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CONTENTS

	Page
Cemeteries	2782
Fisheries	2784
Justice	2793
Minerals and Petroleum	2794
Planning	2795
Premier and Cabinet	2797
Proclamations	2781
Public Notices.....	2809
Salaries and Allowances Tribunal	2797

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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2024 AND NEW YEAR HOLIDAY PERIOD 2025

Publishing Dates	Closing Dates and Times for copy
Friday, 20 December 2024	Wednesday, 18 December 2024 at 12 noon
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Tuesday, 7 January 2025	Friday, 3 January 2025 at 12 noon

The Government Gazette will not be published on

Friday 27 December 2024

Friday 3 January 2025

PROCLAMATIONS

AA101

MAIN ROADS ACT 1930

MAIN ROADS (HIGHWAYS AND MAIN ROADS) PROCLAMATION 2024

Made under the *Main Roads Act 1930* section 13 by the deputy of the Governor in Executive Council on the recommendation of the Commissioner of Main Roads.

1. Citation

This proclamation is the *Main Roads (Highways and Main Roads) Proclamation 2024*

2. Commencement

This proclamation comes into operation as follows—

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

3. Roads or sections of roads to be highways or main roads

It is declared that—

- (1) The roads or sections of roads, excluding any footpaths, as shown on the drawings listed in Schedule 1, are highways; and
- (2) The roads or sections of roads, including footpaths associated with highways as shown on the drawings listed in Schedule 2, are highways; and
- (3) The roads or sections of roads, excluding any footpaths, as shown on the drawings listed in Schedule 3, are main roads.

4. Roads or sections of roads to cease to be highways or main roads

It is further declared that—

- (1) The roads or sections of roads shown on the drawings listed in Schedule 4 cease to be highways.

Main Roads (Highways and Main Roads) Proclamation 2024

Schedule 1—Roads or sections of roads to be highways

[cl. 3(1)]

(to be a highway)

MRWA Road No.	MRWA Road Name	Local Governments	As delineated on MRWA drawing number(s)
H038 H1006	Thomas Road and Thomas Road-Central Avenue Rotary	City of Kwinana	202121-0001-01, 202421-000005-00
H042	Broome Highway (Broome Road)	Shire of Broome	202321-000001-01, 202321-000004-01
H1002	Rotary at the intersection of Broome Highway (Broome Road) and Broome Cape Leveque Road	Shire of Broome	202321-000001-01, 202321-000003-01, 202321-000004-01

Schedule 2—Roads or sections of roads to be highways including footpath

[cl. 3(2)]

(to be a highway including footpaths as shown in this schedule)

MRWA Road No.	MRWA Road Name	Local Governments	As delineated on MRWA drawing number(s)
H016	Mitchell Freeway	City of Wanneroo	201921-0027-02, 202421-000007-00, 202421-000008-00, 202421-000009-00, 202421-000010-00
H170 H171	Ramps at the interchange of Mitchell Freeway and Hester Avenue	City of Wanneroo	201921-0027-02, 202421-000007-00, 202421-000008-00
H172 H173	Ramps at the interchange of	City of Wanneroo	201921-0027-02, 202421-000007-00,

MRWA Road No.	MRWA Road Name	Local Governments	As delineated on MRWA drawing number(s)
H174 H175	Mitchell Freeway and Lukin Drive		202421-000009-00
H180 H181 H182 H183	Ramps at the interchange of Mitchell Freeway and Butler Boulevard	City of Wanneroo	201921-0027-02, 202421-000007-00, 202421-000010-00
H176 H177	Ramps at the interchange of Mitchell Freeway and Romeo Road	City of Wanneroo	201921-0027-02, 202421-000007-00, 202421-000010-00

Schedule 3—Roads or sections of roads to be main roads

[cl. 3(3)]

(to be a main road)

MRWA Road No.	MRWA Road Name	Local Governments	As delineated on MRWA drawing number(s)
M076	Broome Cape Leveque Road (including portion of One Arm Point Road)	Shire of Broome	202321-000001-01, 202321-000003-01, 202321-000004-01, 202321-000005-00

Schedule 4—Roads or sections of roads ceasing to be highways

[cl. 4(1)]

(to cease to be a highway)

MRWA Road No.	MRWA Road Name	Local Governments	As delineated on MRWA drawing number(s)
H038	Thomas Road	City of Kwinana	202121-0001-01, 202421-000005-00
H042	Broome Highway (Broome Road)	Shire of Broome	202321-000001-01, 202321-000004-01

PETER QUINLAN, deputy of the Governor.
RITA SAFFIOTI, Minister for Transport.

L.S.

CEMETERIES

CE401**CEMETERIES ACT 1986**

CEMETERIES (EAST ROCKINGHAM PIONEER CEMETERY CLOSURE AMENDMENT) ORDER 2024
Made by the deputy of the Governor in Executive Council under section 4(2) of the Act.

1. Citation

This order is the *Cemeteries (East Rockingham Pioneer Cemetery Closure Amendment) Order 2024*.

2. Commencement

This order comes into operation as follows—

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

3. Closure Order Repealed

The *Cemeteries (East Rockingham Pioneer Cemetery Closure) Order 2009* and the *Cemeteries (East Rockingham Pioneer Cemetery Closure Amendment) Order 2024* is repealed.

4. Terms used

In this Order—

cemetery means the East Rockingham Pioneer Cemetery (Reserve No. 841), also called East Rockingham Cemetery and the Rockingham Public Cemetery;

partner means spouse or de facto partner.

5. Closure of Cemetery

- (1) The cemetery is closed on the date of commencement of this Order.
- (2) Burials in the cemetery are to be discontinued from the date of commencement of this Order, except for—
 - (a) a right of burial in force on 1 July 2009 which has not, at any time since 1 July 2009—
 - (i) expired; or
 - (ii) been renewed; or
 - (iii) been surrendered; or
 - (b) an individual is named in the schedule included in this Order; or
 - (c) an individual meets the following conditions—
 - (i) they attempted to purchase a new right of burial, or held a right of burial which was in force after 1 July 2007, which the holder attempted to renew in the period from 1 July 2007 to 30 June 2010; and
 - (ii) the City of Rockingham is satisfied that there is sufficient evidence to support the claim that the holder attempted to purchase or renew the right of burial in the period from 1 July 2007 to 30 June 2010.
 - (d) where a right of burial for the cemetery was issued from 1 July 2007 to their partner, their partner may be interred in the cemetery.
- (3) Notwithstanding clause 5(2) above, the Minister may approve the burial of any person.
- (4) The Minister's powers under clause 3 may be delegated.

6. Vesting of Cemetery

The care, control and management of the cemetery is vested in the City of Rockingham under section 43(1) of the Act from the date of commencement of this Order.

By Command of the deputy of the Governor,

N. HAGLEY, Clerk of the Executive Council.

Schedule (clause 5(2)(b))

Reference Number	Name of person with a grant of right of burial
01	G Angel
02	A Barclay
03	C Brenchley
04	J Clark
05	C Clarkson
06	M Dawson
07	D Day
08	R Day
09	D De Atta
10	P De Atta
11	R Few
12	E Few
13	P Gammage
14	S Goble
15	L Godfrey
16	P Goodwin
17	B Holland
18	A Horbach
19	M Horbach
20	D Letizia
21	C Maccarone
22	M Jensen
23	J Mulry
24	P Mulry
25	E Nicoli

Reference Number	Name of person with a grant of right of burial
26	A O'Donnell
27	L Onesti
28	M Pike
29	R Pittard
30	F Pittard
31	K Stanlake
32	A Bottomly
33	S Brailey
34	L Beddoe
35	J Brown

FISHERIES

FI401

FISH RESOURCES MANAGEMENT ACT 1994

Section 97(9)

NOTICE OF GRANT OF AQUACULTURE LEASE

Dept ref: qA840121

I, Don Punch, Minister for Fisheries, Western Australia, hereby give notice under section 97(9) of the *Fish Resources Management Act 1994* that I have granted an aquaculture lease to Fremantle Seaweed Pty Ltd (ACN 644 635 996) at a site south of Fremantle for a term ending 30 June 2045.

Details of the lease are available from the register maintained by the Department of Primary Industries and Regional Development, Perth.

Dated 25th of November 2024.

Hon. DON PUNCH, MLA, Minister for Fisheries.

FI402

FISH RESOURCES MANAGEMENT ACT 1994

PILBARA FISH TRAWL INTERIM MANAGED FISHERY MANAGEMENT PLAN AMENDMENT 2024

A34782

Made by the Minister under section 54.

1. Citation

This instrument is the *Pilbara Fish Trawl Interim Managed Fishery Management Plan Amendment 2024*.

2. Commencement

This plan comes into operation as follows—

- (a) clauses 1 and 2 of this instrument—on the day this instrument is published in the Gazette;
- (b) the rest of the clauses—on the day after that day.

3. Management plan amended

The amendments in this instrument are to the *Pilbara Fish Trawl Interim Managed Fishery Management Plan 1997*.

4. Clause 20 amended

In clause 20—

- (a) in paragraph (1)(a) delete “ 0.24 “ in each place that it occurs and insert—
0.20
- (b) in paragraph (1)(b) delete “ 0.95 “ in each place that it occurs and insert—
0.81
- (c) in paragraph (1)(c) delete “ 1.01 “ in each place that it occurs and insert—
0.86

- (d) in paragraph (1)(d) delete “ 0.90 “ in each place that it occurs and insert—
0.77

5. Clause 29 replaced

Delete clause 29 and insert—

Offences

29. A person who contravenes clause 9, 10, 11, 12, 14, 19, 24, 28, or 28A commits an offence.

Dated 26th of November 2024.

Hon. DON PUNCH, MLA, Minister for Fisheries.

FI403

FISH RESOURCES MANAGEMENT ACT 1994

SOUTH COAST CRUSTACEAN MANAGED FISHERY MANAGEMENT PLAN AMENDMENT (No.2) 2024
[AS25477]

Made by the Minister under section 54.

1. Citation

This instrument is the *South Coast Crustacean Managed Fishery Management Plan Amendment (No.2) 2024*.

2. Management plan amended

The amendments in this instrument are to the *South Coast Crustacean Managed Fishery Management Plan 2015*.

3. Commencement

The amendments in this instrument commence on 1 December 2024.

4. Clause 4 amended

- (1) In the definition of “*approved ALC*”, delete “55C” and insert—
55A

- (2) Delete the definition of “*fishing trip*” and insert—

fishing trip means the period between—

- (a) when an authorised boat commences travelling through the waters of the Fishery in order to—

- (i) pull pots; or
(ii) pull and set pots;

and

- (b) when that boat enters an approved landing area or an approved remote landing area for the purpose of landing crustacean;

- (3) In the definition of “*nomination of intention to fish*”, delete “prior to moving the boat to commence a fishing trip” and insert—

in accordance with clause 22A

- (4) In the definition of “*nomination to land*”, delete “prior to entering an approved landing area or an approved remote landing area to conclude a fishing trip” and insert—

in accordance with clause 22B;

- (5) Delete the definition of “*offshore bight zone*”.

