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CONTENTS

PART 1

	Page
Attorney General Regulations Amendment (Associations Incorporation) Regulations 2016	5965
Building (s. 67 Exemption) Amendment Order 2016	5963
Central Regional TAFE By-laws (No. 2) 2016	5974
Corrective Services Regulations Amendment (Associations Incorporation) Regulations 2016	5967
Disability Services Amendment Regulations (No. 4) 2016	5970
Fair Trading (Retirement Villages Code) Amendment Regulations 2016	5964
Housing Amendment Regulations (No. 2) 2016.....	5968
Local Government (Mundaring and Swan - Change of Boundaries) Order 2016	5972
Local Government Regulations Amendment (Associations Incorporation) Regulations 2016	5969
North Metropolitan TAFE By-laws (No. 2) 2016.....	5978
North Regional TAFE By-laws (No. 2) 2016.....	5981
Shire of Woodanilling Repeal Local Law 2016	5973
South Metropolitan TAFE By-laws (No. 2) 2016.....	5985
South Regional TAFE By-laws (No. 2) 2016.....	5988

PART 2

Cemeteries.....	5992
Conservation	5993
Deceased Estates	6001
Energy	5994
Fire and Emergency Services.....	5994
Health.....	5995
Minerals and Petroleum	5996
Planning	5997
Premier and Cabinet.....	5999
Racing, Gaming and Liquor.....	6000
Treasury and Finance.....	6000
WorkCover.....	6001

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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2016 AND NEW YEAR HOLIDAY PERIOD 2017

Publishing Dates and Times	Closing Dates and Times for copy
Friday, 30 December 2016 at 12 noon	Wednesday, 28 December 2016 at 3 pm
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There will be no *Gazette* published for Tuesday, 3 January 2017.



— PART 1 —

COMMERCE

CM301

Building Act 2011

Building (s. 67 Exemption) Amendment Order 2016

Made by the Minister under section 67(2) of the Act.

1. Citation

This order is the *Building (s. 67 Exemption) Amendment 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. Order amended

This order amends the *Building (s. 67 Exemption) Order (No. 2) 2012*.

4. Clause 3 amended

In clause 3(b) delete “31 December 2016.” and insert:

31 December 2018.

M. MISCHIN, Minister for Commerce.

CONSUMER PROTECTION

CP301

Fair Trading Act 2010

**Fair Trading (Retirement Villages Code)
Amendment Regulations 2016**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Fair Trading (Retirement Villages Code) Amendment Regulations 2016*.

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 *Fair Trading (Retirement Villages Code) Regulations 2015*.

4. Schedule 1 clauses 24 and 26 amended

In Schedule 1 clauses 24(2)(c) and 26(13)(b) delete “*Associations Incorporation Act 1987*.” and insert:

Associations Incorporation Act 2015.

Note:

The boxed and shaded paragraph after Schedule 1 clause 25 is to be altered by deleting “*Associations Incorporation Act 1987*” and inserting:

Associations Incorporation Act 2015

R. NEILSON, Clerk of the Executive Council.

CP302

Criminal Procedure Act 2004
Fines, Penalties and Infringement Notices Enforcement Act 1994
Sentence Administration Act 2003
State Administrative Tribunal Act 2004

Attorney General Regulations Amendment (Associations Incorporation) Regulations 2016

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Attorney General Regulations Amendment (Associations Incorporation) Regulations 2016*.

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.

Part 2 — Criminal Procedure Regulations 2005 amended

3. Regulations amended

This Part amends the *Criminal Procedure Regulations 2005*.

4. Schedule 1A amended

In Schedule 1A delete “*Associations Incorporation Act 1987*” and insert:

Associations Incorporation Act 2015

Part 3 — Fines, Penalties and Infringement Notices Enforcement Regulations 1994 amended

5. Regulations amended

This Part amends the *Fines, Penalties and Infringement Notices Enforcement Regulations 1994*.

6. Schedule 1 amended

In Schedule 1 delete “*Associations Incorporation Act 1987*” and insert:

Associations Incorporation Act 2015

**Part 4 — Sentence Administration
Regulations 2003 amended****7. Regulations amended**

This Part amends the *Sentence Administration Regulations 2003*

8. Regulation 22 amended

In regulation 22(1)(b) delete “*Associations Incorporation Act 1987*; or” and insert:

Associations Incorporation Act 2015; or

**Part 5 — State Administrative Tribunal
Regulations 2004 amended****9. Regulations amended**

This Part amends the *State Administrative Tribunal Regulations 2004*.

10. Schedule 6 amended

In Schedule 6 delete “*Associations Incorporation Act 1987* s. 4(6), 7(2), 8(2), 9(3), 18(4) or 19(3)” and insert:

Associations Incorporation Act 2015 s. 170

R. NEILSON, Clerk of the Executive Council.

CP303

Court Security and Custodial Services Act 1999
Prisons Act 1981

Corrective Services Regulations Amendment (Associations Incorporation) Regulations 2016

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Corrective Services Regulations Amendment (Associations Incorporation) Regulations 2016*.

2. Commencement

These regulations come into operation as follows —

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

Part 2 — *Court Security and Custodial Services Regulations 1999* amended

3. Regulations amended

This Part amends the *Court Security and Custodial Services Regulations 1999*.

4. Regulation 10 amended

In regulation 10(3)(b) delete “*Associations Incorporation Act 1987*; or” and insert:

Associations Incorporation Act 2015; or

Part 3 — *Prisons Regulations 1982* amended

5. Regulations amended

This Part amends the *Prisons Regulations 1982*.

6. Regulation 37 amended

In regulation 37(1)(b) delete “*Associations Incorporation Act 1987*; or” and insert:

Associations Incorporation Act 2015; or

R. NEILSON, Clerk of the Executive Council.

CP304

Housing Act 1980

Housing Amendment Regulations (No. 2) 2016

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Housing Amendment Regulations (No. 2) 2016*.

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 *Housing Regulations 1980*.

