

# Heritage and Planning Legislation Amendment Bill 2010

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Western Australia

LEGISLATIVE ASSEMBLY

**Heritage and Planning Legislation Amendment  
Bill 2010**

**A Bill for**

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

The Parliament of Western Australia enacts as follows:

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**Part 1 — Preliminary**

**1. Short title**

This is the *Heritage and Planning Legislation Amendment Act 2010*.

**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.

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**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),

**s. 6**

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1 (b) in paragraph (a) delete “contravention” and insert:  
2  
3 offence  
4

5 (2) In section 62(3):

6 (a) in the Penalty delete “\$10 000.” and insert:  
7  
8 a fine of \$1 000 000.  
9

10 (b) in the Daily penalty delete “\$1 000.” and insert:  
11  
12 a fine of \$50 000.  
13

14 **6. Section 67 amended**

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

16

17 \$50 000  
18

19 **7. Section 79 amended**

20 In section 79(1):

21 (a) in the Penalty delete “\$5 000.” and insert:  
22  
23 a fine of \$1 000 000.  
24

25 (b) in the Daily penalty delete “\$500.” and insert:

26

27 a fine of \$50 000.  
28

- 1   **8.       Section 80 amended**
- 2       (1)   In section 80(1) delete “Part 6” and insert:
- 3
- 4           Part 6, or is convicted of an offence under section 79(1),
- 5
- 6       (2)   In section 80(3):
- 7           (a)   in the Penalty delete “\$10 000” and insert:
- 8                   a fine of \$1 000 000
- 9
- 10
- 11          (b)   in the Daily penalty delete “\$1 000.” and insert:
- 12                   a fine of \$50 000.
- 13
- 14

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

2 **9. Act amended**

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

4 **10. Section 223 amended**

5 In section 223:

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

7

8 fine of \$200 000

9

10 (b) delete “\$5 000” and insert:

11

12 \$25 000

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