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# — PART 1 —

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## JUSTICE

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JU301\*

Magistrates Court (Civil Proceedings) Act 2004

### Magistrates Court (Civil Proceedings) Amendment Rules 2010

Made by the Magistrates Court.

**1. Citation**

These rules are the *Magistrates Court (Civil Proceedings) Amendment Rules 2010*.

**2. Commencement**

These rules come into operation as follows —

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

**3. Rules amended**

These rules amend the *Magistrates Court (Civil Proceedings) Rules 2005*.

**4. Rule 5 amended**

- (1) In rule 5 delete “Unless” and insert:

(1) Unless

- (2) At the end of rule 5 insert:

(2) Unless the contrary intention appears, these rules do not apply to or in relation to an application made to the Court under the *Residential Tenancies Act 1987*.

**5. Rule 8 amended**

After rule 8(4) insert:

- (5) Unless the contrary intention appears, the provisions in these rules that apply to claims apply also to counterclaims and third party claims.

**6. Rule 41B amended**

In rule 41B(5) after “lodge” insert:

and serve

**7. Rule 43A amended**

Delete rule 43A(1) and insert:

- (1) This rule does not apply in the case of a claim to recover possession of real property.

**8. Rule 47 amended**

- (1) In rule 47 delete “Unless” and insert:

- (1) Unless

- (2) At the end of rule 47 insert:

- (2) If under subrule (1) the magistrate orders the parties to an application to which Part 21 Division 1 applies to attend before a mediator, then, despite rule 128, Part 11 applies.
  - (3) If under subrule (1) the magistrate orders the parties to an application to which Part 21 Division 1 applies to attend a pre-trial conference, then, despite rule 128, Part 9, other than rule 40(2)(c), applies.

**9. Rule 53 replaced**

Delete rule 53 and insert:

**53. Memorandum of consent**

The parties may consent to the Court giving a judgment, or making an order (whether applied for or

not), in a case by signing a memorandum to that effect in the approved form and lodging it.

**10. Rule 71 amended**

- (1) In rule 71(3) delete “lodge and”.
- (2) In rule 71(6) delete “A party which issues” and insert:

The party which serves

**11. Rule 93 amended**

Delete rule 93(1).

**12. Rule 123 amended**

In rule 123 insert in alphabetical order:

*application* means an application to which this Division applies;

**13. Rule 124 replaced**

Delete rule 124 and insert:

**124. Applications to which this Division applies**

- (1) This Division applies to an application made to the Court under a provision listed in the Table.

**Table**

<b>Written law</b>	<b>Provision(s)</b>
<i>Auction Sales Act 1973</i>	s. 8, 9, 11, 13, 14, 15, 17, 18, 19, 22, 33.
<i>Conservation and Land Management Act 1984</i>	s. 108A.
<i>Criminal and Found Property Disposal Act 2006</i>	s. 11, 12, 26, 30.
<i>Criminal Investigation Act 2006</i>	s. 49, 147.
<i>Disposal of Uncollected Goods Act 1970</i>	s. 17(3), 19(1), 20.
<i>Dividing Fences Act 1961</i>	s. 9, 11, 13, 15.
<i>Dog Act 1976</i>	s. 39, 40(4).
<i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i>	s. 69(1), 91B(2), 94.
<i>Forest Management Regulations 1993</i>	r. 152.

<b>Written law</b>	<b>Provision(s)</b>
<i>Local Government Act 1995</i>	s. 3.26(4).
<i>Local Government (Miscellaneous Provisions) Act 1960</i>	s. 399(3)(a), 400(3), 401(7), 404, 406, 408(4), 409(4), 410(1), 411(4), 418, 667(1).
<i>Pawnbrokers and Second-hand Dealers Act 1994</i>	s. 85, 86.
<i>Restraining Orders Act 1997</i>	Any provision.
<i>Restraint of Debtors Act 1984</i>	Any provision.

- (2) This Division applies to an application made to the Court under the *Corporations Act 2001* (Commonwealth).
- (3) This Division does not apply to a claim for the recovery of an amount that is permitted to be made in a court of competent jurisdiction by a provision referred to in subrule (1) or by the *Corporations Act 2001* (Commonwealth).

#### **14. Rule 126 amended**

- (1) In rule 126:
  - (a) delete “Except” and insert:
    - (1) Except
    - (b) delete “rule 128B or 128C,” and insert:
 

rule 129B or 129C,
- (2) At the end of rule 126 insert:
  - (2) Unless an Act provides otherwise, the application must be served personally.

#### **15. Rule 127 amended**

Delete rule 127(1) and (2) and insert:

- (1) As soon as practicable after an application is lodged, a registrar must list the case for a listing conference.
- (2) If the conferring Act requires the application to be served, the registrar must endorse the date of the listing conference on the application that is to be served.

**16. Rule 128 amended**

In rule 128 delete “Parts 10,” insert:

Part 10, Part 12 Division 1, and Parts

**17. Rule 130 amended**

(1) Delete rule 130(2).

(2) After rule 130(4) insert:

- (5) An application made by the Sheriff under the *Fines, Penalties and Infringement Notices Enforcement Act 1994* section 94(2) in respect of a claim must be made and determined under the *Civil Judgments Enforcement Regulations 2005* Part 4 Division 6 which, with any necessary changes, applies as if —
- (a) the claim were a claim made under the *Civil Judgments Enforcement Act 2004* section 83; and
  - (b) the application were an application made under section 84 of that Act.

**18. Rule 131A replaced**

Delete rule 131A and insert:

**131A. Residential Tenancies Act 1987 s. 18**

For the purposes of the *Residential Tenancies Act 1987* section 18(2)(b), the notice to be given by the Court to any other party of the nature of an application made to the Court under that Act must be given by giving a copy of the application to the party.

Dated: 25 June 2010.

STEVEN ALEX HEATH  
Chief Magistrate

ELIZABETH ADELE WOODS  
Deputy Chief Magistrate

JEREMY RAYMOND PACKINGTON  
Magistrate

PAUL MICHAEL HEANEY  
Magistrate

JU302\*

Magistrates Court (Civil Proceedings) Act 2004

## **Magistrates Court (Minor Cases Procedure) Amendment Rules 2010**

Made by the Magistrates Court.

### **1. Citation**

These rules are the *Magistrates Court (Minor Cases Procedure) Amendment Rules 2010*.

### **2. Commencement**

These rules come into operation as follows —

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

### **3. Rules amended**

These rules amend the *Magistrates Court (Minor Cases Procedure) Rules 2005*.

### **4. Rule 58 amended**

In rule 58(b) after “if” insert:

the individual or

Dated: 25 June 2010.

Magistrates' signatures:

STEVEN ALEX HEATH  
Chief Magistrate

ELIZABETH ADELE WOODS  
Deputy Chief Magistrate

PAUL MICHAEL HEANEY  
Magistrate

JEREMY RAYMOND PACKINGTON  
Magistrate



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**TREASURY AND FINANCE**

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TF301\*

Financial Management Act 2006

**Financial Management Amendment  
Regulations 2010**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Financial Management Amendment Regulations 2010*.

**2. Commencement**

These regulations come into operation as follows —

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

**3. Regulations amended**

These regulations amend the *Financial Management Regulations 2007*.

**4. Regulation 7 replaced**

Delete regulation 7 and insert:

**7. General monetary limits for write-offs (s. 48)**

- (1) For the purposes of section 48(2) of the Act, the monetary limit is \$100 000 unless regulation 8A applies.
- (2) For the purposes of section 48(3) of the Act, the monetary limit is \$250 000 unless regulation 8A applies.

