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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2017 AND NEW YEAR HOLIDAY PERIOD 2018

Publishing Dates and Times Closing Dates and Times for copy

Friday, 29 December 2017 at 12 noon

Wednesday, 27 December 2017 at <u>3 pm</u>

Friday, 5 January 2018 at 12 noon

Wednesday, 3 January 2018 at 12 noon

There will be no *Gazette* published for Tuesday, 26 December 2017 and Tuesday, 2 January 2018.



— PART 2 —

AGRICULTURE AND FOOD

AG401

BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007

BIOSECURITY AND AGRICULTURE MANAGEMENT (PERMITTED ORGANISM) DECLARATION (NO. 7) 2017

Made by the Minister for Agriculture and Food under section 11 of the Act.

1. Citation

This declaration is the Biosecurity and Agriculture Management (Permitted Organisms) Declaration (No. 7) 2017.

2. Permitted Organisms

(1) An organism listed below is declared under section 11 of the Act to be a permitted organism.

(2) All previous declarations under the Act relating to the organisms below are revoked.

- Barnardius zonarius (Shaw 1805)
- Calyptorhynchus baudinii (Lear 1832)
- Chenonetta jubata (Latham 1802)
- Corvus coronoides (Vigors and Horsfield 1827)
- Macropus fuliginosus (Desmarest 1817)
- Macropus robustus erubescens (Sclater 1870)
- Macropus rufus (Desmarest 1822)
- Purpureicephalus spurius (Kuhl 1820)
- Rattus villosissimus (Waite 1898)
- Struthio camelus (Linnaeus 1758)
- Tadorna tadornoides (Jardine and Selby 1828)
- Zosterops lateralis (Latham 1802)

Hon ALANNAH MacTIERNAN MLC, Minister for Agriculture and Food.

Date: 31 October 2017.

AG402

BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007

BIOSECURITY AND AGRICULTURE MANAGEMENT (PERMITTED ORGANISMS) DECLARATION (NO. 9) 2017

Made under section 11 of the Act by the Minister for Agriculture and Food.

1. Citation

This declaration is the Biosecurity and Agriculture Management (Permitted Organisms) Declaration (No. 9) 2017.

2. Permitted organisms

An organism listed below is declared under section 11 of the Act to be a permitted organism.
 All previous declarations under the Act relating to the organisms below are revoked.

- Convolvulus arvensis L.
- Cynara cardunculus L.
- Datura ferox L.
- Datura inoxia Mill.
- Datura leichhardtii F. Müell. ex Benth.
- Datura metel L.
- Datura stramonium L.
- Datura wrightii Regel
- Emex australis Steinh.
- Emex spinosa (L.) Campd.
- Heliotropium europaeum L.

- Hypericum perforatum L.
- Marrubium vulgare L.
- Salix alba L.
- Salix caprea L.
- Salix chilensis Molina
- Salix cinerea L.
- Salix matsudana Koidz.
- Salix viminalis L.
- Salix x chrysocoma Dode
- Salvia reflexa Hornem.
- Sida acuta Burm.f.
- Sida cordifolia L.

Hon ALANNAH MacTIERNAN MLC, Minister for Agriculture and Food.

Date: 31 October 2017.

AG403

BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007 BIOSECURITY AND AGRICULTURE MANAGEMENT REGULATIONS 2013 BIOSECURITY AND AGRICULTURE MANAGEMENT (DECLARED PESTS)

DECLARATION (NO. 2) 2017

Made by the Minister for Agriculture and Food under section 22 of the Act and regulation 7 of the Regulations.

1. Citation

This declaration is the Biosecurity and Agriculture Management (Declared Pests) Declaration (No. 2) 2017.

2. Declared Pests

(1) An organism listed below is declared under section 22(2) of the Act to be a declared pest with no assigned Control Category for the whole of the State, and assigned a specified keeping category under regulation 7 of the *Biosecurity and Agriculture Management Regulations 2013*.

(2) An organism listed below is declared under section 22(2) of the Act to be a declared pest for the area of the state specified and is assigned under section 22(3) to the control category specified, and is assigned under regulation 7 of the *Biosecurity and Agriculture Management Regulations 2013* to the keeping category specified.

(3) All previous declarations under the Act relating to the organisms listed below are revoked.

Full Organism Name	Control Category and Area Declared	Keeping Category
Eolophus roseicapilla (Vieillot 1817)	No category	Exempt
Ramphotyphlops braminus (Daudin 1803)	No category	Prohibited
Cacatua pastinator butleri (Ford 1987)	C1 Whole of State where not naturally occurring. C3 Areas outside natural range where present; Shires of Greater Geraldton, Dalwallinu, Irwin, Mingenew, Morawa, Mullewa, Perenjori, Three Springs, Busselton and Perth Metro.	Exempt
Cacatua pastinator pastinator (Gould 1851)	C1 Whole of State where not naturally occurring. C3 Southwest Land Division where not naturally occurring, Shires of Boyup Brook, Cranbrook and Manjimup.	Exempt
Cacatua sanguinea sanguinea (Gould 1843)	C1 Whole of State where not naturally occurring. C3 Areas outside of natural range where recorded present; Perth Metro area, City of Mandurah, Bunbury, Albany, and Kalgoorlie, Shires of Busselton, Murray, Waroona, Harvey, Dardanup, Capel, Donnybrook- Balingup, Augusta-Margaret River, Denmark, Wyndham-East Kimberley, Derby-West Kimberley.	Exempt

Full Organism Name	Control Category and Area Declared	Keeping Category
Cacatua sanguinea westralensis (Mathews 1917)	C1 Whole of state where not naturally occurring.C3 Areas outside of natural range where recorded present; Perth Metro area, Shires of Busselton, Carnarvon, Greater Geraldton, Irwin, Three Springs, Morawa, Mullewa, Perenjori, Mingenew.	Exempt
Camelus dromedarius (feral) (Linnaeus 1758)	C3 Whole of State	Exempt
Capra hircus (feral) (Linnaeus 1758)	C3 Whole of State	Exempt
<i>Equus asinus (feral)</i> (Linnaeus 1758)	C3 Whole of State	Exempt
<i>Funambulus pennantii</i> (Wroughton 1905)	C1 Whole of the State C2 City of South Perth	Prohibited
Mustela putorius furo (Linnaeus 1758)	C1 At large in the wild	Exempt
Rhinella marina (Linnaeus 1758)	C1 South of 20°S latitude	Prohibited
Sus scrofa (feral) (Linnaeus 1758)	C3 Whole of State	Prohibited
Vulpes vulpes (Linnaeus 1758)	C1 WA Off-shore islands C3 Whole of State	Prohibited

Hon ALANNAH MacTIERNAN MLC, Minister for Agriculture and Food.

Date: 31 October 2017.

