



Minister for Transport; Planning; Ports

Min Ref: 72-37742/1

Ms Kirsten Robinson
Clerk of the Legislative Assembly
Parliament House
PERTH WA 6000

Dear Ms Robinson

DIRECTION TO THE STATE ADMINISTRATIVE TRIBUNAL ON APPLICATION FOR REVIEW (DR 63 of 2022) IN ACCORDANCE WITH SECTION 246(2)(a) OF THE PLANNING AND DEVELOPMENT ACT 2005

Section 246(4) of the *Planning and Development Act 2005* requires that, following the direction of the Minister under section 246(2)(a) that the President of the State Administrative Tribunal refer an application for review to the Minister for determination. A copy of the Minister's direction is to be laid before each House of Parliament.

Please arrange for a copy of the attached Direction Notice for the determination of the above application for review to be laid before the Legislative Assembly.

Yours sincerely

**HON SUE ELLERY MLC
ACTING MINISTER FOR PLANNING**

Att

21 APR 2022

IN THE STATE ADMINISTRATIVE TRIBUNAL

DR 63 of 2022

BETWEEN

B & J CATALANO PTY LTD

Applicant

- and -

THE SHIRE OF HARVEY

Respondent

**DIRECTION TO THE STATE ADMINISTRATIVE TRIBUNAL TO
REFER APPLICATION TO THE MINISTER FOR PLANNING
PURSUANT TO SECTION 246(2)(a) OF THE
*PLANNING AND DEVELOPMENT ACT 2005***

TO: State Administrative Tribunal
Level 6, State Administrative Tribunal Building
565 Hay Street
PERTH WA 6000

1. On 8 April 2022, Application DR 63 of 2022 between B & J Catalano Pty Ltd, Applicant, and the Shire of Harvey, Respondent, was filed in the State Administrative Tribunal.
2. I, as Acting Minister for Planning, consider that the application raises issues of such State and regional importance that it is appropriate for the application to be determined by the Minister for Planning.
3. I therefore direct, pursuant to section 246(2)(a) of the *Planning and Development Act 2005*, that the President refer the application to me for determination.

A handwritten signature in blue ink, appearing to read "Sue Ellery".

**HON SUE ELLERY MLC
ACTING MINISTER FOR PLANNING**