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— PART 1 —

LOCAL GOVERNMENT

LG301*

Local Government Act 1995

Local Government (Narrogin - Merger) Order 2016

Made by the Governor in Executive Council on the recommendation of the Minister for Local Government.

Part 1 — Preliminary

1. Citation

This order is the *Local Government (Narrogin - Merger) Order 2016*.

2. Commencement

This order comes into operation as follows —

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

3. Terms used

In this order —

2015 order means the *Local Government (Narrogin - Merger) Order 2015*;

continuing local government means the local government for the district of Narrogin that immediately before merger day was designated a town;

merged district means the district described in the 2015 order clause 5;

merger day means the day on which the 2015 order clause 4 comes into operation;

vacant offices means the offices of members of the council of the continuing local government that are going to become vacant immediately before merger day.

Part 2 — Abolition of wards

4. Overview of Part

This Part contains —

- (a) an order made by the Governor, on the recommendation of the Minister, under section 2.2(1)(d) of the Act; and
- (b) consequential directions given by the Governor under section 9.62(1) of the Act to give effect to that order.

5. Wards abolished

All wards in the merged district are abolished immediately before 19 October 2019.

6. Consequential directions

In order to give effect to clause 5 —

- (a) Part 4 of the Act applies to preparing for and conducting the ordinary election to be held by the continuing local government on 19 October 2019 as if the changes effected by clause 5 take effect on merger day; and
- (b) the operation of Part 4 of the Act is modified to the extent necessary for the purposes of paragraph (a).

Part 3 — Consequential directions for 2015 order

7. Overview of Part

This Part contains consequential directions given by the Governor under section 9.62(1) of the Act to give effect to the 2015 order.

8. Commissioners

- (1) This clause has effect from immediately before merger day until the vacant offices are filled again and the new council of the continuing local government holds its first meeting.
- (2) The following persons are appointed as commissioners of the continuing local government —
 - (a) Mr Ronald Stanley Yuryevich;
 - (b) Mr Leigh Norman Ballard;
 - (c) Mr Geoffrey Douglas Ballard.
- (3) Mr Ronald Stanley Yuryevich is appointed as the chairperson of the commissioners.

9. Polling day

The day fixed for any poll needed for the election of members to fill the vacant offices is 15 October 2016.

10. Annual report

- (1) In this clause —
affected local government means the local government for the district of Narrogin that immediately before merger day was designated a shire.
- (2) The continuing local government must prepare an annual report for the financial year ending on 30 June 2016 for the affected local government.
- (3) There is no requirement to comply with the following provisions of the Act in respect of an annual report prepared under subclause (2) —
 - (a) section 5.27(2) and (3);
 - (b) section 5.53(2)(a), (b), (e) and (i);
 - (c) section 5.54.
- (4) Section 5.55 of the Act applies as if amended as set out in subclause (5) in relation to an annual report prepared under subclause (2).
- (5) In section 5.55 of the Act delete “report has been accepted by the local government.” and insert:

auditor’s report becomes available.

11. Compliance audit

The continuing local government is not required to carry out a compliance audit for the period 1 January to 31 December 2016 under the *Local Government (Audit) Regulations 1996* regulation 14(1).

12. Rates

- (1) In this clause —
certain rates means —
 - (a) differential general rates; or
 - (b) a minimum payment applying to a differential rate category under section 6.35(6)(c) of the Act.
- (2) During the period beginning on 1 May 2016 and ending immediately before merger day, section 6.36 of the Act is modified to the extent necessary to require —
 - (a) the continuing local government to give local public notice of its intention to impose certain rates on rateable land within the merged district in respect of the financial year ending on 30 June 2017; and

- (b) the notice to contain an invitation for submissions to be made to the continuing local government by an elector of or ratepayer from the merged district.

K. H. ANDREWS, Clerk of the Executive Council.

LG302*

LOCAL GOVERNMENT ACT 1995

City of Kwinana

EXTRACTIVE INDUSTRIES AMENDMENT LOCAL LAW 2016

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Kwinana resolved to make the following local law on 13 April 2016.

1. Citation

This local law is cited as the *City of Kwinana Extractive Industries Amendment Local Law 2016*.

2. Commencement

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

3. Principal local law

This local law amends the *Town of Kwinana Extractive Industries Local Law* as published in the *Government Gazette* on 10 August 2001.

4. Clause 1.1 amended

Clause 1.1 is amended as follows—

In clause 1.1—

- (a) delete—

“**carry on an extractive industry**” means quarrying and excavating for stone, gravel, sand and other material;

“**local government**” means the City of Kwinana;

“**secured sum**” means the sum required to be paid or the amount of a bond, guarantee or other security under clause 5.1;

“**town planning scheme**” means a town planning scheme of the local government made under the *Town Planning and Development Act 1928*.

- (b) insert in alphabetical order within clause 1.1—

“**Building Price Index**” means a statistical based method of measuring building price movements over time for the purpose of updating non-residential building construction budgets;

“**bulk earthworks**” means the removal, moving or adding of large quantities of soil or rock from a particular area to another in order to make an area a suitable height and level for a specific construction purpose;

“**carry on an extractive industry**” means quarrying, bulk earthworks and excavating for stone, gravel, sand and other material and the transporting of the material off the site;

“**local government**” means the City of Kwinana;

“**local planning scheme**” means a town planning scheme of the local government made under the *Planning and Development Act 2005*;

“**occupier**” has the meaning given to it in the Act;

“**owner**” has the meaning given to it in the Act;

“**secured sum**” means the sum required to be paid in the form of a bank guarantee under clause 5.1;”

“**Schedule**” means a Schedule of this local law;

- (c) in the definition of “**excavation**” after “includes quarry” insert “, bulk earthworks or extraction”; and

- (d) at the end of the definition of “site” delete the delete the semicolon and insert a full stop.

5. Insert new clause after clause 1.3

New clause 1.4 is inserted after clause 1.3 as follows—

“Citation

1.4 This local law may be cited as the *City of Kwinana Extractive Industries Local Law 2016*.”

6. Clause 2.1 amended

Clause 2.1 is amended as follows—

After “Penalty” delete “5000” and replace with \$5,000”.

7. Clause 2.2 amended

In clause 2.2(1)(a)(i) delete “twenty one (21) days” and replace with “21 days”.

8. Clause 2.3 amended

(1) in clause 2.3(1)(a)—

- (a) before “of a plan of the” delete “3 copies” and replace with “One hard copy and an electronic copy in a format acceptable to the local government”;
- (b) in subparagraph (vii), delete “power lines, telephone cables” and replace with “infrastructure services including but not limited to power lines, communication cables”;
- (c) in subparagraph (viii) after “existing”, insert “bores,”;

(2) in clause 2.3(1)(b)—

- (a) before “of a works and” delete “3 copies” and replace with “One hard copy and an electronic copy in a format acceptable to the local government”;
- (b) delete subclause (xii) and replace with—
 - “(xii) a noise management plan, including a description of the measures to be taken to comply with the *Environmental Protection Act 1986* and *Environmental Protection (Noise) Regulations 1997*;”;

(3) in clause 2.3(1)(c) before “of a rehabilitation” delete “3 copies” and replace with “One hard copy and an electronic copy in a format acceptable to the local government”;

9. Clause 3.1 amended

Clause 3.1 is amended as follows—

- (1) In subclause (4)(a), delete “30th June next” and replace with “next June 30”.
- (2) In subclause (5) delete paragraphs (q), (r) and (s) and replace with—
 - “(q) requiring the licensee to pay an Accelerated Pavement Depreciation Fee for using roads owned by the local government for transporting extracted materials, to assist with the repair, maintenance and upgrade of such roads; and
 - (r) any other matter for properly regulating the carrying on of an extractive industry.”

10. Clause 3.2 amended

Clause 3.2 is amended as follows—

- (a) After “3.2”, insert subclause number “(1)”
- (b) In clause 3.2 after subclause (1), insert—
 - “(2) On renewal or conclusion of a licence, the licensee shall pay the local government the applicable Accelerated Pavement Depreciation Fee due to accelerated depreciation of the pavement in accordance with the condition set out in the Extractive Industries Licence. The payable fee will be based on the total amount of extracted material and the length of local authority roads used in the transport route during the financial year (period from 1 July to 30 June). The applicable fee, tabled in the local government’s Schedule of Fees and Charges, will be adjusted annually in accordance with the Building Price Index.”

