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

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper.
- Copy must be lodged with the Publication Officer, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition)—

Email address:

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10 William St. Perth, 6000
Telephone: 6552 6000

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EFFECTIVE FROM 1 JULY 2018 (Prices include GST)

Deceased Estate notices (per estate)—\$32.10

Articles in Public Notices Section—\$74.65 minimum charge (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

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— PART 1 —

TRANSPORT

TN301

Transport Co-ordination Act 1966

Transport (Country Taxi-cars Fares) Amendment Regulations 2018

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Transport (Country Taxi-cars Fares) Amendment Regulations 2018*.

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 *Transport (Country Taxi-cars Fares) Regulations 1991*.

4. Schedule 1 amended

In Schedule 1 Division 4 after the item for “**Call out fee**” insert:

Airport fee

(for a journey starting at the terminal at the
Broome International Airport)

	\$2.50
--	--------

M. INGLIS, Clerk of the Executive Council.

— PART 2 —

HEALTH

HE401

**HEALTH PRACTITIONER REGULATION NATIONAL LAW
(WESTERN AUSTRALIA) ACT 2010**

HEALTH PRACTITIONER REGULATION NATIONAL LAW (WESTERN AUSTRALIA)

MEDICAL (AREA OF NEED) DETERMINATION (No. 23) 2018

Made by the Chief Medical Officer, pursuant to section 67(5) of the Schedule of the *Health Practitioner Regulation National Law (Western Australia)*.

Citation

1. This determination may be cited as the *Medical (Area of Need) Determination (No. 23) 2018*.

Commencement

2. This determination comes into operation on the 15 September 2018.

Area of need

3. The area of need specified in the Schedule is determined to be an area of need for the purposes of section 67(5) of the Schedule of the *Health Practitioner Regulation National Law (Western Australia)*.

Expiry of determination

4. This determination expires on the 31 December 2019.

SCHEDULE

RADIOLOGY SERVICES LOCATED AT ST JOHN OF GOD MT LAWLEY HOSPITAL

Dated this 14th day of August 2018.

Professor DAVID FORBES, A/Chief Medical Officer,
Department of Health
As delegate of the Minister for Health.

JUSTICE

JU401

PRISONS ACT 1981

PERMIT DETAILS

Pursuant to Section 15U of the *Prisons Act 1981*, I hereby revoke the following permits—

Surname	Other Name(s)	Permit No.
Cacciola	Robert	MEL0081
Wallis	Amy	MEL0126
Zinella	Yvonne Gaye	MEL0111

TONY HASSALL, Commissioner.

8 August 2018.

LOCAL GOVERNMENT

LG402**DOG ACT 1976***Shire of Plantagenet***APPOINTMENTS**

It is hereby notified for public information pursuant to the provisions of the *Dog Act 1976*, the following persons have been appointed—

Authorised Persons—

Mr Robert John Stewart
Mr Stephen Terence Player
Mr David John Cooper
Mr Jason Martin Rutter
Mr Mark Andrew Vitler

Registration Officers—

Ms Annette Marie Lamb
Mrs Helen Therese Buffham
Mrs Roxanne Mills
Mrs Vanessa Lynette Hillman
Mrs Lisa Michelle Clarke
Ms Emma Elyse Gardner
Mrs Vicki Francis Baker
Mrs Pamela Joan Chambers

All previous authorisations are hereby revoked.

Dated: 15 August 2018.

R. STEWART, Chief Executive Officer.

LG403**CAT ACT 2011***Shire of Plantagenet***APPOINTMENTS**

It is hereby notified for public information pursuant to the provisions of the *Cat Act 2011*, the following persons have been appointed—

Authorised Persons—

Mr Robert John Stewart
Mr Stephen Terence Player
Mr David John Cooper
Mr Jason Martin Rutter
Mr Mark Andrew Vitler

Registration Officers—

Ms Annette Marie Lamb
Mrs Helen Therese Buffham
Mrs Roxanne Mills
Mrs Vanessa Lynette Hillman
Mrs Lisa Michelle Clarke
Ms Emma Elyse Gardner
Mrs Vicki Francis Baker
Mrs Pamela Joan Chambers

All previous authorisations are hereby revoked.

Dated: 15 August 2018.

R. STEWART, Chief Executive Officer.

LG401**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960***Shire of Plantagenet***APPOINTMENTS**

It is hereby notified for public information that Robert John Stewart, Stephen Terence Player, Jason Martin Rutter and Mark Andrew Vitler have been appointed as a Ranger/Authorised Officer in accordance with the various Acts, Regulations and Local Laws as detailed hereunder—

Dog Act 1976 and Regulations

Cat Act 2011 and Regulations

Control of Vehicles (Off-road Areas) Act 1978 and Regulations

Local Government Act 1995 and Regulations

Local Government (Miscellaneous Provisions) Act 1960

Shire of Plantagenet Local Laws

Bush Fires Act 1954 and Regulations

Caravan and Camping Grounds Act 1995

Litter Act 1979

The appointment of Dominic Le Cerf as an authorised officer under the abovementioned Acts and local laws is hereby cancelled from 15 August 2018.

Dated: 15 August 2018.

R. STEWART, Chief Executive Officer.

LG404**SHIRE OF KATANNING****APPOINTMENTS**

It is hereby notified for public information that the following persons have been appointed as authorised persons for the Shire of Katanning—

Dog Act 1976

Authorised Persons Registration Officers—

Julian Murphy

Sam Davis

Sue Eastcott

Lisa Hannagan

Elizabeth French

Sandy Opray

Adela Collins

Courtney McCallum

Mohammed Aeson

Paul Webb

Cherrie Campbell

Richard Bralich

Kel Vann Wade Newton

Kayla Warschauer

Sandra Martens

Emma Johnson

Breanna Green

Asher Tussler-Brookfield

Cat Act 2011

Authorised Persons Registration Officers—

Julian Murphy

Sam Davis

Sue Eastcott

Lisa Hannagan

Elizabeth French

Sandy Opray

Adela Collins

Courtney McCallum

Mohammed Aeson

Paul Webb

Cherrie Campbell

Richard Bralich

Kel Vann

Wade Newton

Kayla Warschauer

Sandra Martens

Emma Johnson

Breanna Green

Asher Tussler-Brookfield

Caravan Parks and Camping Grounds Act 1995

Authorised Persons—

Julian Murphy

Sam Davis

Paul Webb

Richard Bralich

Kel Vann

Wade Newton

Darryle Baxter

Shane Chambers

Delma Baesjou

Cynthia Pearce

Kelly McLeod

Control of Vehicles (Off-road Areas) Act 1978

Authorised Persons—

Julian Murphy	Darryle Baxter
Sam Davis	Shane Chambers
Paul Webb	Delma Baesjou
Richard Bralich	Cynthia Pearce
Kel Vann	Kelly McLeod
Wade Newton	

Litter Act 1979

Authorised Persons—

Julian Murphy	Darryle Baxter
Sam Davis	Shane Chambers
Paul Webb	Delma Baesjou
Richard Bralich	Cynthia Pearce
Kel Vann	Kelly McLeod
Wade Newton	

Local Government (Miscellaneous Provisions) Act 1960

Authorised Persons and Pound Keepers—

Julian Murphy	Darryle Baxter
Sam Davis	Shane Chambers
Paul Webb	Delma Baesjou
Richard Bralich	Cynthia Pearce
Kel Vann	Kelly McLeod
Wade Newton	

