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CONTENTS

PART 1

	Page
Art Gallery of Western Australia Foundation Amendment Rules 2018 .....	4884
Biosecurity and Agriculture Management (Aerial Application) Regulations 2018 .....	4880
Biosecurity and Agriculture Management (Repeal and Consequential Provisions) Act 2007 Commencement Proclamation 2018 .....	4879
Mental Health (Authorisation of Public Hospitals) Amendment Order (No. 2) 2018.....	4886
Racing and Wagering Western Australia Act 2003—RWWA Rules of Thoroughbred Racing 2004 .....	4887
Sentencing Amendment Regulations 2018.....	4883
Supreme Court Act 1935—Acting Attorney General Designation Order (No. 2) 2018.....	4887

PART 2

Deceased Estates .....	4910
Education .....	4888
Fire and Emergency Services .....	4893
Fisheries .....	4894
Justice.....	4895
Local Government .....	4895
Minerals and Petroleum .....	4896
Planning .....	4896
Police .....	4902
Premier and Cabinet.....	4902
Salaries and Allowances Tribunal .....	4902
Transport.....	4909

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## GOVERNMENT GAZETTE

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# — PART 1 —

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## PROCLAMATIONS

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AA101

Biosecurity and Agriculture Management (Repeal and  
Consequential Provisions) Act 2007

### **Biosecurity and Agriculture Management (Repeal and Consequential Provisions) Act 2007 Commencement Proclamation 2018**

Made under the *Biosecurity and Agriculture Management (Repeal and Consequential Provisions) Act 2007* section 2(1) and (2) by the Governor in Executive Council.

#### **1. Citation**

This proclamation is the *Biosecurity and Agriculture Management (Repeal and Consequential Provisions) Act 2007 Commencement Proclamation 2018*.

#### **2. Commencement**

The *Biosecurity and Agriculture Management (Repeal and Consequential Provisions) Act 2007* Part 2 Division 3 comes into operation on the day after the day on which this proclamation is published in the *Gazette*.

K. BEAZLEY, Governor.

L.S.

A. MacTIERNAN, Minister for Agriculture and Food.

Note: The *Biosecurity and Agriculture Management (Aerial Application) Regulations 2018* and the *Sentencing Amendment Regulations 2018* come into operation on the day on which the *Biosecurity and Agriculture Management (Repeal and Consequential Provisions) Act 2007* Part 2 Division 3 comes into operation.

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**AGRICULTURE AND FOOD**

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AG301

Biosecurity and Agriculture Management Act 2007

**Biosecurity and Agriculture Management  
(Aerial Application) Regulations 2018**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Biosecurity and Agriculture Management (Aerial Application) 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 on which the *Biosecurity and Agriculture Management (Repeal and Consequential Provisions) Act 2007* Part 2 Division 3 comes into operation.

**3. Terms used**

In these regulations —

***aircraft*** means a machine that can derive support in the atmosphere from the reactions of the air;

***apply***, in relation to a controlled chemical product, means to drop or spray the product on land;

***controlled chemical product*** —

- (a) means an agricultural chemical product as defined in the Agvet Code of Western Australia; but
- (b) does not include —
  - (i) a meat bait product registered under Part 2 of the Agvet Code of Western Australia containing sodium fluoroacetate (1080); or
  - (ii) a chemical product specified under regulation 4;

***micro to medium weight RPA*** means one of the following remotely piloted aircrafts as defined in the *Civil Aviation Safety Regulations 1998* (Commonwealth) Dictionary Part 1 —

- (a) a micro RPA;
- (b) a very small RPA;
- (c) a small RPA;
- (d) a medium RPA.

**4. Director General may specify chemical product**

- (1) The Director General may, by notice published in the *Gazette*, specify that a chemical product of a particular kind is not a controlled chemical product.
- (2) A notice published under subregulation (1) may be amended or revoked by a subsequent notice published in the *Gazette*.

**5. Qualifications or authorisations to apply controlled chemical product (section 56(1))**

- (1) For the purposes of section 56(1) of the Act, a person who applies a controlled chemical product from an aircraft must —
  - (a) have a certificate or other document issued as evidence of successful completion of the Spraysafe Pilot Accreditation conducted by Aerial Application Association of Australia Ltd (ACN 002 501 886); or
  - (b) have successfully completed the training required to obtain a technician's licence under the *Health (Pesticides) Regulations 2011* regulation 38 endorsed to allow the licensee to undertake pest control in crops and pastures; or
  - (c) be of a class of persons authorised under regulation 6(1); or
  - (d) if the aircraft is a micro to medium weight RPA operated in accordance with subregulation (2) — have the qualification set out in subregulation (3).
- (2) For the purposes of subregulation (1)(d), a micro to medium weight RPA (the **RPA**) is operated in accordance with this subregulation if —
  - (a) the operator of the RPA —
    - (i) operates only that RPA during the operation; and
    - (ii) is the owner of the RPA or operates the RPA on behalf of the owner of the RPA; and
    - (iii) operates the RPA over land owned or occupied by the owner of the RPA;and
  - (b) the following persons receive no remuneration as a direct result of the operation of the RPA —
    - (i) the owner of the RPA;
    - (ii) the operator of the RPA;
    - (iii) the owner of the land over which the RPA is operated;
    - (iv) the occupier (if any) of the land over which the RPA is operated.
- (3) For the purposes of subregulation (1)(d), the qualification is a valid statement of attainment issued by a training organisation registered by the Australian Skills Quality Authority (the

National VET Regulator) established under the *National Vocational Education and Training Regulator Act 2011* (Commonwealth) section 155 for —

- (a) a unit of competency in preparing and applying chemicals entitled “AHCCHM303 Prepare and apply chemicals”; and
- (b) a unit of competency in transporting and storing chemicals entitled “AHCCHM304 Transport and store chemicals”.

**6. Director General may issue authorisation**

- (1) If the Director General is satisfied that a class of persons is qualified to apply a controlled chemical product from an aircraft, the Director General may issue an authorisation for that class of persons.
- (2) An authorisation issued under subregulation (1) —
  - (a) must be published in the *Gazette*; and
  - (b) may be amended or revoked by a subsequent notice published in the *Gazette*.

**7. Keeping prescribed records (section 56(6))**

- (1) For the purposes of section 56(6) of the Act, a person responsible for applying a controlled chemical product from an aircraft must keep the prescribed records for a period of 3 years beginning on the day on which the product was applied on the land.
- (2) For the purposes of subregulation (1), the prescribed records are records of the following made within 48 hours of the controlled chemical product being applied on the land —
  - (a) the date and time the product was applied;
  - (b) the name and residential address of the person who applied the product on the land;
  - (c) the name and address of an owner or occupier of the land on which the product was applied;
  - (d) the total area of the land on which the product was applied;
  - (e) the location of the land on which the product was applied;
  - (f) the estimated velocity and the direction of the wind at the time the product was applied;
  - (g) the product that was applied;
  - (h) the quantity and concentration of the product that was applied per hectare;
  - (i) the equipment used to apply the product;
  - (j) the type of crop on the land on which the product was applied.

- (3) For the purposes of subregulation (1), the person responsible for applying a controlled chemical product from an aircraft is —
- (a) if the person who applies the product from the aircraft is acting as an employee of another person (the **employer**) who is conducting a business of applying chemical products — the employer; or
  - (b) if the person who applies the product from the aircraft is acting, otherwise than as an employee, for or on behalf of another person (the **principal**) who is conducting a business of applying chemical products — the principal; or
  - (c) otherwise — the person who applies the product from the aircraft.

## 8. Transitional provision

- (1) In this regulation —
- certificate** has the meaning given in the *Aerial Spraying Control Act 1966* section 3;
- commencement day** means the day referred to in regulation 2(b);
- transitional period** means the period of 3 years beginning on commencement day.
- (2) During the transitional period, a person is taken to hold a prescribed qualification to apply a controlled chemical product from an aircraft for the purposes of section 56(1) of the Act if the person —
- (a) held a certificate immediately before commencement day; and
  - (b) is complying with the conditions (if any) attached to that certificate.

N. HAGLEY, Clerk of the Executive Council.

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AG302

Sentencing Act 1995

# Sentencing Amendment Regulations 2018

Made by the Governor in Executive Council.

## 1. Citation

These regulations are the *Sentencing 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 on which the *Biosecurity and Agriculture Management (Repeal and Consequential Provisions) Act 2007* Part 2 Division 3 comes into operation.

## 3. Regulations amended

These regulations amend the *Sentencing Regulations 1996*.

## 4. Schedule 2 amended

- (1) In Schedule 2 under the heading “**Acts**” delete the item “*Aerial Spraying Control Act 1966* s. 6, 9(4)”.
- (2) In Schedule 2 under the heading “**Subsidiary legislation**” delete the item “*Aerial Spraying Control Regulations 1971* r. 15”.

N. HAGLEY, Clerk of the Executive Council.

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# CULTURE AND THE ARTS

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CZ301

Art Gallery Act 1959

## Art Gallery of Western Australia Foundation Amendment Rules 2018

Made by the Minister for Culture and the Arts.

## 1. Citation

These rules are the *Art Gallery of Western Australia Foundation Amendment Rules 2018*.

## 2. Commencement

These rules come into operation as follows —

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



**3. Rules amended**

These rules amend *The Art Gallery of Western Australia Foundation Rules 1989*.

**4. Rule 1 amended**

In rule 1 delete “*The*” and insert:

the

**5. Rule 3 amended**

Delete rule 3(2) and insert:

- (2) The qualification for membership is the making of a gift or gifts to the Board or to the Foundation amounting in value to not less than —
- (a) \$5 000 in a period of 5 years; or
  - (b) \$4 000 in a period of 5 years that ended before the commencement of the *Art Gallery of Western Australia Foundation Amendment Rules 2018* rule 3.

