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The Western Australian *Government Gazette* is published by the Government Printer 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.
- 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:

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- **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.**

After lodging any notices, 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 2024

A gazette will be published on **Thursday 28th March**
and closing time for copy is Wednesday 27th March at noon.

A gazette will be published on **Friday 5th April**
and closing time for copy is Wednesday 3rd April at noon.

The Gazette will not be published on Tuesday 2nd April.

FIRE AND EMERGENCY SERVICES

FE401**BUSH FIRES ACT 1954**
TOTAL FIRE BAN DECLARATION

Correspondence No. D18023

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Assistant Commissioner of the Department of Fire and Emergency Services, declared under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 1 March 2024 for the local government districts of—

Laverton, Menzies, Capel, Murray, Waroona, Harvey, Dardanup, Collie, Donnybrook-Balingup, Bridgetown-Greenbushes, Busselton, Augusta-Margaret River.

Dated 29 February 2024.

GARY GIFFORD, Assistant Commissioner of the Department of Fire and Emergency Services, as a sub-delegate of the Minister under section 16 of the *Fire and Emergency Services Act 1998*.

FISHERIES

FI401**FISH RESOURCES MANAGEMENT ACT 1994****STATEMENT OF DETERMINATION****Abalone Management Plan 1992**

I, Heather Brayford, Director General of the Department of Primary Industries and Regional Development Western Australia, pursuant to clause 11(3) of the *Abalone Management Plan 1992*, hereby make a determination in regard to the maximum quantity of abalone that may be taken from the relevant areas of the Abalone Managed Fishery during the licensing period commencing on 1 April 2024, as set out below—

Area 1—

5,000 kilograms of Roe's abalone (whole weight)
1,200 kilograms of Greenlip abalone (meat weight)
60 kilograms of Brownlip abalone (meat weight)

Area 2

16,200 kilograms of Roe's abalone (whole weight)
6,600 kilograms of Greenlip abalone (meat weight)
0 kilograms of Brownlip abalone (meat weight)

Area 3

0 kilograms of Greenlip abalone (meat weight)
4,500 kilograms of Brownlip abalone (meat weight)

Area 4

0 kilograms of Greenlip abalone (meat weight)
0 kilograms of Brownlip abalone (meat weight)

Area 5

18,000 kilograms of Roe's abalone (whole weight)

Area 6

7,500 kilograms of Roe's abalone (whole weight)

Area 7

24,000 kilograms of Roe's abalone (whole weight)

Area 8

0 kilograms of Roe's abalone (whole weight)

Dated this 1st day of March 2024.

HEATHER BRAYFORD, Chief Executive Officer of the Department of Primary Industries and Regional Development.

JUSTICE

JU401**CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) ACT 1995****GUIDELINES FOR THE CLASSIFICATION OF COMPUTER GAMES 2023**

I, Michelle Rowland, Minister for Communications, determine the following legislative instrument under subsection 12(1) of the *Classification (Publications, Films and Computer Games) Act 1995*.

Dated 24/10/2023.

MICHELLE ROWLAND, Minister for Communications.

1 Name

This instrument is the *Guidelines for the Classification of Computer Games 2023*.

2 Commencement

This instrument commences on 22 September 2024.

3 Authority

This instrument is made under subsection 12(1) of the *Classification (Publications, Films and Computer Games) Act 1995*.

4 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following—

- (a) participating Minister;
- (b) Board;
- (c) Code;
- (d) computer game.

In this instrument—

Act means the *Classification (Publications, Films and Computer Games) Act 1995*.

5 Determination of guidelines

With the agreement of each participating Minister, the guidelines specified in Schedule 1 to this instrument are determined to assist the Board in applying the criteria in the Code when classifying computer games.

6 Repeal

This instrument repeals the *Guidelines for the Classification of Computer Games 2012*.

Schedule 1—Guidelines**GUIDELINES FOR THE CLASSIFICATION OF COMPUTER GAMES****Introduction to the Guidelines****Background**

The *Guidelines for the Classification of Computer Games* (the Guidelines) are a tool for classifying computer games. They help explain the different classification categories, and the scope and limits of material suitable for each category. They are revised from time to time, with extensive community input.

The legal context

The National Classification Scheme (the Scheme) is based on—

- the Commonwealth *Classification (Publications, Films and Computer Games) Act 1995* (the Act), and
- a cooperative agreement between Commonwealth, State and Territory governments.