- (6) In the definition of *Zone*, delete ‘Schedules 2 and 3’ and insert—
Schedule 2

- (7) In the correct alphabetical position, insert the following definitions—

authorised boat means—

- (a) a licensed fishing boat, the name, licensed fishing boat number and length of which are specified in a licence; or
(b) a boat specified in a written authority under regulation 132 where that boat is to be used in place of a boat described in paragraph (a);

nominated fishing Zone means the Zone of the Fishery in which fishing will occur under a nomination of intention to fish;

nomination to set pots means a nomination made by the master of an authorised boat in accordance with clause 22AA;

post-landing nomination means a nomination made by the master of an authorised boat in accordance with clause 22C;

set means, in relation to pots, to set, position or release pots in the waters of the Fishery, with or without bait;

tender means an auxiliary vessel that—

- (a) is not more than 7.5 metres in length; and
- (b) is used as a means of transportation between the authorised boat and the shore;

5. Clause 6 amended

In subclause (3), delete “Schedules 2 and 3” and insert—

Schedule 2

6. Clause 20 amended

After subclause (4), insert—

- (5) This clause does not apply to the use of a tender in accordance with clause 20A.

7. Clause 20A inserted

After clause 20, insert—

20A. Use of tenders

- (1) The master of an authorised boat must not use a tender to transfer crustaceans from the authorised boat to an approved landing area or approved remote landing area unless—
 - (a) the master of the authorised boat has determined that the authorised boat cannot enter the waters immediately adjacent to the land in the approved landing area or approved remote landing area to enable the crustaceans to be landed directly from the authorised boat; and
 - (b) the tender is marked in accordance with subclause (2) to indicate that it is linked to the authorised boat.
- (2) A tender must be marked with—
 - (a) the words “Tender to” followed by the name or unique identifier of the relevant authorised boat; or
 - (b) the name of the owner of the relevant authorised boat followed by the word “tender”; or
 - (c) the unique identifier of the relevant authorised boat followed by “- T”.
- (3) A person must not fish from a tender in the Fishery.

8. Clause 21 amended

(1) In clause 21, delete subclauses (1) and (2) and insert—

- (1) A person must not use an authorised boat in the Fishery unless an approved ALC—
 - (a) has been installed in that boat, and has been commissioned, installed, maintained, serviced and tested; and
 - (b) is operating effectively; and
 - (c) is being used,in accordance with the approved directions.
- (2) Renumber subclause (3) to (2).

9. Clause 22 replaced

Delete clause 22 and insert—

Where a nomination is required to be made under this plan, the nomination must be made through the use of an approved ALC in accordance with the approved directions.

10. New clause 22AA inserted

After clause 22, insert—

22AA. Nomination to set pots

- (1) Where the master of an authorised boat intends to only set pots, the master must make a nomination to set pots—
 - (a) prior to departing from an approved landing area or approved remote landing area to commence setting pots in the Fishery; or
 - (b) prior to entering the waters of the Fishery to commence setting pots in the Fishery; or
 - (c) where the master has made a nomination to land under clause 22B(1)(b), prior to departing from the nominated fishing Zone.
- (2) The master of an authorised boat must make a nomination to set pots under subclause (1)(a) or (b) not more than 2 hours prior to moving the authorised boat.
- (3) Where a nomination to set pots is made under subclause (1), the master of the authorised boat must specify—
 - (a) the type of nomination (for example, nomination to set pots);
 - (b) the Fishery in which pots will be set;
 - (c) the full name of the master of the authorised boat;
 - (d) the licensed fishing boat number of the authorised boat to be used to set pots;
 - (e) the number of the licence which authorises the setting of pots;
 - (f) the Zone in which pots will be set;

- (g) the estimated date and time of arrival of the authorised boat to an approved landing area or approved remote landing area; and
 - (h) the name of the approved landing area or approved remote landing area to which the authorised boat is to return to after setting pots.
- (4) A nomination to set pots remains in effect until the authorised boat returns to the approved landing area or approved remote landing area specified in subclause (3)(h).

11. Clause 22A replaced

Delete clause 22A and insert—

- (1) The master of an authorised boat must make a nomination of intention to fish—
 - (a) prior to departing from an approved landing area or approved remote landing area to commence a fishing trip; or
 - (b) prior to entering the waters of the Fishery to commence a fishing trip.
- (2) The master of an authorised boat must make a nomination of intention to fish under subclause (1) not more than 2 hours prior to moving the authorised boat.
- (3) A nomination made under subclause (1) must specify—
 - (a) the type of nomination (for example, intention to fish);
 - (b) the Fishery in which fishing will occur;
 - (c) the full name of the master of the authorised boat;
 - (d) the licensed fishing boat number of the authorised boat to be used to fish;
 - (e) the number of the licence which authorises fishing to occur;
 - (f) the nominated fishing Zone;
 - (g) whether pots will be reset in the nominated fishing Zone or moved to a different Zone upon conclusion of fishing in the nominated fishing Zone;
 - (h) the estimated date and time of arrival to an approved landing area or approved remote landing area;
 - (i) the approved landing area or approved remote landing area; and
 - (j) where intending to land in an approved remote landing area, the approved weighing point.
- (4) A nomination of intention to fish made under subclause (3) remains in effect until—
 - (a) a subsequent nomination to land is made under clause 22B; or
 - (b) the master of the authorised boat cancels the nomination by submitting a nomination to cancel.
- (5) Where a nomination to cancel is made in accordance with subclause (4), the master of the authorised boat must specify—
 - (a) the type of nomination (for example, nomination to cancel);
 - (b) the Fishery in which fishing was to occur; and
 - (c) the information specified in subclauses (3)(c), (d) and (e).
- (6) The master of an authorised boat must not cancel a nomination of intention to fish at any time after a person on board the authorised boat has commenced pulling pots.
- (7) The master of an authorised boat must not—
 - (a) allow any person on board the authorised boat to pull a pot in the Fishery; or
 - (b) have crustacean on board the authorised boat,unless a nomination of intention to fish or a nomination to land is in effect.

12. Clause 22B replaced

Delete clause 22B and insert—

- (1) The master of an authorised boat must make a nomination to land prior to—
 - (a) entering an approved landing area or an approved remote landing area to conclude a fishing trip; or
 - (b) where landing crustacean in an approved landing area or approved remote landing area in a Zone other than the nominated fishing Zone, prior to departing from the nominated fishing Zone to conclude a fishing trip.
- (2) A nomination made under subclause (1) must specify—
 - (a) the type of nomination (for example, nomination to land);
 - (b) the Fishery in which fishing occurred;
 - (c) the full name of the master of the authorised boat;
 - (d) the number of the licence which authorised fishing to occur;
 - (e) the date and time of landing, if it is not the same date or time specified in the nomination of intention to fish;
 - (f) the approved landing area or approved remote landing area, if it is not the same area as specified in the nomination of intention to fish;

- (g) where intending to land in an approved remote landing area, the approved weighing point, if it is not the same weighing point as specified in the nomination of intention to fish;
- (h) the accurate number of each species of crustacean to be landed; and
- (i) where the master intends to use a tender to land crustacean.

13. Clauses 22C and 22D inserted

After clause 22B, insert—

22C. Post-landing nomination

- (1) The master of an authorised boat must make a post-landing nomination—
 - (a) immediately after completing the CDR form under clause 23C(1); and
 - (b) prior to departing from the weighing point.
- (2) A nomination made under subclause (1) must specify—
 - (a) the type of nomination (for example, post-landing nomination);
 - (b) the number of the licence which authorises fishing to occur;
 - (c) the total weight of all crustacean landed, identified by species; and
 - (d) the details of each consignment of crustacean identifying—
 - (i) the name of each person to whom crustacean are to be consigned; and
 - (ii) the weight of all crustacean in that consignment, identified by species.

22D. Prohibition on fishing while travelling to land catch in a Zone other than the nominated fishing Zone

- (1) Where a nomination to land has been made for the landing of crustacean in an approved landing area or approved remote landing area in a Zone other than the nominated fishing Zone, the master of an authorised boat must—
 - (a) ensure that no fishing is undertaken from the authorised boat upon departure from the nominated fishing Zone; and
 - (b) ensure that the authorised boat travels directly to the approved landing area or approved remote landing area on the shortest practicable route at a speed not less than 5 knots.
- (2) Despite subclause (1), where the master of an authorised boat has obtained prior written approval from a fisheries officer to set pots in a Zone other than the nominated fishing Zone, the master must set pots in accordance with—
 - (a) the prior written approval from a fisheries officer; and
 - (b) a nomination to set pots made under clause 22AA(1)(c).

14. Clause 23 replaced

Delete clause 23 and insert—

- (1) A person must not bring onto land any crustacean, unless—
 - (a) it is brought onto land in an approved landing area or approved remote landing area; and
 - (b) it is landed or removed from—
 - (i) the authorised boat; or
 - (ii) a tender transferring crustacean from the authorised boat, in accordance with this plan.
- (2) The master of an authorised boat must not permit any crustacean to be brought onto land unless—
 - (a) it is brought onto land in an approved landing area or approved remote landing area, and
 - (b) it is landed or removed from—
 - (i) the authorised boat; or
 - (ii) a tender transferring crustacean from the authorised boat, in accordance with this plan.
- (3) The master of an authorised boat fishing under the authority of a licence must ensure that all crustacean is brought onto land or removed from an authorised boat prior to 30 June of the year in which the licence has been issued.

15. Clause 23A amended

- (1) In subclause (1)(c), delete “specified in Schedule 9”.
- (2) In subclause (2)(b), delete “as specified in Schedule 9”.
- (3) After subclause (2), insert—
 - (3) The master of an authorised boat using a tender to bring crustacean into an approved landing area or approved remote landing area must comply with subclause (1) or (2) as if the crustaceans were removed directly from the authorised boat onto land.

- (4) The master of an authorised boat must not consign any crustacean unless—
 - (a) the master has weighed the crustacean in accordance with subclause (1) or (2); and
 - (b) the master has completed the CDR form under clause 23C(1); and
 - (c) the master has made a post-landing nomination under clause 22C(1).

16. Clause 23C amended

In subclause (3), in paragraph (b), delete “7 days” and insert—
72 hours

17. Clause 26A heading amended

In the heading for clause 26A, after “rigs”, insert—
from 1 April to 30 November

18. Clause 26B inserted

After clause 26A, insert—

26B. Use of pot lines and float rigs from 1 December to 31 March

- (1) This clause applies to the use of pot lines and float rigs used to fish for crustacean during the period commencing on 1 December in any year and ending on 31 March the following year.
- (2) The master of an authorised boat must ensure that a pot line is pulled at least once every 21 days.

19. Clause 27 amended

After subclause (3), insert—

- (4) During a fishing trip, a person must not pull pots from a Zone other than the nominated fishing Zone.
- (5) During a fishing trip, the master of an authorised boat must ensure that no pots are pulled on the authorised boat from a Zone other than the nominated fishing Zone.
- (6) A person must not set pots other than in accordance with a nomination made under clause 22AA(1).
- (7) The master of an authorised boat must ensure that no pots are set other than in accordance with a nomination made under clause 22AA(1).

20. Clause 28 replaced

Delete clause 28 and insert—

- (1) The maximum number of pots that may be operated in Zone 1, 2, 3 or 4 of the Fishery under the authority of a licence is—
 - (a) equal to the highest number of current units for any species on the relevant licence and in the relevant Zone; and
 - (b) 300 pots when fishing in waters deeper than 400 metres.
- (2) A person fishing under the authority of a licence in Zone 1, 2, 3 or 4 of the Fishery must not operate in the relevant Zone with more than the maximum number of pots provided for that Zone in subclause (1) and more than 300 pots when fishing in waters deeper than 400 metres.
- (3) A person fishing under the authority of a licence in Zone 5 of the Fishery must not operate in the relevant Zone with more than 300 pots.
- (4) Subject to subclause (6), the master of an authorised boat in a Zone of the Fishery must not carry more pots on board that boat than is provided for under subclause (1) or (3) unless approval has been given by the Department in respect of that boat.
- (5) An approval sought under subclause (4) must be made by request in writing to a Supervising District Fisheries and Marine Officer at the Albany or Esperance district office.
- (6) Notwithstanding subclause (4), the master of an authorised boat may carry on board that boat a maximum of 2 additional unrigged spare pots to be used to replace any lost or damaged pots.

