



WESTERN AUSTRALIAN GOVERNMENT Gazette

ISSN 1448-949X PRINT POST APPROVED PP665002/00041

1207



PERTH, THURSDAY, 9 APRIL 2009 No. 59

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.30 PM

© STATE OF WESTERN AUSTRALIA

CONTENTS

PART 1

Nil

PART 2

Table with 2 columns: Topic and Page. Topics include Consumer and Employment Protection, Deceased Estates, Health, Marine/Maritime, Minerals and Petroleum, Planning and Infrastructure, Premier and Cabinet, and Salaries and Allowances Tribunal.

IMPORTANT COPYRIGHT NOTICE

© State of Western Australia

This work is copyright. Apart from any use as permitted under the *Copyright Act 1968*, no part may be reproduced by any process without written permission from the Attorney General for Western Australia. Inquiries in the first instance should be directed to the Government Printer, State Law Publisher, 10 William St, Perth 6000.

PUBLISHING DETAILS

The Western Australian *Government Gazette* is published by State Law Publisher for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances.

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

The following guidelines should be followed to ensure publication in the *Government Gazette*.

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
- Copy must be lodged with the Sales and Editorial Section, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

Delivery address:

State Law Publisher
Ground Floor,
10 William St. Perth, 6000
Telephone: 9321 7688 Fax: 9321 7536

- Inquiries regarding publication of notices can be directed to the Editor on (08) 9426 0010.
- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

If it is necessary through isolation or urgency to fax copy, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*

GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR EASTER 2009

**Gazettes will not be published on Friday, 10 April or
Tuesday, 14 April 2009.**

A Gazette will be published on Thursday, 9 April at 3.30 pm.
Copy closes at noon on Tuesday, 7 April.

The next Gazette published will be on Friday, 17 April at 3.30 pm.
Copy closes at noon on Wednesday, 15 April.

— PART 2 —

CONSUMER AND EMPLOYMENT PROTECTION

CE401*

SUNDAY ENTERTAINMENTS ACT 1979

GOOD FRIDAY ENTERTAINMENT

I, Troy Raymond Buswell, Minister for Commerce, acting pursuant to Section 3(2) of the *Sunday Entertainments Act 1979*, do hereby declare that the provisions of Section 3(1) of the Act shall not apply to, or in relation to, any person involved in operating the Timezone outlets specified in the Schedule from 12.00 noon to 9.00 pm on Good Friday, 10 April 2009.

SCHEDULE

- Timezone Innaloo, Greater Union Cinema Complex, Liege Street, Innaloo
- Timezone Northbridge, 31 Lake Street, Northbridge
- Timezone Fremantle, 32-33 South Terrace, Fremantle
- Timezone Joondalup, Greater Union Cinema Complex, 420 Joondalup Drive, Joondalup
- Timezone Whitfords, Shop 286, The Piazza Westfield Shopping Centre, Hillarys

TROY BUSWELL BEc MLA, Minister for Commerce.

CE402*

SUNDAY ENTERTAINMENTS ACT 1979

GOOD FRIDAY ENTERTAINMENT

I, Troy Raymond Buswell, Minister for Commerce, acting pursuant to Section 3(2) of the *Sunday Entertainments Act 1979* do hereby declare that the provisions of Section 3(1) of the Act shall not apply to, or in relation to, any person involved in the operation of the Rockingham Easter Carnival, situated at the Village Green, corner Flinders Lane and Kent Street, Rockingham, from 12.00 noon to 10.30pm on Good Friday, 10 April 2009.

TROY BUSWELL BEc MLA, Minister for Commerce.

CE403*

SUNDAY ENTERTAINMENTS ACT 1979

GOOD FRIDAY ENTERTAINMENT

I, Troy Raymond Buswell, Minister for Commerce, acting pursuant to Section 3(2) of the *Sunday Entertainments Act 1979* do hereby declare that the provisions of Section 3(1) of the Act shall not apply to, or in relation to, any person who uses any place between 12.00 noon and 12.00 midnight on Good Friday, 10 April 2009 for the screening or viewing of any motion picture considered appropriate for public exhibition under the *Classification (Publications, Films and Computer Games) Enforcement Act 1996*.

TROY BUSWELL BEc MLA, Minister for Commerce.

HEALTH

HE401*

MENTAL HEALTH ACT 1996
MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS)
REVOCATION ORDER (NO. 1) 2009

Made by the Chief Psychiatrist under section 20.

1. Citation

This order may be cited as the *Mental Health (Authorised Mental Health Practitioners) Revocation Order (No 1) 2009*.

2. Commencement

This order comes into operation as follows—

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

3. Revocation of designation

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

Schedule 1

Name	Profession
Bostwick, Richard	Mental Health Nurse
Beckman, Jane	Mental Health Nurse
Burns, Patrick	Mental Health Nurse
Brooks, Janice	Mental Health Nurse
Bangay, Barbara	Mental Health Nurse
Bowyer, Charlotte	Psychologist
Coutina, Sudaha	Mental Health Nurse
Darby, Margaret	Mental Health Nurse
Downe, Nicole	Mental Health Nurse
Elliott, Denise	Mental Health Nurse
Fernando, Michelle	Mental Health Nurse
Fisher, Helen	Mental Health Nurse
Foreister, Danny	Mental Health Nurse
Henson, Mark	Mental Health Nurse
Hille, Lynette	Mental Health Nurse
Herron, Deborah	Mental Health Nurse
Irons, Eileen	Mental Health Nurse
Jermy, Craig	Mental Health Nurse
Langcay, Rebecca	Mental Health Nurse
Lemon, Viv	Mental Health Nurse
Lawson, Clair	Psychologist
McNamara, Elizabeth	Mental Health Nurse
Prior, Derek	Mental Health Nurse
Player, Trevor	Mental Health Nurse
Rickaby, Patricia	Mental Health Nurse
Wilkins, Richard	Social Worker
Ward, Tamara	Mental Health Nurse
Williams, Geoff	Social Worker
Wilson, Pam	Social Worker

Dated: 6 April 2009.

Dr ROWAN DAVIDSON, Chief Psychiatrist.

HE402*

MENTAL HEALTH ACT 1996
MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS)
ORDER (NO. 1) 2009

Made by the Chief Psychiatrist under section 20.

1. Citation

This order may be cited as the *Mental Health (Authorised Mental Health Practitioners) Order (No. 1) 2009*.