Under the Scheme, the Commonwealth makes the classification decisions, and the States and Territories enforce them.

The Act contains a National Classification Code (the Code). It also allows Guidelines to be made. By agreement, the Commonwealth, State and Territory Ministers can vary the Code and the Guidelines. The Act requires films and computer games to be classified, using the Code and the Guidelines, before they are released or advertised.

Classification decisions are made by the Classification Board or by other methods authorised under the Act (for example, using an approved classification tool). There are avenues for review of certain decisions, including by the Classification Review Board. Administrative support for both Boards is provided by the Australian Government, currently by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts.

Classification categories

The Act names the classification categories for computer games, and the Code describes them. The categories are—

- G
- PG
- M
- MA 15+
- R 18+
- RC

Classification criteria

The Act

Under the Act, each of the following matters must be taken into account in classifying computer games—

- (a) the standards of morality, decency and propriety generally accepted by reasonable adults;
- (b) the literary, artistic or educational merit (if any) of the computer game;
- (c) the general character of the computer game, including whether it is of a medical, legal or scientific character;
- (d) the persons or class of persons to or amongst whom it is published or is intended or likely to be published.

The Code

Under the Code, classification decisions are to give effect, as far as possible, to the following principles—

- (a) adults should be able to read, hear, see and play what they want;
- (b) minors should be protected from material likely to harm or disturb them;
- (c) everyone should be protected from exposure to unsolicited material that they find offensive;
- (d) the need to take account of community concerns about—
 - (i) depictions that condone or incite violence, particularly sexual violence; and
 - (ii) the portrayal of persons in a demeaning manner.

Consumer advice

The Act requires the provision of consumer advice about the content of computer games that are classified by the Classification Board or in accordance with a different method authorised under the Act. This information helps consumers make informed choices.

The Guidelines

Using the Guidelines: Essential principles

Three essential principles underlie the use of the Guidelines—

- the importance of context
- assessing impact
- the six classifiable elements

Each classification category takes a similar form. It begins with an “impact test” that determines the threshold for the category. It then lists the six classifiable elements, with a statement limiting the content of each element.

Importance of context

Context is crucial in determining whether a classifiable element is justified by the story-line or themes. In particular, the way in which important social issues are dealt with may require a mature or adult perspective. This means that material that falls into a particular classification category in one context may fall outside it in another.

Assessing impact

The Guidelines use the following hierarchy of impact—

- | | | |
|-------------|---|--------|
| • very mild | - | G |
| • mild | - | PG |
| • moderate | - | M |
| • strong | - | MA 15+ |
| • high | - | R 18+ |
| • very high | - | RC |

Assessing the impact of material requires considering not only the treatment of individual classifiable elements but also their cumulative effect. It also requires considering the purpose and tone of a sequence.

Impact may be higher where a scene or game-play sequence

- contains greater detail, including the use of close-ups and slow motion
- uses accentuation techniques, such as lighting, perspective and resolution
- uses special effects, such as lighting and sound, resolution, colour, size of image, characterisation and tone
- is prolonged
- is repeated frequently
- is realistic, rather than stylised
- is highly interactive
- links incentives or rewards to high impact elements.

Impact may be lessened where reference to a classifiable element is verbal rather than visual. Also, some visual impacts have less impact than others: for example, an incidental depiction may have less impact than a direct one.

Interactivity and computer games

Interactivity is an important consideration that must be taken into account when classifying computer games. This is because there are differences in what some sections of the community condone in relation to passive viewing or the effects passive viewing may have on the viewer (as may occur in a film) compared to actively controlling outcomes by making choices to take or not take action.

Due to the interactive nature of computer games and the active repetitive involvement of the participant, as a general rule computer games may have a higher impact than similarly themed depictions of the classifiable elements in film, and therefore greater potential for harm or detriment, particularly to minors.

Interactivity may increase the impact of some content: for example, impact may be higher where interactivity enables action such as inflicting realistically depicted injuries or death or post-mortem damage, attacking civilians or engaging in sexual activity. Greater degrees of interactivity (such as first-person gameplay compared to third-person gameplay) may also increase the impact of some content.

Interactivity includes the use of incentives and rewards, technical features and competitive intensity. Except in material restricted to adults, nudity and sexual activity must not be related to incentives or rewards.

Computer games will be Refused Classification if they contain—

- (i) illicit or proscribed drug use related to incentives or rewards;
- (ii) interactive drug use which is detailed and realistic.

