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Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically.

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- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper.
- Copy must be lodged with the Publications Officer, Department of the Premier and Cabinet no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition)—

Email address:

gazette@dpc.wa.gov.au

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- Enquiries regarding payment of notices can be directed to (08) 6552 6000 or sales@dpc.wa.gov.au
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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2023 AND NEW YEAR HOLIDAY PERIOD 2024

Publishing Dates	Closing Dates and Times for copy
Tuesday, 19 December 2023	Friday, 15 December 2023 at 12 noon
Friday, 22 December 2023	Wednesday, 20 December 2023 at 12 noon
Friday, 29 December 2023	Wednesday, 27 December 2023 at 12 noon

The Government Gazette will not be published on

Tuesday 26 December 2023

Tuesday 2 January 2024

The next edition will be published on Friday 5 January 2024 and copy will close 12 noon Wednesday 3 January 2024

CONSUMER PROTECTION

CP401

CO-OPERATIVES ACT 2009PROPOSED VOLUNTARY DEREGISTRATION PURSUANT TO THE APPLIED PROVISION OF SECTION 601AA OF THE *CORPORATIONS ACT 2001*

[Section 315]

SF Irrigation Co-operative Limited—C2017001A

Notice

The Registrar of Co-operatives (Registrar) proposes to deregister the above-named Co-operative under section 315 of the *Co-operatives Act 2009*.

The Registrar may deregister the Co-operative when two months have passed since publication of this Notice.

Signed by—

PATRICIA BLAKE, Registrar of Co-operatives.

Dated 01 October 2023.

ENERGY

EN401

ELECTRICITY INDUSTRY ACT 2004**ELECTRICITY INDUSTRY (WHOLESALE ELECTRICITY MARKET) REGULATIONS 2004**

WHOLESALE ELECTRICITY MARKET RULES

Market Rules made by the Minister for Energy.

I, Mr Bill Johnston, Minister for Energy for the State of Western Australia hereby give notice of market rules made in accordance with regulation 7(5) of the *Electricity Industry (Wholesale Electricity Market) Regulations 2004*.

These market rules may be cited as the *Wholesale Electricity Market Amendment (FCESS Shortfall Pricing) Rules 2023* and are to commence at 8:00 AM (WST) on 3 November 2023.

A copy of the *Wholesale Electricity Market Amendment (FCESS Shortfall Pricing) Rules 2023* is available on the website of the Coordinator for Energy at [<https://www.wa.gov.au/organisation/energy-policy-wa/past-wem-rule-changes>].

Dated at Perth this 1st day of November 2023.

Hon. BILL JOHNSTON, MLA, Minister for Energy.

FIRE AND EMERGENCY SERVICES

FE401

BUSH FIRES ACT 1954

FIRE WEATHER OFFICER APPOINTMENT (SECTION 38)

Department of Fire and Emergency Services.

Correspondence No. D18026

Fire Weather Officers

The following persons have been appointed as Fire Weather Officer for the Shire of Mt Marshall in accordance with the *Bush Fires Act 1954*—

- Brett Clark—Fire Weather Officer (North—*that portion of the Shire north of the northern boundary of Burakin-Wialki Road and Wialki North East Road*)
- Damien Clark—Fire Weather Officer (South—*the remainder of the Shire after excluding the North Zone*)

All previous appointments of Fire Weather Officers for the Shire of Mt Marshall are hereby cancelled.

Dated 30th October 2023.

DARREN KLEMM AFSM, FES Commissioner.

FISHERIES

FI401

FISH RESOURCES MANAGEMENT ACT 1994
PROHIBITION ON FISHING (WIRE TRACE) AMENDMENT ORDER 2023

[A6139]

Made by the Minister under section 43.

1. CitationThis instrument is the *Prohibition on Fishing (Wire Trace) Amendment Order 2023*.**2. Order amended**This instrument amends the *Prohibition on Fishing (Wire Trace) Order 2022*.**3. Schedule replaced**

Delete the Schedule to the Order and insert—

Schedule

All Western Australian waters extending 800 metres seaward of the high-water mark on the mainland between 31° 27.314' south latitude and 32° 40.088' south latitude; the waters of the Dawesville Channel up to the Port Bouvard bridge (excluding tributaries); the waters of the Mandurah Estuary up to the Mandurah Estuary Bridge (excluding tributaries); and the waters of the Swan and Canning Rivers (including tributaries).

Dated 23rd of October 2023.

Hon. DON PUNCH, MLA, Minister for Fisheries.

LANDS

LA401

TRANSFER OF LAND ACT 1893
APPLICATION O840654

Take notice that Monochorum Ltd (ACN 151 647 728) have made application to be registered under the Act as proprietors of an estate in fee simple in possession in the land situated at New Norcia, being Lot 76 (Melbourne Location 76) on DP228008 containing 24.8882ha more or less, being the land described in EC2185 and comprised in Memorial Book XXXI-17.

All persons other than the applicant claiming any estate right title or interest in the above land and desiring to object to the application are required to lodge with Landgate on or before 1 December 2023 a caveat forbidding the land being brought under the operation of the Act.

BRUCE ROBERTS, Registrar of Titles.

LOCAL GOVERNMENT

LG401

BUSH FIRES ACT 1954

City of Albany

**FIRE WEATHER OFFICERS 2023/2024 AND REMOVAL OF PAST FIRE WEATHER OFFICERS AND
FIRE CONTROL OFFICERS**

Fire Weather Officers

The following persons have been appointed as Fire Weather Officer for the City of Albany in accordance with the *Bush Fires Act 1954*—

- Rob Lynn
- Graeme Poole
- John Howard
- Debra Pyle
- Darryl Bradley
- Simon Whitfort

All previous appointments of Fire Weather Officers for the City of Albany are hereby cancelled.

Fire Control Officers

All previous appointments of Fire Control Officers for the City of Albany are hereby cancelled.

ANDREW SHARPE, Chief Executive Officer.

LG402

LOCAL GOVERNMENT ACT 1995

City of Rockingham

BASIS OF RATES

I, Tim Fraser, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from 10 October 2023, determined that the method of valuation to be used by the City of Rockingham as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land;

Schedule

	Designated Land
UV to GRV	All those portions of land being Lots 216 to 218 inclusive and Lot 221 as shown on Deposited Plan 409193 and Lots 324 to 337 inclusive, Lots 342 to 357 inclusive, Lots 359 to 372 inclusive, Lot 430 and Lot 431 as shown on Deposited Plan 424280.

TIM FRASER, Executive Director Local Government,
Department of Local Government, Sport and Cultural Industries.

LOTTERIES

LO401

LOTTERIES COMMISSION ACT 1990

LOTTERIES COMMISSION (AUTHORISED LOTTERIES) (COMMISSION) AMENDMENT RULES 2023
Made by the Lotteries Commission under section 28(1) of the Act.

1. Citation

These rules are the *Lotteries Commission (Authorised Lotteries) (Commission) Amendment Rules 2023*.