Local Government Act 1995

Authorised Persons—

Julian Murphy	Darryle Baxter
Sam Davis	Shane Chambers
Paul Webb	Delma Baesjou
Richard Bralich	Cynthia Pearce
Kel Vann	Kelly McLeod
Wade Newton	

Bush Fires Act 1954 and Bush Fires Regulations 1954

Authorised Persons—

Julian Murphy	Darryle Baxter
Sam Davis	Shane Chambers
Paul Webb	Delma Baesjou
Richard Bralich	Cynthia Pearce
Kel Vann	Kelly McLeod
Wade Newton	

All Shire of Katanning Local Laws

Authorised Persons—

Julian Murphy	Darryle Baxter
Sam Davis	Shane Chambers
Paul Webb	Delma Baesjou
Richard Bralich	Cynthia Pearce
Kel Vann	Kelly McLeod
Wade Newton	

Dog Act 1976

Authorised Persons—

Darryle Baxter	Cynthia Pearce
Shane Chambers	Kelly McLeod
Delma Baesjou	

Cat Act 2011

Authorised Persons—

Darryle Baxter	Cynthia Pearce
Shane Chambers	Kelly McLeod
Delma Baesjou	

The above appointments replace Council previous appointments of Bushfire Control Officers.

JULIAN MURPHY, Chief Executive Officer.

LG501

BUSH FIRES ACT 1954*City of Wanneroo***FIRE BREAK NOTICE****Fire Break requirements for Vacant Land less than 4000 sqm—**

- A 3 metre wide bare earth cleared fire break as close as possible to all external boundaries of the property must be installed 1 November each year and maintained until 30 April the following year; or
- Slash the entire property to a height of not more than 50 millimetres and remove all flammable materials from the property. The entire property is required to be maintained below 50 millimetres from 1 November each year until 30 April the following year;
- Ensure a minimum vertical clearance of 3.5 metres is maintained along the fire breaks to ensure vehicles can drive along the fire breaks without being impeded by tree branches; and
- Residential properties in Residential zoned areas with reticulated maintained gardens are not required to install a fire break unless specifically advised by the City of Wanneroo.

Fire Break requirements for Land greater than 4000 sqm—

- A 3 metre wide bare earth cleared fire break as close as possible to all external boundaries of the property must be installed 1 November each year and maintained until 30 April the following year; or
- Where it is not possible to install the fire break adjacent to the external boundary of the property due to naturally occurring obstacles, it is acceptable to install the fire break around the obstacle. If this variation requires the fire break to be greater than 5 metres around away from the external boundary, a firebreak variation is required;
- Ensure a minimum vertical clearance of 3.5 metres is maintained along the fire breaks to ensure vehicles can drive along the fire breaks without being impeded by tree branches; and
- Install and maintain a 20 metre building protection zone surrounding all buildings, large hay stacks and fuel storage areas. A building protection zone includes undertaking measures such as pruning all lower tree branches to prevent fire entering the trees, ensuring 3 metre spacing between tree canopies to prevent treetop fires spreading between trees, keeping all grasses to a height of not more than 50 millimetres and storing all firewood piles more than 20 metres away from the buildings.

Fire breaks must be cleared by 1 November 2018 and kept clear until 30 April 2019.

On the Spot Fine of \$250 if you have no Fire Break.

Burning Permits required during the Restricted Burning Period

All Burning Prohibited between 1 December-31 March

Landowners are to comply with any existing Bushfire Management Plan

Application to Vary the Above Requirements

If it is considered impracticable for any reason to implement any of the requirements of this Notice, application may be made not later than the 18th day of October to the Council or its authorised officer for permission to provide alternative fire protection measures and will remain in effect unless withdrawn in writing by yourself, or the City of Wanneroo. If permission is not granted the requirements of this Notice must be complied with.

** Fire break variation application procedure will be reviewed and amended to reflect any changes.

Additional Works

In addition to the requirements of this Notice, you may be required to carry out further works which are considered necessary by an Authorised Officer and specified by way of a separate written notice forwarded to the address of the owner/s as shown on the City of Wanneroo rates record for the relevant land.

Prohibited Burning Times

- Total Fire Bans (TFB)—

A Total Fire Ban (TFB) is declared on days of extreme weather or when widespread fires are seriously stretching firefighting resources. When a TFB is declared it prohibits the lighting of any fires in the open air and any other activities that may start a fire. The ban includes all open air fires for the purpose of cooking or camping. It also includes incinerators, welding, grinding, soldering or gas cutting.

During a Total Fire Ban or Harvest and Vehicle Movement Ban you are not allowed to light, maintain or use a fire in the open air, or to carry out any activity in the open air that causes, or is likely to cause, a fire.

This includes a prohibition on the use of engines, vehicles, plant or machinery likely to cause or be conducive to the spread of a bushfire.

- Harvest, Hot Works and Vehicle Movement Bans—

Harvest and Vehicle Movement Bans must be imposed by a local government when the bushfire danger index exceeds 35 during a Total Fire Ban or when their Bushfire Control Officer is of the opinion that the use of engines, vehicles, plant or machinery during the prohibited burning times or the restricted burning times or both is likely to cause a fire or contribute to the spread of a bushfire

- Prohibition on Camp Fires, Cooking Fires and Burning of Garden Waste during the Prohibited Burning Period—

It is prohibited to burn garden waste or light fires in the open air for the purpose of camping or cooking during the prohibited burning period.

The following exemptions apply—

- Pizza ovens fitted with a spark arrestor; and
- Purpose built solid fuel BBQs such as webers

These may still be used if they are used at a person's home and are located more than 3 metres away from bush and inflammable material. These exemptions are not valid if a Total Fire Ban or Harvest and Vehicle Movement Ban has been declared.

Terms and Definitions—

- Bare earth cleared firebreak: means a firebreak cleared of all flammable material. Approved methods include ploughing, grading, cultivating, scarifying, raking, burning and chemical spraying (reticulated and maintained green lawn is acceptable as a firebreak);
- Maintain: means that the property must be kept compliant with all conditions of the Fire Break Notice for the entire period commencing from 1 November each year until 30 April in the following year inclusive;
- Inflammable Material: any material that is easily ignited and capable of burning; and
- Asset Protection Zone: a asset protection zone includes undertaking measures such as pruning all lower tree branches to prevent fire entering the trees, ensuring 3 metres spacing between tree canopies to prevent treetop fires spreading between trees, keeping all grasses to a height of not more than 50mm and storing all firewood piles more than 20 metres away from the buildings.

To obtain a Permit to Burn during the Restricted Burning Period please contact the City of Wanneroo on 9405 5000.

Brigade Contact Information

Quinns Rocks Brigade
Telephone 0428 498 779
Quinnsrocksbfb.org.au

Wanneroo Fire Support Brigade
0427 026 006
Wanneroosupportbfb.org.au

Two Rocks Brigade
0427 026 000
Tworocksbfb.org.au

Wanneroo Brigade
0427 026 521
Wanneroobfb.org.au

To report All Fires call 000.

DANIEL SIMS, Chief Executive Officer.