21. Clause 29 amended

- (1) In subclause (3), in paragraph (c), delete ‘taken; and’ and insert—
taken.
- (2) In subclause (3), delete paragraph (d).

22. Clause 31 replaced

Delete clause 31 and insert—

- (1) The master of an authorised boat must record any lost or irretrievable pots in the CDR form completed under clause 23C for the fishing trip on which the pots were lost or unable to be retrieved.
- (2) The master of an authorised boat must ensure that an entry in the CDR form made under subclause (1) specifies—
 - (a) the quantity and type of lost or irretrievable pots; and
 - (b) the last known location of the lost or irretrievable pots.

- (3) If any pots referred to in subclause (1) are subsequently found, the master of an authorised boat must record the finding of those pots in the CDR form completed under clause 23C for the fishing trip on which the pots are found.

23. Clause 32 amended

In clause 32, insert in the correct place—

20A, 22AA, 22C, 22D, 26B

24. Schedule 2 amended

After the description of Zone 4, insert—

Zone 5—Offshore Bight Zone

All waters of the Fishery bounded by a line commencing at the intersection of 34° 3.03' south latitude and 125° east longitude; thence in a north easterly direction to the intersection of 33° 49.17' south latitude and 125° 32.11' east longitude; thence in a north easterly direction to the intersection of 33° 15.52' south latitude and 126° 13.97' east longitude; thence in an easterly direction to the intersection of 33° 13.05' south latitude and 126° 42.93' east longitude; thence in an easterly direction to the intersection of 33° 17.33' south latitude and 127° 38.13' east longitude; thence in an easterly direction to the intersection of 33° 15.37' south latitude and 128° 27.9' east longitude; thence in an easterly direction to the intersection of 33° 21.94' south latitude and 129° east longitude; thence due south along the meridian to the outer limit of the Australian Fishing Zone; thence following the boundary of the Australian Fishing Zone generally west to its intersection with 125° east longitude; thence due north along the meridian to the commencement point.

25. Schedule 3 deleted

Delete Schedule 3.

26. Schedule 7 amended

- (1) Delete “L2: Windy Harbour” and insert—

L2: Windy Harbour

All lands and waters of Windy Harbour bounded by a line commencing at a point at 34° 50.296' south latitude and 116° 01.493' east longitude (on the mainland at the Windy Harbour Boat Ramp); then extending due west along the parallel to a point at 34° 50.296' south latitude and 116° 01.357' east longitude (on the mainland at the Windy Harbour Boat Ramp); due south along the meridian to a point at 34° 50.342' south latitude and 116° 01.357' east longitude (on the mainland at the Windy Harbour Boat Ramp); due east along the parallel to a point at 34° 50.342' south latitude and 116° 01.470' east longitude (on the mainland at the Windy Harbour Boat Ramp); south-westerly along the high water mark to the intersection of the high water mark and 116° 01.363' east longitude; then due south along the meridian to a point 50 metres seaward of and normal to the high water mark on the coastline; then generally north-easterly then south-easterly along a line constantly 50 metres seaward of and normal to the high water mark on the coastline to the intersection with 116° 02.269' east longitude; then due north along the meridian to the intersection with the high water mark on the coastline (on the mainland); then generally north-westerly then south-westerly along the high water mark to the commencement point.

- (2) Delete “L3: Peaceful Bay” and insert—

L3: Peaceful Bay

All lands and waters of Peaceful Bay bounded by a line commencing at a point at 35° 02.351' south latitude and 116° 55.962' east longitude (on the mainland at Peaceful Bay Boat Ramp); then extending north-westerly along the geodesic to a point at 35° 02.312' south latitude and 116° 55.925' east longitude (on the mainland at Peaceful Bay Boat Ramp); then south-westerly along the geodesic to a point at 35° 02.367' south latitude and 116° 55.862' east longitude (on the mainland at Peaceful Bay Boat Ramp); then south-easterly along the geodesic to a point at 35° 02.395' south latitude and 116° 55.945' east longitude (on the mainland at Peaceful Bay Boat Ramp); then generally south-westerly then south-easterly along the high water mark to the intersection of the high water mark and 35° 02.644' south latitude; then north-east along the geodesic to a point 50 metres seaward of and normal to the high water mark on the coastline; then generally north-westerly, north then north-easterly along a line constantly 50 metres seaward of and normal to the high water mark on the coastline to the intersection with 35° 02.262' south latitude; then due west along the parallel to the intersection with the high water mark on the coastline (on the mainland); then generally southerly along the high water mark to the commencement point.

- (3) Delete “L7: Hopetoun” and insert—

L7: Hopetoun

All lands and waters bounded by a line commencing at a point at 33° 57.081' south latitude and 120° 07.624' east longitude (on the mainland at the Hopetoun Boat Ramp); then extending south-westerly along the geodesic to a point at 33° 57.093' south latitude and 120° 07.555' east longitude (on the mainland at the Hopetoun Boat Ramp); then generally south-westerly then north-westerly along the high water mark to the intersection of the high water mark and 120° 06.860' east longitude; then due south along the meridian to a point 50 metres seaward of and normal to the high water mark on the coastline; then generally south-easterly, easterly, southerly, then north-easterly along a line constantly 50 metres seaward of and normal to the high water mark on the coastline to the intersection with 120° 08.240' east longitude; then due

north along the meridian to the intersection with the high water mark on the coastline (on the mainland); then generally south-westerly along the high water mark to the commencement point.

- (4) Delete “L8: Starvation Bay” and insert—

L8: Starvation Bay

All lands and waters of Starvation Boat Harbour bounded by a line commencing at a point at 33° 55.137' south latitude and 120° 33.394' east longitude (on the mainland); then extending due south along the meridian to a point at 33° 55.160' south latitude and 120° 33.394' east longitude (on the mainland); then due east along the parallel to a point at 33° 55.160' south latitude and 120° 33.453' east longitude (on the mainland); then due north along the meridian to a point at 33° 55.137' south latitude and 120° 33.453' east longitude (on the mainland); then generally easterly along the high water mark to the intersection of the high water mark and 120° 33.673' east longitude (on the mainland near North Powell Point); then due north along the meridian to a point 50 metres seaward of and normal to the high water mark on the coastline; then generally westerly then northerly along a line constantly 50 metres seaward of and normal to the high water mark on the coastline to the intersection with 33° 54.561' south latitude; then due west along the parallel to the intersection with the high water mark on the coastline (on the mainland); then generally southerly then south-easterly along the high water mark to the commencement point.

- (5) Delete “L10: Duke of Orleans Bay” and insert—

L10: Duke of Orleans Bay

All lands and waters of Duke of Orleans Bay bounded by a line commencing at a point at 33° 54.837' south latitude and 122° 35.918' east longitude (on the eastern side of Table Island); then extending generally south-westerly then north-easterly along the high water mark of Table Island to a point at 33° 54.736' south latitude and 122° 35.805' east longitude (on the western side of Table Island); then north-west along the geodesic to a point at 33° 54.634' south latitude and 122° 35.701' east longitude (on the mainland); then generally westerly then south-westerly along the high water mark to a point at 33° 55.398' south latitude and 122° 34.761' east longitude (on the mainland); then north-westerly along the geodesic to a point at 33° 55.387' south latitude and 122° 34.718' east longitude (on the mainland); then south-westerly along the geodesic to a point at 33° 55.419' south latitude and 122° 34.677' east longitude (on the mainland); then south-easterly along the geodesic to a point at 33° 55.435' south latitude and 122° 34.764' east longitude (on the mainland); then generally south-easterly along the high water mark to the intersection of the high water mark and 122° 35.583' east longitude (on the mainland near Nares Island); then due north along the meridian to a point 50 metres seaward of and normal to the high water mark on the coastline (near Nares Island); then generally north-westerly, north-easterly then south-easterly along a line constantly 50 metres seaward of and normal to the high water mark on the coastline to the intersection with 122° 35.701' east longitude (near Table Island); then south-east along the geodesic to a point 50 metres seaward of and normal to the high water mark on the western side of Table Island; then generally south-westerly then north-easterly along a line constantly 50 metres seaward of and normal to the high water mark of Table Island to the intersection with 33° 54.864' south latitude; then north-west along the geodesic to the commencement point.

27. Schedule 8 amended

Delete all approved remote landing areas and insert—

RL1: Grass Patch

All waters bounded by a line commencing at a point at 33° 54.997' south latitude and 123° 08.473' east longitude (on the mainland near Point Jedacorrudup); then extending due west along the parallel to a point 50 metres seaward of and normal to the high water mark on the coastline; then south-easterly along a line constantly 50 metres seaward of and normal to the high water mark on the coastline to the intersection with 33° 56.878' south latitude; then due east along the parallel to the intersection with the high water mark on the coastline (on the mainland); then generally north-westerly along the high water mark to the commencement point.

RL2: Cape Arid

All waters bounded by a line commencing at a point at 33° 59.813' south latitude and 123° 13.075' east longitude (on the mainland); then extending due south along the meridian to a point 50 metres seaward of and normal to the high water mark on the coastline; then generally north-easterly then south-easterly along a line constantly 50 metres seaward of and normal to the high water mark on the coastline to the intersection with 33° 59.724' south latitude; then due east along the parallel to the intersection with the high water mark on the coastline (on the mainland); then generally north-westerly then south-westerly along the high water mark to the commencement point.

RL3: Seal Creek

All waters bounded by a line commencing at a point at 33° 55.221' south latitude and 123° 19.809' east longitude (on the mainland); then extending due east along the parallel to a point 50 metres seaward of and normal to the high water mark on the coastline; then generally north, north-easterly, easterly, north-easterly then south-easterly along a line constantly 50 metres seaward of and normal to the high water mark on the coastline to the intersection with 123° 20.672' east longitude; then due north along the meridian to the intersection with the high water mark on the coastline (on the mainland); then generally north-westerly, south-westerly, westerly then southerly along the high water mark to the commencement point.

RL4: Point Malcolm

All waters bounded by a line commencing at a point at 33° 47.713' south latitude 123° 45.800' east longitude (on the mainland at Point Malcolm); then extending due east along the parallel to a point 50 metres seaward of and normal to the high water mark on the coastline; then generally westerly, north-westerly then northerly along a line constantly 50 metres seaward of and normal to the high water mark on the coastline to the intersection with 33° 45.007' south latitude; then due west along the parallel to the intersection with the high water mark on the coastline (on the mainland); then generally southerly, south-easterly then easterly along the high water mark to the commencement point.

RL5: Israelite Bay

All waters bounded by a line commencing at a point at 33° 38.008' south latitude and 123° 52.464' east longitude (on the mainland at Point Dempster); then extending south-east along the geodesic to a point 50 metres seaward of and normal to the high water mark on the coastline; then generally north-easterly, north-westerly, north-easterly then south-easterly along a line constantly 50 metres seaward of and normal to the high water mark on the coastline to the intersection with 123° 54.275' east longitude (at Point Lorenzen); then due north along the meridian to the intersection with the high water mark on the coastline (on the mainland at Point Lorenzen); then generally north-westerly, south-westerly then south-easterly along the high water mark to the commencement point.