11. Clause 4.1 amended

In clause 4.1(1) in paragraph (f), delete “fee” and replace with “fees and charges”.

12. Clause 4.2 amended

In clause 4.2(1) in paragraph (d) delete “3.2” and replace with “3.2(1) or 3.2(2)”.

13. Clause 4.3 amended

In clause 4.3(1) in paragraph (a), delete “fee” and replace with “fees and charges”.

14. Clause 5.1 replaced

Delete clause 5.1, including title, and replace with—

“Security For Restoration And Reinstatement for Local Government Owned Assets

5.1 (1) For the purpose of ensuring that all fees and charges are paid and that local government owned assets that have been used to carry out excavation operations are properly restored or reinstated, the local government may require that—

- (a) as a condition of a licence; or
- (b) before the issue of a licence,

the licensee shall give to the local government a bank guarantee of a kind and in a form acceptable to the local government for a sum determined by the local government from time to time.

(2) A bank guarantee required under subclause (1) is to be in the name of the local government for the purposes of this clause.”

15. Clause 5.2 amended

Clause 5.2 is amended as follows—

- (1) In subclause (1) after “reinstatement works”, insert “or fails to pay any fees and charges”;
- (2) In subclause (2) after “the proceeds of any”, delete “bond.”;
- (3) After “towards its costs” insert “or any outstanding fees and charges”.

16. Clause 6.1 amended

After clause 6.1(1) after “Penalty” delete “\$4,000” and replace with “\$5,000”.

17. Clause 6.2 amended

In clause 6.2(2)(iii) delete “DANGER EXCAVATIONS KEEP OUT” and replace with “DANGER EXCAVATIONS—KEEP OUT”.

18. Clause 6.3 amended

Clause 6.3 is amended as follows—

- (1) In subclause (1) paragraph (a), after “within 40 metres,” delete “(or such lesser distance as maybe allowed, in writing, by the local government)” and replace with “(without written permission from the local government and if required, the Department of Environment Regulation)”;
- (2) In subclause (2) delete “Department of Minerals and Energy” and replace with “Department of Mines and Petroleum”.

19. Clause 6.4 amended

After clause 6.4(2) after “Penalty” delete “\$4,000” and replace with “\$5,000”.

20. Clause 7.1 amended

Clause 7.1 is amended as follows—

- (1) In subclause (1) after “liability insurance policy”, delete “taken out in the joint names of the licensee and the local government” and replace with “naming the local government and”; and
- (2) delete “10000000” and replace with “\$10,000,000”.

21. Clause 7.4 amended

- (a) In clause 7.4, renumber paragraphs; delete “(1)” and replace with “(a)”, delete “(2)” and replace with “(b)”, delete “(3)” and replace with “(c)”, delete “(4)” and replace with “(d)”, delete “(5)” and replace with “(e)”, delete “(6)” and replace with “(f)”, delete “(7)” and replace with “(g)”, delete “(8)” and replace with “(h)”, delete “(9)” and replace with “(i)”; and
- (b) In clause 7.4, after paragraph (i) and before “Penalty” insert on new line “Failing to comply with any requirements of this clause constitutes an offence.”

22. Clause 8.1 amended

Clause 8.1 is amended as follows—

Delete entire clause and replace with—

“8.1 When the local government makes a decision as to whether it will grant a person a licence or renew, vary or cancel a licence under this local law, the provisions of Division 1 of Part 9 of the Act and regulation 33 of the *Local Government (Functions and General) Regulations 1996* shall apply to that decision.”

23. Clause 9.1 amended

Clause 9.1 is amended as follows—

Delete “the Schedule” and replace with “Schedule 1”.

24. Schedule—Prescribed Offences replaced

Delete the entire “Schedule—Prescribed Offences” and replace with—

Schedule 1—Prescribed Offences

(Clause 9.1)

Item	Clause	Description	Modified Penalty \$
1.	2.1	Carry on extractive industry without licence or in breach of terms and conditions.	500
2.	6.1	Excavate near boundary.	500
3.	6.2(1)	Gateways not kept locked where required.	500
4.	6.2(2)	Warning signs not erected or maintained as required.	500
5.	6.2(3)	Excavation not drained as required.	500
6.	6.3(1)	Remove trees or shrubs near boundary without approval.	500
7.	6.3(2)	Store without required approval explosives or explosive devices.	500
8.	6.3(3)	Fill or excavate in breach of licence.	500
9.	6.4(1)(a)	Blasting without approval of the local government.	500
10.	6.4(1)(b)	Blasting outside times authorised.	500
11.	6.4(1)(d)	Blasting in breach of conditions imposed by the local government.	500
12.	6.4(2)	Blasting without approval on Saturday, Sunday or public holiday.	500
13.	7.4	On cessation of operations, failing to comply with the required conditions.	500

Dated: 13 April 2016.

The Common Seal of the City of Kwinana was hereunto affixed in the presence of—

CAROL ADAMS, Mayor.
JOANNE ABBISS, Chief Executive Officer.

TRAINING

TA301*

VOCATIONAL EDUCATION AND TRAINING ACT 1996**NORTH METROPOLITAN TAFE BY-LAWS 2016**Made under section 44 of the *Vocational Education and Training Act 1996* (“the Act”) by the governing council of North Metropolitan TAFE.**PART 1—PRELIMINARY****Citation**1. These by-laws may be cited as the *North Metropolitan TAFE By-laws 2016*.**Commencement**2. These by-laws come into operation on the day on which they are published in the *Government Gazette*.**Interpretation**

3. (1) In these by-laws unless the contrary intention appears—

“assistance animal” (as stated in Section (9)2 of the *Disability Discrimination Act 1992* (Cth)) is a dog or other animal—

- (a) under a law of a State or Territory that provides for the accreditation of animals trained to assist a person with a disability to alleviate the effect of the disability; or
- (b) accredited by an animal training organisation prescribed by the regulations for the purposes of this paragraph; or
- (c) trained—
 - (i) to assist a person with a disability to alleviate the effect of the disability; and

- (ii) to meet standards of hygiene and behaviour that are appropriate for an animal in a public place;

“**authorised person**” means a person designated as an authorised person under by-law 7;

“**college land**” means land under the control of the college;

“**driveway**” means a portion of college land set aside for the purpose of driving vehicles;

“**enrolled student**” means any student enrolled at the college for study purposes;

“**governing council**” means the governing council of the college;

“**managing director**” means the person appointed to be managing director of the college under section 46 of the Act;

“**proceedings**” include appeal and review proceedings;

“**speed control sign**” means a sign that is erected under by-law 16;

“**staff**” means staff employed or engaged by, or seconded to, the college;

“**student association**” means any student association referred to in part 3 of these by-laws;

“**the college**” means North Metropolitan TAFE.

(2) The notes that appear at the foot of any of these by-laws are only for the purposes of information and do not form part of the by-law.

Application

4. These by-laws apply to college land, to any person on college land and to enrolled students.

PART 2—GENERAL

Hours of business

5. (1) Subject to any order under section 38 of the Act, the hours of business of the college are those fixed by the governing council from time to time.

(2) Different hours may be fixed for different purposes.

(3) The hours during which the college is open for business are to be published in the manner determined by the governing council.

[NOTE—Section 38 of the Act enables the Minister by order to determine vacation periods for colleges.]

Setting aside land and places

6. (1) Where the governing council sets aside any land or place for a particular purpose the governing council may cause a notice to be erected specifying the purpose for which the land or place is set aside.

(2) A person who contravenes a notice erected under by-law 6(1) commits an offence.

