Plan;
- f) pay the apprentice/trainee the appropriate wages to attend any training and assessment specified in the Training Plan noting that any time spent by the apprentice/trainee in performing his or her

obligations under the contract, whether at the employer's workplace or not, is to be taken for all purposes (including the payment of remuneration) to be time spent working for the employer;

- g) meet all legal requirements regarding the apprentice/trainee, including but not limited to, occupational health and safety requirements and payment of wages and conditions under the relevant employment arrangements;
- h) repay any payment I receive that I am not entitled to;
- i) work with our RTO and the apprentice/trainee to make sure we follow our Training Plan, keep training records up-to-date, and monitor and support the apprentice/trainee's progress; and
- j) let the relevant State/Territory Training Authority and the RTO know within five working days (or when the local State/Territory legislation requires, if this is different) if our Training Contract has become jeopardised.

I acknowledge that it is an offence to use information in the Contract to discriminate against any person, including the apprentice/trainee.

## For the apprentice/trainee. I agree that I will:

- a) attend work, do my job, and follow my employer's instructions, as long as they are lawful;
- b) work towards achieving the qualification stated in our Training Contract;
- c) undertake any training and assessment in our Training Plan.

#### For the parent or guardian.

I agree that I will uphold the responsibilities listed above for the apprentice/trainee until this person is 18 years of age.

## Apprenticeship/Traineeship details

1	Title and level of qualification
2	National Qualification Code
3	Commencement date of employment for Apprenticeship/Traineeship Day /Month /Year
4	Nominal term of Apprenticeship/Traineeship (months)
5	The period of probation for this Apprenticeship/Traineeship (months)
6	Type of Apprenticeship/Traineeship  Apprenticeship
	☐ Traineeship

7	Is the apprentice/trainee an existing worker?				
	□	No			
		Yes (Refer to Information to Help Complete the Training Contract)			

## Apprentice/Trainee details

- Abbi	entice/ framee details				
8	Surname (family name) Given names (in full)				
9	Address (residential)				
		State Postcode			
	Address (postal)				
		State Postcode			
10	Telephone number/s Home	Mobile			
	Email				
11	Date of birth	Day /Month /Year			
12	Sex	☐ Male ☐ Female			
13	<ul> <li>Citizenship (Tick applicable box)</li> <li>Australian citizen or permanent resident</li> <li>A New Zealand passport holder who has been resident in Australia for 6 months or more (Refer to Information to Help Complete the Training Contract)</li> <li>Other – Visa document number</li> </ul>				
14*	Are you of Aboriginal or Torres Strait For persons of both Aboriginal AND mark both 'Yes' boxes.	Torres Strait Islander origin			
		☐ Yes, Torres Strait Islander			
15*	In which country were you born?  Australia	☐ Other (please specify)			
16*	Do you speak a language other than than one language, indicate the one	English at home? (If more			
17*	Do you consider yourself to have a dlong-term condition?  No Yes (If you answered YES you may q				

18	Are you still attending secondary school?					
	□No					
	☐ Yes → What Year level are you currently in at school? (e.g. Year 11)					
	Name of Secondary School					
19	Is this an approved Australian School-based Apprenticeship/Traineeship?  □ No					
	Tyes (Refer to Information to Help Complete the Training Contract)					
20	What is your highest COMPLETED school level?					
	☐ Year 12 or equivalent ☐ Year 11 or equivalent					
	☐ Year 10 or equivalent ☐ Year 9 or equivalent					
	☐ Year 8 or below ☐ Did not go to school					
	When did you complete that school level? Month /Year					
21	Have you successfully COMPLETED any of the following qualifications?					
	☐ No ☐ Yes →tick and complete any applicable boxes					
	Commenced Completed					
	☐ Bachelor degree or higher					
	☐ Advanced Diploma (or Associate Degree)					
	☐ Diploma (or Associate Diploma)					
	Month/Year □ Certificate IV (eg Advanced Certificate/Technician) Month/Year					
	Month/Year ☐ Certificate III (eg Trade Certificate) Month/Year					
	Month/Year ☐ Certificate II Month/Year					
	☐ Certificate I					
	☐ Pre-Apprenticeship/Pre-Vocational					
	☐ Certificates of qualifications other than above Month/Year					
	Title and level of qualification/s obtained (Attach list if necessary)					
22*	If you have completed a qualification at Certificate Level III or above, do any of the following apply to you?					
	The qualification cannot be used because of an ☐ No ☐ Yes injury or disability					
	You are an Intensive Support Customised  Assistance Client					
	You are unemployed and have been registered ☐ No ☐ Yes with Centrelink for 12 months or more					
	(If you answered YES to any of the above, you will need to attach evidence. Contact your Australian Apprenticeships Centre regarding evidence requirements.)					

23	Have you previously worked as an apprentice or trainee?						
	□No						
	☐ Yes → Please provide details below. If you are unsure of any of these details, ask your Australian Apprenticeships Centre for assistance.						
	Name of company						
	Title and level of qualification						
	State/Territory/ Year of Apprentice/ Overseas commencement Trainee number						
24	Are you seeking credit to reduce the term of the Training Contract? (Refer to Information to Help Complete the Training Contract) (Evidence is required and must be attached.)  No						
	☐ Yes → How much credit are the parties seeking? (months)						
25	Are you currently undertaking any other study?						
	□ No						
	☐ Yes → Please provide details below.						
	Title and level of qualification						

## Parent or Guardian details

If under 18 years of age, go to  ${\bf Question~26}.$  If 18 years or over, go to  ${\bf Question~28}.$ 

26	Surname (family name)			
	Given names (in full)			
27	Address			
			State	Postcode
	Telephone number			
	Home ( )	Mobile		Work ( )

## **Employer details**

28	Legal name of employer (Refer to Information to Help Complete the Training Contract)
29	Australian Business Number (ABN) of your legal entity

30	Trading name			
31	Postal Address			
		State	Postcode	
32	Telephone number Business ( ) Mobile Email	Fax()		
33	What is the industry or principal ac	tivity of the bu	siness?	
34	Type of employer			
	☐ Private sector	□ Local Gove	ernment	
	☐ Government Business Enterprise	☐ State Gove	ernment	
	☐ Group Training Organisation	☐ Federal Go	vernment	

## **Employment and Training details**

(For apprentices/trainees employed through Group Training Organisations provide the name and address of the first host employer.)

35	Name of workplace where apprentice/trainee will be employed					
	Address of workplace where apprentice/trainee will be employed					
			State	Postcode		
36	Workplace details					
	Total number of people employ	yed by the fire	m			
	Total number of apprentices/tr	ainees in this	workplace			
	Number of workers able to demonstrate the relevant competenci available to supervise or train the apprentices/trainees in this workplace					
37	Name of contact person for this workplace					
	Telephone number ( )		Fax()			
	Email					
38	Type of employment arrang	gement				
	☐ Federal Award	☐ Australian	n Workplace	Agreement		
	☐ Certified Agreement	☐ State Wo	rkplace Agre	ement		
	☐ State Award	Other				
	Name of Agreement/Award					

39	Please indicate the number of hours of employment and training per week and whether this Apprenticeship/Traineeship is full-time or part-time.				
	Number of hours work and training per week				
	☐ Full-time	☐ Part-time			
40		A successive and in a first trans			
40	Prior to commencing THIS Apprenticeship/Traineeship, has the apprentice/trainee worked for, or been hosted by/to, the employer/host employer?				
	□ No				
	☐ Yes → (To be completed Apprenticeships (		f yc	our Australian	
	Period of previous full-time	Day Month Year		Day Month Y	ear
	employment/hosting: from	/ /	to	1 1	
	Period of previous part-time	Day Month Year		Day Month Y	ear
	employment/hosting: from	1 1	to	1 1	
		Part-time: Number of hours per week	f		
	Period of previous casual	Day Month Year		Day Month Y	ear
	employment/hosting: from	/ /	to	1 1	
		Casual: Number of hours per week			
41	Is the apprentice/trainee in a business relationship with this employer?				
	(Examples include partnership, director or franchise arrangement – family trusts excluded.) (Refer to Information to Help Complete the Training Contract)				
	□ No				
	☐ Yes → Type of business relationship				
42	Has the employer previously received Australian Government Incentives for this apprentice/trainee and/or has the employer received or applied to receive any other government assistance for this apprentice/trainee?				
	□No				
	☐ Yes → Please provide d	etails below			
Registered Training Organisation details					
Name	Name of Registered Training Organisation (RTO)				

Name of Registered Training Organisation (RTO)		
Telephone number	Contact Officer	

## **Australian Apprenticeships Centre details**

Name of Australian Apprenticeships Centre			
Telephone number	Contact Officer		
Office Use Only Project Code			

## Information on Australian Government Australian Apprenticeships Incentives

Australian Apprenticeships encompass all apprenticeships and traineeships. They combine time at work with training and can be full-time, part-time or school-based. Australian Apprenticeships are a stepping stone to ongoing employment or further education and training, and a great way to get a head start to a career.

The Australian Apprenticeships Incentives Program encourages employers to offer the kinds of employment-related training opportunities that will encourage people to acquire and expand their working skills.

The criteria and funding of Australian Government Australian Apprenticeships Incentives payments may change during the term of this Training Contract in line with Government priorities. These changes will be notified by your Australian Apprenticeships Centre.

For further details about the incentives listed here, including application forms and advice about whether you may be eligible, contact your Australian Apprenticeships Centre.

## Eligibility for Australian Government Incentives – Information for Employers

This Training Contract has been designed to assess your eligibility for Australian Government Australian Apprenticeships Incentives.

These Incentives can include Commencement, Recommencement, Completion and other special incentives.

Eligibility is assessed on a number of criteria, including but not limited to:

- the date the Australian Apprentice commences or recommences with an employer;
- the employment status of the Australian Apprentice at the date the incentive falls due;
- · the location of the workplace;
- the accredited training program is in place;
- · the type of employment relationship; and
- the formal approval by the State or Territory Training Authority.

If you are eligible for Australian Government Incentives, you will need to complete a separate Claim Form available from your Australian Apprenticeships Centre in order to be paid. This Claim Form should be lodged following:

- · approval of the Training Contract;
- after the apprentice/trainee has commenced training according to the approved Training Plan; and

 after the Australian Government waiting period has expired and the apprentice/trainee is still employed by your business and any State/Territory probation period has been completed.

#### **Taxation**

If you are eligible for Australian Government Incentives you should be aware that if you do not provide your ABN when lodging a Claim Form, the Department of Industry will be obliged to withhold 46.5% of the incentive payment and remit it to the Australian Taxation Office.

You should seek independent advice regarding your taxation position.

#### Other Australian Government Assistance

#### Assistance for Apprentices/Trainees with a Disability

The Australian Government may provide assistance to employers of apprentices/trainees with a disability, including the Disabled Australian Apprenticeships Wage Support program, Tutorial Assistance, Mentor/Interpreter Assistance. Workplace modifications may be available for disabled apprentices and trainees. If applying for assistance you will need to complete an Application Form and an Occupational Assessment Form.

#### **Living Away from Home Allowance**

Apprentices/trainees may be eligible for a Living Away from Home Allowance for the first 36 months of an Apprenticeship/Traineeship, if they had to move away from their parents'/guardians' home to commence or remain in the Apprenticeship/Traineeship, or if they are homeless.

#### Information You Need to Know

#### National Code of Good Practice for Australian Apprenticeships

This code explains the rights and responsibilities of the people who sign this contract. Free copies of the code are available from your Australian Apprenticeships Centre.

#### **Making choices**

#### a. Choosing a Registered Training Organisation (RTO)

The employer and the apprentice/trainee must select an RTO to provide training from a list available from your Australian Apprenticeships Centre or State/Territory Training Authority. The apprentice/trainee must be enrolled with the selected RTO. Contact your Australian Apprenticeships Centre or State/Territory Training Authority for the list. (See the **Contacts for Further Information and Assistance** section of this document for contacts.)

The employer and apprentice/trainee have a right to:

- ask RTOs for accurate and timely information about training options they can offer you;
- identify and select the training outcomes from nationally endorsed Training Packages or accredited courses that are available in your State/Territory;
- negotiate a Training Plan with the RTO according to the relevant State/Territory Training Authority.

#### b. Training Plans

A Training Plan sets out the training that an apprentice/trainee will do both on-the-job and off-the-job. It also sets out how the RTO will ensure the apprentice/trainee will receive quality training - both on-the-job and off-the-job.

It's important that the employer and the apprentice/trainee know how the Plan will work and are well-informed about it.