**8A. Monetary limits for write-offs involving debts under  
*Motor Vehicle (Third Party Insurance) Act 1943*  
(s. 48)**

- (1) This regulation applies if relevant amounts to be written off under section 48 of the Act are debts due to

the Insurance Commission of Western Australia under the *Motor Vehicle (Third Party Insurance) Act 1943*.

- (2) For the purposes of section 48(2) of the Act, the monetary limit is \$1.5 million.
- (3) For the purposes of section 48(3) of the Act, the monetary limit is \$3 million.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

  
  

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# — PART 2 —

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## AGRICULTURE AND FOOD

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AG401\*

### SOIL AND LAND CONSERVATION ACT 1945

#### APPOINTMENT

Pursuant to section 23 (2b)(d) of the *Soil and Land Conservation Act 1945*, being persons actively engaged in, or affected by, or associated with land use in the District, Coral Joan Stewart of Brookhampton is appointed a member of the Donnybrook Balingup Land Conservation District (*the Committee was established by an Order in Council, published in the Government Gazette of 2 May 1995 at pp. 1672-1673 and amended in the Gazette of 16 March 2004 at p. 793*). The appointment is for a term ending on 28 February 2013.

ANDREW WATSON, Commissioner of Soil  
and Land Conservation.

Dated this 24th day of June 2010.

AG402\*

### SOIL AND LAND CONSERVATION ACT 1945

#### DUMBLEYUNG LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2010

Made by the Commissioner of Soil and Land Conservation.

#### 1. Citation

This Instrument may be cited as the *Dumbleyung Land Conservation District (Appointment of Members) Instrument 2010*.

#### 2. Appointment of members

Under section 23(2b) of the Act and clause 5(1) of the *Soil and Land Conservation (Dumbleyung Land Conservation District) Order 1987\**, the following members are appointed to the land conservation district committee for the Dumbleyung Land Conservation District—

- (a) on the nomination of the Shire of Dumbleyung: Gordon John Davidson of North Moulyinning and Jamie Dare of Bullock Hills;
- (b) to represent the Western Australian Farmers Federation (Inc): Malcolm Gooding of Moulyinning; and
- (c) as persons actively engaged in, or affected by or associated with, land use in the district—
  - (i) Jonathon Leslie Adams of South Kukerin
  - (ii) Rodney Charles Frost of Dongolocking
  - (iii) Todd Gray of Dumbleyung
  - (iv) Owen Douglas Dare of Dumbleyung

(\*Published in the Gazette of 13 March 1987 at pp. 663-664 and amended in the Gazettes of 26 May 1989 at pp. 1578-1579, 12 July 1991 at pp. 3415-3416, 20 January 1995 at p. 208, Amendment Orders approved by Executive Council on 23 September 1997 and 30 June 1998, {refer to Department of Agriculture reference: 881773V04POV and amended in the Gazettes of 16 March 2004 at pp. 793-794 and 10 July 2009 at p. 2749}).

#### 3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring 31 May 2013.

ANDREW WATSON, Commissioner of Soil  
and Land Conservation.

Dated this 23rd day of June 2010.

AG403\*

**SOIL AND LAND CONSERVATION ACT 1945****EAST YORNANING LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2010**

Made by the Commissioner of Soil and Land Conservation.

**1. Citation**

This Instrument may be cited as the *East Yornaning Land Conservation District (Appointment of Members) Instrument 2010*.

**2. Appointment of members**

Under section 23(2b) of the Act and clause 5(1) of the *Soil and Land Conservation (East Yornaning Land Conservation District) Order 1988\**, the following members are appointed to the land conservation district committee for the East Yornaning Land Conservation District—

- (a) on the nomination of the Shire of Cuballing: Thomas Henry Wittwer of Cuballing;
- (b) to represent the Western Australian Farmers Federation (Inc):  
Scott Wesley Young of Cuballing; Gavin McBurney of Cuballing; and
- (c) as persons actively engaged in, or affected by or associated with, land use in the district—
  - (i) Duncan Patten of Popanyinning
  - (ii) Bruce William Dixon of Cuballing
  - (iii) Avon Maxim Furphy of Cuballing
  - (iv) Betty May Furphy of Cuballing
  - (v) Owen Gath of Cuballing
  - (vi) Albert Malcolm Gath of Cuballing
  - (vii) Graeme Leslie Dent of Cuballing
  - (viii) Belinda Dent of Cuballing
  - (ix) Bruce John McBurney of Popanyinning
  - (x) Kenneth William Draper of Cuballing
  - (xi) Kevin Michael Pauly of Cuballing
  - (xii) Ian Robert Nottle of Cuballing

(\*Published in the Gazette of 8 July 1988 at pp. 2419-2421 and amended in the Gazettes of 24 January 1992 at pp. 355-356, and an Amendment Order approved by Executive Council on 16 June 1998 (refer to Department of Agriculture reference: 881784V02P06).

**3. Term of office**

Members appointed to the committee under this instrument will hold office for a term expiring on 31 May 2013.

ANDREW WATSON, Commissioner of Soil  
and Land Conservation.

Dated this 15th day of June 2010.

AG404\*

**SOIL AND LAND CONSERVATION ACT 1945****WEST ARTHUR LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2010**

Made by the Commissioner of Soil and Land Conservation.

**1. Citation**

This Instrument may be cited as the *West Arthur Land Conservation District (Appointment of Members) Instrument 2010*.

**2. Appointment of members**

Under section 23(2b) of the Act and clause 5(1) of the *Soil and Land Conservation (West Arthur Land Conservation District) Order 1990\**, the following members are appointed to the land conservation district committee for the West Arthur Land Conservation District—

- (a) on the nomination of the Shire of West Arthur: Raymond Brian Harrington of Darkan;
- (b) to represent the Western Australian Farmers Federation (Inc):  
John Desmond O'Connell of Duranillin;
- (c) to represent the Pastoralists and Graziers Association of Western Australia: Ian Maxwell Ewen of Boolading; and

- (d) as persons actively engaged in, or affected by or associated with, land use in the district—
- (i) Shane Plank of Darkan
  - (ii) Ivan William Wunnenberg of Darkan
  - (iii) Sadie Jennifer English of Darkan
  - (iv) Anne Double of Darkan
  - (v) Paul Double of Darkan
  - (vi) Ian Andrew Peirce of Duranillan
  - (vii) Michelle Gooding of Capercup

(\*Published in the Gazette of 21 December 1990 at pp. 6214-15 and amended in the Gazette of 30 December 1994 at p. 7224).

### 3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring on 31 May 2013.

ANDREW WATSON, Commissioner of Soil  
and Land Conservation.

Dated this 28th day of June 2010.

AG405\*

### WESTERN AUSTRALIAN MEAT INDUSTRY AUTHORITY ACT 1976

#### DECLARATION

Declared Animal

Acting under the *Western Australian Meat Industry Authority Act 1976* section 24B(1)(b), after consultation with the Authority, I declare that horse is a declared animal for the purpose of Part IV of the Act.

Date: 24 June 2010.

TERRY REDMAN MLA, Minister for Agriculture and Food.

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## FIRE AND EMERGENCY SERVICES

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FE401\*

### FIRE AND EMERGENCY SERVICES AUTHORITY OF WESTERN AUSTRALIA ACT 1998

#### APPROVAL OF FESA UNITS—SECTION 18M

Fire and Emergency Services Authority,  
Perth.