**6. Rule 4 amended**

- (1) Delete rule 4(1)(a) and insert:

- (a) a person who makes a gift or gifts to the Board or to the Foundation in a period of 5 years amounting in value to not less than \$5 000 qualifies to be a member of the Foundation;

- (2) After rule 4(1) insert:

- (1A) A person who before the commencement of the *Art Gallery of Western Australia Foundation Amendment Rules 2018* rule 3 made a gift or gifts to the Board or to the Foundation in a period of 5 years amounting in value to not less than \$4 000 also qualifies to be a member of the Foundation.

D. TEMPLEMAN, Minister for Culture and the Arts.

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**HEALTH**

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HE301

Mental Health Act 2014

**Mental Health (Authorisation of Public Hospitals) Amendment Order (No. 2) 2018**

Made by the Governor in Executive Council under section 542 of the Act.

**1. Citation**

This order is the *Mental Health (Authorisation of Public Hospitals) Amendment Order (No. 2) 2018*.

**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 *Mental Health (Authorisation of Public Hospitals) Order 2017*.

**4. Schedule 1 amended**

In Schedule 1 delete item 3 and insert:

3.	Bentley Hospital	<p>Areas —</p> <ul style="list-style-type: none"><li>(a) coloured pink or coloured dark orange on the plan entitled “Bentley Hospital Mental Health Beds” of 7 September 2011; and</li><li>(b) bordered red on the plan entitled “BENTLEY HOSPITAL East Metropolitan Health Service Youth Unit (EMyU) MENTAL HEALTH UNIT” with sheet title “BLOCK N LEVEL 2 AUTHORISED AREA” of August 2018.</li></ul>
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N. HAGLEY, Clerk of the Executive Council.

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## PREMIER AND CABINET

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PR301

### SUPREME COURT ACT 1935

ACTING ATTORNEY GENERAL DESIGNATION ORDER (No. 2) 2018

Made by the Governor in Executive Council.

#### 1. Citation

This order is the *Acting Attorney General Designation Order (No. 2) 2018*.

#### 2. Minister designated (December 2018 to January 2019)

The Honourable Rita Saffioti MLA, the Minister for Transport; Planning; Lands, is designated as the Minister of the State for the purposes of the *Supreme Court Act 1935* section 154(3) and (4) during the period beginning on 31 December 2018 and ending on 15 January 2019.

#### 3. Minister designated (January to February 2019)

The Honourable Alannah Joan Geraldine MacTiernan MLC, the Minister for Regional Development; Agriculture and Food; Minister assisting the Minister for State Development, Jobs and Trade, is designated as the Minister of the State for the purposes of the *Supreme Court Act 1935* section 154(3) and (4) during the period beginning on 16 January 2019 and ending on 2 February 2019.

N. HAGLEY, Clerk of the Executive Council.

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## RACING, GAMING AND LIQUOR

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RA301

### RACING AND WAGERING WESTERN AUSTRALIA ACT 2003

#### RWWA RULES OF THOROUGHBRED RACING 2004

In accordance with Section 45 (1) (a) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 20 December 2018 resolved that the *RWWA Rules of Thoroughbred Racing 2004* be amended as follows—

#### **Amendment to Australian Racing Rules (National Rules) effective 7 January 2019**

Amend AR.1A as follows—

*A **Trophy Race** is a race in which the prizemoney and/or value of any trophy to the winner does not exceed \$5,000.*

*A **Class B Race**\* is one restricted to horses which, at the time of starting, have not generated prizes in the aggregate worth more than \$12,500 for wins in races on the flat and have never won a race on the flat outside Australia.*

*\* The value of the prize to the winner shall not exceed—*

*in a Class A Race—\$6,000*

*in a Class B Race—\$12,500.*

Amend AR.14B(b)

Delete and replace AR.54

Amend AR.87

Amend *Prizemoney to which an Owner would otherwise be entitled* in Appendix 1 of the TOR Rules

Add new sub-rule (5) to TOR Rule 6

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

RICHARD BURT, Chief Executive Officer.

## — PART 2 —

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### EDUCATION

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ED401

#### SCHOOL EDUCATION ACT 1999

#### NON-GOVERNMENT SCHOOLS FUNDING ORDER 2019

Made by the Minister for Education under section 183 of the *School Education Act 1999*.

#### 1. Citation

This order may be cited as the Non-Government Schools Funding Order 2019.

#### 2. Application

This Order applies for the year commencing on 1 January 2019.

#### 3. Interpretation

In this Order, unless the contrary intention appears—

*Act* means the *School Education Act 1999*;

*chief executive officer* has the same meaning as in section 151 of the Act;

*eligible school* means a registered school described in clause 5;

*eligible student* means a student described in clause 6;

*full-time equivalent* has the meaning specified;

*funding* means funding referred to in clause 8;

*funding category* means a category specified in column 1 of the table in Part 1 of the Schedule;

*Guidelines* means the Guidelines issued by the Minister under clause 21;

*high support needs student* means an eligible student classified as having high support needs;

*incorporated* in respect of a governing body means incorporated in Australia;

*report* means a report referred to in clause 19(3);

*schedule* means the Schedule to this Order;

*special education student* means an eligible student classified as having a mild, moderate or severe disability;

*specified* means specified by the Minister, whether in the Guidelines or otherwise; and

*student census* means a student census referred to in clause 19(3) or any other document specified as such.

#### PART 1—ELIGIBILITY AND APPLICATION FOR FUNDING

#### 4. Funding

Funding for the purposes of school education will be paid under and in accordance with this Order and the Guidelines to or for eligible schools which apply for funding in accordance with clause 7. Funding will be—

- (a) in the case of funding referred to in clause 8(1), calculated for an eligible school on the basis of its eligible students;
- (b) in the case of funding referred to in clause 8(3), calculated as determined by the Minister; and
- (c) provided on and subject to the conditions, limitations and restrictions set out in this Order and in the Guidelines.

#### 5. Eligible schools

An eligible school is a registered school which satisfies all of the following criteria at the relevant point in time—

- (a) its governing body is incorporated or the Minister has otherwise approved its status for the purposes of this clause;
- (b) there is not in effect a determination of the Minister that the registered school is conducted for profit for the purposes of this clause; and
- (c) there is not in effect a determination of the Minister that the registered school is ineligible for the purposes of this clause.

#### 6. Eligible students

A student is an eligible student in relation to an eligible school if he or she satisfies all of the following criteria—

- (a) the student is resident in Western Australia;

- (b) the student is enrolled at the eligible school;
- (c) the student is enrolled in a year level of education which is recorded in the register in respect of the eligible school and which is no earlier than the pre-compulsory education period for the student;
- (d) the student is compliant with the specified year level requirements;
- (e) the student has specified citizenship, residency or visa status in Australia;
- (f) the student meets the specified attendance requirements; and
- (g) the student has not turned 21 years of age before 1 January 2019.

#### **7. Application for Funding**

- (1) An eligible school, or a school system for which a system agreement is in force, may apply for funding under clause 8(1) in respect of its eligible students in the manner set out in this clause and as specified.
- (2) An application for funding under subclause (1) is to be made, on behalf of the eligible school or school system, by its governing body.
- (3) An application for funding is to be certified as specified.

### **PART 2—CALCULATION AND PAYMENT OF FUNDING**

#### **8. Calculation of Funding**

- (1) The amount of funding to be paid to the governing body of an eligible school or school system which has made an application under clause 7 will be, in respect of its eligible students—
  - (a) a Per Capita Grant for each eligible student, calculated and paid in accordance with clause 9;
  - (b) a Special Education Supplementary Per Capita Grant for each eligible student who is a special education student, calculated and paid in accordance with clause 10; and
  - (c) a High Support Needs Per Capita Grant for each eligible student who is a high support needs student, calculated and paid in accordance with clause 11.
- (2) The funding category for each eligible school is as determined by the Minister.
- (3) In addition to the funding described in subclause (1), other funding may be provided for a registered school or school system at the discretion of and as determined by the Minister.

#### **9. Calculation and Payment of Per Capita Grant funding**

- (1) A Per Capita Grant amount for a full-time equivalent eligible student of an eligible school is specified in the table in Part 1 of the Schedule, corresponding to the funding category of the eligible school and according to the year level of the full-time equivalent eligible student specified in columns 2, 3, 4 and 5 of that table. This amount is the **Part 1 amount** for that full-time equivalent eligible student.
- (2) Per Capita Grant funding under clause 8(1)(a) for an eligible school in a funding category other than 'H' is to be calculated and, unless otherwise determined in accordance with clause 13, paid, in four instalments as follows—
  - (a) a February instalment equal to the aggregate of 25% of the Part 1 amount for each full-time equivalent eligible student properly included in the eligible school's August 2018 student census;
  - (b) a May instalment equal to the aggregate of 50% of the Part 1 amount for each full-time equivalent eligible student properly included in the eligible school's February 2019 student census, less the instalment amount paid for the eligible school in February as calculated under subclause (2)(a);
  - (c) an August instalment equal to the aggregate of 25% of the Part 1 amount for each full-time equivalent eligible student properly included in the eligible school's February 2019 student census; and
  - (d) an October instalment equal to the aggregate of 50% of the Part 1 amount for each full-time equivalent eligible student properly included in the eligible school's August 2019 student census less the instalment amount paid for the eligible school in August as calculated under subclause (2)(c).
- (3) Per Capita Grant funding under clause 8(1)(a) for an eligible school in funding category 'H' is to be calculated and, unless otherwise determined in accordance with clause 13, paid, in four instalments as follows—
  - (a) a February instalment equal to the aggregate of 25% of the Part 1 amount for each full-time equivalent eligible student properly included in the eligible school's report for the November 2018 quarter;
  - (b) a May instalment equal to the aggregate of 25% of the Part 1 amount for each full-time equivalent eligible student properly included in the eligible school's report for the February 2019 quarter;
  - (c) an August instalment equal to the aggregate of 25% of the Part 1 amount for each full-time equivalent eligible student properly included in the eligible school's report for the May 2019 quarter; and
  - (d) an October instalment equal to the aggregate of 25% of the Part 1 amount for each full-time equivalent eligible student properly included in the eligible school's report for the August 2019 quarter.