4. Regulation 6A amended

In regulation 6A in the definition of *Aboriginal corporate entity* paragraph (b) delete “*Associations Incorporation Act 1987*” and insert:

Associations Incorporation Act 2015

R. NEILSON, Clerk of the Executive Council.

CP305

Local Government Act 1995

Local Government Regulations Amendment (Associations Incorporation) Regulations 2016

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Local Government Regulations Amendment (Associations Incorporation) Regulations 2016*.

2. Commencement

These regulations come into operation as follows —

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

Part 2 — *Local Government (Audit) Regulations 1996* amended

3. Regulations amended

This Part amends the *Local Government (Audit) Regulations 1996*.

4. Regulation 5 amended

In regulation 5(b) delete “*Associations Incorporation Act 1987*.” and insert:

Associations Incorporation Act 2015.

Part 3 — *Local Government (Functions and General) Regulations 1996* amended

5. Regulations amended

This Part amends the *Local Government (Functions and General) Regulations 1996*.

6. Regulation 32 amended

In regulation 32(1) delete “*Associations Incorporation Act 1987*” and insert:

Associations Incorporation Act 2015

R. NEILSON, Clerk of the Executive Council.

DISABILITY SERVICES

DX301

Disability Services Act 1993

Disability Services Amendment Regulations (No. 4) 2016

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Disability Services Amendment Regulations (No. 4) 2016*.

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 1 January 2017.

3. Regulations amended

These regulations amend the *Disability Services Regulations 2004*.

4. Regulation 11 amended

In regulation 11 before the 1st alphabetical definition insert:

2017 expansion area means the area constituted as at 1 January 2017 by the local government districts of Bayswater, Bassendean, Chittering, Toodyay, York and Northam;

5. Regulation 12 amended

- (1) In regulation 12(1) delete “area and the Ranges area” and insert:

area, the Ranges area and the 2017 expansion area
- (2) After regulation 12(4) insert:
- (5) For the purposes of section 26G(3) of the Act, the trial period for the 2017 expansion area begins on 1 January 2017 and ends on 30 June 2017.

6. Regulation 16 amended

- (1) In regulation 16(1):
 - (a) in paragraph (c) delete “area.” and insert:

area; or
 - (b) after paragraph (c) insert:
 - (d) on 1 January 2017 the person resides in the 2017 expansion area.
- (2) After regulation 16(2)(a)(iii) insert:
 - (iv) the person starts to reside in the 2017 expansion area at any time after 1 January 2017;
- (3) After regulation 16(3)(ba) insert:
 - (bb) the child is born after 1 January 2017, and at least one of the child’s birth parents who cares for that child resides in the 2017 expansion area on the day the child is born; or
- (4) After regulation 16(3)(da) insert:
 - (db) at a time after 1 January 2017, the child comes to be in the care of a person who has ongoing parental responsibility for that child and who has resided in the 2017 expansion area since 1 January 2017, and this will be the child’s place of residence; or

(5) In regulation 16(3)(e)(ii)(I) after “October 2016,” insert:

or in the 2017 expansion area after 1 January 2017,

R. NEILSON, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301

Local Government Act 1995

Local Government (Mundaring and Swan - Change of Boundaries) Order 2016

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

1. Citation

This order is the *Local Government (Mundaring and Swan - Change of Boundaries) 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 —

Authority has the meaning given in section 9.69(1) of the Act;
Deposited Plan, followed by a number, means the deposited plan of that number —

- (a) lodged with the Authority; and
- (b) certified by an authorised land officer, as defined in section 9.69(1) of the Act; and
- (c) available —
 - (i) in paper form at the Authority’s head office; and
 - (ii) in electronic form on the Authority’s official website.

4. District boundaries changed

- (1) The boundaries of the district of Mundaring are changed so that the district consists of the land delineated in red and coloured purple on Deposited Plan 410011 version 1.
- (2) The boundaries of the district of Swan are changed so that the district consists of the land delineated in red and coloured blue on Deposited Plan 410004 version 1.

5. Ward boundaries changed

- (1) The boundaries of the South Ward in the district of Mundaring are changed so that the ward consists of the land delineated in red and coloured orange on Deposited Plan 410019 version 1.
- (2) The boundaries of the Midland/Guildford Ward in the district of Swan are changed so that the ward consists of the land delineated in red and coloured blue on Deposited Plan 409998 version 1.

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

LG302

LOCAL GOVERNMENT ACT 1995

Shire of Woodanilling

REPEAL LOCAL LAW 2016

Preamble

Under the powers conferred by the *Local Government Act 1995*, and under all other powers enabling it, the Council of the Shire of Woodanilling resolved on 20 December 2016 to make the following local law.

PART 1—INTRODUCING MATTERS

1.1 Title

This Local Law may be cited as the *Shire of Woodanilling Repeal Local Law 2016*.

1.2 Content and Intent

- (1) This Local Law—
 - a. Provides for the repeal of obsolete Local Laws;
 - b. Identifies the obsolete Local Laws by giving their names, date they were first published in the *Government Gazette* and any date of subsequent amendments.
- (2) This Local Law is intended to result in—
 - a. More efficient and effective Local Government, by removing obsolete Local Laws.

PART 2—SUBSTANCE OF THIS LAW

2.1 Repeal

The following Local Laws are hereby repealed—

- *Woodanilling District Road Board—Special By-Laws re preparation of Special Roll and other matters for taking Vote of Owners in connection with Loans*—as published in the *Government Gazette* on 4 March 1921;
- *Woodanilling Road Board—To provide Restrictions as to Hawkers*—as published in the *Government Gazette* on 4 November 1921
- *Woodanilling Road Board—By-laws Governing Long Service Leave to be granted to Employees of the Woodanilling Road Board*—as published in the *Government Gazette* on 8 February 1952

- *Woodanilling Road Board—General By-laws—Straying Stock*—as published in the *Government Gazette* on 4 November 1955
- *The Municipality of the Shire of Woodanilling—Adoption of Draft Model By-law Relating to Removal and Disposal of Obstructing Animals and Vehicles*—as published in the *Government Gazette* on 8 January 1964
- *The Municipality of the Shire of Woodanilling—Adoption of Draft Model By-Law Relating to Prevention of Damage to Streets*—as published in the *Government Gazette* on 10 June 1965
- *The Municipality of the Shire of Woodanilling—By-Laws Relating to the Control and Management of Halls, Equipment and Property under the Control of Council*—as published in the *Government Gazette* on 27 August 1968
- *Shire of Woodanilling—Bylaw Relating to the Speed of Vehicles Driven on Land which is vested in or under the Control, Care or Management of the Council of the Shire of Woodanilling*—as published in the *Government Gazette* on 28 September 1979
- *Shire of Woodanilling—By-laws Relating to Pest Plants*—as published in the *Government Gazette* on 3 August 1984

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

Cr H. RUSSEL THOMSON, Shire President.
Ms BELINDA KNIGHT, Chief Executive Officer.