Correspondence No. 04620.

I, Josephine Harrison-Ward, the Fire and Emergency Services Authority of Western Australia Chief Executive Officer, hereby declare under section 18M(1) of the *Fire and Emergency Services Authority of Western Australia Act 1998* that the Bullsbrook Volunteer Fire Service Brigade is approved as a FESA Unit for the purposes of the Act.

JOSEPHINE HARRISON-WARD, Chief Executive Officer.

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## HEALTH

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HE401\*

### MENTAL HEALTH ACT 1996

#### MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS) REVOCATION ORDER (NO. 3) 2010

Made by the Chief Psychiatrist under section 20.

### 1. Citation

This order may be cited as the *Mental Health (Authorised Mental Health Practitioners) Revocation Order (3) 2010*.

**2. Commencement**

This order comes into operation as follows—

- (a) clauses 1 and 2—on the day on which this order is published in the *Gazette*;
- (b) clause 3—on the day after that day.

**3. Revocation of designation**

The designation, as an authorised mental health practitioner of the mental health practitioners specified in Schedule 1 to this order is revoked.

**Schedule 1**

Name		Profession
Etherington	David	Mental Health Nurse
Winston	Nigel	Mental Health Nurse
Khakura	Isa	Mental Health Nurse
Short	Jacqueline	Mental Health Nurse
MacFarland	David	Mental Health Nurse

Date: 28 June 2010.

Dr ROWAN DAVIDSON, Chief Psychiatrist.

**HE402\*****MENTAL HEALTH ACT 1996****MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS) ORDER (No. 3) 2010**

Made by the Chief Psychiatrist under section 20.

**1. Citation**

This order may be cited as the *Mental Health (Authorised Mental Health Practitioners) Order (No. 3) 2010*.

**2. Commencement**

This order comes into operation as follows—

- (a) clauses 1 and 2—on the day on which this order is published in the *Gazette*;
- (b) clause 3—on the day after that day.

**3. Authorised mental health practitioner**

The mental health practitioners specified in Schedule 1 to this order are designated as authorised mental health practitioners.

**Schedule 1**

Name		Profession
Dickson	Karen	Occupational Therapist
MacFarlane	David	Mental Health Nurse
Harris	Samara- Jayne	Mental Health Nurse

Date: 28 June 2010.

Dr ROWAN DAVIDSON, Chief Psychiatrist.

**JUSTICE****JU401\*****JUSTICES OF THE PEACE ACT 2004****APPOINTMENT**

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the following to the Office of Justice of the Peace for the State of Western Australia—

Katherine Joan Mair of 6 Hallam Close, Booragoon

RAY WARNES, Executive Director,  
Court and Tribunal Services.

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## LOCAL GOVERNMENT

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**LG401\***

*CITY OF BAYSWATER*  
APPOINTMENT OF RANGERS

It is hereby notified for public information that, Shaun Nancarrow, Elan Tzabary, James Burke, Steven Chua, Ray McArthur, Kim Stockley and Robert Butler have been appointed as authorized officers to exercise powers pursuant to the following legislations—

1. Local Government Act 1995
2. Council's Local Laws
3. To exercise power under Part XX of the Local Government (Miscellaneous Provisions) Act 1960;
4. Section 449 of the Local Government (Miscellaneous Provisions) Act 1960 as Pound Keeper and Ranger;
5. Dog Act 1976 and Regulations
6. Litter Act 1979 and Regulations
7. Local Government "Parking for Disabled Persons" Regulations 1996
8. Control of Vehicles (Off-road areas) Act 1978
9. Bush Fires Act

It is hereby notified for public information that, Clint Bridgeman, Reuben Fryer, Karen Myles, Arek Mazurkiewicz, Christian Aguire, Marcello Di Illaco, Sukhwinder Singh, Steven Hosszu, Barbara Wylie and Nick Towill have been appointed as authorized officers to exercise powers pursuant to the following legislations—

1. Local Government Act 1995
2. Council's Local Laws excluding Dogs Local Laws
3. To exercise power under Part XX of the Local Government (Miscellaneous Provisions) Act 1960;
4. Litter Act 1979 and Regulations
5. Local Government "Parking for Disabled Persons" Regulations 1996
6. Control of Vehicles (Off-road areas) Act 1978
7. Bush Fires Act

All previous appointments are hereby cancelled.

FRANCESCA LEFANTE, Chief Executive Officer.

**LG402\***

**LOCAL GOVERNMENT ACT 1995**  
*Shire of Donnybrook-Balingup*  
APPOINTMENT OF AUTHORISED PERSON

It is hereby notified for public information that Mr Robert Jeffreys and Mr Matthew Stannard have been appointed as authorised persons for the Shire of Donnybrook-Balingup from 23 June 2010, to administer the *Local Government (Parking for Disabled Persons) Regulations 1988*.

S. B. DILLEY, Shire President.  
J. R. ATTWOOD, Chief Executive Officer.

**LG403\***

*CITY OF ROCKINGHAM*  
ADOPTED PARKING STATION

It is hereby notified for public information that Rockingham General Hospital, located at Elanora Drive Cooloongup, being parcel number 35812, was by a Council resolution on the 24 February 2009, adopted as Parking Station Number 6, pursuant to the City of Rockingham Parking and Parking Facilities Local Law 2004.

ANDREW HAMMOND, Chief Executive Officer.

**LG404\***

**DOG ACT 1976**  
*Shire of Three Springs*  
APPOINTMENTS

It is hereby notified for public information that the following persons have been appointed under the provisions of the *Dog Act 1976* for the municipality of the Shire of Three Springs.

**Registration Officers**

Peter John Smith  
Mitchell Reid

Rhonda Faye Blackburn  
 Jessica Cherilee Anne Parker  
 Kylie Anne McGree  
 Christopher Gerald Jackson

**Authorised Officers**

Peter John Smith  
 Ian Basil Fitzgerald  
 Christopher Gerald Jackson  
 Darryl Dalgetty

All previous appointments are hereby cancelled.

IAN FITZGERALD, Chief Executive Officer.

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## MINERALS AND PETROLEUM

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**MP401\***

Commonwealth of Australia

**OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006**

RENEWAL OF PETROLEUM EXPLORATION PERMIT WA-351-P

Renewal of Petroleum Exploration Permit No. WA-351-P has been granted to BHP Billiton Petroleum (North West Shelf) Pty Ltd, Roc Oil (WA) Pty Limited and Tap (Shelfal) Pty Ltd to have effect for a period of five (5) years from and including 28 June 2010.

W. L. TINAPPLE, Executive Director Petroleum Division.

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## PARLIAMENT

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**PA401\***

PARLIAMENT OF WESTERN AUSTRALIA

Royal Assent to Bills

It is hereby notified for public information that the Deputy of the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Act passed by the Legislative Council and the Legislative Assembly during the First Session of the Thirty-Eighth Parliament.

<b>Title of Act</b>	<b>Date of Assent</b>	<b>Act No.</b>
Credit (Commonwealth Powers) Act 2010	25 June	13 of 2010
Credit (Commonwealth Powers)(Transitional and Consequential Provisions) Act 2010	25 June	14 of 2010
Pay-roll Tax Assessment Amendment Act 2010	25 June	15 of 2010
Criminal Code Amendment (Identity Crime) Act 2010	25 June	16 of 2010
Revenue Laws Amendment and Repeal Act 2010	25 June	17 of 2010

29 June 2010.

NIGEL LAKE, Acting Clerk of the Parliaments.