Authorised Persons

7. The managing director may designate a person to be an authorised person for the purposes of these by-laws.

PART 3—STUDENT ASSOCIATIONS

Functions of student associations

8. The functions of the student associations are to—

- (a) further the common interest of the enrolled students;
- (b) provide for and encourage communication amongst enrolled students in matters of common interest;
- (c) provide extracurricular activities for the general well-being of enrolled students;
- (d) represent enrolled students whenever such representation is necessary or desirable and provide the recognised means of communication between students and the college;
- (e) co-operate or affiliate with any body or organisation having kindred aims;
- (f) promote the good of the college for the benefit of enrolled students.

Membership of student association

9. (1) Subject to this by-law, all enrolled students are eligible to be members of the student association.

(2) A person is not eligible to be a member of the student association if the person is a member of the staff of the college.

(3) The student association will determine—

- (a) the types of membership; and
- (b) any associated fees

Student association activities on college land

10. Where a student association intends to hold any activities on college land, during class time or not, prior written approval by the managing director and liaison with appropriate college staff is required.

PART 4—CONDUCT ON COLLEGE LAND**Conduct generally**

11. (1) A person shall not hinder or obstruct another person or otherwise behave in a disorderly, unlawful or anti-social manner.

(2) A person shall not, without the prior written permission of the governing council—

- (a) hold a public meeting;
- (b) conduct any business for commercial purposes on college land;
- (c) bring any animal on to college land unless—
 - (i) the animal is an assistance animal; or
 - (ii) the animal is brought onto college land for college purposes;
- (d) deface, interfere with or damage any property of the college;
- (e) bring any liquor or illegal drugs on to college land;
- (f) smoke on college land, with the exception of designated smoking areas; or
- (g) bring any firearms or prohibited weapons on to college land.

Obstruction of college staff

12. A person shall not hinder or obstruct a member of staff from carrying out his or her powers, entitlements or duties.

Dishonest conduct

13. A person shall not act dishonestly or unfairly in connection with any college examination, course work, assessment or test, or the preparation of any thesis, report or other work.

Closure of the college

14. (1) The managing director may—

- (a) close the college or any part of the college to the public or to enrolled students or both the public and enrolled students, if in the opinion of the managing director, the persons are behaving, or are likely to behave, in a disorderly manner;
- (b) require any person whose presence at the college is in contravention of a by-law or is likely to be detrimental to the college, to leave the college or any part of the college.

(2) A person who refuses or fails to comply with a requirement of the managing director under by-law 14(1) commits an offence.

PART 5—CONTROL OF TRAFFIC**Object of this Part**

15. The object of this Part is to provide for the orderly occupation and use of college land by vehicles and the parking of vehicles.

Speed control signs

16. (1) The managing director may approve the erection of signs indicating the maximum speed at which vehicles may be driven on college land.

(2) A person shall not drive a vehicle on a driveway at a speed in excess of the speed indicated on a speed control sign that applies in relation to the driveway.

Parking permits

17. (1) The managing director may arrange for the issue of parking permits.

(2) Parking permits may be of different classes.

(3) A parking permit is not valid unless—

- (a) if it is issued in relation to a specified time or specified period of time, it is used accordingly;
- (b) it is used for the purpose that it was issued for;
- (c) it is used for, or in respect to, a vehicle in the control and possession of a person or class of person that it was issued to;
- (d) it is used in relation to a vehicle or kind of vehicle that it was issued to or in respect of; and
- (e) if any fees are payable under these by-laws in relation to the parking permit, those fees have been paid.

(4) A person is not to park a vehicle contrary to the terms of any permit that applies in relation to the vehicle.

(5) If a parking permit is used for a purpose other than the purpose for which it is issued the managing director may cancel the parking permit.

PART 6—PENALTIES AND DISCIPLINARY CONSEQUENCES

Offences

18. A person who contravenes any of these by-laws, or acts contrary to any given permission, requirement, direction, notice, order or other thing done, made, given or issued by the managing director, the governing council or any authorised person pursuant to these by-laws, commits an offence.

Penalty—\$1,000.

Disciplinary consequences

19. (1) Instead of recovering a penalty in a court of summary jurisdiction, if an alleged offender is an enrolled student, an authorised person may proceed against the enrolled student as for a disciplinary offence and have the complaint heard and determined by the managing director or an authorised person other than the person who commenced the proceedings in relation to the alleged offence.

(2) If the managing director or the authorised person referred to in by-law 19(1) is of the opinion that the alleged offender has committed an offence, the managing director or authorised person may impose any one or more of the following penalties—

- (a) a fine not exceeding \$50;
- (b) suspend all or any of the privileges of the enrolled student;
- (c) exclude the enrolled student from attending college lectures, tutorials, workshops or other training activities;
- (d) withhold assessment results of the enrolled student;
- (e) suspend the enrolled student for a period not exceeding 2 semesters of any college course or courses;
- (f) expel the enrolled student from the college;
- (g) refuse the student re-enrolment as a student.

(3) A decision by the managing director or authorised person imposing a penalty specified in by-law 19 (2) (f) or (g) is not effective unless confirmed in writing by the governing council.

(4) The managing director or authorised person is to serve notice of any penalty imposed on an enrolled student under by-law 19(2) within 28 days after the day upon which the penalty is imposed.

(5) If at the time an enrolled student is entitled to an award from the college—

- (a) the enrolled student has not paid any penalty imposed on the enrolled student under these by-laws; or
- (b) the enrolled student, without lawful excuse, retains any property of the College the award may be withheld until the enrolled student has paid the amount of the penalty or returned the property to the college.

(6) Nothing in the preceding provisions of this by-law 19 removes or lessens the right of an enrolled student to appeal or seek the judicial review of any decision made under this by-law 19 in any court or tribunal of appropriate jurisdiction.

TA302*

VOCATIONAL EDUCATION AND TRAINING ACT 1996

SOUTH METROPOLITAN TAFE BY-LAWS 2016

Made under section 44 of the *Vocational Education and Training Act 1996* (“the Act”) by the governing council of South Metropolitan TAFE.

PART 1—PRELIMINARY

Citation

1. These by-laws may be cited as the *South Metropolitan TAFE By-laws 2016*.

Commencement

2. These by-laws come into operation on the day on which they are published in the *Government Gazette*.

Interpretation

3. (1) In these by-laws unless the contrary intention appears—

“**assistance animal**” (as stated in Section (9)2 of the *Disability Discrimination Act 1992* (Cth)) is a dog or other animal—

- (a) under a law of a State or Territory that provides for the accreditation of animals trained to assist a person with a disability to alleviate the effect of the disability; or

- (b) accredited by an animal training organisation prescribed by the regulations for the purposes of this paragraph; or
- (c) trained—
 - (i) to assist a person with a disability to alleviate the effect of the disability; and
 - (ii) to meet standards of hygiene and behaviour that are appropriate for an animal in a public place;

“authorised person” means a person designated as an authorised person under by-law 7;

“college land” means land under the control of the college;

“driveway” means a portion of college land set aside for the purpose of driving vehicles;

“enrolled student” means any student enrolled at the college for study purposes;

“governing council” means the governing council of the college;

“managing director” means the person appointed to be managing director of the college under section 46 of the Act;

“proceedings” include appeal and review proceedings;

“speed control sign” means a sign that is erected under by-law 16;

“staff” means staff employed or engaged by, or seconded to, the college;

“student association” means any student association referred to in part 3 of these by-laws;

“the college” means South Metropolitan TAFE.

(2) The notes that appear at the foot of any of these by-laws are only for the purposes of information and do not form part of the by-law.

Application

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5. (1) Subject to any order under section 38 of the Act, the hours of business of the college are those fixed by the governing council from time to time.

(2) Different hours may be fixed for different purposes.

(3) The hours during which the college is open for business are to be published in the manner determined by the governing council.

[NOTE—Section 38 of the Act enables the Minister by order to determine vacation periods for colleges.]

Setting aside land and places

6. (1) Where the governing council sets aside any land or place for a particular purpose the governing council may cause a notice to be erected specifying the purpose for which the land or place is set aside.

(2) A person who contravenes a notice erected under by-law 6(1) commits an offence.

