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JOHN A. STRIJK,
Acting Government Printer.

BUSH FIRES BOARD

BU301

BUSH FIRES ACT 1954

Municipality of the City of Armadale

By-laws Relating to Firebreaks

In pursuance of the powers conferred upon it by the Bush Fires Act 1954 and all other powers enabling it, the Council of the City of Armadale hereby records having resolved on the 1st day of May 1995 to make and submit for confirmation by the Governor the following amendment to the By-laws published in the *Government Gazette* on 28 March 1985 and amended in the *Government Gazette* on 26 June 1987.

"By-law 2 is amended by deleting "2 metres" and inserting in lieu thereof "3 metres".

Dated this 13th day of June 1995.

The Common Seal of the City of Armadale was hereunto affixed in the presence of—

R. C. STUBBS, Mayor.
J. W. FLATOW, City Manager/Town Clerk.

Recommended—

R. L. WIESE, Minister for Emergency Services.

Approved by His Excellency the Governor, in Executive Council this 23rd day of October 1995.

J. PRITCHARD, Clerk of the Council.

BU302

BUSH FIRES ACT 1954

The Municipality of the Shire of York

By-laws Relating to Firebreaks

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 15th day of May 1995 to make and submit for confirmation by the Governor the following by-laws.

The By-laws of the Shire of York published in the *Government Gazette* on 12 December 1980 are hereby amended in the following manner—

1. Insertion in By-law 1: the definition "Townsite Land" means all land within boundaries of the York Townsite.
2. Amendment of By-law 2: by inserting "with the exception of townsite land," after "...All land within the District..." and before "...shall prior to...".
3. Insertion of By-law 2(a): which will read "2(a). Subject to By-law 3 hereof all owners and/or occupiers of all townsite land within the District shall prior to the commencement of the firebreak period or within 14 days of becoming the owner/occupier should this occur within the firebreak period establish and thereafter maintain during the firebreak period,
 - (i) All land with an area of 1 020m² or less shall be completely cleared of all inflammable material; and
 - (ii) All lots exceeding 1 020m² in area but not exceeding 4 000m² in area shall be hazard reduced by ploughing, slashing to a height not greater than 150mm or burning. Where the option of ploughing or slashing is selected a 2.1 metres wide firebreak shall also be installed on the perimeter of the block; and

- (iii) On land exceeding 4 000m² in area a firebreak not less than 2.1m wide immediately inside all external boundaries of the land and immediately surrounding all buildings, haystacks, fuel ramps, drum or drums situated on the land which is normally used for the storage of fuel whether it contains fuel or not."

Dated this 4th day of July 1995.

The Common Seal of the Shire of York was hereunder affixed by authority of a Resolution of the Council in the presence of—

GORDON W. MARWICK, President.
ELIOT FISHER, Shire Clerk.

Recommended—

ROBERT WIESE, Minister for Emergency Services.

Approved by His Excellency the Governor, in Executive Council this 23rd day of October 1995.

J. PRITCHARD, Clerk of the Council.

BU303

BUSH FIRES ACT 1954

Municipality of the Town of Kwinana

By-law Relating to Firebreaks

In pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on 18 January 1995 to make and submit for confirmation by the Governor the following by-law.

1. DEFINITIONS

In this by-law—

"Act" means the *Bush Fire Act 1954*;

"Council" means the Council of the Municipality of the Town of Kwinana;

"District" means the municipal district of the Town of Kwinana established pursuant to the *Local Government Act 1960*;

"Firebreak Period" means the time between 15 November in any year until 15 April in the following year;

"Inflammable matter" includes all forms of vegetation both living and dead, and any other inflammable materials and combustible matter.

2. FIREBREAKS TO BE CLEARED

All owners and occupiers of land within the District of the Town of Kwinana shall, prior to the commencement of the Firebreak Period clear of inflammable matter, on land owned or occupied by them in accordance with the following requirements—

- A. All land which is 3 000m² or less in area or which is zoned under the *Town of Kwinana Town Planning Scheme No. 2* as "Residential" or "Special Residential".

Remove all inflammable matter from the whole of the land except living trees and shrubs, plants under cultivation and lawn.

- B. All other land within the District of the Town of Kwinana:

- (i) Firebreaks of a minimum width and height of 3 metres are to be cleared immediately inside all external boundaries of the land;
- (ii) Firebreaks of a minimum width of 5 metres and height of 3 metres are to be cleared immediately surrounding all buildings situated on the land;
- (iii) Firebreaks 10 metres in width and 3 metres in height are to be cleared immediately surrounding all hay stacks and any place where inflammable liquids and gas products are kept on the land;
- (iv) In addition to the requirements in (i), (ii) and (iii) above where the area of land exceeds 10 hectares, Council may require firebreaks no less than 5 metres in width and 3 metres in height to be cleared so as to ensure that no area land within firebreaks exceeds 10 hectares in area.
- (v) In addition to the requirements in this clause Council may, by notice in writing require an owner or occupier to act as and when specified in the notice with respect to anything which is upon land and which in the opinion of Council is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire.