LG502

BUSH FIRES ACT 1954

FIREBREAK NOTICE

Shire of Katanning

Notice to all Owners and/or Occupiers of Land in the Shire of Katanning

Pursuant to Section 33 of the *Bush Fires Act 1954* you are hereby required, on all land owned or occupied by you, as a measure for preventing the spread and extension of a bush fire, to plough, cultivate, scarify, burn, chemically spray or otherwise clear upon the lands Fire Access tracks (fire breaks) in such manner as set out in the Shire of Katanning Fire Management Requirements notice.

1. Suburban and Residential Blocks

1.1 If the area of land is 2023m² (approximately ½ acre) or less, remove flammable material on the land except living standing trees from the whole of the land by **1 November 2018** by one of the above methods.

1.2 Where residential zoned land exceeds 2023m² (approximately ½ acre), in addition to the grass height above, a 2.5 metre wide firebreak immediately inside and along all external boundaries is required.

2. Rural Land and Special Rural Land Outside of Town Boundary

Firebreaks shall be installed at least 10 metre wide around the perimeter of any homestead building) excluding isolated non-flammable buildings), haystacks (within 100 metres of any building) or group of structures or installations and are to be cleared to the satisfaction of the Shire Officer. In addition, you may be required to carry out further works which may be deemed necessary by the Shire Officer and specified by way of a separate written notice forwarded to the address as shown on the Shire of Katanning rate records for the land. In some instances naturally occurring features such as rocky

outcrops, natural water courses or landscaping such as reticulated gardens, lawns or driveways may be an acceptable substitute for cleared firebreaks. This option must first be discussed with and approved by the Shire Officer.

2.1 All properties within the Moojebing Heights subdivision are to ensure compliance with the additional requirements of the Fire Management Plan dated April 2009.

3. Special Rural within Katanning and Pinwernying Townsites

3.1 Must have a 2.5 metre wide bare earth firebreak immediately inside along all external boundaries. Grass to be no higher than 150mm. living standing trees, remnant vegetation, maintained gardens and natural bush are exempt. Where multiple blocks of land are grouped together, a perimeter 2.5 metre firebreak encompassing all land will be considered subject to an application for variation.

All fire breaks as designated above must be prepared on or before 1 November 2018 or within 14 days of becoming the owner or occupier should this be after that date and maintained clear of flammable material up to and including 30 April 2019.

4. Application to Vary the Above Requirements

4.1 It is considered to be impracticable for any reason whatsoever to meet requirements as required by this notice, you may apply to the Shire of Katanning no later than **1 October 2018**, for permission to provide alternative risk mitigation measures on the land. If permission is not granted by the Shire you must comply with the requirements of this notice.

4.2 If the requirements of this notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act.

4.3 The penalty for failing to comply with this notice will be in accordance with the *Bush Fires Act 1954*, and a person in default is also liable, whether prosecuted or not, to pay the costs of performing the work directed in this notice if it is not carried out by the owner and/or occupier by the date required by this notice.

5. Private Property

5.1 Wood and solid fuel barbecues shall only be where they are enclosed and all flammable material in a 5m radius is cleared. Fire cannot be lit on days of very high, severe, extreme or catastrophic fire danger.

5.2 BBQs and incinerators—gas and electric barbecues are permitted at any time. Solid fuel barbecues and incinerators are prohibited on days of VERY HIGH, SEVERE, EXTREME OR CATASTROPHIC fire danger days.

6. Regulation 38A—Harvesting, Swathing/Baling of Stubble and Track Chaining

6.1 Conditions: It is hereby notified for public information that pursuant to the power granted under Regulation 38A of the above Act, a person shall not operate or suffer the operation of a grain harvesting machine, or any machine used for swathing, baling or slashing of stubble and track chaining, on any land within the Shire of Katanning except in accordance with the following specified condition:

6.2 Specified condition: No person shall operate grain harvesting machinery as stated above on any land unless a mobile and operational firefighting unit, having a water capacity of at least 500 litres, is situated in or immediately adjacent to the paddock where harvesting operations are being conducted.

6.3 Penalties: An infringement of \$250.00. A penalty of up to \$5000.00. The recommended minimum standards for fire unit requirements are based on property size as follow—

- I. 50-1000ha—Light Duty Unit. One tonne utility either 2WD or 4WD. 500 litre water capacity.
- II. 1000 to 2500ha—Medium Duty Unit. Light truck either 2WD or 4WD. 2500 litre water capacity.
- III. 2500 + ha—Heavy Duty Unit. 6 tonne capacity truck, preferably diesel. 4000 litre water capacity.
- IV. All units are to be fully operational and ready to go at all times during the prohibited burning period.

7. Permit to Burn

7.1 Under the *Bush Fires Act 1954*, it is an offence to light fires during the Prohibited time.

7.2 During the Restricted Burning Time, permits to burn are required. These may be obtained from the Local Volunteer Fire Control Officer, for your area or the Shire of Katanning if the property is within the Fire and Rescue District.

7.3 A Permit is required for burning of bush, grass and garden waste at any time between 1 October and 31 October inclusive and 15 February and 30 April inclusive. No burning can be carried out during the Prohibited Burning Period unless it's protective burning around dwellings up until 15 November under section 23 of the Bush Fire Act.

- I. Restricted: Permit Required—1 October to 31 October
- II. Prohibited: 1 November to 14 February
- III. Restricted: Permit Required—15 February to 30 April

MARINE/MARITIME

MA401

WESTERN AUSTRALIAN MARINE ACT 1982

SWIMMING PROHIBITED AREA

Old Mandurah Traffic Bridge

*City of Mandurah*Department of Transport,
Fremantle WA, 21 August 2018.

Acting pursuant to the powers conferred by Section 10A of the *Navigable Waters Regulations 1958*, I hereby cancel part (a) (11) (i) of notice number TR401 as published in the *Government Gazette* on 27 January 1995—

Old Mandurah Traffic Bridge: All those waters of the Peel Inlet contained within a radius of 50 metres from the navigational arch of the Old Mandurah Road Traffic Bridge.

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

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Perth

Local Planning Scheme No. 2—Amendment No. 40

Ref: TPS/2284

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 Perth Local Planning Scheme amendment on 7 August 2018 for the purpose of—

1. Inserting after clause 39(1)(z)—
 - (aa) 28 and 32 Troode Street and 196 Colin Place Special Control Area.
2. Inserting the following in Schedule 8 Special Control Areas—

27. 28 and 32 Troode Street and 196 Colin Place Special Control Area

27.1 Special Control Area

The following provisions apply to the land marked as Figure 27 being the 28 and 32 Troode Street and 196 Colin Place Special Control Area.

27.2 Objective

To facilitate the development of the Special Control Area as a whole in a coordinated manner.

27.3 Plot Ratio

27.3.1 For the purpose of determining the maximum plot ratio within the Special Control Area, the Special Control Area shall be treated as one site.

27.3.2 The maximum plot ratio shall be allocated in the Special Control Area as follows—

- 27.3.2.1 Lot 51—1,980m² plot ratio floor area for use groups other than Residential and/or Special Residential or 2,970m² plot ratio floor area for the Residential and/or Special Residential use groups;

- 27.3.2.2 Lots 52 and 200—the balance of the maximum plot ratio.

27.3.3 For the purposes of determining any bonus plot ratio under Clause 28 and transferable plot ratio under Clause 30, the Special Control Area shall be treated as one site.

27.3.4 Any bonus plot ratio or transferable plot ratio granted shall be allocated fully to Lots 52 and 200.

27.4 Car Parking

27.4.1 For the purpose of determining the tenant car parking allowance for the Special Control Area under the provisions of the Perth Parking Policy, Lots 52 and 200 shall be treated as one lot.