RL6: Eyre

All waters bounded by a line commencing at a point at 32° 14.962' south latitude and 126° 17.246' east longitude (on the mainland); then extending due south along the meridian to a point 50 metres seaward of and normal to the high water mark on the coastline; then generally east-southeasterly along a line constantly 50 metres seaward of and normal to the high water mark on the coastline to the intersection with 126° 19.388' east longitude; then due north along the meridian to the intersection with the high water mark on the coastline (on the mainland); then generally west-northwesterly along the high water mark to the commencement point.

RL7: Madura

All waters bounded by a line commencing at a point at 32° 17.407' south latitude and 126° 57.517' east longitude (on the mainland); then extending due south along the meridian to a point 50 metres seaward of and normal to the high water mark on the coastline; then generally east-northeasterly along a line constantly 50 metres seaward of and normal to the high water mark on the coastline to the intersection with 127° 04.511' east longitude; then due north along the meridian to the intersection with the high water mark on the coastline (on the mainland); then generally west-southwesterly along the high water mark to the commencement point.

RL8: Red Rocks

All waters bounded by a line commencing at a point at 32° 12.550' south latitude and 127° 31.429' east longitude (on the mainland near Red Rocks Point); then extending south-east along the geodesic to a point 50 metres seaward of and normal to the high water mark on the coastline; then generally north-easterly along a line constantly 50 metres seaward of and normal to the high water mark on the coastline to the intersection with 127° 36.613' east longitude; then north-west along the geodesic to the intersection with the high water mark on the coastline (on the mainland); then generally south-westerly along the high water mark to the commencement point.

RL9: Wanteen

All waters bounded by a line commencing at a point at 31° 58.860' south latitude and 128° 17.752' east longitude (on the mainland); then extending south-east along the geodesic to a point 50 metres seaward of and normal to the high water mark on the coastline; then generally north-easterly along a line constantly 50 metres seaward of and normal to the high water mark on the coastline to the intersection with 128° 25.447' east longitude; then north-west along the geodesic to the intersection with the high water mark on the coastline (on the mainland); then generally south-westerly along the high water mark to the commencement point.

RL:10 Eucla

All waters bounded by a line commencing at a point at 31° 44.421' south latitude and 128° 50.709' east longitude (on the mainland); then extending south-east along the geodesic to a point 50 metres seaward of and normal to the high water mark on the coastline; then generally north-easterly along a line constantly 50 metres seaward of and normal to the high water mark on the coastline to the intersection with 128° 54.409' east longitude; then north-west along the geodesic to the intersection with the high water mark on the coastline (on the mainland); then generally south-westerly along the high water mark to the commencement point.

Dated 26th of November 2024.

Hon. DON PUNCH, MLA, Minister for Fisheries.

FI404

FISH RESOURCES MANAGEMENT ACT 1994
NORTHERN DEMERSAL SCALEFISH FISHERY MANAGEMENT PLAN 2000
 Notice of Determination

Determination of the Capacity of Zones in Area 2 of the Northern Demersal Scalefish Managed Fishery for the 2025 Licensing Period

I, Nathan Harrison, Executive Director of Fisheries and Agriculture Resource Management, of the Department of Primary Industries and Regional Development, as delegate of the Chief Executive Officer, pursuant to clause 19 of the *Northern Demersal Scalefish Fishery Management Plan 2000*, having taken into account advice received from the Director Aquatic Science and Assessment and consulted with Area 2 licence holders, consider it appropriate to do so and do hereby determine that the capacity of Area 2 of the Northern Demersal Scalefish Managed Fishery shall be—

- a maximum of 554.4 fishing days for Zone A
- a maximum of 887 fishing days in Zone B; and
- a maximum of 1,100 fishing days for Zone C

for the period commencing 1 January 2025 and ending on 31 December 2025.

Dated this 26th day of November 2024.

NATHAN HARRISON, Executive Director, Fisheries and Agriculture Resource Management.

JUSTICE

JU401

PRISONS ACT 1981
 PERMIT DETAILS

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

Surname	Other Name(s)	Permit No.
Doyle	James Michael	AP 0445
Justins	Melissa Kym	PA 0762
Nicholl	Mark	PA 0038
Robson	Jamie Alexander	PA 0871
Stojanoska	Lina	PA 0677
Shabbir	Muhammad	PA 0916

Dated 22 November 2024.

ANDY BECK, A/Commissioner, Corrective Services.

JU402

JUSTICES OF THE PEACE ACT 2004
 RESIGNATIONS

It is hereby notified for public information that the Minister has accepted the resignation of—

Graham John Aird of Benjinup
 John Charles Bates of Spencer Park
 Victor Churchill Dale of Coolgardie
 Elsie Kay Hallahan of Salter Point
 Lynette Margaret Lawson of Duncraig
 Colin William Ward of Mandurah

from the Office of Justice of the Peace for the State of Western Australia.

JOANNE STAMPALIA, Deputy Director General, Court and Tribunal Services.

MINERALS AND PETROLEUM

MP401

MINING ACT 1978
NOTICE OF 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 7 January 2025 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
<i>Exploration Licence</i>		
E 04/2544	West Kimberley Diamonds Pty Ltd	West Kimberley
E 08/3321	Cardabia Metals Pty Ltd	Ashburton
E 08/3322	Cardabia Metals Pty Ltd	Ashburton
E 37/1437	Nano Metals Pty Ltd	Mt Margaret
E 46/1491	AMMM Resources Pty Ltd	Pilbara
E 46/1495	Nano Metals Pty Ltd	Pilbara
E 59/2442	AMMM Resources Pty Ltd	Yalgoo
E 70/6499	Lake Grace Resources Pty Ltd	South West
E 70/6500	Lake Grace Resources Pty Ltd	South West
E 74/780	McWhirter, Brenton	Phillips River
<i>Mining Lease</i>		
M 38/1300	Dean, John Shane	Mt Margaret
M 51/887	Cyprium Metals Limited	Murchison
M 59/346	Midwest Gold Resources Pty Ltd	Yalgoo
M 59/347	Midwest Gold Resources Pty Ltd	Yalgoo
M 74/147	Hallam, Kevin John	Phillips River
<i>General Purpose Lease</i>		
G 08/9	Silica Earth Resources Pty Ltd	Ashburton

MP402

MINING ACT 1978
NOTICE OF FORFEITURE

Department of Energy, Mines, Industry Regulation and Safety,
East Perth WA 6004.

I hereby declare in accordance with the provisions of section 96A of the *Mining Act 1978* that the undermentioned exploration licence is forfeited for failure to comply with statutory requirements being failure to pay annual rent.

This notice comes into operation at 12:00 midday on the day of publication.

TYLER SUJDOVIC, Executive Director,
Resource and Environmental Compliance Division.

Tenement	Holder	Mineral Field
<i>Exploration Licence</i>		
E70/5959	Pieco Metals Pty Ltd	South West

MP403**MINING ACT 1978**
NOTICE OF FORFEITUREDepartment of Energy, Mines, Industry Regulation and Safety,
East Perth WA 6004.

I hereby declare in accordance with the provisions of section 97 of the *Mining Act 1978* that the undermentioned mining lease is forfeited for failure to comply with statutory requirements being failure to pay annual rent.

This notice comes into operation at 12:00 midday on the day of publication.

TYLER SUJDOVIC, Executive Director,
Resource and Environmental Compliance Division.

Tenement	Holder	Mineral Field
M47/458	Whiteford-Hey; Pamela May Van Vugt; David	West Pilbara

MP404**MINING ACT 1978**

Section 19

INSTRUMENT OF VARIATION TO EXEMPTION OF LAND

I, Jared Andrew Barnett, Executive Director, Resource Tenure, pursuant to section 19 of the *Mining Act 1978*, hereby varies the exemption of land originally declared on 04 September 2019 and published in the *Government Gazette* dated 20 September 2019 by varying the description to that as described hereunder (not being private land or land that is the subject of a mining tenement or an application for a mining tenement) exempt from Divisions 1 to 5 of Part IV of the *Mining Act 1978*. The exemption will expire on 03 September 2025.

Locality

Mount Marsh

Description of Land

Land designated S19/382 in the TENGRAPH electronic plan of the Department of Energy, Mines, Industry Regulation and Safety. A geospatial description is filed in the Department of Energy, Mines, Industry Regulation and Safety electronic file number A1182/201901, document ID A84079717.

Area of Land

128505.78 hectares

Dated at Perth this 27th day of November 2024.

JARED ANDREW BARNETT, Executive Director, Resource Tenure.

PLANNING**PL401****PLANNING AND DEVELOPMENT ACT 2005**
APPROVED LOCAL PLANNING SCHEME AMENDMENT*Shire of Lake Grace*

Local Planning Scheme No. 4 Amendment No. 6

File: TPS/3126

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 abovementioned amendment to the Shire of Lake Grace Local Planning Scheme No. 4 on 20 November 2024 for the purpose of—

- Remove all references to Special Use Zone No. SU12 in Schedule 4 of the Scheme Text which is described as the western most portion of Lot 1 Griffin Street, Lake Grace, however, now legally covers Lot 500 on Deposited Plan 47225 Wattle Drive, Lake Grace, and portions of Lots 90 (No. 9) and 91 (No. 1) South Road, Lake Grace; and

- (b) Change the zoning of Lot 500 on Deposited plan 47225 Wattle Drive, Grace from 'Special Use 12' (SU12) to 'Residential' with a density coding of R30; and
- (c) Change the zoning of the easternmost portion of Lot 90 (No. 9) South Road, Lake Grace from 'Special Use 12' (SU12) to 'Special Use 4' (SU4); and
- (d) Change the zoning of the easternmost portion of Lot 91 (No. 1) South Road, Lake Grace from 'Recreation' reserve and 'Special Use 12' (SU12) to 'Special Use 4' (SU4); and
- (e) Amend the relevant Scheme map accordingly.

L. ARMSTRONG, President.
A. GEORGE, Chief Executive Officer.

PL402

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Koorda
Local Planning Scheme No. 3 Amendment No. 3

File: TPS/3190

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 abovementioned amendment to the Shire of Koorda Local Planning Scheme No. 3 on 20 November 2024 for the purpose of—

- Amending Table 1—Zoning Table to modify the permissibility of a 'Grouped dwelling' in a 'Rural' zone from an 'X' use to a 'D' use.

J. STRATFORD, President.
Z. DONOVAN, Chief Executive Officer.

PL403

PLANNING AND DEVELOPMENT ACT 2005
DECLARATION OF PLANNING CONTROL AREA 183—ORRONG ROAD
REVOCATION OF PLANNING CONTROL AREA 142—ORRONG ROAD
Cities of Belmont and Canning
Town of Victoria Park

File: RLS/1156 & RLS/0841

General Description

The Minister for Planning has granted approval to the declaration for Planning Control Area 183, as shown on Western Australian Planning Commission (WAPC) plans numbered 1.8139 and 1.8140.

Notice is hereby given that the Minister for Planning has approved the revocation of Planning Control Area 142, pursuant to section 113 of the *Planning and Development Act 2005*. The land requirements associated with this land are outlined in and protected by the above declared Planning Control Area 183.