2. Commencement

These rules come into operation as follows —

- | | | |
|-----------------------|---|---|
| (a) rules 1, 2 and 3 | — | on the day on which these rules are published in the <i>Gazette</i> ; |
| (b) rule 4(1) and (2) | — | 6:01pm on 27 November 2023; |
| (c) rule 4(3) and (4) | — | 6:01pm on 29 November 2023; |
| (d) rule 5 | — | at 6:01pm on 28 November 2023; |
| (e) rule 6 | — | at 6:01pm on 23 November 2023; |
| (f) rule 7 | — | at 6:01pm on 25 November 2023; and |
| (g) rule 8 | — | at 6:01pm on 30 November 2023. |

3. Rules amended

These rules amend the *Lotteries Commission (Authorised Lotteries) Rules 2016*.

4. Schedule 3—Monday and Wednesday Lotto

(1) In Schedule 3 Division 1 delete:

"A	Agent's component of the total subscription amount for a particular week's entry, rounded* (where necessary) to the nearest 5 cent multiple, being—
Monday Lotto:	0.1
Wednesday Lotto:	0.1"

and insert:

"A	Agent's component of the total subscription amount for a particular week's entry, rounded* (where necessary) to the nearest 5 cent multiple, being—
Monday Lotto:	0.12
Wednesday Lotto:	0.1".

(2) In Schedule 3 Division 3 delete:

"Unit cost for a Monday Lotto draw	\$0.55 (+ a 10% agent's component)"
------------------------------------	-------------------------------------

and insert:

"Unit cost for a Monday Lotto draw	\$0.55 (+ a 12% agent's component)"
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(3) In Schedule 3 Division 1 delete:

"A	Agent's component of the total subscription amount for a particular week's entry, rounded* (where necessary) to the nearest 5 cent multiple, being—
Monday Lotto:	0.12
Wednesday Lotto:	0.1"

and insert:

"A Agent's component of the total subscription amount for a particular week's entry, rounded* (where necessary) to the nearest 5 cent multiple, being—
Monday Lotto: 0.12
Wednesday Lotto: 0.12".

(4) In Schedule 3 Division 3 delete:

"Unit cost for a Wednesday Lotto draw \$0.55 (+ a 10% agent's component)"

and insert:

"Unit cost for a Wednesday Lotto draw \$0.55 (+ a 12% agent's component)"

5. Schedule 4—OZ Lotto

(1) In Schedule 4 Division 1—

(a) delete "10%" and insert—
"12%"

(b) delete "0.1" and insert—
"0.12".

(2) In Schedule 4 Division 3 delete:

"Unit cost for the OZ Lotto draw \$1.30 (+ a 10% agent's component)"

and insert:

"Unit cost for the OZ Lotto draw \$1.30 (+ a 12% agent's component)"

6. Schedule 5—Powerball

(1) In Schedule 5 Division 1—

(a) delete "10%" and insert—
"12%"

(b) delete "0.1" and insert—
"0.12".

(3) In Schedule 5 Division 3 delete:

"Unit cost for a Powerball draw \$1.20 (+ a 10% agent's component)"

and insert:

"Unit cost for the Powerball draw \$1.20 (+ a 12% agent's component)"

7. Schedule 6—Saturday Lotto

(4) In Schedule 6 Division 1—

(a) delete "10%" and insert—
"12%"

(b) delete "0.1" and insert—
"0.12".

(5) In Schedule 6 Division 3 delete:

"Unit cost for a Saturday Lotto draw \$0.75 (+ a 10% agent's component)"

and insert:

"Unit cost for a Saturday Lotto draw \$0.75 (+ a 12% agent's component)"

8. Schedule 7—Set for Life

(6) In Schedule 7 Division 1—

(a) delete "10%" and insert—
"12%"

(b) delete "0.1" and insert—
"0.12".

(7) In Schedule 7 Division 3 delete:

"Unit cost for a Set for Life draw \$0.60 (+ a 10% agent's component)"

and insert:

"Unit cost for a Saturday Lotto draw \$0.60 (+ a 12% agent's component)"

The Common Seal of the Lotteries Commission was affixed on the 28th day of September 2023 by order and in the presence of—

S.P. KLINKEN, Chairperson.
S.J. CARRE, Board Member.

MINERALS AND PETROLEUM

MP401

PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967
RENEWAL OF PETROLEUM EXPLORATION PERMIT EP 358

Renewal of Petroleum Exploration Permit 358 has been granted to Santos WA Northwest Pty Ltd and will remain in force for a period of five (5) years commencing on 30 October 2023.

MAMTA KAPOOR, Acting Team Leader, Resource Tenure Division,
 Department of Mines, Industry Regulation and Safety.

MP402

PETROLEUM PIPELINES ACT 1969

Section 15

NOTICE OF VARIATION STP-PLV-0141

Petroleum Pipeline Licence PL 131

Petroleum Pipeline Licence PL 131 held by Onslow Infracore Pty Ltd has, by instrument of variation STP-PLV-0141, been varied with effect on 30 October 2023.

MAMTA KAPOOR, Acting Team Leader, Resource Tenure Division,
 Department of Mines, Industry Regulation and Safety.

MP403

MINING ACT 1978

APPROVAL OF RETENTION STATUS FOR A PROSPECTING LICENCE

I, Ann Robertson, Senior Compliance Officer (by power delegated under section 12 of the *Mining Act 1978*), give notice that I have approved retention status for 175.30000 hectares within the under mentioned prospecting licence pursuant to section 54 of the *Mining Act 1978*, effective from the day on which notice of the approval is published in the *Gazette*.

Tenement	Area	Holder	Mineral Field
P47/1701	175.30000 HA	North Mining Limited, Robe River Mining Co Pty Ltd Mitsui Iron Ore Development Pty Ltd, Pannawonica Iron Associates Cape Lambert Iron Associates	West Pilbara

Dated at Perth this 31 October 2023.

ANN ROBERTSON, Senior Compliance Officer,
 Title Compliance Resource and Environmental Compliance Division.

MP404

MINING ACT 1978

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety,
 Leonora WA 6438.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable for forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for non / late payment of rent.

WARDEN G. CLEARY.

Dated 10 October 2023.

To be heard by the Warden at Leonora on 12 December 2023.

MT MARGARET MINERAL FIELD

Prospecting Licences

P 37/9487 Savage, Daniel Brian
 P 38/4541 Formidable Resources Pty Ltd
 P 39/5717 Keeffe, James Michael

NORTH COOLGARDIE MINERAL FIELD

Prospecting Licences

P 40/1560 Baulch, John Leslie

MP405

MINING ACT 1978

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety,
 Leonora WA 6438.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

WARDEN G. CLEARY.

Dated 10 October 2023.

To be heard by the Warden at Leonora on 12 December 2023.

EAST MURCHISON MINERAL FIELD

Prospecting Licences

P 36/1925 Edwards, Byron Harry
 Carrier, Paul Robert

MT MARGARET MINERAL FIELD

Prospecting Licences

P 37/8622 Johnson, Robert William
 P 37/8835 Cumming, Adam John
 P 37/8836 Mason, Barbara June
 P 37/9426 O'Brien, Michael James
 P 38/4199 Tagliaferri, Michael Howard
 P 38/4435 Hill, Patrick John
 Landgren, Roger Norman
 P 38/4507-S Dean, John Shane
 P 38/4511 Hill, Patrick John
 P 38/4529-S Dean, John Shane
 P 39/6222 Heard, Matthew Leigh

NORTH COOLGARDIE MINERAL FIELD

Prospecting Licences

P 40/1418 Cumming, Adam John

MP406**MINING ACT 1978**
APPLICATION FOR AN ORDER FOR FORFEITUREDepartment of Mines, Industry Regulation and Safety,
Coolgardie WA 6429.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable for forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for non payment of rent.