27.4.2 The tenant car parking facilities located on Lots 52 and 200 may have reciprocal parking arrangements in place whereby the tenants of one lot may use or lease the car parking bays of the other lot.

27.5 Maximum Building Heights

27.5.1 Building heights greater than the indicative heights outlined in the *Hamilton Precinct Urban Design Study—Development Plan Framework* may be considered.

27.5.2 In considering greater building heights under clause 27.5.1, consideration shall be given to the *Development Framework Principles of the Hamilton Precinct Urban Design Study*, Clause 67 of the *Deemed Provisions* and the principles contained within the City's *Building Heights and Setbacks Policy*.

27.6 Public Space

27.6.1 Any future development of the site should incorporate public space on the western portion of the site to provide sightlines between Colin Place and the underpass, and to enhance passive surveillance and the perceived safety of the underpass.

27.6.2 The public space created as part of any future development should provide public access, remain under the ownership and management of the landowners and be protected by an easement in gross.

27.7 Passive Surveillance

Any future development should be designed to provide passive surveillance to the underpass and pedestrian path to the west of the site.

3. Inserting Figure 27-28 and 32 Troode Street and 196 Colin Place Special Control Area into Schedule 8—Special Control Areas of the Scheme—



Figure 27 - 28 and 32 Troode Street and 196 Colin Place Special Control Area

4. Amending the Hamilton Precinct Plan Map (P11) accordingly.

E. LUMSDEN, Chair Commissioner.
R. MIANICH, A/Chief Executive Officer.

PL402

PLANNING AND DEVELOPMENT ACT 2005 APPROVED LOCAL PLANNING SCHEME AMENDMENT City of Perth Local Planning Scheme No. 2—Amendment No. 38

Ref: TPS/2280

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 Perth Local Planning Scheme amendment on 7 August 2018 for the purpose of—

1. Inserting after clause 39(1)—
(y) 560 Hay Street and 101 Murray Street Special Control Area.
2. Inserting the following in Schedule 8 Special Control Area—
25. 560 Hay Street and 101 Murray Street Special Control Area

25.1 Special Control Area

The following provisions apply to the land marked as Figure 25 being the 560 Hay Street and 101 Murray Street Special Control Area.

25.2 Objectives

- (a) To facilitate the subdivision of the 560 Hay Street and 101 Murray Street Special Control Area, whilst ensuring compliance with the Scheme and associated planning policies in relation to plot ratio and tenant car parking.
- (b) To facilitate the ongoing maintenance of the state heritage listed building (Criterion Hotel) in a good condition.

25.3 Plot Ratio

- (a) For the purpose of determining plot ratio within the Special Control Area, the Special Control Area shall be treated as one site and in accordance with the Maximum Plot Ratio Plan.
- (b) Any bonus plot ratio granted within the Special Control Area shall be distributed as per the Maximum Bonus Plot Ratio Plan.

25.4 Heritage

- (a) The state heritage listed building (Criterion Hotel) situated on the southern lot shall be maintained in good condition in a manner guided by a current Conservation Management Plan prepared in accordance with State Heritage Office guidelines.
- (b) Subject to clause 25.4(c), an Application for Development Approval for the southern lot accommodating the state heritage listed building (Criterion Hotel) shall be guided by a current Conservation Management Plan prepared in accordance with State Heritage Office guidelines.
- (c) Clause 25.4(b) does not apply to an Application for Development Approval which is limited to—
 - (i) a change of use which involves no physical development of the state heritage listed building (Criterion Hotel); or
 - (ii) physical development of a minor nature which does not increase plot ratio, however a Heritage Impact Statement shall be submitted.

25.5 Built Form

- (a) Any future development on the southern lot shall be setback from the south facing facade of the existing building on the northern lot as follows—
 - (i) Residential and Special Residential Use Groups

Building Elevation Condition	Minimum Setback	
	<i>Lower Building Levels</i>	<i>Upper Building Levels</i>
No Openings or Balconies	4 metres	7 metres (up to 65 metres in building height). 14 metres (over 65 metres in building height).
Openings and/or Balconies	8 metres	8 metres (up to 65 metres in building height). 16 metres (over 65 metres in building height).

- (ii) Other Use Groups

Building Elevation Condition	Minimum Setback	
	<i>Lower Building Levels</i>	<i>Upper Building Levels</i>
No Openings or Balconies	4 metres	7 metres (up to 65 metres in building height). 14 metres (over 65 metres in building height).
Openings and/or Balconies	7 metres	7 metres (up to 65 metres in building height). 14 metres (over 65 metres in building height).

Refer to the City's *Building Height and Setback Policy* regarding the definitions of 'upper' and 'lower' building levels.

25.6 Car Parking

- (a) For the purpose of determining the tenant car parking allowance for the Special Control Area under the provisions of the Perth Parking Policy, the Special Control Area shall be treated as one lot.
- (b) The tenant car parking facilities located on one site/lot within the Special Control Area may be leased or used by the tenants of another site/lot within the Special Control Area.

3. Amending the City Centre (CC) Precinct Plan Map (P1 to 8) accordingly.

4. Inserting Figure 25—560 Hay Street and 101 Murray Street Special Control Area into Schedule 8—Special Control Areas of the Scheme—

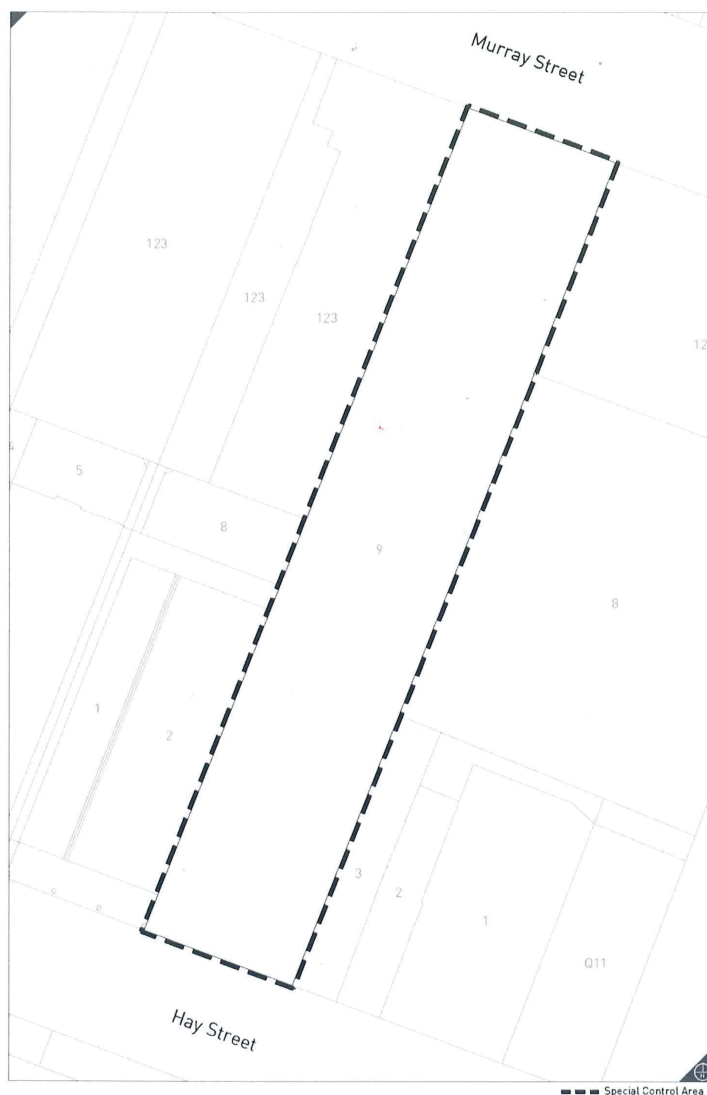


Figure 25 – 560 Hay Street and 101 Murray Street Special Control Area

E. LUMSDEN, Chair Commission.
R. MIANICH, A/Chief Executive Officer.

PL403

PLANNING AND DEVELOPMENT ACT 2005 APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Stirling