**10. Calculation and Payment of Special Education Supplementary Per Capita Grant funding**

(1) A Special Education Supplementary Per Capita Grant amount for a full-time equivalent special education student of an eligible school applies as follows—

- (a) Mild disability—110 per cent of the relevant Part 1 amount for the full-time equivalent eligible student;
- (b) Moderate disability—210 per cent of the relevant Part 1 amount for the full-time equivalent eligible student;
- (c) Severe disability—360 per cent of the relevant Part 1 amount for the full-time equivalent eligible student.

(2) Special Education Supplementary Per Capita Grant funding under clause 8(1)(b) for an eligible school is to be calculated and, unless otherwise determined in accordance with clause 13, paid, in two instalments, as follows—

- (a) a June instalment equal to the aggregate of 50% of the relevant Special Education Supplementary Per Capita Grant amount for each full-time equivalent special education student of the eligible school; and
- (b) an October instalment equal to the aggregate of 50% of the relevant Special Education Supplementary Per Capita Grant amount for each full-time equivalent special education student of the eligible school.

**11. Calculation and Payment of High Support Needs Per Capita Grant funding**

(1) A High Support Needs Per Capita Grant amount for a full-time equivalent high support needs student of an eligible school is specified in the table in Part 2 of the Schedule, according to the year level of the full-time equivalent high support needs student specified in columns 2, 3, 4 and 5 of that table. This amount is the **Part 2 amount** for that full-time equivalent high support needs student.

(2) High Support Needs Per Capita Grant funding under clause 8(1)(c) for an eligible school is to be calculated and, unless otherwise determined in accordance with clause 13, paid, in two instalments as follows—

- (a) a June instalment equal to—
  - (i) the aggregate of 50% of the Part 2 amount for each full-time equivalent high support needs student of the eligible school, less
  - (ii) all amounts of funding paid or payable in respect of those full-time equivalent high support needs students under clause 9(2)(a) and (b) or clause 9(3)(a) and (b); and
- (b) an October instalment equal to—
  - (i) the aggregate of 50% of the Part 2 amount for each full-time equivalent high support needs student of the eligible school, less
  - (ii) all amounts of funding paid or payable in respect of those full-time equivalent high support needs students under clause 9(2)(c) and (d) or clause 9(3)(c) and (d).

**12. Variation or Withholding of Payment of Funding**

(1) Subject to subclause (2), a payment of funding for an eligible school may with the approval of the chief executive officer be increased or decreased to correct an overpayment or an underpayment previously made for that eligible school, whether due to an error in the eligible school's application or student census or otherwise.

(2) Funding will not be paid in respect of eligible students for any period prior to the 2019 year.

(3) A payment of funding for an eligible school may be withheld if in the opinion of the Minister the eligible school has not provided to the chief executive officer satisfactory evidence of appropriate acquittal of funding previously provided to the eligible school under Part 4, Division 5 of the Act.

**13. Safeguarding of Funds—Monthly Payments**

(1) Should the Minister consider it necessary in order to ensure that funding to be paid for an eligible school under this Order will be available to be applied for the purposes stipulated in clause 15, the Minister may determine that funding for the eligible school is to be paid in equal monthly instalments in the manner determined by the chief executive officer instead of in accordance with clauses 9, 10 or 11 (as the case may be).

(2) The Minister is to notify the governing body of the eligible school in writing if the Minister makes a determination under subclause (1) as soon as practicable after the making of that determination.

(3) The Minister may by notice in advance to its governing body revoke a determination made under subclause (1) in relation to an eligible school.

**14. Payment Method**

Unless otherwise approved by the chief executive officer, funding paid to a governing body under this Order is to be paid into the bank account of the governing body.



**PART 3—APPLICATION AND ACQUITTAL OF FUNDING****15. Purposes for which Funding May be Applied**

- (1) The governing body of an eligible school must apply, and ensure the application of, Per Capita Grant funding received for that eligible school under clause 8(1)(a) only for the purposes of school education.
- (2) The governing body of an eligible school must apply, and ensure the application of, Special Education Supplementary Per Capita Grant funding and High Support Needs Per Capita Grant funding received for that eligible school under clause 8(1)(b) and (c) only to support the education of the students in respect of whom that funding is paid, either individually or collectively.
- (3) The governing body of an eligible school which receives funding under clause 8(3) must apply, and ensure the application of, that funding for the purpose stipulated by the Minister in allocating the funding.

**16. Distribution of Funding by the Governing Body**

- (1) Unless authorised under subclause (2), where—
  - (a) a governing body of a school system receives funding for eligible schools in its school system, the governing body must allocate to each school in the school system the funding paid for that school under clause 8; and
  - (b) a governing body receives funding as the governing body of more than one eligible school other than as the governing body of a school system, the governing body must allocate to each such eligible school the funding paid for that eligible school under clause 8.
- (2) The Minister may authorise—
  - (a) the governing body of a school system to allocate the funding paid to it under clause 8 among the schools in the school system in a manner approved by the chief executive officer; and
  - (b) a governing body which is the governing body for more than one eligible school to allocate the funding paid to it under clause 8 among the eligible schools for which it receives funding, in a manner approved by the chief executive officer,

instead of in accordance with subclause (1).

**17. Grant acquittal and reporting**

- (1) A governing body in receipt of funding under this Order must provide to the chief executive officer a statement (a **funding acquittal**) by no later than 30 June 2019 confirming that the funding paid to it under this Order has been spent or committed in accordance with this Order.
- (2) A funding acquittal must comply with the specified requirements.

**18. Safeguarding of Funds—Separate Accounting**

- (1) The chief executive officer may determine that the governing body of a registered school must separately identify in its accounts the revenue and expenditure related to funding provided under this Order, as from a specified date and in the manner determined by the chief executive officer.
- (2) The chief executive officer is to notify the governing body of the eligible school in writing if the chief executive officer makes a determination under subclause (1) as soon as practicable after the making of that determination and of the date from which the governing body must give effect to the determination. The chief executive officer's notice must be given not less than 60 days prior to the date from which the governing body must give effect to the determination and the commencement of the governing body's financial year.
- (3) The chief executive officer may by notice in advance to its governing body revoke a determination made under subclause (1) in relation to an eligible school.

**19. Governing Body Records**

- (1) The chief executive officer may personally or through any representative conduct an audit to verify entitlement to or expenditure of funding or to verify any other matter in connection with this Order or the provision of funding. A governing body in receipt of funding under this Order must keep and provide when requested all necessary or appropriate student enrolment and attendance records and other records (including disability assessment and residency status records) validating a school's funding application to enable audits to be conducted by the chief executive officer or any representative of the chief executive officer.
- (2) A governing body in receipt of funding under this Order must maintain financial records and documents to enable audits to be conducted by the chief executive officer or any representative of the chief executive officer in accordance with Australian Accounting Standards and Australian Auditing and Assurance Standards.
- (3) A governing body applying for, or in receipt of, funding under this Order must provide, at the times and in the form from time to time specified—
  - (a) in the case of an eligible school in a funding category other than 'H', a student census; and
  - (b) in the case of an eligible school in funding category 'H', a report as to student numbers,
  - (c) in respect of each eligible school for which funding has been provided or for which an application for funding is made.

**20. Notice to be Given to the Chief Executive Officer**

A governing body in receipt of funding under this Order must notify the chief executive officer within 14 days if any of the following occurs—

- (a) any change to the governing body's bank account details;
- (b) any change to the governing body's registration for Goods and Services Tax by the Commissioner of Taxation;
- (c) a decision to proceed with the winding up of any eligible school of which it is the governing body;
- (d) the affairs of the governing body or the affairs of any eligible school of which it is the governing body go under any form of external control (for example the control of a voluntary administrator) under a law of the Commonwealth or a State or Territory;
- (e) any change to the relationship between the governing body and one or more eligible schools insofar as it affects the governing body's ownership, oversight, management or control, or which negatively impacts interaction with an eligible school;
- (f) any eligible school of which it is the governing body is conducted for profit.

**21. Guidelines**

The Minister may from time to time issue guidelines under this Order expressing the principles on which funding will be provided and assistance given under this Order.

**SCHEDULE****Part 1****2019 Per Capita Grants**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>	<b>Column 5</b>
State Funding Category	School year Pre-Compulsory (Kindergarten)	School year Compulsory Pre-Primary to Year 6	School year Compulsory Years 7 to 10	School year Compulsory Years 11 and 12
	\$	\$	\$	\$
A	2,550	1,700	2,498	2,581
B	2,938	1,958	2,878	3,174
C	2,951	1,968	2,891	3,251
D	3,043	2,029	2,983	3,348
E	3,193	2,128	3,127	3,494
F	3,329	2,218	3,261	3,608
G	3,434	2,290	3,366	3,739
G (A)	5,117	3,412	5,015	5,566
H			5,015	5,566
I	6,807	4,539	6,673	7,353

**Part 2****2019 High Support Needs Per Capita Grants**

<b>State Funding Category</b>	<b>School year Pre-Compulsory (Kindergarten)</b>	<b>School year Compulsory Pre-Primary to Year 6</b>	<b>School year Compulsory Years 7 to 10</b>	<b>School year Compulsory Years 11 and 12</b>
	\$	\$	\$	\$
A—I	14,715	36,785	36,785	36,785

Dated this 17th day of December, 2018.

Hon. SUE ELLERY MLC, Minister for Education and Training.



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## FIRE AND EMERGENCY SERVICES

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**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 22nd December 2018 for the local government districts of—

East Pilbara, Port Hedland, Greater Geraldton, Chapman Valley, Northampton, Carnamah, Coorow, Dandaragan, Irwin.

GRAHAM SWIFT, 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 21st December, 2018.