Training Plans reflect the choices made in relation to:

- the RTO that will provide the training;
- which competency standards will be covered and in what order;
- · when, where and how training is provided;
- · which trainer/facilitator provides the training;
- · who assesses the apprentice/trainee;
- · how the training is evaluated.

#### Qualifications and records

Once the apprentice/trainee successfully completes all assessment requirements of the Training Plan, the RTO must issue the qualification specified in the Plan. If the apprentice/trainee only completes some of the competency standards, the RTO must issue a Statement of Attainment. The RTO will keep the relevant records.

#### **Allowances and Incentives**

A range of Australian Government and State/Territory incentives and subsidies may be available from time to time. For more information, see the **Information on Australian Government Australian Apprenticeships Incentives** section of this document.

State/Territory government allowances may also be available where the apprentice/trainee has to travel away from home to attend training.

Check with an Australian Apprenticeships Centre in your region.

Existing workers who become apprentices/trainees may not attract Australian Government or State/Territory subsidies and incentives.

#### Information to Help Complete the Training Contract

#### Questions marked (\*) 14, 15, 16, 17 and 22 are optional questions

You are not required to complete these questions, however, if you answer question 22 it may assist in processing your claim for incentives.

## Questions 1, 2, 21 and 25 - Title, Level and Code of Qualification

Apprentices/trainees who successfully complete their training receive a nationally recognised qualification. Qualification titles and levels are laid out in the relevant nationally endorsed industry Training Package or accredited training course. Titles and levels are also on the Australian Qualifications Framework certificates issued by RTOs. Qualification codes are available from the National Register, training.gov.au (<a href="https://www.training.gov.au">www.training.gov.au</a>). Your Australian Apprenticeships Centre or RTO can also provide this information.

### Question 7 - Existing Worker

An existing worker is defined as a person who has been employed by the applicant employer continuously for more than 3 months full-time or 12 months casual or part-time or a combination of both, immediately prior to the commencement date of the Training Contract as shown in question 3.

State/Territory/Australian Government incentives may not apply to existing worker arrangements. You should contact your nominated Australian Apprenticeships Centre for advice in relation to eligibility for any incentives.

## Question 13 - New Zealand Passport Holders

Australian Government incentives are only available to New Zealand passport holders if the applicant has been resident in Australia for 6 months or more. However, a Training Contract with the New Zealand passport holder could still be registered. Contact your Australian Apprenticeships Centre or State/Territory Training Authority for more information.

#### Question 19 - Australian School-based Apprenticeship

Australian Apprenticeship training undertaken by a student will be an Australian School-based Apprenticeship when all of the following apply:

- the student is enrolled in a senior secondary certificate under the relevant Education Act;
- the school or education provider at which the student is enrolled acknowledges and endorses the Training Plan required by the Apprenticeship/Traineeship Training Contract;
- the Australian School-based Apprenticeship is recognised on the senior secondary certificate.

(Note: The term Australian Apprenticeships relates to apprenticeships and traineeships)

#### Question 24 - Credit

An apprentice/trainee may gain "credit" for relevant prior learning or experience. This prior learning or experience must be formally recognised and may mean the duration of the Training Contract can be changed. Credit may also affect industrial relations arrangements and incentive payments. For more information contact your Australian Apprenticeships Centre or RTO.

Your RTO should discuss the issue of credit for prior learning with you during the negotiation of the Training Plan associated with this contract of training.

#### Question 28 - Legal Name of Employer

The employer must provide the name of the employer's legal entity. This will be a person's name, a company name, or the name of an incorporated association, NOT a trading name, business name, or name of a trust.

#### Questions 34 and 35 - Group Training Organisation

A group training organisation employs apprentices/trainees and places them with host employers. The host employer and the company providing the group training services must be separate legal entities.

## Question 39 - Full-time/Part-time Apprentices and Trainees

Apprenticeships/traineeships may be undertaken full-time or part-time. A full-time apprentice/trainee is one whose ordinary hours of employment, including the training component, are not less than the usual hours of employment for a full-time employee in that occupation. Part-time provisions vary across Australia and across occupations. For more information contact an Australian Apprenticeships Centre in your region or State/Territory Training Authority. See the **Contacts for Further Information and Assistance** section for further contact details.

## Question 41 - Business Relationship

A business relationship includes a pre-existing or current business relationship between the employer and the apprentice/trainee; for example, when the apprentice/ trainee is a partner, a director of the company, a previous director or partner or involved in franchise arrangements.

#### FOR OFFICE USE ONLY

#### **Australian Apprenticeships Centre Declaration**

This section is completed by the Australian Apprenticeships Centre I certify that:

- details entered have been verified.
- the application meets/does not meet all initial assessment criteria for payment as specified in the Australian Government Australian Apprenticeships Incentives Program Guidelines.

- I have advised the employer and the apprentice/trainee of their obligations and responsibilities under the Training Contract.
- I have informed the employer and the apprentice/trainee of their options under User Choice provisions.
- I have provided relevant publications to the employer and the apprentice/trainee.

#### I understand that:

- it is a serious offence to make a false or misleading statement in connection with an application for payment; and
- fees paid to the Australian Apprenticeships Centre and any incentives paid to any employer in relation to the processing of the Contract may be recovered if this Contract has not been processed in accordance with the Australian Government Australian Apprenticeships Support Services Contract.

Name of Australian Apprenticeships Centre				
Printed name of person verifying details				
Signature of p	person verifying detail	ls		
Date	day/month/year			
TYIMS Regist	tration ID			
Training Cont	ract ID No.			
☐ Eligible for incentives				
☐ Not eligible	e for incentives			
Notes				

R. KENEDY, Clerk of the Executive Council.

## — PART 2 —

## **CEMETERIES**

#### CE401\*

#### CEMETERIES ACT 1986 (WA) (CI)

CEMETERY VESTING ORDER 2014 (No. 1)

- I, Jamie Briggs, Assistant Minister for Infrastructure and Regional Development, pursuant to section 8G of the Christmas Island Act 1958 and in relation to the Cemeteries Act 1986 (WA)(CI)—
  - (a) declare the following land on Christmas Island as cemeteries under s4(1) of the Cemeteries Act 1986 (WA)(CI)—
    - I. Lots 379, 461 and 462 on deposited plan 219061 (known as the Chinese Cemetery);
    - II. Lot 381 on deposited plan 219061 (known as the Muslim Cemetery), and
    - III. Lot 3028 on deposited plan 44665 (known as the Christian Cemetery and including a car park).
  - (b) vest the care, control and management of the aforementioned cemeteries to the Shire of Christmas Island under s5(1) of the Cemeteries Act 1986 (WA)(CI);
  - (c) declare the following land on Christmas Island as closed cemeteries under s4(1) and (2) of the Cemeteries Act 1986 (WA)(CI)—
    - I. Lot 3024 of deposited plan 43295 (known as the Old Chinese Cemetery), and
    - II. Lot 3043 on deposited plan 46730 (known as the Old Pioneer Cemetery).
  - (d) vest the care, control and management of the aforementioned closed cemeteries to the Shire of Christmas Island under s(43)(1) of the Cemeteries Act 1986 (WA)(CI).

Dated: 8 May 2014.

JAMIE BRIGGS, Assistant Minister for Infrastructure and Regional Development.

## CONSERVATION

#### CO401\*

#### CONSERVATION AND LAND MANAGEMENT ACT 1984

Conservation and Land Management (Excision from Timber Reserve) Order (No. 1) 2014

Made by the Governor in Executive Council under section 17(6a) of the Conservation and Land Management Act 1984.

#### 1. Citation

This order may be cited as the Conservation and Land Management (Excision from Timber Reserve) Order (No. 1) 2014.

#### 2. Background to this order

- (1) Main Roads Western Australia has requested the excision of a portion of Timber Reserve No. 171/25 situated approximately 19 kilometres south of Boddington.
- (2) The proposed excision is required to facilitate the realignment of a portion of Pinjarra-Williams Road to improve road safety along this stretch of road.
- (3) In accordance with section 17(6a) of the *Act*, the Minister for Environment, with the concurrence of the Minister for Forestry, recommends that the proposed excision be put into effect.
- (4) The land referred to in subclause (1) has been surveyed and is now described in Schedule 1.

#### 3. Portion of Timber Reserve No. 171/25 excised

The land described in Schedule 1 is declared to be no longer Timber Reserve.

#### Schedule 1—Land no longer part of Timber Reserve No. 171/25

All that portion of land comprising Lot 506 on Deposited Plan 63723.

Area: 0.9562 hectares.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

## **CONSUMER PROTECTION**

CP401\*

#### ASSOCIATIONS INCORPORATION ACT 1987

CANCELLED ASSOCIATION

DENMARK RIDING AND PONY CLUB (INC)—A0823582T

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: 21 November 2014.

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

CP402\*

#### FAIR TRADING ACT 2010

The following instrument is published under the Fair Trading Act 2010 section 21

#### **COMPETITION AND CONSUMER ACT 2010**

Consumer Protection Notice No. 4 of 2014

## CONSUMER GOODS (BEAN BAGS) SAFETY STANDARD 2014

I, Bruce Billson, Minister for Small Business, make the following standard.

Dated: 21 November 2014.

BRUCE BILLSON, Minister for Small Business.

#### PART 1—PRELIMINARY

#### 1. Name of Safety Standard

This safety standard is the Consumer Goods (Bean Bags) Safety Standard 2014.

## 2. Commencement

This safety standard commences on 1 January 2016.

#### 3. Authority

This safety standard is made under section 104(1) of the Australian Consumer Law.

#### 4. Revocation

On 1 January 2016 the safety standard for bean bags made under section 104(1) of the Australian Consumer Law on 1 January 2011 by reason of Item 4 of Schedule 7 of the *Trade Practices Amendment (Australian Consumer Law) Act (No.2) 2010,* is revoked.

Note: The set of requirements for the safety standard revoked by paragraph (a) of this Notice are the same requirements as those which were prescribed as the consumer product safety standard for bean bags for the purposes of section 65C of the *Trade Practices Act 1974*. Those requirements are contained in **Regulation 11** of the *Trade Practices (Consumer Product Safety Standards) Regulations 1979*.

#### 5. Purpose

This safety standard sets out specified requirements for bean bags and bean bag covers.

Note: For the requirement to comply with a safety standard, see section 106 of the Australian Consumer Law.

### 6. Definitions

In this safety standard—

Australian Consumer Law means Schedule 2 to the Competition and Consumer Act 2010.

Bean bag has the meaning given by section 7;

**Bean bag cover** has the meaning given by section 7;

Bean bag filling means pellets or small particles of polystyrene or other similar synthetic material used to fill a bean bag;

Child resistant slide fastener means a slide-fastener having a sliding piece which—

- (a) does not have attached to it any tag, handle or other object which would facilitate the movement of the sliding piece; and
- (b) incorporates a locking mechanism which prevents the sliding piece opening the slidefastener unless a wholly separate device is used to disengage the locking mechanism and act as a handle in moving the sliding piece between the teeth.

Slide fastener means a device comprising 2 sets of teeth, each set of teeth being located on adjacent edges of the device and having an attached sliding piece which, by moving between the adjacent teeth of each edge, causes the teeth to interlock or cease to interlock, as the case may be, with teeth of the adjacent edge.

#### 7. Application of standard

In this safety standard—

- (1) **bean bag** means a cushion or similar item which consists of a bag or cover enclosing bean bag filling and which contains an opening through which bean bag filling can be accessed.
- (2) **bean bag cover** means a bag or cover capable of being filled with bean bag filling and which, if filled with bean bag filling, would constitute a bean bag and includes a bag or cover intended as a separate inner lining for a bean bag.

#### PART 2—SAFETY REQUIREMENTS

#### 8. Warning message requirements

(1) Every bean bag, bean bag cover and retail package containing bean bag filling shall have fixed securely to, or stamped on it, a label or notice in the following form—

WARNING: Children can suffocate if bean bag filling is swallowed or inhaled. Do not let children climb inside this bean bag. A bean bag is not a safe sleeping surface for an infant under 12 months of age

- (2) A warning label or notice referred to in subsection (1) shall—
  - (a) Bear the word 'WARNING' in upper case red letters of not less than 5 millimetres in height on a white background;
  - (b) Bear the remaining words in upper and lower case letters as shown in paragraph (1), the upper case letters being of not less than 5 millimetres in height and the words 'not a safe' in bold font; and
  - (c) Be conspicuously displayed.

#### 9. Child resistance requirements

- (1) Every bean bag and bean bag cover shall have a child-resistant slide-fastener fitted to every opening through which bean bag filling can be inserted or removed.
- (2) If a bean bag or bean bag cover has more than one slide-fastener, each such slide-fastener shall be child-resistant.
- (3) A bean bag or bean bag cover shall not be supplied with any tag, handle or other object which could facilitate the movement of the child-resistant slide-fastener sliding piece.