All firebreaks must be cleared on or before 15 November in any year and thereafter maintained clear of inflammable matter upto and including 15 April in the following year.

If the requirements of this By-law are carried out by burning, such burning must be in accordance with the relevant provision of the Bush Fire Act 1954.

3. VARIATION TO FIRE PREVENTION MEASURES

If for any reason an owner or occupier considers it impractical to clear firebreaks or comply with other fire protection measures in accordance with this By-law, the owner or occupier may apply in writing to the Council no later than 31 October in any year for a variation. If permission is not granted in writing by Council or its duly authorised officer, the owner or occupier must comply with the requirements of this By-law. Any variation granted by Council will apply only for a single Firebreak Period. A variation granted by Council shall only remain in force until 15 April next immediately following the date of grant of the variation.

4. POWERS OF COUNCIL

Where an owner or occupier of land fails or neglects to comply with any requirement of this by-law within the time specified in this by-law, the Council may by its officers with such servants, workmen and contractors, vehicles and machinery as the officers deem necessary enter upon the land and do all such things as are necessary pursuant to this by-law and may recover the costs and expenses of doing so in a Court of competent jurisdiction from the owner or occupier of the land pursuant to the Act, in addition to any penalty which might be imposed.

5. OFFENCES

A person who fails to comply with any provision of this by-law commits an offence and shall, upon conviction, be liable to a penalty as prescribed in the *Bush Fires Act 1954*.

Dated this 10th day of May 1995.

The Common Seal of the Town of Kwinana was hereto affixed in the presence of—

J. H. D. SLINGER, Mayor.
R. K. SMILLIE, Town Clerk.

Recommended—

R. L. WIESE, Minister for Emergency Services.

Approved by His Excellency the Governor in Executive Council this 23rd day of October 1995.

J. PRITCHARD, Clerk of the Council.

BU304

BUSH FIRES ACT 1954

The Municipality of the Shire of Pingelly

By-law Relating to Fire Control Matters

In pursuance of the power conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 18th day of May 1995 to make and submit for confirmation by the Governor the following by-law.

PART 1—PRELIMINARY

Arrangement

1. This by-law is arranged as follows—

- Part 1—Preliminary
- Part 2—Fire Control
- Part 3—Fire Control Officers
- Part 4—Brigades
- Part 5—General
- Part 6—Penalties
- Schedules

Definitions

2. "Act" means the *Bush Fires Act 1954*.

"Clerk" means the Shire Clerk of the Shire of Pingelly.

"Council" means the Council of the Shire of Pingelly.

“Bush Fire Brigade” means Bush Fire Brigades for the time being registered in a register kept pursuant to s.41 of the Act.

“Excluded Area” means an area of rural land not exceeding 30 hectares, where it is physically impossible to install firebreak, or where in the owner’s or occupier’s opinion, the installation of firebreaks would be detrimental to the conservation of remnant or natural vegetation or the establishment of re-afforested areas.

“Farming Land” means all land within the Shire of Pingelly zoned ‘Farming’ under the Town Planning Scheme No. 2.

“Firebreak” means ground from which all inflammable material has been removed and on which no inflammable material is permitted during the firebreak period.

“Firebreak Period” means the time between 1st November and 15th April in the following year.

“Inflammable Material” means bush (as defined by the *Bush Fires Act 1954*), timber, boxes, cartons, paper, and the like inflammable materials, rubbish and any combustible matter, but does not include buildings, standing trees or growing bushes or plants in gardens or lawns.

“Regulations” means Regulations made under the *Bush Fires Act 1954*.

“Rural Residential Land” means all land within the Shire of Pingelly zoned ‘Rural Residential’ under the Town Planning Scheme No. 2.

“Townsite Land” means all land within the townsite of Pingelly not zoned as ‘Rural Residential’ under the Town Planning Scheme No. 2.

PART 2—FIRE CONTROL

Requirement for Fire Control Measures

3. All owners and occupiers of land within the Shire of Pingelly are hereby required to take, provide and maintain fire control measures during the firebreak period.

Farming Land

4. On farming land other than excluded areas, the owner or occupier shall—

- (a) clear firebreaks not less than two metres wide—
 - (i) inside all external boundaries of the land,
 - (ii) within fifteen metres of the perimeter of all buildings and remove all inflammable material from within the two metres of all such buildings, and
 - (iii) so as to divide the land into areas not exceeding 400 hectares,
- (b) remove all inflammable material for a continuous distance of 5 metres immediately surrounding every haystack, hayshed, stationary pump or engine, and
- (c) remove all inflammable material for a continuous distance of 15 metres, or to the external boundary of the land whichever is nearer, from around fuel depots.