Dated: 20 December 2016.

TRAINING

TA301

VOCATIONAL EDUCATION AND TRAINING ACT 1996

CENTRAL REGIONAL TAFE BY-LAWS (NO. 2) 2016

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

PART 1—PRELIMINARY

Citation

1. These by-laws may be cited as the *Central Regional TAFE By-laws (No. 2) 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 Central 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.

5. The *Central Regional TAFE By-laws 2016* published in the *Government Gazette* on 6 May 2016 are hereby repealed.

PART 2—GENERAL

Hours of business

6. (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

7. (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 7(1) commits an offence.

Authorised Persons

8. 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

9. 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

10. (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

11. 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**

12. (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

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

Dishonest conduct

14. 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

15. (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 15(1) commits an offence.

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

16. 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

17. (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

18. (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**

19. 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

20. (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 20(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 20 (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 20(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) An enrolled student may appeal any decision made in reference to them under by-law 20 to the student appeals committee within 28 days after having been made aware of that decision.

(7) The student appeal process committee shall comprise the following persons who must be approved in writing by the chairperson of the governing council or the managing director—

- a. an executive member of the college or senior member of staff who will be the chairperson;
- b. a governing council member or representative industry member; and
- c. one enrolled student nominated by the student association or an independent community member.

Relevant cultural sensitivities should be considered when forming the student appeals committee from time to time.

(8) A member of the student appeals committee may not hear or determine an appeal if, in respect to that member, the appeal and the student concerned, there is or is likely to be an actual or perceived bias or conflict of interest.

(9) During the appeals process, any decision, the subject of the appeal, is hereby stayed.

(10) If the appellant student has a recognised disability, the chairperson of the student appeals committee may seek guidance and advice as required. If it is known that the appellant student has an advocate, the advocate will be contacted to assist in relation to the hearing of the appeal.

(11) Nothing in the preceding provisions of by-law 20 removes or lessens the right of an enrolled student to appeal or seek the judicial or administrative review of any decision made under this by-law 20 in any court or tribunal of appropriate jurisdiction.

TA302**VOCATIONAL EDUCATION AND TRAINING ACT 1996****NORTH METROPOLITAN TAFE BY-LAWS (NO. 2) 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 (No. 2) 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.

5. The *North Metropolitan TAFE By-laws 2016* published in the *Government Gazette* on 29 April 2016 are hereby repealed.

PART 2—GENERAL**Hours of business**

6. (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

7. (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 7(1) commits an offence.

Authorised Persons

8. 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

9. 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

10. (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

11. 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

12. (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

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

Dishonest conduct

14. 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

15. (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 15(1) commits an offence.

PART 5—CONTROL OF TRAFFIC

Object of this Part

16. 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

17. (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

18. (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

19. 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

20. (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 20(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 20 (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 20(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) An enrolled student may appeal any decision made in reference to them under by-law 20 to the student appeals committee within 28 days after having been made aware of that decision.
- (7) The student appeal process committee shall comprise the following persons who must be approved in writing by the chairperson of the governing council or the managing director—
- a. an executive member of the college or senior member of staff who will be the chairperson;
 - b. a governing council member or representative industry member; and
 - c. one enrolled student nominated by the student association or an independent community member.
- Relevant cultural sensitivities should be considered when forming the student appeals committee from time to time.
- (8) A member of the student appeals committee may not hear or determine an appeal if, in respect to that member, the appeal and the student concerned, there is or is likely to be an actual or perceived bias or conflict of interest.
- (9) During the appeals process, any decision, the subject of the appeal, is hereby stayed.
- (10) If the appellant student has a recognised disability, the chairperson of the student appeals committee may seek guidance and advice as required. If it is known that the appellant student has an advocate, the advocate will be contacted to assist in relation to the hearing of the appeal.
- (11) Nothing in the preceding provisions of by-law 20 removes or lessens the right of an enrolled student to appeal or seek the judicial or administrative review of any decision made under this by-law 20 in any court or tribunal of appropriate jurisdiction.

TA303

VOCATIONAL EDUCATION AND TRAINING ACT 1996 NORTH REGIONAL TAFE BY-LAWS (NO. 2) 2016

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

PART 1—PRELIMINARY

Citation

1. These by-laws may be cited as the *North Regional TAFE By-laws (No. 2) 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 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.

5. The *North Regional TAFE By-laws 2016* published in the *Government Gazette* on 6 May 2016 are hereby repealed.

PART 2—GENERAL

Hours of business

6. (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

7. (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 7(1) commits an offence.

Authorised Persons

8. 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

9. 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

10. (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

11. 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**

12. (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

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

Dishonest conduct

14. 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

15. (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 15(1) commits an offence.

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

16. 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

17. (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

18. (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**

19. 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

20. (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 20(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 20 (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 20(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) An enrolled student may appeal any decision made in reference to them under by-law 20 to the student appeals committee within 28 days after having been made aware of that decision.

(7) The student appeal process committee shall comprise the following persons who must be approved in writing by the chairperson of the governing council or the managing director—

- a. an executive member of the college or senior member of staff who will be the chairperson;
- b. a governing council member or representative industry member; and
- c. one enrolled student nominated by the student association or an independent community member.

Relevant cultural sensitivities should be considered when forming the student appeals committee from time to time.

(8) A member of the student appeals committee may not hear or determine an appeal if, in respect to that member, the appeal and the student concerned, there is or is likely to be an actual or perceived bias or conflict of interest.

(9) During the appeals process, any decision, the subject of the appeal, is hereby stayed.