WARDEN CLEARY.

To be heard by the Warden at Kalgoorlie on 13 December 2023.

COOLGARDIE MINERAL FIELD*Prospecting Licences*

P 15/6277 Rosa Management Pty Ltd
P 15/6630 Telferscot Nominees Pty Ltd

MP407**MINING ACT 1978**
APPLICATION FOR AN ORDER FOR FORFEITUREDepartment of Mines, Industry Regulation and Safety,
Coolgardie WA 6429.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

WARDEN CLEARY.

To be heard by the Warden at Kalgoorlie on 13 December 2023.

COOLGARDIE MINERAL FIELD*Prospecting Licences*

P 15/6125 Wesson, Craig Matthew
P 15/6402-S Quinn, Michael Thomas
Quinn, Stina Ulla Annikki
P 15/6630 Telferscot Nominees Pty Ltd
P 16/3220 Woodline Gold Pty Ltd
P 16/3304 Krollig, Kane Leslie

MP408**MINING ACT 1978**
APPLICATION FOR AN ORDER FOR FORFEITUREDepartment of Mines, Industry Regulation and Safety,
Karratha WA 6741.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable for forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for late payment of rent.

WARDEN T.W. MCPHEE.

Dated 25 October 2023.

To be heard by the Warden at Karratha on 14 December 2023.

ASHBURTON MINERAL FIELD

Miscellaneous Licences

L 08/124 Respit Resources Pty Ltd

KIMBERLEY MINERAL FIELD

Miscellaneous Licences

L 80/69 Martinjinni Pty Ltd

MP409

MINING ACT 1978

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety,
Karratha WA 6741.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

WARDEN T.W. MCPHEE.

Dated 25 October 2023.

To be heard by the Warden at Karratha on 14 December 2023.

WEST PILBARA MINERAL FIELD

Prospecting Licences

P 47/1928 Hodder, Arthur

MP410

MINING ACT 1978

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety,
Kalgoorlie WA 6430.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

WARDEN CLEARY.

To be heard by the Warden at Kalgoorlie on 13 December 2023.

BROAD ARROW MINERAL FIELD

Prospecting Licences

P 24/5022 Halligan, Robert William
 Photios, Michael John
P 24/5483 Dawson, Kyle Shaun
P 24/5484 Desmond, Jayden Thomas
P 24/5485 Wood, Mark Earnest
P 24/5486 Mckenzie, Edward

P 24/5488	Girdler, Daniel William
P 24/5500	Zocaro, Tonino Pasquale Joseph
P 24/5501	Zocaro, Tonino Pasquale Joseph
P 24/5542	Goldbridge SL Pty Ltd
P 24/5543	Goldbridge SL Pty Ltd
P 24/5556	Cook, Matthew John
P 24/5558	Gura, Alfred

EAST COOLGARDIE MINERAL FIELD*Prospecting Licences*

P 25/2219	Tatterson, Timothy Vincent
P 26/4525	Olive Branch Enterprises Pty Ltd
P 26/4526	Olive Branch Enterprises Pty Ltd
P 26/4590	Tipene, Stephen Andrew

N. E. COOLGARDIE MINERAL FIELD*Prospecting Licences*

P 27/2289	Dean, David William
P 27/2442	Olive Branch Enterprises Pty Ltd
P 27/2450-S	Mackie, John Leslie
P 27/2451-S	Mackie, John Leslie
P 27/2452-S	Mackie, John Leslie
P 27/2453-S	Mackie, John Leslie

NORTH COOLGARDIE MINERAL FIELD*Prospecting Licences*

P 30/1152	Hindmarsh, Ty Raymond Thomas
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MP411**MINING ACT 1978**

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety,
Kalgoorlie WA 6430.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable for forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for non / late payment of rent.

WARDEN CLEARY.

To be heard by the Warden at Kalgoorlie on 13 December 2023.

BROAD ARROW MINERAL FIELD*Prospecting Licences*

P 24/5542	Goldbridge SL Pty Ltd
P 24/5543	Goldbridge SL Pty Ltd
P 24/5558	Gura, Alfred

EAST COOLGARDIE MINERAL FIELD*Prospecting Licences*

P 25/2356	Mansen, James Karl
P 26/4525	Olive Branch Enterprises Pty Ltd
P 26/4526	Olive Branch Enterprises Pty Ltd

N. E. COOLGARDIE MINERAL FIELD*Prospecting Licences*

P 27/2442 Olive Branch Enterprises Pty Ltd

NORTH COOLGARDIE MINERAL FIELD*Prospecting Licences*

P 30/1152 Hindmarsh, Ty Raymond Thomas

P 31/2089 Rock Mining Australia Pty Ltd

P 31/2091 Rock Mining Australia Pty Ltd

P 31/2144 Lynch, Ross

P 31/2157 White, Andrew Roy

PLANNING

PL401**PLANNING AND DEVELOPMENT ACT 2005****METROPOLITAN REGION SCHEME MINOR AMENDMENT 1403/57****Whiteman Screen Production Facility****Notice of Approved Amendment**

File: 833-2-21-140

The Minister for Planning has approved, as advertised, the abovementioned amendment to the Metropolitan Region Scheme. The amendment is shown on Western Australian Planning Commission (WAPC) plan number 3.2805 and is effective from the date of publication of this notice in the *Government Gazette*.

The amendment proposes to transfer approximately 15.69 ha in Whiteman from the Parks and Recreation reservation to the Public Purposes—Special Uses reservation in the MRS. The amendment also zones 1.72 ha to the Urban zone to provide for the widening of Marshall Road and align with the abutting zoning in the MRS.

By virtue of section 126(1) of the *Planning and Development Act 2005*, the City of Swan of Local Planning Scheme is amended to give effect to the reservation(s) included in MRS Amendment 1403/57.

Pursuant to section 126(3) of the *Planning and Development Act 2005*, the WAPC has the option of concurrently rezoning land that is being zoned Urban under the MRS, to a "Development" zone (or similar), in the corresponding Local Planning Scheme (LPS).

The WAPC supports the concurrent LPS amendment of the Urban zoned area (excluding the Marshall Road widening) to the Industrial Development zone in the City of Swan Local Planning Scheme No. 17. This amendment to Local Planning Scheme No. 17 is effective from the date of publication of this notice in the *Government Gazette*.

Copies of the amendment and the accompanying report on submissions are available for public inspection from Friday, 3 November 2023 to Friday, 1 December 2023 at—

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

Documents can also be viewed online at the Department of Planning, Lands and Heritage website <https://www.dplh.wa.gov.au/mrs-amendments>.

Ms SAM FAGAN, Secretary, Western Australian Planning Commission.