Authorised Persons

7. The managing director may designate a person to be an authorised person for the purposes of these by-laws.

PART 3—STUDENT ASSOCIATIONS

Functions of student associations

8. The functions of the student associations are to—

- (a) further the common interest of the enrolled students;
- (b) provide for and encourage communication amongst enrolled students in matters of common interest;
- (c) provide extracurricular activities for the general well-being of enrolled students;
- (d) represent enrolled students whenever such representation is necessary or desirable and provide the recognised means of communication between students and the college;
- (e) co-operate or affiliate with any body or organisation having kindred aims;
- (f) promote the good of the college for the benefit of enrolled students.

Membership of student association

9. (1) Subject to this by-law, all enrolled students are eligible to be members of the student association.

(2) A person is not eligible to be a member of the student association if the person is a member of the staff of the college.

(3) The student association will determine—

- (a) the types of membership; and
- (b) any associated fees

Student association activities on college land

10. Where a student association intends to hold any activities on college land, during class time or not, prior written approval by the managing director and liaison with appropriate college staff is required.

PART 4—CONDUCT ON COLLEGE LAND

Conduct generally

11. (1) A person shall not hinder or obstruct another person or otherwise behave in a disorderly, unlawful or anti-social manner.

(2) A person shall not, without the prior written permission of the governing council—

- (a) hold a public meeting;
- (b) conduct any business for commercial purposes on college land;
- (c) bring any animal on to college land unless—
 - (i) the animal is an assistance animal; or
 - (ii) the animal is brought onto college land for college purposes;
- (d) deface, interfere with or damage any property of the college;
- (e) bring any liquor or illegal drugs on to college land;
- (f) smoke on college land, with the exception of designated smoking areas; or
- (g) bring any firearms or prohibited weapons on to college land.

Obstruction of college staff

12. A person shall not hinder or obstruct a member of staff from carrying out his or her powers, entitlements or duties.

Dishonest conduct

13. A person shall not act dishonestly or unfairly in connection with any college examination, course work, assessment or test, or the preparation of any thesis, report or other work.

Closure of the college

14. (1) The managing director may—

- (a) close the college or any part of the college to the public or to enrolled students or both the public and enrolled students, if in the opinion of the managing director, the persons are behaving, or are likely to behave, in a disorderly manner;
- (b) require any person whose presence at the college is in contravention of a by-law or is likely to be detrimental to the college, to leave the college or any part of the college.

(2) A person who refuses or fails to comply with a requirement of the managing director under by-law 14(1) commits an offence.

PART 5—CONTROL OF TRAFFIC

Object of this Part

15. The object of this Part is to provide for the orderly occupation and use of college land by vehicles and the parking of vehicles.

Speed control signs

16. (1) The managing director may approve the erection of signs indicating the maximum speed at which vehicles may be driven on college land.

(2) A person shall not drive a vehicle on a driveway at a speed in excess of the speed indicated on a speed control sign that applies in relation to the driveway.

Parking permits

17. (1) The managing director may arrange for the issue of parking permits.

(2) Parking permits may be of different classes.

(3) A parking permit is not valid unless—

- (a) if it is issued in relation to a specified time or specified period of time, it is used accordingly;
- (b) it is used for the purpose that it was issued for;
- (c) it is used for, or in respect to, a vehicle in the control and possession of a person or class of person that it was issued to;

- (d) it is used in relation to a vehicle or kind of vehicle that it was issued to or in respect of; and
 - (e) if any fees are payable under these by-laws in relation to the parking permit, those fees have been paid.
- (4) A person is not to park a vehicle contrary to the terms of any permit that applies in relation to the vehicle.
- (5) If a parking permit is used for a purpose other than the purpose for which it is issued the managing director may cancel the parking permit.

PART 6—PENALTIES AND DISCIPLINARY CONSEQUENCES

Offences

18. A person who contravenes any of these by-laws, or acts contrary to any given permission, requirement, direction, notice, order or other thing done, made, given or issued by the managing director, the governing council or any authorised person pursuant to these by-laws, commits an offence.

Penalty—\$1,000.

Disciplinary consequences

19. (1) Instead of recovering a penalty in a court of summary jurisdiction, if an alleged offender is an enrolled student, an authorised person may proceed against the enrolled student as for a disciplinary offence and have the complaint heard and determined by the managing director or an authorised person other than the person who commenced the proceedings in relation to the alleged offence.

(2) If the managing director or the authorised person referred to in by-law 19(1) is of the opinion that the alleged offender has committed an offence, the managing director or authorised person may impose any one or more of the following penalties—

- (a) a fine not exceeding \$50;
- (b) suspend all or any of the privileges of the enrolled student;
- (c) exclude the enrolled student from attending college lectures, tutorials, workshops or other training activities;
- (d) withhold assessment results of the enrolled student;
- (e) suspend the enrolled student for a period not exceeding 2 semesters of any college course or courses;
- (f) expel the enrolled student from the college;
- (g) refuse the student re-enrolment as a student.

(3) A decision by the managing director or authorised person imposing a penalty specified in by-law 19 (2) (f) or (g) is not effective unless confirmed in writing by the governing council.

(4) The managing director or authorised person is to serve notice of any penalty imposed on an enrolled student under by-law 19(2) within 28 days after the day upon which the penalty is imposed.

(5) If at the time an enrolled student is entitled to an award from the college—

- (a) the enrolled student has not paid any penalty imposed on the enrolled student under these by-laws; or
- (b) the enrolled student, without lawful excuse, retains any property of the College the award may be withheld until the enrolled student has paid the amount of the penalty or returned the property to the college.

(6) Nothing in the preceding provisions of this by-law 19 removes or lessens the right of an enrolled student to appeal or seek the judicial review of any decision made under this by-law 19 in any court or tribunal of appropriate jurisdiction.

TA303*

VOCATIONAL EDUCATION AND TRAINING ACT 1996 SOUTH REGIONAL TAFE BY-LAWS 2016

Made under section 44 of the *Vocational Education and Training Act 1996* (“the Act”) by the governing council of South Regional TAFE.

PART 1—PRELIMINARY

Citation

1. These by-laws may be cited as the *South Regional TAFE By-laws 2016*.

Commencement

2. These by-laws come into operation on the day on which they are published in the *Government Gazette*.

Interpretation

3. (1) In these by-laws unless the contrary intention appears—

“**assistance animal**” (as stated in Section (9)2 of the *Disability Discrimination Act 1992* (Cth)) is a dog or other animal—

- (a) under a law of a State or Territory that provides for the accreditation of animals trained to assist a person with a disability to alleviate the effect of the disability; or
- (b) accredited by an animal training organisation prescribed by the regulations for the purposes of this paragraph; or
- (c) trained—
 - (i) to assist a person with a disability to alleviate the effect of the disability; and
 - (ii) to meet standards of hygiene and behaviour that are appropriate for an animal in a public place;

“**authorised person**” means a person designated as an authorised person under by-law 7;

“**college land**” means land under the control of the college;

“**driveway**” means a portion of college land set aside for the purpose of driving vehicles;

“**enrolled student**” means any student enrolled at the college for study purposes;

“**governing council**” means the governing council of the college;

“**managing director**” means the person appointed to be managing director of the college under section 46 of the Act;

“**proceedings**” include appeal and review proceedings;

“**speed control sign**” means a sign that is erected under by-law 16;

“**staff**” means staff employed or engaged by, or seconded to, the college;

“**student association**” means any student association referred to in part 3 of these by-laws;

“**the college**” means South Regional TAFE.

(2) The notes that appear at the foot of any of these by-laws are only for the purposes of information and do not form part of the by-law.

Application

4. These by-laws apply to college land, to any person on college land and to enrolled students.

PART 2—GENERAL

Hours of business

5. (1) Subject to any order under section 38 of the Act, the hours of business of the college are those fixed by the governing council from time to time.

(2) Different hours may be fixed for different purposes.

(3) The hours during which the college is open for business are to be published in the manner determined by the governing council.

[NOTE—Section 38 of the Act enables the Minister by order to determine vacation periods for colleges.]

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6. (1) Where the governing council sets aside any land or place for a particular purpose the governing council may cause a notice to be erected specifying the purpose for which the land or place is set aside.