(10) If the appellant student has a recognised disability, the chairperson of the student appeals committee may seek guidance and advice as required. If it is known that the appellant student has an advocate, the advocate will be contacted to assist in relation to the hearing of the appeal.

(11) Nothing in the preceding provisions of by-law 20 removes or lessens the right of an enrolled student to appeal or seek the judicial or administrative review of any decision made under this by-law 20 in any court or tribunal of appropriate jurisdiction.

TA304**VOCATIONAL EDUCATION AND TRAINING ACT 1996****SOUTH METROPOLITAN TAFE BY-LAWS (NO. 2) 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 (No. 2) 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

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

5. The *South Metropolitan TAFE By-laws 2016* published in the *Government Gazette* on 29 April 2016 are hereby repealed.

PART 2—GENERAL**Hours of business**

6. (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

7. (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 7(1) commits an offence.

Authorised Persons

8. 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

9. The functions of the student associations are to—

- (a) further the common interest of the enrolled students;
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- (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

10. (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

11. 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

12. (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

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

Dishonest conduct

14. 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

15. (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 15(1) commits an offence.

PART 5—CONTROL OF TRAFFIC

Object of this Part

16. 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

17. (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

18. (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

19. 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

20. (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 20(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 20 (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 20(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) An enrolled student may appeal any decision made in reference to them under by-law 20 to the student appeals committee within 28 days after having been made aware of that decision.
- (7) The student appeal process committee shall comprise the following persons who must be approved in writing by the chairperson of the governing council or the managing director—
- a. an executive member of the college or senior member of staff who will be the chairperson;
 - b. a governing council member or representative industry member; and
 - c. one enrolled student nominated by the student association or an independent community member.
- Relevant cultural sensitivities should be considered when forming the student appeals committee from time to time.
- (8) A member of the student appeals committee may not hear or determine an appeal if, in respect to that member, the appeal and the student concerned, there is or is likely to be an actual or perceived bias or conflict of interest.
- (9) During the appeals process, any decision, the subject of the appeal, is hereby stayed.
- (10) If the appellant student has a recognised disability, the chairperson of the student appeals committee may seek guidance and advice as required. If it is known that the appellant student has an advocate, the advocate will be contacted to assist in relation to the hearing of the appeal.
- (11) Nothing in the preceding provisions of by-law 20 removes or lessens the right of an enrolled student to appeal or seek the judicial or administrative review of any decision made under this by-law 20 in any court or tribunal of appropriate jurisdiction.

TA305

VOCATIONAL EDUCATION AND TRAINING ACT 1996

SOUTH REGIONAL TAFE BY-LAWS (NO. 2) 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 (No. 2) 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.

5. The *South Regional TAFE By-laws 2016* published in the *Government Gazette* on 29 April 2016 are hereby repealed.

PART 2—GENERAL

Hours of business

6. (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

7. (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 7(1) commits an offence.

Authorised Persons

8. 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

9. 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

10. (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

11. 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**

12. (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

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

Dishonest conduct

14. 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

15. (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 15(1) commits an offence.

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

16. 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

17. (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

18. (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**

19. 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

20. (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 20(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 20 (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 20(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) An enrolled student may appeal any decision made in reference to them under by-law 20 to the student appeals committee within 28 days after having been made aware of that decision.

(7) The student appeal process committee shall comprise the following persons who must be approved in writing by the chairperson of the governing council or the managing director—

- a. an executive member of the college or senior member of staff who will be the chairperson;
- b. a governing council member or representative industry member; and
- c. one enrolled student nominated by the student association or an independent community member.

Relevant cultural sensitivities should be considered when forming the student appeals committee from time to time.

(8) A member of the student appeals committee may not hear or determine an appeal if, in respect to that member, the appeal and the student concerned, there is or is likely to be an actual or perceived bias or conflict of interest.

(9) During the appeals process, any decision, the subject of the appeal, is hereby stayed.

(10) If the appellant student has a recognised disability, the chairperson of the student appeals committee may seek guidance and advice as required. If it is known that the appellant student has an advocate, the advocate will be contacted to assist in relation to the hearing of the appeal.

(11) Nothing in the preceding provisions of by-law 20 removes or lessens the right of an enrolled student to appeal or seek the judicial or administrative review of any decision made under this by-law 20 in any court or tribunal of appropriate jurisdiction.

— PART 2 —

CEMETERIES

CE401

CEMETERIES ACT 1986

Shire of Woodanilling

FEES AND CHARGES

In pursuance of the powers conferred upon it by section 53 of the *Cemeteries Act 1986*, the Shire of Woodanilling hereby records having resolved on the 20th day of December 2016 to set the following fees and charges effective 14 days after this notice. The fees and charges shall be payable upon application for services detailed hereunder.

Schedule of Fees and Charges

All fees and charges are inclusive of 10% GST (except where shown exempt)

Right of Burial (Reservation of Plot)

Form of Grant of Right of Burial

Right of Burial—25 years	\$100.00
Right of Burial—Renewal	\$50.00
Right of Burial—Transfer	\$50.00

Land for Graves

Land 2.4m x 1.2m	\$490.00
Land 2.4m x 2.4m	\$980.00

Interment Fees (Sinking Fees)

Ordinary Adult Grave	\$820.00
Ordinary Child Grave (under 12 years)	\$540.00
Hand dug grave to 1.8m	\$1,320.00
Grave to be sunk deeper than 1.8m (max 2.4m) — Machine or hand dug per additional 300mm or part thereof (Min \$230)	\$230.00
Stillborn Child Grave	\$405.00
Reopening Fees for interment in existing grave	\$1,610.00
Placement of ashes in family grave (300mm depth)	\$230.00

Re-opening Fees for Exhumation

Service not offered—contact Metropolitan Cemeteries Board for details.....	N/A
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Additional Cemetery Charges

Interment without due notice (2 days)	\$440.00
Interment not in usual working hours	
— Monday to Friday	\$275.00
— Saturdays, Sundays and Public Holidays	\$525.00
Hire of equipment (wheelbarrow and shovels for filling in grave)	Free
— Refundable bond on hire of Equipment	\$100.00

Niche Wall Charges

Double Niche	\$340.00
Double Niche—pre-need purchase	\$170.00
Double Niche—re-open	\$170.00
Single Niche	\$250.00
Single Niche—pre-need purchase	\$125.00
Attendance of placement of ashes	\$80.00

Memorial Plaques

Administration Fees to arrange—	
— Single Memorial Plaque with Standard Inscription	\$70.00
— Double Memorial Plaque with Standard Inscription	\$70.00
— Second Inscription on Double memorial Plaque	\$70.00

Note: Cost of Freight and the Plaque shall be paid by the purchaser.