## LOCAL GOVERNMENT

LG401\*

#### LOCAL GOVERNMENT ACT 1995

City of Rockingham (BASIS OF RATES)

This notice, which is for public information only, is to confirm that—

I, Brad Jolly, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from, 31 October 2014, determined that the method of valuation to be used by the City of Rockingham as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land;

#### Schedule

	Designated Land
UV to GRV	All those portions of land being Lots 3 to 47 inclusive, Lots 49 to 59 inclusive, Lot 68, Lot 69 and Lots 86 to 100 inclusive as shown on Deposited Plan 401236; Lots 126 to 130 inclusive, Lots 152 to 157 inclusive, Lots 166 to 209 inclusive, Lots 211 to 216 inclusive, Lots 295 to 297 inclusive, Lots 375 to 377 inclusive, Lot 385 and Lot 386 as shown on Deposited Plan 401598; Lot 1 as shown on Deposited Plan 402366 and Lot 261 and Lots 292 to 296 inclusive as shown on Deposited Plan 402523.

## MARINE/MARITIME

MA401\*

#### WESTERN AUSTRALIAN MARINE ACT 1982 NAVIGABLE WATERS REGULATIONS 1958

PROHIBITED SWIMMING AREA PROHIBITED MOTORISED VESSEL AREA  $\textit{City of Mandurah} \\ \text{Mandurah Estuary}$ 

Department of Transport Mandurah WA, 5 December 2014.

Acting pursuant to the powers conferred by Regulation 10A of the *Navigable Waters Regulations 1958* and acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, I hereby declare the following area to be a swimming prohibited area and motorised vessel prohibited area for the times stated—

Mandurah Estuary: All the waters within a 250 metre radius around the firing point, located on the southern foreshore (adjacent to the War Memorial), at the entrance to the Mandurah Canals, are closed to swimming between 8:30pm and 9:30pm on Tuesday 9 December 2014.

CHRISTOPHER MATHER, Director Waterways Safety Management, Department of Transport.

## MINERALS AND PETROLEUM

MP401\*

#### PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967

RENEWAL OF PETROLEUM EXPLORATION PERMIT EP 437

Renewal of Petroleum Exploration Permit EP 437 has been granted to Key Petroleum (Australia) Pty Ltd, Rey Oil and Gas Perth Pty Ltd and Caracal Exploration Pty Ltd and will remain in force for a period of five (5) years commencing on 28 November 2014.

JEFFREY HUNTLY HAWORTH, Executive Director, Petroleum Division, Department of Mines and Petroleum.

MP402\*

#### MINING ACT 1978

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum Karratha WA 6741.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable for forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for non payment of rent.

R. YOUNG, Warden.

To be heard by the Warden at Karratha on 22 January 2015.

WEST PILBARA MINERAL FIELD

Miscellaneous Licences

L47/423

Mobile Concreting Solutions Pty Ltd

MP403\*

#### MINING ACT 1978

#### APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum Karratha WA 6741.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

R. YOUNG, Warden.

To be heard by the Warden at Karratha on 22 January 2015.

WEST PILBARA MINERAL FIELD

Prospecting Licences

P 47/1380-I Legend Mining Limited

MP404\*

#### MINING ACT 1978

#### APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum Coolgardie WA 6429.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable for forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for non payment of rent.

T. HALL, Warden.

To be heard by the Warden at Coolgardie on 19 January 2015.

#### COOLGARDIE MINERAL FIELD

Prospecting Licences

P 15/5068	Malanti Pty Ltd
P 15/5069	Malanti Pty Ltd
P 15/5070	Malanti Pty Ltd
P 15/5071	Malanti Pty Ltd
P 16/2479	Strategic Projects Mining Pty Ltd
P 16/2480	Strategic Projects Mining Pty Ltd
P 16/2481	Strategic Projects Mining Pty Ltd
P 16/2801	Mazza, Bernard Peter

MP405\*

#### MINING ACT 1978

#### APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum Coolgardie WA 6429.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

T. HALL, Warden.

To be heard by the Warden at Coolgardie on 19 January 2015.

COOLGARDIE MINERAL FIELD

Prospecting Licences

P 15/4783 Dalglish, Owen James

**MP406\*** 

#### MINING ACT 1978

#### APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum Coolgardie WA 6429.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

T. HALL, Warden.

To be heard by the Warden at Coolgardie on 19 January 2015.

#### COOLGARDIE MINERAL FIELD

#### Prospecting Licences

P 16/2441	Toro Mining Pty Ltd
P 16/2442	Toro Mining Pty Ltd
P 16/2443	Toro Mining Pty Ltd
P 16/2444	Toro Mining Pty Ltd
P 16/2774	Siberia Mining Corporation Pty Ltd
P 16/2775	Siberia Mining Corporation Pty Ltd

**MP407\*** 

#### MINING ACT 1978

#### APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum Southern Cross WA 6426.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable for forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for non payment of rent.

P. ROTH, Warden.

To be heard by the Warden at Southern Cross on 20 January 2015.

## YILGARN MINERAL FIELD

### Prospecting Licences

P 77/3701-I	Gondwana Resources Limited
P 77/3703	Gondwana Resources Limited
P 77/3704-I	Gondwana Resources Limited
P 77/3705-I	Gondwana Resources Limited
P 77/4191	Newmount Holdings Pty Ltd
P 77/4192	Newmount Holdings Pty Ltd

MP408\*

#### **MINING ACT 1978**

#### APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum Southern Cross WA 6426.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

P. ROTH, Warden.

To be heard by the Warden at Southern Cross on 20 January 2015.

#### YILGARN MINERAL FIELD

Prospecting Licences

P 77/3657 Richard Read & Associates Pty Ltd

Highscore Pty Ltd

P 77/3720 Gondwana Resources Limited

P 77/3987	Nutt, James William
1 11/5501	Nutt, baines william
P 77/4088	Golden Mining Australia Pty Ltd
P 77/4089	Golden Mining Australia Pty Ltd
P 77/4091	Golden Mining Australia Pty Ltd
P 77/4092	Golden Mining Australia Pty Ltd
P 77/4093	Golden Mining Australia Pty Ltd
P 77/4094	Golden Mining Australia Pty Ltd
P 77/4097	Golden Mining Australia Pty Ltd
P 77/4102	Richard Read & Associates Pty Ltd Highscore Pty Ltd
P 77/4104	Taylor, Graeme Francis
P 77/4105	Taylor, Graeme Francis

MP409\*

## MINING ACT 1978

#### APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum Southern Cross WA 6426.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

P. ROTH, Warden.

To be heard by the Warden at Southern Cross on 20 January 2015.

#### YILGARN MINERAL FIELD

#### Prospecting Licences

P 77/4135	Surveyor Resources Pty Ltd
P 77/4136	Surveyor Resources Pty Ltd
P 77/4138	Surveyor Resources Pty Ltd
P 77/4139	Surveyor Resources Pty Ltd
P 77/4141	Surveyor Resources Pty Ltd
P 77/4142	Surveyor Resources Pty Ltd
P 77/4143	Surveyor Resources Pty Ltd
P 77/4145	Surveyor Resources Pty Ltd
P 77/4146	Surveyor Resources Pty Ltd
P 77/4147	Surveyor Resources Pty Ltd
P 77/4148	Surveyor Resources Pty Ltd

## **PARLIAMENT**

PA401\*

#### PARLIAMENT OF WESTERN AUSTRALIA

Royal Assent to Bills

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

Title of Act	Date of Assent	Act No.
Environmental Protection Amendment (Validation) Act 2014	27 November 2014	27  of  2014
School Education Amendment Act 2014	27 November 2014	28 of 2014

NIGEL PRATT, Clerk of the Parliaments.

## **PLANNING**

PL401\*

#### PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Esperance

Town Planning Scheme No. 23—Amendment No. 14

Ref: TPS/1174

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Esperance local planning scheme amendment on 19 November 2014 for the purpose of—

- 1. Modifying Clause 5.11.2 by inserting 'Tourist,' after 'Central Area,'.
- 2. Modifying Clause 5.11.2(e) by inserting 'Tourist,' after 'Central Area,'.
- 3. Modifying Clause 5.11.3 by inserting 'Tourist,' after 'Central Area,'.
- 4. Adding a new clause 5.13.1.1 Setback Variation stating—

Where the setback from any highway or railway is less than 100 metres the Local Government will impose a condition on its planning consent for a dwelling or other noise sensitive premises requiring a Section 70A notification being placed on the title advising of the potential to be affected by transportation noise levels and proximity to highway and/or railway. The notification will need to be in place before a building permit is issued. Setbacks shall not be less than as specified in Schedule 8 unless an approved Outline Development Plan or Subdivision Guide Plan specifies otherwise.

- 5. Replacing Clause 5.15 Building Height with—
  - (a) The height limit of any building that is not residential, industrial in nature or in the Central Area zone shall be limited to 9 metres.
  - (b) The height limit of any building that is industrial in nature shall be limited to 12 metres.
  - (c) The height limit of any building that is in the Central Area zone shall only be limited by plot ratio.
- 6. Modifying Clause 5.18.1 to replace the line 'Collection area (m2) = 120000 divided by 0.85 divided by (local rainfall 24mm)' with 'Collection Area (m2) = 120000 divided by (0.85 multiplied by (local rainfall in mm 24mm))'
- 7. Inserting the following clause into Part 5—
  - 5.19 Vehicle Parking and Access
  - 5.19.1 Sealing of Vehicle Parking and Access Areas.

All areas utilised for vehicle parking, manoeuvring, access, egress and storage in the Central Area, Tourist Residential, Industry—Business, Industry—General, and Shops and Offices zones are to be sealed, marked and formalised as per Australian Standard 2890.1-2004 as amended.

- 8. Inserting the following clause into Part 5—
  - 5.20 Bed and Breakfast and Holiday Home Requirements
  - 5.20.1 Effluent Disposal

Where Bed and Breakfast and Holiday Home uses are proposed, the site is to be connected to sewer or the effluent disposal systems are to be of suitable quality and size.

- 9. Inserting the following clause into Part 5—
  - 5.21 Coastal Development
  - 5.23.1 Interpretation

In this part, Coastal Development includes but is not limited to rezoning, structure planning, subdivision, strata subdivision and/or development of coastal land, as determined by Council and may apply in any zone.

5.21.1.1 All coastal development is to comply with the provisions of State Planning Policy 2.6—State Coastal Planning Policy.

5.21.1.2 In accordance with section 77 (b) of the *Planning and Development Act 2005*, the provisions of State Planning Policy 2.6—State Coastal Planning shall apply as if they were part of this Scheme.

5.21.1.3 An application for planning approval will be required for Coastal Development, notwithstanding clause 8.2 of this Scheme

10. Inserting the following Clause into the Scheme as Clause 6.13.3.5-

Notwithstanding clause 6.13.3.1 a local government may recommend subdivision or approve the development of land within a Structure Planning Area prior to a structure plan coming into effect in relation to that land, if the local government is satisfied that this will not prejudice the specific purposes and requirements for the Structure Planning Area.

- 11. Deleting Clause 6.4.11(c) and renumbering Clause 6.4.11 accordingly.
- 12. Replacing Clause 6.8.1 with—

The purpose of SCA 4 is to provide guidance for land use or development for the protection of public drinking water source areas

13. Replacing Clause 6.8.2 (a) with—

provide a basis for the protection of public drinking water resources (PDWSA) through the control of land use or development, which has the potential to prejudice the quality of water supplies for public use;

14. Replacing Clause 6.8.2 (b) with—

identify land that has been designated as groundwater reserves and surface catchment areas that supply public drinking water;

- 15. Inserting the following clause after Clause 6.8.4(b)—
  - 6.8.4(c) Minimum Lot Sizes for Rural Residential and Country Town zones
  - (i) Where subdivision of land zoned Rural Residential or Country Town is proposed within Special Control Area 4, the minimum lot sizes for shall be as follows—

Priority Area 1—No Permitted Subdivision

Priority Area 2—2 Hectares

Priority Area 3—1 Hectare

- (ii) Irrespective of Clause 6.8.4(c)(i) subdivision will not be supported unless the proposal complies with the provisions of Water Quality Protection Note 25 Land Use compatibility in Public Drinking Water Source Areas.
- 16. Replacing Clause 6.8.5(b) with—

Esperance Water Reserve Drinking Water Source Protection Plan and other plans associated with outlying Country Towns;

17. Replacing Clause 6.8.5(i) with—

For the purposes of this Scheme the groundwater reserves for the Country Town zones will be deemed to be a Priority 2 (P2) and a wellhead protection zone of 300 metres will apply for all public drinking water supply bores unless the Department of Water indicates otherwise.