Excluded Areas

5. All excluded areas remain the owner’s or occupier’s responsibility and any variation as permitted by clause 4 of this By-law does not render null and void any duty otherwise required by law.

Townsite Land

6. On townsite land, where a property or adjoining properties having the same ownership or control and are used as a single holding, the owner or occupier, shall—

- (a) provide and maintain firebreaks not less than 2 metres in width inside all external boundaries of the land, or
- (b) clear by burning, all inflammable material likely to be conducive to the outbreak, spread or extension of a fire from the whole of the land, or
- (c) have all inflammable material likely to be conducive to the outbreak, spread or extension of fire removed, and the grass maintained to a height not greater than 10 cms.

Rural Residential Land

7. On rural residential land, where a property or adjoining properties having the same ownership or control and are used as a single holding, the owner or occupier shall comply with the requirements of—

- (a) farming land where the holding exceeds 10 ha in area, or
- (b) townsite land, where the holding does not exceed 10 ha in area.

Firebreaks on road reserves

8. Firebreaks are not permitted on a road reserve.

Fire Fighting Units

9. During any period when harvesting operations are being conducted there shall be provided in the same paddock or within 50 metres of that paddock, an operational independent mobile fire fighting unit having an engine driven pump and a water capacity of not less than 450 litres; the tank of the unit shall be kept full of water at all times during harvesting, and the responsibility to supply the unit is that of the landholder.

Clover Harvesting

10. Harvesting bans include the harvesting of clover.

Boyagin Rock Picnic Area

11. No wood fires are permitted in the Boyagin Rock Picnic Area (Reserve No. 29413) between 1st November each year and 29th March following.

Variation to Requirements

12. If it is considered impracticable to clear firebreaks or remove inflammable material from the land as required, application may be made in writing to the Council or its duly authorised officer for permission to put in place alternative fire hazard reduction measures, however, if permission is not granted, the requirements of this Part shall be complied with.

PART 3—FIRE CONTROL OFFICERS**Appointment**

13. The Council shall appoint a Chief Bush Fire Control Officer, a Deputy Chief Bush Fire Control Officer and other Fire Control Officers as is deemed necessary, and may determine and restrict the powers of the Fire Control Officers, and may prescribe an area over which the Fire Control Officer shall have jurisdiction.

Training

14. Council shall not appoint or reappoint a person as a Fire Control Officer, or Dual Fire Control Officer, unless he/she has completed a Fire Control Officer's training course, certified by the Bush Fires Board, within the previous five years, and proof of satisfactory completion of the course is required.

Protective Clothing

15. Council may, either at cost price or at its own expense, supply its Bush Fire Control Officers with such protective clothing and attire as it deems appropriate, for use in connection with the Fire Control Officer's duties under the Act.

Notification of Harvest Bans

16. The Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer, Shire Clerk and Assistant Shire Clerk are authorised to issue and advise, as required, any harvesting bans.

Variation to Burning Periods

17. Under section 17 (10) of the Bush Fires Act, the Shire President and Chief Bush Fire Control Officer, jointly, are authorised to exercise Council's powers and duties of subsections (7) & (8).

PART 4—BRIGADES**Establishment of Brigades**

18. (a) Council may by resolution organise, establish, name, maintain and equip a bush fire brigade in accordance with the provisions of the Act and Regulations, and this by-law.

(b) A bush fire brigade may be established for the whole of the Municipality or for a specified area.

Operation of Brigades

19. The operation of a Brigade shall be in accordance with the First Schedule to these by-laws.

Appointment of Officers

20. The Council shall be notified annually of the names of officers appointed in the form of the Second Schedule to these by-laws.

Membership of Brigades

21. (a) The membership of a Bush Fire Brigade shall consist of enrolled fire fighting members.

(b) Fire fighting members shall be those persons, being members of either sex and being fifteen (15) years of age and over who are willing to render service when possible at any bush fire and who sign an undertaking in the form contained in the Third Schedule to these by-laws.

(c) The enrolment of such persons as fire fighting members may be revoked by Council.

Finance

22. The expenditure incurred by the Council in the purchase of equipment, payment of the service and generally for the purposes of this Act shall be a charge on the ordinary revenue of the Council, and the Shire Clerk shall direct that a record of expenditure incurred under the Act be kept.

PART 5—GENERAL

Chain of Command

23. The chain of command within a brigade area, is as follows—

- Chief Bush Fire Control Officer
- Deputy Chief Bush Fire Control Officer
- Fire Control Officer
- Brigade Captain
- 1st Lieutenant
- 2nd Lieutenant, etc, if any
- Brigade members

PART 6—PENALTIES

Penalty

24. The penalty for failing to comply with Part 2 of these By-laws is a fine not exceeding \$1 000 and a person in default is also liable whether prosecuted or not to pay the costs of performing the work directed in this notice if it is not carried out by the owner and/or occupier by the date required by this notice.