The classifiable elements

The six classifiable elements in a computer game are—

- themes
- violence
- sex
- language
- drug use
- nudity

The classification takes account of the context and impact of each of these elements, including their frequency and intensity, and their cumulative effect. It also takes account of the purpose and tone of a sequence, and how material is treated.

Classification Board's application of the Guidelines

Classification decisions are made by the Classification Board or by other methods authorised under the Act (for example, by using an approved classification tool). There are avenues for review of certain decisions, including by the Classification Review Board.

In making classification decisions, the Board is required to apply these Guidelines.

The Categories

G – GENERAL

Impact test

The impact of the classifiable elements for material classified G should be very mild only.

Note: The G classification is for a general audience. However, it does not necessarily indicate that children will enjoy the computer game. Some G games contain themes, story-lines or game play that do not interest children.

Classifiable elements

THEMES

The treatment of themes should have a very low sense of threat or menace, and be justified by context. In-game purchases linked to elements of chance and simulated gambling are not permitted.

VIOLENCE

Violence should have only a low sense of threat or menace, and be justified by context.

Sexual violence, implied or otherwise, is not permitted.

SEX

Sexual activity should be very mild and very discreetly implied, and be justified by context.

Sexual activity must not be related to incentives or rewards.

LANGUAGE

Coarse language should be very mild and infrequent, and be justified by context.

DRUG USE

Drug use should be implied only very discreetly, and be justified by context.

Drug use related to incentives or rewards is not permitted.

Interactive illicit or proscribed drug use is not permitted.

NUDITY

Nudity should be infrequent and justified by context.

Nudity must not be related to incentives or rewards.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.

PG – PARENTAL GUIDANCE

Impact test

The impact of the classifiable elements for material classified PG should be no higher than mild.

Note: Material classified PG may contain material which some children find confusing or upsetting, and may require the guidance of parents or guardians. It is not recommended for playing by persons under 15 without guidance from parents or guardians.

Classifiable elements

THEMES

The treatment of themes should generally have a low sense of threat or menace and be justified by context.

In-game purchases linked to elements of chance and simulated gambling are not permitted.

VIOLENCE

Violence should be mild and infrequent, and be justified by context.

Sexual violence, implied or otherwise, is not permitted.

SEX

Sexual activity should be mild and discreetly implied, and be justified by context.

Sexual activity must not be related to incentives or rewards.

LANGUAGE

Coarse language should be mild and infrequent, and be justified by context.

DRUG USE

Drug use should be infrequent and justified by context.

Drug use related to incentives or rewards is not permitted.

Interactive illicit or proscribed drug use is not permitted.

NUDITY

Nudity should be infrequent and justified by context.

Nudity must not be related to incentives or rewards.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.

M – MATURE

Impact test

The impact of the classifiable elements for material classified M should be no higher than moderate.

Note: Material classified M is not recommended for persons under 15 years of age. There are no legal restrictions on access.

Classifiable elements

THEMES

The treatment of themes may have a moderate sense of threat or menace, if justified by context.

In-game purchases linked to elements of chance are permitted.

Simulated gambling is not permitted.

VIOLENCE

Moderate violence is permitted, if justified by context.

Sexual violence, implied or otherwise, is not permitted

SEX

Sexual activity should be discreetly implied, if justified by context.

Sexual activity must not be related to incentives or rewards.

LANGUAGE

Coarse language may be used.

Aggressive or strong coarse language should be infrequent, justified by context, and not gratuitous, exploitative or offensive.

DRUG USE

Drug use should be justified by context.

Drug use related to incentives or rewards is not permitted.

Interactive illicit or proscribed drug use is not permitted.

NUDITY

Nudity should be justified by context.

Nudity must not be related to incentives or rewards.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.

MA 15+ – MATURE ACCOMPANIED**Impact test**

The impact of material classified MA 15+ should be no higher than strong.

Note: Material classified MA 15+ is considered unsuitable for persons under 15 years of age. It is a legally restricted category.

Classifiable elements**THEMES**

The treatment of strong themes should be justified by context.

In-game purchases linked to elements of chance are permitted.

Simulated gambling is not permitted.

VIOLENCE

Violence should be justified by context.

Strong and realistic violence should not be frequent or unduly repetitive.

Sexual violence, implied or otherwise, is not permitted.

SEX

Sexual activity may be implied.

Sexual activity must not be related to incentives or rewards.