- 18. Inserting the following clause after Clause 6.11.4(h)—
  - 6.11.4(i) Where the subject lot is affected by Clause 6.8—Public Drinking Water Source Protection Areas—Special Control Area 4 and Clause 6.11—Blue Haven and Second Beach Special Control Area 7, the following minimum lot sizes for subdivision shall apply—
    - (a) In accordance with the Drinking Water Source Protection Areas, a minimum lot size of 1 hectare where the development is not proposed for connection to reticulated sewer.
    - (b) Otherwise a minimum lot size in accordance with the *Residential Design Codes* will apply subject to an Outline Development Plan being prepared and reticulated sewer being provided.
- 19. Modifying Schedule 2—Additional Use A4 by changing the base zone to Country Town.
- 20. Modifying Schedule 2 by removing A5 in its entirety.
- 21. Inserting 'Bulk Storage Facility' into the Land Use Table as a 'D' use in the Industry—General and Agriculture—General zones , and as an 'X' use within all other zones.
- 22. Inserting 'Storage' into the Land Use Table as a 'P' use in the Industry—General zone a 'D' use within the Industry—Business zone and an 'X' use within all other zones.
- 23. Amending the Land Use Table to add 'Motel' as a 'D' use in the Tourist zone.
- 24. Amending the Land Use Table to add 'Group Dwellings' as an 'A' use in the Central Area zone.
- 25. Amending the Land Use Table by making 'Dwelling an 'X' use in the Central Area zone.
- 26. Inserting 'Multiple Dwelling' as a use into Table No. 1—Zoning and Land Use Table as a 'D' use within the Residential, Tourist Residential and Central Area zones, and as an 'X' use within all other zones and inserting the definition of 'Multiple Dwelling' into Schedule 1 as: has the same meaning as in the Residential Design Codes.
- 27. Inserting 'Multiple Dwelling' as a definition into Schedule 1—Dictionary of Defined Words and Expressions within the following definition—has the same meaning as in the Residential Design Codes.
- 28. Inserting 'Community Purposes' as a use into Table No. 1—Zoning and Land Use Table as a 'D' use within the Industry—Business and Central Area zones, as an 'A' use within the Country Town and Shops and Offices zones and as an 'X' use within all other zones.
- 29. Inserting 'Nursery' as a use into Table No. 1—Zoning and Land Use Table as a 'D' use in the Agriculture—General and Rural Smallholdings zones and a 'A' use in the Rural Residential and Industry—General zones.
- 30. Inserting 'Nursery' as a definition into Schedule 1—Dictionary of Defined Words and Expressions with the following definition—means land and buildings used for the

propagation, rearing and sale of plants, and the storage and sale of products associated with horticultural and garden decor.

- 31. Modifying Clause 6.8.4(c)ii to read—'Irrespective of Clause 6.8.4(c)i subdivision ill not be supported unless the proposal complies with the provisions of Water Quality Protection Note 25 Land Use Compatibility in Public Drinking Water Source Areas or is located in an endorsed Outline Development Plan Area.
- 32. Modifying the note under Clause 6.8.1 to read—'Public Drinking Water Source Protection Areas are defined on the Scheme map in accordance with information provided by the Department of Water'.
- 33. Modifying Table No. 1 Zoning and Land Use Table—'Holiday Home' to become a 'D' use within the Tourist zone.
- 34. Modifying Table No. 1 Zoning and Land Use Table—'Dwelling' to become an 'X' use within the Tourist zone.
- 35. Inserting additional objectives (c and d) within 4.2.2 Tourist Residential Zone Objectives—
  The objectives of the Tourist Residential Zone are to—
  - (a) Ensure that short stay tourist and holiday accommodation remain the predominant land uses within the zone;
  - (b) ensure the delivery of high quality tourist outcomes and tourist benefit as a priority.
- 36. Insert the following clause within Part 5 General Development Requirements of LPS 23—5.23 Tourist Residential Development Requirements

Council may approve a combination of tourist accommodation and permanent residential accommodation on the same site within the Tourist-Residential zone provided that it complies with the following—

- (a) The predominant use of the site remains for short stay tourist, holiday accommodation and other tourist uses, and provides for a high quality tourism outcome or tourism benefit.
- (b) The proposal is not in an isolated location and considers the broader planning and settlement context of the area.
- (c) Physical infrastructure and services are or will be available, including consideration of the urban infrastructure requirements of a permanent population where residential is proposed.
- (d) The scale and design of the site complements the surrounding landscape and character of the area, with the tourist component given priority in those areas of highest tourism amenity (e.g. the beachfront).
- (e) Proposals with a residential component are integrated with both Tourist uses and management structure of the proposal.
- (f) Where Strata Titling is proposed, appropriate management arrangements are in place, via a management statement, including a maximum length of stay provision of three months in any twelve month period applied to the tourism accommodation component on all developments.
- (g) Where tourist development and permanent residential accommodation are developed on the same site, the protection of residential amenity through careful design of both facilities and accommodation on the site shall occur in order to minimise disturbance and conflicts between land uses.

M. HEASMAN, President. M. SCOTT, Chief Executive Officer.

PL402\*

#### PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Karratha

Town Planning Scheme No. 8—Amendment No. 34

Ref: TPS/1304

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning approved the City of Karratha local planning scheme amendment on 17 November 2014 for the purpose of—

- 1. Reclassifying the following land parcels from the 'Parks, Recreation and Drainage' reserve to 'Urban Development' zone—
  - (a) Lot 601 Di Carlo Way, Nickol
  - (b) Lot 623 Gawthorne Drive, Millars Well
  - (c) Lot 636 Nairn Street, Bulgarra

2. Amending 'APPENDIX 7—DEVELOPMENT AREAS' by inclusion of the following development areas—

Development Area	Description of Land	Base Zoning	Development Plan Special Conditions	
DA 53	Lot 601 Di Carlo Way, Nickol	Urban Development	<ol> <li>Applicable density Code minimum R40</li> <li>Preparation of a Development Plan which addresses—         <ul> <li>(a) Front setback variations to Balmoral Road</li> <li>(b) Dwelling orientation to Balmoral Road</li> <li>(c) Building design and elevation treatment to adjoining reserve</li> <li>(d) Fencing design to adjoining reserve</li> <li>(e) Parking and access areas</li> </ul> </li> </ol>	
DA 54	Lot 623 Gawthorne Drive, Millars Well	Urban Development	<ol> <li>Applicable Density Code R40</li> <li>Preparation of a Development Plan which addresses—         <ul> <li>(a) Dwelling orientation</li> <li>(b) Parking and access</li> <li>(c) Footpath relocation</li> <li>(d) Fencing design to adjoining reserve</li> <li>(e) Building design and elevation treatment to adjoining reserve</li> <li>(f) Protection of the Water Corporation's mains infrastructure on the eastern boundary between Sun Court and Tue Place within a reserve.</li> </ul> </li> </ol>	
DA 55	Lot 636 Nairn Street, Bulgarra	Urban Development	<ol> <li>Applicable Density Code R50</li> <li>Preparation of a Development Plan which addresses—         <ul> <li>(a) Dwelling orientation</li> <li>(b) Parking and access</li> <li>(c) Footpath relocation</li> <li>(d) Fencing design to adjoining reserve</li> <li>(e) Building design and elevation treatment to adjoining reserve</li> </ul> </li> </ol>	

3. Amending the Scheme Maps accordingly.

P. LONG, Mayor. C. ADAMS, Chief Executive Officer.

PL403\*

### PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

 $Shire\ of\ Nannup$ 

Town Planning Scheme No. 13—Amendment No. 13

Ref: TPS/1090

It is hereby notified for public information, in accordance with section 87 of the  $Planning\ and\ Development\ Act\ 2005$  that the Minister for Planning approved the Shire of Nannup local planning scheme amendment on 19 November 2014 for the purpose of—

- 1. Deleting "and swimming pools," in sub-clause 8.2.
- 2. Changing "Planning" to "Design" in sub-clause 8.2(b)(i).
- 3. Adding the following to sub-clause 8.2(b)(ii);
  - (iv) is outside an approved building envelope or within a building exclusion area;
  - (v) is within the Flood Risk Land Special Control Area;
  - (vi) is within the Landscape Values Area;
  - (vii) is on a lot or location which does not have access to a dedicated and/or constructed road;
- 4. Deleting "and" at the end of sub-clause 8.2(i).
- 5. Changing to at the end of sub-clause 8.2(b)(j).

- 6. Adding the following sections after sub-clause 8.2(j)—
  - (k) incidental structures which include—
    - (i) a dog house, domestic animal enclosure, bird enclosure or a cubby house which
      does not exceed 3.0 metres in height above natural ground level and does not
      have any part of its structure located within 1.0 metre of the boundary with an
      adjacent lot;
    - (ii) a tree house which as a structure that does not exceed 3.0 metres in height, does not have a floor area greater than 4.0m<sup>2</sup> and is constructed in a tree on a lot used for residential purposes;
    - (iii) a flag pole which does not exceed 6.0 metres in height above natural ground level;
    - (iv) any pole, tower or device used solely for the purpose of providing outdoor lighting which is constructed on a lot used for residential purposes and no more than 6.0 metres in height above natural ground level;
    - (v) swimming pools;
    - (vi) landscaping;
    - (vii) letter boxes;
    - (viii) clothes lines;
    - (ix) unless the building is within a Heritage Area or included within the Heritage List of the Scheme, the installation of solar panels where such structures do not protrude above the surface of the roof by more than 500mm or above the ridge of the roof of any building;
  - (l) the erection of a boundary fence except where otherwise required by the Scheme and where the fence is consistent with Local Planning Policies;
  - (m) the carrying out of works urgently required for public safety or for the safety or security of plant or equipment used in the provision of essential services;
  - (n) the use of land in a reserve, where such land is vested in the local government or vested in a Public Authority—
    - (i) for the purpose for which the land is reserved under the Scheme; or
    - (ii) in the case of land vested in a public authority, for any purpose for which such land may be lawfully used by that authority;
  - (o) except for development to which the Residential Design Codes apply, the minor filling, excavation or re-contouring of land provided there is no more than 0.9 metres change to the natural ground level, it is not within flood risk land or except where otherwise required by the Scheme;
  - (p) except for development to which the Residential Design Codes apply, retaining walls less than 0.9 metres in height unless the site is located in or referred to in a Local Planning Policy which specifically addresses requirements for retaining walls;

Note: Development carried out in accordance with a subdivision approval granted by the Commission is exempt under Section 157 Town Planning Act.

- (a) rainwater tanks:
- (r) aquaculture proposals involving the use of existing dams where no structural works are proposed;
- (s) the clearing of native vegetation except—
  - (i) subject to the requirements of sub-clause 4.13.10.4 (Special Rural zone), Schedule 12 (relating to various Special Rural zones), Schedule 4 (relating to various Special Use zones) or where otherwise required by the Scheme;
  - (ii) where the trees are listed or protected in the Municipal Heritage Inventory, a Local Planning Policy, Heritage Area or covered by a "Tree Preservation Order";

Note: Where the proposal to clear native vegetation is part of an Application for Planning Approval for buildings or works, there is no requirements for a separate Application for Planning Approval for the proposed clearing.

A cleaning permit may be required from the Department of Environment and Conservation to clear native vegetation as set out in the Environmental Protection (Clearing of Native Vegetation) Regulations:

- (t) the clearing of non-native vegetation except—
  - (i) where there is a specific Scheme requirement to gain local government approval including in the Landscape Values Area;
  - (ii) where the trees are listed or protected in the Municipal Heritage Inventory, a Local Planning Policy or Heritage Area or covered by a "Tree Preservation Order";
- (u) effluent disposal systems where they comply with Scheme requirements and relevant legislation, air conditioning systems and LPG gas tanks for domestic purposes where they comply with relevant legislation;
- (v) satellite dishes and other domestic telecommunication installation unless if does not comply with any relevant adopted standards outlined in a Local Planning Policy or is located within a Heritage Area;

- (w) telecommunication infrastructure which is listed as low impact in the Telecommunications Low Impact Facilities Determination 1997 and subsequent amendments to that Determination;
- (x) a change of use where-
  - (i) the general use class category remains the same (e.g. shop to shop)
  - (ii) the proposed use will have the same or a reduced car parking requirements and no additional car parking spaces are required (e.g. from shop to office);
  - (iii) no adverse environmental impacts are expected; and
  - (iv) no additional floor space is proposed;

Note: Premises where food and drinks are sold may be exempt from a Planning Approval but will require Environmental Health Approval.