PL402**PLANNING AND DEVELOPMENT ACT 2005**

NOTICE OF AMENDMENT TO INSTRUMENT OF DELEGATION—POWERS OF LOCAL GOVERNMENTS
 Notice of amendment to the Instrument of Delegation 2020/01 Powers of Local Governments gazetted on 29 January 2021 (and as amended).

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the *Government Gazette*, delegate any function under the Act or any other written law to a local government, a committee established under the *Local Government Act 1995* or an employee of a local government.

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or imposed on the WAPC by the Act or any other written law as the case requires.

Resolution under s16 of the Act (delegation)

On 31 August 2022, pursuant to section 16 of the Act, the WAPC RESOLVED—

- A. TO AMEND the Instrument of Delegation 2020/01 Powers of Local Governments as gazetted on 29 January 2021 (and as amended), as set out in Schedule 1 below.

SAM FAGAN, Secretary, Western Australian Planning Commission.

Schedule 1**1. Instrument of delegation amended**

The amendments within this Schedule are to the Schedules set out in the Instrument of Delegation 2020/01 Powers of Local Governments as gazetted on 29 January 2021, and as amended.

2. Amendments to clause 1 of Schedule 1

Add the following immediately after 1(e)—

- (f) in the opinion of the relevant local government as notified to the WAPC in writing, propose development of a type which the local government considers would warrant the imposition of a condition requiring the ceding of land for public open space or payment in lieu thereof.

PL403

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Kwinana

Local Planning Scheme No. 2—Amendment No. 145

Ref: TPS/1699

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Kwinana Local Planning Scheme amendment on 9 October 2023 for the purpose of—

1. Replacing Development Contribution Plans 8—15 inclusive from Schedule 5 of Town Planning Scheme No. 2 with the following—

	DEVELOPMENT CONTRIBUTION PLAN 8
Area Name:	Mandogalup—Community Infrastructure
Map reference on scheme map	DCA8
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative items to be funded	Land developers within DCA 8 shall make contributions towards the following infrastructure items— 1. Sub-Regional Facilities— <ul style="list-style-type: none"> • Community Knowledge and Resource Centre (excluding leasable office space and café component) • Multipurpose Sub-regional Park (Calista) • Wells Beach Foreshore Upgrade

DEVELOPMENT CONTRIBUTION PLAN 8	
	<p>2. District A Facilities—</p> <ul style="list-style-type: none"> • District Sporting Ground—Hardcourts (serves Districts A and B)—to be located within District B • District Multipurpose Community Facility (serves Districts A and B)—to be located within District A • District Dry Recreation Centre (serves Districts A and B)—to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> • Local Sporting Ground with Changeroom <p>4. Administrative Costs</p> <p>All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including—</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
Cost Contribution Methodology:	<p>The contribution outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation	The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 8 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The plan will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>
DEVELOPMENT CONTRIBUTION PLAN 9	
Area Name:	Wandi / Anketell—Community Infrastructure
Map reference on scheme map	DCA 9
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative items to be funded	<p>Land developers within DCA 9 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade

DEVELOPMENT CONTRIBUTION PLAN 9	
	<p>2. District A Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground—Hardcourts (serves Districts A and B)—to be located within District B - District Multipurpose Community Facility (serves Districts A and B)—to be located within District A - District Dry Recreation Centre (serves Districts A and B)—to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Sporting Ground with Community Facility <p>4. Administrative costs All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including—</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
Method for calculating contributions:	<p>The contributions outlined in this DCP have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time). The Development Contribution Plan 9 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The DCP will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing. The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>
DEVELOPMENT CONTRIBUTION PLAN 10	
Area Name:	Casuarina / Anketell Community Infrastructure
Map reference on scheme map	DCA 10
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Land developers within DCA 10 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade

DEVELOPMENT CONTRIBUTION PLAN 10	
	<p>2. District B Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground—Hardcourts (serves Districts A and B)—to be located within District B - District Multipurpose Community Facility (serves Districts A and B)—to be located within District A - Dry Recreation Centre (serves Districts A and B)—to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Sporting Ground with Large Community Facility <p>4. Administrative costs</p> <p>All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including—</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
Cost Contribution Methodology:	<p>The contributions outlined in this DCP have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 10 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The DCP will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>
DEVELOPMENT CONTRIBUTION PLAN 11	
Area Name:	Wellard (East) Community Infrastructure
Map reference on scheme map	DCA 11
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative items to be funded:	<p>Land developers within DCA 11 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade

	DEVELOPMENT CONTRIBUTION PLAN 11
	<p>2. District B Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground—Hardcourts (serves Districts A and B)—to be located within District B - Dry Recreation Centre (serves Districts A and B)—to be located within District A - District Multipurpose Community Facility (serves Districts A and B)—to be located within District A <p>3. Administrative costs All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including—</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
Cost Contribution Methodology:	<p>The contributions outlined in this DCP have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time). The Development Contribution Plan 11 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The DCP will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing. The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>
	DEVELOPMENT CONTRIBUTION PLAN 12
Area Name:	Wellard (West) Community Infrastructure
Map reference on scheme map:	DCA 12
Relationship to other planning	The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administration Items to be funded:	<p>Land developers within DCA 12 shall make contributions towards the following infrastructure items—</p> <ol style="list-style-type: none"> 1. Sub-Regional Facilities— <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade 2. District B Facilities— <ul style="list-style-type: none"> - District Sporting Ground—Hardcourts (serves Districts A and B)—to be located within District B

	DEVELOPMENT CONTRIBUTION PLAN 12
	<ul style="list-style-type: none"> - District Dry Recreation Centre (serves Districts A and B)—to be located within District A - District Multipurpose Community Facility (serves Districts A and B)—to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Sporting Ground with Large Community Facility. <p>4. Administrative costs</p> <p>All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including—</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
Cost Contribution Methodology:	<p>The contributions outlined in this DCP have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 12 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The DCP will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>
	DEVELOPMENT CONTRIBUTION PLAN 13
Area Name:	Bertram—Community Infrastructure
Map reference on scheme map:	DCA13
Relationship to other planning Instruments:	The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Land developers within DCA 13 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Destination Park—Calista - Wells Beach Foreshore Upgrade (Park and Boating facility) <p>2. District B Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground—Hardcourts (serves Districts A and B)—to be located within District B - District Dry Recreation Centre (serves Districts A and B)—to be located within District A

DEVELOPMENT CONTRIBUTION PLAN 13	
	<ul style="list-style-type: none"> - District Multipurpose Community Facility (serves Districts A and B)—to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Community Centre - Local Sporting Ground with Changeroom <p>4. Administrative costs</p> <p>All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including—</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
Cost Contribution Methodology:	<p>The contributions outlined in this DCP have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 13 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP</p>
Review Process:	<p>The DCP will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>
DEVELOPMENT CONTRIBUTION PLAN 14	
Area Name:	Wellard/Leda Community Infrastructure
Map reference to scheme map:	DCA 14
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Land developers within DCA 14 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade <p>2. District C Facilities—</p> <ul style="list-style-type: none"> - District Youth Centre - District C Sporting Ground (Thomas Oval/Kelly Park extension/Upgrade)