LANGUAGE

Strong coarse language may be used.

Aggressive or strong coarse language should be infrequent, and not exploitative or offensive.

DRUG USE

Drug use should be justified by context.

Drug use related to incentives or rewards is not permitted.

Interactive illicit or proscribed drug use is not permitted.

NUDITY

Nudity should be justified by context.

Nudity must not be related to incentives or rewards.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.

R 18+ – RESTRICTED**Impact test**

The impact of material classified R 18+ should not exceed high.

Note: Material classified R 18+ is legally restricted to adults. Some material classified R 18+ may be offensive to sections of the adult community.

Classifiable elements**THEMES**

There are virtually no restrictions on the treatment of themes.

In-game purchases linked to elements of chance and simulated gambling are permitted.

VIOLENCE

Violence is permitted. High impact violence that is, in context, frequently gratuitous, exploitative and offensive to a reasonable adult will not be permitted.

Actual sexual violence is not permitted.

Implied sexual violence that is visually depicted, interactive, not justified by context or related to incentives or rewards is not permitted.

SEX

Depictions of actual sexual activity are not permitted.

Depictions of simulated sexual activity may be permitted.

Depictions of simulated sexual activity that are explicit and realistic are not permitted.

LANGUAGE

There are virtually no restrictions on language.

DRUG USE

Drug use is permitted.

Drug use related to incentives and rewards is not permitted.

Interactive illicit or proscribed drug use that is detailed and realistic is not permitted.

NUDITY

Nudity is permitted.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.

RC – REFUSED CLASSIFICATION

Note: Computer games that exceed the R 18+ classification category will be Refused Classification.

Computer games will be refused classification if they include or contain any of the following—

CRIME OR VIOLENCE

Detailed instruction or promotion in matters of crime or violence.

The promotion or provision of instruction in paedophile activity.

Descriptions or depictions of child sexual abuse or any other exploitative or offensive descriptions or depictions involving a person who is, or appears to be, a child under 18 years.

Depictions of—

- (i) violence with a very high degree of impact which are excessively frequent, prolonged, detailed or repetitive;
- (ii) cruelty or realistic violence which are very detailed and which have a very high impact;
- (iii) actual sexual violence.

Implied sexual violence related to incentives and rewards.

SEX

Depictions of actual sexual activity are not permitted.

Depictions of simulated sexual activity that are explicit and realistic are not permitted.

Depictions of practices such as bestiality.

Gratuitous, exploitative or offensive depictions of—

- (i) activity accompanied by fetishes or practices which are offensive or abhorrent;
- (ii) incest fantasies or other fantasies which are offensive or abhorrent.

DRUG USE

Detailed instruction in the use of proscribed drugs.

Material promoting or encouraging proscribed drug use.

Computer games will also be Refused Classification if they contain—

- (i) illicit or proscribed drug use related to incentives or rewards;
- (ii) interactive drug use which is detailed and realistic.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.

LIST OF TERMS

Note: Words which are used in the Guidelines but which are not contained in this List of Terms take their usual dictionary meaning. Refer to the latest edition of The Macquarie Dictionary.

Coercion: The use of threat or power to force agreement to sexual activity.

Demean: A depiction or description, directly or indirectly sexual in nature, which debases or appears to debase the person or the character depicted.

Elements: Themes, violence, sex, coarse language, drug use and nudity.

Exploitative: Appearing to purposefully debase or abuse for the enjoyment of others, and lacking moral, artistic or other values.

Fetish: An object, an action or a non-sexual part of the body which gives sexual gratification.

In-game purchases linked to elements of chance: Digital goods or services determined by chance, including Paid Loot Boxes, that can be acquired within a game—

- (a) using real world currency; or
- (b) using in-game virtual currency, items or credits that can be purchased using real-world currency.

Intensity: Strength of the treatment or subject matter; strength of engagement or involvement.

Interactivity: The quality of being interactive. Providing or capable of providing for user participation that enables some measure of control in relation to user action, data input and commands. The user's participation may influence outcomes that in turn, may affect what options are available to them for subsequent interaction.

Offensive: Material which causes outrage or extreme disgust.

Paid Loot Box: A virtual container, however described—

- (a) that can be purchased or unlocked using real world currency or using in-game virtual currency, items or credits that can be purchased using real world currency; and
- (b) that rewards players with an in-game digital item or items, where the exact reward the player is to receive is not disclosed to the player prior to purchase.