First Schedule

RULES FOR BRIGADES

1. Objectives

The objectives of a Brigade shall be to come together and maintain a efficient bush fire fighting organisation that is ready and equipped to—

- (a) organise preventive measures;
- (b) check and extinguish bush fires;
- (c) prevent loss of human life;
- (d) minimise losses to livestock and property; and
- (e) advise the Shire on matters relating to the detection, suppression and prevention of bush fires in the brigade area.

2. Brigade Area

The area of a Brigade shall be the land within the boundaries as approved by the Council.

3. Membership

Subject to clause 21 of this By-law, all residents within the area are entitled to become members. A register of members shall be kept showing each member's name, address, and date of commencement of membership.

4. Fees

Membership fees, if any, for the ensuing twelve months shall be determined at the annual meeting.

5. Funds

The funds of the brigade shall be used solely for the purposes of promoting the objectives of the Brigade.

6. Financial Year

The financial year of a Brigade shall commence on the 1st of July and end on the 30th of June the following year.

7. Banking

The funds of a Brigade shall be placed in a bank account and shall be drawn on only by cheques signed jointly by any two of the Captain, Secretary or Treasurer.

8. Annual Meeting

At least seven days written notice of the meeting shall be given by the Secretary to members of the annual meeting, which is to be held in July or August each year. The business of the annual meeting is to include—

- election of new officers
- consider the Captain's report on the year's activities
- adopt the annual financial statements
- deal with general business

9. Ordinary Meetings

Ordinary meetings may be called at any time by the Captain, for the purpose of—

- organising and checking of equipment
- requisitioning new or replacement equipment
- organising field excursions, training sessions, hazard reduction programs, preparation of fire breaks etc
- establishing new procedures
- deal with general business

10. Special Meetings

The Secretary shall call a special meeting when five or more members so request in writing. The Secretary shall, at least seven days prior to the date thereof, notify all members in writing of the holding of all special meetings.

11. Office Bearers

The committee of the Brigade shall consist of the Captain, Secretary, Treasurer and lieutenants of the Brigade.

These office bearers shall be elected at the annual meeting of the Brigade, and shall hold office until the next annual meeting, and shall be eligible for re-election at such meeting.

Any office bearer may be removed from office by resolution of 60% of the members present at a special meeting called for such purpose.

The committee shall have power to appoint a member to fill the vacancy in any office created for election to any office at such meetings.

12. Management

The management of the Brigade is delegated to the Brigade committee, which shall meet for the despatch of business, adjourn and otherwise regulate its meeting as it thinks fit. The Brigade committee shall meet at any time when duly summoned by the Captain or Secretary.

13. Brigade Officers

At the annual general meeting the brigade shall elect a Captain, Secretary, Treasurer and Lieutenants (in order of seniority) as may be determined. The meeting may also elect the Equipment, First Aid and other officers. These officers should hold office until the next annual general meeting, at which they shall be eligible for re-election, or until a successor has been appointed.

Should any these offices become vacant before the expiration of the financial year, the vacancy shall be filled at a special general meeting of members called for the purpose, and the officer elected to fill the vacancy shall hold office for the unexpired portion of the term for which the officer whom he/she succeeds was appointed.

14. Audit

At every annual meeting some competent person (or persons) not being a member of the Brigade committee is to be elected as Auditor for the ensuing year. The auditor should audit the accounts of the Brigade not less than seven days before the annual general meeting and shall certify to their correctness or otherwise and present a report at each annual meeting.

15. Duties of Officers

The Captain shall preside at all meetings. In the absence of the Captain, the meeting may elect another person to chair the meeting. The Captain shall have full control over the members whilst engaged in fire fighting, and shall issue instructions as to the methods to be adopted. The Captain is responsible for the custody and maintenance in good order and condition of all equipment and appliances acquired by the Council for the purpose of the Brigade.

The Lieutenants, in the absence of the Captain and in order of seniority, shall perform the duties and exercise the powers and authorities of the Captain.

The Secretary shall be in attendance at all meetings and keep a correct minute and account of the proceedings of the Brigade in a book which shall be open for inspection by members at any reasonable time; shall answer all correspondence and keep a record of same; and, shall send out all necessary notices of meetings. He/she may receive subscriptions, donations and other monies on behalf of the Brigade, and shall remit same to the Honorary Treasurer upon receipt. He/she shall assist the Honorary Treasurer in preparation of the annual balance sheet, and attend auditors meetings to explain accounts. He/she shall keep a record of all fires and members attending and ensure fire reports are completed and processed.

The Treasurer shall receive donations and deposits, and deposit all monies to the credit of the Brigade's bank account. He/she shall pay accounts as authorised by the Brigade committee, keep a record of all monies received and payments made, prepare a balance sheet, and be the custodian of all monies of the Brigade. He/she shall regularly inform the Secretary of the names of those members who have paid their membership fees.