**PA402\***

PARLIAMENT OF WESTERN AUSTRALIA

Royal Assent to Bills

It is hereby notified for public information that the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Act passed by the Legislative Council and the Legislative Assembly during the First Session of the Thirty-Eighth Parliament.

<b>Title of Act</b>	<b>Date of Assent</b>	<b>Act No.</b>
Rail Safety Act 2010	28 June	18 of 2010
Standardisation of Formatting Act 2010	28 June	19 of 2010

29 June 2010.

NIGEL LAKE, Acting Clerk of the Parliaments.



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**PLANNING**


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PI101\*

*CORRECTION*

**PLANNING AND DEVELOPMENT ACT 2005**  
 APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of York*

Town Planning Scheme No. 2—Amendment No. 42

It is hereby notified for public information that an error has been made in the notice published in the *Government Gazette* of Friday 18th June 2010 on page 2707 concerning the Town Planning Scheme No. 2—Amendment No. 42.

The word “and” in part 3 to be replaced to the word “to”, to read as per the following—

3. Use of the parent lot 573 solely for residential purposes will not be permitted. The land should incorporate a mix of tourism (caravan park) and residential uses, with residential use only permitted in the general location of existing strata lots 2 to 13.

P. HOOPER, Shire President.  
 R. P. HOOPER, Chief Executive Officer.

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PI401\*

**PLANNING AND DEVELOPMENT ACT 2005**  
 APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Donnybrook-Balingup*

Town Planning Scheme No. 4—Amendment No. 77

Ref: 853/6/4/4 Pt 77

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 Donnybrook-Balingup local planning scheme amendment on 17 June 2010 for the purpose of—

1. Reclassifying part of the railway land abutting Lots 43, 46, 47, 91, 92 and 105 South Western Highway, Kirup, from Local Reserve for Railway to Urban Zone.
2. Reclassifying portion of railway land between South Western Highway and the eastern boundary of the Railway Reserve, Kirup, from Local Reserve for Railway to ‘No Zone’.
3. Reclassifying part of the railway land south of Brookhampton Road off the South Western Highway from Local Reserve for Railway to Local Reserve for Parks and Recreation.
4. Reclassifying portion of railway land between South Western Highway and the western boundary of the Railway Reserve, Mullalyup, from Local Reserve for Railway to ‘No Zone’.

as depicted on the Scheme Amendment Maps.

S. B. DILLEY, Shire President.  
 J. R. ATTWOOD, Chief Executive Officer.

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PI402\*

**PLANNING AND DEVELOPMENT ACT 2005**  
 APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Murray*

Town Planning Scheme No. 4—Amendment No. 235

Ref: 853/6/16/7 Pt 235

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 Murray local planning scheme amendment on 10 June 2010 for the purpose of—

1. Modifying Table 1—Zoning Table of the Scheme Text by making ‘Caravan Park’ an ‘AA’ Use within the ‘Rural’ zone.
2. Amending Appendix 1—Interpretations of the Scheme Text to replace the definition of ‘Caravan Park’ with the following—

Caravan Park—has the same meaning as in the *Caravan Parks and Camping Grounds Act 1995* which is ‘caravan park means an area of land on which caravans, or caravans and camps are situated for habitation’.

N. H. NANCARROW, Shire President.  
 D. UNSWORTH, Chief Executive Officer.

PI403\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**

*City of Kalgoorlie-Boulder*

Town Planning Scheme No. 1—Amendment No. 84

Ref: TPS/0046

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 Kalgoorlie-Boulder local planning scheme amendment on 3 June 2010 for the purpose of adding Clause '5.17—Detailed Area Plans' in Part 5 of the Scheme as follows—

**5.17 DETAILED AREA PLANS**

1. (a) (i) The Council or the Commission may, by notice in writing, require a person to prepare and submit to the Council a detailed area plan within the time specified in the notice. NOTE—  
'Commission' is defined in  
Schedule 1.
    - (ii) A person may prepare and submit to the Council a detailed area plan.
  - (b) A detailed area plan is to relate to a particular lot or lots and may be prepared and submitted—
    - (i) to enhance, elaborate or expand on the details or provisions contained in a Proposed Outline Development Plan or an Outline Development Plan;
    - (ii) in place of a development approval required to comply with Clause 2.5 of the Residential Design Codes; or
    - (iii) for any other planning purpose.
  - (c) The Council is to—
    - (i) approve with or without conditions; or
    - (ii) refuse to approve the detailed area plan.
  - (d) If within 60 days of receiving a detailed area plan under Clause 5.17.1(a), or such longer period as may be agreed in writing between the person and the Council, the Council has not made one of the determinations referred to in Clause 5.17.1(c), the Council is deemed to have refused to approve the detailed area plan.
  - (e) The Council is to forward a copy of the detailed area plan to the Commission within 10 days of approving the detailed area plan.
  - (f) The Council's refusal to approve a detailed area plan under Clause 5.17 is not a valid reason for the Council to refuse to adopt or the Commission to refuse to approve a Proposed Outline Development Plan under Clause 5.16.
2. Unless Clause 5.17.1(b)(ii) applies, once approved by the Council, the detailed area plan is to be used as the basis for—
    - (a) making recommendations to the Commission on subdivision applications; and
    - (b) determining development applications with respect to the land subject to the detailed area plan.
  3. A detailed area plan may include details as to—
    - (a) building envelopes;
    - (b) distribution of land uses within a lot;
    - (c) private open space;
    - (d) services;
    - (e) vehicular access, parking, loading and unloading areas, storage yards and rubbish collection closures;
    - (f) the location, orientation and design of buildings and the space between buildings;
    - (g) advertising signs, lighting and fencing;
    - (h) landscaping, finished site levels and drainage;
    - (i) protection of sites of heritage, conservation or environmental significance;
    - (j) special development controls and guidelines; and
    - (k) such other information considered relevant by the Council.

## 5.17 DETAILED AREA PLANS

4. (a) An approved detailed area plan may be modified or varied with the approval of the Council, but where there is a related Outline Development Plan such modifications or variations are to conform with the intent of any related Outline Development Plan.
- (b) The Council is to forward a copy of the modification or variation to the detailed area plan to the Commission within 10 days of approving the modification or variation.

