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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR EASTER 2020

A gazette will be published at noon on **Thursday 9th April**
and closing time for copy is Tuesday 7th April at noon.

A gazette will be published at noon on **Friday 17th April**
and closing time for copy is Wednesday 15th April at noon.

The Gazette will not be published on Tuesday 14th April.

— PART 1 —

EDUCATION

ED301

School Education Act 1999

School Education Amendment Regulations 2020

SL 2020/15

Made by the Governor in Executive Council.

1. Citation

These regulations are the *School Education Amendment Regulations 2020*.

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* (**gazettal day**);
- (b) regulation 4 — on the day after the period of one month beginning on gazettal day;
- (c) the rest of the regulations — on the day after gazettal day.

3. Regulations amended

These regulations amend the *School Education Regulations 2000*.

4. Regulation 129 replaced

Delete regulation 129 and insert:

129. Significant registration changes (Act s. 156)

- (1) In this regulation —
non-compulsory education means education provided to children —
 - (a) in the final year of their early education period;
or
 - (b) in their pre-compulsory education period;

primary education means education provided to children in any of the 1st to 7th years of their compulsory education period;

secondary education means education provided to children in any of the 8th to 13th years of their compulsory education period.

- (2) For the purposes of paragraph (b) of the definition of **school planning proposal** in section 156, a proposal to make any of the following registration changes to a registered school is a significant registration change —
- (a) to relocate the school or a campus of the school;
 - (b) to open an additional campus of the school;
 - (c) to provide an additional year level, or more than one additional year levels, of education if the addition or additions would result in the school providing —
 - (i) non-compulsory education if the school currently provides no non-compulsory education; or
 - (ii) primary education if the school currently provides no primary education; or
 - (iii) secondary education if the school currently provides no secondary education.

5. Regulation 130 replaced

Delete regulation 130 and insert:

130. Consultation procedures prescribed (Act s. 157C(2)(d))

- (1) In this regulation —
- advance determination, non-system school, school planning proposal** and **school system** have the meanings given to those terms in section 150;
- advisory panel** means an advisory panel under section 241 established for the purpose of advising the Minister on applications made to the Minister for advance determinations about school planning proposals.
- (2) If consultation about a school planning proposal is required under a policy direction issued under section 157C, then the procedures set out in subregulations (3) to (6) are prescribed for the purposes of section 157C(2)(d).

- (3) On receipt of an application for an advance determination about a school planning proposal on which consultation is required, the Minister or, if the application is referred to an advisory panel by the Minister, the advisory panel is to consult with, and take into account the views of, the following —
 - (a) the chief executive officer referred to in section 229;
 - (b) the governing body of each school system;
 - (c) the governing body of each non-system school that, in the opinion of the Minister or advisory panel, could be adversely affected by the implementation of the school planning proposal;
 - (d) the governing body of each proposed non-system school —
 - (i) in respect of which there is an advance determination in force; and
 - (ii) that, in the opinion of the Minister or advisory panel, could be adversely affected by the implementation of the school planning proposal.
- (4) For the purposes of subregulation (3), the Minister or advisory panel must invite —
 - (a) each person and body referred to in subregulation (3) to submit to the Minister or advisory panel an objection to the school planning proposal; and
 - (b) the applicant to submit to the Minister or advisory panel a response to any objection submitted under paragraph (a).
- (5) A person or body submitting an objection or response must —
 - (a) submit the objection or response in writing in a form approved by the Minister; and
 - (b) include in the objection or response the information required by the Minister or advisory panel; and
 - (c) submit the objection or response within —
 - (i) 14 days after the day on which the invitation is made; or
 - (ii) a longer period approved by the Minister or advisory panel.
- (6) After receiving an objection or response from a person or body, the Minister or advisory panel may accept additional information or submissions from the person

or body, orally or in writing, as the Minister or advisory panel considers appropriate.

130A. Transitional provision for *School Education Amendment Regulations 2020*

- (1) In this regulation —
advance determination has the meaning given in section 150;
commencement day means the day on which the *School Education Amendment Regulations 2020* regulation 5 comes into operation.
- (2) These regulations apply in respect of an application for an advance determination received by the Minister before the commencement day as if regulation 130 had not been replaced by the *School Education Amendment Regulations 2020* regulation 5.