- (v) a material change in the appearance of the building is not proposed, as determined by the local government;
- (vi) it satisfies health and safety requirements; and
- (vii) there is no need to significantly improve public services and infrastructure;
- (y) "agriculture—extensive" and "agriculture—intensive" in the Agriculture, Agriculture Priority 1—Scott Coastal Plain and Agriculture Priority 2 zones;
- (z) "rural pursuit" in all zones where it is a "P" (permitted) use; dams;
- (za) the construction of a dam;

Note: Any landowner/proponent proposing to build a dam in any zone must determine the current requirements for licensing the dam by the Department of Water (DoW) and must satisfy these requirements. The landowner/proponent should seek advice from but not be limited to—

- (i) Department of Agriculture and Food (DAFWA) for advice on whether the proposal is consistent with DAFWA recommendations for farming practices, water supply and dam construction; and the
- (ii) Department of Environmental and Conservation and the DoW for advice on potential environmental impacts on watercourses, wetlands and the riparian zone and must advise them in relation to its impacts on water resource management and if it requires approval in relation to the taking of water and any other potential environmental impacts.

The local government will require evidence that dams in Residential, Special Residential, Special Rural and Future Development zones have been designed, constructed and certified by a professional engineer.

- (zb) the erection of placement of a temporary sea container and /or donga, where the structure would be consistent with the provisions of a Local Planning Policy;
- (zc) activities and work which lie within the definition of development but which are associated with and/or necessary for the continuation of a use of land lawfully existing pursuant to the provisions of this Scheme; and
- (zd) agroforestry provided no more than 4 hectares of planting occurs on any lot or location.
- 7. Changing "20D" to "157" for the section of the Town Planning Act in the note at the end of Clause 8.2 and relocate to after sub-clause 8.2(p).

	T. DEAN, President
R. JENNINGS,	Chief Executive Officer

PL404\*

#### PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Plantagenet

Town Planning Scheme No. 3—Amendment No. 64

Ref: TPS/1356

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Plantagenet local planning scheme amendment on 19 November 2014 for the purpose of—

Amending the Scheme Maps by rezoning various lots in Mount Barker from Service Industrial and Residential to Commercial and Residential (R17.5).

K. A. CLEMENTS, President. R. J. STEWART, Chief Executive Officer.

PL405\*

#### PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Wanneroo

Town Planning Scheme No. 2—Amendment No. 133

Ref: TPS/1338

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Wanneroo local planning scheme amendment on 19 November 2014 for the purpose of—

- (a) Rezoning Lot 9001 Mullingar Way, Darch from the Urban zone to the Industrial zone in accordance with the Scheme (Amendment) map; and
- (b) Rezoning a portion of Lot 1 Franklin Road, Jandabup from Metropolitan Region Scheme Parks and Recreation reservation to General Rural in accordance with the Scheme (Amendment) map.

T. ROBERTS JP, Mayor. D. SIMMS, Chief Executive Officer.

PL406\*

#### PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF DELEGATION

Delegation to officers of certain powers and functions of the Western Australian Planning Commission

Under section 16 of the *Planning and Development Act 2005* (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or a member or officer of a public authority.

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred upon the WAPC by the Act or any other written law as the case requires.

#### Resolution under s16 of the Act (delegation)

On 25 November 2014, pursuant to section 16 of the Act, the WAPC resolved—

- A. To delegate its powers and functions as set out in column 1 of the attached schedules, to officers of the WAPC and the person or persons from time to time holding or acting in the offices in the department charged with the administration of the *Planning and Development Act 2005*, as specified in column 2 of the attached schedules, subject to the conditions specified in column 3 of the attached schedules;
- B. To revoke its delegation of powers and functions, as detailed in "Delegation to Officers of Certain Powers and Functions of the WAPC 2012/01" published in the *Government Gazette* on 23 October 2012 (pages 5063-5080) and as subsequently amended.

TIM HILLYARD, Secretary, Western Australian Planning Commission.

## Instrument of Delegation Schedules—Delegation of Powers and Functions

Instrument	Column 1—Powers and functions	Column 2—Officers	Column 3—Conditions	
Schodule 1 Powers regarding the properties and amendment of				

#### Schedule 1—Powers regarding the preparation and amendment of State Planning Policies, local planning schemes and strategies, structure plans, and related plans and interim development orders under the Act

	plans, and related plans and interim development orders under the Act				
State Planning Policies	<ul> <li>1.1 With prior approval or direction of the Minister, power to amend State Planning Policies pursuant to s31 of the Act.</li> <li>1.2 With prior approval or direction of the Minister or Commission, power to undertake consultation and advertising as outlined in s28 of the Act.</li> </ul>	Chairman of the WAPC	Delegation 1.1 is limited to administrative amendments that do not affect the substantive policy.		

	Т		
Instrument	Column 1—Powers and functions	Column 2—Officers	Column 3—Conditions
Local planning strategies	1.3 Power to perform the functions and exercise the powers of the WAPC pursuant to—  (a) r12B (4) of the Town Planning Regulations 1967 to sign a local planning strategy; or  (b) r12C of the Town Planning Regulations 1967 to approve the amendment or revocation of a local planning strategy provided that the decision would be—  (i) consistent with the objectives and intent of any policies (if any) of the WAPC; and  (ii) no submissions were made during any consultation period, or, where the approval does not substantially modify the local government's treatment of any submissions received.	<ul> <li>Chairman of the WAPC</li> <li>Director General</li> <li>Executive Director, Perth and Peel Planning</li> <li>Executive Director, Regional Planning and Strategy</li> <li>Planning Directors</li> </ul>	
Local planning Schemes	1.4 Power to comment on a local government's resolution to prepare a scheme and to determine if any adjustments should be made to the Scheme Area  1.5 Power to perform the function of the Commission outlined in regulation 13 of the Town Planning Regulations 1967, recommendation to the Minister to give consent to the advertising of a scheme in circumstances where such recommendation would be consistent with the objectives and intent of any policies (if any) of the WAPC and State Planning Policies.  1.6 Power to give consent to advertise amendments to local planning schemes in cases where such determination rests with the WAPC under the provisions of r25AA (1) (a) and (b) of the Town Planning Regulations 1967, and to determine the periods for which those amendments are advertised where variations to the usual period of time are justified.  1.7 Power to recommend to the Minister for Planning as to whether or not requests for extensions of time for the consideration of submissions or to undertake modifications to an amendment prior to advertising being granted pursuant to regulation 14(4) or 25AA(6) of the Town Planning Regulations 1967; or power to approve requests for extensions of time for the consideration of submissions pursuant to regulation 17(1) of the Town Planning Regulations 1967 where such power is conferred upon the WAPC.	<ul> <li>Chairman of the WAPC</li> <li>Director General</li> <li>Executive Director, Perth and Peel Planning</li> <li>Executive Director, Regional Planning and Strategy</li> <li>Perth and Peel Planning Directors</li> </ul>	Confined to matters within the Metropolitan and Peel region and excludes the power to refuse a request or application.  Confined to matters within the Kimberley, Pilbara, Gascoyne, Goldfields-Esperance, Mid West, Wheatbelt, Great Southern and South West planning regions and excludes the power to refuse a request or application.

Instrument	Column 1—Powers and functions	Column 2—Officers	Column 3—Conditions
	1.8 Power pursuant to regulation 15(5) of the Town Planning Regulations 1967 to specify a lesser period than three months from the date of advertisement in which submissions may be made where a scheme is a development scheme or a scheme that does not involve the zoning or classification of land, where such power is conferred upon the WAPC.  1.9 Power to recommend to the Minister for Planning that amendments to local planning schemes be given final approval under the provisions of regulations 19 and 25(1)(g) of the Town Planning Regulations 1967 where—  (a) no submissions were made during the advertising period, or where that recommendation does not substantially modify the local government's determination of any submissions received, and (b) the recommendation does not substantially modify the local government's resolution deciding to amend the local planning scheme.  1.10 Power pursuant to Regulation 22 of the Town Planning Regulations 1967 to sign a local planning scheme amendment documents for submission to the Minister for Planning.  1.11 Power to publish notices and undertake consultation as contemplated by \$126 of the Act.		
IDO	1.12 Power to recommend to the Minister for Planning that approval be granted or withheld with respect to Interim Development Orders and extensions thereto made or extended pursuant to section 102 of the Act.	Chairman of the WAPC     Director General	All decisions and planning regions
Structure Plans	1.13 Power to provide comment on plans known generally as outline development plans, structure plans, layout plans, local development plans and similar plans, and to planning policies (excluding State Planning Policies) and similar documents or amendments thereto, requiring the approval or endorsement of the WAPC pursuant to the provisions of a local planning scheme or State Planning Policy 3.2 Aboriginal Settlements.	Chairman of the WAPC     Director General     Executive Director, Perth and Peel Planning     Executive Director, Regional Planning and Strategy      Perth and Peel Planning Directors     Perth and Peel Planning Managers	All decisions and planning regions  Confined to matters within the Metropolitan and Peel region and excludes the power to refuse a request or application.

Instrument	Column 1—Powers and functions	Column 2—Officers	Column 3—Conditions
	1.14 Power to determine applications made in relation to plans identified in 1.13 provided that—  (a) if approved, such approval would be consistent with the objectives and intent of any policies (if any) of the WAPC; or  (b) if refused, such refusal would be on the basis that it is contrary to WAPC policy and the merits of the application do not justify approval; and  (c) no submissions were made during any consultation period, or, the approval does not substantially modify the local government's treatment of any submissions received.  1.15 Power to provide comments or advice on behalf of the WAPC to a local government or a redevelopment authority where a provision of a local planning scheme or a redevelopment scheme requires comments from the WAPC.	<ul> <li>Regional Planning Directors</li> <li>Regional Planning Managers</li> <li>Aboriginal Programs and Policy Director</li> </ul>	Confined to matters within the Kimberley, Pilbara, Gascoyne, Goldfields-Esperance, Mid West, Wheatbelt, Great Southern and South West planning regions and excludes the power to refuse a request or application.  Confined to matters relating to layout plans under State Planning Policy 3.2 Aboriginal Settlements.

Schedule 2—Powers regarding subdivision applications and other applications under Part 10 of the Act

Part 10 of the Act				
	2.1 Power to determine all applications to the WAPC under Part 10 of the Act where such determination is in accordance with the objectives and intent of any policies (if any) of the WAPC and with s138 of the Act.  2.2 Power, with respect to applications to the WAPC under Division 2 of Part 10 of the Act.	•	Chairman of the WAPC Director General Executive Director, Perth and Peel Planning Executive Director, Regional Planning and Strategy	All decisions and planning regions
applications	determined by or on behalf of the WAPC, to advise applicants that a revised plan of subdivision is considered to contain amendments that are minor and not so significant so as to amount to a significantly	•	Perth and Peel Planning Directors Statutory Policy Implementation Planning Director	Confined to matters within the Metropolitan and Peel region.
Subdivision applications	different proposal in circumstances where a revised plan does not materially affect the decision given by or on behalf of the WAPC.  2.3 Power to determine applications/ requests made under section 144(2) or 151 of the Act when—	•	Perth and Peel Planning Managers Principal Planning Officer, Statutory Policy Implementation 14697	Confined to matters within the Metropolitan and Peel region and excludes the power to refuse a request or application.
	<ul> <li>(a) the original decision was made under delegation; and</li> <li>(b) the recommendation is to approve the application/request.</li> <li>2.4 Power to determine requests for variations to plans of subdivision</li> </ul>		Regional Planning Directors	Confined to matters within the Kimberley, Pilbara, Gascoyne, Goldfields-Esperance, Mid West, Wheatbelt, Great Southern and South West planning regions.