R. S. YURYEVICH, Mayor.  
D. S. BURNETT, Chief Executive Officer.

PI404\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Derby/West Kimberley*  
Town Planning Scheme No. 5—Amendment No. 6

Ref: TPS/0185

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 Derby West Kimberley local planning scheme amendment on 3 June 2010 for the purpose of—

1. Rezoning Lot 631 Russ Street from Rural to Special Use—S10 Zone
2. Adding to Appendix No. 3 Special Sites Schedule of TPS No. 5 under the following headings—

Map Ref.	Lot No.	Location	Purpose	Development Provisions
S10	631	Russ Street	Limited light industrial use and residential	<p>(i) The following uses and permissibility symbols apply to the subject land—</p> <p style="padding-left: 20px;">P Uses—car park, funeral parlour, showroom, warehouse, public utility, industry light; industry cottage; motor vehicle repair; rural pursuit; single house</p> <p style="padding-left: 20px;">AA Uses—garden centres; nursery; caretakers dwelling; community services depot;</p> <p style="padding-left: 20px;">SA uses—Laundromat; temporary accommodation; staff quarters</p> <p style="padding-left: 20px;">IP Uses—office, shop outbuilding</p> <p style="padding-left: 20px;">All other uses listed in Table 2 are X Uses.</p> <p>(ii) A minimum lot area of 1 hectare will apply to the site;</p> <p>(iii) All non residential use and development shall be setback 25 metres from the eastern boundary</p>

3. Amending the Scheme Map accordingly.

E. M. ARCHER, Shire President.  
S. P. BURGE, Chief Executive Officer.

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## PREMIER AND CABINET

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**PC401\*****APPOINTMENT OF DEPUTY OF THE GOVERNOR**

It is hereby notified for public information that the Governor, under clause XVI of the *Letters Patent* relating to the Office of Governor of the State of Western Australia, dated 14 February 1986, has appointed the Lieutenant-Governor, the Honourable Wayne Stewart Martin, to be the deputy of the Governor and in that capacity to perform and exercise all the powers and functions of the Governor during the following periods (all dates inclusive)—

19 to 21 July 2010

28 to 30 July 2010

PETER CONRAN, Clerk of the Executive Council.

**PC402\*****INTERPRETATION ACT 1984****MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Governor in accordance with Section 52(1)(b) of the *Interpretation Act 1984* has approved the following temporary appointment—

Hon W. R. Marmion MLA to act temporarily in the office of Minister for Transport; Disability Services in the absence of the Hon S. M. O'Brien MLC for the period 9 to 21 July 2010 (both dates inclusive).

PETER CONRAN, Director General,  
Department of the Premier and Cabinet.

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## RACING, GAMING AND LIQUOR

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**RG401\*****LIQUOR CONTROL ACT 1988****LIQUOR APPLICATIONS**

The following is a summary of applications received under the *Liquor Control Act 1988 (the Act)* and required to be advertised.

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

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
13521	Sess Investments Pty Ltd	Application for the grant of a Restaurant Licence in respect of premises situated in Mount Lawley and known as Grill'd Mount Lawley.	27.07.2010
13501	Forrestfield Pty Ltd	Application for the grant of a Producer's Licence in respect of premises situated in Caversham and known as Mandoon Estate.	22.07.2010
<b>APPLICATION FOR EXTENDED TRADING PERMITS—LIQUOR WITHOUT A MEAL</b>			
34360	Rayson Management Pty Ltd	Application for the grant of an extended trading permit—liquor without a meal in respect of premises situated in Geraldton and known as Skeetas Restaurant and Cafe	18.07.2010

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

Dated: 30 June 2010.

B. A. SARGEANT, Director of Liquor Licensing.

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## SALARIES AND ALLOWANCES

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SX401\*

### SALARIES AND ALLOWANCES ACT 1975

#### LOCAL GOVERNMENT CHIEF EXECUTIVE OFFICERS

In accordance with Section 7A of the *Salaries and Allowances Act 1975* (“the Act”), the Salaries and Allowances Tribunal is required to “inquire into and make a report containing recommendations as to the remuneration to be paid or provided to Chief Executive Officers (CEOs) of local governments.”

For the Tribunal to meet its obligation under Section 7A of the Act, it must ensure that not more than one year elapses between one report and the next.

#### BACKGROUND

The Tribunal last issued its report on the remuneration of local government CEOs on 26 June 2009.

The recommendations are made for the purpose specified in section 5.39(7) of the *Local Government Act 1995*, that is, “to be taken into account by the local government before entering into, or renewing, a contract of employment with a CEO”.

The present determination is being made at a time when the Western Australian Government is implementing a local government reform agenda that includes voluntary amalgamations and resource sharing arrangements between local governments. Advice received by the Tribunal indicates that any new amalgamations and resource sharing arrangements will become evident in the middle of 2011 and beyond. Consequently, the outcomes of the local government reform process will be taken into account in future reports of the Tribunal.

#### CURRENT ENQUIRY

In discharging the responsibilities given to it by the Parliament, the Tribunal has in the context of its current enquiry adopted the following approach. The Tribunal has—

- advertised for public submissions;
- written to local governments and regional councils inviting submissions about their CEO positions;
- surveyed local government CEOs in respect of current remuneration packages;
- collected population, expenditure and staff employment data on local governments;
- interviewed a number of CEOs to clarify changes in responsibilities;
- considered relevant labour market and economic data; and
- sought advice from its Statutory Adviser.

#### Public Submissions

An advertisement calling for public submissions to the Tribunal’s enquiry was placed in *The West Australian* newspaper on Monday, 16 April 2010 with a closing date of 14 May 2010.

Two individual submissions were received, one from a member of the public and one from an elected councillor, both of whom advocated a freeze on the salaries of local government CEOs.

#### Invitations to Local Governments and Regional Councils

On 6 May 2010, the Tribunal wrote by email to all Mayors, Presidents and Chairpersons of local governments and regional councils inviting submissions related to particular issues and characteristics relevant to the remuneration paid to their chief executive officers. The closing date for submissions was Friday, 26 May 2010.

In making submissions, local governments were provided with a template submission format to ensure that the Tribunal was able to capture data on a broad range of significant issues including—

- Major growth and development;
- Significant social and economic issues;
- Significant demand to service and support non-resident needs;
- High impact environmental management issues and responsibilities;
- Greater diversity of services delivered than normally provided by similar sized local governments;
- Recruitment issues; and
- Other distinguishing features.

A submission from the Local Government Managers Australia (LGMA) WA Division Inc was received. The submission was generally critical of the criteria used by the Tribunal’s questionnaire sent to local government CEOs and offered their opinions on each of the criteria. LGMA was also critical of the Tribunal’s 2009 decision to “freeze” the salaries of local government CEOs and recommended an appropriate increase in 2010 recognising that the increase is for a two year period.

Twelve submissions were received from local governments, namely the—

- City of Armadale;
- Town of Claremont;
- Shire of Collie;
- Shire of Harvey;
- City of Joondalup;
- City of Kalgoorlie-Boulder;
- Town of Kwinana;
- City of Melville;
- Town of Port Hedland;
- Shire of Roebourne;
- Town of Vincent; and
- Shire of Westonia.

### **Remuneration Survey**

To assist the Tribunal, the Department of Local Government (DLG) conducted a survey of current remuneration or “total reward packages” provided to all local government CEOs. The 2010 survey included the remuneration paid to regional local government CEOs.

### **Local Government Population, Expenditure and Staff Levels**

The Tribunal has requested and received the following data from the DLG—

- Population as at 31 March 2010 (*ABS Catalogue 3218.0*);
- Total FTEs 2008/09;
- Operating Expenditure 2008/09;
- 3 year averaged capital expenditure (2006/07 to 2008/09); and
- Annual average population growth 2000 to 2009.

### **Labour Market and Economic Data**

Relevant labour market and economic data were sought from a variety of sources. These included the Wage Price Index, Average Weekly Earnings, the Consumer Price Index and Total Employment Growth. Economic forecasts at a State level were also considered.

### **Advice from Statutory Advisor**

The Tribunal sought advice from its statutory advisor, Ms Jennifer Mathews, Director General, DLG, who has been appointed by the Premier in accordance with section 10(4)(c) of the Act to assist the Tribunal in its enquiries as they relate to the remuneration of local government CEOs. Ms Mathews provided advice on a range of matters including current issues affecting local governments, changes to local government areas or positions and progress on amalgamations in the context of the Government’s reform process.