2. Commencement

This order comes into operation as follows—

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

3. Authorised mental health practitioner

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

Schedule 1

Name	Profession
Allen, Dennise	Mental Health Nurse
Bromwell, Denise	Mental Health Nurse
Campbell, Linda	Mental Health Nurse
De Silva, Michelle	Mental Health Nurse
Dunlop, Nicole	Mental Health Nurse
Heslop, Brett	Mental Health Nurse
Keast, Keryn	Mental Health Nurse
Lambert, Julie	Mental Health Nurse
Marriott, Mandy	Social Worker
Martin, Janeen	Mental Health Nurse
Naylor, Peter	Mental Health Nurse
Newton, Denise	Mental Health Nurse
O'Hara, Tyson	Mental Health Nurse
Parkes, Rodl	Mental Health Nurse
Pentecost, John	Mental Health Nurse
Purcell, Julie	Mental Health Nurse
Pitchford, Jayne	Mental Health Nurse
Plane, Darren	Mental Health Nurse
Rose, James	Mental Health Nurse
Stevens, Lynette	Mental Health Nurse
Stuart, Shannon	Mental Health Nurse
Sultan, Azlee	Social Worker
Thompson, Marnie	Mental Health Nurse
Wilcox, Karen	Mental Health Nurse

Dated: 6 April 2009.

Dr ROWAN DAVIDSON, Chief Psychiatrist.

MARINE/MARITIME

MX401*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958

EXEMPTION OF PERSONAL WATERCRAFT CONDUCTING 'TOW IN SURFING' ACTIVITIES

I, David Harrod, General Manager, Marine Safety, Department for Planning and Infrastructure, acting pursuant to the powers contained in section 115A of the *Western Australian Marine Act 1982* (as amended)—

hereby exempt Personal Watercraft (PWC) from compliance with the requirements of Regulations 49 and 48A (2) of the *Navigable Waters Regulations 1958* whilst those vessels are being used only for the purpose of Tow In Surfing activities.

This exemption only applies to persons who are at least seventeen years of age while conducting Tow In Surfing activities using Personal Watercraft within offshore surf breaks consistent with the activity of Tow In Surfing. It does not apply to motorised surfboards or kayaks. It does not apply to any gazetted water ski, PWC restricted or prohibited areas. It does not exempt any person from compliance with any other maritime legislation including speed restrictions and The International Regulations for Preventing Collisions at Sea 1972.

This exemption is subject to the following conditions—

1. PWC operator and the person being towed must hold a Recreational Skippers Ticket (RST).
2. Towing is limited to only one person at a time.
3. Tow In Surfing activities must not impede the safe passage or navigation of any other craft and must give right of way to all other aquatic activities.
4. Tow In Surfing activities must maintain a minimum distance of 45 metres away from any other Tow In Surfing activities and 200 metres from all other aquatic activities (swimmers, paddle surfers, other vessels, persons on the shore).
5. Tow In Surfing activities can only operate between the hours of Sunrise and Sunset.
6. Each PWC conducting Tow In Surfing activities in any area is to be equipped at all times with—
 - All safety equipment as required under the WA Navigable Waters Regulations 1958
 - A rescue sled for each operating PWC with a minimum size of 90 cm wide, 1.2 m long and 7 cm thick and equipped with a minimum of 5 grip handles. The use of the sled is not to exceed the load capacity recommended by the manufacturer
 - 2 x kill switch lanyards, one to be worn on the wrist or attached to the PFD of the operator and the other to be wrapped around the handlebars of the PWC
 - A Marine Band Radio which has an effective range of coverage for area of operation
 - A suitable quick release floating tow rope
 - A suitable bow tow line
 - A suitable first aid kit
 - Dive fins, mask and a safety knife in a readily accessible location

This exemption is valid to 6 April 2010 unless otherwise revoked.

DAVID HARROD, General Manager Marine Safety.

Dated: 6 April 2009.

MINERALS AND PETROLEUM

MP401*

MINING ACT 1978

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,
Meekatharra WA 6642.

In accordance with Regulation 49(2)(c) of the Mining Act, 1978 notice is hereby given that the Prospecting Licences are liable to forfeiture under the provisions of Section 96(1)(a) for breach of covenant, viz. non payment of rent.

G. RANDAZZO, Warden.

To be heard in the Warden's Court, Meekatharra on 30 April, 2009.

MURCHISON MINERAL FIELD

P51/2024—Mercator Gold Australia Pty Ltd

P51/2045—Mercator Gold Australia Pty Ltd

P51/2382—Ward Douglas Michael Bond, Stuart Robert Leonard Bond

P51/2464—John Nelson Holloway

P51/2513—Reward Minerals Ltd

P51/2550—Yellow River Gold Pty Ltd

PEAK HILL MINERAL FIELD

P52/1092-I—Warwick Resources Ltd

P52/1239—John Edward Coumbe, Bruce Robert Legendre, Stephen James Woods

EAST MURCHISON MINERAL FIELD

P53/1179—Devalia Pty Ltd
 P53/1180—Devalia Pty Ltd
 P53/1181—Devalia Pty Ltd
 P53/1182—Devalia Pty Ltd
 P53/1217—Cazaly Iron Pty Ltd
 P53/1221—Graham McGarry
 P53/1222—Graham McGarry
 P53/1223—Graham McGarry
 P53/1224—Graham McGarry
 P53/1225—Graham McGarry
 P53/1253—Redport Exploration Pty Ltd

PLANNING AND INFRASTRUCTURE

PI401*

PLANNING AND DEVELOPMENT ACT 2005
 APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Geraldton-Greenough

Town Planning Scheme No. 4 (Greenough)—Amendment No. 135

Ref: 853/3/7/6/Pt135

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 Geraldton-Greenough local planning scheme amendment on 26 February 2009 for the purpose of—

- 1 Rezoning Lot 202, Narngulu from 'General Farming' to 'General Industry'.
- 2 Rezoning the section of unnamed road reserve across Lot 202, Narngulu from 'General Farming' to 'General Industry'.
- 3 Including that portion of the abovementioned land proposed to be rezoned to 'General Industry' in an overlying 'Restricted Use 6' zone.
- 4 Inserting the following Section 2.7 into the Scheme Text—

“2.7 RESTRICTED USES

Notwithstanding any other provision within the Scheme to the Contrary, the land specified in Section 2.7 may not be used for the specific use or uses that are listed.

No.	Description of Land	Restricted Use(s)	Conditions
RU6	Lot 202, Narngulu identified upon Scheme Map as RU6	Car Sales Premises; Caravan Sales Premises; Boating Sales Premises; Car Wash; Dry Cleaning Premises; Showroom; Takeaway Food Outlet; Veterinary Clinic; Veterinary Hospital ARE NOT PERMITTED	(1) Prior to any subdivision a Subdivision Guide Plan shall be prepared and endorsed by both Council and the Western Australian Planning Commission and subdivision shall be in accordance with this Plan. (2) Any future title created has a Section 70A Notice under the Land Administration Act notifying the area is within respective environmental buffer zones.