Purpose of the Planning Control Area

Planning Control Area 183 is intended to protect land identified for the Orrong Road ultimate planning design concept.

The WAPC considers that the planning control area is required over the properties to ensure that no development occurs on the land which might prejudice this purpose until it may be reserved for Primary Regional Roads purposes 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*, being 29 November 2024, or until revoked by the WAPC with approval by the Minister, whichever is sooner.

The revocation of Planning Control Area 142 is effective on and from the date of this notice in the *Government Gazette*.

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

Documents can be viewed online at the Department of Planning, Lands and Heritage's website at <https://www.wa.gov.au/government/document-collections/planning-control-areas>.

Ms SAM BOUCHER, Secretary, Western Australian Planning Commission.

PREMIER AND CABINET

PR401**INTERPRETATION ACT 1984****COMMITTAL OF ADMINISTRATION OF ACT**

It is notified for public information that on 26 November 2024, the deputy of the Governor, under the *Interpretation Act 1984* section 12(a), committed the administration of the *Keystart Act 2024* to the Minister for Housing.

N. HAGLEY, Clerk of the Executive Council.

SALARIES AND ALLOWANCES TRIBUNAL

SA401**SALARIES AND ALLOWANCES ACT 1975****REPORT OF THE SALARIES AND ALLOWANCES TRIBUNAL FOR THE REMUNERATION OF JUDGES,
DISTRICT COURT JUDGES, MASTERS OF THE SUPREME COURT, MAGISTRATES AND THE
PARLIAMENTARY INSPECTOR OF THE CORRUPTION AND CRIME COMMISSION NO. 1 OF 2024****PREAMBLE****Background**

1. Section 7 of the *Salaries and Allowances Act 1975* (the Act) requires the Salaries and Allowances Tribunal (the Tribunal) to inquire into and report to the Minister for Public Sector Management in relation to possible changes in the remuneration paid or provided to—
 - Judges
 - District Court Judges
 - Masters of the Supreme Court
 - Magistrates
 - the Parliamentary Inspector of the Corruption and Crime Commission.
2. The Act states that the Tribunal must recommend the nature and extent of any changes to remuneration, if considered necessary.
3. From 28 February 2018 to 1 July 2021, the operation of section 10E of the Act prevented the Tribunal from making a report which recommended higher remuneration for judicial office holders. While the restrictions contained in section 10E of the Act expired on 30 June 2021, the Tribunal's decisions remain subject to section 10G, which prevents the Tribunal from making a report that takes into consideration section 10E's operation by providing remuneration on the basis that it—
 - was not provided due to the operation of section 10E; or
 - accounted for any increase in the cost of living that occurred when section 10E was in effect.

Current inquiry

4. In discharging its statutory requirements with respect to the remuneration of the Judiciary, the Tribunal has—
 - considered submissions from office holders and key stakeholders
 - consulted with the Chief Justice and the Director General of the Department of Justice
 - noted key economic indicators, the financial strategy and Budget of the WA State Government and had regard to the State Wages Policy Statement
 - examined the historical and current salary relativities between judicial offices and with other jurisdictions to ensure that Western Australian salaries and conditions remain competitive
 - factored the impact on the State Budget of any potential increase including the flow-on effect to the judicial pension.

Submissions and consultations

5. In summary, some submissions requested the Tribunal provide an increase in salary for judicial office holders to—
- restore pre-2016 relativities with the Federal Court or to form new relativities between office holders
 - acknowledge changes in judicial responsibilities which have increased the complexity of work undertaken by some office holders and increased the volume of matters before the Courts
 - resolve attraction and retention issues as the Courts are competing with other jurisdictions to recruit suitably experienced applicants.
6. With respect to motor vehicles, some submissions requested—
- an increase to the value of the motor vehicle due to rising motor vehicle costs
 - changes to the whole of life lease provisions
 - removal of provisions which prohibit the use of office-based charging infrastructure for Electric Vehicles (EVs).
7. Some submissions requested the Tribunal consider providing a housing allowance for regionally based Magistrates and increase the superannuation rate for Magistrates.

Economic considerations

8. Table 1 sets out key economic indicators for the Western Australian and National economies.

Table 1—WA State and National Selected Economic Indicators 2024

Indicator	Percentage change	Annual average
Perth—Consumer Price Index—July 2024 Mth ¹	2.1%	4.6%
National—Consumer Price Index—June 2024 Qtr	1.0%	3.8%
WA—Wage Price Index—June 2024 Qtr ²	0.8%	4.2%
National—Wage Price Index—June 2024 Qtr	0.6%	4.1%
WA Total Unemployment Rate—July 2024 Mth ³	0.0%	3.7%
National Total Unemployment Rate—July 2024 Mth	0.0%	4.2%

9. In December 2023, the State Government announced the new State Wages Policy Statement. The policy does not provide a set percentage for wage negotiations, but shifts to a principle based bargaining position which focuses on—
- delivering wage increases and conditions that are reasonable in the context of each negotiation and financially sustainable
 - supporting the longer term attraction and retention of skilled public sector workers
 - initiatives supporting the commitment to direct and permanent employment as the preferred mode of employment
 - improving the operations and performance of public sector organisations
 - employment conditions that Government considers should be universal across the WA public sector.
10. While the State Wages Policy does not apply to judicial officers, the principles of bargaining have been considered in the Tribunal’s decision-making process.
11. The Tribunal has also reviewed the WA State Government 2024-25 Budget and associated Economic and Fiscal Outlook published by the State Government in May 2024⁴.

Relativities to other jurisdictions

12. Within remuneration bodies across Australia, it is broadly accepted that the remuneration provided to a Judge of the Federal Court is the benchmark for setting the remuneration of Puisne Judges of State Supreme Courts. Internal relativities within each jurisdiction’s judicial levels are set from that starting point. Of note, since 2023, due to a wages freeze, the NSW Remuneration Tribunal is legislatively restricted from providing any increases to their judiciary.
13. The Federal Remuneration Tribunal provided a 3.5% increase for the federal judiciary, effective 1 July 2024. As a number of other jurisdictions apply legislative or policy tools to automatically apply changes based on movements to the Federal Remuneration Tribunal decisions, this 3.5% increase will flow to a number of other positions. This 3.5% increase follows a 4% increase by the Federal Remuneration Tribunal in 2023.

¹ Australian Bureau of Statistics (31 July 2024) [Consumer Price Index, Australia](#)

² Western Australian Treasury Corporation (13 August 2024) [Economic Analysis Wage Price Index Q2 2024](#)

³ Australian Bureau of Statistics (July 2024) [Labour Force, Australia](#)

⁴ Government of Western Australia (May 2024) [Our State Budget 2024-25](#)

Remuneration setting and Tribunal recommendations

Judicial salaries

14. The Tribunal recommends a remuneration increase of 4% for judicial offices within this report, with an effective date of 1 December 2024.
15. The Tribunal acknowledges concerns raised in submissions regarding the attraction and retention issues within the judiciary. The remuneration increase recommended in this report makes progress in mitigating these issues while mindful of expectations set in the State's economic outlook and remuneration outcomes for public officers.
16. The Tribunal acknowledges the requests for significant salary increases and notes an increase of approximately 11% would be required to bring a Puisne Judge salary to the 105% level mentioned in submissions, reflecting 2016 inter-state relativities. As stated in paragraph 3 of this Preamble, the Tribunal is legislatively prevented from providing any salary catch up for increases that would have been provided but for the operation of section 10E.
17. While the Tribunal understands the basis for the request, not only is the Tribunal legislatively restrained from providing an 11% increase in salaries to restore this relativity, the Tribunal is also cognisant of the impact such an increase would have on salaries and the judicial pension, as they are both funded from public moneys.
18. The Tribunal has considered requests by some levels of the judiciary to modify the relativities between the levels that are currently in place. The basis for these requests is mostly centred around both an increase in work volume as well as in work value. The Tribunal has carefully reviewed the responsibilities of various levels of the judiciary and concluded that these changes are reflected across the judiciary and are accommodated within the existing relativities.
19. In 2022, the Tribunal conducted work value assessments on Supreme and District Court Registrars, benchmarked against other judicial offices. The assessment found that, while work value has generally increased for the Registrars, this has been reflected across the whole judiciary. The current relativities are supported by this assessment.

Motor vehicles

20. The Tribunal has considered requests to increase the motor vehicle benefit provided to judicial office holders. In recognition of increased costs associated with motor vehicle leases and services, the Tribunal resolved to increase the allowance by \$1,000 for all judicial offices, as well as to increase the motor vehicle benefit for part time and acting Magistrates to \$27,900.
21. The Tribunal has considered requests to change the whole of life lease provisions and remove EV charging prohibitions. In liaison with the Department of Finance and Department of Justice, the Tribunal resolved that the current provisions are appropriate, and as such, no changes have been made. However, on advice from the Department of Finance, the Tribunal agreed to make minor changes to update the wording of the motor vehicle provisions generally, to reflect the current practices and terminology.

Regional housing allowance

22. The Tribunal considered requests to provide a housing allowance for regionally based Magistrates and met with the Chief Justice and the Director General, Department of Justice regarding this matter. The Tribunal is supportive of the Department's endeavours to resolve these issues and is confident that a permanent solution will be forthcoming in the near future. The Tribunal will continue to monitor the situation going forward and will provide support to the Department if required.

Superannuation

23. The Tribunal considered a request to increase the rate of superannuation payments for Magistrates above the superannuation guarantee rate, however, this is not supported by the Tribunal.

Tabling of the Report

24. The Act requires this report to be tabled in each House of Parliament within five sitting days of the Minister for Public Sector Management receiving it. Changes to remuneration will come into force from the date specified in this report unless either House of Parliament, within 15 sitting days of the report being tabled in that House, passes a resolution disapproving the Tribunal's recommendation.
25. This report will now issue.

REPORT

This report may be cited as the Judicial Report No. 1 of 2024.

Part 1—SALARY

- 1.1 The annual salaries specified in Table 2 shall be payable to Judges, Masters and Magistrates with effect from 1 December 2024, and are inclusive of leave loading.

Table 2—Annual salaries

Position	Annual Salary
Chief Justice	\$587,569
President of the Court of Appeal	\$550,004
Senior Puisne Judge	\$525,214
Senior Judge of the Court of Appeal	\$525,214

Position	Annual Salary
Puisne Judge	\$509,701
Senior Master of the Supreme Court	\$472,421
Master of the Supreme Court	\$458,846
Chief Judge District Court	\$509,701
Senior Judge District Court	\$472,421
Judge District Court	\$458,846
Chief Magistrate	\$458,846
Deputy Chief Magistrate	\$402,349
Principal Registrar/Magistrate Supreme Court *	\$402,349
Principal Registrar/Magistrate Family Court *	\$402,349
Magistrate	\$378,750
Registrar/Magistrate Family Court*	\$378,750
Parliamentary Inspector, Corruption and Crime Commission	\$305,820

* The relevant office holders remunerated under this Part hold commissions to be Magistrates while having been given leave to hold the offices of Registrar or Principal Registrar as the case may be.