AG404

BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007 BIOSECURITY AND AGRICULTURE MANAGEMENT REGULATIONS 2013 BIOSECURITY AND AGRICULTURE MANAGEMENT (DECLARED PESTS) DECLARATION (NO. 3) 2017

Made under section 22 of the Act and regulation 7 of the Regulations by the Minister for Agriculture and Food.

1. Citation

This declaration is the Biosecurity and Agriculture Management (Declared Pests) Declaration (No. 3) 2017.

2. Declared Pests

(1) An organism listed below is declared under section 22(2) of the Act to be a declared pest with no assigned Control Category under section 22(3) for the whole of the State.

(2) An organism listed below is assigned a keeping category of 'exempt' under regulation 7 of the *Biosecurity and Agriculture Management Regulations 2013* for the whole of the State.

(3) All previous declarations under the Act relating to the organisms listed below are revoked.

- Asparagus asparagoides (L.) Druce
- Calotropis procera (Aiton) W.T.Aiton
- Cryptostegia madagascariensis Bojer ex Decne.
- Echium plantagineum L.
- Moraea flaccida (Sweet) Steud.
- Moraea miniata Andrews
- Onopordum acaulon L.
- Parkinsonia aculeata L.
- Senna alata (L.) Roxb.
- Senna obtusifolia (L.) H.S.Irwin & Barneby
- Silybum marianum (L.) Gaertn.
- Solanum elaeagnifolium Cav.
- Solanum linnaeanum Hepper & P.-M.L.Jaeger
- Tamarix aphylla (L.) H.Karst.
- Zantedeschia aethiopica (L.) Spreng.

Hon ALANNAH MacTIERNAN MLC, Minister for Agriculture and Food.

AG405

BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007 BIOSECURITY AND AGRICULTURE MANAGEMENT REGULATIONS 2013

BIOSECURITY AND AGRICULTURE MANAGEMENT (DECLARED PESTS)

DECLARATION (NO. 4) 2017

Made under section 22 of the Act and regulation 7 of the Regulations by the Minister for Agriculture and Food.

1. Citation

This declaration is the Biosecurity and Agriculture Management (Declared Pests) Declaration (No. 4) 2017.

2. Declared Pests

(1) An organism listed below is declared under section 22(2) of the Act to be a declared pest for the area of the state specified and is assigned under section 22(3) to the control category specified.

(2) The organisms listed below are assigned a keeping category under regulation 7 of the *Biosecurity* and Agriculture Management Regulations 2013 for the South-west Land Division.

(3) All previous declarations under the Act relating to the organisms listed below are revoked.

Full Organism Name	Control Category and Area Declared	Keeping Category
Cuscuta campestris Yunck.	C3—Whole of State	Exempt
Myriophyllum aquaticum (Vell.) Verdc.	C3—Whole of State	Prohibited
Rubus anglocandicans A.Newton	C3—Whole of State	Exempt
Rubus laudatus A.Berger	C3—Whole of State	Exempt
Rubus rugosus Sm.	C3—Whole of State	Exempt
Rubus ulmifolius Schott	C3—Whole of State	Exempt

Date: 31 October 2017.

Hon ALANNAH MacTIERNAN MLC, Minister for Agriculture and Food.

AG406

BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007 BIOSECURITY AND AGRICULTURE MANAGEMENT REGULATIONS 2013 BIOSECURITY AND AGRICULTURE MANAGEMENT (PROHIBITED ORGANISM) DECLARATION (NO. 4) 2017

Made by the Minister for Agriculture and Food under section 12 of the Act and regulation 8 of the Regulations.

1. Citation

This declaration is the Biosecurity and Agriculture Management (Prohibited Organisms) Declaration (No. 4) 2017.

2. Prohibited Organisms

(1) The organisms listed below are declared under section 12(1) of the Act to be prohibited organisms for the area of the State specified.

(2) Under section 22(1) of the Act a prohibited organism is a declared pest for the whole of the state.
(3) An organism listed below is assigned under regulation 8 of the *Biosecurity and Agriculture Management Regulations 2013* to the control category and keeping category as specified.

(4) All previous declarations under the Act relating to the organisms specified below are rev	oked.

Full Organism Name	Control Category and Area Declared	Keeping Category
Cervus timorensis (Blainville 1822)	C1 Whole of State	Prohibited
Bubalus bubalis (Linnaeus 1758)	C1 Whole of State	Prohibited north of 20°S latitude Restricted south of 20°S latitude
<i>Sturnus vulgaris</i> (Linnaeus 1758)	C1 Whole of State C2 Shires of Esperance and Ravensthorpe	Prohibited

CONSERVATION

CO401

CONSERVATION AND LAND MANAGEMENT ACT 1984

CONSERVATION AND LAND MANAGEMENT (CHANGES TO STATE FOREST NOS. 13 AND 22) PROPOSAL 2017

Made by the Governor in Executive Council under section 10A of the Act.

1. Citation

This proposal is the Conservation and Land Management (Changes to State Forest Nos. 13 and 22) Proposal 2017.

2. Terms used

In this proposal—

Act means the Conservation and Land Management Act 1984;

- Deposited Plan, followed by a number, means the deposited plan of that number
 - (a) lodged with Landgate; and
 - (b) certified by an authorised land officer (as defined in the *Land Administration Act 1997* section 3(1)); and
 - (c) available—
 - (i) in paper form at Landgate's head office; and
 - (ii) in electronic form on Landgate's official website;
- Landgate mean the Western Australian Land Information Authority established by the Land Information Authority Act 2006 section 5.

3. Proposal to change State Forest Nos. 13 and 22

Under section 10A(1)(a) of the Act, it is proposed that the land identified as Lots 503 and 511 on Deposited Plan 67072 version 4 and Lots 520 and 521 on Deposited Plan 70909 version 2 cease to be State forest.

N. HAGLEY, Clerk of the Executive Council.

CONSUMER PROTECTION

CP401

ASSOCIATIONS INCORPORATION ACT 2015

ORDER TO CANCEL INCORPORATION

Leonora Tourist Committee-A0720076J

On 22 March 2017 the Commissioner for Consumer Protection (Commissioner) served a notice on Leonora Tourist Committee—A0720076J (Association) pursuant to section 145(1) of the Associations Incorporation Act 2015 (Act) informing it that if it did not show cause on or before 60 days after the day on which the notice was given (Allowed Period) the incorporation of the Association would be cancelled.

The Association did not show cause within the Allowed Period.

On 15 June 2017 the Commissioner gave notice in writing to the Association pursuant to section 147(2) of the Act stating that the Commissioner proposed to make an order cancelling the incorporation of the Association after the expiration of 28 days from the day on which the notice was given and advising the Association that it could apply to the State Administrative Tribunal (SAT) for a review of the Commissioner's proposal within this period.

The Association did not apply to SAT for a review within the period specified.

Therefore, pursuant to section 147(1) of the Act, the Commissioner orders that the incorporation of the Association be cancelled with effect on and from the date of this order.