DEVELOPMENT CONTRIBUTION PLAN 14	
	<p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Community Centre - Local Sporting Ground with Pavilion extension - Local Sporting Ground with Changeroom <p>4. Administrative costs</p> <p>All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including—</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
Cost Contribution Methodology:	<p>The contributions outlined in this DCP have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 14 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The DCP will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>
DEVELOPMENT CONTRIBUTION PLAN 15	
Area Name:	Town Centre (Medina, Calista, Orelia, Parmelia)—Community Infrastructure
Map reference in scheme map:	DCA 15
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Land developers within DCA 15 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade <p>2. District C Facilities—</p> <ul style="list-style-type: none"> - District Youth Centre - District C Sporting Ground (Thomas Oval/Kelly Park extension/Upgrade)

DEVELOPMENT CONTRIBUTION PLAN 15	
	<p>3. Administrative costs including—</p> <p>All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including—</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
Cost Contribution Methodology:	<p>The contributions outlined in this DCP have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 15 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The DCP will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>

C. E. ADAMS, Mayor.
W. JACK, Chief Executive Officer.

PL404

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Busselton
Local Planning Scheme No. 21—Amendment No. 59

Ref: TPS/3056

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Busselton Local Planning Scheme amendment on 23 October 2023 for the purpose of—

1. Amending Schedule 3—Special Provisions as follows—

No.	PARTICULARS OF LAND	ZONE	SPECIAL PROVISIONS
SP 77	Lot 200 (1676) Caves Road, Dunsborough	Tourism	Notwithstanding any other provisions of the Scheme, an unrestricted length of stay is permissible for strata lots 6-13 and 48-51 as shown on Strata Plan 50936 (WAPC ref 165-21).

2. Amending Scheme Maps accordingly.

G. HENLEY, Mayor.
A. NOTTLE, Chief Executive Officer.

PL405

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Town of Port Hedland
Local Planning Scheme No. 7—Amendment No. 2

Ref: TPS/2978

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 Town of Port Hedland Local Planning Scheme amendment on 9 October 2023 for the purpose of—

1. Rezoning Lot 6270 (No. 5) Miller Street, Wedgefield from 'Environmental Conservation' reserve to 'Light Industry' zone.
2. Amending the Scheme Maps accordingly.

P. CARTER, Mayor.
C. ASKEW, Chief Executive Officer.

PREMIER AND CABINET

PR401

INTERPRETATION ACT 1984
COMMITTAL OF ADMINISTRATION OF ACT

It is notified for public information that on 31 October 2023, the Governor, under the *Interpretation Act 1984* section 12(a), committed the administration of the *Workers Compensation and Injury Management Act 2023* to the Minister for Industrial Relations.

N. HAGLEY, Clerk of the Executive Council.

PUBLIC SECTOR

PS401

PUBLIC SECTOR MANAGEMENT ACT 1994

Pursuant to the *Public Sector Management Act 1994* section 35(2), notice is given that, under section 35(1)(d) of that Act, the Governor has altered the designation of the Department of Mines, Industry Regulation and Safety and designated it as the Department of Energy, Mines, Industry Regulation and Safety with effect on and from 1 December 2023.

Dated 20 October 2023.

SHARYN O'NEILL PSM, Public Sector Commissioner, Public Sector Commission.

SALARIES AND ALLOWANCES TRIBUNAL

SA401

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION OF THE REMUNERATION OF COMMISSIONERS OF THE WESTERN AUSTRALIAN
INDUSTRIAL RELATIONS COMMISSION

1. The Salaries and Allowances Tribunal ("Tribunal") issues this Determination pursuant to section 6(1)(e) of the *Salaries and Allowances Act 1975* ("the Act").
2. From 28 February 2018 to 1 July 2021, the operation of section 10E of the Act prevented the Tribunal from making a Determination which provided higher remuneration for officeholders. 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 Determination 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.
3. In accordance with section 10A, this Determination has considered the—
 - *Public Sector Wages Policy Statement 2022*; and
 - financial position and fiscal strategy of the State, as stated in the *Western Australia State Budget 2023-24 Economic and Fiscal Outlook*.

CURRENT INQUIRY

4. 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.
5. The Tribunal received submissions outlining legislative changes to the jurisdiction of the Commission including the *Industrial Relations Legislation Amendment Act 2021*, *Work Health and Safety Act 2020* and *Owner-Drivers (Contracts and Disputes) Amendment Act 2022*.
6. The submission also noted the distortion of salary relativities due to the introduction of Industrial Magistrates where Industrial Relations Commissioners hold dual appointments.

SUMMARY OF DETERMINATION

7. The Tribunal has determined a 4% economic 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.
8. The Tribunal has also re-established internal relativities between the Chief Commissioner, Senior Commissioner and Commissioners to ensure sufficient distinction between the seniority of the Chief and Senior Commissioners. The Tribunal has adjusted remuneration, recognising Commissioners holding dual appointments as Industrial Magistrates are remunerated at the Magistrate level.
9. The Determination will now issue.

SALARIES AND ALLOWANCES ACT 1975
DETERMINATION OF THE REMUNERATION OF COMMISSIONERS OF THE WESTERN AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Pursuant to Section 6(1)(e)

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. 2 of 2023*.

1.2 Commencement

This Determination comes into operation on 1 December 2023.

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 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).
- (2) 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 2021*. 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 2021*, 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 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	\$404,645
Senior Commissioner	\$384,413
Commissioner	\$364,181

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 holders of offices listed in Part 2 of this Determination, those office holders 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—Agency General Agreement".
- (3) Officeholders 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. Officeholders will be responsible for making their own arrangements for at-home EV charging infrastructure and energy costs. Officeholders 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 Fleet Manager.
- (5) Motor vehicles leased for office holders 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 officer 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 officer 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 office holder during business hours. Office holders 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 personal use including transport to and from work.

3.2 Notional value of the lease and the cost to the Office Holder

(1) The notional value of the lease (and all associated costs) shall be—

Table 2: Notional value of motor vehicle lease

OFFICE	NOTIONAL VALUE OF THE LEASE
Chief Commissioner	\$27,500 p.a.
Senior Commissioner	\$26,900 p.a.
Commissioner	\$26,900 p.a.

- (2) The notional value of the lease shall be calculated on a pro-rata basis in accordance with the proportion of full-time hours worked by an office holder.
- (3) The total lease cost of the chosen vehicle and accessories determined in this section must be borne by the office holder. This includes the purchase cost of any accessories, including installation and removal costs if required, before disposal of the vehicle. No additional costs shall be incurred by the office holder as a result of fluctuations in lease costs during the specified term of the lease.
- (4) When the total lease and associated costs of a vehicle and accessories 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 office holder's remuneration.
- (5) The method of determining whether an additional contribution must be made by the office holder or the surplus is to be paid to the office holder, shall be based on the notional lease cost to the Government of the vehicle sought (using the formula detailed below), compared with the relevant notional lease value determined for the benefit in this section. The cost at the time of entering into the lease is applicable.
- (6) In the event an office holder's vehicle requires modifications to cater for a disability, resulting in total vehicle costs higher than the notional lease values 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.
- (7) The notional value of the vehicle benefit must include lease cost, Fringe Benefits Tax (FBT) and all other operating costs based on the relevant figure of nominated kilometres to be travelled annually. 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

- (8) 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).
- (9) Each lease should be tailored to achieve the most cost-effective arrangement based on individual usage.