16. Disputes

Any disagreement between Brigade members should be referred to either the Captain or the Committee. Where the matter is of sufficient importance that it is considered that the interest of the Brigade as a whole is involved, then the matter should be referred to the annual meeting, an ordinary meeting or a special meeting of the Brigade.

Ultimately, the Council is the final authority on matters affecting the Brigades within the Shire, and may resolve any dispute not finalised.

Second Schedule
FORM 12
BUSH FIRES ACT 1954
Regulation 41

Shire of Pingelly Register of Bush Fire Brigades

Bush Fire Brigade:

Registration Date:

Captain:

Lieutenants: 1.

 2.

 3.

Secretary:

Treasurer:

Signature: (Shire Clerk)

Third Schedule
FORM OF ENROLMENT—FIRE FIGHTING MEMBERS

Application / Declaration

I hereby make application to be enrolled as a fire fighting member of a Bush Fire Brigade.

Name of Brigade:

Applicant's Name:

My private address is:

My business address is:

I can be contacted by Telephone No.:

Facsimile:

I hold a current Drivers Licence No.:

Classes:

I declare that I am over fifteen (15) years of age, and in good health.

On enrolment as a fire fighting member, I hereby undertake—

1. To promote the objects of the Brigade as far as shall be in my power.
2. To be governed by the provisions of the Act and Regulations, and by the By-laws and Policies of the Shire, as may be made from time to time.
3. To use my best endeavour to give assistance in fire fighting measures when called upon such occasions to obey all orders and instructions issued by duly authorised officers of the Brigade or Council.
4. To accept that my membership may be terminated at any time by the Brigade or Council, if my behaviour or actions are considered not to be in the best interest of the Brigade or Council.

Applicant's signature Date

Please list here any fire fighting equipment owned by you.

1.

2.

3.

Fourth Schedule
AUTHORITY AND POWERS OF BRIGADE OFFICERS

For the purpose of extinguishing or preventing the spread of a bush fire, the Captain (or if absent, the next most senior office or member of any Bush Fire Brigade present), after consulting with the occupier if he/she be present may exercise the following powers—

- (a) Control and direction of the brigade and any persons who voluntarily place their services at his/her disposal.
- (b) Either alone or with others under his/her direction to enter any land or premises which may be on fire, he/she may take any action which he/she thinks is necessary to protect lives and property and may cause fences to be pulled down and any inflammable material to be burnt or removed.

He/she may enter or direct the entering of any land or premises or take water from any source other than from a school or domestic supply tank. If a Bush Fire Control Officer is not present the brigade officer may exercise any of a Fire Control Officer's powers which he/she considers necessary.

- (c) He/she may enter a building which is on fire and take any steps he/she considers necessary to control the fire. He/she cannot exercise this power in an area in which there is a fire brigade formed under the Fire Brigades Act.

If the fire is burning in or near any State Forest or on Crown Land, these powers may be exercised by a Forest Officer who is present and who is entitled to take supreme control of all operations.

Captains, lieutenants, members and persons assisting a Bush Fire Brigade are not liable for any loss or damage caused in good faith when fighting a fire, (s. 63 of the Act).

The powers given are very wide and it is important to emphasise that when exercised these should be undertaken in a reasonable and responsible manner.

Dated this 6th day of July 1995.

The Common Seal of the Shire of Pingelly was hereto affixed in the presence of—

R. F. O'BRIEN, President.
N. MITCHELL, Shire Clerk.

Recommended—

R. L. WIESE, Minister for Emergency Services.

Approved by His Excellency the Governor in Executive Council this 23rd day of October 1995.

J. PRITCHARD, Clerk of the Council.

EDUCATION

ED401

MURDOCH UNIVERSITY ACT 1973

Office of the Minister for Education,
Perth, 1995.

It is hereby notified that the Governor in Executive Council acting under the provisions of Section 25 of the Murdoch University Act 1973, has approved amendments to Statute No. 18 as set out in the attached schedule.

NORMAN MOORE, Minister for Education.
J. PRITCHARD, Clerk of the Council.

MURDOCH UNIVERSITY

The proposed amendments to Statute No. 18 as set out in the Schedule have been approved and ratified by an absolute majority of the members of the Senate in accordance with Section 25(1) of the Murdoch University Act 1973.

The Official Seal of Murdoch University was hereto affixed in accordance with Senate Resolution 87/95.

P. J. BOYCE, Vice-Chancellor.
R. N. MacWilliam, Secretary.

SCHEDULE

Statute No. 18—Patents is repealed and Statute No. 18—Intellectual Property, as shown in Annexure A, is approved.

ANNEXURE "A"

Statute No. 18 Intellectual Property

1. Object

1.1 This Statute sets out the circumstances in which the University is entitled to ownership of intellectual property originated by staff or by students of the University. The Statute also specifies the respective rights and obligations of the University, its staff and students in relation to intellectual property belonging to the University and sets out procedures for the identification, protection and commercial exploitation of such intellectual property.