LAILY YASSIN, Acting Associations and Charities Manager, For Commissioner for Consumer Protection.

Date: 14 November 2017.

EDUCATION

ED401

SCHOOL EDUCATION ACT 1999

NON-GOVERNMENT SCHOOLS FUNDING ORDER 2018

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 2018.

2. Application

This Order applies for the year commencing on 1 January 2018.

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 20 years of age before 1 January 2018.

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 2017 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 2018 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 2018 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 2018 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 2017 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 2018 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 2018 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 2018 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 2018 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.

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(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 31 December 2018 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,

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

2018 Per Capita Grants

Column 1	Column 2	Column 3	Column 4	Column 5
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 \$
А	2,536	1,690	2,484	2,566
В	2,922	1,946	2,862	3,156
С	2,934	1,957	2,875	3,233
D	3,026	2,017	2,966	3,329
Е	3,175	2,116	3,109	3,475
F	3,311	2,206	3,243	3,588
G	3,415	2,277	3,347	3,718
G (A)	5,088	3,393	4,987	5,534
Н			4,987	5,534
Ι	6,769	4,514	6,635	7,312

Part 2

2018 High Support Needs Per Capita Grants

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
	φ	φ	Ф	φ
A - I	14,631	36,577	36,577	36,577

Dated this 7th day of November 2017.

Hon SUE ELLERY MLC, Minister for Education and Training.

ED402

PUBLIC EDUCATION ENDOWMENT ACT 1909

TRUSTEES OF PUBLIC EDUCATION ENDOWMENT (APPOINTMENT OF MEMBER) INSTRUMENT 2017

Made by the Governor in Executive Council under section 2 of the Public Education Endowment Act 1909.

Citation

1. This is the Trustees of Public Education Endowment (Appointment of Member) Instrument 2017.

Appointment of member

2. Ms Jennifer McGrath is appointed to be a member of the Trustees of Public Education Endowment for a first term of office commencing on the date of her appointment and expiring on the day that is three years after that date.

Dated this 24th day of October, 2017.

HEALTH

HE401

ANIMAL RESOURCES AUTHORITY ACT 1981

ANIMAL RESOURCES AUTHORITY (APPOINTMENT OF CHAIRMAN AND MEMBER) **INSTRUMENT 2017**

Made by Her Excellency the Honourable Kerry Gaye Sanderson, Companion of the Order of Australia, Governor of the State of Western Australia under section 5 of the Animal Resources Authority Act 1981 (the Act) and clause 4 of the Schedule to the Act.

1. Citation

This instrument may be cited as the Animal Resources Authority (Appointment of Chairman and Member) Instrument 2017.

2. Appointment of Member(s)

The appointment of Mr Anthony Jona Tate as a Member to the Animal Resources Authority under section 5(2)(a) of the Act and as a Chairman under clause 4 of the Schedule to the Act is approved for a term commencing on date of appointment and expiring on 26 November 2018.

The appointment of Dr Catherine Gangell as a Member to the Animal Resources Authority under section 5(2)(b)(iii) of the Act is approved for a term commencing on date of appointment and expiring on 30 September 2019.

By Command of Her Excellency the Honourable Kerry Gave Sanderson, Companion of the Order of Australia, Governor of the State of Western Australia, in Executive Council

R. NEILSON, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG401

LOCAL GOVERNMENT ACT 1995

Shire of Jerramungup **APPOINTMENTS**

It is hereby notified for public information that Mr Matthew Musgrave and Mr Michael McManus as Rangers for the Shire of Jerramungup are authorised to administer the following legislation

i. Cat Act 2011;

ii. Local Government (Parking for Disabled Persons) Regulations 1988.

BRENT BAILEY, Chief Executive Officer.

MARINE/MARITIME

MA401

WESTERN AUSTRALIAN MARINE ACT 1982 NAVIGABLE WATERS REGULATIONS 1958

PROHIBITED SWIMMING AREA

Peel Inlet

City of Mandurah

Department of Transport, Fremantle WA, 17th November 2017.

Acting pursuant to the powers conferred by Regulation 10A (b) of the *Navigable Waters Regulations 1958*, I hereby close all of the following waters to swimming between the hours of 7:00PM and 8:30PM on Saturday 18th November 2017-

Area of Closure: All the waters within a 45 metre radius of the firing point located at approximately 32°33.715'S, 115°42.373'E adjacent to Mandurah Quay Resort.

This area is set aside for safety measures during the set up and display of pyrotechnics.

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

MINERALS AND PETROLEUM

MP401

MINING ACT 1978

INTENTION TO FORFEIT

Department of Mines and Petroleum, Perth WA 6000.

In accordance with Regulation 50(b) of the *Mining Regulations 1981*, notice is hereby given that unless the rent due on the under mentioned mining tenements are paid on or before 19 December 2017 it is the intention of the Minister for Mines and Petroleum under the provisions of sections 96A(1) and 97(1) of the *Mining Act 1978* to forfeit such for breach of covenant, being non-payment of rent.

DIRECTOR GENERAL.

Number	Holder	Mineral Field	
	EXPLORATION LICENCE		
E 08/2756	Australian Copper Pty Ltd	Ashburton	
E 30/333	Carnegie Gold Pty Ltd	North Coolgardie	
E 51/1710	Oxley Resources Limited	Murchison	
E 53/1369	Vanguard Exploration Ltd	East Murchison	
E 59/2172	Smith, Bruce McDonald	Yalgoo	
E 63/1617	Mount Ridley Mines Limited	Dundas	
E 74/566	Octo Resources Pty Ltd	Phillips River	
	MINING LEASE		
M 16/25	Ball, Raymond Reginald Wilson, Rodney Benjamin	Coolgardie	
M 36/300	Harris, Gay	East Murchison	
M 46/119	Missler, Wolfgang Gustav Ernst	Pilbara	
M 52/743	Murchison Copper Mines Pty Ltd	Peak Hill	
M 52/1063	Redstone Minerals Pty Ltd	Peak Hill	
M $52/1064$	Redstone Minerals Pty Ltd	Peak Hill	
M 59/453	Thomas, Ann	Yalgoo	

MP402

MINING ACT 1978

INTENTION TO FORFEIT

Department of Mines, Industry Regulation and Safety, Perth WA 6000.

In accordance with Regulation 50 of the *Mining Regulations 1981*, notice is hereby given that unless the outstanding royalty payment due on the under mentioned lease is paid on or before 19 December 2017 or a written submission is made by that date to the Minister responsible for the *Mining Act 1978* for the Minister to consider, it is the intention of the Minister under the provisions of Section 97(1) of the *Mining Act 1978* to forfeit such for breach of covenant by the holder of the under mentioned leases for failure to comply with the royalty provisions in accordance with Regulation 86A.

DIRECTOR GENERAL.