- 5 Amending the Scheme Map accordingly.

I. W. CARPENTER, Mayor.
 A. BRUN, Chief Executive Officer.

PI402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Geraldton-Greenough

Town Planning Scheme No. 4 (Greenough)—Amendment No. 119

Ref: 853/3/7/6/Pt119

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 Geraldton-Greenough local planning scheme amendment on 26 February 2009 for the purpose of—

- 1 Rezoning Lots 2, 3, 11-14 and 20 Stansfield Road, Narngulu, Part Lot 28 Stansfield Road, Narngulu, Lots 50 and 100 Goulds Road, Narngulu, Lot 1 and Part Lot 351 Ventura Place, Narngulu from the 'General Farming' zone to the 'Special Zone-Restricted Use';
- 2 Inserting the following text within the Section 2.5 Special Zone-Restricted Use Table of the Scheme—

Code No.	Street	Particulars of Land	Use or Uses Permitted	Conditions
4	Stansfield Road	<p>Narngulu Industrial Estate Buffer Precinct D—Area of land bounded by Stansfield Road, Edward Road, Goulds Road, the Southern Transport Corridor and Hardey Road identified upon Scheme Map as R4</p> <p>Lots 2, 3, 11-14 and 20 Stansfield Road, Narngulu, Part Lot 28 Stansfield Road, Narngulu, Lots 50 and 100 Goulds Road, Narngulu, Lot 1 and Part Lot 351 Ventura Place, Narngulu</p>	<p>The following uses are not permitted unless the Local Government has exercised its discretion by granting planning approval—</p> <p style="padding-left: 20px;">Radio & TV Studio & Installation</p> <p style="padding-left: 20px;">Open Air Display</p> <p style="padding-left: 20px;">Warehouse</p> <p style="padding-left: 20px;">Vehicle Repair Station</p> <p style="padding-left: 20px;">Funeral Parlour</p> <p style="padding-left: 20px;">Plant Nursery and Premises for the Sale of Domestic Garden Plants and Allied Products</p> <p style="padding-left: 20px;">Light Industry</p> <p style="padding-left: 20px;">Factoryette</p> <p style="padding-left: 20px;">Builder's Yard</p> <p style="padding-left: 20px;">Service Industry</p> <p style="padding-left: 20px;">Depot for the Storage of Cargo in Transit</p> <p style="padding-left: 20px;">Premises for the temporary or permanent storage of engineering equipment and material and the parking or earthmoving equipment and machinery</p> <p style="padding-left: 20px;">Veterinary Clinic</p> <p style="padding-left: 20px;">Veterinary Hospital</p> <p>The following uses are not permitted unless the Local Government considers it is incidental to a predominant use and has exercised its discretion by granting planning approval—</p> <p style="padding-left: 20px;">Caretaker's House</p> <p style="padding-left: 20px;">Office</p>	<p>(i) Prior to any subdivision a Subdivision Guide Plan shall be prepared and endorsed by both Council and the Western Australian Planning Commission and subdivision shall be in accordance with this Plan.</p> <p>(ii) Caretaker's House is only permitted upon land situated outside the confines of the Narngulu Industrial Estate Buffer as shown upon the Greater Geraldton Structure Plan and Local Planning Strategy, and outside the confines of the Narngulu Waste Disposal Site Buffer as shown upon the Scheme Map.</p> <p>(iii) The approval of Caretaker's House shall be subject the following requirements—</p> <ul style="list-style-type: none"> • notification upon the title at the time of development/subdivision approval advising that the subject land is located within proximity to the Narngulu Industrial Estate and may be subject to associated impacts; • a caretakers house should be incidental to the predominant industrial use of the site; • only one caretaker's house is permitted on a lot and that dwelling should be on the same lot as the associated industrial use; • a caretaker's house is to have a total floor area that does not exceed 100m² measured from the external face of walls; and • open verandahs may be permitted but must not be enclosed by any means unless the total floor area of the caretaker's house remains within 100m².

Code No.	Street	Particulars of Land	Use or Uses Permitted	Conditions
			<p>A lock up shop upon the premises of or adjoining a factory used primarily to provide meals and refreshments for the employees of the factory</p> <p>A factory showroom or an office upon the premises of or adjoining the factory</p> <p>A retail or wholesale business connected with the industry</p> <p>Amenity Building</p> <p>Fuel and Power Generation</p> <p>Car Park</p> <p>The following uses are not permitted unless the Local Government has exercised its discretion by granting planning approval after advertising—</p> <p>Lunch Bar</p>	<p>(iv) Any development application within the area shown upon the Subdivision Guide Plan as “Uses compatible with rural residential” must be accompanied by an Overall Site Plan for the lot, which demonstrates the compatibility of the particular development with the adjacent rural-residential area.</p> <p>(v) Any development shall comply with the plot ratio, boundary setback, landscaping and car parking provisions of the Light Industry Zoning & Development Table of the Scheme, unless Council is satisfied with the proposed variation.</p> <p>(vi) Direct access onto the Southern Transport Corridor alignment will not be granted by Main Roads WA.</p> <p>(vii) Any development application shall comply with the Environmental Protection (Noise) Regulations 1997 and as a condition of development approval Council may require the restriction of hours of operation to ensure this compliance and compatibility with nearby residential land uses.</p>

3 Inserting the following text within Appendix VII-Interpretations—

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

4 Amending the Scheme Map accordingly.

I. W. CARPENTER, Mayor.
A. BRUN, Chief Executive Officer.

PI403*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Geraldton-Greenough

Town Planning Scheme No. 4 (Greenough)—Amendment No. 121

Ref: 853/3/7/6/Pt121

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 Geraldton-Greenough local planning scheme amendment on 8 March 2009 for the purpose of—

- Rezoning Lots 12-17, 42-45, 52 & 53 Edward Road, Meru, Lots 18-22 & 1900 Deepdale Road, Meru, Lot 6857 Arthur Road, Meru and Lots 1901 & 1902 Moonyoonooka-Narngulu Road, Meru from the ‘General Farming’ zone to the ‘General Industry’ zone;
- Including that portion of the abovementioned land proposed to be rezoned to ‘General Industry’ in an overlying ‘Restricted Use 1’ zone;
- Rezoning Part Lots 10 & 12 and Lots 62 & 9003 Deepdale Road, Meru from the ‘General Farming’ and ‘Special Rural’ zone to the ‘Light Industry’ zone;

- 4 Including that portion of the abovementioned land proposed to be rezoned to 'Light Industry' in an overlying 'Restricted Use 2' zone
- 5 Inserting the following Section 2.7 into the Scheme Text—

2.7 RESTRICTED USES

Notwithstanding any other provision within the Scheme to the Contrary, the land specified in Section 2.7 may not be used for the specific use or uses that are listed.