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 - (ii) the animal is brought onto college land for college purposes;
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- (e) bring any liquor or illegal drugs on to college land;
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Penalty—\$1,000.

Disciplinary consequences

19. (1) Instead of recovering a penalty in a court of summary jurisdiction, if an alleged offender is an enrolled student, an authorised person may proceed against the enrolled student as for a disciplinary offence and have the complaint heard and determined by the managing director or an authorised person other than the person who commenced the proceedings in relation to the alleged offence.

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- (d) withhold assessment results of the enrolled student;
- (e) suspend the enrolled student for a period not exceeding 2 semesters of any college course or courses;
- (f) expel the enrolled student from the college;
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(3) A decision by the managing director or authorised person imposing a penalty specified in by-law 19 (2) (f) or (g) is not effective unless confirmed in writing by the governing council.

(4) The managing director or authorised person is to serve notice of any penalty imposed on an enrolled student under by-law 19(2) within 28 days after the day upon which the penalty is imposed.

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- (a) the enrolled student has not paid any penalty imposed on the enrolled student under these by-laws; or
- (b) the enrolled student, without lawful excuse, retains any property of the College the award may be withheld until the enrolled student has paid the amount of the penalty or returned the property to the college.

(6) Nothing in the preceding provisions of this by-law 19 removes or lessens the right of an enrolled student to appeal or seek the judicial review of any decision made under this by-law 19 in any court or tribunal of appropriate jurisdiction.

— PART 2 —

CONSERVATION

CO101*

*CORRECTION***CONSERVATION AND LAND MANAGEMENT ACT 1984****CONSERVATION AND LAND MANAGEMENT (REVOCATION OF STATE FOREST)
ORDER (NO. 2) 2015**

An error occurred in the notice published under the above heading on p. 53 of the *Gazette* dated 15 January 2016 and is corrected as follows—

In Schedule 4 delete the following text “Lot 531” and insert “Lot 513”.

ENVIRONMENT

EV401*

ENVIRONMENTAL PROTECTION ACT 1986

DELEGATION NO. 125

I, Jason Banks, acting in my capacity as the Chief Executive Officer of the Department responsible for the administration of the *Environmental Protection Act 1986* (“the Act”), and pursuant to section 20 of the Act, hereby delegate to the holders for the time being of the offices of—

- (a) Executive Director, Licensing and Approvals;
- (b) Director, Licensing and Approvals;
- (c) Executive Director, Compliance and Enforcement;
- (d) Director, Compliance and Enforcement;
- (e) Director, Strategy and Reform;
- (f) Executive Advisor, Licensing and Approvals;
- (g) Senior Manager, Strategy and Reform;
- (h) Senior Manager, Industry Regulation (Waste Industries);
- (i) Senior Manager, Industry Regulation (Process Industries);
- (j) Senior Manager, Industry Regulation (Resource Industries);
- (k) Manager, Licensing (Resource Industries);
- (l) Manager, Licensing (Waste Industries); and
- (m) Manager, Licensing (Process Industries),

all of the Department of Environment Regulation, all my powers and duties, other than this power of delegation, under—

- (a) sections 54, 57, 59, 59B, 60, 62 and 64 of the Act; and
- (b) regulations 5B and 5O of the *Environment Protection Regulations 1987*.

Under section 59(1)(e) of the *Interpretation Act 1984*, Delegation No. 124 gazetted 15 March 2016 is hereby revoked.

Dated the 21st day of April 2016.

JASON BANKS, Chief Executive Officer.

Approved by—

Hon. ALBERT JACOB JP MLA, Minister for Environment: Heritage.

LOCAL GOVERNMENT

LG401*

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

Town of Cottesloe

INTENTION TO APPLY TO REVEST LAND IN THE CROWN

WHEREBY—

- A. The land described in the Schedule (**Land**) is situated in the district of the Town of Cottesloe (**Town**).
- B. The Land has vested in the Australian Securities and Investment Commission under section 601AD(2) of the *Corporations Act 2001* (Cth), by reason of the registered proprietor of the Land Odette Holdings Pty Ltd being deregistered.
- C. Rates and service charges in respect of the Land have been unpaid for a period of more than 3 years.

THE TOWN HEREBY GIVES NOTICE THAT—

- D. Pursuant to regulation 77(1)(a) of the *Local Government (Financial Management) Regulations 1996* the Town intends to apply under section 6.74(1) of the *Local Government Act 1995* to the Minister for the Land to be revested in the Crown in right of the State.
- E. The person to whom this notice is issued may, within 30 days of the date of the notice, lodge an objection to the revestment.

Signed for and on behalf of the Town of Cottesloe this 20th day of April 2016.

MAT HUMFREY, Chief Executive Officer.

SCHEDULE

Lot 56 on Deposited Plan 27325 Certificate of Title Volume 2217 Folio 812.

Lot 66 on Plan 3639 Certificate of Title Volume 2094 Folio 697.

Lot 67 on Plan 3639 Certificate of Title Volume 2094 Folio 697.

Lot 70 on Plan 3392 Certificate of Title Volume 1915 Folio 965.

LG402*

LOCAL GOVERNMENT ACT 1995

City of Wanneroo

(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 29 September 2015, determined that the method of valuation to be used by the City of Wanneroo 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 101 to 109 inclusive, Lots 144 to 148 inclusive, Lots 158 to 162 inclusive, Lots 175 to 179 inclusive and Lots 193 to 216 inclusive as shown on Deposited Plan 406511.

BRAD JOLLY, Executive Director Sector Regulation and Support,
 Department of Local Government and Communities.

MINERALS AND PETROLEUM

MP401*

PETROLEUM (SUBMERGED LANDS) ACT 1982
PARTIAL SURRENDER OF PETROLEUM EXPLORATION PERMIT TP/8
 Application TTP-EPX-0003

The partial surrender of petroleum exploration permit TP/8, in respect to Hamersley Range Map Sheet (SF50) block numbers 5666, 5738, 5813 and 5885 has been registered and has effect on and from the date this notice is published in the *Government Gazette*.

J. H. HAWORTH, Executive Director, Petroleum Division,
 Department of Mines and Petroleum.

PLANNING

PL403*

PLANNING AND DEVELOPMENT ACT 2005
 INSTRUMENT OF DELEGATION
 2016/01 Powers of Committees

Delegation to Committees 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 26 April 2016, pursuant to section 16 of the Act, the WAPC RESOLVED—

- A. To delegate its powers and functions as set out in column 2 of the schedule, to the committees specified in column 1 of the schedule.
- B. To revoke its delegation of powers and functions to committees as detailed in the instrument of delegation 'DEL 2009/05 Powers of committees' published in the *Government Gazette* on 4 September 2009 (and as amended).

KERRINE BLENKINSOP, Secretary, Western Australian Planning Commission.

Schedule

Column 1 (Committee)	Column 2 (Powers and Functions)
1. Executive, Finance and Property Committee	1.1. All powers and functions of the WAPC that may lawfully be delegated under the Act and any other written law.
2. Statutory Planning Committee	2.1. Power to determine applications for approval to commence and carry out development lodged with or referred to the WAPC pursuant to the provisions of a region scheme. 2.2. Power to approve detailed plans requiring the subsequent approval of the WAPC as a condition of development approval pursuant to the provisions of a region scheme and power to confirm that conditions imposed by the WAPC on a development approval pursuant to the provisions of a region scheme have been complied with. 2.3. Power to determine whether or not proposals and the ongoing implementation of a region scheme comply with conditions (if any) applied pursuant to sections 48F and 48J of the <i>Environmental Protection Act 1986</i> . 2.4. 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 a region scheme requiring such determination.