## **CONSIDERATIONS**

In the context of its current enquiry, the Tribunal considered all CEO positions in local governments and regional councils, all submissions, work value assessments on the roles of regional local government CEOs, advice from the Tribunal’s Statutory Adviser, data on the labour market and the economy, and remuneration structures for other classes of senior public sector offices.

### **Band Allocation Model**

The model applied by the Tribunal in recommending remuneration bands was renewed with fresh data related to the key parameters of population, expenditure and numbers of staff employed. The Tribunal also sought data in relation to its market position to assist in refining its remuneration band model.

### **Submissions**

Of the 13 written submissions received from local governments, 11 sought increases in their CEO’s remuneration band allocation while the remaining 2 sought no change.

The Tribunal took into account the submission from the LGMA regarding the adequacy of the criteria used by the Tribunal in calling for submissions. The criteria were designed to elicit information about the social, environmental and economic factors facing local governments and their impact on the roles of the CEOs. A review of submissions made to the Tribunal using the criteria indicated that each of the local governments was able to adapt them to their own needs and describe the varying issues applying to their particular circumstances. The Tribunal found the quality of submissions was generally of a high standard and appreciated the contributions made by local governments to the inquiry.

### **Local Governments**

On the basis of the data collected by the Tribunal and information provided in submissions, the Tribunal identified those local governments with the potential to be allocated to a different remuneration band from their existing band allocation. Further analysis was undertaken and advice was considered in respect of these local governments.

The Tribunal determined that adjustments would be made to the recommended remuneration bands for 13 local governments characterised principally by sustained expenditure growth, increasing population and significant infrastructure development.

### **Regional Local Governments**

There are currently 11 regional local governments constituted under the *Local Government Act*—

- Bunbury- Harvey Regional Council;
- Eastern Metropolitan Regional Council;
- Mid West Regional Council (formerly Wildflower Country Regional Council);
- Mindarie Regional Council;
- Murchison Regional Vermin Council;
- Pilbara Regional Council;
- Rivers Regional Council (formerly South East Metropolitan Regional Council);
- South Metropolitan Regional Council;
- Tamala Park Regional Council;
- Western Metropolitan Regional Council; and
- Yarra Yarra Catchment Regional Council.

The Tribunal has been informed that the CEOs of the Murchison Regional Vermin Council, Pilbara Regional Council and the Western Metropolitan Regional Council are not in receipt of remuneration. Accordingly, the Tribunal has not recommended remuneration bands for these positions.

Some regional local governments employ a part-time CEO, however the Tribunal's recommended remuneration band for these positions is based on a full-time role. It is expected that part-time CEOs would receive a proportion of the remuneration reflected in the recommended band.

Using the work value assessments undertaken by Mercer (Australia) Pty Ltd ('Mercer') in 2009 as a base line and after consideration of a range of other data relating to the scope of the CEO positions, the Tribunal determined that an adjustment would be made to the recommended remuneration band of three regional local government CEOs.

In making recommendations about the remuneration of regional local government CEOs, the Tribunal recognises that the roles of these CEOs tend to be subject to more rapid and marked change than the roles of their counterparts who are CEOs for a single municipality. For example, one regional local government has moved from the planning phase to the development phase for a major urban land development while another is moving from a planning phase to a project management phase on a major facilities construction project. These constitute significant changes to the roles of the CEOs. The Tribunal has recognised such changes and these are reflected in the recommendations in this report. The Tribunal is also conscious that when negotiating CEO contracts, the constituent councils are best placed to determine the specific salary point appropriate for their CEO, taking into account such factors as changing responsibilities, performance, experience and recruitment issues.

### **Labour Market and Economic Considerations**

In June 2009, when the Tribunal issued its report on the remuneration of local government CEOs, the state of the economy was the overriding consideration in determining the salaries of office holders within the Tribunal's jurisdiction. While Australia has fared much better than most western developed economies since June 2009, it is evident that Australia's economic future is not insulated from that of the rest of the world. The volatility of the global economic environment continues with the unfolding European debt crisis.

Economic events have affected and will continue to affect the labour market in Australia. In reviewing the market position for local government CEOs in Western Australia, the Tribunal found that its remuneration bands had fallen behind the market position it took in 2006. One indicator of this is that since the Tribunal's last general adjustment to CEO remuneration bands effective from 1 July 2008, the Wage Price Index for public sector employees in Western Australia for the has increased by 10.4 per cent.

While no general increase in the remuneration of local government CEOs was recommended in 2009, the Tribunal found that approximately 74 per cent of CEOs were awarded a salary package increase by their Councils. Approximately 26 per cent of those CEOs had contracts that included a Consumer Price Index (CPI) based increase. The cumulative increase in the Perth CPI has been 5.6 per cent for the two year period ending 31 March 2010.

In view of these labour market and economic considerations, the Tribunal has determined that there should be an adjustment both to the salary bands themselves and a general increase related to growth in the cost of living.

### **RECOMMENDATIONS**

The Tribunal recommends a general adjustment of 3.5 per cent to the remuneration payable to local government CEOs. This adjustment represents a modest increase in the cost of living and is also reflective of a more promising economic outlook. However, where a CEO's employment contract provides for an automatic indexed adjustment, the 3.5 per cent increase under this adjustment shall not apply.

In addition the Tribunal has adjusted its remuneration band framework for Local Government CEOs in line with the percentile ranking commensurate with the standard adopted by the Tribunal in the past. This maintains the band structure at the 25th percentile of the executive salaries.

These variations are reflected in the following schedule.

After consideration of the relevant information and application of its band allocation model, the Tribunal recommends that the following adjustments to band allocations for local governments be made—

- Chittering Band 2 to Band 3;
- Exmouth Band 2 to Band 3;
- Irwin Band 2 to Band 3;
- Waroona Band 2 to Band 3;
- Gingin Band 3 to Band 4;
- Capel Band 4 to Band 5;
- Harvey Band 5 to Band 6;
- Kwinana Band 6 to Band 7;
- Mundaring Band 6 to Band 7;
- Roebourne Band 6 to Band 7;
- Vincent Band 6 to Band 7;
- Kalgoorlie-Boulder Band 7 to Band 8; and
- Wanneroo Band 8 to Band 9.

In addition, after consideration of the factors applicable to regional local government CEOs, the Tribunal recommends the following adjustments to band allocations be made—

- Rivers Band 1 to Band 3;
- Tamala Park Band 4 to Band 6; and
- Eastern Metropolitan Band 6 to Band 7.

In considering these recommendations, local governments are referred to section 5.39(7) of the *Local Government Act 1995*.

The Tribunal recommends that with effect from 1 July 2010 the Total Reward Package paid or provided to local government and regional local government CEOs be as set out in the attached Schedule.

Signed at Perth this 25th day of June 2010.