No.	Description of Land	Restricted Use(s)	Conditions
RU1	Area of land bounded by Edward Road, Southern Transport Corridor alignment, Arthur Road, Moonyoonooka-Narngulu Road identified upon Scheme Map as RU1	Showroom, Car Sales Premises, Car Wash, Caravan Sales Premises, Boating Sales Premises, Dry Cleaning Premises, Light Industry, Service Industry, Veterinary Clinic, Veterinary Hospital, Takeaway Food Outlet are NOT PERMITTED	Prior to any subdivision a Subdivision Guide Plan shall be prepared and endorsed by both Council and the Western Australian Planning Commission and subdivision shall be in accordance with this Plan.
RU2	Area of land bounded by Southern Transport Corridor alignment and Deepdale Road identified upon Scheme Map as RU2	Art & Craft Studio & Sales, Car Wash, Public Laundry, Public Amusement, Drive In and Open Air Theatre, Day Care Centre/Child Minding Centre, Caretaker's House, Takeaway Food Outlet are NOT PERMITTED	Prior to any subdivision a Subdivision Guide Plan shall be prepared and endorsed by both Council and the Western Australian Planning Commission and subdivision shall be in accordance with this Plan.

- 6 Insert the following text within Appendix VII-Interpretations—
 "Lunch Bar—means premises or part of the premises used for the sale of takeaway food (in a form ready to be consumed without further preparation) within industrial or commercial areas."
- 7 Inserting the use 'Lunch Bar' within the 'Light Industry Zoning & Development Table' (as listed use no.36) with the corresponding symbol of 'AP' (not permitted unless special approval given by Council after advertising).
- 8 Inserting the use 'Lunch Bar' within the 'General Industry Zoning & Development Table' (as listed use no.36) with the corresponding symbol of 'AP' (not permitted unless special approval given by Council after advertising).
- 9 Amending the Scheme Map accordingly.

I. W. CARPENTER, Mayor.
 A. BRUN, Chief Executive Officer.

PI404*

PLANNING AND DEVELOPMENT ACT 2005
 APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Geraldton-Greenough

Town Planning Scheme No. 4 (Greenough)—Amendment No. 128

Ref: 853/3/7/6/Pt128

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 Geraldton-Greenough local planning scheme amendment on 8 March 2009 for the purpose of—

- 1 Modifying Clause 2.1.1 by inserting the word 'Development' zone after the words 'High Density Residential R50';

- 2 Inserting an additional Zoning and Development Table after the 'High Density Residential R50 Zoning and Development Table' as follows—

Zone—Development Explanation of Symbols	Zoning and Development
See Clause 2.2.2	<p>POLICY STATEMENT: Planning for a residential neighbourhood should take account of the need to derive maximum amenity of benefit for those residents in adjacent neighbourhoods as well as for prospective residents. This planning consideration should be reflected in a plan for future subdivisions and development to be known as a "Structure Plan". The subdivision and development of land zoned "Development" should not proceed unless it accords with a properly prepared and approved "Structure Plan".</p> <hr/> <p>DEVELOPMENT STANDARDS</p> <p>As per Clause 2.7 and in accordance with an adopted Structure Plan.</p>
P = Use permitted subject to compliance with Development Standards.	
PS = Use not permitted unless special approval given by Council and conditions complied with.	
AP = Not permitted unless special approval is given by Council after advertising.	
IP = Use not permitted unless it is incidental to the predominant use as determined by Council.	
Permitted Uses	Note—Unless otherwise specified against a particular use below, the standards above will apply to this zone.
As per Clause 2.7 and in accordance with an adopted Structure Plan	

- 3 Inserting the following Clause in numeric order—

2.7 Development Zone

2.7.1 Interpretation

In clause 2.7, unless the context requires—

'owner' means an owner or owners of land in the Development Zone; and

'structure plan' means a structure plan that has come into effect in accordance with clause 2.7.12.1.

2.7.2 Purpose of Development Zone

2.7.2.1 The purposes of Development Zones are to—

- (a) identify areas requiring comprehensive planning;
- (b) coordinate subdivision, land use and development in areas requiring comprehensive planning.

2.7.3 Subdivision and Development in Development Zones

2.7.3.1 The subdivision and development of land within a Development Zone is to generally be in accordance with any structure plan that applies to that land.

2.7.4 Structure Plan required

2.7.4.1 The local government is not to—

- (a) consider recommending subdivision; or
- (b) approve development

of land within a Development Zone unless there is a structure plan for the Development Zone or for the relevant part of the Development Zone.

2.7.4.2 Notwithstanding clause 2.7.4.1, a local government may recommend subdivision or approve the development of land within a Development Zone prior to a structure plan coming into effect in relation to that land, if the local government is satisfied that this will not prejudice the specific purposes and requirements of the Development Zone.

2.7.5 Preparation of proposed structure plans

2.7.5.1 A proposed structure plan may be prepared by—

- (a) the local government; or
- (b) an owner.

2.7.5.2 A structure plan may be prepared for all, or part of, an area included in the 'Development Zone'.

2.7.6 Details of proposed structure plan

2.7.6.1 A proposed structure plan is to contain the following details—

- (a) a map showing the area to which the proposed structure plan is to apply;
- (b) a site analysis map showing the characteristics of the site including—
 - (i) landform, topography and land capability;
 - (ii) conservation and environmental values including bushland, wetlands, damp lands, streams and water courses, foreshore reserves and any environmental policy areas;