Column 1 (Committee)	Column 2 (Powers and Functions)
	2.5. 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 <i>Swan and Canning Rivers Management Act 2006</i> where the determining authority is the WAPC.
	2.6. All functions of the WAPC as set out in— <ul style="list-style-type: none"> (i) Sections 14(a), 14(c), 34, 97, 98, 100, 104, 105, 106, 107, 109, 110, 111, 134, 135, 136, 138, 139, 140, 142, 143, 144, 145, 147, 151, 153, 154, 157, 169, 185, 214, 215, 216 of the Act; (ii) The <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (iii) Regulations 21, 22, 24 and 27 of the <i>Planning and Development Regulations 2009</i>; (iv) <i>Strata Titles Act 1985</i> or the provisions of a strata or survey- strata scheme; (v) <i>Strata Titles General Regulations 1996</i>; (vi) Section 52 and section 85 of the <i>Land Administration Act 1997</i>; (vii) Section 40 of the <i>Liquor Control Act 1988</i>; (viii) <i>Perry Lakes Redevelopment Act 2005</i>.
	2.7. Power to determine requests for variations to plans of subdivision where WAPC approval is required pursuant to the provisions of an approved local planning scheme.
	2.8. Power to provide comment on and grant approval to plans known generally as outline development plans, structure plans and similar plans, and to 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.
	2.9. 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.
	2.10. 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.
	2.11. 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.
	2.12. 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.
	2.13. Power to waive or clear conditions affixed as conditions of approval.
	2.14. Power to endorse 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 <i>Land Administration Act 1997</i>
	2.15. Power to advise the Minister for Planning on any appeal or matter arising therefrom pursuant to Part 14 of the Act.
	2.16. Power to defend and otherwise deal with applications for review 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.
	2.17. Power to defend, respond, appeal and otherwise deal with legal proceedings.
	2.18. Power to prepare and approve policies relating to planning matters, and policies relating to the functions of the WAPC, save and except for State Planning Policies under Part 3 of the Act.
	2.19. Power to determine matters under Regional Interim Development Orders.
	2.20. Such powers and functions of the WAPC as set out in— <ul style="list-style-type: none"> (i) Part 5 of the Act; (ii) <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> as are necessary for the preparation, promulgation and the making of recommendations in relation to the Improvement Scheme authorised by Improvement Plan No. 37 for the Browse Liquefied Natural Gas Precinct.

Column 1 (Committee)	Column 2 (Powers and Functions)
	<p>2.21. Such powers and functions of the WAPC as set out in—</p> <ul style="list-style-type: none"> (i) Part 5 and 8 of the Act; (ii) <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>; and (iii) any improvement scheme approved, <p>in relation to improvement plans and improvement schemes for land within the City of Karratha, the Shire of Ashburton and the Shire of Broome to be designated by the Statutory Planning Committee as Anketell, Maitland, Ashburton North and Browse LNG Precinct Strategic Industrial Areas.</p>
3. Infrastructure Coordinating Committee	<p>3.1. Such powers and functions under the Act as are necessary to—</p> <ul style="list-style-type: none"> (i) co-ordinate the preparation of the Metropolitan Development Program; and (ii) plan for the coordinated provision of transport and infrastructure for land development.
4. Central Perth Planning Committee (only where the matters under consideration by the Committee are within the area of the City of Perth)	<p>4.1. All functions of the WAPC as set out in—</p> <ul style="list-style-type: none"> (i) subsections (f)(i)(j)(l) of section 14 of the Act; (ii) Part 4 of the Act; (iii) the Metropolitan Region Scheme. <p>4.2. 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 Metropolitan Region Scheme requiring such determination.</p> <p>4.3. All functions of the WAPC as set out in—</p> <ul style="list-style-type: none"> (i) Sections 14(a), 14(c), 34, 97, 98, 100, 104, 105, 106, 107, 109, 110, 111, 135, 136, 138, 139, 140, 142, 143, 144, 145, 147, 151, 153, 154, 157, 169, 214, 215, 216 of the Act; (ii) <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> (iii) Regulations 21, 22, 24 and 27 of the <i>Planning and Development Regulations 2009</i>; (iv) <i>Strata Titles Act 1985</i> or the provisions of a strata or survey- strata scheme; (v) <i>Strata Titles General Regulations 1996</i>; (vi) Section 52 and section 85 of the <i>Land Administration Act 1997</i>; (vii) Section 40 of the <i>Liquor Control Act 1988</i>. <p>(subject to the exercise of these functions having due regard in each case to published WAPC policy).</p> <p>4.4. Power to advise the Minister for Planning on any appeal or matter arising therefrom pursuant to Part 14 of the Act (subject to the exercise of the functions under this clause having due regard in each case to published WAPC policy).</p> <p>4.5. Power to defend and otherwise deal with applications for review 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 (subject to the exercise of these functions having due regard in each case to published WAPC policy).</p> <p>4.6. Power to defend, respond, appeal and otherwise deal with legal proceedings (subject to the exercise of these functions having due regard in each case to published WAPC policy).</p> <p>4.7. Power to prepare and approve policies relating to planning matters, and policies relating to the functions of the WAPC, save and except for State Planning Policies under Part 3 of the Act.</p>
5. Peel Region Planning Committee	<p>5.1. All functions of the WAPC as set out in—</p> <ul style="list-style-type: none"> (i) Sections 14(a), 14(c), 14(f), 14(i), 14(j), 14(l), 34, 97, 98, 100, 104, 105, 106, 107, 109, 110, 111, 126, 135, 136, 138, 139, 140, 142, 143, 144, 145, 147, 151, 153, 154, 157, 169, 185, 214, 215, 216, 217 of the Act; (ii) the Peel Region Scheme but not including clauses 19(f), 43 and 44(1); (iii) <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>; (iv) Regulations 21, 22, 24 and 27 of the <i>Planning and Development Regulations 2009</i>; (v) <i>Strata Titles Act 1985</i> or the provisions of a strata or survey- strata scheme; (vi) <i>Strata Titles General Regulations 1996</i>; (vii) Section 52 and section 85 of the <i>Land Administration Act 1997</i>; (viii) Section 40 of the <i>Liquor Control Act 1988</i>.

Column 1 (Committee)	Column 2 (Powers and Functions)
	<p>5.2. Power to do all things that are necessary for the purpose of carrying out Parts 4, 6, 7 and 8 of the Act.</p> <p>5.3. Power to advise the Minister for Planning on any application for review or matter arising therefrom pursuant to Part 14 of the Act.</p> <p>5.4. Power to defend and otherwise deal with applications for review 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.</p> <p>5.5. Power to prepare and approve policies relating to planning matters, and policies relating to the functions of the WAPC, save and except for State Planning Policies under Part 3 of the Act.</p> <p>5.6. In relation to an instrument of delegation to local governments, the power to prescribe the form and manner (if any) in which local governments are to report delegated decisions to the WAPC.</p> <p>5.7. Power under clause 1(2)(c) of Schedule 2 of the Act to appoint members to hearings committees established to hear submissions on amendments to the Peel Region Scheme.</p> <p>5.8. Power under clause 1(2)(d) of Schedule 2 of the Act to discharge, alter or reconstitute hearings committees established to hear submissions on amendments to the Peel Region Scheme.</p>
6. South West Region Planning Committee	<p>6.1. All functions of the WAPC as set out in—</p> <ul style="list-style-type: none"> (i) Sections 14(a), 14(c), 14(f), 14(i), 14(j), 14(l), 34, 97, 98, 100, 104, 105, 106, 107, 109, 110, 111, 126, 135, 136, 138, 139, 140, 142, 143, 144, 145, 147, 151, 153, 154, 157, 169, 185, 214, 215, 216, 217 of the Act; (ii) the Greater Bunbury Region Scheme but not including clauses 25(g), 49 and 50(1); (iii) <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>; (iv) Regulations 21, 22, 24 and 27 of the <i>Planning and Development Regulations 2009</i>; (v) <i>Strata Titles Act 1985</i> or the provisions of a strata or survey- strata scheme; (vi) <i>Strata Titles General Regulations 1996</i>; (vii) Section 52 and section 85 of the <i>Land Administration Act 1997</i>; (viii) Section 40 of the <i>Liquor Control Act 1988</i>. <p>6.2. Power to do all things that are necessary for the purpose of carrying out Part 4 and Part 6 of the Act.</p> <p>6.3. Power to advise the Minister for Planning on any application for review or matter arising therefrom pursuant to Part 14 of the Act.</p> <p>6.4. Power to defend and otherwise deal with applications for review 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.</p> <p>6.5. Power to prepare and approve policies relating to planning matters, and policies relating to the functions of the WAPC, save and except for State Planning Policies under Part 3 of the Act.</p> <p>6.6. In relation to an instrument of delegation to local governments, the power to prescribe the form and manner (if any) in which local governments are to report delegated decisions to the WAPC.</p> <p>6.7. Power under clause 1(2)(c) of Schedule 2 of the Act to appoint members to hearings committees established to hear submissions on amendments to the Greater Bunbury Region Scheme.</p> <p>6.8. Power under clause 1(2)(d) of Schedule 2 of the Act to discharge, alter or reconstitute hearings committees established to hear submissions on amendments to the Greater Bunbury Region Scheme.</p>
7. Pilbara Regional Planning Committee	<p>7.1 All functions of the WAPC as set out in—</p> <ul style="list-style-type: none"> (i) Sections 14(a), 14(c), 119 and 120 of the Act; (ii) <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> relating to local planning strategies, local planning schemes and scheme amendments to the extent necessary to perform the functions and powers referred to in this instrument of delegation. <p>7.2. The powers to—</p> <ul style="list-style-type: none"> (i) provide comment on and grant approval to plans known generally as structure plans and similar plans (such as growth plans) and to major planning policies and similar documents or major amendments, where