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**FE402****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 23rd December 2018 for the local government districts of—

Carnarvon, Cue, Meekatharra, Menzies, Mount Magnet, Murchison, Sandstone, Shark Bay, Upper Gascoyne, Wiluna, Yalgoo.

R. CURTIS, 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 22nd December, 2018.

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**FE403****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 Friday 21st December 2018 for the local government districts of—

Greater Geraldton, Chapman Valley and Northampton.

GRAHAM SWIFT, 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 20th December, 2018.

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**FE404****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 23rd December, 2018 from 1400hrs to 0000hrs for the local government districts of—

Albany, Denmark, Jerramungup, Plantagenet, Ravensthorpe, Esperance.

R. CURTIS, 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 23rd December, 2018.

**FE405****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 24th December, 2018 for the local government districts of—

Ashburton, Exmouth.

R. CURTIS, 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 23rd December, 2018.

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**FISHERIES**

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**FI401****PEARLING ACT 1990**  
**PEARLING (ANNUAL FEES) NOTICE (No. 2) 2018**

FD 3240/18 [1409]

Made by the Minister under section 27.

**1. Citation**

This notice is the *Pearling (Annual Fees) Notice (No. 2) 2018*.

**2. Interpretation**

In this notice, unless the contrary intention appears—

**regulation** means a reference to the *Pearling (General) Regulations 1991*.

**3. Annual fees for farm leases**

For the purposes of section 27(1)(a) of the Act the annual fee for the year ending 31 December 2019 is \$5463.84 per square nautical mile of the relevant pearl oyster farm, applied pro rata.

**4. Payment by instalments**

(1) For the purposes of regulation 9A, the annual fee for a farm lease may be paid by instalments as specified in the Schedule to this notice if—

- (a) an election to pay by instalments is made by the holder of the lease in accordance with subclause (2); and
- (b) no other fee, charge or levy in respect of the relevant lease is payable at the time the election is received.

(2) An election made for the purposes of subclause (1) must be—

- (a) in writing;
- (b) received at the head office of the Department prior to the commencement of the period to which the election relates; and
- (c) accompanied by the first instalment and the surcharge.

(3) For the purposes of regulation 9A(2), the surcharge is 3.13% of the annual fee.

**Schedule****Payment by Instalments**

- (a) The first instalment is 5% of the relevant annual fee and is due for payment on or before 1 February of the year for which the lease is issued or renewed.
- (b) The second instalment is 35% of the annual fee and is due for payment on or before 1 July immediately following the period specified in paragraph (a).
- (c) The third instalment is 60% of the annual fee and is due for payment on or before 1 October immediately following the period specified in paragraph (a).

Dated 21st day of December, 2018.

D. KELLY, Minister for Fisheries.

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**JUSTICE**

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JU401

**COURT SECURITY AND CUSTODIAL SERVICES ACT 1999**

## PERMIT DETAILS

Pursuant to the provisions of section 55(1) of the *Court Security and Custodial Services Act 1999*, the Commissioner of Corrective Services has issued the following Permit to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Permit Expiry Date
Mubita	Mubita	BRS-180103	24/03/2022
Binbusu	Melita	BRS-180038-1	24/03/2022

Pursuant to the provisions of section 55(1) of the *Court Security and Custodial Services Act 1999*, the Commissioner of Corrective Services has suspended the following Permit to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Suspended
Hocking	Cheryl	BRS-170137-1	11/12/2018

Pursuant to the provisions of section 55(1) of the *Court Security and Custodial Services Act 1999*, the Commissioner of Corrective Services has revoked the following Permit to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Revoked
Lawrence	Daniel	BRS-170443-1	13/12/2018

This notice is published under section 57(1) of the *Court Security and Custodial Services Act 1999*.

SUE HOLT, Assistant Director, Prisoner Transport and  
Custodial Services Contract Management.

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**LOCAL GOVERNMENT**

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LG401

**LOCAL GOVERNMENT ACT 1995***City of Rockingham*

## EXTENSION OF AREA OF APPLICATION OF LOCAL LAW

Department of Local Government, Sport and Cultural Industries.

DLGSC: LG17-126

It is hereby noted for public information that the Governor has approved under section 3.6(1) of the *Local Government Act 1995* of the making of the *City of Rockingham Public Places and Local Government Property Local Law 2018* to the extent that it will apply outside the district of the City of Rockingham.

MICHAEL CONNOLLY, Deputy Director General—Regulation.

LG402

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960***City of Mandurah*

## APPOINTMENTS

It is hereby notified for public information that Giorgi Giardini and Harry Louw have been appointed as Ranger and Pound Keeper pursuant to Part XX, Section 449 of the *Local Government (Miscellaneous Provisions) Act 1960*.

MARK R. NEWMAN, Chief Executive Officer.

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## MINERALS AND PETROLEUM

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MP401

**PETROLEUM PIPELINES ACT 1969**

## VARIATION STP-PLV-0053

Licence PL 8

Licence PL 8, the Robe River Pipeline, held by North Mining Limited, Robe River Mining Co. Pty Ltd, Mitsui Iron Ore Development Pty Ltd, Nippon Steel & Sumitomo Metal Australia Pty Ltd and Nippon Steel & Sumikin Resources Australia Pty Ltd has been varied by instrument of variation STP-PLV-0053 by replacing the Conditions with varied Conditions, with effect on 18 December 2018.

RICHARD JOHN ROGERSON, Executive Director,  
Resource Tenure Division.

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## PLANNING

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PL401

**PLANNING AND DEVELOPMENT ACT 2005**

## APPROVED LOCAL PLANNING SCHEME AMENDMENT

*Shire of Peppermint Grove*

Local Planning Scheme No. 4—Amendment No. 1

Ref: TPS/2110

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 Peppermint Grove Local Planning Scheme amendment on 23 November 2018 for the purpose of—

- Rezoning portion of Lot 90 (No. 2) Bay View Terrace, Peppermint Grove, from Residential R25 to Residential R10 as shown in the Amended LPS 4 Scheme Map.
- Rezoning of Lot 91 Keane Street, Peppermint Grove from R10 and R25 to Local Road as shown in the Amended LPS 4 Scheme Map.
- Updating the scheme maps accordingly.

R. THOMAS, President.  
D. BURNETT, Chief Executive Officer.

PL402

**PLANNING AND DEVELOPMENT ACT 2005**

## APPROVED LOCAL PLANNING SCHEME AMENDMENT

*Shire of Ravensthorpe*

Local Planning Scheme No. 6—Amendment No. 2

Ref: TPS/2195

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 Ravensthorpe Local Planning Scheme amendment on 13 December 2018 for the purpose of—

1. Amending the Scheme Map by rezoning the portion of Reserve 31754 zoned 'Rural' to 'Environmental Conservation' reserve as depicted on the Amendment Map.
2. Amending the Scheme Map by rezoning the portion of Reserve 31128 zoned 'Public Open Space' reserve to 'Environmental Conservation' reserve as depicted on the Amendment Map.
3. Amending the Scheme Map by rezoning the portion of Reserve 16119 zoned 'Rural' to 'Public Open Space' reserve as depicted on the Amendment Map.
4. Amending the Scheme Map by rezoning Reserve 12200 to 'Public Purposes' reserve with a designation of Infrastructure Services as depicted on the Amendment Map.
5. Amending the Scheme Map by rezoning Reserve 11577 to 'Public Purposes' reserve with a designation of Infrastructure Services as depicted on the Amendment Map.
6. Amending the Scheme Map by rezoning Reserve 7379 to 'Public Purposes' reserve with a designation of Infrastructure Services as depicted on the Amendment Map.
7. Amending the Scheme Map by rezoning Reserve 12141 to 'Public Purposes' reserve with a designation of Infrastructure Services as depicted on the Amendment Map.

8. Amending the Scheme Map by rezoning Reserve 11145 to 'Public Open Space' reserve as depicted on the Amendment Map.
9. Amending the Scheme Map by rezoning Reserve 21723 to 'Public Open Space' reserve as depicted on the Amendment Map.
10. Amending the Scheme Map by Reserve 27023 to 'Environmental Conservation' reserve as depicted on the Amendment Map.
11. Amending the Scheme Map by rezoning a portion of Reserve 30633 to 'Public Purposes' reserve with a designation of Emergency Services as depicted on the Amendment Map.
12. Amending the Scheme Map by rezoning Reserve 36191 to 'Public Purposes' reserve with a designation of Government Services as depicted on the Amendment Map.
13. Amending the Scheme Map by rezoning Reserve 17880 to 'Environmental Conservation' reserve as depicted on the Amendment Map.
14. Amending the Scheme Map by rezoning the portion of Floater Road Reserve zoned 'Public Open Space' reserve to 'Local Road' as depicted on the Amendment Map.
15. Amending the Scheme Map by Reserve 13271 to 'Environmental Conservation' reserve as depicted on the Amendment Map.
16. Amending the Scheme Map by rezoning Reserve 38642 to 'Public Purposes' reserve with a designation of Government Services as depicted on the Amendment Map.
17. Amending the Scheme Map by rezoning Lot 1 on Diagram 80567 on the corner of Mason Bay Road and Middle Road to 'Public Purposes' reserve with a designation of Infrastructure Services as depicted on the Amendment Map.
18. Amending the Scheme Map by Reserve 49742 to 'Environmental Conservation' reserve as depicted on the Amendment Map.
19. Amending the Scheme Map by rezoning Lots 3000 and 3001 on Plan 48791 and a portion of 'Local Road' as 'Primary Distributor Road' as depicted on the Amendment Map.
20. Amending the Scheme Map by rezoning Lots 3004, 3005 and 3006 on Plan 48787 as 'Primary Distributor Road' as depicted on the Amendment Map.
21. Amending the Scheme Map by rezoning Lot 521 on Plan 403837 and portions of 'Local Road' as 'Primary Distributor Road' as depicted on the Amendment Map.
22. Amending the Scheme Map by rezoning the portion of 'Local Road' on the corner of Maydon Road and South Coast Highway as 'Primary Distributor Road' as depicted on the Amendment Map.
23. Amending the Scheme Map by rezoning Reserve 27127 to 'Public Open Space Reserve' as depicted on the Amendment Map.
24. Amending the Scheme by deleting in Clause 3.4.1 the reference to Addition Use No. 2 and the Scheme Map accordingly.
25. Amending the Scheme by inserting a replacing the text under Clause 2.3 with the following—
  - (a) The Table sets out—
    - i classes of use for specified land located in local reserves that are additional to classes of use determined in accordance with the objectives of the reserve; and
    - ii the conditions that apply to that additional use.

