

Western Australia

**Heritage and Planning Legislation Amendment  
Act 2011**

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As at 02 Mar 2011

No. 4 of 2011

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Western Australia

# Heritage and Planning Legislation Amendment Act 2011

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Western Australia

# **Heritage and Planning Legislation Amendment Act 2011**

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**No. 4 of 2011**

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***An Act to amend the *Heritage of Western Australia Act 1990* and the  
*Planning and Development Act 2005*.***

*[Assented to 2 March 2011]*

The Parliament of Western Australia enacts as follows:

## **Part 1 — Preliminary**

**1. Short title**

This is the *Heritage and Planning Legislation Amendment Act 2011*.

**2. Commencement**

This Act comes into operation as follows —

- (a) Part 1 — on the day on which this Act receives the Royal Assent;
- (b) the rest of the Act — on the day after that day.

**Part 2 — *Heritage of Western Australia*  
Act 1990 amended**

**3. Act amended**

This Part amends the *Heritage of Western Australia Act 1990*.

**4. Section 61 amended**

(1) In section 61(1):

(a) in the Penalty delete “\$10 000” and insert:

a fine of \$1 000 000

(b) in the Daily penalty delete “\$1 000.” and insert:

a fine of \$50 000.

(2) In section 61(2):

(a) in the Penalty delete “\$10 000” and insert:

a fine of \$1 000 000

(b) in the Daily penalty delete “\$1 000.” and insert:

a fine of \$50 000.

**5. Section 62 amended**

(1) In section 62(1):

(a) delete “Order” and insert:

Order, or is convicted of an offence under  
section 79(1),

(b) in paragraph (a) delete “contravention” and insert:  
offence

(2) In section 62(3):

(a) in the Penalty delete “\$10 000.” and insert:  
a fine of \$1 000 000.

(b) in the Daily penalty delete “\$1 000.” and insert:  
a fine of \$50 000.

**6. Section 67 amended**

In section 67(2) delete “\$500” and insert:

\$50 000

**7. Section 79 amended**

In section 79(1):

(a) in the Penalty delete “\$5 000.” and insert:  
a fine of \$1 000 000.

(b) in the Daily penalty delete “\$500.” and insert:  
a fine of \$50 000.



**8. Section 80 amended**

- (1) In section 80(1) delete “Part 6” and insert:

Part 6, or is convicted of an offence under section 79(1),

- (2) In section 80(3):

- (a) in the Penalty delete “\$10 000” and insert:

a fine of \$1 000 000

- (b) in the Daily penalty delete “\$1 000.” and insert:

a fine of \$50 000.

**Part 3 — *Planning and Development Act 2005* amended**

**9. Act amended**

This Part amends the *Planning and Development Act 2005*.

**10. Section 223 amended**

In section 223:

- (a) delete “penalty of \$50 000” and insert:

fine of \$200 000

- (b) delete “\$5 000” and insert:

\$25 000

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