W. S. COLEMAN AMC,  
Chairman.

A. BROADBENT,  
Member.

B. J. MOORE,  
Member.  
Salaries and Allowances Tribunal

#### SCHEDULE

##### PART 1—LOCAL GOVERNMENT TOTAL REWARD PACKAGE

Band	Total Reward Package	Number of Local Governments
Band 1	\$109,321-\$147,871	28
Band 2	\$121,979-\$165,708	39
Band 3	\$134,638-\$182,393	23
Band 4	\$144,994-\$196,777	4
Band 5	\$158,803-\$214,615	10
Band 6	\$176,065-\$238,205	9
Band 7	\$195,627-\$264,672	13
Band 8	\$231,464-\$288,262	10
Band 9	\$231,875-\$314,154	3

##### PART 2—LOCAL GOVERNMENT CLASSIFICATIONS

Local Government *	Band	Total Reward Package
Albany	7	\$195,627-\$264,672
Armadale	7	\$195,627-\$264,672
Ashburton	5	\$158,803-\$214,615
Augusta-Margaret River	5	\$158,803-\$214,615
Bassendean	5	\$158,803-\$214,615
Bayswater	8	\$231,464-\$288,262
Belmont	7	\$195,627-\$264,672



<b>Local Government *</b>	<b>Band</b>	<b>Total Reward Package</b>
Beverley	2	\$121,979-\$165,708
Boddington	1	\$109,321-\$147,871
Boyup Brook	2	\$121,979-\$165,708
Bridgetown-Greenbushes	3	\$134,638-\$182,393
Brookton	2	\$121,979-\$165,708
Broome	6	\$176,065-\$238,205
Broomehill—Tambellup	2	\$121,979-\$165,708
Bruce Rock	2	\$121,979-\$165,708
Bunbury	7	\$195,627-\$264,672
Busselton	7	\$195,627-\$264,672
Cambridge	7	\$195,627-\$264,672
Canning	8	\$231,464-\$288,262
Capel	5	\$158,803-\$214,615
Carnamah	2	\$121,979-\$165,708
Carnarvon	5	\$158,803-\$214,615
Chapman Valley	2	\$121,979-\$165,708
Chittering	3	\$134,638-\$182,393
Claremont	4	\$144,994-\$196,777
Cockburn	8	\$231,464-\$288,262
Collie	3	\$134,638-\$182,393
Coolgardie	3	\$134,638-\$182,393
Coorow	2	\$121,979-\$165,708
Corrigin	2	\$121,979-\$165,708
Cottesloe	3	\$134,638-\$182,393
Cranbrook	2	\$121,979-\$165,708
Cuballing	1	\$109,321-\$147,871
Cue	1	\$109,321-\$147,871
Cunderdin	2	\$121,979-\$165,708
Dalwallinu	2	\$121,979-\$165,708
Dandaragan	3	\$134,638-\$182,393
Dardanup	3	\$134,638-\$182,393
Denmark	3	\$134,638-\$182,393
Derby-West Kimberley	6	\$176,065-\$238,205
Donnybrook-Balingup	3	\$134,638-\$182,393
Dowerin	1	\$109,321-\$147,871
Dumbleyung	1	\$109,321-\$147,871
Dundas	1	\$109,321-\$147,871
East Fremantle	3	\$134,638-\$182,393
East Pilbara	6	\$176,065-\$238,205
Esperance	6	\$176,065-\$238,205
Exmouth	3	\$134,638-\$182,393
Fremantle	8	\$231,464-\$288,262
Geraldton—Greenough	7	\$195,627-\$264,672
Gingin	4	\$144,994-\$196,777
Gnowangerup	1	\$109,321-\$147,871
Goomalling	2	\$121,979-\$165,708
Gosnells	8	\$231,464-\$288,262
Halls Creek	4	\$144,994-\$196,777
Harvey	6	\$176,065-\$238,205
Irwin	3	\$134,638-\$182,393
Jerramungup	2	\$121,979-\$165,708
Joondalup	8	\$231,464-\$288,262
Kalamunda	6	\$176,065-\$238,205
Kalgoorlie-Boulder	8	\$231,464-\$288,262

<b>Local Government *</b>	<b>Band</b>	<b>Total Reward Package</b>
Katanning	2	\$121,979-\$165,708
Kellerberrin	2	\$121,979-\$165,708
Kent	2	\$121,979-\$165,708
Kojonup	3	\$134,638-\$182,393
Kondinin	2	\$121,979-\$165,708
Koorda	2	\$121,979-\$165,708
Kulin	2	\$121,979-\$165,708
Kwinana	7	\$195,627-\$264,672
Lake Grace	2	\$121,979-\$165,708
Laverton	3	\$134,638-\$182,393
Leonora	3	\$134,638-\$182,393
Mandurah	8	\$231,464-\$288,262
Manjimup	5	\$158,803-\$214,615
Meekatharra	2	\$121,979-\$165,708
Melville	8	\$231,464-\$288,262
Menzies	1	\$109,321-\$147,871
Merredin	3	\$134,638-\$182,393
Mingenew	1	\$109,321-\$147,871
Moora	3	\$134,638-\$182,393
Morawa	2	\$121,979-\$165,708
Mosman Park	3	\$134,638-\$182,393
Mount Magnet	2	\$121,979-\$165,708
Mount Marshall	2	\$121,979-\$165,708
Mukinbudin	1	\$109,321-\$147,871
Mullewa	2	\$121,979-\$165,708
Mundaring	7	\$195,627-\$264,672
Murchison	1	\$109,321-\$147,871
Murray	5	\$158,803-\$214,615
Nannup	2	\$121,979-\$165,708
Narembeen	2	\$121,979-\$165,708
Narrogin Shire of	1	\$109,321-\$147,871
Narrogin Town of	2	\$121,979-\$165,708
Nedlands	6	\$176,065-\$238,205
Ngaanyatjarraku	2	\$121,979-\$165,708
Northam	5	\$158,803-\$214,615
Northampton	2	\$121,979-\$165,708
Nungarin	1	\$109,321-\$147,871
Peppermint Grove	1	\$109,321-\$147,871
Perenjori	2	\$121,979-\$165,708
Perth	9	\$231,875-\$314,154
Pingelly	1	\$109,321-\$147,871
Plantagenet	4	\$144,994-\$196,777
Port Hedland	6	\$176,065-\$238,205
Quairading	2	\$121,979-\$165,708
Ravensthorpe	3	\$134,638-\$182,393
Rockingham	8	\$231,464-\$288,262
Roebourne	7	\$195,627-\$264,672
Sandstone	1	\$109,321-\$147,871
Serpentine-Jarrahdale	5	\$158,803-\$214,615
Shark Bay	2	\$121,979-\$165,708
South Perth	7	\$195,627-\$264,672
Stirling	9	\$231,875-\$314,154
Subiaco	7	\$195,627-\$264,672
Swan	8	\$231,464-\$288,262

<b>Local Government *</b>	<b>Band</b>	<b>Total Reward Package</b>
Tammin	1	\$109,321-\$147,871
Three Springs	1	\$109,321-\$147,871
Toodyay	3	\$134,638-\$182,393
Trayning	1	\$109,321-\$147,871
Upper Gascoyne	1	\$109,321-\$147,871
Victoria Park	6	\$176,065-\$238,205
Victoria Plains	2	\$121,979-\$165,708
Vincent	7	\$195,627-\$264,672
Wagin	2	\$121,979-\$165,708
Wandering	1	\$109,321-\$147,871
Wanneroo	9	\$231,875-\$314,154
Waroona	3	\$134,638-\$182,393
West Arthur	1	\$109,321-\$147,871
Westonia	1	\$109,321-\$147,871
Wickepin	1	\$109,321-\$147,871
Williams	1	\$109,321-\$147,871
Wiluna	2	\$121,979-\$165,708
Wongan-Ballidu	2	\$121,979-\$165,708
Woodanilling	1	\$109,321-\$147,871
Wyalkatchem	1	\$109,321-\$147,871
Wyndham-East Kimberley	5	\$158,803-\$214,615
Yalgoo	1	\$109,321-\$147,871
Yilgarn	3	\$134,638-\$182,393
York	3	\$134,638-\$182,393

\* Christmas Island and Cocos Keeling Islands are not included as they are Commonwealth Territories.