- (iii) hydrogeological conditions, including approximate depth to water table;
 - (iv) sites and features of Aboriginal and European heritage value;
 - (c) a context analysis map of the immediate surrounds to the site including—
 - (i) the pattern of neighbourhoods, and existing and planned neighbourhood, town and regional centres;
 - (ii) transport routes, including freeways, arterial routes and neighbourhood connector alignments, public transport routes, strategic cycle routes, bus stops and rail stations;
 - (iii) existing and future land use;
 - (d) for district structure plans a map showing proposals for—
 - (i) the pattern of neighbourhoods around town and neighbourhood centres;
 - (ii) arterial routes and neighbourhood connector streets;
 - (iii) the protection of natural features such as water courses and vegetation;
 - (iv) major open spaces and parklands;
 - (v) major public transport routes and facilities;
 - (vi) the pattern and disposition of land uses; and
 - (vii) schools and community facilities;
 - (e) for local structure plans a map showing proposals for—
 - (i) neighbourhoods around proposed neighbourhoods and town centres;
 - (ii) existing and proposed commercial centres;
 - (iii) natural features to be retained;
 - (iv) street block layouts;
 - (v) the street network including street types;
 - (vi) transportation corridors, public transport network, and cycle and pedestrian networks;
 - (vii) land uses including residential densities and estimates of population;
 - (viii) schools and community facilities;
 - (ix) public parklands; and
 - (x) urban water management areas;
 - (f) a written report to explain the mapping and to address the following—
 - (i) the planning framework for the structure plan including any applicable regional or district structure plans, and any policies, strategies and scheme provisions which apply to the land, and any environmental conditions which apply under the Scheme;
 - (ii) the site analysis including reference to the matters listed in clause 2.7.6.1 (b) above, and, in particular, the significance of the conservation, environmental and heritage values of the site;
 - (iii) the context analysis including reference to the matters listed in clause 2.7.6.1 (c) above;
 - (iv) how planning for the structure plan area is to be integrated with the surrounding land;
 - (v) the design rationale for the proposed pattern of subdivision, land use and development;
 - (vi) traffic management and safety;
 - (vii) parkland provision and management;
 - (viii) urban water management;
 - (ix) proposals for public utilities including sewerage, water supply, drainage, gas, electricity and communication services;
 - (x) the proposed method of implementation including any cost sharing arrangements and details of any staging of subdivision and development.
- 2.7.6.2 The maps referred to in clause 2.7.6.1 are to—
- (a) be drawn to a scale that clearly illustrates the details referred to in clause 2.7.6.1; and
 - (b) include a north point, visual bar scale, key street names and a drawing title and number.
- 2.7.6.3 A proposed structure plan may, to the extent that it does not conflict with the Scheme, impose a classification on the land included in it by reference to reserves, zones or the *Residential Planning Codes*, and where the proposed structure plan becomes a structure plan, the local government is to have due regard to such reserves, zones or *Residential Planning Codes* when recommending subdivision or approving development of land within a Development Zone.
- 2.7.6.4 A proposed structure plan must, in the opinion of the local government, be consistent with orderly and proper planning.

2.7.7 Submission to local government and Commission

- 2.7.7.1 A proposed structure plan prepared by an owner is to be submitted to the local government.
- 2.7.7.2 Within 7 days of preparing or receiving a proposed structure plan which proposes the subdivision of land, the local government is to forward a copy of the proposed structure plan to the Commission.
- 2.7.7.3 The Commission is to provide comments to the local government as to whether it is prepared to endorse the proposed structure plan with or without modifications.
- 2.7.7.4 The Commission must provide its comments to the local government within 30 days of receiving the proposed structure plan.

2.7.8 Advertising of structure plan

- 2.7.8.1 Within 60 days of preparing or receiving a proposed structure plan that conforms with clause 2.7.6 and complies with the Scheme (or such longer time as may be agreed in writing between the owner who submitted the proposed structure plan and the local government), the local government is to—
- (a) advertise, or require the owner who submitted the proposed structure plan to advertise, the proposed structure plan for public inspection by one or more of the following ways—
 - (i) notice of the proposed structure plan published in a newspaper circulating in the Scheme area;
 - (ii) a sign or signs displaying notice of the proposed structure plan to be erected in a conspicuous place or places in the Development Zone, or part of the Development Zone, to which the proposed structure plan applies; and
 - (b) give notice or require the owner who submitted the proposed structure plan to give notice, in writing to—
 - (i) all owners whose land is included in the proposed structure plan;
 - (ii) all owners and occupiers who, in the opinion of the local government, are likely to be affected by the adoption of the proposed structure plan;
 - (iii) such public authorities and other persons as the local government nominates.
- 2.7.8.2 The advertisement and notice are to—
- (a) explain the scope and purpose of the proposed structure plan;
 - (b) specify when and where the proposed structure plan may be inspected; and
 - (c) invite submissions to the local government by a specified date being not less than 21 days after the giving or erection of the notice or publication of the advertisement, as the case requires.

2.7.9 Adoption of proposed structure plan

- 2.7.9.1 The local government is to consider all submissions received and within 60 days of the latest date specified in the notice or advertisement for the making of submissions is to—
- (a) adopt the proposed structure plan, with or without modifications; or
 - (b) refuse to adopt the proposed structure plan and, where the proposed structure plan was submitted by an owner, give reasons for this to the owner.
- 2.7.9.2
- (a) In making a determination under clause 2.7.9.1, the local government is to have due regard to the comments and advice received from the Commission in relation to the proposed structure plan.
 - (b) If the Commission requires modifications to the proposed structure plan, the local government is to consult with the Commission prior to making a determination under clause 2.7.9.1.
- 2.7.9.3 If the local government, after consultation with the Commission, is of the opinion that a modification to the proposed structure plan is substantial, the local government may—
- (a) readvertise the proposed structure plan; or
 - (b) require the owner who submitted the proposed structure plan to readvertise the proposed structure plan;
- and thereafter, the procedures set out in clause 2.7.8.1 onwards are to apply.
- 2.7.9.4 If within the period referred to in clause 2.7.9.1, or such further time as may be agreed in writing between the owner who submitted the proposed structure plan and the local government, the local government has not made a determination under clause 2.7.9.1, the local government is deemed to have refused to adopt the proposed structure plan.

2.7.10 Endorsement by Commission

- 2.7.10.1 If the proposed structure plan proposes the subdivision of land, then within 7 days of making its determination under clause 2.7.9.1, the local government is to forward the proposed structure plan to the Commission for its endorsement.
- 2.7.10.2 As soon as practicable after receiving the proposed structure plan, the Commission is to determine whether to endorse the proposed structure plan.

2.7.10.3 The Commission is to notify the local government of its determination under clause 2.7.10.2.

2.7.11 Notification of structure plan

2.7.11.1 As soon as practicable after adopting a proposed structure plan under clause 2.7.9.1 and if clause 2.7.10 applies, as soon as practicable after being notified of the Commission's decision under clause 2.7.10.3, the local government is to forward a copy of the structure plan to—

- (a) any public authority or person that the local government thinks fit; and
- (b) where the structure plan was submitted by an owner, to the owner.

2.7.12 Operation of structure plan

2.7.12.1 A structure plan comes into effect—

- (a) where the structure plan proposes the subdivision of land, on the day on which it is endorsed by the Commission pursuant to clause 2.7.10.2; or
- (b) on the day on which it is adopted by the local government under clause 2.7.9.1 in all other cases.

2.7.12.2 If a provision of a structure plan is inconsistent with a provision of the Scheme, then the provision of the Scheme prevails to the extent of the inconsistency.

2.7.13 Inspection of structure plan

2.7.13.1 The structure plan and the Commission's notification under clause 2.7.10.3 is to be kept at the local government's administrative offices, and is to be made available for inspection by any member of the public during office hours.