Note: Paid Loot Boxes may be known by other names in the computer game industry including but not limited to prize crates and card packs.

Real World Currency: Real world physical and digital currency, including cryptocurrency.

Note: This does not include tokens, credits or other in-game items and currencies that cannot readily be redeemed or exchanged for value outside the game environment.

Sexual Activity: Matters pertaining to sexual acts, but not limited to sexual intercourse.

Sexual Violence: Sexual assault or aggression, in which the victim does not consent.

Sexualised Violence: Where sex and violence are connected in the story, although sexual violence may not necessarily occur.

Simulated Gambling: Interactive activity within a game that—

- (a) resembles or functions like a real world age restricted betting or gambling service; and
- (b) does not provide rewards that can be redeemed for real world currency or traded to other players in-game for real world currency.

Note: For example, interactive activity within games that resembles or functions like real world commercial casinos, slot machines, lotteries, sports betting services or other betting services will be simulated gambling.

Themes: Social issues such as crime, suicide, drug and alcohol dependency, death, serious illness, family breakdown and racism.

Treatment: The way in which material is handled or presented.

Violence: Acts of violence; the threat or effects of violence.

MINERALS AND PETROLEUM

MP401

PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967

RENEWAL OF PETROLEUM EXPLORATION PERMIT EP 430

Renewal of Petroleum Exploration Permit EP 430 has been granted to Energy Resources Limited and will remain in force for a period of five (5) years commencing on 27 February 2024.

LARA HAENGA, Senior Titles Officer, Resource Tenure Division,
Department of Energy, Mines, Industry Regulation and Safety.

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF DELEGATION

DEL 2022/04 Powers of Officers (Housing Authority) Delegation to officers of certain powers and functions of the Western Australian Planning Commission

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 to a member, committee or officer of the WAPC or to a public authority or a member or officer of a public authority.

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 conferred upon the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 28 February 2024, pursuant to section 16 of the Act, the WAPC RESOLVED—

- A. TO DELEGATE its powers and functions as set out in Column 1 of Schedule 1, to the person or persons from time to time holding or acting in the offices of the Housing Authority as specified in Column 2 of Schedule 1, subject to the conditions in Column 3 and terms set out in Schedule 2.
- B. TO AMEND its delegation of powers and functions as detailed in the instrument of delegation 'DEL 2022/04 Powers of Officers (Housing Authority)' as published in the *Government Gazette* on 13 December 2022, to give effect to this resolution.

SAM BOUCHER, Secretary, Western Australian Planning Commission.

Schedule 1

Column 1 (Powers and Functions)	Column 2 (Officers)	Column 3 (Conditions)
<p>Power to determine applications for approval of the development of public housing on zoned land made pursuant to the Metropolitan Region Scheme, the Peel Region Scheme or the Greater Bunbury Region Scheme, where such applications—</p> <ol style="list-style-type: none"> 1) propose the construction of— <ol style="list-style-type: none"> (a) any single house and ancillary dwellings, residential buildings or up to and including 30 grouped dwellings, provided the proposed works comply with the deemed to comply or design principles of the R-Codes Volume 1, including any modified provisions of the R-Codes in properly approved local planning frameworks; (b) up to and including 30 multiple dwellings provided the proposed works comply with— <ol style="list-style-type: none"> (i) the design principles of the R-Codes Volume 1 as applicable; or (ii) the design element objectives of the R-Codes Volume 2 as applicable; including any modified provisions of the R-Codes in properly approved local planning frameworks. 2) propose demolition of a building or structure, provided that building or structure is not in a heritage-protected place. 	<ul style="list-style-type: none"> • Strategic Planner, Operations, Housing Authority 	<ol style="list-style-type: none"> 1) Application must be made by, or on behalf of, the Housing Authority. 2) Design advice is sought through the Government Architect Western Australia in accordance with the process agreed between the Government Architect and Department of Communities; <p>OR</p> <p>Design review is sought through the Local Government Design Review Panel if required by the local planning scheme or policy and the local government has established a design review panel.</p>

Schedule 2

1. The officer performing the powers and functions of the WAPC specified in Schedule 1 shall provide quarterly reports to the WAPC, in the format prescribed by the WAPC.
2. The reports provided under (1) shall detail the number of applications received in that period, the type of development applied for and the decision made on each application
3. The officer performing the powers and functions of the WAPC specified in Schedule 1 and referred to under (2) shall publish the decisions on the Department of Communities website for public information (residential buildings excluded) in the format prescribed by the WAPC.
4. The first reporting period shall commence on the date of gazettal of this instrument, with the first report being required not later than 3 months after gazettal.