N. HAGLEY, Clerk of the Executive Council.

— PART 2 —

EDUCATION

ED401

EDITH COWAN UNIVERSITY ACT 1984 AMENDING STATUTE

It is hereby notified that the Governor in Executive Council, acting under the provisions of section 27 of the *Edith Cowan University Act 1984*, has approved Statute No. 20—The ECU South West Campus (Bunbury) Advisory Board—as set out in the attached schedule.

SUE ELLERY MLC, Minister for Education and Training.
M. INGLIS, Clerk of the Executive Council.

EDITH COWAN UNIVERSITY ACT 1984 Edith Cowan University Amending Statute No. 1 of 2019

The University Statutes are hereby amended as follows—

1. This Amending Statute comes into operation on the day it is published in the *Government Gazette*.
2. Statute No. 20 is repealed.
3. Statute No. 20 as set out in the attached Schedule is enacted.

The Common Seal of Edith Cowan University was affixed by resolution of the Council in the presence of—

STEVE CHAPMAN, Vice-Chancellor.
ANDREW BICKLEY, Authorised Sealing Officer.

Dated this 12th day of December 2019.

Schedule

Statute 20: The ECU South West Campus (Bunbury) Advisory Board

1. Purpose

The purpose of this Statute is to provide for the effective exercise of the functions of the ECU South West Campus (Bunbury) Advisory Board.

2. ECU South West Campus (Bunbury) Advisory Board Rules

The Council will make *ECU South West Campus (Bunbury) Advisory Board Rules* (“the Rules”) under this Statute which—

- (a) will prescribe any matters that this Statute expressly requires be prescribed in the Rules; and
- (b) subject to this Statute, may prescribe any other matters considered necessary or desirable by the Council for the effective functioning of the ECU South West Campus (Bunbury) Advisory Board.

3. Definitions

In this Statute any capitalised term that is defined in the *Edith Cowan University Act 1984 (WA)* has the meaning given to the term in the Act, otherwise the following definitions apply to terms used in this Statute and any Rule made pursuant to this Statute—

“**Advisory Board**” means the ECU South West Campus (Bunbury) Advisory Board constituted pursuant to section 20(1) of the Act.

“**Campus**” means the ECU South West Campus (Bunbury).

“**Head of Campus**” means the senior University Officer with management responsibility for the Campus, or alternative position as specified in the Rules.

“**Chairperson**” means the Chairperson of the Advisory Board.

“**Community Member**” means a person from the Region who is not a member of staff nor an enrolled student of the University. A Community Member may also be a member of the Council.

“**Member**” means a member of the Advisory Board.

“**Region**” means the South West region of Western Australia.

4. Functions and Duties of the Advisory Board

4.1. The Advisory Board will provide the Council with strategic advice in relation to the Campus, and to education matters relevant to the Region.

4.2. The Advisory Board will provide advice to the Council, the Vice-Chancellor, or the Head of Campus on any matters referred to it by the Council, the Vice-Chancellor or Head of Campus and advice on the following matters (as the Advisory Board considers appropriate)—

- (a) building and strengthening industry partnerships to benefit the Region, students and the University’s research imperatives;
- (b) emerging trends, opportunities and developments including population, professional, economic and specific industry needs which may be relevant to course offerings in the Region;
- (c) increasing awareness and understanding of the University and its ability to contribute to the Region’s standing through the advancement of the Region’s education, training and research profile;
- (d) strategies to ensure that prospective students are aware that the University offers quality tertiary education within the Region, and to strengthen the University’s impact through opportunities within and outside of the Region;
- (e) potential sources of scholarships and industry funding for research and/or strategic projects;
- (f) enhancing community engagement and outreach activities of the Campus; and
- (g) advocating for the University in the broader community, with organisations and with industry to maximise the benefits to the Region of having a University located in the Region.

4.3. The Advisory Board as a whole and its members individually will have a general responsibility to facilitate the strengthening of the relationship between the University and the Region by—

- (a) advocating for the University in the broader community; and
- (b) bringing to the attention of the Council, the Vice-Chancellor or the Head of Campus (as the Advisory Board considers appropriate) expectations or concerns prevailing in the broader community regarding the University or the Campus.