Number	Holder	Mineral Field
	MINING LEASE	
M04/218	McCorry Brown Earthmoving Pty Ltd	West Kimberley
M04/220	McCorry Brown Earthmoving Pty Ltd	West Kimberley
M04/291	McCorry Brown Earthmoving Pty Ltd	West Kimberley
M04/307	McCorry Brown Earthmoving Pty Ltd	West Kimberley
M04/333	McCorry Brown Earthmoving Pty Ltd	West Kimberley
M08/487	Quarry Park Pty Ltd	Ashburton
M08/488	Yarri Mining Pty Ltd	Ashburton

GOVERNMENT GAZETTE, WA

Number	Holder	Mineral Field
M09/109	Pas, Johan Pieter Kapitany, Tamas	Gascoyne
M09/126	Australian Mineral Mines Pty Ltd	Gascoyne
M45/531	Young; Bradford John	Marble Bar
M47/578	Pas; Johan Pieter Kapitany; Tamas	West Pilbara
M47/796	Corps, Darryl John Corps, Vaughan William	West Pilbara
M47/1415	Corps, Darryl John Corps, Vaughan William	West Pilbara
M47/1420	Janarre Corporation Pty Ltd	West Pilbara
M77/637	Prumm Corporation Pty Ltd	Yilgarn
M80/528	Martinjinni Pty Limited	Kimberley
M80/576	Pas, Johan Pieter Kapitany, Tamas	Kimberley

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Narembeen

Local Planning Scheme No. 2-Amendment No. 7

Ref: TPS/1993

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 Narembeen Local Planning Scheme amendment on 23 October 2017 for the purpose of-

- i. Deleting the following Parts and Schedules (in their entirety) from the Scheme Text, as they have been superseded by the deemed pforvisions set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2-
 - Clause '4.19 Structure Plans'.
 - 'Part V Heritage—Precincts and Places of Cultural Signicance'.
 - 'Part VI Use and Development of Land'.
 - 'Part VIII-Administration'.
 - 'Schedule 5—Application for Approval'.
 - 'Schedule 6-Notice of Public Advertisement of Development Proposal'.
 - 'Schedule 7-Decision On Application for Planning Approval'.
- ii. Replacing roman numerals with numbers used for each Part throughout the Scheme Text as follows-
 - 'Part I—Preliminary' to 'Part 1—Preliminary'.
 - 'Part II-Reserves' to 'Part 2-Reserves'.
 - 'Part III—Zones' to 'Part 3—Zones'.
 - 'Part IV-General Development Requirements' to 'Part 4-General Development Requirements'.
 - 'Part VII-Non Conforming Uses' to 'Part 5-Non Conforming Uses'.
- iii. Deleting references to the following terms and replacing them with the corresponding term throughout the Scheme Text-
 - 'Town Planning Scheme' replaced with ' Local Planning Scheme'.
 - 'TPS' replaced with 'LPS'; (including in the footer of the Scheme Text).
 - 'Council' replaced with 'Local government'.
 - 'Residential Planning Codes' to 'Residential Design Codes'.
 - 'planning approval' replaced with 'development approval'
 - 'Town Planning and Development Act, 1928 (as amended)' replaced with 'Planning and Development Act 2005'.
 - 'Clause 6.3' to 'Clause 64 of the deemed provisions'.

- iv. Updating the following clauses (including renumbering as required)-
 - Under Clause '1.2 Responsible Authority:' delete 'hereinafter called "the Council" after the words 'Shire of Narembeen'.
 - Add to Clause '1.5 Contents of the Scheme:' the following-
 - '(b) the deemed provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2.
 - (c) the supplemental provisions contained in Schedule A; and'
 - Delete the entire Clause '1.6 Arrangement of the Scheme Text:'
 - Modify Clause '1.7 Scheme Objectives:' to Clause '1.6 Aims of Scheme' and replace 'The objectives of the Scheme are:' with 'The aims of this Scheme are:'
 - Renumber Clause '1.8 Definitions:' to Clause '1.7 Definitions:' and
 - renumber sub-clause '1.8.1, 1.8.2 and 1.8.3' to '1.7.1, 1.7.2 and 1.7.3'.
 - Replace cross reference to sub-clauses '1.8.2 and 1.8.3' under new sub-clause 1.7.1 with '1.7.2 and 1.7.3'.
 - Insert 'Residential Development' after 'Farming' under Clause 3.1.1.
 - Modify Clause 4.1.1 to replace 'Appendix 2 to the Statement of Planning Policy No. 1' with 'State Planning Policy 3.1'.
 - Replace sub-clause '4.5.1 Sub-clause 4.5.2' with '4.4.1 Sub-clause 4.4.2'.
 - Replace sub-clause '4.5.2 Subject to sub-clause 4.5.1' with ' 4.4.2 Subject to sub-clause 4.4.1'.
 - Delete Clause 4.15.2 b) under 'General Provisions' applicable to the Special Rural zone which states—
 - (b) the Council may recommend that an Overall Plan of Subdivision or a Guide Plan be prepared for a specific area zoned Special Rural showing, amongst other things—
 - (i) the proposed ultimate subdivision including lot sizes and dimensions.
 - (ii) areas to be set aside for public open space, pedestrian accessways, horse trails, community facilities, etc. as may be considered appropriate.
 - (iii) those physical features it is intended to conserve.
 - (iv) the proposed staging of the subdivision where relevant.'

And insert a new Clause 4.15.2 b) as follows—

- (b) The Western Australian Planning Commission, may require the preparation of a Structure Plan under Part 4 of the deemed provisions, for a specific area zoned Special Rural where is it required for the orderly and proper planning of the area.'
- Modify existing clause '4.15.2 d)' by replacing 'Overall Plan of Subdivison or Guide Plan adopted by the Council' with 'adopted Structure Plan'.
- Modify clause 4.15.2 (land uses in the Rural Enterprise zone) to delete 'intensive animal industry—sheep feedlots and piggery'.
- Modify sub-clause '4.16.3' by replacing 'criteria' with 'matters'.
- Re-number sub-clauses 7.1 to 7.5 to 5.1 to 5.5 relating to non conforming uses.
- Re-number sub-clauses 7.4.1 and 7.4.2 to 5.4.1 and 5.4.2 relating to non conforming uses.
- v. Renumber the following Clauses and sub-clauses as required-

Existing Clause number	Proposed Clause number
4.4 Carparking Requirements	4.3 Carparking Requirements
4.5 Discretion to Modify Development Standards:	4.4 Discretion to Modify Development Standards:
4.6 Development Limited by Liquid Waste Disposal:	4.5 Development Limited by Liquid Waste Disposal:
4.7 Supply of Potable Water:	4.6 Supply of Potable Water:

vi. Deleting existing Clause 4.3 Objectives of the Zone: for the 'Residential Development Zone' which states as follows—

'4.3 Objectives of the Zone-

- Residential Development Zone
 - o To allow for the progressive development of land for predominately residential purposes together with compatible uses.
 - o To retain the single house as the predominant form of residential development and maintain flexibility to cater for a variety of housing choice and future housing needs.
 - o To allow for incidental no-residential uses only where the local amenity is not adversely affected.
 - o To ensure that subdivision occurs in a co-ordinated manner and has regard for other future subdivisions in the area'.