2.7.14 Variation to structure plan

2.7.14.1 The local government may vary a structure plan—

- (a) by resolution if, in the opinion of the local government, the variation does not materially alter the intent of the structure plan;
- (b) otherwise, in accordance with the procedures set out in clause 2.7.6 onwards.

2.7.14.2 If the local government varies a structure plan by resolution, and the variation does not propose the subdivision of land, the local government is to forward a copy of the variation to the Commission within 10 days of making the resolution.

2.7.14.3 If the local government varies a structure plan by resolution, and the variation proposes the subdivision of land, the local government is to forward a copy of the variation to the Commission within 10 days of making the resolution for its endorsement.

2.7.14.4 As soon as practicable after receiving the copy of the variation referred to in clause 2.7.14.3, the Commission is to determine whether to endorse the proposed variation.

2.7.14.5 The Commission is to notify the local government of its determination under clause 2.7.14.4.

2.7.14.6 A variation to a structure plan by resolution comes into effect—

- (a) where the variation proposes the subdivision of land, on the day on which it is endorsed by the Commission pursuant to clause 2.7.14.4; or
- (b) on the day on which the local government resolves to make the variation under clause 2.7.14.1 (a).

2.7.15 Detailed area plan

2.7.15.1 Where it is considered desirable to enhance, elaborate or expand the details or provisions contained in a structure plan for a particular lot or lots, a detailed area plan may be prepared by—

- (a) the local government; or
- (b) an owner.

2.7.15.2 A detailed area plan may include details as to—

- (a) building envelopes;
- (b) distribution of land uses within a lot;
- (c) private open space;
- (d) services;
- (e) vehicular access, parking, loading and unloading areas, storage yards and rubbish collection closures;
- (f) the location, orientation and design of buildings and the space between buildings;
- (g) advertising signs, lighting and fencing;
- (h) landscaping, finished site levels and drainage;
- (i) protection of sites of heritage, conservation or environmental significance;
- (j) special development controls and guidelines; and
- (k) such other information considered relevant by the local government.

2.7.15.3 When a proposed detailed area plan is prepared under clause 2.7.15.1, the local government is to—

- (a) advertise, or require the owner who submitted the proposed detailed area plan to advertise, the proposed detailed area plan for public inspection by one or more of the following ways—
 - (i) notice of the proposed detailed area plan published in a newspaper circulating in the Scheme area;
 - (ii) a sign or signs displaying notice of the proposed detailed area plan to be erected in a conspicuous place or places in the Development Zone, or part of the Development Zone, to which the proposed detailed area plan applies;
- (b) give notice or require the owner who submitted the proposed detailed area plan to give notice, in writing to—
 - (i) all owners whose land is included in the proposed detailed area plan;
 - (ii) all owners and occupiers who, in the opinion of the local government, are likely to be affected by the adoption of the proposed detailed area plan;
 - (iii) such public authorities and other persons as the local government nominates.

2.7.15.4 The advertisement and notice are to—

- (a) explain the scope and purpose of the proposed detailed area plan;
- (b) specify when and where the proposed detailed plan may be inspected; and
- (c) invite submissions to the local government by a specified date being not less than 21 days after the giving or erection of the notice or publication of the advertisement, as the case requires.

2.7.15.5 The local government is to consider all submissions received and—

- (a) approve the detailed area plan with or without conditions; or
- (b) refuse to approve the detailed area plan and, where the proposed detailed area plan was submitted by an owner, give reasons for this to the owner.

2.7.15.6 If within 60 days of receiving a detailed area plan prepared under clause 2.7.15.1(b), or such longer period as may be agreed in writing between the owner and the local government, the local government has not made one of the determinations referred to in clause 2.7.15.5, the local government is deemed to have refused to approve the detailed area plan.

2.7.15.7 Once approved by the local government, the detailed area plan constitutes a variation of the structure plan.

2.7.15.8 The local government may vary a detailed plan in accordance with the procedures set out in clause 2.7.15 onwards provided such variations do not prejudice the intention of any related structure plan.

2.7.16 Appeal

2.7.16.1 An owner who has submitted a proposed structure plan under clause 2.7.7.1 may appeal under Part 14 of the Planning and Development Act—

- (a) any failure of the local government to advertise, or require the owner to advertise, a proposed structure plan within the required time period under clause 2.7.8.1;
- (b) any determination of the local government—
 - (i) to refuse or adopt a proposed structure plan (including a deemed refusal); or
 - (ii) to require modifications to a proposed structure plan that are unacceptable to that owner.

2.17.6.2 An owner who has submitted a detailed area plan in accordance with clause 2.7.15 may appeal, in accordance with Part 14 of the Planning and Development Act, any discretionary decision made by the local government under clause 2.7.15.

4 Removing the 'Development Area Boundary' from around Lot 13 Verita Road and Lot 14 Brand Highway, Rudds Gully on the Scheme Map;

5 Rezoning Lot 13 Verita Road and Lot 14 Brand Highway, Rudds Gully from the 'Single Density Residential R12.5' zone to the 'Development' zone;

6 Rezoning the access leg portion of Lot 21 Verita Road, Rudds Gully from the 'General Farming' zone to 'Development' zone;

7 Amending the Scheme Map accordingly.

I. W. CARPENTER, Mayor.
A. BRUN, Chief Executive Officer.

PI405*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Geraldton-Greenough

Town Planning Scheme No. 3 (Geraldton)—Amendment No. 46

Ref: 853/3/2/7 Pt 46

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 Geraldton-Greenough local planning scheme amendment on 17 February 2009 for the purpose of—

- (1) Rezoning Lot 3183 corner of Bradford and Allen Streets, and Lots 4 and 9 Bradford Street, Wonthella from “Development” to “Industry Service” and “Industry General”.
- (2) Rezoning Lot 100 Allen Street from “Development” to “Industry General”.
- (3) Amending the Scheme Maps accordingly.
- (4) Inserting a new clause 4.10.2 (vii) as follows—

“Notwithstanding the minimum lot size requirements stipulated in clause 4.10.2 (i) above, Lots subject to the “Wonthella Development Zone Industrial Development Plan” abutting the Webberton Road future extension shall have a minimum lot size of 3500m².

- (5) Adding the following to Schedule 5—

No.	Site	Restricted Use(S)	Conditions
2	Portions of Lot 100 Allen Street and Lots 4 and 9 Bradford Street, Wonthella	“Caretaker’s Dwelling” is NOT PERMITTED.	Caretaker’s dwellings are not permitted within the Water Corporation’s Odour Buffer Area of the Geraldton No. 2 Wastewater Treatment Plant.

I. W. CARPENTER, Mayor.
A. BRUN, Chief Executive Officer.

PREMIER AND CABINET

PC401*

INTERPRETATION ACT 1984
MINISTERIAL ACTING ARRANGEMENTS

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

Hon S M O’Brien MLC to act temporarily in the office of Minister for Mines and Petroleum; Fisheries; Electoral Affairs in the absence of the Hon N F Moore MLC for the period 11 April to 3 May 2009 (both dates inclusive).