Cemetery Licences

Licence to erect a Headstone and/or kerbing	\$40.00
Licence to erect a Monument	\$40.00
Licence to erect a Nameplate	\$40.00
Funeral Directors Single Licence for one Internment	\$100.00
Funeral Directors Annual Licence Fee	\$295.00

B. KNIGHT, Chief Executive Officer.

CONSERVATION

CO401

WILDLIFE CONSERVATION ACT 1950**WILDLIFE CONSERVATION (RESTRICTED OPEN SEASON FOR WILD DUCKS
CAUSING DAMAGE) NOTICE 2016**

Made by the Minister under section 14.

Citation

1. This notice may be cited as the *Wildlife Conservation (Restricted Open Season for Wild Ducks Causing Damage) Notice 2016*.

Interpretation

2. In this notice—

“managed farmland” means land wholly or principally used for agriculture, horticulture, grazing, dairying, viticulture, or other similar farming purposes;

“local government” has the same meaning as in the *Local Government Act 1995*;

“Perth Metropolitan Region” means the metropolitan region as defined in Schedule 3 of the *Planning and Development Act 2005* and the local government area of the City of Mandurah;

“South-west Division” and “Eucla Division” mean those areas of the State defined in section 6 (Schedule 1) of the *Land Administration Act 1997*.

“restricted open season area” means the South-west Division and the Eucla Division, excluding the local governments within the Perth Metropolitan Region;

“wild duck” means fauna listed in Schedule 1.

Declaration of a restricted open season

3. Subject to clauses 4, 5 and 6 an open season is declared in respect of the fauna listed in Schedule 1 in the restricted open season area for the periods—

1 January 2017 to 30 June 2017;

1 January 2018 to 30 June 2018;

1 January 2019 to 30 June 2019;

1 January 2020 to 30 June 2020; and

1 January 2021 to 30 June 2021.

Restrictions on taking wild ducks

4. (1) Wild ducks may be taken only—

(a) by a person (or person’s nominated agent or nominated shooter) on managed farmland or other damaged land that the person owns or occupies;

(b) in the case of managed farmland, when the wild ducks are causing damage, or when reasonably expected to cause damage, to that land;

(c) in the case of other damaged land, when authorized by a wildlife officer;

(d) by means of a 12 gauge shotgun in respect of which the person holds a licence or permit under the *Firearms Act 1973*; and

(e) between the hours of sunrise and sunset.

(2) In subclause (1)—

“other damaged land” means land which a wildlife officer has inspected and considers to be significantly damaged by wild ducks;

“nominated agent” means a person who is the owner or occupier of land adjacent to the land on which the wild ducks are to be taken, who has the verbal approval of the owner of that land to take wild ducks;

“nominated shooter” means one of up to 3 persons who is—

(a) nominated in writing for a specified period by the owner or occupier of the managed farmland or other damaged land; and

(b) approved by a wildlife officer.

(3) A nominated shooter shall carry evidence of his nomination by the owner or occupier at all times when on the land for the purpose of taking wild ducks or when transporting wild ducks taken.

Further restrictions on taking wild ducks

5. (1) A person shall not take or attempt to take a wild duck unless it can be positively identified as a species of wild duck listed in Schedule 1.

(2) A person shall not take or attempt to take a fledgling or an egg of a species of wild duck listed in Schedule 1.

(3) A person shall not—

(a) shoot over or from—

(i) any land or waters outside the restricted open season area; or

(ii) any Crown land or waters vested in the Crown; or

- (b) flush, drive or otherwise induce wild ducks from—
 (i) any land or waters outside the restricted open season area; or
 (ii) any Crown land or waters vested in the Crown,

in order to take or attempt to take wild ducks in accordance with this notice.

(4) A person shall not take a wild duck for the purpose of sale, aviculture or keeping in captivity.

(5) A person shall not possess or transport a wild duck unless at least one fully feathered wing is attached to the wild duck.

Damage licence may be required to take wild ducks on certain land

6. (1) After inspecting any land, a wildlife officer may prohibit the taking of wild ducks on that land.

(2) If the taking of wild ducks on land is prohibited under subclause (1), a person may only take wild ducks on that land under the authority of a damage licence issued under the *Wildlife Conservation Regulations 1970*.

Repeal of notice

7. The notice made by the Minister under section 14 of the Act and published in the *Government Gazette* on 18 November 2011, at p. 4827-4828, is repealed.

SCHEDULE 1

WILD DUCKS TO WHICH THE RESTRICTED OPEN SEASON APPLIES

Australian Shelduck (Mountain Duck) (*Tadorna tadornoides*)

Maned Duck (Maned Goose or Wood Duck) (*Chenonetta jubata*)

Hon ALBERT JACOB MLA, Minister for Environment.

ENERGY

EN401

ELECTRICITY INDUSTRY ACT 2004

GRANT OF LICENCE

Notice is given that the following Electricity Retail Licence has been granted—

Licensee:	Change Energy Pty Ltd ABN 63 610 674 881
Classification:	Electricity Retail Licence (ERL25, Version 1)
Commencement Date:	16 December 2016
Term of Licence:	Up to and including 15 December 2031
Licence Area:	The licence area is the area as set out in plans ERA-EL-145 in the State of Western Australia.
Inspection of Licence:	Economic Regulation Authority 4th Floor, Albert Facey House 469 Wellington Street PERTH WA 6000 http://www.erawa.com.au

Ms NICOLA CUSWORTH, Chair.
Economic Regulation Authority.