1.2 This Statute also establishes a mechanism whereby equitable returns will be provided by the University to staff or students who are the originators of intellectual property which is exploited by the University in such a way that the University derives a commercial benefit. Returns to the originators of such intellectual property are provided for in such cases, both as a reward and in order to provide an incentive to future innovation.

2. Definitions and Interpretation

2.1 In this Policy the expression "intellectual property" includes information, ideas, inventions, innovations, art work, designs, literary text and any other matter or thing whatsoever as may be capable of legal protection or the subject of legal rights in any of the ways set out in this clause and includes the following rights recognised by Australian and/or foreign law:

- (a) Patents;
- (b) Information which is of a kind and which has been communicated in such a way as to give rise to a duty of confidentiality;
- (c) Information which is subject to an employee's duty of fidelity to the employer;
- (d) Copyright vesting in literary works (including computer programs), dramatic works, musical works, artistic works, films, sound recordings, broadcasts, published editions and certain types of performances;
- (e) Registered trademarks;
- (f) Unregistered trademarks used or intended for use in business;
- (g) Registered designs and designs capable of being registered;
- (h) Copyright in some unregistered or unregistrable designs (usually as artistic works);
- (i) New plant varieties and the rights of breeders of such varieties;
- (j) Circuit layouts (computer chips);
- (k) Trade secrets; and
- (l) Other rights resulting from intellectual activity in the industrial, commercial, scientific, literary and artistic fields.

2.2 In this Statute the expression "staff member" refers to and includes any member of the full or part-time academic or general staff of Murdoch University whether engaged in or holding a permanent post or not.

2.3 In this Statute the expression "student" means a graduate student, an undergraduate student and/or any other person designated or defined as a student in the Murdoch University Act 1973. Any reference to a student in this Statute shall also apply to a Visiting Academic, Scholar or other person in so far as that person undertakes studies, scholarship or research with or at the University and in so doing uses University resources, works as part of a University research team responsible for developing the intellectual property, or develops intellectual property through the use of or building on confidential information belonging to the University.

2.4 In any case where the ownership, licensing or exploitation of any intellectual property to which this Statute applies is governed by a written agreement between the University and a student, a staff member and/or any other person, the provisions of that agreement prevail, to the extent of any inconsistency between that agreement and this Statute.

3. Ownership and Disclosure of Intellectual Property

3.1 Subject to the further provisions of this Statute, the University is the owner of all intellectual property to which this Statute applies.

3.2 This Statute applies to:

- (i) Intellectual property created by a staff member in the course of her or his employment by the University;
- (ii) Intellectual property created by a student in the course of her or his studies, scholarship or research with or at the University; and
- (iii) Intellectual property, the creation of which has been substantially contributed to by the University (or by any third person either on behalf of the University or by virtue of an agreement with the University) by the provision of resources, facilities, apparatus, supervision, salary or other funding.

3.3 (a) Notwithstanding anything contained in sub sections 3.1 and 3.2, a staff member is the owner (and the University hereby formally waives any claim it would otherwise have to ownership) of the copyright in her or his conventional scholarly output. Likewise a student is the owner of the copyright in all original work produced by her or him in the course of or for the purposes of her or his studies, scholarship or research with or at the University.

(b) A staff member and a student may deal with and exploit such material freely without any requirement of explicit approval by the University.

3.4 If requested to do so by a staff member or a student the University must, without delay and at no cost to that person, execute a formal written assignment in favour of that person of such copyright as it may enjoy in respect of any written work to which sub-section 3.3 applies.

3.5 Subject to the preceding provisions of this section, an originator (whether a staff member or a student) of intellectual property which belongs to the University shall not make a public disclosure concerning that intellectual property without the written consent of the Vice-Chancellor. An application for consent to public disclosure must be made in writing and addressed to the Vice-Chancellor.

3.6 Intellectual property which is not the property of the University, may be dealt with and exploited freely by the originator of that intellectual property (whether or not he or she is a staff member or a student of the University).

3.7 However, no staff member or student may take steps to disclose, protect or to commercially exploit intellectual property originated by her or him (other than copyright in material for publication, which falls within sub section 3.3(a)) without first having made a written report to the Vice-Chancellor

setting out the nature of the intellectual property concerned and the circumstances in which it was created, devised or originated. The aim of this sub-section is to ensure the University is able to accurately assess whether this intellectual property belongs to the University.

3.8 From the date of this Statute, the preceding provisions of this section shall be implied into and/or be deemed to be terms of:

- (a) the contract of employment between the University and each present and future staff member;
- (b) the contract between the University and each student pursuant to which each student is admitted to the University. (If no such contract exists, then by this section there shall be deemed to be and always to have been such a contract.)

4. Copyright Material Produced for the Teaching Purposes of the University

4.1 The respective rights of the University, staff and students in relation to videos, films and sound recordings, computer software and other literary works (including compilations of works) or publications which are produced for the teaching purposes of the University shall be as set out in this section. This is notwithstanding anything to the contrary in section 3.