3.3 Choice of Motor Vehicle

- (1) When office holders 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 Contract or an "off contract" vehicle and accessories available under Government leasing arrangements in accordance with the following criteria.
- (2) Vehicles with V8 engines are not included. Supercharged and turbo-charged engines with a capacity greater than 3.0 litres are not included.
- (3) Office holders unable to lease 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) When officeholders 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 as specified in Table 3.

Table 3: Cash Value of a Motor Vehicle

OFFICE	NOTIONAL VALUE OF THE LEASE
Chief Commissioner	\$27,500 p.a.
Senior Commissioner	\$26,900 p.a.
Commissioner	\$26,900 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 an office holder.
- (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 office holder 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 23 October 2023.

M. SEARES AO,
Chair.

B. A. SARGEANT PSM,
Member.
Salaries and Allowances Tribunal.

HON. J. DAY,
Member.

SA402

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION OF THE REMUNERATION OF SENIOR AND ORDINARY MEMBERS OF THE STATE ADMINISTRATIVE TRIBUNAL

1. The Salaries and Allowances Tribunal ("Tribunal") issues this Determination pursuant to section 6(1)(e) of the *Salaries and Allowances Act 1975* ("the Act").
2. From 28 February 2018 to 1 July 2021, the operation of section 10D of the Act prevented the Tribunal from making a Determination which provided higher remuneration for officeholders. While the restrictions contained in section 10D expired on 30 June 2021, the Tribunal's decisions remain subject to section 10G, which prevents the Tribunal from making a Determination that takes into consideration section 10D's operation by providing remuneration on the basis that it—
 - was not provided due to the operation of section 10D; or
 - accounted for any increase in the cost of living that occurred when section 10D was in effect.
3. In accordance with section 10A, this Determination is issued following consideration of the—
 - *Public Sector Wages Policy Statement 2022*; and
 - financial position and fiscal strategy of the State, as stated in the *Western Australia State Budget 2023-24 Economic and Fiscal Outlook*.

CURRENT INQUIRY

4. In discharging the Tribunal's statutory requirements with respect to Members of the State Administrative Tribunal, submissions were invited from stakeholders and office holders.
5. The submissions received sought to maintain current relativities.

SUMMARY OF DETERMINATION

6. 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.
7. The Determination will now issue.

SALARIES AND ALLOWANCES ACT 1975**DETERMINATION OF THE REMUNERATION OF SENIOR AND ORDINARY MEMBERS OF THE STATE ADMINISTRATIVE TRIBUNAL**

Pursuant to Section 6(1)(e)

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. 2 of 2023*.

1.2 Commencement

This Determination comes into operation on 1 December 2023.

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*. 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 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	\$364,183
Ordinary Member	\$309,556

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 offices holders listed in Part 2 of this Determination, those office holders 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—Agency General Agreement".
- (3) Officeholders 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. Officeholders will be responsible for making their own arrangements for at-home EV charging infrastructure and energy costs. Officeholders 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 Fleet Manager.
- (5) Motor vehicles leased for office holders 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 officer 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 officer 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 office holder during business hours. Office holders 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 personal use including transport to and from work.

3.2 Notional value of the lease and the cost to the Office Holder

- (1) The notional value of the lease (and all associated costs) per annum is \$25,000.
- (2) The notional value of the lease shall be calculated on a pro rata basis in accordance with the proportion of full-time hours worked by an office holder.
- (3) The total lease cost of the chosen vehicle and accessories determined in this section must be borne by the office holder. This includes the purchase cost of any accessories, including installation and removal costs if required, before disposal of the vehicle. No additional costs shall be incurred by the office holder as a result of fluctuations in lease costs during the specified term of the lease.
- (4) When the total lease and associated costs of a vehicle and accessories 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 office holder's remuneration.
- (5) The method of determining whether an additional contribution must be made by the officeholder, or the surplus is to be paid to the office holder, shall be based on the notional lease cost to the Government of the vehicle sought (using the formula detailed below), compared with the relevant notional lease value determined for the benefit in this section. The cost at the time of entering into the lease is applicable.
- (6) In the event an office holder's vehicle requires modifications to cater for a disability, resulting in total vehicle costs higher than the notional lease values 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.
- (6) The notional value of the vehicle benefit must include lease cost, Fringe Benefits Tax (FBT) and all other operating costs based on the relevant figure of nominated kilometres to be travelled annually. 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

- (7) 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).
- (8) Each lease should be tailored to achieve the most cost-effective arrangement based on individual usage.

3.3 Choice of Motor Vehicle

- (1) Where office holders 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 Contract or an "off contract" vehicle and accessories available under Government leasing arrangements in accordance with the following criteria.
- (2) Vehicles with V8 engines are not included. Supercharged and turbo-charged engines with a capacity greater than 3.0 litres are not included.
- (3) Office holders unable to lease 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 officeholders 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 \$25,000 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 an office holder.

Signed on 23 October 2023.

M. SEARES AO,
Chair.

B. A. SARGEANT PSM,
Member.
Salaries and Allowances Tribunal.

HON. J. DAY,
Member.

SA403

SALARIES AND ALLOWANCES ACT 1975 DETERMINATION VARIATION

Preamble

The Salaries and Allowances Tribunal has issued a Determination to clarify the costs of travel expenses incurred when a Former Premier travels to an official function.

Determination

The Determination of the Salaries and Allowances Tribunal made 27 February 2017 under section 6B of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a Determination set out below, with effect on and from 23 October 2023.

Delete Part 3.4, and insert the following—

3.4 Travel

- A Former Premier who is invited to attend an official function—
 - within Australia, is entitled to claim reimbursement of travelling and accommodation costs;
 - held overseas, must apply to the Tribunal to determine whether associated costs of travelling and accommodation shall be met by the Government; and
 - travel costs shall be in accordance with costs provided to the current Premier.
- Where a Former Premier requires a carer to accompany them on travel to provide physical or medical assistance, the carer's travelling and accommodation costs can be covered on the same basis as Part 3.4(1).

Signed on 23 October 2023.

M. SEARES AO,
Chair.

B. A. SARGEANT PSM,
Member.
Salaries and Allowances Tribunal.

HON. J. DAY,
Member.

SA404

SALARIES AND ALLOWANCES ACT 1975
DETERMINATION VARIATION

Preamble

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

- Consultant State Prosecutor, Office of the Director of Public Prosecutions; and
- Deputy Director General, Approvals, Department of Water and Environmental Regulation

Determination**VARIATION 1 (effective on and from 20 September 2023)**

The Determination of the Salaries and Allowances Tribunal made on 22 June 2023 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below, with effect on and from 20 September 2023.

Delete the reference to the office below, as it appears in 'Table 12: Remuneration and Offices' within Part 1 of the Second Schedule 'Senior Legal Officers', and insert the following:

Office	Department or Agency	Band	Office Holder	Salary
Consultant State Prosecutor	Office of the Director of Public Prosecutions	4	J Nicholls	\$292,314

VARIATION 2 (effective on and from 06 November 2023)

The Determination of the Salaries and Allowances Tribunal made on 22 June 2023 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below, with effect on and from 06 November 2023.