And insert Clause '4.18.1 Objectives' applicable to the Residential Development zone as follows—

- '4.18.1 Objectives
 - (a) To allow for the progressive development of land for predominately residential purposes together with compatible uses.
 - (b) To retain the single house as the predominant form of residential development and maintain flexibility to cater for a variety of housing choice and future housing needs.
 - (c) To allow for incidental non-residential uses only where the local amenity is not adversely affected.
 - (d) To ensure that subdivision occurs in a co-ordinated manner and has regard for other future subdivisions in the area.'
- vii. Re-number sub-clause '4.18.1 Site Requirements' to '4.18.2 Site Requirements' (applicable to the Residential Development zone).
- viii. Re-number sub-clause '4.18.2 Structure Plan Requirement' to 4.18.3 Structure Plan Requirement' (applicable to the 'Residential Development zone)' and modify the sub-clause by—
 - inserting the word 'generally' after 'The Local Government is'
 - replacing 'clause 4.19 of the Scheme' with 'Part 4 of the deemed provisions or the decision satisfies Regulation 27 (2) (a) and (b) of the deemed provisions.'
- ix. Deleting existing Clause '4.8 TRANSPORTED DWELLINGS:' which states as follows—

'4.8 Transported Dwellings-

- 4.8.1 Within the Scheme area a building may not be placed on a lot and occupied as a dwelling following transportation as a whole or as parts of a building unless in the opinion of the Council, such building is in a satisfactory condition and will not detrimentally affect the amenity of the area; or the building has been specifically constructed as a transportable dwelling.
- 4.8.2 An applicant for a building licence for a transported building may be required by the Council to enter into a contract and provide a bond to reinstate the building to an acceptable standard of presentation within a period of twelve months from the issue of a building licence for such a dwelling.'

And insert a new Clause 4.7 as follows—

'4.7 Amenity of Non-Residential Development-

- 4.7.1 The amenity of non-residential development shall be determined in the context of each proposed development and site conditions, but shall generally be in accordance with the following—
 - (a) the form and scale of development is to be compatible with surrounding landuses.
 - (b) buildings are to have co-ordinated or complementary materials, colours, and styles and be reflective of the character of the locality.
 - (c) visual impacts are to be minimised by the use of vegetation screening and tree retention.
- x. Inserting a new Clause 4.8 as follows—

'4.8 Repurposed Dwelling or Second Hand Dwelling—

- 4.8.1 In determining an application for a Repurposed Dwelling or Second Hand Dwelling, the local government will have regard to the following matters—
 - (a) The objectives of the relevant zone.
 - (b) The ability of the built form including roof pitch, eaves, colours, material and architectural details to complement the expected character of the locality.
 - (c) The potential for negative visual impact or conflict with any established streetscape and character of the locality.
 - (d) Any proposed upgrading, alterations and additions which will enhance the elevations and architectural detail of proposed development.
 - (e) Potential glare from reflective materials.
 - (f) The potential for existing or proposed landscaping and vegetation to mitigate visual impacts of the development.
 - (g) Landscape protection and landscape characteristics of the locality.'
- xi. Modifying existing sub-clause 4.11.3 b) which currently states-
 - (b) no horse or other hoofed animal shall be kept on any lot in the Residential zone.'
 - To state as follows—
 - (b) no horse, hoofed animal or beast of burden shall be kept on any lot in the Residential zone.'

- xii. Modifying 'Table 1-Zoning Table' by-
 - Replacing 'intensive agriculture' with 'agriculture—intensive', 'public worship' with 'place of worship' and 'restaurant' with 'restaurant/cafe with modified landuse permissibility symbols.
 - Deleting 'industry-noxious', 'industry-service', 'piggery' and 'poultry farm'.
 - Replacing 'civic building' with 'civic use', 'industry general' with 'industry', and 'rural pursuit' with 'rural pursuit/hobby farm'.
 - Inserting 'agriculture—extensive', 'animal husbandry—intensive', 'bed and breakfast', 'child care premises', 'community purpose', 'family day care', 'home business', 'home store', 'lunch bar', 'medical centre', 'repurposed dwelling', 'rural home business', 'second hand dwelling', 'showroom', and 'warehouse/storage' with landuse permissibility symbols.
 - Changing the landuse permissibility for a 'single house', 'ancillary accommodation' and 'transport depot'.
 - Reformatting the table as required so all landuses are listed in number and alphabetical order as follows—

		Residential	Town Centre	Rural Townsite	Industrial	Special Rural	Rural Enterprise	Farming	Residential Development
1	Abattoir						SA	SA	
2	Aged Or Dependent Persons Dwelling	AA							AA
3	Agriculture—Extensive						AA	Р	
4	Agriculture—Intensive						SA	AA	
5	Ancillary Accommodation	Р		Р		AA		AA	AA
6.	Animal Husbandry—Intensive							SA	
7	Bed And Breakfast	AA	SA	AA		SA	AA	AA	SA
8	Caretaker's Dwelling		IP	IP	IP	IP	IP	IP	
9	Child Care Premises	SA	AA	AA					SA
10	Civic Use		Р	AA	AA				
11	Club Premises		AA	AA					
12	Community Purpose	SA	Р	AA	AA		AA	AA	AA
13	Education Establishment	SA		AA			AA	AA	SA
14	Family Day Care	AA	AA	AA			SA		
15	Fuel Depot				Р			AA	
16	Grouped Dwelling	AA	AA	AA			AA		AA
17	Home Occupation	AA		AA		AA	AA	AA	AA
18	Home Business	SA	SA	AA			SA	AA	SA
19	Home Store	SA	AA	AA			SA	SA	
20	Hotel		AA	SA					
21	Industry—Cottage	AA		AA		AA	AA	AA	AA
22	Industry—Extractive						AA	AA	
23	Industry				AA				
24	Industry—Light			SA	Р		SA		
25	Industry—Rural					SA	AA	AA	
26	Lunch Bar		Р	AA	Р				
27	Medical Centre	SA	Р	AA					AA
28	Motel	SA	Р						