FIRE AND EMERGENCY SERVICES

FE401

BUSH FIRES ACT 1954

TOTAL FIRE BAN DECLARATION

Correspondence No. 12080

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Assistant Commissioner of the Department of Fire and Emergency Services, declared under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 20 December 2016 for the local government districts of—

Greater Geraldton, Chapman Valley, Northampton, Carnamah, Coorow, Dandaragan, Irwin

DARREN KLEMM, Assistant Commissioner of the
Department of Fire and Emergency Services, as
a sub-delegate of the Minister under section 16
of the *Fire and Emergency Services Act 1998*.

Dated: 20 December 2016.

HEALTH

HE401

HEALTH SERVICES (QUALITY IMPROVEMENT) ACT 1994
HEALTH SERVICES (QUALITY IMPROVEMENT) (APPROVED COMMITTEE)
ORDER (NO. 8) 2016

Made by the Director General of Health (as the delegate of the Minister for Health) pursuant to section 7(1) of the *Health Services (Quality Improvement) Act 1994*.

Citation

1. This order may be cited as the *Health Services (Quality Improvement) (Approved Committee) Order (No. 8) 2016*.

Commencement

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

Committee

3. The Clinical Review Committee established by the Perth Clinic Board of Directors is declared to be an approved quality improvement committee for the purposes of the *Health Services (Quality Improvement) Act 1994*.

Expiry of order

4. This order expires three years after its commencement.

Revocation of order

5. The *Health Services (Quality Improvement) (Approved Committee) Order (No. 3) 2014** is revoked. [**Published in Gazette 12 December 2014, p.4746*]

Dated this 13th day of December 2016.

Dr DAVID RUSSELL-WEISZ, Director General of Health.

HE402

MENTAL HEALTH ACT 2014
MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS)
ORDER (NO. 9) 2016

Made by the Chief Psychiatrist under section 539 of the *Mental Health Act 2014*;

1. Citation

This order may be cited as the *Mental Health (Authorised Mental Health Practitioners) Order (No. 9) 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) clause 3—on the day after that day.

3. Authorised Mental Health Practitioner

The mental health practitioners specified in Schedule 1 to this order are designated as Authorised Mental Health Practitioners.

SCHEDULE 1

Name	Profession
Alexander, Margaret	Registered Nurse
Dmello, Ayinash	Registered Nurse
Dyson, Leanne	Registered Nurse
Gibbs, Jenine,	Registered Nurse
Gungiah, Ravin	Registered Nurse
Hill, Sarah	Registered Nurse
Kiely, Daniel	Registered Nurse

Name	Profession
Lavery, Stevi	Registered Nurse
Mears, Victoria	Social Worker
NiMhealoid, Aine	Social Worker
O'Connor, Paula	Registered Nurse
O'Shea, Veronica	Registered Nurse
Sebastian, Mathews	Social Worker
Smith, Jennifer	Registered Nurse
Taylor, Mark	Registered Nurse
Wollan, Andrew	Registered Nurse

Dr NATHAN GIBSON, Chief Psychiatrist.

23 December 2016.

HE403

HEALTH SERVICES (QUALITY IMPROVEMENT) ACT 1994
HEALTH SERVICES (QUALITY IMPROVEMENT) (APPROVED COMMITTEE)
ORDER (NO. 5) 2016

Made by the Director General of Health (as the delegate of the Minister for Health) pursuant to section 7(1) of the *Health Services (Quality Improvement) Act 1994*.

Citation

1. This order may be cited as the *Health Services (Quality Improvement) (Approved Committee) Order (No. 5) 2016*.

Commencement

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

Committee

3. The Anaesthetics Quality Committee established by St John of God Bunbury Hospital Board of Directors is an approved quality improvement committee for the purposes of the *Health Services (Quality Improvement) Act 1994*.

Expiry of order

4. This order expires three years after its commencement.

Revocation of order

5. The *Health Services (Quality Improvement) (Approved Committee) Order (No. 1) 2016** is revoked. [**Published in Gazette 12 February 2016, p.386*]

Dated this 21st day of December 2016.

Dr DAVID RUSSELL-WEISZ, Director General of Health.

MINERALS AND PETROLEUM

MP401

PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967
CANCELLATION OF PETROLEUM EXPLORATION PERMIT EP 468

The cancellation of petroleum exploration permit EP 468, held by Officer Petroleum Pty Ltd, will take effect on the date this notice appears in the *Government Gazette*.

DENIS WILLS, Acting Executive Director, Petroleum Division,
Department of Mines and Petroleum.

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT*City of Gosnells*

Local Planning Scheme No. 6—Amendment No. 165

Ref: TPS/1879

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 Gosnells Local Planning Scheme amendment on 12 December 2016 for the purpose of—

1. Rezoning land contained generally within Precinct 3A of the Maddington Kenwick Strategic Employment Area from General Rural to General Industry.
2. Establishing a Special Control Area generally over Precinct 3A of the Maddington Kenwick Strategic Employment Area and inserting the associated provisions into the Scheme text—
 - (a) Inserting a new provision (i) in Clause 6.1.1 as follows—
 - (i) Maddington Kenwick Strategic Employment Area—Precinct 3A—subject to structure planning.
 - (b) Inserting a new Clause 6.10 as follows—