Delete the reference to the office below, as it appears in 'Table 3: Special Division Non-CEOs' within Part 1 of the First Schedule, and insert the following:

Office	Department or Agency	Band	Office Holder	Salary
Deputy Director General, Approvals	Water and Environmental Regulation	3	C Shaw	\$256,272

Signed on 23 October 2023.

M. SEARES AO,
Chair.

B. A. SARGEANT PSM,
Member.
Salaries and Allowances Tribunal.

HON. J. DAY,
Member.

SA405

SALARIES AND ALLOWANCES ACT 1975
REPORT VARIATION

Preamble

The Tribunal, on 5 October 2023, has issued a report under Section 7 of the *Salaries and Allowances Act 1975* ('the Act') recommending an adjustment of 4 per cent, effective from 1 December 2023 to the remuneration to be paid to Judges of the Supreme and District Courts, Masters of the Supreme Court, Magistrates and the Parliamentary Inspector of the Corruption and Crime Commission.

Registrars of the Supreme and District Courts, while included in the Special Division of the Public Service, are considered by the Tribunal within the context of Western Australia's judicial system. Consequently, this report variation provides for a 4 per cent increase to flow through to Registrars in both the Supreme and District Courts.

Determination**VARIATION 1 (effective on and from 1 December 2023)**

The Determination of the Salaries and Allowances Tribunal made on 22 June 2023 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a variation set out below, with effect on and from 1 December 2023.

- Delete the reference to the offices below, as it appears in 'Table 14: Annual salary for Court Registrars' within Part 1 of the Third Schedule and insert the following:

OFFICE	ANNUAL SALARY
Supreme Court	
Principal Registrar	\$379,142
Registrar	\$335,882

OFFICE	ANNUAL SALARY
District Court	
Principal Registrar	\$353,181
Registrar	\$331,924
Deputy Registrar	\$322,000

Signed on 23 October 2023.

M. SEARES AO,
Chair.

B. A. SARGEANT PSM,
Member.
Salaries and Allowances Tribunal.

HON. J. DAY,
Member.

SA406

SALARIES AND ALLOWANCES ACT 1975
DETERMINATION VARIATION

Preamble

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

- Commissioner of Corrective Services (Deputy Director General), Department of Justice; and
- Assistant Commissioner, Western Australian Police Service.

Determination

VARIATION 1 (effective on and from 24 October 2023)

The Determination of the Salaries and Allowances Tribunal made on 22 June 2023 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below, with effect on and from 24 October 2023.

Delete the reference to the office below, as it appears in 'Table 3: Special Division Non-CEOs' within Part 1 of the First Schedule, and insert the following:

Office	Department or Agency	Band	Office Holder	Salary
Commissioner of Corrective Services (Deputy Director General)	Justice	3	Vacant	\$ -

VARIATION 2 (effective on and from 30 October 2023)

The Determination of the Salaries and Allowances Tribunal made on 22 June 2023 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below, with effect on and from 30 October 2023.

Delete the reference to the office below, as it appears in 'Table 3: Special Division Non-CEOs' within Part 1 of the First Schedule, and insert the following:

Office	Department or Agency	Band	Office Holder	Salary
Commissioner of Corrective Services (Deputy Director General)	Justice	3	B Royce	\$298,596

VARIATION 3 (effective on and from 29 October 2023)

The Determination of the Salaries and Allowances Tribunal made on 22 June 2023 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below, with effect on and from 29 October 2023.

Delete the reference to the office below, as it appears in 'Table 3: Special Division Non-CEOs' within Part 1 of the First Schedule, and insert the following:

Office	Department or Agency	Office Holder	Salary
Assistant Commissioner	Western Australian Police Service	Vacant	\$298,596

Signed on 27 October 2023.

M. SEARES AO,
Chair.

B. A. SARGEANT PSM,
Member.
Salaries and Allowances Tribunal.

HON. J. DAY,
Member.

SA407

SALARIES AND ALLOWANCES ACT 1975
DETERMINATION VARIATION

Preamble

The *Local Government Amendment Act 2023*, assented to on 18 May 2023, changes the *Local Government Act 1995* to provide for independent committee members to receive meeting fees. An independent committee member is a committee member who is not an elected member or an employee of the local government. The Salaries and Allowances Tribunal has issued a Determination to allow for the payment of meeting fees to independent committee members. Local governments will have the ability to set appropriate fees, within a specified range.

Determination

The *Local Government Chief Executive Officers and Elected Members Determination No. 1 of 2023*, issued on 6 April 2023, under sections 7A and 7B(2) of the *Salaries and Allowances Act 1975*, as amended from time to time, are hereby varied by a Determination set out below.

- Under Part 1.4 Terms used, insert the following—
Independent committee member means a person who is a committee member but who is neither a council member nor an employee.
- Under Part 6.1.2, insert the following—
 "3. Pursuant to section 5.100(2)(b) and (3)(b) of the LG Act, a committee member who is not an elected member or employee of the local government, who attends a committee meeting or (at the request of the local government or regional local government) a meeting of a type prescribed in regulation 30(3A) of the LG Regulations is entitled to be paid the fee set by the local government or regional local government within the range determined in section 6.3 of this Part for attending committee meetings or, as the case requires, meetings of that type.
- Delete Part 6.3 and insert the following—
 6.3 Committee Meeting and Prescribed Meeting Attendance Fees—Per Meeting
 (1) The ranges of fees in Table 6 apply where a local government or regional local government decides to pay a council member or independent member a fee referred to in—
 - o section 5.98(1)(b) of the LG Act for attendance at a committee meeting; or
 - o section 5.98(2A)(b) of the LG Act for attendance at a meeting of a type prescribed in regulation 30(3A) of the LG Regulations.
 - o section 5.100(2)(a) of the LG Act for attendance at a committee meeting
 - o section 5.100(2)(b) of the LG Act for attendance at a meeting of a type prescribed in regulation 30(3A) of the LG Regulations.

Table 6: Committee meeting and prescribed meeting fees per meeting—local governments and regional local governments

Band	Elected members		Independent committee members	
	Minimum	Maximum	Minimum	Maximum
1	\$325	\$415	\$0	\$415
2	\$195	\$305	\$0	\$305
3	\$100	\$215	\$0	\$215
4	\$50	\$125	\$0	\$125
All regional local governments	\$50	\$125	\$0	\$125

Signed on 23 October 2023.

M SEARES AO,
Chair.

B A SARGEANT PSM,
Member.
Salaries and Allowances Tribunal.

HON. J DAY,
Member.

PUBLIC NOTICES

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

Notice to Creditors and Claimants

Estate of the late Eileen Joyce Barker, 480-482 Guildford Road, Bayswater, in the State of Western Australia.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the above-named deceased who died on 15 July 2023 are required to send particulars of their claims to the Executors, care of RSM (see address below) within one (1) month of the date of publication of this notice after which date the Executors may convey or distribute the assets having regard only to claims of which notice has been given.

c/- ANDREW MARSHALL RSM, GPO Box R1253, Perth WA 6844.
Telephone: (08) 9261 9393. Contact: Andrew Marshall.