**Table****Specified additional uses for land in local reserves in Scheme area**

No.	Description of land	Additional use	Conditions
AR1	Reserve 27127	Equestrian Centre	1. As determined by the local government

- (b) Despite anything contained in clause 2.2, land that is specified in the Table to subclause (1) may be used for the additional class of use set out in respect of that land subject to the conditions that apply to that use.
- (c) Despite anything contained in clause 2.2, a reserve may be used by the government, public authority or local government for the purposes of developing or maintaining public infrastructure.
26. Amending the Scheme Map by applying 'AR1' to Reserve 27127 as depicted on the Amendment Map.
27. Amending the Scheme Map by rezoning Lots 109, 110 and 111 on Plan 39880 and a portion of 'Local Road' as 'Primary Distributor Road' as depicted on the Amendment Map.
28. Amending the Scheme Map by rezoning Lots 1518 and 1519 on Plan 29986 as 'Primary Distributor Road' as depicted on the Amendment Map.
29. Amending the Scheme Map by rezoning Lots 351 and 352 on Plan 401419 as 'Primary Distributor Road' as depicted on the Amendment Map.
30. Amending the Scheme Map by rezoning Lots 1508 on Plan 191425 as 'Local Road' as depicted on the Amendment Map.

31. Amending the Scheme by inserting the following as point (j) in Clause 3.1.2—  
Rural Smallholdings
- i. To provide for lot sizes in the range of 4 ha to 40 ha.
  - ii. To provide for a limited range of rural land uses where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.
  - iii. To set aside areas for the retention of vegetation and landform or other features which distinguish the land.
32. Amending the Scheme Map by rezoning Lots 1, 2, 3, 4, 8, 15, 16, 17, 18, 19, 20 and 21 Blue Vista as 'Rural Smallholdings' as depicted on the Scheme Map.
33. Amending the Scheme Map by rezoning Lots 1, 2, 3, 8, 9, 10, 15, 16 and 17 Dotterel Drive, Lots 4, 5, 6 and 7 Carnaby Close and Lots 11, 12, 13 and 14 Pardalote Parade as 'Rural Smallholdings' as depicted on the Scheme Map.
34. Amending the Scheme by inserting a new row in Schedule 2 under the row titled 'Rural Residential' with the Title of 'Rural Smallholdings' as follows—

			Minimum Setback (m)**				
Zone	Site coverage %	Plot Ratio	Front	Rear	Side	Land-scaping %	Special Conditions/ comments
Rural Smallholdings	N/A	N/A	40(i)	20(i)	20(i)	N/A	Effluent Disposal is to be in accordance with Clause 4.37.
			(i) Where the lot is subject to a building envelope all development is to be within that envelope				

35. Amending the Scheme by inserting 'Rural Smallholdings' as a land use in Clause 3.2 Zoning Table with the same permissibility's as 'Rural Residential' with the following modifications—
- 'Holiday House' is a 'D' use;
  - 'Industry—Cottage' is a 'D' use;
  - 'Industry—Extractive' is an 'A' use;
  - 'Rural Home Business' is a 'D' use;
  - 'Educational Establishment' is an 'A' use;
  - 'Exhibition Centre' is a 'A' use; and
  - 'Telecommunications Infrastructure' is a 'D' use.
36. Amending the Scheme by amending the following permissibility's for 'Rural Residential' in the Table under Clause 3.2 with the following modifications—
- 'Child Care Premises' to an 'X' use;
  - 'Home Store' to an 'A' use;
  - 'Animal Husbandry—Intensive' to an 'X' use;
  - 'Exhibition Centre' to an 'A' use;
  - 'Reception Centre' to an 'X' use; and
  - 'Recreation—Private' to an 'A' use.
37. Amending the Scheme by amending the following permissibility's for 'Rural' in the Table under Clause 3.2 with the following modifications—
- 'Holiday House' to a 'D' use;
  - 'Office' to an 'T' use;
  - 'Industry—Light' to an 'T' use;
  - 'Hospital' to an 'A' use;
  - 'Place of Worship' to an 'A' use; and
  - 'Telecommunications Infrastructure' is a 'D' use.
38. Amending the Scheme by amending the following permissibility's for 'Light Industry' in the Table under Clause 3.2 with the following modifications—
- 'Nightclub' to an 'A' use;
  - 'Office' to an 'T' use;
  - 'Restaurant/café' to an 'T' use; and
  - 'Telecommunications Infrastructure' is a 'D' use.
39. Amending the Scheme by amending the following permissibility's for 'Tourism' in the Table under Clause 3.2 with the following modifications—
- 'Bed and Breakfast' as a 'D' use;
  - 'Nightclub' to a 'X' use;
  - 'Shop' as an 'A' use; and
  - 'Transport Depot' as a 'X' use.



40. Amending the Scheme by amending the following permissibility's for 'Mixed Use' in the Table under Clause 3.2 with the following modifications—
- 'Park Home Park' to a 'X' use;
  - 'Holiday Accommodation' to a 'D' use;
  - 'Holiday House' to a 'D' use;
  - 'Funeral Parlour' to a 'A' use;
  - 'Garden Centre' to an 'A' use;
  - 'Shop' to a 'P' use;
  - 'Fuel Depot' to an 'X' use; and
  - 'Industry—Light' to an 'T' use.
41. Amending the Scheme by amending the following permissibility's for 'Rural Townsite' in the Table under Clause 3.2 with the following modifications—
- 'Park Home Park' to a 'X' use;
  - 'Holiday Accommodation' to an 'A' use;
  - 'Holiday House' to a 'D' use;
  - 'Motel' to an 'A' use;
  - 'Nightclub' to an 'A' use;
  - 'Funeral Parlour' to a 'A' use; and
  - 'Garden Centre' to an 'A' use.
42. Amending the Scheme by amending the following permissibility's for 'Residential' in the Table under Clause 3.2 with the following modifications—
- 'Home Store' to a 'X' use;
  - 'Office' to a 'X' use;
  - 'Industry—Cottage' to a 'X' use;
  - 'Motor Vehicle Repairs' to a 'X' use; and
43. Amending the Scheme by inserting the following after Clause 4.15 as Clause 4.16 and renumbering all relevant clause after the inserted clause—

**4.16 Development in the Rural Smallholdings zone**

4.16.1 Land uses and development within the Rural Smallholdings zone shall comply with the following general provisions.

**4.16.2 Subdivision**

- (a) Subdivision shall generally be in accordance with an approved Structure Plan where required under Part 4 of the deemed provisions.
- (b) Further subdivision of lots other than what has been shown on an approved Structure Plan will generally not be supported.

**4.16.3 Building Envelopes**

4.16.3.1 Where the subject site is subject to a building envelope—

- (a) No development is permitted outside of the designated building envelope, approved by the local government, except for—
  - i. Provision of a suitable access way to the building envelope;
  - ii. Provision of suitable boundary fencing as approved by the local government; and
  - iii. Implementation of an approved fire management plan or any other general fire requirements.
- (b) The local government may consider approving land uses outside of the allocated building envelope, where—
  - i. the land use does not require the removal of native vegetation;
  - ii. the land use does not require the construction of a building or structure; and
  - iii. adequate separation has been provided between adjoining land uses.
- (c) The local government may, where adequate justification has been provided by the applicant, approve a variation or relocation of the building envelope subject to advertising in accordance with clause 64 of the deemed provisions provided it is satisfied that—
  - i. the objectives of the zone are not compromised;
  - ii. the visual amenity and rural character of the locality will not be affected by the change of location;
  - iii. the proposed size and location of the envelope can accommodate future development, including on-site effluent disposal systems and water supply tanks, and not have a detrimental effect on the environment; and
  - iv. general fire requirements and any endorsed fire management plans are considered.

4.16.3.2 Where no building envelope has been designated, a plan shall be submitted identifying a building envelope that—

- (a) is delineated on-site by the landowner and approved by the local government prior to the commencement of any site works. The local government may require an alternative building envelope if it considers the proposed building envelope would be detrimental to the landscape or environment;
- (b) does not exceed 5% of the lot area;
- (c) complies with the minimum setback requirements of Schedule 2 of this Scheme and any setback requirements under an endorsed fire management plan; and
- (d) has due regard to the land capability for effluent disposal, wind protection, fire management and the objective to minimise erosion and the visual prominence of buildings.

4.16.4 Building Design, Materials and Colours

- (a) Buildings shall be designed and constructed of materials which allow them to blend into the landscape of the site. Council may refuse to approve walls and roofs constructed of reflective materials such as unpainted zincalume and off-white colours. Council will be supportive of walls and roofs with green, brown or red tones in keeping with the amenity of the area.
- (b) Dwelling houses shall not exceed 7.5 metres in height which is measured vertically from the natural ground level unless otherwise approved by Council.
- (c) Any water tanks should be coloured an appropriate natural shade of brown or green or suitably screened with vegetation in keeping with the amenity of the area to the satisfaction of Council.

4.16.5 Fire Management

- (a) Where an approved fire management plan exists, all development shall be in accordance with that fire management plan.
- (b) The ongoing management requirements of the fire management plan are to be implemented by the landowner to the satisfaction of the local government.