**6.10 MADDINGTON KENWICK STRATEGIC EMPLOYMENT AREA
PRECINCT 3A**

- 6.10.1 Prior to subdivision or development being undertaken within the Maddington Kenwick Strategic Employment Area Precinct 3A Special Control Area a structure plan, or plans, will be required to be prepared and approved over all or part of the Special Control Area for the purpose of Schedule 2 Part 4 clause 15(a)(ii) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 6.10.2 Notwithstanding Table 1, the use class of 'Warehouse' as defined in Schedule 1 is designated as a 'P' use within the Special Control Area for the purpose of clause 4.3.
- 6.10.3 To ensure the identification and protection of significant environmental values within and adjacent to the amendment area, the following information is required to accompany Structure(s) Plan (or subdivision/development applications where a Structure Plan is not required) where planning has the potential to impact significant environmental values.
 - 6.10.3.1 Investigations to determine the water balance and buffer requirements for occurrences of the Threatened Ecological Community and wetland identified as UFI 7635 in the Geomorphic Wetlands Swan Coastal Plain dataset occurring adjacent to the Amendment area, prepared on advice by the Department of Parks and Wildlife and to the satisfaction of the Environmental Protection Authority.
 - 6.10.3.2 A boundary definition study for wetland UFI 7635 prepared on advice by and to the satisfaction of Department of Parks and Wildlife.
 - 6.10.3.3 Local Water Management Strategy(s) informed by the outcomes of the water balance and buffer investigations (where there are potential impacts to significant environmental values) prepared on advice of Department of Parks and Wildlife and responsible authority, to the satisfaction of the Department of Water.
 - 6.10.3.4 Investigations to examine the occurrences of Eucalyptus gomphocephala (Tuart) potentially occurring on Muchea Limestone near Coldwell Road to enable assessment of their significance, prepared on advice of and, to the satisfaction of the Environmental Protection Authority.
- 6.10.4 To ensure management of the significant environmental values within and adjacent to the Special Control Area, the following information is required to accompany subdivision and development applications—
 - 6.10.4.1 Detailed Vegetation, Wetland and/or Buffer Management Plans for wetland UFI 7635 and occurrences of Threatened Ecological Communities, Declared Rare and Priority Flora and retained areas of significant vegetation including Declared Rare and Priority Flora (where applicable), on advice from Department of Parks and Wildlife and to the satisfaction of the responsible authority.

O. SEARLE, Mayor.

I. COWIE, Chief Executive Officer.

PL402

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Kalamunda

Local Planning Scheme No. 3—Amendment No. 74

Ref: TPS/1489

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 Kalamunda Local Planning Scheme amendment on 30 November 2016 for the purpose of—

1. Amending Table One—Zoning Table to include the uses classes Multiple Dwellings and Single Bedroom Dwellings in the following manner—

Use Classes	District Centre	Commercial	Mixed Use	Residential	Residential Bushland	Light Industry	General Industry	Service Station	Private Clubs and Inst.	Special Rural	Rural Composite	Rural Agriculture	Rural Landscape Interest	Rural Conservation	Industrial Development
Multiple Dwellings	D	D	D	D	X	X	X	X	X	X	X	X	X	X	X
Single Bedroom Dwellings	D	D	D	D	D	X	X	X	X	X	X	X	X	X	X

2. Amending Table One—Zoning Table to replace the ‘S’ with ‘D’ in the Private Clubs and Institutions zone for the Aged/Dependent Dwellings use class.
3. Replacing the existing provisions under clause 5.3 Special Applications of Residential Design Codes with the following—
 - 5.3.1 Consideration will be given to applications for Aged or Dependent Persons’ Dwellings where less than 5 dwellings are proposed in a single development.
 - 5.3.2 Consideration will not be given to applications proposing a variation to the minimum open space requirement stipulated under Tables 1 and 4 of the Residential Design Codes, unless otherwise provided for in an adopted local development plan.
4. Deleting clause 5.4 Special Applications for the Subdivision of Land and renumbering the subsequent clauses and subclauses.
5. Amending clause 5.18 to—
 - a. replace the words ‘Keeping of Animals’ with ‘Rural Pursuit’ in the title; and
 - b. delete the words ‘and Residential Bushland’ from subclause 5.18.1 (iii).
6. Amending the Table of Contents accordingly.
7. Replacing the words clause 5.18 ‘Keeping of Animals’ with clause 5.18 ‘Rural Pursuit’ in clauses 5.10.2 (ii), 5.11.2 (ii) and 5.14.2 (vii).
8. Renumbering the subclauses of clause 5.23 Unkempt Land from ‘iv, v, vi,’ to ‘5.23.1, 5.23.2, 5.23.3’ respectively.
9. Amending Table One—Zoning Table to replace ‘Ancillary Accommodation’ with ‘Ancillary Dwelling’ and deleting the definition for ‘Ancillary Accommodation’ from Schedule 1—Land Use Definitions and inserting the following definition in correct alphabetical order.

“**ancillary dwelling**” has the same meaning given to the term in the Residential Design Codes.
10. Replacing the ‘home store’ definition in Schedule 1—Land Use Definitions with the following—

“**home store**” means a shop attached to a dwelling that—

 - (a) has a net lettable area not exceeding 100m²; and
 - (b) is operated by a person residing in the dwelling.
11. Replacing the ‘rural pursuit’ definition in Schedule 1—Land Use Definitions with the following—

“**rural pursuit/hobby farm**” means any premises, other than premises used for agriculture—extensive or agriculture—intensive, that are used by an occupier of the premises to carry out any of the following activities if carrying out of the activity does not involve permanently employing a person who is not a member of the occupier’s household—

 - (a) the rearing, agistment, stabling or training of animals.

- (b) the keeping of bees.
- (c) the sale of produce grown solely on the premises.
12. Inserting the following definitions in correct alphabetical order in Schedule 1—Land Use Definitions—
- “**grouped dwelling**” has the same meaning given to the term in the Residential Design Codes.
- “multiple dwelling” has the same meaning given to the term in the Residential Design Codes.
- “**single bedroom dwelling**” has the same meaning given to the term in the Residential Design Codes.
13. Amending Schedule 2—Additional Uses in the following manner—
- Renumber item ‘A 21’—80 Dodd Road, Bickley (Lot 200) to ‘A 52’.
 - Renumber item A 49’—Lot 7 (25) and 4255 (29) Lewis road, Wattle Grove to ‘A 53’.
 - Renumber item ‘51’—Lot 213 (28) Lewis Road, Wattle Grove to ‘A 54’.
14. Amending Schedule 2—Additional Uses Item ‘A 38’ to replace ‘268 Kalamunda Road, Maida Vale Lot 60’, with ‘266 Kalamunda Road, Maida Vale Lot 60’.
15. Amending Schedule 10—Environmental Conditions to replace the words ‘clause 5.6.1’ with ‘clause 5.7.1’.
16. Amending the zoning map to—
- reclassify Lot 200 (80) Dodd Road, Bickley from ‘A 21’ to ‘A 52’.
 - reclassify Lot 7 (25) and 4255 (29) Lewis Road, Wattle Grove from ‘A 49’ to ‘A 53; and
 - reclassify Lot 213 (28) Lewis Road, Wattle Grove from ‘51’ to ‘A 54’.
17. Amending Schedule 4—Special Use Zones to renumber items ‘SU 7’ to ‘SU 18’ inclusive as set out below in order to accord with the Scheme mapping—