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

SALARIES AND ALLOWANCES TRIBUNAL

SX401*

SALARIES AND ALLOWANCES ACT 1975

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

Under Sections 6(1)(e) and Section 8(a) of the *Salaries and Allowances Act 1975* (the Act) the Tribunal is required to enquire into and determine the remuneration paid to or provided to the Chief Commissioner, Senior Commissioner and Commissioners of the Western Australian Industrial Relations Commission (WAIRC). In so doing, the Tribunal is to ensure that not more than a year lapses between one determination and another.

BACKGROUND

In March 2008 the Tribunal determined an increase of 4.2% in remuneration for these statutory office holders. Significant weight was given to the framework of judicial and quasi-judicial rates of remuneration in Western Australia. Subsequent adjustments during 2008 to other positions coming within the Tribunal's jurisdiction were in line with increases then determined for members of the WAIRC.

The impact of the Commonwealth's 'Work Choices' legislation on the State's industrial relations jurisdiction, pending industrial legislation in this State and rates of remuneration paid to members of other Commonwealth and other State industrial tribunals were noted.

CURRENT ENQUIRY

Members of the WAIRC were invited to present a submission for this review.

A public notice calling for submissions was placed in 'The West Australian' on 14th January 2009 with a closing date of 11th February 2009.

Submissions were received from members of the WAIRC and from the Minister for Commerce. No other submissions were received in response to the public notice.

SUBMISSIONS

Members of the WAIRC draw the Tribunals attention to the continuing impact of Commonwealth industrial relations legislation, a position consistent with industrial tribunals in other States.

The WAIRC role in public sector industrial matters in this State continues. Notice is given of the WAIRC's wider jurisdiction with proclamation of the *Owner-Drivers (Contacts and Disputes) Act 2007* and the *Employment Dispute Resolution Act 2008* on 1st August and 1st December 2008 respectively. Current levels of remuneration for office holders in other industrial tribunals throughout Australia are provided in the WAIRC submission.

The submission from the Minister for Commerce includes information on pay increases in the pipeline for public servants, teachers and TAFE lecturers over the next three years. Attention is drawn to the impact of the global economic down turn on the labour market in this State and to the level of investment and the likely affect on the State's growth.

The Minister advises that a review of the State's industrial relations system is to be undertaken. Notice is also given that the Government's wages policy is being reviewed.

CONSIDERATIONS

This determination is the first to be handed down by the Tribunal in 2009.

The environment which the Tribunal and indeed the community now faces, is significantly different from that which prevailed only six months ago. The deterioration in the global economy that followed the meltdown of financial markets in the United States has impacted on the wider economy at international, national and regional levels.

The downturn in the economy evident from national accounts and economic performance statistics for the December 2008 quarter reflect only the initial deterioration from a high point in the nation's and the State's economic activity.

The Reserve Bank notes that at this time there is insufficient data available to "get a good reading on the trends that might be emerging in the early part of 2009" ('The Economic Landscape in 2009', address by the Assistant Governor Reserve Bank to the Australian Industry Group Annual Economic Forum, Sydney, 4th March 2009).

The International Monetary Fund (IMF) predicts that 2009 will be the weakest year for the global economy since the World War 2. However an improvement in the economic outlook is forecast for the end of the year and into 2010 as stimulus packages take effect throughout the world.

The March 2009 quarterly review of economic indicators will not be available until April. However the often repeated warnings from economists, public commentators and political leaders has been that "things are bad and there is worse to come before it gets better". There are daily reports of work force layoffs, reductions in working hours, cancellation of contracts and the dramatic deterioration in international trade. It is likely that the March 2009 quarter statistics will confirm fears held about the state of the economy and identify the magnitude of the challenge in restablising financial stability which is fundamental to prosperity. Statistics disguise the human cost of an "economic downturn". Bankruptcies, unemployment and personal hardship are reality for many in the community.

The global orientation of the State's economy which has been the basis of our prosperity and could now be the source of our own vulnerability is evident from the composition of the Gross State Product (GSP). In 2007-08 mining accounted for 30% of GSP (for Australia mining is 8% of Gross Domestic Product GDP), exports were 47% of GSP (for Australia 21% of GDP) and business investment 26% of GSP (for Australia 17%). (Source ABS Cat. 5220).

Critical to the State's economic performance are commodity prices and business investment. Fortunately the sharp decline recorded in prices for resource commodities in the December 2008 quarter have not continued to deteriorate at the same pace. At this time the IMF forecast some improvement in prices in 2009 and 2010; however the levels reached before the economic downturn will not be repeated.

While surveys show the dramatic deterioration in business confidence at a national level in the December 2008 quarter (refer to NAB Business Survey, January 2009), this has not been reflected in the level of business investment in Western Australia so far this year. In 2007-08 business investment in this State stood at \$23 billion in the December 2008 quarter survey. Projections based on Private New Capital Expenditure surveys has this rising to \$33 billion for 2008-2009 and then dipping to \$28 billion in 2009-10; levels above current actual amounts. (Source ABS Cat. 5265.0)

However the critical time for the State's economy will be mid to late 2009 when several major resource developments have peaked. Whether there is sufficient confidence to invest on other projects will depend on the state of international markets, including financial market stability and commodity prices.

Australian Bureau of Statistics (ABS) Labour Market statistics released on 12th March 2009 show a big drop in full time employment of 14,000 jobs in Western Australia, but a bigger increase in part-time employment with 16,000 positions being created. However the significant increase in underlying unemployment has flowed from the increase of 13,000 in the participation rate. There has been an accelerating increase in the underlying unemployment rate from September 2008 in this State with the percentage monthly increase in January and February 2009 being the biggest since 1978 when records began. Job advertisements and surveys of hiring intentions show a dramatic downturn in vacancies. The ANZ Bank February 2009 survey of newspaper job advertisements records a 29% drop from January to February 2009 and a 64% drop for the twelve months to February 2009.

It has already being noted that the Tribunal is obliged to ensure that not more than a year elapses between one determination in respect of an office under Section 6(1)(e) and another. While it is clear that the WAIRC's jurisdiction has increased since March 2008 and a review of the industrial relations system is to take place, a further wave of Federal legislation, the Commonwealth's "Fair Work" Act may also impact on the Commission. None of these matters would in normal circumstances act to persuade the Tribunal not to adjust the members' remuneration in line with rates accorded other office holders and judicial and quasi judicial positions in this State. However at this time, the Tribunal, after anxious consideration, believes that it would be reckless to determine an adjustment in the members' remuneration during deteriorating economic circumstances and in the absence of a clear indication of a recovery.