4.16.6 Keeping of livestock

- (a) The keeping of livestock/animals requires the approval of the local government. The local government may refer the application to the Department of Primary Industries and Regional Development—Agriculture and Food for comment prior to making a determination.
- (b) Livestock/animals will be required to be kept within appropriately fenced areas as approved by the local government. The ongoing maintenance of fences will be the responsibility of the landowner.

4.16.7 Land degradation

Any development, overstocking, or other land management practices that results in soil erosion, spreading of weeds, destruction of vegetation or any other land degradation will be required to be rectified and any damage made good, to the satisfaction of the local government on advice from the relevant authorities, at the landowners cost.

4.16.8 Vegetation protection

- (a) Approval is required from the local government for the removal of vegetation unless—
  - i. It is within the agreed building envelope; or
  - ii. It is associated with the construction of an approved building; or
  - iii. It is the subject of an approved clearing permit; or
  - iv. Such vegetation is diseased or dangerous; or
  - v. It is the removal of exotic species and/or declared weeds; or
  - vi. It is general fire management or any other requirement of an approved fire management plan; or
  - vii. It is necessary for an approved access way.
- (b) The local government may liaise with the Department of Biodiversity, Conservation and Attractions—Parks and Wildlife Service to determine the significance of vegetation.

4.16.9 Servicing

- (a) Where a reticulated water supply is not available, each dwelling shall be provided a water storage tank in accordance with Clause 4.30 in addition to any requirements of an approved fire management plan.
- (b) Where a reticulated sewerage system is not available, each dwelling shall be provided with an appropriate effluent disposal system.

44. Amending the Scheme by replacing 'Department of Agriculture and Food'; in Clause 4.15.6 a) with 'Department of Primary Industries and Regional Development—Agriculture and Food'.



45. Amending the Scheme by replacing Clause 4.15.8 a) with—
  - (a) Approval is required from the local government for the removal of vegetation unless—
    - i. It is within the agreed building envelope; or
    - ii. It is associated with the construction of an approved building; or
    - iii. It is the subject of an approved clearing permit; or
    - iv. Such vegetation is diseased or dangerous; or
    - v. It is the removal of exotic species and/or declared weeds; or
    - vi. It is general fire management or any other requirement of an approved fire management plan; or
    - vii. It is necessary for an approved access way.’
46. Amending the Scheme by replacing ‘Department of Parks and Wildlife’ in Clause 4.15.8 b) with ‘Department of Biodiversity, Conservation and Attractions—Parks and Wildlife Service’.
47. Amending the Scheme by replacing Clause 4.15.9 a) with—
  - (a) Where a reticulated water supply is not available, each dwelling shall be provided a water storage tank in accordance with Clause 4.30 in addition to any requirements of an approved fire management plan.
48. Amending the Scheme by replacing ‘92,000L’ in Schedule 1, SU3 (c) with ‘in accordance with Clause 4.30’.
49. Amending the Scheme by replacing ‘a minimum of a 92 000 litre water storage tank’ in Schedule 1, SU7 8. with ‘a water storage tank in accordance with Clause 4.30’.
50. Amending the Scheme by replacing ‘or a minimum of 92,000 litre storage tank’ in Schedule 3, RR4 3. a) with ‘or a water storage tank in accordance with Clause 4.30’.
51. Amending the Scheme by replacing ‘a minimum of 92,000 litre storage tank’ in Schedule 3, RR5 6. c) with ‘a water storage tank in accordance with Clause 4.30’.
52. Amending the Scheme by replacing all references throughout the Scheme to the ‘Department of Environmental Regulation’ with ‘Department of Water and Environmental Regulation’.
53. Amending the Scheme by replacing all references throughout the Scheme to the ‘Department of Water’ with ‘Department of Water and Environmental Regulation’.
54. Amending the Scheme by replacing ‘Department of Planning and Department of Lands’ in Clause 4.24.3 with ‘Department of Planning, Lands and Heritage’.
55. Amending the Scheme by amending Schedule 1 Special Use 7 Condition 2 by replacing it with—
 

‘Subdivision of Special Use Zone No. 7 or SU7 is to generally be in accordance with a Structure Plan approved by the WAPC.’
56. Amending the Scheme by updating all numbering so that the Scheme is internally consistent.
57. Amend the Scheme by replacing ‘Variable’ within the Plot Ratio of General Industry in Schedule 2 with ‘0.8’.
58. Amending the scheme by deleting the word ‘any’ and inserting the word ‘all’ in cl3.3.2 ‘P’ to read as follows—
 

‘means that the use is permitted if it complies with all relevant development standards and requirements of this Scheme;’
59. Amending the scheme by deleting the word ‘any’ and inserting the word ‘all’ in cl3.3.2 ‘T’ to read as follows—
 

‘means that the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land and it complies with all relevant development standards and requirements of this Scheme;’
60. Amend cl.3.3.2 of the scheme by adding Note: 3 to read as follows—
 

‘If a proposed development is identified as a ‘P’ use in the zoning table, but the proposed development does not comply with all of the development standards and requirements of the scheme, then it is to be treated as a ‘D’ use.’
61. Amend cl.4.1.4 to read as follows—
 

‘The R-Codes apply to an area if the area has a coding number superimposed on it in accordance with subclause (4.1.3) or in a provision of the Scheme that applies the R-Codes.’
62. Amend definition of ‘animal husbandry—intensive’ as follows—
 

‘means premises used for keeping, rearing or fattening of alpacas, beef and dairy cattle, goats, pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production), sheep or other livestock in feedlots, sheds or rotational pens. Also clarify that this development excludes ‘agriculture—extensive;’
63. Amending the Scheme by replacing all references to ‘Planning Approval’ with ‘Development Approval’.
64. Amending the Scheme by replacing all references to ‘Structure Plan signed by the Chief Executive Officer’ with ‘Structure Plan prepared in accordance with clause 16 of Schedule 2 *Planning and Development (Local Planning Schemes) Regulations 2015*.’

65. Replace all references to 'Structure Plan signed by the Chief Executive Officer and endorsed by the Western Australian Planning Commission' with 'Structure Plan prepared in accordance with clause 16 of Schedule 2 Planning and Development (Local Planning Schemes) Regulations 2015.

K. DUNLOP, President.  
I. FITZGERALD, Chief Executive Officer.

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## POLICE

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PO401

**ROAD TRAFFIC ACT 1974**  
**ROAD TRAFFIC CODE 2000**  
**AUTHORISED PERSONS**

Declaration

Regulation 272 of the Road Traffic Code—Obedience to Police or Authorised Persons

I, Christopher John Dawson, Commissioner of Police, acting pursuant to regulation 271 of the *Road Traffic Code 2000* hereby declare that a person who is a "licensed pilot vehicle driver" pursuant to regulation 3 of the *Road Traffic Code 2000* is an authorised person for the purposes of regulations 272(1)(a) and 272(1)(d) of the *Road Traffic Code 2000*—whilst performing their functions in facilitating the safe movement of an oversize vehicle escorted by a licensed pilot vehicle driver.

Dated: 18 December 2018.

CHRIS DAWSON, Commissioner of Police.

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Surname	First Name	State	Pilot Licence Number	Training Provider
Hull	Darren	WA	01271	Keen Bros (WA)

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## PREMIER AND CABINET

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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 appointments in the office of Attorney General; Minister for Commerce in the absence of the Hon J R Quigley MLA—

- Hon R Saffioti MLA for the period 31 December 2018 to 15 January 2019 inclusive; and
- Hon A MacTiernan MLC for the period 16 January to 2 February 2019 inclusive.

D. FOSTER, Director General,  
Department of the Premier and Cabinet.

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## SALARIES AND ALLOWANCES TRIBUNAL

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SA401

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

**PREAMBLE**

The Salaries and Allowances Tribunal has issued a determination to reflect the following changes to Special Division and Prescribed Offices of the WA Public Service—

1. appointment of the Deputy State Solicitor—Commercial and the subsequent vacant Adviser position at the State Solicitor's Office within the Department of Justice;
2. appointment of the Solicitor General;
3. vacant Deputy Auditor General position at the Office of the Auditor General;
4. appointment to the Deputy Director General Industry and Economic Development within the Department of Primary Industries and Regional Development;

5. removal from the Special Division of the WA Public Service of the Assistant Director General Clinical Excellence position at the Department of Health, and the renaming of the Deputy Director General Strategy and Governance position as Assistant Director General Strategy and Governance at the Department of Health.
6. renaming of the Deputy Commissioner to Executive Director Strategic Initiatives and Liaison at the Public Sector Commission.
7. inclusion into the Special Division of the WA Public Service of the Government Chief Information Officer at the Department of the Premier and Cabinet, and the renaming of the Executive Director, Cabinet and Policy Division position as Executive Director State Services at the Department of the Premier and Cabinet.

## DETERMINATION

### Variation 1

***This part of the variation is effective on and from 22 September 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 offices below as they appear in 'Table 14 Remuneration and Offices' within Part 1 of the Second Schedule and insert the following—

Office	Department or Agency	Band	Office Holder	Salary
Deputy State Solicitor—Commercial, SSO	Justice	2	A. Komninos	\$375,819
Adviser	Justice	4	Vacant	\$-

### Variation 2

***This part of the variation is effective on and from 10 October 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
Solicitor General	Office of the Solicitor General	J. Thomson SC	See Sixth Schedule

### Variation 3

***This part of the variation is effective on and from 28 November 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.