4.2 Copyright in materials which are produced primarily for the teaching purposes of the University, including typeface or compilation/layout copyright if applicable, is vested in the University. Without limiting the generality of the preceding sentence, but for the purposes of clarity, some examples of the sort of materials to which that sentence might apply are given below:

- (a) Video and/or films produced for the teaching purposes of the University by a staff member acting in the course of her or his academic work and duties, or by a student in the course of her or his studies, scholarship or research.
- (b) Computer software, or a circuit layout for a computer chip, produced for the teaching purposes of the University by a staff member acting in the course of her or his academic work and duties, or by a student in the course of her or his studies, scholarship or research.
- (c) Literary material authored or compiled by a staff member for the teaching purposes of the University.

4.3 However, where requested to do so, the University may, on the advice of the appropriate School Dean(s) and/or Unit or Office head(s), agree to transfer the copyright in that material to the person(s) responsible for its creation. The terms of such an agreement will be determined by consultation between all interested parties, but, unless the Vice-Chancellor otherwise determines, any such transfer will be subject at the least to the University retaining a non exclusive royalty-free right to use the material in any teaching application.

4.4 Where the University elects to retain ownership of copyright or other intellectual property rights in any material to which this section applies, and derives commercial benefits as a result of external sales of or other commercial dealings with those rights or that material, then the disbursement of any benefits or revenue so received by the University will be in accordance with the disbursement policy set out in Section 7.

5. Moral Rights in Teaching Materials: Attribution, Integrity and Withdrawal

5.1 Every person who alone or jointly writes, compiles or otherwise originates materials to be used for the teaching purposes of the University has the right to be acknowledged as the author or compiler or originator of that material. All copies of that material published by the University shall contain appropriate written or other recognition of that person.

5.2 Even after a substantial adaptation of such teaching materials takes place, the original author(s), compiler(s) or originator(s) shall continue to have the right to attribution referred to in sub-section 5.1. The person(s) responsible for the adaptation shall also be entitled to attribution as the adaptor(s) of the materials.

5.3 Where such materials are proposed to be used by the University for a purpose or in a context or application other than that in or for which they were originally prepared, each person entitled to attribution shall have the right to be consulted and the right to withdraw attribution should that person not agree to the adaptation, repackaging or use proposed by the University.

6. Procedures for the Protection of Intellectual Property Belonging to the University

6.1 Where statutory intellectual property rights are or may be available in respect of particular intellectual property belonging to the University, and it is decided that an application for statutory intellectual property rights should be made, then the School(s) of Study, Unit(s) or Office(s) in which the originator(s) is or are located shall bear the initial costs of filing such an application.

6.2 If the University decides to proceed through subsequent stages of the application process, all further costs and expenses associated with that application shall be met by the University. The originator's School(s) of Study, Unit(s) or Office(s) will not be required to contribute to these costs.

6.3 Each originator shall, at the request of the University and in a timely fashion, execute all such documents and do all such other acts or things as may be necessary or desirable in order to enable the University to properly and efficiently protect and commercially exploit its intellectual property and to give full effect to the provisions of this Statute generally.

6.4 If the University decides not to initiate or proceed with an application for statutory intellectual property rights, the originator may apply on her or his own behalf and own expense. Any such originator may, to the extent of that person's interest therein, by written notice to the Vice-Chancellor require

an assignment of all of the University's rights in or over the intellectual property. Within 28 days of receipt of such notice, the University shall notify that originator of the terms upon which it would be prepared to assign the rights. The University must not stipulate unfair terms, but any offer to assign made by the University must take into account and seek to recoup (as far as reasonably practicable) all costs and expenses incurred or likely to be incurred by the University and its agents up to the date of the assignment. In this regard, provision may be made for the University to recover any such costs, which, are not paid on assignment, from income generated by the intellectual property.

6.5 University facilities may not be used to further develop assigned intellectual property to which sub section 6.4 applies except with the specific approval of the Vice-Chancellor. This will not be granted unless satisfactory arrangements have been made for appropriate cost recovery.

6.6 Where, in relation to any intellectual property to which this Statute applies, the University is conducting negotiations with an outside party which may result in a contract affecting the interest of a staff member student, and/or School, Unit, Office or other organisation within the University, the contract shall not be entered into without the prior agreement of each affected person or organisation. Any such agreement shall oblige such a person or organisation to provide professional support in accordance with that contract.

7. Distribution of Benefits Derived from Intellectual Property

7.1 The following procedure shall apply for the equitable distribution of commercial benefits derived directly or indirectly by the University from the exploitation of intellectual property originated in whole or in part by a staff member or a student.