Local Planning Scheme No. 3—Amendment No. 39

Ref: TPS/1228

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 Stirling Local Planning Scheme amendment on 7 August 2018 for the purpose of—

1. Amending the Scheme Text by—
 - 1.1 Deleting the following bullet point in Clause 6.1.1—
 - Glendalough Station
 - 1.2 Inserting a new bullet point in Clause 6.1.1, as follows—
 - Herdsman Glendalough
 - 1.3 Deleting existing Clauses 6.4, 6.4.1, 6.4.2 and 6.4.3.

1.4 Inserting a new Clause 6.4, as follows—

6.4 Herdsman Glendalough Special Control Area

6.4.1 Objectives

- (a) To provide a strategy for the integrated development of public and private land to facilitate the creation of a safe, vibrant mixed use environment based on main street design principles;
- (b) To enable the provision of an effective, efficient integrated and safe transport network which is accessible to pedestrians, cyclists, public transport users and motorists;
- (c) To ensure greater utilisation of Glendalough Train Station through increased density of both residential and commercial uses;
- (d) To ensure the development of a diverse range of housing types;
- (e) To ensure the development of a convenient network of public open space;
- (f) To ensure the development of a range of commercial uses that will contribute towards economic development, local employment and the viability of the area;
- (g) To ensure the development of a range of community facilities;
- (h) To create a more permeable transport network through the provision of additional road connections;
- (i) To ensure the conservation and appropriate use of natural resources; and
- (j) To enable developer contributions to help fund key infrastructure.

6.4.2 Special Control Area

- (a) The Herdsman Glendalough Special Control Area is shown on the Scheme Maps and delineated as such.
- (b) Clause 5.3.2 of the Scheme shall not apply to residential development in the Herdsman Glendalough Special Control Area.

6.4.3 Structure Plan

- (a) For the purpose of promoting the highest standard of development within the Herdsman Glendalough Special Control Area the Council shall adopt an appropriate Structure Plan for the Herdsman Glendalough Special Control Area in accordance with Part 6A of the Scheme.
- (b) The Structure Plan will define precincts within the Special Control Area.

6.4.4 Road Widening Requirements

- (a) The owner of any site affected by the Scarborough Beach Road Other Regional Roads reservation or Planning Control Area shall cede such road widening to the Crown, free of cost and without any payment of compensation, as a condition of development approval that involves, in the opinion of the local government, the complete or substantial redevelopment of the site or as a condition of the subdivision or strata subdivision of a lot, whichever occurs first.
- (b) The owner of any site affected by a right of way widening under the Local Planning Policy relating to Right of Ways shall cede such a right of way widening free of cost as a condition of development approval or subdivision or strata title approval recommended by the City.

and re-numbering the subsequent sub-clauses accordingly.

1.5 Deleting the following Additional Uses contained within the Herdsman Glendalough Development Zone Area from Schedule 2; A15, A16, A41, A46 and A48 -A68.

1.6 Deleting the following Special Use Zones contained within the Herdsman Glendalough Development Zone Area from Schedule 4; S15 -S21.

1.7 Inserting the following new row in Schedule 10—Development (Structure Plan) Areas—

Name of Structure Plan	Purpose	Requirements
Herdsman Glendalough Structure Plan	To facilitate development within the Herdsman Glendalough Structure Plan Area in a manner consistent with the objectives in Clause 6.4.1.	As per Clause 6.4 and the Herdsman Glendalough Structure Plan

2. Amending the Scheme Maps by—

2.1 Deleting the Glendalough Station Special Control Area from the Scheme Map and Legend.

2.2 Modifying the Scheme Map and Legend to include the—

- Herdsman Glendalough Special Control Area;
- Herdsman Glendalough Development Areas; and
- Development Zone as shown on the maps.

D. LAGAN, Acting Mayor.
S. JARDINE, Chief Executive Officer.

SALARIES AND ALLOWANCES TRIBUNAL

SA401

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION VARIATION

Preamble

The Salaries and Allowances Tribunal has issued a determination with respect to the appointment of the Chief Executive Officer of the Government Employees Superannuation Board, a position within the Special Division of the WA Public Service.

Determination

The determination of the Salaries and Allowances Tribunal made on 25 June 2018 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below.

This variation is effective on and from 4 July 2018.

Remove reference to the office below as it appears in ‘Table 1 Special Division CEOs’ within Part 1 of the First Schedule and insert the following—

Office	Department or Agency	Band	Office Holder	Salary
Chief Executive Officer	Government Employees Superannuation Board	2	B. Palmer	\$304,151

Signed on 30 July 2018.

M. SEARES AO,
Chairman.

B. A. SARGEANT PSM,
Member.

C. P. MURPHY PSM,
Member.

Salaries and Allowances Tribunal.

SA402

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION VARIATION

Preamble

The Salaries and Allowances Tribunal has issued a determination with respect to two Assistant Commissioner positions at the Western Australian Police Service, Prescribed Offices within the WA Public Service.

Determination

This part of the variation is effective on and from 30 June 2017.

The determination of the Salaries and Allowances Tribunal made on 20 June 2017 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below.

Insert reference to the office below to appear in ‘Table 2 Prescribed Offices’ within Part 1 of the First Schedule as follows—

Office	Department or Agency	Office Holder	Salary
Assistant Commissioner	Western Australian Police Service	Vacant	\$-

This part of the variation is effective on and from 19 June 2018.

The determination of the Salaries and Allowances Tribunal made on 20 June 2017 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below.

Remove reference to the offices below as they appear in 'Table 2 Prescribed Offices' within Part 1 of the First Schedule as follows—

Office	Department or Agency	Office Holder	Salary
Assistant Commissioner	Western Australian Police Service	Vacant	\$-
Assistant Commissioner	Western Australian Police Service	Vacant	\$-

Insert reference to the offices below to appear in 'Table 2 Prescribed Offices' within Part 1 of the First Schedule as follows—

Office	Department or Agency	Office Holder	Salary
Assistant Commissioner	Western Australian Police Service	C. Blanch	\$212,337
Assistant Commissioner	Western Australian Police Service	K. Whitely	\$212,337

This part of the variation is effective on and from 1 July 2018.

The determination of the Salaries and Allowances Tribunal made on 25 June 2018 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below.