Instrument	Column 1—Powers and functions	Column 2—Officers	Column 3—Conditions		
	where WAPC approval is required pursuant to the provisions of an approved local planning scheme.  2.5 In accordance with section 153 of the Act, power to grant approval for an applicant to pay to the relevant local government a sum of money in lieu of land being set aside for public open space that represents the value of that portion in circumstances where the WAPC has approved a plan of subdivision upon the condition that such land be set aside for public open space.	<ul> <li>Regional Planning         Managers</li> <li>Principal Planning         Officer Wheatbelt         Region Statutory         Planning 15167.1</li> <li>Senior Planning         Officer South West         Statutory Planning</li> </ul>	Confined to matters within the Kimberley, Pilbara, Gascoyne, Goldfields-Esperance, Mid West, Wheatbelt, Great Southern and South West planning regions and excludes the power to refuse a request or application.		
POS funds	2.6 Power to make recommendations to the Minister for Planning in relation to requests from local governments to expend monies paid by subdividing land owners in lieu of setting aside free of cost to the Crown, areas of land for public open space, where such recommendations are in accordance with WAPC policy.	Chairman of the WAPC			
Swan Valley	2.7 Power to request the Minister for Planning to approve the WAPC disregarding the advice of the Swan River Trust in whole or in part in relation to the approval of development of land within the Riverbank or Development Control Area as defined under the Swan and Canning Rivers Management Act 2006 where the determining authority is the WAPC.	Chairman of the WAPC			
Swan	2.8 Power to request the Minister for Planning to approve the WAPC disregarding the advice of the Swan Valley Planning Committee in whole or in part in relation to the approval of development of land within the Swan Valley Planning Act Area where the determining authority is the WAPC, in accordance with section 40(4) of the Act	Chairman of the WAPC			
P/Control Area	2.9 Power pursuant to s113 of the Act to revoke a declaration concerning a planning control area.	Chairman of the WAPC	Subject to Minister's prior approval.		
Schedule 3—Powers under other legislation					
Strata Titles, Liquor licences, Land Administration Act, Perry Lakes, certain redevelopment matters	3.1. Power to determine applications and other matters lodged with the WAPC for decision under the provisions of the <i>Strata Titles Act 1985</i> or the provisions of any strata or survey-strata scheme where any such determination is in accordance with the objectives and intent of any policies (if any) of the WAPC.	Chairman of the WAPC Director General Executive Director, Perth and Peel Planning Executive Director, Regional Planning and Strategy Planning Directors and Managers			

	<del>,</del>	<u>,                                      </u>	
Instrument	Column 1—Powers and functions	Column 2—Officers	Column 3—Conditions
	3.2. Power to issue a certificate in accordance with section 40 of the Liquor Control Act 1988. 3.3. Power pursuant to sections 52 and 85 of the Land Administration Act 1997 to approve plans of survey where in accordance with the objectives and intent of any policies (if any) of the WAPC.	<ul> <li>Manager, Planning Administration 15469.1</li> <li>Planning Directors</li> </ul>	The delegation to the Manager, Planning Administration 15469.1 is confined to power identified in clause 3.2 of Column 1.
	3.4. Authority to advise the Minister for Planning when the Minister undertakes the role of the WAPC in relation to the approval of the lease or subdivision of land pursuant to Part 10 of the <i>Planning and Development Act 2005</i> , within areas the subject of a redevelopment act and planning scheme and under the control of a redevelopment authority.  3.5. Power to determine applications for development approval made under Division 5 of Part 3 of the <i>Perry Lakes Redevelopment Act 2005</i> but only where those determinations are not inconsistent with an approved redevelopment plan that relates to the land.	<ul> <li>Perth Planning         Directors</li> <li>Statutory Policy         Implementation         Planning Director</li> <li>Principal Planning         Officer, Statutory         Policy         Implementation         14697</li> </ul>	Confined to matters within the Metropolitan region.
	3.6. Power to execute and accept the benefit of easements in gross, covenants in gross, records on title and other instruments for dealings in land for subdivisions, strata subdivisions and developments in accordance with any applicable policy and legislation.	<ul> <li>All Directors and Managers</li> <li>Principal Planning Officer Wheatbelt Region Statutory Planning 15167.1</li> <li>Senior Planning Officer South West Statutory Planning</li> <li>Planning Administration Manager</li> <li>Planning Administration Team Leader</li> <li>Planning Administration Team Leader</li> <li>Planning Administration Support Officer</li> </ul>	
EPA matters	3.7. Power to determine whether or not a proposal is likely to have a significant effect on the environment pursuant to section 38(1) of the <i>Environmental Protection Act 1986</i> and to refer such proposal to the Environmental Protection Authority.	Chairman of the WAPC Director General Executive Director, Perth and Peel Planning Executive Director, Regional Planning and Strategy Planning Directors	Directors may only exercise this delegation with regard to a proposal within the geographical limits imposed on their position as per clauses 2.1-2.5.

Instrument	Column 1—Powers and functions	Column 2—Officers	Column 3—Conditions
MRA matters	3.8 Power to provide written submissions to the Metropolitan Redevelopment Authority on any draft redevelopment scheme, or amendment to a redevelopment scheme, submitted to the WAPC in accordance with section 39 of the Metropolitan Redevelopment Act 2011  3.9 Power to make a recommendation to the Minister for Planning on any draft redevelopment scheme, or amendment to a redevelopment scheme, provided to the WAPC in accordance with section 46 of the Metropolitan Redevelopment Act 2011	Chairman of the WAPC     Director General     Executive Director, Perth and Peel Planning     Executive Director, Regional Planning and Strategy	
	Schedule 4—Powe	er to endorse documents	
Signing Plans and Documents under PDA	4.1. Power to endorse the following classes of approval that may be granted pursuant to Part 10 of the Act—  (a) diagrams and plans of survey and deposited plans submitted in accordance with an earlier approved plan of subdivision or amalgamation; and  (b) any other documents relating to leases, licences, transfers, conveyances and mortgages, easements, memorials on title and other dealings in land, submitted for formal endorsement, subject to prior compliance with all relevant conditions (if any) affixed as a condition of approval or waiver of conditions pursuant to 4.3	Chairman of the WAPC Director General Executive Director, Perth and Peel Planning Executive Director, Regional Planning and Strategy  Perth and Peel Planning Directors and Managers Statutory Policy Implementation Planning Director Principal Planning Officer, Statutory Policy Implementation 14697  Regional Planning Directors and Managers Principal Planning Directors and Managers Principal Planning Directors and Managers Principal Planning Officer Wheatbelt Region Statutory Planning 15167.1 Senior Planning Officer South West Statutory Planning	Confined to matters within the Metropolitan and Peel region.  Confined to matters within the Kimberley, Pilbara, Gascoyne, Goldfields-Esperance, Mid West, Wheatbelt, Great Southern and South West planning regions.
Strata title matters & approval of conditions under this and PDA	4.2. Power pursuant to section 25B of the <i>Strata Titles Act 1985</i> to endorse survey-strata plans or plans or re-subdivision or consolidation for a survey-strata scheme submitted for formal endorsement, subject to prior compliance with all relevant conditions (if any) affixed as a condition of approval.  4.3. Power to clear conditions affixed as conditions of approval with respect to the classes of approval set forth in 4.1 and 4.2.	Planning Directors and Managers	

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Instrument	Column 1—Powers and functions	Column 2—Officers	Column 3—Conditions
Land Administration Act	4.4. Power to sign diagrams and plans of survey and deposited plans involving the acquisition and resumption of land created pursuant to Part 11 of the Act and the Land Administration Act 1997	Planning Directors and Managers	
	Schedule 5—Enforce	ment and legal proceeding	ngs
Appeals	5.1. Power to advise the Minister for Planning on any appeal, review or matter arising therefrom pursuant to Part 14 of the Act. 5.2. Power to defend and otherwise deal with matters lodged with the State Administrative Tribunal and to appeal, defend, respond and otherwise deal with any matter that may be appealed to the Supreme Court on a question of law. 5.3. Power to consider and determine a request for reconsideration ordered by the State Administrative Tribunal pursuant to s31 of the State Administrative Tribunal Act 2004 5.4 Power to defend, respond, appeal and otherwise deal with legal proceedings. 5.5 Power to exercise all functions of the WAPC as set out in Part 13 of the Act.	<ul> <li>Chairman of the WAPC</li> <li>Director General</li> <li>Executive Director, Perth and Peel Planning</li> <li>Executive Director, Regional Planning and Strategy</li> <li>Planning Manager, Planning Appeals</li> <li>Perth and Peel Planning Directors and managers</li> <li>Statutory Policy Implementation Planning Director</li> <li>Principal Planning Officer, Statutory Policy Implementation 14697</li> <li>Regional Planning Officer Statutory Policy Implementation 14697</li> <li>Regional Planning Directors and Managers</li> <li>Principal Planning Officer Wheatbelt Region Statutory Planning 15167.1</li> <li>Senior Planning Officer South West Statutory Planning</li> </ul>	(1) Confined to matters within the Metropolitan and Peel region. (2) Officers at manager level or below may only exercise this delegation within the jurisdiction of the State Administrative Tribunal and the director to whom they report must be fully informed of the proceedings at all times. (1) Confined to matters within the Kimberley, Pilbara, Gascoyne, Goldfields-Esperance, Mid West, Wheatbelt, Great Southern and South West planning regions (2) Officers at manager level or below may only exercise this delegation within the jurisdiction of the State Administrative Tribunal and the director to whom they report must be fully informed of the proceedings at all times.

Instrument	Column 1—Powers and functions	Column 2—Officers	Column 3—Conditions
	Schedule 6—Powers under	the Metropolitan Region	n Scheme
Approval of DA's and Plans under MRS	6.1. Power to determine applications for approval to commence and carry out development lodged with or referred to the WAPC pursuant to the provisions of the Metropolitan Region Scheme (MRS) but only where those determinations are in accordance with the objectives and intent of any policies (if any) of the WAPC.  6.2. Power to approve detailed plans requiring the subsequent approval of the WAPC as a condition of development approval pursuant to the provisions of the MRS and power to confirm that conditions imposed by the WAPC on a development approval pursuant to the provisions of the MRS have been complied with.	<ul> <li>Chairman of the WAPC</li> <li>Director General</li> <li>Executive Director, Perth and Peel Planning</li> <li>Perth Planning Directors and Managers</li> <li>Statutory Policy Implementation Planning Director</li> <li>Principal Planning Officer, Statutory Policy Implementation</li> <li>Implementation</li> </ul>	Confined to matters within the Metropolitan region.
EPA	6.3. Power to determine whether or not proposals and the ongoing implementation of the MRS comply with conditions (if any) applied pursuant to sections 48F and 48J of the <i>Environmental Protection Act 1986</i> .	$14ar{6}97$	
Call ins under the MRS	6.4. Power to determine whether or not applications to commence and carry out development are of State or regional importance, or in the public interest, pursuant to any resolution of the WAPC made under clause 32 of the MRS requiring such determination.	<ul> <li>Chairman of the WAPC</li> <li>Director General</li> <li>Executive Director, Perth and Peel Planning</li> </ul>	Confined to matters within the Metropolitan region.
CI 32	6.5 power to determine minor amendments to the boundary delineating an area, the subject of a resolution under clause 32 of the MRS.	<ul> <li>Chairman of the WAPC</li> <li>Director General</li> <li>Executive Director, Perth and Peel Planning</li> </ul>	The exercise of this power must not change the resolution of the WAPC in a substantial way. This delegation is intended to be used to make minor changes, if required, to a cl32 resolution, to give better effect to the intention of the original resolution
cl 42 cert's	6.6. Power to issue Clause 42 Certificates pursuant to the provisions of the MRS.	<ul> <li>Executive Director, Perth and Peel Planning</li> <li>Statutory and Strategic Mapping Manager</li> <li>Statutory Mapping Coordinator</li> </ul>	
Public housing DA's	6.7 Power to determine applications for approval of the development of public housing where such applications are made pursuant to the provisions of the MRS, even if the relevant local government does not recommend support for an application, or the local government does not provide a recommendation within the specified time period.	Executive Director,     Perth and Peel     Planning	Must consult with the Chairman before exercising this delegation.