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 Auditor General	Office of the Auditor General	3	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 Auditor General	Office of the Auditor General	3	Vacant	\$-

### Variation 4

***This part of the variation is effective on and from 21 September 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 Industry and Economic Development	Primary Industries and Regional Development	3	N. Grazia	\$227,819

**Variation 5**

***This part of the variation is effective on and from 23 April 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 as follows—

Office	Department or Agency	Band	Office Holder	Salary
Assistant Director General Clinical Excellence	Health	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 references to the offices below as they appear in 'Table 3 Special Division Non-CEOs' within Part 1 of the First Schedule as follows—

Office	Department or Agency	Band	Office Holder	Salary
Assistant Director General Clinical Excellence	Health	2	Vacant	\$-
Deputy Director General Strategy and Governance	Health	2	Vacant	\$-

Insert reference to the office below to appear in 'Table 3 Special Division Non-CEOs' within Part 1 of the First Schedule as follows—

Office	Department or Agency	Band	Office Holder	Salary
Assistant Director General Strategy and Governance	Health	2	Vacant	\$-

**Variation 6**

***This part of the variation is effective on and from 3 December 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 as follows—

Office	Department or Agency	Band	Office Holder	Salary
Deputy Commissioner, Agency Support	Public Sector Commission	3	D. Volaric	\$227,819

Insert reference to the office below to appear in 'Table 3 Special Division Non-CEOs' within Part 1 of the First Schedule as follows—

Office	Department or Agency	Band	Office Holder	Salary
Executive Director Strategic Initiatives and Liaison	Public Sector Commission	3	D. Volaric	\$227,819

**Variation 7**

***This part of the variation is effective on and from 23 November 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 as follows—

Office	Department or Agency	Band	Office Holder	Salary
Executive Director, Cabinet and Policy Division	Premier and Cabinet	4	R. Kennedy	\$227,819

Insert references to the offices below to appear in 'Table 3 Special Division Non-CEOs' within Part 1 of the First Schedule as follows—

Office	Department or Agency	Band	Office Holder	Salary
Executive Director State Services	Premier and Cabinet	4	R. Kennedy	\$227,819
Government Chief Information Officer	Premier and Cabinet	4	Vacant	\$-

Signed on 26 November 2018.

M. SEARES AO,  
Chair.

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 to reflect appointments and a vacancy to the following offices in the Special Division and Prescribed Offices of the WA Public Service—

1. Managing Director at Main Roads WA
2. Government Chief Information Officer at the Department of the Premier and Cabinet
3. Director General at the Department of Education, and the concurrent appointment as Chief Executive Officer of the School Curriculum and Standards Authority
4. Chief Executive Officer at the Minerals Research Institute of Western Australia
5. Chief Executive Officer at WorkCover Western Australia Authority

#### DETERMINATION

##### Variation 1

*This part of the variation is effective on and from 12 November 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 include the following—

Office	Department or Agency	Band	Office Holder	Salary
Managing Director	Main Roads WA	2	P. Woronzow	\$307,301

##### Variation 2

*This part of the variation is effective on and from 17 December 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 include the following—

Office	Department or Agency	Band	Office Holder	Salary
Government Chief Information Officer	Premier and Cabinet	4	G. Italiano	\$220,000

##### Variation 3

*This part of the variation is effective on and from 28 January 2019.*

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 include the following—

Office	Department or Agency	Band	Office Holder	Salary
Director General	Education	1	L. Rodgers	\$441,406



Include reference to the office below to appear in 'Table 1 Special Division CEOs' within Part 1 of the First Schedule as follows—

Office	Department or Agency	Band	Office Holder	Salary
Director General	School Curriculum and Standards Authority	3	L. Rodgers	See Director General, Department of Education

#### Variation 4

*This part of the variation is effective on and from 27 November 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 include the following—

Office	Department or Agency	Band	Office Holder	Salary
Chief Executive Officer	Minerals Research Institute of Western Australia	4	N. Roocke	\$221,500

#### Variation 5

*This part of the variation is effective on and from 20 November 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 include the following—

Office	Department or Agency	Band	Office Holder	Salary
Chief Executive Officer	WorkCover Western Australia Authority	4	Vacant	\$-

Signed on 17 December 2018.

M. SEARES AO,  
Chair.

B. A. SARGEANT PSM,  
Member.

C. P. MURPHY PSM,  
Member.

Salaries and Allowances Tribunal

#### SA403

#### SALARIES AND ALLOWANCES ACT 1975

#### GOVERNMENT ENTITIES (WATER CORPORATION) DETERMINATION NO. 1 OF 2018

#### Determination of the Salaries and Allowances Tribunal

#### *Pursuant to sections 7C and 10F of the Salaries and Allowances Act 1975*

#### PREAMBLE

##### Statutory Context

(1) In accordance with sections 7C and 10F of the Salaries and Allowances Act 1975 (the Act), the Salaries and Allowances Tribunal (the Tribunal) must determine the remuneration that is provided to an executive officer of a prescribed Government entity.

(2) On 10 August 2018, the Tribunal assumed the power to determine remuneration for these offices following the gazettal of the Salaries and Allowances Amendment Regulations (No 2) 2018, which prescribed the Government entities to be subject to determination.

(3) The Tribunal's power is currently restricted in two ways.

(4) First, an executive officer with contract arrangements in place immediately before 10 August 2018 will have the terms of that contract protected. That is, the Tribunal is only able to set an executive officer's remuneration following the expiration of their existing contract.

(5) Second, the Salaries and Allowances (Debt and Deficit Remediation) Act 2018 ("wage freeze legislation") prevents the Tribunal, until 1 July 2021, from increasing remuneration provided to an executive officer. The amendments provide that remuneration must not exceed that which was provided to the person who held the office immediately before that Act commenced on 28 February 2018.

#### BACKGROUND TO DETERMINATION

(6) The Tribunal first considered remuneration provided to executive officers of Government entities following the commencement, in December 2016, of the Executive Officer Remuneration (Government

Entities) Legislation Amendment Act 2016. Work was undertaken to develop a framework to categorise Government entities and allocate corresponding levels of remuneration for each executive officer.

(7) However, the Tribunal deferred any decisions during Parliament's consideration of the wage freeze legislation, until it was passed in February 2018.

(8) This wage freeze legislation has temporarily capped remuneration provided to certain senior public offices, including executive officers. Further, with respect to executive officers' remuneration, this legislation requires the Tribunal to determine the specific amount of remuneration for each executive officer position, rather than setting minimum and maximum amounts of remuneration.

(9) The determination that follows relates to the executive officer at the Water Corporation, which is the first office to be formally considered by the Tribunal following the commencement of the power to set executive officers' remuneration.

(10) Further determinations will be issued as needed, following the expiration of other executive officers' contracts.

## CONSIDERATIONS

(11) In deliberations leading to this determination, the Tribunal has—

- (a) consulted with Government entities and their Chairs, including calling for submissions and requesting a range of financial and operational data;
- (b) consulted its Statutory Adviser;
- (c) conducted research internally; and
- (d) assessed executive officers of Government entities within the context of other public office holders in the Tribunal's jurisdiction.

(12) With respect to the executive officer of the Water Corporation, the Tribunal has specifically considered the Water Corporation's—

- (a) economic performance;
- (b) unique or specialised requirements;
- (c) significance to Western Australia, through social, economic or other factors.

(13) The Tribunal has considered a range of labour market and economic data including forecasts from the *State Government Budget 2018-19*.

(14) The Tribunal has also noted the State Government's *Public Sector Wages Policy Statement 2018*.

## DECISION

(15) The Tribunal has determined the remuneration to be provided to the executive officer of the Water Corporation will be \$518,956, which is the same remuneration as provided to the previous office holder.

(16) This determination conforms to the temporary restrictions of the "wage freeze legislation".

(17) The Tribunal will issue further determinations as needed, following the expiration of contracts held by current executive officers.

The determination will now issue

### GOVERNMENT ENTITIES (WATER CORPORATION) DETERMINATION NO. 1 OF 2018

#### Determination of the Salaries and Allowances Tribunal

#### *Pursuant to sections 7C and 10F of the Salaries and Allowances Act 1975*

### 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 *Government Entities (Water Corporation) Determination No. 1 of 2018*.

#### 1.2 Commencement

This determination comes into operation on 1 January 2019.

#### 1.3 Content and intent

(1) The determination applies to executive officers listed in this determination.

(2) The amounts of remuneration specified in this determination comprise the total remuneration to be provided to an executive officer, including salary, allowances, fees, emoluments and benefits.

(3) This determination is issued pursuant to sections 7C and 10F of the *Salaries and Allowances Act 1975* (the Act) and applies to offices identified in Schedule 2 of the Act that have been prescribed in regulations.

(4) This determination conforms to the restrictions in section 10F that apply until 1 July 2021 and—

- (a) require the Tribunal to inquire into and determine the amount of remuneration to be paid or provided to executive officers of the entity; and
- (b) prevent the Tribunal from increasing remuneration provided for offices specified in section 7C of the Act.

#### 1.4 Terms used

In this determination, unless the contrary intention appears—

**executive officer** has the meaning provided in section 7C(1) and (4) of the Act;

**Government entity** means an entity specified in column 1 of Schedule 2 of the Act;

**remuneration** has the meaning provided in section 4 of the Act;

**salary** means the portion of remuneration which is paid as money;

**Tribunal** means the Salaries and Allowances Tribunal.

#### 1.5 Pro rata payments

(1) The remuneration for executive officers specified in this determination is based on a person serving in the office on a full-time basis. The relevant amount shall be payable on a pro rata basis when the position is undertaken on a part time basis.

(2) The amount of a person's entitlement to remuneration, specified in this determination shall be apportioned on a pro rata basis according to the portion of a year that the person holds office.

#### 1.6 References to Dates

In this determination, a reference to “a year” or “per annum” relates to a financial year.

### PART 2—TOTAL REMUNERATION PACKAGE

*This Part deals with the remuneration payable to executive officers.*

#### 2.1 General

(1) Offices listed in this Part are to be provided a Total Remuneration Package (TRP) to the amount stated in 2.2.

(2) Typical components of a TRP include base salary, superannuation, private motor vehicle allowance and any other form of payment provided as a reward for service.

(3) The only exclusions from the TRP are—

- (a) employer obligations, such as professional development relevant to the executive officer's role, reimbursement for work expenses or the cost of recruitment and relocation; and
- (b) items considered to be a tool of trade necessary to undertake the duties of an executive officer and which are not provided as a reward for service.