5. Advisory Board Composition

5.1. The composition of the Advisory Board will be—

- (a) a minimum of 5 and a maximum of 10 Community Members appointed by the Council—
 - i. who, in the opinion of the Council, possess skills and attributes that will assist the Advisory Board to undertake its functions and duties; and
 - ii. of whom one will be appointed by the Council to the position of Chairperson; and
 - iii. of whom one will be elected by the Advisory Board to the position of Deputy Chairperson;
- (b) the Vice-Chancellor, or nominee;
- (c) the Head of Campus;
- (d) one member of the academic staff whose principal employment location is the Campus;
- (e) one member of the professional staff whose principal employment location is the Campus; and
- (f) one student whose principal study location is the Campus.

6. Appointment of Members

6.1. Subject to section 6.2 all appointments to the Advisory Board will be made by resolution of the Council.

6.2. The Vice-Chancellor may appoint a nominee to membership category 5.1(b). Any appointment will be made in writing to the Chairperson.

6.3. Further provisions regarding the appointment of Members will be prescribed in the Rules.

7. Terms of Office

7.1. Subject to this Statute, a Member appointed in category 5.1(a), 5.1(d) or 5.1(e) will serve for a term not exceeding three years.

7.2. Subject to this Statute, a Member in category 5.1(b) or 5.1(c) will serve for the duration of the Member’s appointment as Vice-Chancellor or Head of Campus respectively. A nominee in category 5.1(b) will serve for a period not exceeding three years as specified in the appointment advice prescribed in section 6.2.

7.3. Subject to this Statute, a Member in category 5.1(f) will serve for a term not exceeding one year.

7.4. A Member may be reappointed. Provisions regarding maximum consecutive years of service will be prescribed in the Rules.

8. Qualifications for Advisory Board Membership

8.1. Should any Member serving under category 5.1(a), 5.1(d), 5.1(e) or 5.1(f) fail to attend three consecutive meetings of the Advisory Board without prior approval from the Advisory Board for leave of absence, that person’s membership will be terminated.

8.2. A person will not be qualified to become or remain a Member if that person—

- (a) becomes permanently incapable of performing the duties of a Member;
- (b) is an undischarged bankrupt or has their affairs under liquidation by arrangement with creditors;
- (c) is convicted of an indictable offence;
- (d) is, or becomes, disqualified from managing corporations under Part 2D.6 of the *Corporations Act 2001* (Commonwealth); or
- (e) ceases to hold any qualification required pursuant to section 5.1 of this Statute for that person's Advisory Board membership.

9. Casual Vacancies

If a casual vacancy occurs in the office of a Member, the vacancy will be filled in the same way as if that Member's term of office had expired.

10. Reporting Arrangements

10.1. The Advisory Board reports directly to the Council.

10.2. The Chairperson will provide reports to the Council on Advisory Board activities as follows—

- (a) on request by resolution of the Council;
- (b) as resolved by the Advisory Board;
- (c) at least twice per calendar year.

10.3. Subject to this Statute, additional reporting may be prescribed in the Rules.

11. Meetings

11.1. Subject to this Statute, the Advisory Board may regulate its proceedings in such manner as it sees fit. The Advisory Board may adopt standing orders for this purpose.

11.2. The Advisory Board will adopt procedures for handling conflicts of interest on the part of members of the Advisory Board. Such procedures will be informed by those in the Council Standing Orders and may be included in standing orders adopted by the Advisory Board.

11.3. At a meeting of the Advisory Board—

- (a) not less than one half of the total number of Members for the time being forms a quorum; and
- (b) resolutions will not be passed in the absence of a quorum.

11.4. No act or thing done by the Advisory Board is invalidated, prejudiced or affected by reason of any vacancy in the membership of the Advisory Board or any failure to appoint or elect any Member, or any defect or irregularity in the appointment or election of any person purporting to be a Member so long as a quorum of the Advisory Board remains.

12. Committees

Subject to this Statute, the establishment and composition of Committees of the Advisory Board may be prescribed in the Rules.