Part 2—TRAVELLING AND ACCOMMODATION ALLOWANCE

- 2.1 When an overnight stay away from home is involved, a travelling and accommodation allowance (inclusive of accommodation, meals and incidentals) shall be payable in accordance with the relevant Australian Taxation Office reasonable benefit limit applicable from time to time and where accompanied by certification that the expense was appropriately incurred.
- 2.2 If reasonably and properly incurred travelling and accommodation expenses exceed the rate specified in 2.1, then actual costs should be reimbursed. Receipts or vouchers must be provided in support of any claim for reimbursement in excess of the specified rate.
- 2.3 Claims for overnight stays in the Perth metropolitan area should be subject in each case to the approval of the relevant chief judicial officer.
- 2.4 Part payment of travelling and accommodation allowances shall apply in the following circumstances—
 - a. when the Judge, Master or Magistrate is accommodated in private, non-commercial accommodation, such as the home of a family member or friend, a rate of one third of the specified rate shall be payable
 - b. when the cost of commercial accommodation is met by an entity other than the Judge, Master or Magistrate, an allowance shall be payable in accordance with the relevant Australian Taxation Office reasonable benefit limit for meals and incidentals applicable from time to time and where accompanied by certification that the expense was appropriately incurred
 - c. when in the case of commercial accommodation referred to in 2.4.b above, the cost of a meal or meals is met by an entity other than the Judge, Master or Magistrate, the amount of travelling allowance shall be reduced by the relevant amount(s) referred to in the preceding paragraph.

Part 3—MOTOR VEHICLES

- 3.1 The following arrangements apply or continue to apply, as the case may be, to each Judge, Master and full-time Magistrate for the provision of a fully maintained motor vehicle for business and private use.
- 3.2 All vehicles (being part of the Government-owned State Fleet) should be managed in accordance with the policies and conditions established and amended from time to time by the Department of Finance (the agency responsible for the State Fleet). Applicable terms and conditions are currently set out in the document “State Fleet—General Agreement”.
- 3.3 Selection of appropriate vehicles should be subject to consultation between the Department of Justice (as the administering agency responsible for managing the leasing arrangements for vehicles provided to Judges, Masters and full-time Magistrates) and the relevant Court. Although the cost of vehicles is centrally funded, as a consequence of it being a benefit recommended under the Act, the area remains an administrative responsibility of the Department to manage in a cost-effective manner.
- 3.4 In providing for the use of a motor vehicle under this arrangement, the Tribunal requires that office holders and the Department will take account of the following principles established by the Tribunal. The provision of a motor vehicle should—
 - a. meet the operational conveyance needs of the Judiciary
 - b. provide for adequate safety and security of judicial office holders
 - c. be representative of fair value and benefit
 - d. be supportive of the efficient, effective and ethical use of State resources
 - e. be consistent with current principles of environmental sustainability, in particular, fuel efficiency and government emissions targets
 - f. although private use of a vehicle is permitted, personal preference in choice of a motor vehicle should be consistent with the above principles.

- 3.5 For the purposes of determining the annual whole of life cost of the motor vehicle lease relative to the value of the relevant benefit set out in this determination, the lease value shall be based on the whole of life lease over a minimum of two years/40,000 kilometres. The annual whole of life costs and term will be determined at the time of ordering the motor vehicle and will be inclusive of the cost and installation of accessories, as well as removal costs if required, before disposal of the vehicle.
- 3.6 The notional lease value must include the lease cost (based on nominated lifespan and kilometres), Fringe Benefits Tax (FBT) and all other operating costs. The formula to be adopted in valuing the motor vehicle is outlined in Table 3.

Table 3—Whole of life cost of a motor vehicle formula

L + R + aD + FBT + I + LCT, where		
L	=	Lease payments
R	=	Registration costs
a	=	Running cost per kilometre
D	=	Nominated annual kilometres
FBT	=	Fringe Benefits Tax
I	=	Insurance
LCT	=	Luxury car tax

- 3.7 FBT is costed at applicable Australian Taxation Office rates. FBT is costed at purchase price (including GST) x statutory fraction x gross up (2.0802) x FBT rate (0.470).
- 3.8 FBT Exempt Agencies: Where an organisation is exempt from FBT in accordance with Commonwealth legislation, a notional amount equal to the standard FBT must be added to the cost of the benefit.
- 3.9 Motor vehicles leased for judicial office holders shall not be changed prior to the expiration of the lease unless it is for operational reasons approved by the relevant chief judicial officer in consultation with the department.
- 3.10 Office holders who choose to lease an electric vehicle (EV) need to be aware that the costs associated with re-fuelling an electric vehicle are not included in published annual operating costs. Government agencies will therefore bear no costs associated with refuelling SAT-leased EV's. Office holders will be responsible for making their own arrangements for at-home EV charging infrastructure and energy costs. Office holders may not utilise office-based charging infrastructure nor agency-provided recharging cards to refuel SAT vehicles.
- 3.11 Judges, Masters, and full-time Magistrates may choose any vehicle and accessories in the Common Use Contract or an "off contract" vehicle and accessories available under Government leasing arrangements, the total cost of which does not exceed the relevant benefit determined in this report. Where the annual whole of life cost of a vehicle and accessories is greater than the relevant benefit, the difference in cost is to be subtracted fortnightly from the office holder's salary. Salary adjustments are fixed once the office holder commits to a vehicle model and accessory package—regardless of any fluctuations in whole of life costs occurring up to, and post delivery. However, in the event the office holder elects to amend the vehicle lease term (including lease extensions or increased lease kilometres), a salary adjustment review (taking into account the revised whole of life costs) must be undertaken and applied. Vehicle leases must be aligned to actual usage.
- 3.12 In the event a judicial office holder's motor vehicle requires modifications to cater for a disability, resulting in total vehicle costs higher than the notional lease values specified in Parts 3.11 to 3.13, then the reasonable additional cost may be approved by the relevant chief judicial officer in consultation with the department.
- 3.13 In order to contain additional administrative costs associated with "off contract" leases, office holders may request cost quotations for not more than three vehicles outside the Government's Common User Contract for motor vehicles, in the process of selecting a vehicle under this arrangement.
- 3.14 Each actual lease should be tailored to achieve the most cost-effective arrangement based on individual usage patterns.
- 3.15 Use of an off-road vehicle must be substantiated by operational need and must be approved by the chief judicial officer. Off-road vehicles shall be of a standard, the cost of which does not exceed the whole of life notional lease value of the Toyota Prado GXL Auto 3.0 litre Turbo Diesel fitted with "roo" bar (air bag compliant) or the relevant benefit specified in Parts 3.11 to 3.13, whichever is higher. This includes the purchase cost of other essential accessories approved by the relevant chief judicial officer.
- 3.16 While the vehicle may be used anywhere in Western Australia at no cost to the individual, if the vehicle is driven interstate, the individual is liable for the cost of fuel and oil while interstate. Furthermore, if used outside of Western Australia, the custodian must be in the vehicle at all times that it is being used. However, for the Magistrate residing in Kununurra, use of the government-provided vehicle is permitted to and from the Northern Territory for periods of usage up to seven days under the same conditions as if the vehicle were in Western Australia. Under the State Fleet—General Agreement, other office holders are required to seek approval from State Fleet for travel outside Western Australia for periods of seven days or more.
- 3.17 Office holders are entitled to the provision of a vehicle with an annual whole of life cost for the vehicle (including accessories) as stated in table 4.

Table 4—Motor vehicle benefit

Position	Annual Benefit
Chief Justice	\$29,000
Judges, Masters and the Chief Magistrate	\$28,500
Full time Magistrates	\$27,900

3.18 When a Magistrate is employed on a part time basis, or an Acting Magistrate is employed for less than two years, the pro rata amount as stated in table 5 should be added to their remuneration in lieu of a motor vehicle.

Table 5—Pro-rata motor vehicle annual benefit

Position	Pro rata Annual Benefit
Part time Magistrates	\$27,900
Acting Magistrates	\$27,900

Signed on 4 October 2024.

E Prof M. SEARES AO
Chair

Hon. J. DAY
Member
Salaries and Allowances Tribunal

Dr M. SCHAPER
Member

SA402

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION OF THE REMUNERATION OF SENIOR AND ORDINARY MEMBERS OF THE STATE ADMINISTRATIVE TRIBUNAL NO. 1 OF 2024

PREAMBLE

- The Salaries and Allowances Tribunal (“Tribunal”) issues this Determination pursuant to section 6(1)(e) of the *Salaries and Allowances Act 1975* (“the Act”).
- In accordance with section 10A, this Determination is issued following consideration of the—
 - Public Sector Wages Policy Statement* issued on 18 December 2023; and
 - financial position and fiscal strategy of the State, as stated in the *Western Australia State Budget 2024-25 Economic and Fiscal Outlook*.

CURRENT INQUIRY

- In discharging the Tribunal’s statutory requirements with respect to Members of the State Administrative Tribunal, submissions were invited from stakeholders and office holders.
- The submissions received sought to maintain current relativities and raised matters relating to the motor vehicle entitlement.

SUMMARY OF DETERMINATION

- The Tribunal has determined a 4% increase in the remuneration for Senior and Ordinary Members of the State Administrative Tribunal, in line with other office holders within the judicial and quasi-judicial sphere.
- The Tribunal has also increased the value of the motor vehicle allowance by \$1,000 in recognition of increased costs associated with motor vehicle leases and services. In increasing this allowance, the Tribunal has decided to not create a higher level of allowance for Senior Members.
- The motor vehicle section has also been updated to reflect current practices and terminology.
- The Determination will now issue.

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION OF THE REMUNERATION OF SENIOR AND ORDINARY MEMBERS OF THE STATE ADMINISTRATIVE TRIBUNAL NO. 1 OF 2024

DETERMINATION

PART 1—INTRODUCTORY MATTERS

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

1.1 Short Title

This Determination may be cited as the *Senior and Ordinary Members of the State Administrative Tribunal Determination No. 1 of 2024*.

1.2 Commencement

This Determination comes into operation on 1 December 2024.

1.3 Content and intent

- (1) This Determination provides for the salary, allowances and other benefits to be paid, provided or reimbursed to holders of offices of the State Administrative Tribunal prescribed for the purposes of section 6(1)(e) of the *Salaries and Allowances Act 1975* (the Act).
- (2) The offices to which this Determination applies are the Senior and Ordinary Members of the State Administrative Tribunal as prescribed in regulation 3 of the *Salaries and Allowances Regulations 1975*.

1.4 Terms used

In this Determination, unless the contrary intention appears—

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

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

1.5 Conditions of service

- (1) Pursuant to section 119(4) of the *State Administrative Tribunal Act 2004* the Governor may determine the leave of absence to which a Senior or an Ordinary Member is entitled and any other terms and conditions of service as a Senior or an Ordinary Member.
- (2) To the extent that conditions of service affect remuneration (e.g. paid leave of absence), a Senior and an Ordinary Member are entitled to the same terms and conditions as contained in the *Public Service Award 1992* and the *Public Sector CSA Agreement 2022 (or its replacement)*. When there is any inconsistency between the remuneration payable under this Determination and as determined by the Governor under section 119(1) of the *State Administrative Tribunal Act 2004*, the remuneration specified in this Determination shall prevail to the extent of the inconsistency.
- (3) In accordance with section 119(3) of the *State Administrative Tribunal Act 2004*, the emoluments and benefits to which a Senior and an Ordinary Member are entitled cannot, during the member's term of office, be changed to be less favourable without the member's consent.

1.6 Salary Packaging

A Senior and an Ordinary Member are entitled to participate in salary packaging arrangements for superannuation and novated leases in accordance with the "Guidelines for Salary Packaging in the WA Public Sector", issued by the Department of Energy, Mines, Industry Regulation and Safety.