The Tribunal recognises the value of the WAIRC to the community, the imperative to fulfil our statutory obligation and to ensure that this is discharged with equity and good conscience.

The Tribunal considers that it is prudent to maintain remuneration at existing levels until it can be satisfied that the state of economy is sufficiently stable enough to sustain increases in line with principles which the Tribunal will apply to each of the Statutory offices and judicial positions coming within its jurisdiction.

There is nothing to prevent the Tribunal reassessing the situation in the short term. Members of the Commission can be assured that this opportunity will be taken as soon as it presents.

DETERMINATION

The Tribunal, pursuant to section 6(1)(e) of the *Salaries and Allowances Act 1975*, determines the Commissioners of the Western Australian Industrial Relations Commission will receive the amounts specified in the attached Schedule. This will mean that the Commissioners will continue to receive the current rate of remuneration with effect from the 1st of May 2009.

The determination will now issue.

Signed at Perth this 20th day of March 2009.

W. S. COLEMAN, AM, Chairman.

C. A. BROADBENT, Member.

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

SCHEDULE

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

1. Remuneration

- 1.1 Chief Commissioner—\$282,730 per annum.
- 1.2 Senior Commissioner—\$268,593 per annum.
- 1.3 Commissioner—\$254,457 per annum.

2. Motor Vehicles

The following arrangements apply to the entitlement of each Commissioner to the provision of a fully maintained motor vehicle for business and private use.

2.1 The Chief Commissioner is entitled to the provision of a prestige vehicle, selected from the Government's Common Use Contract no. 012A1994, Items 1008 (Prestige Class) and 1009 (Restricted Prestige Class), as amended from time to time.

2.2 The Senior Commissioner and Commissioners are entitled to the provision of a prestige vehicle selected from Item 1008 (Prestige Class), as amended from time to time.

2.3 Vehicles with supercharged or V8 engines are not included. Turbo charged engines with a capacity greater than 3.0 litres are not included.

2.4 The Chief Commissioner, Senior Commissioner and Commissioners may choose any vehicle and accessories in the Common Use Contract the total cost of which does not exceed the maximum cost of accessing a vehicle to which an entitlement exists in the relevant Prestige Class. The total cost will be based on individual usage patterns. Each lease should be tailored to achieve the most cost-effective arrangement, but with the maximum lease term being two years, and include any standard accessories (including a tow bar or, for those entitled to a prestige vehicle selected from Item 1009, also a sunroof). Where the total cost of the chosen vehicle and accessories exceeds the maximum cost of accessing a vehicle to which an entitlement exists in the relevant Prestige Class, the additional cost must be borne by the individual. This includes the purchase cost of accessories, the installation cost and removal costs if required before disposal of the vehicle.

2.5 The Chief Commissioner must approve the selection of the vehicle for the Senior Commissioner and Commissioners.

2.6 The Chief Commissioner must approve that the provision of a 4-wheel drive vehicle is clearly substantiated by demonstrated operational need.

2.7 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 Treasury and Finance (the effective owner of the State Fleet). Applicable terms and conditions are currently set out in the document, "State Fleet—Agency General Agreement".

2.8 Selection of appropriate vehicles should be subject to consultation between the Chief Commissioner and the Department of the Registrar of the Western Australian Industrial Relations Commission (as the department administratively supporting the Commission and therefore the "Agency" responsible for managing the leasing arrangements for vehicles provided to Commissioners of the WAIRC). Although the cost of the vehicles is centrally funded, as a consequence of the vehicle being an emolument recommended under the *Salaries and Allowances Act 1975*, it remains an administrative responsibility of the Department of the Registrar of the Western Australian Industrial Relations Commission to manage in a cost effective manner.

Signed at Perth this 20th day of March 2009.

W. S. COLEMAN, AM, Chairman.

C. A. BROADBENT, Member.

B. J. MOORE, Member.

Salaries and Allowances Tribunal.

DECEASED ESTATES

ZX401

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 by Perpetual Trustees W.A. Ltd, Level 12, 123 Pitt Street, Sydney NSW, to send particulars of such claims to the Company, by the undermentioned date, after which date the said Company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

Claims for the following estates expire one month after the date of publication hereof.

Estate Late John Kenneth Edward Elsey, late of Peter Arney Nursing Home, 1 Gentilli Way, Salter Point WA, Retired Solicitor. Died 8/2/2009.

Estate Late Olive Margaret Kilminster, late of Bethanie Illawong Hostel, 1 Rodd Place, Hamilton WA, Home Duties. Died 21/12/2008.

Estate Late Raymonde Marthe Luxon, late of Rowethorpe Nursing Home, Hayman Road, Bentley WA, Widow. Dies 21/02/2008.

ZX402

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Estate of the late John Laing late of 89 Aitkin Drive, Winthrop, Western Australia, deceased.

Creditors and other persons having claims in respect of the estate mentioned below to which Section 63 of the Trustees Act 1962 as amended relates in respect of the estate of the deceased, who died on the 11th day of April 2005 are required by the personal representative Scott Laing to send particulars of claims to the personal representative c/- McCallum Donovan Sweeney, Solicitors of 2nd Floor, 16 Irwin Street, Perth by the 29th day of May 2009 after which date the personal representative may convey or distribute the assets having regard only to the claims of which they have notice and the personal representative shall not be liable to any person of whose claim they have had no notice at the time of distribution.

Dated this 6th day of April 2009.

McCALLUM DONOVAN SWEENEY, for the Personal Representative.

ZX402

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the Estate of Alexander Charles Wilson, late of Unit 15, Ocean Gardens Retirement Village, 60 Kalinda Drive, City Beach in the State of Western Australia, Retired Fitter, deceased.

Creditors and other persons having claims to which Section 63 of the Trustees Act 1962 relate in respect of the Estate of the deceased, who died on the 18th day of February 2009, are required by the Executor, Terry Alexander Wilson, to send the particulars of their claim to Messrs Taylor Smart of 1 Regal Place, East Perth in the State of Western Australia, by the 11th day of May 2009, after which date the said Executor may convey or distribute the assets, having regard only to the claims of which he has had notice.

Dated the 7th day of April 2009.

GARRY E. SAME, Taylor Smart.

WESTERN AUSTRALIA

LOCAL GOVERNMENT ACT 1995

Loose Leaf Version
(Including Index)

\$64.70 (incl. Amendments Nos. 1 & 2)
Green Binder is an additional \$17.20 if required
(Plus Postage)

Available from:

State Law Publisher
10 William Street, Perth
Telephone: 9321 7688
Fax: 9321 7536
sales@dpc.wa.gov.au
Web: www.slp.wa.gov.au