Remove reference to the office below as they appear in 'Table 2 Prescribed Offices' within Part 1 of the First Schedule as follows—

Office	Department or Agency	Office Holder	Salary
Assistant Commissioner	Western Australian Police Service	Vacant	\$-
Assistant Commissioner	Western Australian Police Service	Vacant	\$-

Insert reference to the offices below to appear in 'Table 2 Prescribed Office Holders' within Part 1 of the First Schedule as follows—

Office	Department or Agency	Office Holder	Salary
Assistant Commissioner	Western Australian Police Service	C. Blanch	\$212,337
Assistant Commissioner	Western Australian Police Service	K. Whitely	\$212,337

Signed on 30 July 2018.

M. SEARES AO,
Chairman.

B. A. SARGEANT PSM,
Member.

C. P. MURPHY PSM,
Member.

Salaries and Allowances Tribunal.

SA403

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION VARIATION

Preamble

The Salaries and Allowances Tribunal has issued a determination with respect to the vacant Deputy Director General, Building Management and Works position at the Department of Finance, a position within the Special Division of the WA Public Service.

Determination

This part of the variation is effective on and from 26 March 2018.

The determination of the Salaries and Allowances Tribunal made on 20 June 2017 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below.

Remove reference to the office below as it appears in 'Table 3 Special Division Non-CEOs' within Part 1 of the First Schedule and insert the following—

Office	Department or Agency	Band	Office Holder	Salary
Deputy Director General, Building Management and Works	Finance	2	Vacant	\$-

This part of the variation is effective on and from 1 July 2018.

The determination of the Salaries and Allowances Tribunal made on 25 June 2018 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below.

Remove reference to the office below as it appears in 'Table 3 Special Division Non-CEOs' within Part 1 of the First Schedule and insert the following—

Office	Department or Agency	Band	Office Holder	Salary
Deputy Director General, Building Management and Works	Finance	2	Vacant	\$-
M. SEARES AO, Chairman.	B. A. SARGEANT PSM, Member.	C. P. MURPHY PSM, Member.	Salaries and Allowances Tribunal.	

SA404

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION VARIATION

Preamble

The Salaries and Allowances Tribunal has issued a determination with respect to the vacant Commissioner for Equal Opportunity position, a Prescribed Office within the WA Public Service.

Determination

This part of the variation is effective on and from 5 May 2018.

The determination of the Salaries and Allowances Tribunal made on 20 June 2017 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below.

Remove reference to the office below as it appears in 'Table 2 Prescribed Office Holders' within Part 1 of the First Schedule and insert the following—

Office	Department or Agency	Office Holder	Salary
Commissioner for Equal Opportunity	Equal Opportunity Commissioner	Vacant	\$-

This part of the variation is effective on and from 1 July 2018.

The determination of the Salaries and Allowances Tribunal made on 25 June 2018 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below.

Remove reference to the office below as it appears in 'Table 2 Prescribed Office Holders' within Part 1 of the First Schedule and insert the following:

Office	Department or Agency	Office Holder	Salary
Commissioner for Equal Opportunity	Equal Opportunity Commissioner	Vacant	\$-

Signed on 30 July 2018.

M. SEARES AO, B. A. SARGEANT PSM, C. P. MURPHY PSM,
Chairman. Member. Member.
Salaries and Allowances Tribunal.

SA405

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION VARIATION

Preamble

The Salaries and Allowances Tribunal has issued a determination with respect to an appointment to the Public Sector Commissioner position, a Prescribed Office within the WA Public Service.

Determination

This part of the variation is effective on and from 7 July 2018.

The determination of the Salaries and Allowances Tribunal made on 25 June 2018 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below.

Remove reference to the office below as it appears in 'Table 2 Prescribed Office Holders' within Part 1 of the First Schedule and insert the following—

Office	Department or Agency	Office Holder	Salary
Public Sector Commissioner	Public Sector Commission	Vacant	\$-

This part of the variation is effective on and from 30 July 2018.

The determination of the Salaries and Allowances Tribunal made on 25 June 2018 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below.

Remove reference to the office below as it appears in 'Table 1 Special Division CEOs' within Part 1 of the First Schedule and insert the following—

Office	Department or Agency	Band	Office Holder	Salary
Director General	Education	1	Vacant	\$-

Remove reference to the office below as it appears in 'Table 2 Prescribed Office Holders' within Part 1 of the First Schedule and insert the following:

Office	Department or Agency	Office Holder	Salary
Public Sector Commissioner	Public Sector Commission	S. O'Neill	\$441,406

Signed on 30 July 2018.

M. SEARES AO,
Chairman.

B. A. SARGEANT PSM,
Member.

C. P. MURPHY PSM,
Member.

Salaries and Allowances Tribunal.

SA406**SALARIES AND ALLOWANCES ACT 1975****DETERMINATION VARIATION****Preamble**

The Salaries and Allowances Tribunal has issued a determination with respect to the reviewed Deputy Director General, Safety Regulation position at the Department of Mines, Industry Regulation and Safety, a position within the Special Division of the WA Public Service.

Determination

This variation is effective on and from 30 July 2018.

The determination of the Salaries and Allowances Tribunal made on 25 June 2018 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below.

Remove reference to the office below as it appears in 'Table 3 Special Division Non-CEOs' within Part 1 of the First Schedule and insert the following—

Office	Department or Agency	Band	Office Holder	Salary
Deputy Director General, Safety Regulation	Mines, Industry Regulation and Safety	3	Vacant	\$-

Signed on 30 July 2018.

M. SEARES AO,
Chairman.

B. A. SARGEANT PSM,
Member.

C. P. MURPHY PSM,
Member.

Salaries and Allowances Tribunal.

SA407**SALARIES AND ALLOWANCES ACT 1975****DETERMINATION OF THE REMUNERATION OF COMMISSIONERS OF THE
WESTERN AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION**

1. The Salaries and Allowances Tribunal ("Tribunal") issues this Determination pursuant to section 6(1)(e) of the *Salaries and Allowances Act 1975* ("the Act").

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

3. This Determination is subject to the restrictive provisions of the *Salaries and Allowances (Debt and Deficit Remediation) Act 2018*, which prevent the Tribunal, until July 2021, from increasing remuneration provided for offices referred to in section 6(e) of the Act, including members of the WAIRC.

4. In compliance with these restrictions, this Determination provides no increase to remuneration provided for members of the WAIRC.

5. As required under section 10A of the Act, this determination has followed consideration of the—

- *Public Sector Wages Policy Statement 2017*; and
- financial position and fiscal strategy of the State, as stated in the 2018-2019 Budget issued by the Treasurer on 10 May 2018.

6. The Tribunal's previous determination in relation to Members of the WAIRC was issued on 31 May 2017.

7. While the *Salaries and Allowances (Debt and Deficit Remediation) Act 2018* has temporarily removed the Tribunal's obligation to issue an annual determination for offices included in section 6(e) of the Act, the Tribunal considers it important to provide a clear reference point for current remuneration in the public sector.

8. The Tribunal has also included a minor amendment to motor vehicle entitlements, which addresses the circumstances in which an office holder's vehicle requires modifications to cater for a disability.

9. The determination will now issue.

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION OF THE REMUNERATION OF COMMISSIONERS OF THE WESTERN AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Pursuant to Section 6(1)(E)

PART 1—INTRODUCTORY MATTERS

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

1.1 Short Title

This determination may be cited as the *Commissioners of the Western Australian Industrial Relations Commission Determination No. 1 of 2018*.

1.2 Commencement

This determination comes into operation on 30 July 2018.