Column 1 (Committee)	Column 2 (Powers and Functions)
	<p>a local planning scheme has provisions requiring the approval or endorsement of the WAPC; and</p> <p>(ii) provide comments or advice on behalf of the WAPC to a local government where a provision of a local planning scheme requires comments from the WAPC.</p>

PL401*

PLANNING AND DEVELOPMENT ACT 2005
METROPOLITAN REGION SCHEME MINOR AMENDMENT 1286/57
 Western Power Omnibus 1
 Approved Amendment

File: 833-2-1-59

The Minister for Planning has approved, with modification, the abovementioned amendment to the Metropolitan Region Scheme. The amendment is shown on Western Australian Planning Commission plans numbered 3.2639—3.2647, 3.2648/1, 3.2649 and 3.2650 and is effective from the date of publication of this notice in the *Government Gazette*.

By virtue of section 126(1) of the *Planning and Development Act 2005*, the local planning schemes of the Cities of Bayswater, Belmont, Canning, Fremantle, Joondalup, Perth, Rockingham, South Perth, Stirling, Vincent and Wanneroo; the Towns of Cambridge and Victoria Park and the Shires of Kalamunda, Mundaring and Serpentine-Jarrahdale are amended to give effect to the reservation(s) included in MRS amendment 1286/57.

Copies of the amendment and the accompanying report on submissions are available for public inspection from Friday 29 April 2016 to Friday 27 May 2016 at—

- Western Australian Planning Commission, 140 William Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Bayswater
- City of Belmont
- City of Canning
- City of Fremantle
- City of Joondalup
- City of Perth
- City of Rockingham
- City of South Perth
- City of Stirling
- City of Vincent
- City of Wanneroo
- Town of Cambridge
- Town of Victoria Park
- Shire of Kalamunda
- Shire of Mundaring
- Shire of Serpentine-Jarrahdale

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

KERRINE BLENKINSOP, Secretary, Western Australian Planning Commission.

PL402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED DISTRICT PLANNING SCHEME AMENDMENT
City of Wanneroo
 District Planning Scheme No. 2—Amendment No. 119

Ref: TPS/1558

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 District Planning Scheme amendment on 24 March 2016 for the purpose of—

- (i) Inserting a new clause 4.5.4, 4.5.5 and 4.5.6 as follows—
 “4.5.4 Split Density Code—Development

Where a split residential density code is depicted on the Scheme Maps, any development shall conform to the lower density code applicable to the lot, unless the

Council determines that development up to the higher density code would comply with the following requirements—

- (a) Sufficient capacity exists in all necessary public utility services to adequately meet the needs of the development;
- (b) The development has one consolidated vehicular access point with reciprocal access rights to serve all dwellings, and restricted vehicular access to other areas of road frontage;

4.5.5 Split Density Code—Subdivision

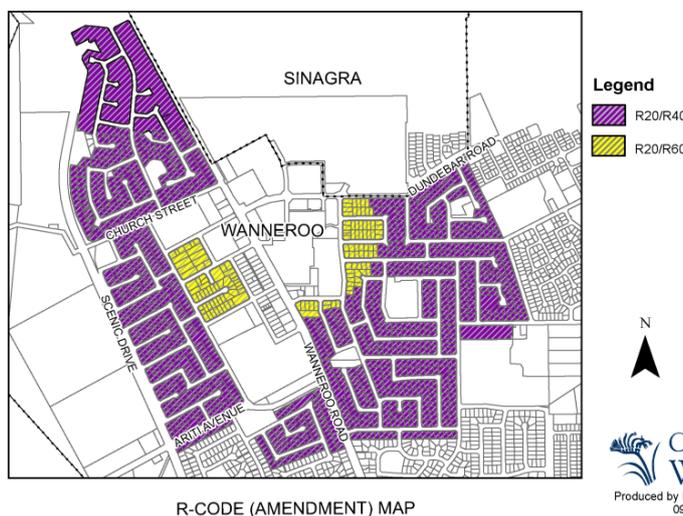
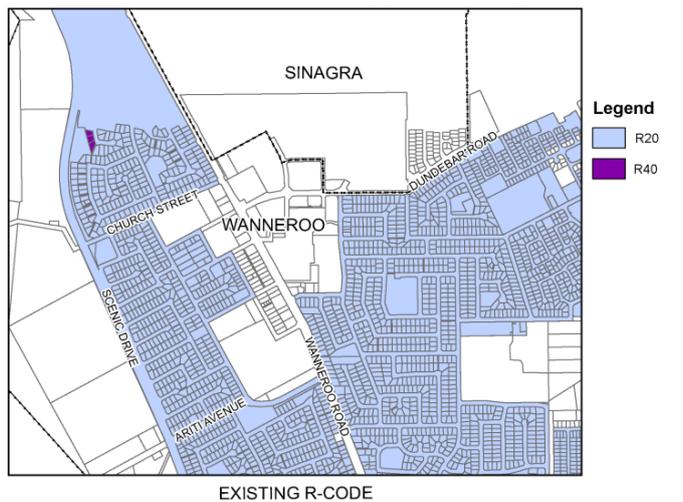
- (a) Subdivision of land with a split residential density code should not result in the need for additional crossovers to those already available to the development site.
- (b) In respect of applications for subdivision of land with a split residential density code, Council should recommend that—
 - i. A right of carriageway easement is established between the lots created to ensure that development has one consolidated vehicle access point; and
 - ii. A restrictive covenant is placed on the certificate(s) of title preventing vehicle access from the remainder of the lot(s).

4.5.6 For land with a split residential density code directly abutting Wanneroo Road or Mirrabooka Avenue, a Noise Management Plan shall be provided along with any subdivision application, or development application proposing grouped dwellings. The Noise Management Plan shall address the potential for road transport noise and recommend noise mitigation measures where appropriate.

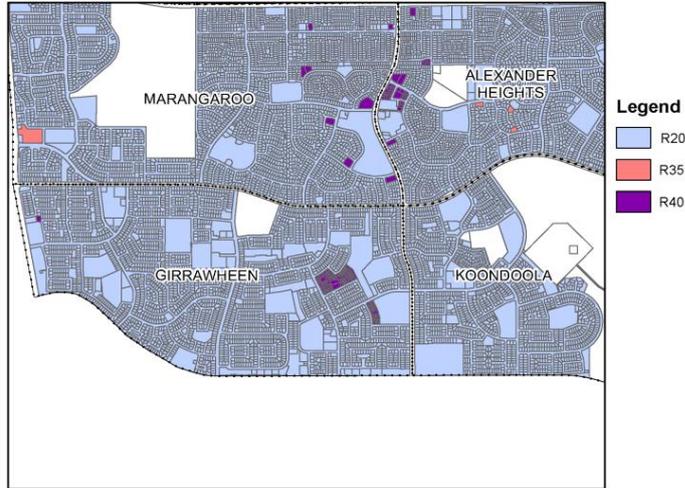
- (ii) Amending the scheme maps as depicted in Attachment 1.