Instrument	Column 1—Powers and functions	Column 2—Officers	Column 3—Conditions
	Schedule 7—Powers u	nder the Peel Region Sch	ieme
Approval of DA's or plans	7.1. Power to determine applications for approval to commence and carry out development submitted or referred to the WAPC pursuant to the provisions of the Peel Region Scheme but only where—  (a) no response has been received from the local government within the period prescribed in clause 30(3) of the Peel Region Scheme; or  (b) such determination would be inconsistent with the recommendation made by local government, but would accord with the objectives and intent of any policies (if any) of the WAPC.  7.2. Power to approve detailed plans requiring the subsequent approval of the WAPC as a condition of development approval pursuant to the provisions of the PRS and power to confirm that conditions imposed by the WAPC on a development approval pursuant to the provisions of the Peel Region Scheme have been complied with.  7.3 Power to endorse management	Chairman of the WAPC Director General Executive Director, Perth and Peel Planning Planning Director Peel Planning Planning Manager Peel Statutory and Strategic Planning Planning Manager Peel Region Scheme Project	Confined to matters within the Peel region.
EPA	plans for the purposes of Clause 19(e)(iv) of the Peel Region Scheme.  7.4. Power to determine whether or not proposals and the ongoing implementation of the Peel Region Scheme comply with the conditions applied pursuant to section 48F and 48J of the Environmental Protection Act 1986.		
Call ins under the PRS	7.5 In relation to a resolution of the WAPC made under clause 21 of the Peel Region Scheme, power to determine whether or not applications to commence and carry out development are of state or regional significance, or in the public interest.  7.6. In relation to a resolution of the WAPC made under clause 21 of the Peel Region Scheme, power to determine whether or not a proposed development in the Rural zone requires planning approval for the following reasons—  (a) development which abuts and has access to a regional reservation has the potential to significantly increase traffic;  (b) development in a special control area may conflict with the purposes of the special control area;		

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Instrument	Column 1—Powers and functions	Column 2—Officers	Column 3—Conditions
	(c) development in the Rural zone may not be consistent with the purposes of the Rural zone.		
Extension of time	7.7 Power to approve a request received pursuant to clause 37(2) of the Peel Region Scheme for an extension of the term during which planning approval remains valid.		
Cl. 47 cert's	7.8. Power to issue Clause 47 Certificates pursuant to the provisions of the Peel Region Scheme	<ul> <li>Executive Director, Perth and Peel Planning</li> <li>Statutory Mapping Coordinator</li> <li>Statutory and Strategic Mapping Manager</li> </ul>	
Public housing DA's	7.9 Power to determine applications for approval of the development of public housing where such applications are made pursuant to the provisions of the Peel Region Scheme, and the relevant local government does not recommend support for an application, or the local government does not provide a recommendation within the specified time period.	Executive Director,     Perth and Peel     Planning	Must consult with the Chairman before exercising this delegation
	Schedule 8—Powers under th	ne Greater Bunbury Regi	on Scheme
Approval of DA's or plans	8.1. Power to determine applications for approval to commence and carry out development submitted or referred to the WAPC pursuant to the provisions of the Greater Bunbury Region Scheme (GBRS) but only where—  (a) no response has been received from the local government within the period prescribed in clause 36(3) of the GBRS; or  (b) such determination would be inconsistent with the recommendation made by local government, but would accord with the objectives and intent of any policies (if any) of the WAPC.  8.2. Power to approve detailed plans requiring the subsequent approval of the WAPC as a condition of development approval pursuant to the provisions of the GBRS and power to confirm that conditions imposed by the WAPC on a development approval pursuant to the provisions of the GBRS have been complied with.  8.3 Power to endorse management plans for the purposes of Clause 25 (f) (v) of the GBRS  8.4 Power to amend planning approval granted on behalf of the WAPC for the purposes of Clause 30 of the GBRS	Executive Director, Regional Planning and Strategy     Planning Director South West Regions     Planning Manager South West Statutory Planning     Planning Manager Greater Bunbury Region Scheme Project	Confined to matters within the Greater Bunbury Region Scheme

Instrument	Column 1—Powers and functions	Column 2—Officers	Column 3—Conditions
	8.5 Power to approve written requests for the extension of the term of planning approval at any time prior to the expiry of a planning approval pursuant to s43 (2) of the GBRS for a maximum of a further two years only.		
EPA	8.6. Power to determine whether or not proposals and the ongoing implementation of the GBRS comply with the conditions applied pursuant to section 48F and 48J of the <i>Environmental Protection Act 1986</i> .		
Call ins under the GBRS Call in powers	8.7 In relation to a resolution of the WAPC made under clause 27 of the GBRS, power to determine whether or not applications to commence and carry out development are of state or regional significance, or in the public interest.  8.8. In relation to a resolution of the WAPC made under cl 27 of the GBRS, power to determine whether or not a proposed development in the Rural zone requires planning approval for the following reasons—  (a) development which abuts and has access to a regional road reservation has the potential to significantly increase traffic;  (b) development in a special control area may conflict with the purposes of the special control area;  (c) development in, adjacent to or in close proximity to a policy area is potentially incompatible with the intended activities in the policy area or would be adversely affected by, or would adversely affected by, or would adversely affect, those activities;  (d) development is sufficiently close to a policy area for the effects of activities in the policy area to be likely to adversely affect the proposed use and/or for the effects of the development to be likely to adversely affect uses in the policy area;  (e) development in the rural zone may not be consistent with the purposes of the rural zone.		
Extension of time	8.9. Power to extend the period during which a local government is required to forward its recommendations to the WAPC under clause 36 of the GBRS.		

Instrument	Column 1—Powers and functions	Column 2—Officers	Column 3—Conditions
Cl. 53 cert's	8.10. Power to issue Clause 53 Certificates pursuant to the provisions of the GBRS	<ul> <li>Executive Director, Perth and Peel Planning</li> <li>Statutory and Strategic Mapping Manager</li> <li>Statutory Mapping Coordinator</li> </ul>	
Public housing DA's	8.11 Power to determine applications for approval of the development of public housing where such applications are made pursuant to the provisions of the GBRS Region Scheme, and the relevant local government does not recommend support for an application, or the local government does not provide a recommendation within the specified time period.	Executive Director,     Perth and Peel     Planning	Must consult with the Chairman before exercising this delegation
	8.12 Power to submit to the Minister for Planning, after consultation with the Chairperson, the material contemplated by s48(1) (c)—(e) of the Act.  8.13 Power to submit to the Minister for Planning, after consultation with the Chairperson, the material contemplated in s59 of the Act concerning a minor amendment of a region scheme	<ul> <li>Executive Director, Regional Planning and Strategy</li> <li>Planning Director South West Regions</li> <li>Planning Manager, South West Statutory Planning</li> <li>Planning Manager, Greater Bunbury Region Scheme Project</li> </ul>	Confined to—  1. matters related to land within the GBRS area; and  2. amendments which generally conform with the scope and nature of that proposed by the WAPC in its resolution determining that the scheme be amended.
	Schedule 9—M	liscellaneous powers	
	9.1 Power to make arrangements for the acquisition of land and the conveyance, assignment, transfer, subdivision, amalgamation and development of WAPC property.	<ul> <li>Chairman of the WAPC</li> <li>Director General</li> <li>Assistant Director General</li> <li>Manager, Strategic Property Unit</li> </ul>	Function to be
	9.2. Power to make arrangements for the leasing of WAPC property including the determination of rents in accordance with established WAPC practice.	<ul> <li>Assistant Director General</li> <li>Manager, Strategic Property Unit</li> <li>Property Operations Manager</li> </ul>	exercised having due regard to published WAPC policy.
	9.3. The calling of tenders, the awarding of contracts, and the appointment of consultants pursuant to section 15 of the Act, for activities to which a budget has been approved and allocated by the WAPC and subject to compliance in each case with State Supply Commission procedures.	Chairman of the WAPC	<ul> <li>Subject to a limitation equivalent to the Chairman's discretionary annual allowance established under the SDA for any financial year.</li> <li>Function to be exercised having due regard to published WAPC policy.</li> </ul>

9.4. Such powers and functions of the WAPC that may be lawfully undertaken relating to the acquisition and development, of land under the Metropolitan Region Scheme, the Peel Region Scheme and the Greater Bumbury Region Scheme for the purpose of carrying out and giving effect to those Schemes, including—  (a) the payment of capital expenditure, costs and other expenses incurred in connection with the acquisition of any property under any provisions of those Schemes;  (b) the carrying out of works and provision of public facilities thereon as may be necessary for the use and maintenance of the land for which it may be reserved.  • Assistant Director, Strategy, Policy and Projects • Executive Director, Regional Planning and Strategy  • Manager, Strategic Property Unit  • Manager, Strategic Property Unit  • Manager, Strategic Property Unit  • Must have de regard to put WAPC policy the current to the SDA.  • Must have do regard to put waper of land by WAPC for public put waper of land by WAPC for public put waper of land by WAPC policy and Projects or Regional Planning and Strategy  • Manager, Strategic Property Unit  • Manager, Strategic Property Unit  • Must have do regard to put waper of land by WAPC for public put waper of land by WAPC policy the current to the SDA.  • Does not app any matter the SDA.			
the WAPC interest that may be lawfully undertaken relating to the acquisition and development, of land under the Metropolitan Region Scheme, the Peel Region Scheme and the Greater Bunbury Region Scheme for the purpose of carrying out and giving effect to those Schemes, including—  (a) the payment of capital expenditure, costs and other expenses incurred in connection with the acquisition of any property under any provisions of those Schemes;  (b) the carrying out of works and provision of public facilities thereon as may be necessary for the use and maintenance of the land for which it may be reserved.  **Assistant Director**  **Assistant Director**  Strategy, Policy and Projects**  **Executive Director**, Strategy, Policy and Projects**  Executive Director**, Regional Planning and Strategy**  **Manager**, Strategic Property Unit**  *	Instrument	mn 1—Powers and functions Column 2—Officers	Column 3—Conditions
Property Unit  Property Unit  regard to put WAPC policy the current to the SDA.  Does not app any matter to involves—		WAPC  aken relating to the tion and development, of land the Metropolitan Region e, the Peel Region Scheme e Greater Bunbury Region e for the purpose of carrying diving effect to those es, including—  the payment of capital expenditure, costs and other expenses incurred in connection with the acquisition of any property under any provisions of those Schemes;  the carrying out of works and provision of public facilities thereon as may be necessary for the use and maintenance of the land for which it may be reserved.  • MAPC  • Director General  • Assistant Director General  • Assistant Director General  • Executive Director, Strategy, Policy and Projects  • Executive Director, Perth and Peel Planning  • Executive Director, Regional Planning	regard to published WAPC policy and the current terms of the SDA.  • Does not apply to any matter that involves—  1. expenditure in excess of \$1,000,000 (one million dollars);  2. the exchange of or disposal of land owned by the WAPC; or  3. the resumption of land by the WAPC for a public purpose.  • Must have due regard to published WAPC policy and the current terms of the SDA.  • Does not apply to any matter that involves—  1. expenditure in excess of \$500,000 (five hundred thousand
excess of \$500,000 hundred thousand dollars);  2. the excha or dispose land own the WAP  3. the resure of land by		Property Unit	regard to published WAPC policy and the current terms of the SDA.  • Does not apply to any matter that involves—  1. expenditure in excess of \$500,000 (five hundred thousand

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Instrument	Column 1—Powers and functions	Column 2—Officers	Column 3—Conditions
	9.5. Power to prescribe charges and set conditions, for the sale and release of maps and publications.	<ul> <li>Assistant Director General</li> <li>Chief Finance Officer</li> </ul>	Function to be exercised having due regard to published WAPC policy, and any Budget and Treasury processes.
	9.6. Waiving of the additional fee for considering a minor variation to a plan of subdivision as part of an application for approval of subdivision or re-subdivision.	<ul> <li>Executive Director, Perth and Peel Planning</li> <li>Executive Director, Regional Planning and Strategy</li> </ul>	Function to be exercised having due regard to published WAPC policy.
	9.7. The functions of the WAPC provided in section 14(l) of the Act as are necessary to undertake the administrative and financial obligations of the WAPC under section 181(1) of the Act to approve the quantum of the refund of compensation payable to the WAPC determined in accordance with sections 181(2) to (16) of the Act.	<ul> <li>Assistant Director General</li> <li>Manager, Strategic Property Unit</li> </ul>	
	9.8. The functions of the WAPC provided in section 14(l) of the Act as are necessary to undertake the administrative and financial obligations of the WAPC to consent on behalf of the WAPC to the withdrawal of a notification when a refund of compensation is paid.	<ul> <li>Assistant Director General</li> <li>Manager, Strategic Property Unit</li> </ul>	
	9.9. The powers and functions of the WAPC set out in the <i>Planning and Development Regulations 2009</i> to determine the acceptability of, and where appropriate authorise the issue of permits to persons or bodies for the conduct of, activities on land owned by the WAPC where the permitted activity is not inconsistent with the purpose for which the land is reserved under the Metropolitan Region Scheme and management practice for that land.	<ul> <li>Chairman of the WAPC</li> <li>Assistant Director General</li> </ul>	
	9.10. The powers and functions of the WAPC set out in the <i>Planning and Development Regulations 2009</i> to issue permits to persons or bodies for the conduct of activities on land owned by the WAPC where the permitted activity is not inconsistent with the purpose for which the land is reserved under the Metropolitan Region Scheme and management practice for that land, and where prior authorisation has been given.	<ul> <li>Senior Field         Management         Officers</li> <li>Field Management         Officers</li> <li>Field Officers</li> </ul>	Subject to prior authorisation being made.
	9.11. Power to appoint Incurring Officers, Certifying Officers and Collectors of Public Moneys in accordance with the Treasurer's Instruction 304 issued under section 78 of the Financial Management Act 2006.	<ul> <li>Chairman of the WAPC</li> <li>Assistant Director General</li> <li>Chief Finance Officer</li> </ul>	