		Residential	Town Centre	Rural Townsite	Industrial	Special Rural	Rural Enterprise	Farming	Residential Development
29	Motor Vehicle Repair			SA	Р				
30	Office		Р		AA				
31	Place Of Worship		SA	SA		SA			
32	Plant Nursery	SA	Р	AA	Р	SA	AA	AA	
33	Public Utility	AA	AA	AA	AA	AA	AA	AA	AA
34	Residential Building	AA	AA				AA		AA
35	Restaurant/Cafe		Р	AA				SA	
36	Repurposed Dwelling	AA	SA	AA	Х	AA	AA	AA	SA
37	Rural Home Business							AA	
38	Rural Pursuit/Hobby Farm					SA	AA	Р	
39	Second Hand Dwelling	AA	SA	AA	Х	AA	AA	AA	SA
40	Service Station		SA	SA	AA			AA	
41	Shop		Р	AA	SA				
42	Showroom		AA	AA	Р		AA	SA	
43	Single House	Р	AA	Р		AA	AA	Р	Р
44	Transport Depot		SA	SA	Р			SA	
45	Veterinary Hospital		SA	SA	Р	AA		AA	
46	Warehouse/Storage		AA		Р				

xiii. Deleting existing terms and definitions in 'Schedule 1—Definitions' as follows—

- Act
- advertisement
- aquiculture
- battle axe lot
- building envelope
- camping area
- chalet
- civic building
- Commission
- conservation
- cultural heritage significance
- development
- guesthouse
- heritage precinct
- hobby farm
- industry-general
- land
- local shop
- net lettable area
- non-conforming use
- owner
- piggery
- place
- potable water
- poultry farm
- restoration
- schedule
- zone
- *building envelope:* means the area of land within which all buildings and effluent disposal facilities on a lot must be contained;

commercial vehicle: means a vehicle, whether licenced or not, that has a gross vehicle mass of greater than 4.5 tonnes including—

- (a) a utility, van, truck, tractor, bus or earthmoving equipment; and
- (b) a vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a);
- **Commission:** means the Western Australian Planning Commission constituted under the *Planning and Development Act 2005.*

net lettable area or nla: means the area of all floors within the internal finished surfaces of permanent walls but does not include the following areas—

- (a) stairs, toilets, cleaner's cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;
- (b) lobbies between lifts facing other lifts serving the same floor;
- (c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;
- (d) areas set aside for the provision of facilities or services to the floor or building where those facilities are not for the exclusive use of occupiers of the floor or building;
- non-conforming use: has the same meaning as it has in section 12(2)(a) of the *Planning and* Development Act 2005;

Retail: means the sale or hire of goods or services to the public;

- *R***-Codes:** means the Residential Design Codes prepared by the Western Australian Planning Commission under section 26 of the Act, as amended from time to time.
- xv. Relocate and list existing terms from 'Schedule 1—Definitions' under the new heading '(1) Terms Used' in 'SCHEDULE 1—DEFINITIONS' in alphabetical order
 - *constructed road:* means a track which has been graded and stabilised within a dedicated road reserve.
 - District: means the Municipal District of the Shire of Narembeen.
 - *gazettal date:* means the date of which notice of the Minister's approval of this Scheme is published in the *Government Gazette*.
- *public authority:* shall have the same meaning given to it in and for the purposes of the Act. xvi. Insert '(2) in 'Schedule 1—Definitions' as follows—
 - (2) A word or expression that is not defined in this Scheme—
 - (a) has the meaning it has in the Planning and Development Act 2005; or
 - (b) if it is not defined in that Act—has the same meaning as it has in the R-Codes.
- xvii. Insert a new heading '(3) Landuse Terms Used' in 'Schedule 1—Definitions' before the 'abattoir' definition.
- xviii. Delete existing definitions in 'Schedule 1—Definitions' and replace them with definitions from the 'Model provisions for local planning schemes' contained in 'Schedule 1' of the 'Planning and Development (Local Planning Schemes) Regulations 2015' to be inserted in alphabetical order under '(3) Landuse Terms Used' in 'Schedule 1—Definitions' as follows—
 - abattoir;
 - 'intensive agriculture' to be replaced with 'agriculture--intensive'
 - caravan park
 - caretaker's dwelling
 - civic use
 - club premises
 - consulting rooms
 - education establishment
 - fuel depot
 - home occupation
 - hotel
 - industry
 - industry—light
 - market
 - medical centre
 - 'motor vehicle and marine sales' to be replaced with 'motor vehicle, boat or caravan sales'
 - 'public worship' to be replaced with 'place of worship'
 - 'restaurant' to be replaced with 'restaurant/ café'
 - 'rural pursuit' to be replaced with 'rural pursuit/ hobby farm'
- xix. Insert new landuse definitions under '(3) Landuse Terms Used' in 'Schedule 1—Definitions' as follows
 - *agriculture—extensive* means premises used for the raising of stock or crops including outbuildings and earthworks, but does not include agriculture—intensive or animal husbandry—intensive;

- *animal establishment* means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry—intensive or veterinary centre;
- *animal husbandry—intensive* means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) or other livestock in feedlots, sheds or rotational pens;

bed and breakfast means a dwelling—

- (a) used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than 4 adult persons or one family; and
- (b) containing not more than 2 guest bedrooms;
- child care premises means premises where-
 - (a) an education and care service as defined in the Education and Care Services National Law (Western Australia) section 5(1), other than a family day care service as defined in that section, is provided; or
 - (b) a child care service as defined in the *Child Care Services Act 2007* section 4 is provided;
- *community purpose* means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit;
- *family day care* means premises where a family day care service as defined in the Education and Care Services National Law (Western Australia) is provided;
- *home business* means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or profession—
 - (a) does not involve employing more than 2 people who are not members of the occupier's household; and
 - (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
 - (c) does not occupy an area greater than 50 m²; and
 - (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
 - (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
 - (f) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and
 - (g) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located;

home store means a shop attached to a dwelling that—

- (a) has a net lettable area not exceeding 100 m^2 ; and
- (b) is operated by a person residing in the dwelling;

lunchbar means premises or part of premises used for the sale takeaway food (in a form ready to be consumed without further preparation) within industrial or commercial areas.

motel means premises, which may be licensed under the Liquor Control Act 1988-

- (a) used to accommodate guests in a manner similar to a hotel; and
- (b) with specific provision for the accommodation of guests with motor vehicles;

park home park means premises used as a park home park as defined in the Caravan Parks and Camping Grounds Regulations 1997 Schedule 8;

- *repurposed dwelling* means a building or structure not previously used as a single house, which has been repurposed for use as a dwelling.
- *rural home business* means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or occupation if the carrying out of the business, service or occupation—
 - (a) does not involve employing more than 2 people who are not members of the occupier's household; and
 - (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
 - (c) does not occupy an area greater than 200 m²; and
 - (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only be means of the Internet; and
 - (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
 - (f) does not involve the presence, use or calling of more than 3 vehicles at any one time or of a vehicle of more than 30 tonnes gross weight;
- *second-hand dwelling* means a dwelling that has been in a different location, and has been dismantled and transported to another location (in whole or in parts) for habitable purposes, but does not include a new modular or transportable dwelling;

serviced apartment means a group of units or apartments providing-

- (a) self-contained short stay accommodation for guests; and
- (b) any associated reception or recreational facilities;
- *telecommunications infrastructure* means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure related to the network;
- *tourist development* means a building, or a group of buildings forming a complex, other than a bed and breakfast, a caravan park or holiday accommodation, used to provide—
 - (a) short-term accommodation for guests; and
 - (b) onsite facilities for the use of guests; and
 - (c) facilities for the management of the development;

warehouse/storage means premises including indoor or outdoor facilities used for-