PART 2—SALARY

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

2.1 General

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

2.2 Offices and salaries

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

Table 1—Annual salaries payable to Senior and Ordinary Members

OFFICE	ANNUAL SALARY
Senior Member	\$378,750
Ordinary Member	\$321,938

PART 3—MOTOR VEHICLE BENEFITS

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

3.1 General

- (1) In addition to the salary determined for Members listed in Part 2 of this Determination, those Members are entitled to an allowance which may be taken as cash with salary or may be utilised to access a motor vehicle for private use leased through State Fleet.
- (2) All vehicles (being part of the Government-owned State Fleet) should be managed in accordance with the policies and conditions established and amended from time to time by the Department of Finance (the Agency responsible for the State Fleet). Applicable terms and conditions are currently set out in the document "State Fleet—General Agreement".
- (3) Members who choose to lease an Electric Vehicle (EV) need to be aware that the costs associated with re-fuelling an electric vehicle are not included in published annual operating costs. Government agencies will therefore bear no costs associated with refuelling SAT-leased EVs. Members will be responsible for making their own arrangements for at-home EV charging infrastructure and energy costs. Members may not utilise office-based charging infrastructure nor agency-provided recharging cards to refuel SAT vehicles.

- (4) An individual accessing a vehicle under this Part shall take due care of the condition and security of the vehicle. This includes responsibility for regular servicing and maintenance at Government expense according to the manufacturer's recommended specifications, and making arrangements for off-street parking at home, whenever practicable, with appropriate security precautions at all times. Theft or damage should be reported to the agency Fleet Coordinator.
- (5) Motor vehicles leased for Members under this Determination or a previous Determination of the Tribunal shall not be changed or cash in lieu taken prior to the expiration of the lease.
- (6) While the vehicle may be used anywhere in Western Australia at no cost to the individual, the individual is liable for the cost of fuel and oil incurred when driving interstate. Furthermore, if used outside of Western Australia, the custodian must be in the vehicle at all times that it is being used.
- (7) Should the Member choose not to use the vehicle supplied through State Fleet for business, or for travelling to and from work, but allows and authorises the vehicle to be used for private use during business hours by another family member or person, they are not entitled to access another government vehicle for private use, including transport to and from work.
- (8) Should the Member choose to take cash in lieu of a motor vehicle supplied through State Fleet, it is not the Tribunal's intent that this should result in additional government expense or an increase in the government fleet to provide transport for the Member during business hours. Members are not entitled to claim mileage allowance for use of private vehicles for work purposes. Neither are they entitled to access another government vehicle for their business or personal use including transport to and from work.

3.2 Annualised whole of life cost of the vehicle and the cost to the Member

- (1) The annual whole of life cost for the vehicle (including accessories) shall be \$26,000.
- (2) The annual whole of life cost for the vehicle shall be calculated on a pro rata basis in accordance with the proportion of full-time hours worked by a Member.
- (3) The annual whole of life cost for the vehicle determined in this section must be borne by the Member. This includes the purchase cost of any accessories, including installation and removal costs if required, before disposal of the vehicle.
- (4) When the annual whole of life cost for the vehicle in accordance with this Determination is less than the relevant motor vehicle benefit determined in this section, the difference in the cost to Government is to be paid fortnightly as part of the Member's remuneration.
- (5) Where the annual whole of life cost of a vehicle and accessories is greater than the relevant benefit, the difference in cost is to be subtracted fortnightly from the Member's remuneration. Salary adjustments are fixed once the Member commits to a vehicle model and accessory package—regardless of any fluctuations in whole of life costs occurring up to, and post delivery. However, in the event the Member elects to amend the vehicle lease term (including lease extensions or increased lease kilometres), a salary adjustment review (taking into account the revised whole of life costs) must be undertaken and applied. Vehicle leases must be aligned to actual usage.
- (6) The method of determining whether an additional contribution must be made by the Member, or the surplus is to be paid to the Member, shall be based on the annual whole of life cost of the vehicle to the Government of the vehicle sought (using the formula detailed below), compared with the relevant whole of life cost allowance. The cost at the time of entering into the lease is applicable.
- (7) In the event a Member's vehicle requires modifications to cater for a disability, resulting in the annual whole of life cost of the vehicle higher than the annual whole of life cost allowance specified in 3.2(1), then the reasonable additional cost may be approved by the President of the State Administrative Tribunal in consultation with the Department of Justice.
- (8) The whole of life cost of the vehicle must include lease cost (based on nominated lifespan and kilometres), Fringe Benefits Tax (FBT) and all other operating costs. The formula to be adopted in valuing the motor vehicle is:

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

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

- (9) FBT is costed at applicable Australian Taxation Office rates: purchase price (including GST) x Statutory fraction x Gross up (2.0802) x FBT rate (0.470).
- (10) Each lease should be tailored to achieve the most cost-effective arrangement based on individual usage.

3.3 Choice of Motor Vehicle

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

- (2) Members unable to access their choice of vehicle within the scope of the arrangements set out in this Determination should elect to make their own arrangements to meet their personal transport needs.

3.4 Cash Value of the Motor Vehicle Allowance

- (1) Where the Members elect not to be provided with a motor vehicle through State Fleet, they are entitled to the cash value being paid fortnightly as additional remuneration. The relevant cash value is \$26,000 per annum.
- (2) The cash value of the motor vehicle allowance shall be calculated on a pro rata basis in accordance with the proportion of full-time hours worked by a Member.

Signed on 4 October 2024.

E Prof M. SEARES AO
Chair

Hon. J. DAY
Member

Dr M. SCHAPER
Member

Salaries and Allowances Tribunal

SA403

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION OF THE REMUNERATION OF COMMISSIONERS OF THE WESTERN AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION NO. 1 OF 2024

PREAMBLE

- The Salaries and Allowances Tribunal (Tribunal) issues this Determination pursuant to section 6(1)(e) of the *Salaries and Allowances Act 1975* (the Act).
- In accordance with section 10A, this Determination has considered the—
 - *Public Sector Wages Policy Statement* issued on 18 December 2023; and
 - financial position and fiscal strategy of the State, as stated in the *Western Australia State Budget 2024-25 Economic and Fiscal Outlook*.

CURRENT INQUIRY

- In discharging the Tribunal's statutory requirements with respect to Commissioners of the Western Australian Industrial Relations Commission, submissions were invited from stakeholders and office holders.
- The Tribunal received submissions requested that existing relativities between office holders within the State's judicial and quasi-judicial system be maintained.

SUMMARY OF DETERMINATION

- The Tribunal has determined a 4% increase in the remuneration for Commissioners of the Western Australian Industrial Relations Commission, in line with other office holders within the judicial and quasi-judicial sphere.
- The Tribunal has also increased the value of the motor vehicle allowance by \$1,000 in recognition of increased costs associated with motor vehicle leases and services. The motor vehicle section has also been updated to reflect current practices and terminology.
- The Determination will now issue.

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION OF THE REMUNERATION OF COMMISSIONERS OF THE WESTERN AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION NO. 1 OF 2024

DETERMINATION

PART 1—INTRODUCTORY MATTERS

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

1.1 Short Title

This Determination may be cited as the *Commissioners of the Western Australian Industrial Relations Commission Determination No. 1 of 2024*.

1.2 Commencement

This Determination comes into operation on 1 December 2024.

1.3 Content and intent

- This Determination provides for the salary, allowances and other benefits to be paid, provided or reimbursed to holders of offices of the Western Australian Industrial Relations Commission ('the Commission') prescribed for the purposes of section 6(1)(e) of the *Salaries and Allowances Act 1975* (the Act).
- The offices to which this Determination applies are the offices of the members of the Commission, other than the President, as prescribed in section 20(2) of the *Industrial Relations Act 1979*.

1.4 Terms used

In this Determination, unless the contrary intention appears—

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

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

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

1.5 Conditions of service

- (1) Pursuant to section 20(10) of the *Industrial Relations Act 1979*, a Chief Commissioner, Senior Commissioner and Commissioner have a right to paid leave of absence, and to lump sum payments on ceasing to hold office for the money equivalent of leave of absence, which shall not be less than those applicable to a permanent public office under the *Public Sector Management Act 1994*.
- (2) To the extent that conditions of service affect remuneration (e.g. paid leave of absence), a Chief Commissioner, Senior Commissioner and Commissioner are entitled to the same terms and conditions as contained in the *Public Service Award 1992* and the *Public Sector CSA Agreement 2022* (or its replacement). When there is any inconsistency between the remuneration payable under this Determination and the terms of the *Public Service Award 1992* and the *Public Sector CSA Agreement 2022* (or its replacement), the remuneration specified in this Determination shall prevail to the extent of any inconsistency.

1.6 Salary Packaging

A Chief Commissioner, Senior Commissioner and Commissioner are entitled to participate in salary packaging arrangements for superannuation and novated leases in accordance with the “Guidelines for Salary Packaging in the WA Public Sector” issued by the Department of Energy, Mines, Industry Regulation and Safety.

PART 2—SALARY

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

2.1 General

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

2.2 Offices and salaries

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

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

OFFICE	ANNUAL SALARY
Chief Commissioner	\$420,831
Senior Commissioner	\$399,790
Commissioner	\$378,750

PART 3—MOTOR VEHICLE BENEFITS

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

3.1 General

- (1) In addition to the salary determined for the Commissioners listed in Part 2 of this Determination, those Commissioners are entitled to an allowance which may be taken as cash with salary or may be utilised to access a motor vehicle for private use leased through State Fleet.
- (2) All vehicles (being part of the Government-owned State Fleet) should be managed in accordance with the policies and conditions established and amended from time to time by the Department of Finance (the Agency responsible for the State Fleet). Applicable terms and conditions are currently set out in the document “State Fleet—General Agreement”.
- (3) Commissioners who choose to lease an Electric Vehicle (EV) need to be aware that the costs associated with re-fuelling an electric vehicle are not included in published annual operating costs. Government agencies will therefore bear no costs associated with refuelling SAT-leased EV’s. Commissioners will be responsible for making their own arrangements for at-home EV charging infrastructure and energy costs. Commissioners may not utilise office-based charging infrastructure nor agency-provided recharging cards to refuel SAT vehicles.
- (4) An individual accessing a vehicle under this Part shall take due care of the condition and security of the vehicle. This includes responsibility for regular servicing and maintenance at government expense according to the manufacturer’s recommended specifications, and making arrangements for off-street parking at home, whenever practicable, with appropriate security precautions at all times. Theft or damage should be reported to the agency Fleet Coordinator.

- (5) Motor vehicles leased for Commissioners under this Determination or a previous Determination of the Tribunal shall not be changed or cash in lieu taken prior to the expiration of the lease.
- (6) While the vehicle may be used anywhere in Western Australia at no cost to the individual, the individual is liable for the cost of fuel and oil incurred when driving interstate. Furthermore, if used outside of Western Australia, the custodian must be in the vehicle at all times that it is being used.
- (7) Should the Commissioner choose not to use the vehicle supplied through State Fleet for business, or for travelling to and from work, but allows and authorises the vehicle to be used for private use during business hours by another family member or person, they are not entitled to access another government vehicle for private use, including transport to and from work.
- (8) Should the Commissioner choose to take cash in lieu of a motor vehicle supplied through State Fleet, it is not the Tribunal's intent that this should result in additional government expense or an increase in the government fleet to provide transport for the Commissioners during business hours. Commissioners are not entitled to claim mileage allowance for use of private vehicles for work purposes. Neither are they entitled to access another government vehicle for their business or personal use including transport to and from work.