Interpretation

1. A position listed in this instrument contemplates and includes its successor in title.
2. A heritage-protected place is a place—
 - a. that is entered in the State Register of Heritage Places under the *Heritage Act 2018* section 42; or
 - b. that is under consideration for entry into the State Register of Heritage Places (where “under consideration” is as described in subclause (2) of clause 1A, Schedule 2, *Planning and Development (Local Planning Schemes) Regulations 2015 (the LPS Regulations)*); or
 - c. that is the subject of an order under the *Heritage Act 2018* Part 4; or
 - d. that is the subject of a heritage agreement that has been certified under the *Heritage Act 2018* section 90; or
 - e. that is included on a heritage list as defined in clause 7 of Sch. 2 of the LPS Regulations; or
 - f. that is within a heritage area as defined in clause 7 of Sch. 2 of the LPS Regulations.

PL402

PLANNING AND DEVELOPMENT ACT 2005

NOTICE OF AMENDMENT TO INSTRUMENT OF DELEGATION

DEL 2018/01 Powers of Officers (as amended)

Delegation to officers of certain functions of the Western Australian Planning Commission as gazetted on 3 October 2018 (and as amended) (*Government Gazette* No.150).

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act), the Western Australian Planning Commission (WAPC) may, by resolution published in the *Government Gazette*, delegate any function to a member, committee, or officer of the WAPC or to a public authority or to a member or officer of a public authority.

In accordance with section 16(4) of the Act, a reference in this instrument to a function or 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 conferred on the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 28 February 2024, pursuant to section 16 of the Act, the WAPC resolved—

1. TO AMEND the Instrument of Delegation ‘Delegation to Officers of Certain Powers and functions of the Western Australian Planning Commission 2018/01’ published in the *Government Gazette* on 3 October 2018 (as amended) to give effect to this delegation as set out in the attached Schedule.

Schedule 1

1. Instrument of delegation amended

The amendments within this Schedule are to Schedule 1 as set out in the Instrument of Delegation 2018/01 to officers of certain powers and functions of the Western Australian Planning Commission published in the *Government Gazette* on 3 October 2018, and as amended and consolidated in the *Government Gazette* on 16 December 2022.

2. Amendment to Schedule 1—SCHEDULE 1 Powers and functions regarding State Planning Policies, the preparation and amendment of local planning schemes and strategies under the *Planning and Development (Local Planning Schemes) Regulations 2015* (“*LPS Regulations*”), and as apply by virtue of a local planning scheme, or as deemed to apply by virtue of Schedules to the LPS regulations, structure plans and related plans and interim development orders under the Act.

- (a) Delete the row containing item 1.5.
 (b) Delete the text in column 1 for items 1.9. and 1.10.
 (c) Insert the following row into Schedule 1 after 1.11.—

1.11A. Power under r21A of the <i>LPS Regulations</i> to consider a proposed local planning scheme, make a recommendation, and submit the proposed scheme to the Minister together with the recommendation.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Executive Planning Directors, Land Use Planning • Planning Directors, Land Use Planning. 	Power not to be exercised where the delegee forms the opinion that the proposed local planning scheme raises an issue of potential— (a) State or regional significance; or (b) public interest of such significance that it should be addressed by the WAPC.
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- (d) Delete the text in column 1 of item 1.12. and replace with—
 “1.12. Power, under r29 of the *LPS Regulations* to consider the proposed scheme and additional documents, make recommendations, endorse a copy of the proposed scheme and submit it to the Minister together with the additional documents and recommendations.”
 (e) Insert the following row into Schedule 1 after the heading “Complex amendments”—

1.13A. Power under r37A of the <i>LPS Regulations</i> to consider a proposed complex amendment, make a recommendation, and submit the proposed complex amendment to the Minister together with the recommendation.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Executive Planning Directors, Land Use Planning • Planning Directors, Land Use Planning 	Power not to be exercised where the delegee forms the opinion that the proposed complex amendment raises an issue of potential— (a) State or regional significance; or (b) public interest of such significance that it should be addressed by the WAPC.
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- (f) Delete the text in column 1 of item 1.14. and replace with—
 “1.14. Power, under r45 of the *LPS Regulations* to consider the proposed complex amendment and additional documents, make recommendations, endorse a copy of the proposed complex amendment and submit it to the Minister together with the additional documents and recommendations.”
 (g) Insert the following row into Schedule 1 after the heading “Standard amendments”—