- (a) the storage of goods, equipment, plant or materials; or
- (b) the display or sale by wholesale of goods;
- xx. Inserting a new Schedule A following 'Schedule 4—Special Rural Zone' with Supplemental Provisions to the Deemed Provisions of the Planning and Development (Local Planning Scheme) Regulations 2015 as follows—

'Schedule A-Supplemental Provisions to the Deemed Provisions

Shire of Narembeen

These provisions are to be read in conjunction with the deemed provisions (Schedule 2) set out in the *Planning and Development (Local Planning Schemes) Regulations 2015.*

Clause 61(1)

The development approval of the Local government is not required for the following development of land—

- (k) The erection or extension of a single house on a lot in the Farming zone, where the development standards set out in the scheme (including boundary setbacks) are satisfied unless the development is located in a place that is—
 - (i) entered in the Register of Heritage Places under the Heritage of Western Australia Act 1990; or
 - (ii) the subject of an order under Part 6 of the Heritage of Western Australia Act 1990; or
 - (iii) included on a heritage list prepared in accordance with this Scheme; or
 - (iv) within an area designated under the Scheme as a heritage area; or
 - (v) the subject of a heritage agreement entered into under the *Heritage of Western Australia Act 1990* section 29.
 - (vi) is on a lot abutting an unconstructed road or a lot which does not have frontage to a gazetted constructed road;
 - (vii) entails a variation to the Site Requirements or Development Requirements applicable to the Farming zone (including building setbacks).
- (l) The erection or extension of a single house on a lot in the Residential Development zone if the R-Codes apply to the development and the development satisfies the deemed-to-comply requirements of the R-Codes unless there is no approved Local Structure Plan and subdivision.
- (m) the erection or extension of an external fixture, patio, pergola, veranda, outbuilding, garage, carport or swimming pool on a lot in the Farming zone unless the development is located in a place that is—
 - (i) entered in the Register of Heritage Places under the Heritage of Western Australia Act 1990; or
 - (ii) the subject of an order under Part 6 of the Heritage of Western Australia Act 1990; or
 - (iii) included on a heritage list prepared in accordance with this Scheme; or
 - (iv) within an area designated under the Scheme as a heritage area; or
 - (v) the subject of a heritage agreement entered into under the Heritage of Western Australia Act 1990 section 29;
 - (vi) the aggregate floor area of any carport on a lot exceeds 100m²;
 - (vii) the aggregate floor area of all outbuildings and/or garages on a lot exceeds $300\mathrm{m}^2;$
 - (viii) the development is on a lot abutting an unconstructed road or a lot which does not have frontage to a gazetted constructed road ;
 - (ix) the development entails a variation to the Site Requirements or Development Requirements applicable to the Farming zone (including building setbacks);
 - (x) the lot has an area less than 10 hectares.

- (n) on lots where the R-Codes do not apply, the erection of a 1.8 metre high dividing boundary fence behind the setback applicable to the relevant zone.
- (o) the erection of visually permeable fencing in the front building setback area in the Industrial and Farming zone.
- (p) the carrying out of any works on, in, over or under a street or road by a public authority acting pursuant to the provisions of any Act.
- (q) the carrying out of works urgently necessary for public safety or for the safety or security of plant or equipment or for the maintenance of essential services.

Clause 61 (2)

- (g) the use of land in a reserve, where such land is held by the Local government or vested in a public authority;
 - (i) for the purpose for which the land is reserved under the Scheme; or
 - (ii) in the case of land vested in a public authority, for any purpose for which such land may be lawfully used by that authority.
- xxi. Update the Table of Contents to reflect the revised format of the Scheme Text as a result of this amendment.

R. COLE, President. C. JACKSON, Chief Executive Officer.

PL402

PLANNING AND DEVELOPMENT ACT 2005

METROPOLITAN REGION SCHEME MINOR AMENDMENT 1329/57 HENLEY BROOK URBAN PRECINCT

Call for Public Submissions

The Western Australian Planning Commission (WAPC) is seeking public comment on a proposal to amend the Metropolitan Region Scheme (MRS) for land in the local government of Swan.

The amendment proposes to rezone approximately 262.82 ha from the Rural zone to the Urban zone in the MRS.

The Western Australian Planning Commission certifies that, in its opinion, the proposed amendment does not constitute a substantial alteration to the MRS.

Display locations

The plans showing the proposed change and the WAPC amendment report which explains the proposal, will be available for public inspection from Friday 17 November 2017 to Friday 19 January 2018 at—

- Western Australian Planning Commission, 140 William Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Swan

Documents can also be viewed online at www.planning.wa.gov.au/HenleyBrook.

Submissions

Any person who desires to make a submission to support, object or provide comment on any part of the proposed amendment should do so on a Form 57, which is available from the display locations, the amendment report and online.

Submissions can be lodged via *mrs@planning.wa.gov.au* or by post to: Secretary, Western Australian Planning Commission, Locked Bag 2506, Perth WA 6001.

Submissions close 5pm, Friday 19 January 2018. Late submissions will not be considered.

KERRINE BLENKINSOP, Secretary, Western Australian Planning Commission.

PL403

PLANNING AND DEVELOPMENT ACT 2005 METROPOLITAN REGION SCHEME MINOR AMENDMENT 1330/57 HAMILTON HILL HIGH SCHOOL SITE Call for Public Submissions

The Western Australian Planning Commission (WAPC) is seeking public comment on a proposal to amend the Metropolitan Region Scheme (MRS) for land in the local government of Cockburn.

The amendment proposes to transfer approximately 11.9 ha of land in Hamilton Hill from the Public Purposes—High School reservation to the Urban zone in the MRS.

The Western Australian Planning Commission certifies that, in its opinion, the proposed amendment does not constitute a substantial alteration to the MRS.

Display locations

The plans showing the proposed change and the WAPC amendment report which explains the proposal, will be available for public inspection from Friday 17 November 2017 to Friday 19 January 2018 at—

- Western Australian Planning Commission, 140 William Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Cockburn
- City of Fremantle

Documents can also be viewed online at www.planning.wa.gov.au/HamiltonHill.

Submissions

Any person who desires to make a submission to support, object or provide comment on any part of the proposed amendment should do so on a Form 57, which is available from the display locations, the amendment report and online.

Submissions can be lodged via *mrs@planning.wa.gov.au* or by post to: Secretary, Western Australian Planning Commission, Locked Bag 2506, Perth WA 6001.

Submissions close 5pm, Friday 19 January 2018. Late submissions will not be considered.

KERRINE BLENKINSOP, Secretary, Western Australian Planning Commission.