1.3 Content and intent

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

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

(3) This determination complies with section 10D of the Act, which prevents the Tribunal, until July 2021, from increasing remuneration provided for offices prescribed for the purposes of section 6(1)(e) of the Act.

1.4 Terms used

In this determination, unless the contrary intention appears—

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

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

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

1.5 Conditions of service

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

(2) To the extent that conditions of service affect remuneration (e.g. paid leave of absence), a Chief Commissioner, Senior Commissioner and Commissioner are entitled to the same terms and conditions as contained in the *Public Service Award 1992* and the *Public Service and Government Officers General Agreement 2017*. When there is any inconsistency between the remuneration payable under this determination and the terms of the *Public Service Award 1992* and the *Public Service and Government Officers General Agreement 2017*, the remuneration specified in this determination shall prevail to the extent of any inconsistency.

1.6 Salary Packaging

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

https://www.commerce.wa.gov.au/sites/default/files/atoms/files/cda_2012_no.04_amendments_to_support_introduction_of_choice_of_superannuation_fund_super_choice.pdf

PART 2—SALARY

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

2.1 General

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

2.2 Offices and salaries

- (1) The annual salaries specified in Table 1 of this Part apply to a Chief Commissioner, Senior Commissioner and Commissioner.
- (2) The annual salaries specified are inclusive of leave loading entitlements.

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

Office	Annual Salary
Chief Commissioner	\$348,295
Senior Commissioner	\$325,431
Commissioner	\$308,393

PART 3—MOTOR VEHICLE BENEFITS

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

3.1 General

- (1) In addition to the salary determined for the holders of offices listed in Part 2 of this Determination, those office holders are entitled to an allowance which may be taken as cash with salary or may be utilised to access a motor vehicle for private use leased through State Fleet.
- (2) The motor vehicle (being part of the Government-owned State Fleet) should be managed in accordance with the policies and conditions established and amended from time to time by the Department of Finance (the effective owner of the State Fleet). Applicable terms and conditions are currently set out in the Department of Finance's document, *State Fleet—Agency General Agreement*, which took effect on 8 September 2018.
- (3) An individual accessing a vehicle under this Part shall take due care of the condition and security of the vehicle. This includes responsibility for regular servicing and maintenance at government expense according to the manufacturer's recommended specifications, and making arrangements for off-street parking at home, whenever practicable, with appropriate security precautions at all times. Theft or damage should be reported to the Fleet Manager.
- (4) Motor vehicles leased for office holders under this determination or a previous determination of the Tribunal shall not be changed or cash in lieu taken prior to the expiration of the lease.
- (5) While the vehicle may be used anywhere in Western Australia at no cost to the individual, the individual is liable for the cost of fuel and oil incurred when driving interstate. Furthermore, if used outside of Western Australia, the custodian must be in the vehicle at all times that it is being used.
- (6) Should the officer choose not to use the vehicle supplied through State Fleet for business, or for travelling to and from work, but allows and authorises the vehicle to be used for private use during business hours by another family member or person, they are not entitled to access another government vehicle for private use, including transport to and from work.
- (7) Should the officer choose to take cash in lieu of a motor vehicle supplied through State Fleet, it is not the Tribunal's intent that this should result in additional government expense or an increase in the government fleet to provide transport for the office holder during business hours. Office holders are not entitled to claim mileage allowance for use of private vehicles for work purposes. Neither are they entitled to access another government vehicle for their personal use including transport to and from work.

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

- (1) The notional value of the lease (and all associated costs) shall be—

Table 2—Notional value of motor vehicle lease

Office	Notional Value of Lease
Chief Commissioner	\$26,900 p.a.
Senior Commissioner	\$25,400 p.a.
Commissioner	\$25,400 p.a.

- (2) The notional value of the lease shall be calculated on a pro-rata basis in accordance with the proportion of full-time hours worked by an office holder.
- (3) The total lease cost of the chosen vehicle and accessories determined in this section must be borne by the office holder. This includes the purchase cost of any accessories, including installation and removal costs if required, before disposal of the vehicle. No additional costs shall be incurred by the office holder as a result of fluctuations in lease costs during the specified term of the lease.
- (4) When the total lease and associated costs of a vehicle and accessories in accordance with this determination is less than the relevant motor vehicle benefit determined in this section, the difference in the cost to Government is to be paid fortnightly as part of the office holder's remuneration.
- (5) The method of determining whether an additional contribution must be made by the office holder or the surplus is to be paid to the office holder, shall be based on the notional lease cost to the Government of the vehicle sought (using the formula detailed below), compared with the relevant notional lease value determined for the benefit in this section. The cost at the time of entering into the lease is applicable.

(6) In the event an office holder's vehicle requires modifications to cater for a disability, resulting in total vehicle costs higher than the notional lease values specified in 3.2(1), then the reasonable additional cost may be approved by the Chief Commissioner, in consultation with the Department of the Registrar, Western Australian Industrial Relations Commission.

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

Value of Motor Vehicle = L + R + aD + FBT + I + LCT, where—

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

(8) FBT is costed at applicable Australian Taxation Office rates: purchase price (including GST) x Statutory fraction x Gross up (2.0802) x FBT rate (0.470).

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

3.3 Choice of Motor Vehicle

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

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

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

3.4 Cash Value of the Motor Vehicle Allowance

(1) When officeholders elect to not be provided with a motor vehicle through State Fleet they are entitled to the cash value being paid fortnightly as additional remuneration. The relevant cash value is as specified in Table 3.

Table 3—Cash Value of a Motor Vehicle

Office	Notional Value Of The Lease
Chief Commissioner	\$26,900 p.a.
Senior Commissioner	\$25,400 p.a.
Commissioner	\$25,400 p.a.

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

(3) A Gold State member electing to take a motor vehicle or the cash equivalent in lieu of a motor vehicle is not entitled to have either amount included for superannuation purposes.

(4) A West State or GESB Super member electing to take a vehicle does not have the cash value of that vehicle included for superannuation. However if the office holder elects to take a cash equivalent in lieu of a motor vehicle then this amount is included for the purposes of superannuation.

PART 4—TRAVELLING AND ACCOMMODATION ALLOWANCE

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

4.1 General

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

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

4.2 Allowance or reimbursement payable

(1) When an overnight stay away from home is involved, a travelling and accommodation allowance (inclusive of accommodation, meals and incidentals) shall be payable in accordance with the Australian Taxation Office's reasonable benefit limit rates for the relevant financial year as specified in the ATO's Taxation Determination and when accompanied by certification that the expense was appropriately incurred.

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

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

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

Signed on 30 July 2018.

M. SEARES AO,
Chairman.

B. A. SARGEANT PSM,
Member.

C. P. MURPHY PSM,
Member.

Salaries and Allowances Tribunal.