#### **PART 3—REGIONAL LOCAL GOVERNMENT TOTAL REWARD PACKAGE**

<b>Band</b>	<b>Total Reward Package</b>	<b>Number of Regional Local Governments</b>
Band 1	\$109,321-\$147,871	3
Band 2	\$121,979-\$165,708	
Band 3	\$134,638-\$182,393	1
Band 4	\$144,994-\$196,777	
Band 5	\$158,803-\$214,615	1
Band 6	\$176,065-\$238,205	1
Band 7	\$195,627-\$264,672	2
Band 8	\$231,464-\$288,262	
Band 9	\$231,875-\$314,154	

#### **PART 4—REGIONAL LOCAL GOVERNMENT CLASSIFICATIONS**

<b>Regional Local Government **</b>	<b>Band</b>	<b>Total Reward Package</b>
Bunbury-Harvey	1	\$109,321-\$147,871
Eastern Metropolitan	7	\$195,627-\$264,672
Mid West	1	\$109,321-\$147,871
Mindarie	5	\$158,803-\$214,615
Rivers	3	\$134,638-\$182,393
Southern Metropolitan	7	\$195,627-\$264,672
Tamala Park	6	\$176,065-\$238,205
Yarra Yarra	1	\$109,321-\$147,871

\*\*The Pilbara Regional Council and the Western Metropolitan Regional Council are not included as their CEOs are not in receipt of remuneration

**PART 5—TOTAL REWARD PACKAGE INCLUSIONS**

Each of the following is considered an appropriate component of a CEO's Total Reward Package.

- Base salary
- Annual leave loading
- Associated FBT accrued
- Association membership fees
- Attraction/retention allowance
- Benefit value of provision of motor vehicle for private use
- Cash bonus and performance incentives
- Cash in lieu of vehicle
- Fitness club fees
- Grooming/clothing allowance
- Health insurance subsidy
- Private phone
- Recognition programme benefits
- School fees and child's uniforms (ongoing)
- Superannuation
- Travel or any other benefit taken in lieu of salary
- Unrestricted entertainment allowance

**PART 6—TOTAL REWARD PACKAGE EXCLUSIONS**

Each of the following components is considered an appropriate exclusion from the CEO's Total Reward Package.

- Airfare to home base
- Appointment/relocation expenses
- Computer provision
- Entertainment allowance (business restricted)
- Expense of office (business restricted)
- Isolation/location allowance
- Mobile phone
- Professional development and library allowance
- Rental subsidy #
- Travel on business
- Water/power subsidies #

# The payment of these subsidies may be appropriate in some cases such as in remote locations in the state.

The above are considered either a tool of trade benefit (eg mobile phone, computer, library allowance) or a reimbursement for genuine work related expenses (eg expense of office) or compensation for specific disadvantages (eg isolation/location allowances, rental subsidy, water/power subsidy, travel benefits). The Tribunal has been advised that these benefits are typically not included in Total Reward Packages in other companies and organisations. The payment of these benefits, where such payment is judged to be fair, not excessive and transparent, may be considered appropriate, but such payments should not be used to artificially inflate the employee's Total Reward Package.

Signed at Perth this 25th day of June 2010.

W. S. COLEMAN AMC,  
Chairman.

A. BROADBENT,  
Member.

B. J. MOORE,  
Member.  
Salaries and Allowances Tribunal

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## DECEASED ESTATES

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ZX401\*

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

Emanuel Tenace, late of 15H Leschenault Street, Albany, Western Australia.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 19 March 2008, are required by the trustee of the

late Emanuel Tenace of C/- Haynes Robinson Solicitors of PO Box 485, Albany, Western Australia 6331 to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dated this 23rd day of June 2010.

HAYNES ROBINSON.

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**ZX402**

**TRUSTEES ACT 1962**

**DECEASED ESTATES**

Notice to Creditors and Claimants

Eileen Clare O'Donohoe, late of Catherine McAuley Nursing Home, Barrett Street, Wembley, Western Australia, Home Duties, ("the 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 10 December 2009 are required by the Executors Louise Marie Milligan and Michael John O'Donohoe of care of Clifton Tham Commercial Law & Litigation of PO Box 1587, Osborne Park WA 6916 to send particulars of their claims to them by no later than 3 August 2010 after which date the Executors may distribute the assets having regard only to the claims on hand.

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**ZX403\***

**TRUSTEES ACT 1962**

**DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me, on or before 2 August 2010 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Allum, Martin David formerly of 85B Birdwood Avenue, Como 6152, late of 21 Rochdale Road, Mount Claremont 6010, died 17 August 2009 (DE33078058 EM37)

Blatch, Bernard George also known as Bernie Blatch formerly of 46 Aristos Way, Marangaroo, late of Cypress Gardens, 22 Coongan Avenue, Greenmount 6056, died 28 September 2009 (DE33044133 EM15)

Bradaska, Dominik, late of Brightwater Nursing Home, 2-10 Oakwood Crescent, Waikiki 6169, died 26 March 2010 (DE33072217 EM37)

Brown, Jean Olive, late of Riverslea Lodge 100 Guildford Road, Mount Lawley 6050, died 31 May 2010 (DE19791529 EM16)

Connell, Sarah Doreen, late of Unit 27 19 Bullrush Drive, Bibra Lake 6163, died 25 May 2010 (DE19791815 EM13)

Davies, Georgina Florance, late of Adventist Residential Care 31 Webb Street, Rossmoyne 6148, died 17 April 2010 (DE19762843 EM37)

Hogan, Robert, late of Tjuntjuntjarra Community, Tjuntjuntjarra, Kalgoorlie WA 6430, died 15 April 2003 (DE31055734 EM26)

Jeffery, George Leslie also known as Alias, late of 79 Gillark Street, Mandurah 6210, died 22 May 2010 (DE19951571 EM22)

Kapteijn, Willemina, late of 9/301 Morrison Road, Swan View 6056, died 7 June 2010 (DE19811120 EM36)

Kendall, Florence Ruth formerly of Swan Village, of Care G3 Lindsey Rise, Bentley WA, late of Room 305, Waminda Hostel, Adie Court, Bentley 6102, died 26 May 2010 (DE19901259 EM17)

Massey, Joyce Irene, late of 239/118 Monash Avenue, Nedlands 6009, died 21 May 2010 (DE19914543 EM16)

Pike, Mervyn William, late of Bethanie Fields Nursing Home, 111 Eaton Drive, Eaton 6232, died 5 June 2010 (DE19925432 EM37)

Soulsby, Graham Lawrence, late of Bristol Hostel, 70 Spencer Avenue, Yokine 6060, died 2 September 2009 (DE30226327 EM38)

Wesson, Norma Beryl, care of Woodlake Aged Care, 40 Woodlake Retreat, Kingsley 6026, died 20 May 2010 (DE19873110 EM36)

Webb, Herbert Wilson Roy, late of Cygnet Lodge—Rowethorpe Nursing Home, 4-10 Hayman Road, Bentley 6102, died 8 May 2010 (DE33057412 EM37)

JOHN SKINNER, Public Trustee,  
Public Trust Office,  
565 Hay Street,  
Perth WA 6000.  
Telephone: 9222 6777

WESTERN AUSTRALIA

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