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

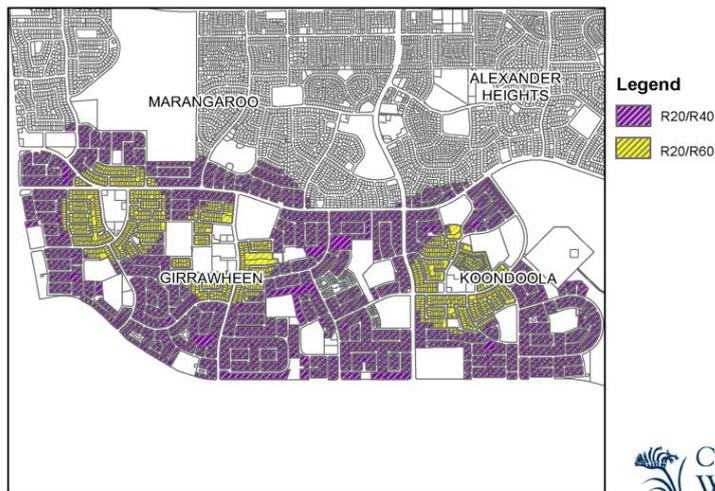
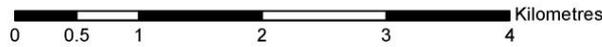
CITY OF WANNEROO
DISTRICT PLANNING SCHEME No. 2
AMENDMENT No. 119



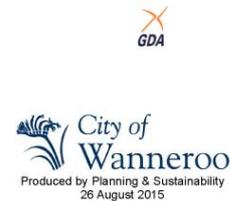
CITY OF WANNEROO
DISTRICT PLANNING SCHEME No. 2
AMENDMENT No. 119



EXISTING R-CODE



R-CODE (AMENDMENT) MAP



TREASURY AND FINANCE

TR401*

STATE SUPPLY COMMISSION ACT 1991
REVOCATION OF SUPPLY POLICIES

It is hereby notified for general information that, pursuant to section 28(3) of the *State Supply Commission Act 1991*, the State Supply Commission has revoked the following supply policy, effective from 2 May 2016—

- Open and Effective Competition
- Procurement Planning, Evaluation Reports and Contract Management
- Common Use Arrangements
- Glossary

Dated this 26th day of April 2016.

ANNE NOLAN, Chief Executive Officer.
State Supply Commission.

TR402***STATE SUPPLY COMMISSION ACT 1991****SUPPLY POLICIES**

It is hereby notified for general information that, pursuant to section 28(3) of the *State Supply Commission Act 1991*, the State Supply Commission has issued the following supply policies, which are effective from 2 May 2016—

- Open and Effective Competition
- Procurement Planning, Evaluation Reports and Contract Management
- Common Use Arrangements
- Glossary

Dated this 26th day of April 2016.

ANNE NOLAN, Chief Executive Officer.
State Supply Commission.

DECEASED ESTATES

ZX401***TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Notice to Creditors and Claimants and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates), in respect of the Estate of Glenys Archdeacon late of Hamersley Nursing Home, 441 Rokeby Road, Subiaco who died on 9th December, 2015, are required by the Executors, David Rees Archdeacon and Ross Bradley Archdeacon, to send to Solicitors for the Trustees, Templar Legal Pty Ltd, P.O. Box 8243, Subiaco, 6008, particulars of such claims within 30 days of this notice. After such date, the Executors may convey or distribute the assets of the Estate having regard only to the claims of which the Trustee then has notice.

ZX402***TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Jacqueline Ann Earl, late of 68 Darley Circle, Bull Creek, 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 deceased, who died on 27 April 2015, are required by the administrator Daniel Benjamin Warfield Earl of care of Murray Smith Solicitors, 7 Cable Cove, Mosman Park, Western Australia to send particulars of their claim to him by 3 June 2016 after which date the administrator may convey or distribute the assets, having regard only to the claims of which he then has notice.

ZX403***TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Indran Gavin Andrew Muthukumaraswamy, late of 7 Quebec Road, Woodbridge, 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 deceased, who died on the 7th April 2014, are required by the Administrator, Jean Maree Muthukumaraswamy, c/- Avon Legal, Suite 7, 9 The Avenue, Midland Western Australia 6056 to send particulars of their claims to her within 30 days of publication of this notice, after which date the Administrator 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

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 29 May 2016 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Coletti, Domenico, late of Sarah Hardy House, 222 Cammillo Road, Kelmscott, died 14.01.2016 (PM33027895 TM52)

Cottrell, Fay, late of 21 Lynas Way, Quinns Rocks, died 18.07.2015 (DE19973103 EM35)

Crococ, Marjory Joan, late of Coolibah Aged Care, 30 Third Avenue, Mandurah, died 27.01.2016 (DE19822332 EM36)

Davis, Lorraine Dorothy Cecelia, also known as Loraine Dorothy Digney, late of 24 Brownfield Drive, Swan View, died 4.01.2016 (DE19992802 EM35)

Devlin, Athol Winston, late of 3/9 Mathoura Street, Midland, died 30.07.2015 (PM31054414 TM53)

Fielder, Gerald Anthony, late of 15 Monaco Avenue, North Lake, died 21.01.2016 (DE33120501 EM23)

Hodson, Colin William, late of Aegis Woodlake, 40 Woodlake Retreat, Kingsley, formerly of Unit 90, 50 Woodlake Retreat, Kingsley, died 10.02.2016 (DE19900898 EM17)

Landquist, Alfred Stanislaw, late of Ocean Gardens Retirement Villa, Unit 137 60 Kalinda Drive, City Beach, died 13.03.2016 (DE19741542 EM213)

Moore, Valerie Ann, late of Unit 4 / 2 Paterson Street, Bayswater, died 21.03.2016 (DE19790208 EM32)

Mullally, Merinda Olive, late of Unit 5/ 21 Aldwych Way, Joondalup, died 4.04.2016 (DE19620718 EM16)

Oh, Kim Wee, late of 8 Wade Street, Perth, died 6.02.2016 (DE33057158 EM213)

Summerville, Una Erica, late of Bethanie Aged Care Facility, Unit 24 / 111 Eaton Drive, Eaton, died 7.03.2016 (DE19470663 EM36)

Taylor-Bunn, Helen, late of James Brown House, 171 Albert Street, Osborne Park, died 5.03.2016 (DE33032836 EM36)

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

ZX405***PUBLIC TRUSTEE ACT 1941****ADMINISTERING OF ESTATES**

Notice is hereby given that pursuant to Section 14 of the *Public Trustee Act 1941* and amendments the Public Trustee has elected to administer the estates of the undermentioned deceased persons.

Dated at Perth 29 April 2016.

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

Name of Deceased	Address	Date of Death	Date Election Filed
Donald James Talbot DE19820926 EM37	5 Allen Court, Bentley	10 December 2015	21 April 2016

PUBLIC NOTICES

ZZ401*

DISPOSAL OF UNCOLLECTED GOODS ACT 1970**DISPOSAL OF UNCOLLECTED GOODS**

Notice Under Part VI of Intention to Apply to Court for an Order to Sell or Otherwise Dispose of
Goods Valued in Excess of \$300

To: Christopher John Hazzard of 60 Gillam Drive, Kelmscott, Western Australia, bailor.

You were given notice on 20 October 2015 that the following goods: the vessel "WH Surveyor", registration EP830, situated on hardstand at Two Rocks Marina, Two Rocks, Western Australia was ready for redelivery.

Unless not more than one month after the date of the giving of this notice you either take redelivery of the goods or give directions for their redelivery, the Department of Transport, of care of Lawton Gillon, Level 11, 16 St Georges Terrace, Perth, Western Australia, bailee, intends to make an application to the Court for an order to sell or otherwise dispose of them in accordance with the Act

DEPARTMENT OF TRANSPORT c/o Lawton Gillon,
Level 11, 16 St Georges Terrace, Perth, WA 6000.