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

Notice to Creditors and Claimants

Sylvia Angela Donoghue, late of 37 Cascade Close, Safety Bay in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died 14/12/2022, are required by the trustee of the late Sylvia Angela Donoghue, c/- Mountains Lawyers, PO Box 5379, Rockingham Beach WA 6969 to send particulars of their claims to the trustee within 30 days of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

MOUNTAINS LAWYERS PTY LTD, Solicitors for the Trustee.
Ph: (08) 9592 7326.

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

Notice to Creditors and Claimants

Johannes Baptist Forster, late of 14 Langley Street, Rockingham, Western Australia, Leading Hand, 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 17 July 2023 are required by the Executors Richard Vaughan Davies, Teresa Margaret Wilding and Glenda Alexia Herschell care of Birman & Ride, Level 3, 16 Irwin Street, Perth WA 6000 to send particulars of their claims to them by the date being one month from the date of publication of this notice after which date the executors may convey or distribute the assets having regard only to the claims of which they then have notice.

ZZ404**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

In the matter of Edward Charles Wells, late of 27 Skipton Way, City Beach in the State of Western Australia, deceased.

Creditors and other persons having claims to which Section 63 of the *Trustees Act 1962* relates in respect of the estate of the deceased, who died on the 17th day of August 2023, are required by the Executor, Perpetual Trustee Company Limited, of Exchange Tower, Level 29, 2 The Esplanade, Perth in the State of Western Australia to send particulars of their claims to the Executor by the 3rd day of December 2023, after which date the Executor may convey or distribute the assets, having regard only to the claims of which the Executor then has notice.

ZZ405**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

In the estate of Quinto Del Bianco late of 6 Hartley Street, Coolbellup in the State of Western Australia, Forestry Worker, 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 21 June 2023, are required by the executor, Wayne Qunito Del Bianco of 27 Capwell Drive, Denham, Western Australia to send particulars of their claims to him at HFM Legal of PO Box 2124, Broome WA 6725 by the date being one month following the publication of this notice, after which date the executor may convey or distribute the assets, having regard only to claims of which he then has notice.

ZZ406**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the late Arnold Richard Simpson, deceased, late of 50 Marcus Avenue, Booragoon and Regents Garden Four Seasons Booragoon, 495 Marmion Street Booragoon, both in the State of Western Australia, Retired Soldier/Police Officer/Business Owner, who died on the 12th May 2023, are required by the executor of the estate namely Christopher Shane Simpson, c/- Horizon Legal Suite 19 135 Riseley Street Booragoon in the State of Western Australia, to send particulars of their claims to the executor within one (1) month from the date of publication of this notice after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

ZZ407**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Connie Mills, late of 46 Chelsford Road, Warwick, Western Australia, Home Duties, 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 11 August 2022, are required by the applicant for grant of representation who can be reached c/- McVay Bates & Associates, Suite 12, 473 Beach Road, Duncraig WA 6023 to send particulars of their claims to them within 30 days of the date of this notice after which date the applicant for grant of representation may convey or distribute the assets, having regard only to the claims of which they then have notice.

Dated 30 October 2023.

NICOLA McVAY, Barrister and Solicitor, McVay Bates & Associates.
Suite 12, 473 Beach Road Duncraig WA 6023. Ph: (08) 9243 7771.

ZZ408**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

In the estate of Susan Jennifer Illingworth late of Laurence House, Main Street, Sutton-on-the Forest, North Yorkshire, United Kingdom, Retired Farmer, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the abovenamed deceased who died on 25 May 2023 are required by the personal representatives Sarah Clare Illingworth and Emma Jane Illingworth c/- Greenstone Legal, PO Box 744, West Perth, Western Australia, 6872 to send particulars of their claims to them within one month after which the personal representative may convey or distribute the assets having regard only to the claims of which they then have notice.

ZZ409

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Peter Wayne Drayton late of 39 Canning Street, Orana, Western Australia

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died on 8 June 2023, are required by the trustee of the late Peter Wayne Drayton of care of Philip Wyatt Lawyers, PO Box 1026, Albany, Western Australia 6331 to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dated this 31st day of October 2023.

PHILIP WYATT LAWYERS.

ZZ410

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Dulcie Irene Coulthard, late of Aegis Shoalwater, 72 Fourth Avenue, Shoalwater, 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 05/07/2023, are required by the trustee of the late Dulcie Irene Coulthard, c/- Mountains Lawyers, PO Box 5379, Rockingham Beach WA 6969 to send particulars of their claims to the trustee within 30 days of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

MOUNTAINS LAWYERS PTY LTD, Solicitors for the Trustee.
Ph: (08) 9592 7326.

ZZ411

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Luke Dugal Cadden late of 17/26 Wellington Street, Mosman Park, 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 22 August 2023, are required by the trustee, John Roberts Cadden care of Frichot Lawyers, Manning Buildings, Level 1/135 High Street Mall, Fremantle WA 6160 to send particulars of their claim to him by 4 December 2023, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

ZZ412

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 4 December 2023 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Corti, June Irene, formerly of Unit 4, 12 Heron Place, Maddington, late of 86 Mills Road, Martin, who died on 28 August 2023 (DE19892788 EM23).

Coulthard, John, late of Bert England Lodge Aged Care, 111 Woodbridge Drive Cooloongup, who died on 27 May 2023 (DE19882676 EM14).

Crake, Evelyn Joan, late of Regis Aged Care, 46 Broun Ave, Embleton, who died on 9 September 2023 (DE19893151 EM13).

Franken, Josephina Antonia (also known as Josephine Franken) late of Juniper Carramar Village, Unit 37, 23A Redgum Way, Morley, who died on 21 September 2023 (DE19651798 EM24).

Lilly, Edward (also known as Edward Arthur Charlesworth Lilly) late of Regis Weston, 118-120 Monash Avenue, Nedlands, who died on 25 August 2023 (PM33197214 EM214).

Milan, Ray (also known as Reinhart Eder Milanovic), late of 57 Baal Street, Palmyra, who died on 2 October 2022 (DE33195098 EM213).

Newsham, Maureen Gwendoline, late of Juniper John Bryant Residential Aged Care, 95 Rawlinson Drive, Marangaroo, who died on 29 June 2023 (PM33118340 EM214).

Onions, Ronald Edward, formerly of 9 Taylor Street, Mira Mar, who died on 26 August 2023 (DE19922734 EM110).

O'Sullivan, Winsome Philomene Collett (also known as Winsome Philomene Collett), late of 31 Ardagh Street, Morley, who died on 13 May 2023 (DE19934215 EM213).

Retzlaff, Jeffrey (also known as Jeffery Retzlaff), formerly of 31 Annison Place, Morley, formerly of 31 Annison Place, Morley, late of Busselton Holiday Village, Unit 26, 118 Peel Terrace, Busselton who died on 20 June 2023 (DE19710394 EM17).

Stevens, Andrew Charles, late of SwanCare Tandara, 73 Jarrah Road, Bentley, who died on 18 September 2023 (DE19910230 EM15).

Wace, Timothy Richard Blyth (also known as Timothy Richard Wace), formerly of 7 Jana Court, Beechboro, late of 62 Challenger Avenue, Parmelia, who died on 29 September 2023 (DE19913853 EM110).

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