Instrument	Column 1—Powers and functions	Column 2—Officers	Column 3—Conditions		
	9.12. Power to write-off bad debts in accordance with the Treasurer's Instruction 807 issued under section 78 of the <i>Financial Management Act 2006</i> .	Chairman of the WAPC	To write-off of bad debts which have individual value of up to \$10,000.		
	9.13. Power to re-allocate budgeted funds.	Chairman of the WAPC	Subject to the terms of the SDA; and a financial limit equivalent to the Chairman's discretionary annual allowance established under the SDA for any financial year.		
	9.14 Power to approve amendments to forms, where such approval is required of the WAPC under the <i>Planning and Development Regulations 2009</i> provided such amendment is consistent with the objectives and intent of any policies (if any) of the WAPC.	Chairman of the WAPC			

#### Interpretation

In this Instrument of Delegation, unless the context otherwise requires—

- 1. "the Act" means the Planning and Development Act 2005;
- 2. "SDA" means "Service Delivery Agreement"
- 3. A reference to a "Planning Director" for "Perth and Peel" or just "Perth" includes any position to which the level of "Director" is designated, located within the Perth and Peel Division of the Department of Planning, but excludes position no 14726 (Infrastructure and Land Use Co-ordination Director)
- 4. A reference to a "Regional Planning Director" or Planning Director for "Regional Planning & Strategy" includes any position to which the level of "Director" is designated, located within the Regional Planning & Strategy division of the Department of Planning but excludes position no 18092 (Strategic Planning Director);
- 5. A reference to a position contemplates and includes a reference to its successor in title.
- 6. "WAPC" or "Commission" means the "Western Australian Planning Commission"

PL407\*

#### PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Woodanilling

Town Planning Scheme No. 1—Amendment No. 2

Ref: TPS/1333

It is hereby notified for public information, in accordance with section 87 of the  $Planning\ and\ Development\ Act\ 2005$  that the Minister for Planning approved the Shire of Woodanilling local planning scheme amendment on 19 November 2014 for the purpose of—

By renumbering Clause 8.2(g) as (h) and inserting Clause 8.2(g) as follows—
 Minor works on land and the use of land as set out in a Local Planning Policy adopted in accordance with Part II of the Scheme.

H. R. THOMSON, President. B. K. KNIGHT, Chief Executive Officer. PL408\*

#### PLANNING AND DEVELOPMENT ACT 2005

#### APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Chittering

Town Planning Scheme No. 6—Amendment No. 49

Ref: TPS/1309

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Chittering local planning scheme amendment on 19 November 2014 for the purpose of—

- 1. Delete Amendment 49 and replace with the text below.
- 2. Amend Schedule 1—Dictionary of Defined Words and Expressions as follows—
  - (a) Delete the existing definitions of 'Commercial Vehicle', 'Home Business' and 'Transport Depot'.
  - (b) Insert in 'General Definitions' the following definition for 'Commercial Vehicle'—

Commercial Vehicle means a vehicle, whether licensed or not, which has a tare weight of greater than 4.5 tonnes and includes the following vehicles above that weight—

- (a) Any utility, van, truck, trailer or tractor or any attachment to any of them or any article designed to be an attachment to them; and
- (b) Any omnibus and any earthmoving machine whether self-propelled or not.
- (c) Insert in 'Land Use Definitions' the following definitions for 'Home Business' and 'Transport Depot'.

**Home Business** means a business, service or profession carried out in a dwelling or on land in the curtilage of a dwelling by an occupier of the dwelling which—

- (a) does not employ more than two persons full time, or a part time or mixed full time and part time equivalent of two full time employees over the year, in any case where such employees are not members of the occupier's household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 50m² unless in the Agricultural Resource zone or Rural Smallholdings zone where the Local Government may permit an area up to 200m²;
- (d) does not involve the retail sale, display or hire of goods of any nature;
- (e) does not involve the provision for refuelling, repair or maintenance of motor vehicles;
- (f) in relation to vehicles and parking, will not result in traffic difficulties as a result of inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight:
- (g) does not involve the use of an essential service of greater capacity than normally required in the zone; and
- (h) does not involve the display of a sign of more than 1.0m<sup>2</sup>.

**Transport Depot** means premises used or intended for use for the parking or garaging of—

- (a) two or more motorised commercial vehicles with or without any number of non-motorised commercial vehicles; or
- (b) two or more non-motorised commercial vehicles with or without any number of motorised commercial vehicles;

and the use includes the maintenance and repair of vehicles so parked or garaged on the land but not of other vehicles

3. Insert the following new Clause 5.18 into Scheme Text—

## 5.18 PARKING OF COMMERCIAL VEHICLES IN TOWNSITE, RESIDENTIAL, RURAL RESIDENTIAL AND RURAL CONSERVATION ZONES

5.18.1 The parking of a commercial vehicle is not permitted in the Townsite, Residential, Rural Residential or Rural Conservation zone without the planning approval of the local government except for the purpose of delivering or loading goods normally associated with residential uses.

5.18.2 The parking and repair of commercial vehicles on any Townsite, Residential, Rural Residential or Rural Conservation zoned lot shall be in accordance with the following requirements—

(a) the lot on which the vehicle is parked contains only a single house (including any associated outbuildings);

- (b) the vehicle is used by an occupant that is lawfully occupying the dwelling on the lot:
- (c) the vehicle is parked entirely on the subject lot within a garage or is located on a hard stand area, sited behind the building line of the dwelling and partially screened so as to reasonably minimise the visual effect as viewed from the road reserve or from a neighbouring property to the satisfaction of the local government;
- (d) the vehicle does not exceed 3.6 metres in height (including any load), 2.5 metres in width and 8 metres in length;
- (e) the vehicle is not started or manoeuvred on site between the hours of 10.00pm on any day and 7.00am on the following day, or, where the following day is a Sunday or a public holiday, 9.00am on that day.
- (f) whilst on the lot, the vehicle's motor is not left running when the vehicle is unattended or in any event for any period in excess of five (5) minutes;
- (g) the vehicle, whilst on the lot, is not loaded with goods or materials that may cause nuisance, risk or pollution to the detriment of the amenity of the area or nearby residents;
- (h) the vehicle is not carrying a refrigeration unit which is operating on a continuous or intermittent basis;
- (i) whilst on the lot, there is no transfer of goods or passengers from one vehicle to another vehicle, loading and unloading of the vehicle, or storage of goods associated with the use of the vehicle; and
- (j) only minor servicing, including minor mechanical repairs and adjustments, and/or cleaning that generates easily contained liquid waste is carried out on the lot. All cleaning and servicing shall be screened from any nearby road reserve/s and the disposal of waste products shall be to the satisfaction of the local government.
- 5.18.3 The local government may, upon receipt of an application for planning approval, approve a variation to the requirements of clause 5.18.2 (e) provided that it is satisfied that the variation will not adversely affect the amenity of the area or nearby residents.
- 5.18.4 Clause 5.18 does not apply where the proposed parking or garaging of a commercial vehicle—
  - (a) is for less than 2 hours in aggregate over any period of 24 hours;
  - (b) occurs during the period that the commercial vehicle is engaged in work on the lot on which it is parked or garaged;
  - (c) is solely for the purpose of visiting the subject lot for business purposes or the delivery or receiving of goods; and
  - (d) is ancillary to an approved land use on a site where the commercial vehicle is parked or garaged.

R. HAWES, President. G. TUFFIN, Chief Executive Officer.

#### PREMIER AND CABINET

PR401\*

#### **INTERPRETATION ACT 1984**

#### MINISTERIAL ACTING ARRANGEMENTS

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

Hon T. K. Waldron MLA to act temporarily in the office of Minister for Water; Forestry in the absence of the Hon M. J. Davies MLA for the period 1 to 7 December 2014 (both dates inclusive).

This notice supersedes acting arrangements relating to the above office that were published in *Government Gazette* No. 184 of 25 November 2014.

#### **DECEASED ESTATES**

ZX401

#### TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the estate of Gordon Lewis Owen Strange, who died on 10 May 2014, of 6 Sturt Place, Padbury Western Australia.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the said deceased person are required by the Executor of the deceased's estate being June Christine Lynn, care of Angus Tibbits Solicitors, Suite 9, 73 Calley Drive, Leeming, Western Australia to send particulars of their claims to her by 5 January 2015, after which date the Executor may convey or distribute the assets having regard only to the claims of which she then has notice

ZX402

#### 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 Estate of Enid Merle Bull, who died on 12 October 2014, are required by the Trustee, John William Bull, to send to his solicitors, Templar Legal Pty Ltd of PO Box 8243 Subiaco WA 6008, particulars of such claims within 30 days of this notice. After such date, the Trustee may convey or distribute the assets of the above mentioned Estate, having regard only to the claims of which the Trustee then has notice.

ZX403

#### TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

James George Stewart, late of Tuohy Nursing Homes, 22 Morrison Road, Midland in the State of Western Australia, Fitter and Turner, deceased.

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 12 April 2014 at Tuohy Nursing Homes, 22 Morrison Road, Midland in the State of Western Australia, are required by the trustee Margaret Lorraine Opie, c/- Avon Legal, Suite 7, 9 The Avenue, Midland in the State of Western Australia to send particulars of their claims to her within 30 days of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

ZX404

#### TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the estate of Dorothea Alice Dyson, who died on 4 April 2014, of Hilton Park Aged Care, 19 Laidlaw Street, Hilton, Western Australia.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the said deceased person are required by the Executor of the deceased's estate being Carolyn Mavis McKay, care of Angus Tibbits Solicitors, Suite 9, 73 Calley Drive, Leeming, Western Australia to send particulars of their claims to her by 6 January 2015, after which date the Executor may convey or distribute the assets having regard only to the claims of which she then has notice.

ZX405\*

#### TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Stuart Craig McGavin, late of 58 Kenton Way, Rockingham, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the abovenamed deceased, who died on either 5 November 2009 or 6 November 2009, are required by the personal representative Zoe Pamela Bratby to send particulars of their claims to her at care of Ilberys Lawyers Pty Ltd, Level 1, 82 Beaufort Street, Perth, Western Australia 6000 by the 9th day of January 2015, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which she then has notice.

ZX406\*

#### TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Pamela Wilson Foley, late of 6 Brahman Dale, Lower Chittering in the State of Western Australia, Horse Dealer, deceased.

Creditors and other persons having claims in respect of the estate of the deceased, who died on 21 June 2014 at 6 Brahman Dale, Lower Chittering in the State of Western Australia, are required by the trustee, Justine Louise Andrew, c/- Avon Legal, Suite 7, 9 The Avenue, Midland in the State of Western Australia, pursuant to Section 63 of the *Trustees Act 1962*, to send particulars of their claims to her within 30 days, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

ZX407\*

#### 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 5 January 2015, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Beeston, Paul Ronald, late of 121 Wilmington Crescent, Balga, died 6.07.2014 (DE19941010 EM313)

Bloomer, Edward Francis, late of Meath Care Aged Care Village, Unit 14 32 Hocking Road, Kingsley, died 30.10.2014 (DE19972798 EM32)

Heeley, Roy, late of Unit 7/10 Anstruther Road, Mandurah, died 3.10.2014 (DE19702054 EM37)

Jessop, Mary Therese, late of Pilgrim Hostel, 22 Wolsley Road, East Fremantle, died 24.10.2014 (DE19842144 EM36)

Lowrie, Kim Patricia, late of 4 Ferncroft Way, Kingsley, died 21.10.2014 (DE19851894 EM110)

Maley, Margaret, late of Hillcrest Lodge, 40 Onslow Street, Geraldton, died 5.10.2014 (DE19940292 EM16)

Mamotte, Philippe Clovis, late of Chrystal Halliday Nursing Home, 27 Prisk Street, Karrinyup, died 7.10.2014 (DE19851972 EM17)

Mitchell, Phyllis Rose, late of Woodlake Aged Care Facility, 24/40 Woodlake Retreat, Kingsley, died 24.10.2014 (DE19801097 EM15)

Rogers, Thelma Irene, late of RAAF Gordon Lodge Nursing Home, Bull Creek Drive, Bullcreek, died 2.11.2014 (DE19650879 EM36)

Schwietzke, Yitzhak Ben Avraham, late of Unit 12 18 Hefron Street, Rockingham, died 15.10.2014 (DE19981768 EM32)

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

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