SA408

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION OF THE REMUNERATION OF

SENIOR AND ORDINARY MEMBERS OF THE STATE ADMINISTRATIVE TRIBUNAL

1. The Salaries and Allowances Tribunal ("Tribunal") issues this Determination pursuant to section 6(1)(e) of the *Salaries and Allowances Act 1975* ("the Act").
2. This Determination is subject to the restrictive provisions of the *Salaries and Allowances (Debt and Deficit Remediation) Act 2018*, which prevent the Tribunal, until July 2021, from increasing remuneration provided for offices referred to in section 6(e) of the Act, including Senior and Ordinary Members of the State Administrative Tribunal.
3. In compliance with these restrictions, this Determination provides no increase to remuneration provided for Senior and Ordinary Members of the State Administrative Tribunal.
4. In accordance with section 10A of the Act, this determination has followed consideration of the—
 - *Public Sector Wages Policy Statement 2017*; and
 - financial position and fiscal strategy of the State, as stated in the 2018-2019 Budget issued by the Treasurer on 10 May 2018.
5. The Tribunal's previous determination in relation to Members was issued on 31 May 2017.
6. While the *Salaries and Allowances (Debt and Deficit Remediation) Act 2018* has temporarily removed the Tribunal's obligation to issue an annual determination for offices included in section 6(e) of the Act, the Tribunal considers it important to provide a clear reference point for current remuneration in the public sector.
7. The Tribunal has also included a minor amendment to motor vehicle entitlements, which addresses circumstances in which an office holder's vehicle requires modifications to cater for a disability.
8. The determination will now issue.

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION OF THE REMUNERATION OF SENIOR AND ORDINARY MEMBERS OF THE STATE ADMINISTRATIVE TRIBUNAL

Pursuant to Section 6(1)(e)

PART 1—INTRODUCTORY MATTERS

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

1.1 Short Title

This determination may be cited as the *Senior and Ordinary Members of the State Administrative Tribunal Determination No. 1 of 2018*.

1.2 Commencement

This determination comes into operation on 30 July 2018.

1.3 Content and intent

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

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

(3) This determination complies with section 10D of the Act, which prevents the Tribunal, until July 2021, from increasing remuneration provided for offices prescribed for the purposes of section 6(1)(e) of the Act.

1.4 Terms used

In this determination, unless the contrary intention appears—

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

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

1.5 Conditions of service

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

(2) To the extent that conditions of service affect remuneration (e.g. paid leave of absence), a Senior and an Ordinary Member are entitled to the same terms and conditions as contained in the *Public Service Award 1992* and the *Public Service and General Officers Agreement 2017*. Where there is any inconsistency between the remuneration payable under this determination and as determined by the Governor under section 119(1) of the *State Administrative Tribunal Act 2004*, the remuneration specified in this determination shall prevail to the extent of the inconsistency.

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

1.6 Salary Packaging

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

https://www.commerce.wa.gov.au/sites/default/files/atoms/files/cda_2012_no.04_amendments_to_support_introduction_of_choice_of_superannuation_fund_super_choice.pdf

PART 2—SALARY

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

2.1 General

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

2.2 Offices and salaries

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

Table 1—Annual salaries payable to Senior and Ordinary Members

Office	Annual Salary
Senior Member	\$327,486
Ordinary Member	\$245,615

PART 3—MOTOR VEHICLE BENEFITS

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

3.1 General

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

(2) The motor vehicle (being part of the Government-owned State Fleet) should be managed in accordance with the policies and conditions established and amended from time to time by the Department of Finance (the effective owner of the State Fleet). Applicable terms and conditions are currently set out in the Department of Finance's document, *State Fleet—Agency General Agreement*, which took effect on 8 September 2018.

(3) An individual accessing a vehicle under this Part shall take due care of the condition and security of the vehicle. This includes responsibility for regular servicing and maintenance at government expense according to the manufacturer's recommended specifications, and making arrangements for

off-street parking at home, whenever practicable, with appropriate security precautions at all times. Theft or damage should be reported to the Fleet Manager.

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

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

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

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

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

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

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

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

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

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

(6) In the event an office holder's vehicle requires modifications to cater for a disability, resulting in total vehicle costs higher than the notional lease values specified in 3.2(1), then the reasonable additional cost may be approved by the President of the State Administrative Tribunal in consultation with the Department of Justice.

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

Value of Motor Vehicle = L + R + aD + FBT + I + LCT, where

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

(8) FBT is costed at applicable Australian Taxation Office rates: purchase price (including GST) x Statutory fraction x Gross up (2.0802) x FBT rate (0.470).

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

3.3 Choice of Motor Vehicle

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

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

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

3.4 Cash Value of the Motor Vehicle Allowance

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

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

The determination will now issue.

Signed on 30 July 2018.

M. SEARES AO,
Chairman.

B. A. SARGEANT PSM,
Member.

C. P. MURPHY PSM,
Member.

Salaries and Allowances Tribunal.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estate of Ryan John Kirkpatrick late of 6 Hakea Close, Waterloo, who died on 14 December 2017, are required by the personal representative to send particulars of their claims addressed to the Administrator of the Estate of Ryan John Kirkpatrick deceased, care of Young & Young, 5 Spencer Street, Bunbury, Western Australia by 21 September 2018, 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.

ZX402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estates of the undermentioned deceased persons are required by the Executor of this estate to send particulars of their claims to the Executor within one month from the date of publication of this notice after, which date the Executor may convey or distribute the assets having regard only to the claims of which the Executor then has notice.

Broun, Doris Ruby late of Baptistcare Greenwood, 20 Roebuck Drive, Salter Point who died on 20 April 2018.

Enston, Mark Newbold late of 16 Spinaway Street, Craigie who died on 12 June 2016.

Jovic, Danka late of Sjenina Rijeka bb, BA 74000 DOBOJ Bosnia Herzegovina who died on 16 April 2018.

Linn, Deborah Michelle late of 39 Tolladine Vista, The Vines who died on 1 May 2018.

HAYNES LEEUWIN, Barristers & Solicitors,
Solicitors for the Executors,
Suite 16, 56 Creaney Drive, Kingsley WA 6026.
(admin@haynesleeuwin.com.au)

ZX403

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Any creditors having claims on the estate of the late John Francis Watts of Aegis Shoalwater, 72 Fourth Avenue, Shoalwater in the State of Western Australia, deceased 27 May 2018, are required to send particulars of their claims to Arya Ryan Ashoorian, executor, c/- Avery & Ashoorian Lawyers, PO Box 3144, Myaree WA 6154 by 24 September 2018, after which date the executor may distribute the assets having regard only to the claims of which they then have notice.

ZX404**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estates of the undermentioned deceased persons, are required by Perpetual Trustee Company Limited, Level 12, 123 Pitt Street, Sydney NSW, to send particulars of such claims to the Company by the undermentioned date, after which date the said company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

Claims for the following estates expire one month after the date of publication hereof.

Estate Late Tyron Paul Honeywood,
Late of Unit 2/45 Cope Street, Midland WA—Disabled Pensioner,
Found deceased on 21 March 2014.

ZX405**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

In the matter of the Estate of Anthony Lawrence Greig, late of 50 Swallow Loop, High Wycombe, in the State of Western Australia, Retired, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estate of the deceased, who died on 3 June 2018, are required by the Executor Stuart John Taylor, to send the particulars of their claim to Messrs Taylor Smart of 1 Regal Place, East Perth in the State of Western Australia, by 20 September 2018, after which date the said Executor may convey or distribute the assets, having regard only to the claims of which he then has had notice.

Dated the 16th day of August 2018.

GLEN B. GILES, Taylor Smart.

ZX406**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Estate of Joan Evelyn Daisy Healy, late of Unit 5, 34 Harlequin Mews, Greenfields in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 13 January 2017, are required by the personal representative to send particulars of their claims to him/her care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah, Western Australia by 26 September 2018, after which date the personal representative may convey or distribute the assets having regard to the claims of which he/she then has notice.

CLEMENT & CO as solicitors for the personal representative.