#### 2.2 Executive Officer Remuneration

(1) The total remuneration to be provided to a person appointed to the position of executive officer of the Water Corporation is \$518,956.

(2) The total remuneration provided to executive officers of Government entities listed in Table 1 is yet to be determined and will be considered by the Tribunal following expiration of contract arrangements that were in place immediately before 10 August 2018.

**Table 1: Government entities to be determined**

Government entity
Bunbury Water Corporation (Aqwest)
Busselton Water Corporation
Fremantle Port Authority
Gold Corporation (Perth Mint)
Horizon Power
Kimberley Port Authority
Mid-West Ports Authority
Pilbara Ports Authority
Racing and Wagering WA
Southern Ports Authority
Synergy
WA Land Authority
WA Treasury Corporation
Western Power

Signed on 17 December 2018.

M. SEARES AO,  
Chair.

B. A. SARGEANT PSM,  
Member.

C. P. MURPHY PSM,  
Member.

Salaries and Allowances Tribunal



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## TRANSPORT

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TN401

### ROAD TRAFFIC (VEHICLES) ACT 2012

### ROAD TRAFFIC (VEHICLES) REGULATIONS 2014

### HEAVY VEHICLE AGRICULTURAL PILOT AUTHORISATION 2018

I, Richard Sellers, Commissioner of Main Roads, acting pursuant to regulation 454B (2) of the *Road Traffic (Vehicles) Regulations 2014* hereby authorise that a person being a holder of a valid driver's licence for that class of vehicle, may use a pilot vehicle for the purpose of facilitating the movement of an Oversize Agricultural Vehicle, subject to the conditions as specified in this authorisation.

#### 1. Revocation of previous Authorisation

The *Heavy Vehicle Agricultural Pilot Authorisation 2017* is revoked.

#### 2. Citation

This authorisation is the *Heavy Vehicle Agricultural Pilot Authorisation 2018*.

#### 3. Commencement

This authorisation takes effect on the day that it is published.

#### 4. Interpretation

In this authorisation, unless the contrary intention appears—

**Agricultural Pilot Operational Requirements** means the document, as amended from time to time, entitled "Agricultural Pilot Operational Requirements" published on the Main Roads website.

**Drivers Licence** does not include a provisional licence.

**Gate to Gate** means the movement between two gates located on the same road where the distance between the two gates is no greater than 1 kilometre.

**Licensed Heavy Vehicle Pilot** means a holder of a heavy vehicle pilot licence issued under Part 13A of the *Road Traffic (Vehicles) Regulations 2014*.

**Local Government Road** means a road that is under the responsibility of the local government of the district in which it is situated.

**Oversize Agricultural Vehicle** means a vehicle used for an agricultural application, including the movement of agricultural implements and machines by an agricultural vehicle dealer and earthmoving machinery used by an earthmoving contractor specifically engaged in agricultural applications.

**Perth Metropolitan Region** means the region described in Schedule 3 of the *Planning and Development Act 2005*.

**State Road** means a road that is under the responsibility of Main Roads.

#### 5. Application

(1) This authorisation only applies to a person, who is—

- (a) not a Licensed Heavy Vehicle Pilot; and
- (b) driving a pilot vehicle for the purpose of facilitating the movement of an Oversize Agricultural Vehicle.

#### 6. General Conditions

(1) A driver of a pilot vehicle must not accompany an Oversize Agricultural Vehicle unless—

- (a) the Oversize Agricultural Vehicle does not exceed 7.5 metres in width and/or 40 metres in length;
- (b) the Oversize Agricultural Vehicle is being moved for total distance no greater than 100 kilometres from the point of origin to the final destination, unless it is also accompanied by at least one Licensed Heavy Vehicle Pilot; and
- (c) the driver and the pilot vehicle comply with the requirements specified in the *Agricultural Pilot Operational Requirements*.

#### 7. Access Conditions

(1) The driver of a pilot vehicle must only accompany an Oversize Agricultural Vehicle while it is travelling on a Local Government road outside of the Perth Metropolitan Region.

(2) Despite subclause (1), the driver of a pilot vehicle may accompany an Oversize Agricultural Vehicle on a State Road provided—

- (a) the State Road is outside the Perth Metropolitan Region; and
- (b) the State Road is being used to access—
  - (i) the nearest appropriate Local Government Road; or
  - (ii) farm gates for the purpose of a gate to gate movement when both gates are located on the State Road; and
- (c) when the distance travelled on the State Road is greater than 1 kilometre, the Oversize Agricultural Vehicle must also be accompanied by at least one Licensed Heavy Vehicle Pilot.

(3) A pilot vehicle is not required when travelling from gate to gate on the same Local Government Road, for a distance not exceeding 1 kilometre, subject to traffic management requirements defined in regulation 425(3)(b) of the *Road Traffic (Vehicles) Regulations 2014*.

(4) The number of pilot vehicles required to facilitate the movement of an Oversize Agricultural Vehicle must be in accordance with the following tables—

**Table 1: Pilot Vehicle Requirements—Day-time Travel**

Overall Width of Vehicle or Combination	Overall Length of Vehicle or Combination	Pilot Vehicles Required
> 3.5m—≤ 4.5m	≤ 40m	1 x Pilot Vehicle
> 4.5m—≤ 5.5m	≤ 40m	2 x Pilot Vehicles
> 5.5m—≤ 7.5m	≤ 40m	3 x Pilot Vehicles

**Table 2: Pilot Vehicle Requirements—Night-time Travel**

Overall Width of Vehicle or Combination	Overall Length of Vehicle or Combination	Pilot Vehicles Required
> 3.1m—≤ 3.2m	> 22m—≤ 25m	1 x Pilot Vehicle
> 3.1m—≤ 3.2m	> 25m—≤ 30m	2 x Pilot Vehicles
> 3.2m	> 30m	No travel permitted at night

RICHARD SELLERS, Commissioner of Main Roads.

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## DECEASED ESTATES

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**ZX401**

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

Arthur James Hulme, late of Aria Apartments, 19/43 Rockingham Beach Road, Rockingham 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 Arthur James Hulme, deceased, who died on the 15th day of October 2017 at Rockingham General Hospital, Elanora Drive, Cooloongup in the said State, are required by the executors Arthur Kevin Hulme and Paul Hulme to send particulars of their claims to Peel Legal Barristers & Solicitors of PO Box 1995, Mandurah WA 6210 by the date one month following the publication of this notice, after which date the administrator may convey or distribute the assets having regard only to the claims of which they have then had notice.

**ZX402**

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

Beverley Ann Quinn, late of 25 Lincoln Road, Morley in the State of Western Australia, School Canteen Manageress, 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 9 September 2018, are required by the applicant for grant of representation c/- CS Legal of Level 1, 321 Murray Street, Perth WA 6000 to send particulars of their claims to CS Legal within 30 days from the date of publication of this notice, after which date the applicant for grant of representation may convey or distribute the assets, having regard only to the claims of which she then has notice.

**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 Ann Beverley Wilson, late of 16 Christchurch Place, College Grove WA who died on 16 May 2017 are required by the personal representative to send particulars of their claims addressed to the Administrator of the Estate of Ann Beverley Wilson deceased, care of Young & Young, 5 Spencer Street, Bunbury by the 21st day of January 2019, 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.

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**ZX404****TRUSTEES ACT 1962****DECEASED ESTATES****Notice to Creditors and Claimants**

In the matter of the Estate of Allan Beverley Sinclair Bennett, late of Aegis Amberley, 30 Mell Road, Spearwood, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estate of the deceased, who died on the 21st day of May 2018, are required by the Executor, Bruce Allan Bennett to send the particulars of their claim to Havilah Legal of Level 2, 200 Adelaide Terrace, East Perth, Western Australia, by the 24th day of January 2019, 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 19th day of December 2018.

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**ZX405****TRUSTEES ACT 1962****DECEASED ESTATES****Notice to Creditors and Claimants**

Arthur John Pool, late of 17 Cheney Vale, Clarkson 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 8 October 2018 are required by the personal representative to send particulars of their claims to the Executor, Derek Gordon Pool, PO Box 1845, Busselton, Western Australia 6280 within one month of the date of publication of this notice, after which date the Executor may convey or distribute the assets having regard to the claims of which he then has notice.

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**ZX406****TRUSTEES ACT 1962****DECEASED ESTATES****Notice to Creditors and Claimants**

Julie Anne Summers, late of 15 Reen Street, Kewdale, 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 7 May 2018, are required to send details of their claims to the Executor, Hazel Martin, c/- 15 Reen Street, Kewdale WA 6105. Claims should be submitted within one month of 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 they then have notice.

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**ZX407****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates), in respect of the Estate of Beryl Morfydd Butt (also known as Beryl Morfydd Jarett), late of JE Murray Home, 16 Deerness Way, Armadale, Western Australia, who died on 27 October 2018, are required by the Executor, Eve Diane Mawson to send to Solicitors for the Executor, Templar Legal Pty Ltd, PO Box 8243, Subiaco WA 6008, particulars of such claims within 30 days of the date of publication of this notice. After such date, the Executor may convey or distribute the assets of the Estate having regard only to the claims of which the Executor then has notice.

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**ZX408****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Ivan Gordon John, late of 7 Gianatti Ramble, East Cannington, in the State of Western Australia, Retired Soldier, deceased.

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died on the 29th day of October 2018, are required by the Executor and Trustee, being Mr Clayton Gordon Gerrard John, of c/- Mort & Associates, PO Box 20, Cannington, WA, 6987, to send particulars of their claims to him at Mort & Associates of PO Box 20, Cannington, WA, 6987, by the date being one month following the publication of this notice, after which date the Executor and Trustee may convey or distribute the assets, having regard only to claims of which he then has notice.

MORT & ASSOCIATES as solicitor for the Executor and Trustee.

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