Existing Number	Amended Number
‘SU 7’	‘SU 8’
‘SU 8’	‘SU 9’
‘SU 9’	‘SU 10’
‘SU 10’	‘SU 11’
‘SU 11’	‘SU 12’
‘SU 12’	‘SU 13’
‘SU 13’	‘SU 14’
‘SU 14’	‘SU 15’
‘SU 15’	‘SU 16’
‘SU 16’	‘SU 17’
‘SU 17’	‘SU 18’
‘SU 18’	‘SU 19’

A. WADDELL, President.
R. HARDY, 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 12(c) of the *Interpretation Act 1984* has approved the following temporary appointment—

Hon J. H. D. Day MLA to act temporarily in the office of Minister for Police; Road Safety; Training and Workforce Development; Women’s Interests in the absence of the Hon L. M. Harvey MLA for the period 28 December 2016 to 3 January 2017 (both dates inclusive).

D. SMITH, A/Director General,
Department of the Premier and Cabinet.

RACING, GAMING AND LIQUOR

RA401

LIQUOR CONTROL ACT 1988**LIQUOR APPLICATIONS**

The following are applications received under the *Liquor Control Act 1988 (the Act)* and required to be advertised.

Any person wishing to obtain more details about any application, or about the objection process, should contact the Department of Racing, Gaming and Liquor, 1st Floor, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
A000201751	Perth Royals Football Club Inc	Application for the grant of a Club Restricted licence in respect of premises situated in Lathlain and known as Perth Royals Football Club Inc.	22/01/2017
A000218875	Beach Road Deli Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Rockingham and known as Kent Street Deli.	6/01/2017
A000221414	This Little Piggy Food Co. Pty Ltd	Application for the grant of a Small Bar licence in respect of premises situated in North Fremantle and known as Piggy Food Co.	18/01/2017
APPLICATION TO ADD, VARY OR CANCEL A CONDITION OF LICENCE			
A000215228	Moore Enterprises Aust Pty Ltd	Application to add/vary/cancel a condition of a Small Bar licence in respect of premises situated in Perth and known as La Casa Sinti Whiskey Bar & Cafe.	6/01/2016

This notice is published under section 67(5) of the Act.

B. A. SARGEANT, Director of Liquor Licensing.

Dated: 23 December 2016.

TREASURY AND FINANCE

TR401

STATE SUPERANNUATION REGULATIONS 2001**ELECTED MEMBER DIRECTOR**

Department of Treasury,
David Malcolm Justice Centre,
28 Barrack Street,
Perth WA 6000.

In accordance with Regulation 238 of the *State Superannuation Regulations 2001* (Board elections) notice is hereby given that Ms Anne Gisborne has been elected as a Member Director to the Government Employees Superannuation Board for a three year term commencing on 8 February 2017.

WORKCOVER

WC401

WORKERS' COMPENSATION AND INJURY MANAGEMENT ACT 1981

APPROVED MEDICAL SPECIALISTS ORDER (NO. 3) 2016

Made by WorkCover WA under section 146F(1) of the Act.

1. Citation

This order is the *Approved Medical Specialists Order (No. 3) 2016*.

2. Approved medical specialists

The following medical practitioners have been designated as approved medical specialists with WorkCover WA under section 146F(1) of the Act—

Dr Iyad Dayoub
Dr Arti Fayers
Mr Mark Hanikeri
Dr Ramsey Jabbour
Dr Siew Heng Tan
Dr Robert Marsh

HARLEY WHITE, A/Chief Executive Officer,
WorkCover WA.

WC402

WORKERS' COMPENSATION AND INJURY MANAGEMENT ACT 1981

REVOCATION OF EXEMPTION

Given by the Board for the purposes of section 168 of the *Workers' Compensation and Injury Management Act 1981*.

Notice is given that on 20 December 2016, the Governor, acting under section 168 of the *Workers' Compensation and Injury Management Act 1981* and with the advice and consent of Executive Council ordered the exemption given to The Smith's Snackfood Company Ltd be revoked.

GREG JOYCE, Chairman of the Board.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Dennis John Leyden, late of 22 Patricia Close, McKail, 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 deceased, who died on the 16th day of July 2016, are required by the Administrator of the late Dennis John Leyden c/- Haynes Robinson Lawyers of PO Box 485, Albany, Western Australia 6331 to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the Administrator may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dated this 20th day of December 2016.

HAYNES ROBINSON.

ZX402**TRUSTEES ACT 1962**

DECEASED ESTATES

Notice to Creditors and Claimants

Margaret Mary Doust, late of 66 Park Avenue, Walpole, 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 deceased, who died on 25 July 2016, are required by the trustee of the late Margaret Mary Doust c/- Denmark Legal, 55 Strickland Street, Denmark, Western Australia 6333, to send particulars of their claims to it by the 10th day of February 2017, after which date the trustee may convey or distribute the assets, having regard only to the claims of which it then has notice.

DENMARK LEGAL.

ZX403**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 Maureen May Morris, late of Tuia Lodge, 30 Allnutt Street, Donnybrook WA, who died on 7 July 2016, are required by the personal representative to send particulars of their claims addressed to the Executors of the Estate of Maureen May Morris deceased, care of Young & Young, 5 Spencer Street, Bunbury WA by the 23rd day of January 2017, after which date the personal representative may convey or distribute the assets having regard only to the claims of which the personal representative then has notice.

ZX404**TRUSTEES ACT 1962**

DECEASED ESTATES

Notice to Creditors and Claimants

Derrick Roy Faulkner, late of 21 Nicholl Street, Glen Forrest, Western Australia, Stores Dispatch Manager.

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 October 2015, are required by the Executor being David Alan Earnshaw, to send particulars of their claims to Earnshaw Lawyers, PO Box 2235, Midland WA 6936, within one (1) month of publication of this notice, after which date the Executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

EARNSHAW LAWYERS.