13. Transitional

Any person holding a position as a Member immediately prior to the day that this Statute comes into effect will continue as a Member until—

- (a) the expiry of the appointed or elected term; or
- (b) the person ceases to be a Member for any other reason,

whichever occurs sooner.

FIRE AND EMERGENCY SERVICES

FE401

BUSH FIRES ACT 1954 TOTAL FIRE BAN DECLARATION

Correspondence No. 12080

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Assistant Commissioner of the Department of Fire and Emergency Services, declared under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 12 March 2020 for the local government districts of—

Kalgoorlie-Boulder, Coolgardie, Dundas, Laverton, Leonora, Menzies.

BRADLEY STRINGER, 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 11 March 2020.

JUSTICE

JU401

PUBLIC TRUSTEE ACT 1941
COMMON FUND INTEREST RATES

Notice is hereby given that the rates of interest payable to the respective estates and trusts, the moneys of which are held in the Common Account, as from 1 April 2020 have been fixed as follows—

Deceased Estates and Uncared for Property matters (in the course of administration or whilst under investigation) at the rate of 0.25%.

Trust Management accounts at the rate of 0.25% where the balance is up to and including \$51,800; 0.50% where the balance is between \$51,800 and up to and including \$500,000; 1.00% where the balance is over \$500,000.

The Debit Interest Rate remains at 5.50%.

Dated at Perth the 11th day of March 2020.

B. E. ROCHE, Public Trustee,
553 Hay Street, Perth WA 6000.

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of South Perth
Local Planning Scheme No. 6—Amendment No. 59

Ref: TPS/2291

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of South Perth Local Planning Scheme amendment on 9 March 2020 for the purpose of—

1. Amending clause 6.6 (2) by adding the following new sub clauses—
 - (c) not permitted for all comprehensive new development on Lots 39-48 and 2-4 Manning Road, and Lots 49 and 1 Garvey Street, Waterford that has vehicular access to a local road or a laneway connected to the local road network.”
 - (d) considered where the site of a comprehensive new development on Lots 39-48, 2-4 Manning Road, and Lots 49 and 1 Garvey Street, Waterford has direct vehicular access to Manning Road and will in the future have vehicular access to a laneway connected to the local road network, temporary vehicular access to Manning Road may be approved provided that the comprehensive new development is designed to have vehicular access to the planned laneway and to remove direct vehicular access to Manning Road when laneway access is available.
2. Amending Table 1 by—
 - a. Replacing the ‘D’ with ‘D(2)’ for the Grouped Dwelling use in the Residential zone; and
 - b. Inserting the following footnote—

“(2) Grouped Dwelling is not permitted (X) within the area covered by the Waterford Triangle Local Development Plan (Refer to Schedule 12 No. 2 (f))”.
3. Amending Table 2 by inserting the following—

Street Name and Portion	Setback from Street Boundary (metres)	Objective of Setback
Manning Road (north side, east of Conlon Street and West of McKay Street)	6.0	To provide for potential future road widening of Manning Road and to ensure an adequate setback to Manning Road in the event that widening does not occur.

4. Amending Schedule 12 by—
 - a. Renaming the Schedule to “Schedule 12—Additional requirements that apply to land covered by structure plan, activity centre plan or local development plan”; and