PL404

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Broome

Local Planning Scheme No. 6—Amendment No. 6

Ref: TPS/2082

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 Broome Local Planning Scheme amendment on 23 October 2017 for the purpose of—

1. Modifying 'Schedule 2-Additional Uses' of the Scheme as follows-

No.	Description of Land	Additional Use	Conditions
A26	Lot 302 Fairway Drive, Bilingurr	Zoological Gardens	 The additional use shall be considered an 'A' use—the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with the advertising requirements of clause 64 of the deemed provisions. Total development (including the additional use) on Lot 302 Fairway Drive shall not exceed 10% site coverage. Any land or buildings used for the display of animals is restricted to camels only.

2. Amend the Scheme Map accordingly.

PL405

PLANNING AND DEVELOPMENT ACT 2005

DECLARATION OF PLANNING CONTROL AREA 127 City of Stirling and City of Vincent

Scarborough Beach Road (King Edward Road to Main Street)

File: 835-2-1-17

General description

The Minister for Planning has granted approval to the declaration of a planning control area over land at Scarborough Beach Road (King Edward Road to Main Street) as shown on Western Australian Planning Commission (WAPC) plans numbered 1.7544, 1.7545, 1.7546 and 1.7547.

Purpose

The purpose of the planning control area is to allow the future reservation of the land as an Other Regional Road. The WAPC considers that the planning control area is required over the whole of the land to ensure that no development occurs which might prejudice this purpose until it may be reserved as an Other Regional Road in the Metropolitan Region Scheme.

Duration and effects

The declaration remains in effect for a period of five years from the date of publication of this notice in the Government Gazette or until revoked by the WAPC with approval by the Minister, whichever is the sooner.

A person shall not commence and carry out development in a planning control area without the prior approval of the WAPC. The penalty for failure to comply with this requirement is \$200,000 and, in the case of a continuing offence, a further fine of \$25,000 for each day during which the offence continues.

Compensation is payable in respect of land injuriously affected by this declaration, and land so affected may be acquired by the WAPC in the same circumstances and in the same manner as if the land had been reserved in the Metropolitan Region Scheme for a public purpose.

Display locations

- Western Australian Planning Commission, 140 William Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Stirling
- City of Vincent

KERRINE BLENKINSOP, Secretary, Western Australian Planning Commission.

ROTTNEST ISLAND

RX401

ROTTNEST ISLAND REGULATIONS 1988 TEMPORARY NOTICE TO MARINERS CLOSURE OF WATERS TO BOATING

Thomson Bay Rottnest Island

Special Events—3 December 2017

Acting pursuant to the powers conferred by Regulation 38B of the Rottnest Island Regulations 1988, the Rottnest Island Authority hereby closes the following waters to all vessels, excluding bona fide emergency and authorised vessels, between 0:01am on Sunday 3rd December 2017 to 9.00am Monday 4th December 2017-

Thomson Bay

All the waters within 25 metres of the shoreline, from the Fuel Jetty to 66 metres south of the Hotel Jetty. Together with waters encompassing the Hotel Jetty from a point 44 metres north of the Hotel Jetty and 25 metres from the shoreline to the northern most tip of the Hotel Jetty; along the eastern face of the jetty then to a point in the water 25 metres from the shore line in the water 66 metres south of the Hotel Jetty

Tenders (max vessel length 3.75m) are permitted to access the beach starting from the Fuel Jetty to a point 140 metres south towards the Hotel Jetty.

Due to the large number of persons attending this special event the closure has been introduced to assist in the management of people and vessels to ensure public safety. Appropriate signage will be placed on site.

Mariners are advised to navigate with caution and maintain a safe clearance when transiting this area.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Elma O'Grady, late of 26 Wright Avenue, Swanbourne in the State of Western Australia, Retired, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estate of the deceased, who died on 28 August 2017 at Sir Charles Gairdner Hospital, Nedlands in the State of Western Australia, are required by Brook Legal, solicitors acting for the personal representative, being Therese Lynne Brown to send particulars of their claims to care of Brook Legal, PO Box 93, Wembley, Western Australia 6913 within 30 days of publication of this notice, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

Dated: 13 November 2017.

BROOK LEGAL.

ZX402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Joy Olive Curedale, late of McNamara Lodge, 41 Portrush Parade, Meadow Springs 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 30 September 2017, are required by the personal representative to send particulars of their claims to him/her care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by the 22 December 2017, after which date the personal representative may convey or distribute the assets having regard to the claims of which he/she then has notice.

CLEMENT & CO as solicitors for the personal representative.

ZX403

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Irene Doris Becker, late of Waminda Hostel, 1 Adie Court, Bentley, 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 18 December 2016, are required by the Administrators, Australian Unity Trustees Ltd, care of PO Box 1194, West Perth WA 6872, to send particulars of their claims within one month of the date of publication to them, after which date the Administrators may convey or distribute the assets, having regard only to the claims of which they then have notice.

ZX404

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 17 December 2017, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Banovic, Peter, late of 6 Third Avenue, Maylands (formerly of 7/708 Stirling Street, Perth) who died on 22.10.2017 (DE19971176 EM16).

Clifford, Graham Roy, late of 27 Pearson Drive, Success who died on 19.08.2017 (DE19742556 EM37).

Ellis, Keith, late of Sandstrom Nursing Home, 44-46 Whatley Crescent, Mount Lawley (formerly of 48 Swan Road, High Wycombe) who died on 29.09.2017 (DE19872425 EM26).

- Finn, Eileen May, late of Windsor Park Aged Care, 110 Star Street, Carlisle who died on 19.06.2017 (DE19852306 EM36).
- Harrison, Clive Winston, late of 42 Yallambee Crescent, Wanneroo who died on 30.08.2017 (DE19610918 EM113).
- Knight, Patricia (also known as Patricia Dawn Knight), late of 52 Harold Street, Dianella who died on 17.09.2017 (DE19980181 EM26).
- Larsen, Henry Elton, late of 6 Cook Street, Northam who died on 08.09.2017 (DE19882336 EM22).

O'Donnell, Ronald Charles, late of Coogee Beach Caravan Resort, U 93, 3 Powell Road, Coogee who died on 05.09.2017 (DE33118406 EM38).

Pascarl, Allen Raymond, late of 72 Huntriss Road, Gwelup (formerly of U 3, 11 Mira Mar Street, Doubleview) who died on 01.10.2017 (DE19980906 EM13).

Tully, Kenneth John, late of Waminda Nursing Home, Adie Court, Bentley who died on 06.10.2017 (DE19791783 EM36).

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

ZX405

PUBLIC TRUSTEE ACT 1941

ADMINISTERING OF ESTATES

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

Dated at Perth the 17th day of November 2017.

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

Name of Deceased	Address	Date of Death	Date Election Filed
Cooper, John Henry DE33028400 EM16	Rockingham Nursing Home, 14 Langley Street, Rockingham formerly of 23 Inverness Court, Cooloongup	13 July 2017	2 November 2017