1.14A. Power under r46B of the <i>LPS Regulations</i> to consider a proposed standard amendment, make a recommendation, and submit the proposed standard amendment to the Minister together with the recommendation.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Executive Planning Directors, Land Use Planning • Planning Directors, Land Use Planning 	
	<ul style="list-style-type: none"> • Planning Managers, Land Use Planning • Principal Planners, Land Use Planning 	Excludes the power to recommend the Minister refuses approval to advertise the proposed standard amendment.

- (h) Delete the row containing item 1.15.
 (i) Delete the text in column 1 of item 1.16 and replace with—
 “1.16. Power, under r55 of the *LPS Regulations* to consider the proposed standard amendment, make recommendations, endorse a copy of the proposed standard amendment and submit it to the Minister together with the additional documents and recommendations.”
 (j) Delete the text in column 1 of item 1.18 and replace with—
 “1.18. Power, under r60 of the *LPS Regulations* to consider the proposed basic amendment, make recommendations, endorse a copy of the proposed basic amendment and submit it to the Minister together with the additional documents and recommendations.”

REGIONAL DEVELOPMENT

RG401**REGIONAL DEVELOPMENT COMMISSIONS ACT 1993**

APPOINTMENTS

It is hereby notified for general information that the Minister for Regional Development has approved the following appointments in accordance with Part 3 of the *Regional Development Commissions Act 1993*—

Great Southern Development Commission

Board of Management

Ms Annie Roberts, as Deputy Chair and community representative, for a term expiring on 28 April 2025;

Cr Liz Guidera, as a local government representative for a term expiring on 31 December 2025;

Cr Robert Minter OAM, as a local government representative for a term expiring 31 December 2026, and

Mr James Leiper, as a community representative for a term expiring 31 December 2026.

Hon. DON PUNCH, MLA, Minister for Regional Development.

PUBLIC NOTICES

ZZ401**TRUSTEES ACT 1962**

DECEASED ESTATES

Notice to Creditors and Claimants

Estate of the late Bryan Stephen Dawkins of 1 Karril Turn, Yanchep, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* (WA) relates), in respect of the estate of the deceased, who died on 31st May 2021 are requested by the Administrator, care of BNT Legal, PO Box 200, Osborne Park, Western Australia 6917, to send particulars of their claims to the Administrator at the above address, within one month from the date on which this notice is published, after which date the Administrator may convey or distribute the assets of the estate, having regard only to the claims of which he then has notice.

ZZ402**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 Walter Henry John Mudford, deceased, who died on 10 July 2023, are required by the executor, Sharon Gay Albers-Smith c/- 60 Pinjarra Road, Mandurah, 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 she then has notice.

PETHERICK COTTRELL LAWYERS, PO Box 1891, Mandurah WA 6210.
Ph: (08) 9535 4604. Ref: TP:KD: 237439.

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

Notice to Creditors and Claimants

Sheila Pamela Philp, late of 29 Leichhardt Street, Bullcreek, Western Australia, Secretary, deceased. Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased who died on 28 December 2023 are required by the Executor Colin Andrew Philp of care of Birman & Ride, Level 3, 16 Irwin Street, Perth WA 6000 to send particulars of their claims to him by the date being one 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.

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

Notice to Creditors and Claimants

Carmelo Fragomeni, late of 5 Denmark Way, Warwick, Western Australia, deceased. Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962 (WA)* relates) in respect of the estate of the deceased, who died on 28 October 2023, are required by the executor, John Douglas Fragomeni, c/- Camm & Associates, Barristers and Solicitors, 62 Glyde Street, Mosman Park, WA 6012, to send particulars of their claims to him by Friday, 5 April 2024, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

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

Notice to Creditors and Claimants

Robin Ambrose Waldon Bennett, late of 13 Casserley Way, Lancelin, Western Australia, deceased. Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962 (WA)* relates) in respect of the estate of the deceased, who died on 7 September 2023, are required by the executors, Julie-Ann Rechichi, Trevor William Bennett and Ronald James Bennett, all of c/- Camm & Associates, Barristers and Solicitors, 62 Glyde Street, Mosman Park, WA 6012, to send particulars of their claims to them by Friday, 5 April 2024, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.