b. Inserting the following—

No.	Description of Land	Additional requirements that apply to land covered by structure plan, activity centre plan or local development plan
2.	Land bounded by Conlon Street, Garvey Street, Keaney Place, McKay Street and Manning Road, Waterford.	<p>(a) Prior to recommending support of an application for subdivision or granting development approval to a comprehensive new development, a Local Development Plan shall be prepared and approved pursuant to Part 6 of the Deemed Provisions.</p> <p>(b) The requirements in this table are additional to the provisions of this Scheme and the R-Codes.</p> <p>(c) For development on Lot 1 Garvey Street, Lots 2-4 Manning Road and Lots 5 and 6 McKay Street, the local government shall not grant development approval to a comprehensive new development or recommend support of an application for subdivision unless—</p> <p>(i) The subject lot(s) or site is provided with legal access to a public road or public right-of-way other than Manning Road; and</p> <p>(ii) The subject lot(s) or site is legally amalgamated with at least one (1) of Lots 2 and 3 Manning Road, or an easement is provided, so as to provide both of these lots with legal access to a public road or public right-of-way other than Manning Road.</p> <p>The local government may vary the requirements of (i) and (ii), above, where the local government is satisfied that the granting of development approval and/or support of an application for subdivision will not prejudice the ability of either Lot 2 or 3 Manning Road to achieve access to a public road or public right-of-way other than Manning Road.</p> <p>(d) For development on Lots 45-48 Manning Road and Lots 49 and 55-58 Garvey Street, the local government shall not grant development approval to a comprehensive new development or recommend support of an application for subdivision unless—</p> <p>(i) The subject lot(s) or site is provided with legal access to a public road or public right-of-way other than Manning Road; and</p> <p>(ii) The subject lot(s) or site is legally amalgamated with at least one (1) of Lots 46, 47 and 48 Manning Road, or an easement is provided, so as to provide these lots with legal access to a public road or public right-of-way other than Manning Road.</p> <p>The local government may vary the requirements of (i) and (ii), above, where the local government is satisfied that the granting of development approval and/or support of an application for subdivision will not prejudice the ability of Lots 46, 47 or 48 Manning Road to achieve access to a public road or public right-of-way other than Manning Road.</p> <p>(e) For development on Lot 38 Conlon Street and Lots 39-41 Manning Road, the local government shall not grant development approval to a comprehensive new development or recommend support of an application for subdivision of a lot unless—</p> <p>(i) The subject lot(s) or site is provided with legal access to a public road or public right-of-way other than Manning Road; and</p>

No.	Description of Land	Additional requirements that apply to land covered by structure plan, activity centre plan or local development plan
		<p>(ii) The subject lot(s) or site is legally amalgamated with Lot 40 Manning Road, or an easement is provided, so as to provide Lot 40 with legal access to a public road or public right-of-way other than Manning Road.</p> <p>The local government may vary the requirements of (i) and (ii), above, where the local government is satisfied that the granting of development approval and/or support of an application for subdivision will not prejudice the ability of Lot 40 Manning Road to achieve access to a public road or public right-of-way other than Manning Road.</p> <p>(f) Notwithstanding Table 1 of the Scheme, Grouped Dwelling shall be an 'X' (Prohibited Use) within the area covered by the Local Development Plan.</p> <p>(g) Buildings accommodating multiple dwellings within the area covered by the Local Development Plan shall be set back from all street boundaries and all side boundaries by a minimum of 4.0 metres. This may be varied to a minimum of 2.0 metres where the element objectives of the R-Codes Volume 2 sections 2.3 Street Setbacks and 2.4 Side and Rear Setbacks (as applicable) are met, to the satisfaction of the local government.</p>

5. Recoding Lots 33-38 Conlon Street, Lots 30-32, 55-58, 49, 1, 14-17 Garvey Street, 12-13 Keaney Place, Lots 4-11 McKay Street, Lots 2-3 and 39-48 Manning Road from R20 to R60 and amending the Zoning Scheme Map for Precinct 14 'Waterford' accordingly.
6. Amending the building height limit for Lots 33-38 Conlon Street, Lots 30-32, 55-58, 49, 1, 14-17 Garvey Street, 12-13 Keaney Place, Lots 4-11 McKay Street, Lots 2-3 and 39-48 Manning Road from 7.0 m to 10.5 m and amending the Building Height Limit Map accordingly.

S. DOHERTY, Mayor.
G. GLASS, Chief Executive Officer.

PUBLIC NOTICES

ZZ401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Achille Vincenzo Carbone, late of 613 Karrinyup Road, Stirling in the State of Western Australia, Retired Granolithic Worker, who died on 3 January 2020.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased person are required by the deceased's representative, Keith Gordon Sorensen to send particulars of their claims to him at K G Sorensen, Barrister & Solicitor, Level 1, 16 Irwin Street, Perth WA 6000 within one (1) month of the date of publication hereof after which date the deceased's representative may convey or distribute the assets, having regard only to the claims of which he has then received notice.

K G SORENSEN.