3.2 Annualised whole of life cost of the vehicle and the cost to the Commissioners

- (1) The annual whole of life cost of the vehicle (including accessories) shall be—

Table 2—Notional value of motor vehicle lease

OFFICE	NOTIONAL VALUE OF THE LEASE
Chief Commissioner	\$28,500 p.a.
Senior Commissioner	\$27,900 p.a.
Commissioner	\$27,900 p.a.

- (2) The annual whole of life cost of the vehicle shall be calculated on a pro-rata basis in accordance with the proportion of full-time hours worked by a Commissioner.
- (3) The annual whole of life cost of the vehicle determined in this section must be borne by the Commissioner. This includes the purchase cost of any accessories, including installation and removal costs if required, before disposal of the vehicle.
- (4) When the annual whole of life cost of the vehicle in accordance with this Determination is less than the relevant motor vehicle benefit determined in this section, the difference in the cost to Government is to be paid fortnightly as part of the Commissioner's remuneration.
- (5) Where the annual whole of life cost of a vehicle and accessories is greater than the relevant benefit, the difference in cost is to be subtracted fortnightly from the Commissioner's remuneration. Salary adjustments are fixed once the Commissioner commits to a vehicle model and accessory package—regardless of any fluctuations in whole of life costs occurring up to, and post delivery. However, in the event the Commissioner elects to amend the vehicle lease term (including lease extensions or increased lease kilometres), a salary adjustment review (taking into account the revised whole of life costs) must be undertaken and applied. Vehicle leases must be aligned to actual usage.
- (6) The method of determining whether an additional contribution must be made by the Commissioner or the surplus is to be paid to the Commissioner, shall be based on the annual whole of life cost of the vehicle to the Government of the vehicle sought (using the formula detailed below), compared with the annual whole of life cost allowance. The cost at the time of entering into the lease is applicable.
- (7) In the event a Commissioner's vehicle requires modifications to cater for a disability, resulting in the annual whole of life cost of the vehicle higher than the annual whole of life cost allowance specified in 3.2(1), then the reasonable additional cost may be approved by the Chief Commissioner, in consultation with the Department of the Registrar, Western Australian Industrial Relations Commission.
- (8) The whole of life costs of the vehicle must include lease cost (based on nominated lifespan and kilometres), Fringe Benefits Tax (FBT) and all other operating costs. The formula to be adopted in valuing the motor vehicle is:

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

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

- (9) FBT is costed at applicable Australian Taxation Office rates: purchase price (including GST) x Statutory fraction x Gross up (2.0802) x FBT rate (0.470).
- (10) Each lease should be tailored to achieve the most cost-effective arrangement based on individual usage.

3.3 Choice of Motor Vehicle

- (1) When Commissioners elect to access a leased vehicle under State Fleet arrangements, they may choose any vehicle and accessories in the relevant Western Australian Government Common Use Arrangement or an “off contract” vehicle and accessories available under Government leasing arrangements in accordance with the following criteria.
- (3) Commissioners unable to access their choice of vehicle within the scope of the arrangements set out in this Determination should elect to make their own arrangements to meet their personal transport needs.

3.4 Cash Value of the Motor Vehicle Allowance

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

Table 3—Cash Value of a Motor Vehicle

OFFICE	NOTIONAL VALUE OF THE LEASE
Chief Commissioner	\$28,500 p.a.
Senior Commissioner	\$27,900 p.a.
Commissioner	\$27,900 p.a.

- (2) The cash value of the motor vehicle allowance shall be calculated on a pro rata basis in accordance with the proportion of full-time hours worked by a Commissioner.
- (3) A Gold State member electing to take a motor vehicle or the cash equivalent in lieu of a motor vehicle is not entitled to have either amount included for superannuation purposes.
- (4) A West State or GESB Super member electing to take a vehicle does not have the cash value of that vehicle included for superannuation. However, if the Commissioner elects to take a cash equivalent in lieu of a motor vehicle then this amount is included for the purposes of superannuation.

PART 4—TRAVELLING AND ACCOMMODATION ALLOWANCE

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

4.1 General

- (1) A Chief Commissioner, Senior Commissioner and Commissioner shall be entitled to claim a travelling and accommodation allowance or reimbursement as specified in this Part while travelling on official business.
- (2) Claims for overnight stays in the Perth metropolitan area shall be subject in each case to the approval of the Chief Commissioner.

4.2 Allowance or reimbursement payable

- (1) When an overnight stay away from home is involved, a travelling and accommodation allowance (inclusive of accommodation, meals and incidentals) shall be payable in accordance with the Australian Taxation Office’s reasonable benefit limit rates for the relevant financial year as specified in the ATO’s Taxation Determination and when accompanied by certification that the expense was appropriately incurred.
- (2) If the reasonably and properly incurred travelling and accommodation expenses exceed the abovementioned specified rates, the actual costs should be reimbursed. Receipts or vouchers must be provided in support of any claim for reimbursement in excess of the specified rate.
- (3) Part payment of travelling and accommodation allowances shall apply in the following circumstances—
 - (a) When the Chief Commissioner, Senior Commissioner or Commissioner is accommodated in private, non-commercial accommodation, such as the home of a family member or friend, a rate of one third of the specified rate shall be payable.
 - (b) When the cost of commercial accommodation is met by an entity other than the Chief Commissioner, Senior Commissioner or Commissioner, an allowance shall be payable in accordance with the Australian Taxation Office’s reasonable benefit limit rates for the relevant financial year as specified in the ATO’s Taxation Determination for meals and incidentals when accompanied by certification that the expense was appropriately incurred.
 - (c) When in the case of commercial accommodation referred to in sub section (b) above, the cost of a meal or meals is met by an entity other than the Chief Commissioner, Senior Commissioner or Commissioner, the amount of travelling allowance shall be reduced by the relevant amount or amounts referred to in the preceding paragraph.

Signed on 4 October 2024.

E Prof M. SEARES AO
Chair

Hon. J. DAY
Member

Dr M. SCHAPER
Member

Salaries and Allowances Tribunal

PUBLIC NOTICES

ZZ401**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Victor Charles Cook, late of 17 Falcon Street, Rockingham, 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 or before 24/04/2023, are required by the Personal Representatives Arthur Stanley Cook and Trevor John Cook, of care of Futureproof Co, T2/152 Great Eastern Highway, Ascot WA 6104 to send particulars of their claims to them by the date one month from the publication date after which date the Personal Representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

ZZ402**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Estate of Rodney Charles Sinclair, late of 3 Guinivere Way, Camillo, 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 13 August 2024, are required by the Executor, Richelle Sinclair c/- Suite 8, 3 Barker Ave Como, Western Australia 6152 to send particulars of their claims to her by one month from the date of publication hereof after which date the Executor may convey or distribute the assets of the estate, having regard only to the claims of which she then has notice.

ZZ403**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Estate of the late Daphne Marie Tye of 36 Talbot Avenue, Como, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* (WA) relates), in respect of the estate of the deceased, who died on 11th July 2024 are requested by the Executor, care of Practical Edge Legal PO Box 200 Osborne Park, Western Australia 6917, to send particulars of their claims to the Executor at the above address, within one month from the date on which this notice is published, after which date the Executor may convey or distribute the assets of the estate, having regard only to the claims of which she then has notice.

ZZ404**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* and amendments thereto relate) in respect of the estates of the undermentioned deceased persons are required by the personal representatives care of Messrs Jackson McDonald, Level 17, 225 St Georges Terrace, Perth, Western Australia 6000 (GPO Box M971 Perth, Western Australia 6843) to send particulars of their claims to them within one month from the date of publication of this notice at the expiration of which time the personal representatives may convey or distribute the assets having regard only to the claims of which they have then had notice—

Patricia Dawn New, deceased, late of 3A Johnson Parade, Mosman Park, Western Australia, who died on 5 April 2024; and

Jill Hocking, deceased, late of 1 Shenton Road, Claremont, Western Australia, who died on 9 August 2024.

ZZ405**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Doris May Hill, late of 67 Mermaid Avenue, Emu Point, 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 said deceased person who died on 24 April 2024 are required by the Executor of the deceased's estate being Peter David John Hill, care of Bechelet & Co, 1/34 The Crescent, Midland, Western Australia, to send particulars of their claims to him within one month of publication of this advertisement, after which date the Executor may convey or distribute the assets having regard only to the claims of which he then has notice.

ZZ406**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Johannes Cornelis Affourtit, late of 24 Red Poll Court Lower Chittering Western Australia, Boilermaker/Welder, 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 28th March 2024, are required by the Executor of the estate, Sonia Affourtit of 3b Boyce Road Balcatta to send particulars of their claims to her within 1 month of publication of this Notice after which date the Executor may convey or distribute the assets having regard only to the claims of which she then has notice.

ZZ407**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

June Lilian Broughall (also known as June Lillian Broughall) late of 13 Placid Waters Parade, Coodanup, in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* (WA) relates) in respect of the Estate of the deceased, who died on 25 November 2019, are required by the Executor Craig Alan Gregson, to send the particulars of their claims care of Gregson & Associates PO Box Z5017 St Georges Terrace, Perth WA 6831 on or before 30 days 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 he then has notice.

ZZ408**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

In the Matter of the Estate of Russell Wayne Perrin, late of 100 Brookside Lane, Parkerville in the State of Western Australia, deceased.

Creditors and other persons having claims to which Section 63 of the *Trustees Act 1962* relate in respect of the Estate of the deceased, who died on the 16th day of December 2019, are required by the Administrator, Daniel Stuart Perrin to send the particulars of their claim to Messrs Taylor Smart of Unit 18, Level 2, 100 Railway Road, Subiaco in the State of Western Australia, by the 3rd day of January 2025, after which date the said Administrator may convey or distribute the assets, having regard only to the claims of which they then have had notice.

Dated the 27th day of November 2024.

PETER A. NEVIN, Taylor Smart.

ZZ409

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 30 December 2024 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Burns, Kenneth Henry (also known as Kenny Burns), late of Horizon Housing Realty, Unit 3, 104 Burges Street, Beachlands, who died on 3 August 2024 (PM33082553 EM28).

Rayner, Allen Leonard, late of Emerald Life Aged Care Home, 78 Kimberley Street, West Leederville, who died on 25 October 2024 (DE19780205 EM36).

Read, Terence Michael, late of 5 Kemp Place, Rivervale, who died on 16 December 2023 (PM33187005 EM27).

Ryan, Donald Colin (also known as Colin Ryan or Bushy Ryan), late of Mertome Aged Care and Retirement Village, 30 Winifred Road, Bayswater, who died on 11 October 2024 (DE33183365 EM14).

Salmon, Jennifer Patsy, late of 21 Hamilton Street, Bassendean, who died on 21 October 2024 (DE33073334 EM26).

Taylor-Vernon, Ruth Milverton (also known as Ruth Taylor-Vernon), late of Nazareth Care, Nazareth House, 17 Crowther Street, Bluff Point, who died on 3 September 2024 (DE19671850 EM24).

Webster, Jeffrey Neville, late of Unit 22, 35 Barfield Road, Hammond Park, who died on 11 October 2024 (DE33209787 EM32).

Willoughby, Olwyn Dell, late of 12B Hicks Way, Hillarys, who died on 1 September 2024 (DE19891836 EM22).

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