7.2 The first charge on all such earnings shall be the recoupment of:

- the direct costs to the University of protecting the intellectual property and maintaining protection, plus direct costs not otherwise recovered associated with developing and marketing the intellectual property, plus
- 50% of all such costs as a contribution in respect of overheads;

PROVIDED THAT, subject to the other provisions of this Section, the originator(s) shall nonetheless be entitled to a 10% share of the earnings derived directly or indirectly by the University from the exploitation of the intellectual property throughout the period until this first charge is liquidated.

7.3 The distribution of earnings after the first charge in favour of the University is liquidated, shall be subject to four levels of priority:

- Priority 1 the originator(s) of the intellectual property
- Priority 2 The University Company
- Priority 3 the School, Unit or Office in which the originator(s) is or are located (hereinafter called the "Section")
- Priority 4 the general revenue fund of the University

7.4 The distribution of net earnings (i.e. after expenses are met) shall be:

	Priority 1 Originator	Priority 2 Unico	Priority 3 Section	Priority 4 University
\$0-\$20,000	75	25	0	0
\$20,000-\$50,000	50	20	20	10
\$50,000-\$100,000	40	20	20	20
\$100,000-upwards	30	20	20	30

Explanatory notes:

1. The above money amounts are expressed in October-December 1993 quarter dollars. The amounts referred to are accumulated total earnings over time.
2. The proportion of net earnings to be distributed to each priority area will vary over time as the accumulated total earnings increases. As each of the monetary thresholds is achieved, the University will notify all interested parties that a new scale of distributions is applicable. From the date of achievement of each monetary threshold, the proportions of net earnings distributed by the University to each priority area shall be varied to accord with the then applicable scale.

7.5 Funds received under priority 3 may be divided between the Section as a whole and a department or group within the Section in proportions agreed between the interested parties. In the absence of such agreement, the proportions shall be determined by the Vice-Chancellor.

7.6 Earnings to which more than one Section of the University may be entitled will be divided between the Sections in proportions agreed between the interested parties. In the absence of such agreement, the proportions shall be determined by an independent arbitrator acceptable to all parties. If the parties cannot agree on an arbitrator, then the arbitrator shall be appointed by the Vice-Chancellor.

7.7 In cases where the benefits derived by the University include share issues or other non-monetary benefits, the distribution of those benefits between the University and the originator(s) will be determined by the Vice-Chancellor. The Vice-Chancellor shall have regard to the principles implicit in the cash distribution formula set out above.

7.8 Allocations of benefits will be made annually on 30th June, for a maximum period of 15 years from the end of the first financial year in which net earnings are received by the University.

7.9 Prior to the making of allocations, the University shall make annual inflationary corrections to each of the monetary thresholds in sub-section 7.4. These amounts will be revised according to the following formula:

$$P \times \frac{A}{B}$$

Where (i) P denotes the original amounts stated in sub-section 7.4;

(ii) A denotes the quarterly consumer price index for all groups in Perth last published by the Australian Bureau of Census and Statistics before 30th June each year; and

(iii) B denotes the consumer price index for all groups in Perth for the quarter ended 31st December 1993, as last published by the Australian Bureau of Census and Statistics.

7.10 Notwithstanding any other provision of this Statute, if a staff member dies or resigns or retires from the University during a period in which he or she is entitled to an allocation of benefits, the benefits payable to that staff member [or to the estate of a deceased staff member] shall be reduced by 10% per annum for each of ten years commencing from the year after the year of retirement, resignation or death. After that period, all rights to the benefits otherwise payable under this section shall cease. The Vice-Chancellor may direct that this reduction not apply or be varied in a particular case.

7.11 However, where a staff member who has resigned or retired returns to the full-time or permanent part-time employ of the University within the above ten year period specified in sub-section 7.10 that sub-section shall cease to apply from the date on which the staff member returns to the employment of the University. A re-employed staff member eligible for an allocation of benefits under this section shall be entitled to receive for the financial year of re-employment and for each following financial year in which she or he remains in the employ of the University the full amount of the benefits which she or he would have received had that person never retired or resigned.

7.12 The provisions of sub-sections 7.10 and 7.11 shall apply equally to a person who ceases to be a student and who is at that time or subsequently becomes entitled to an allocation of benefits under this section as if that person was a staff member who had died or resigned or retired five years after the date on which that person ceased to be a student.

7.13 Where, under sub-sections 7.10-12 a reduction is made in the entitlements of a staff member or a student to a share of the commercial benefits derived by the University from the exploitation of intellectual property which was originated in whole or in part by that staff member or student, then the monies which are thereby no longer required to be paid to the staff member or student shall be divided on a pro rata basis between those who would, pursuant to the other provisions of this section, be entitled to a distribution of benefits under Priority 2, Priority 3 and Priority 4.

8. Repeal

8.1 Statute No. 18 Patents is hereby repealed.

LAND ADMINISTRATION

LA401

LOCAL GOVERNMENT ACT 1960
DECLARATION OF CLOSURE OF STREETS
Made by the Minister for Lands
Under Section 288A

At the request of the local governments nominated, the streets described in the Schedule are now declared to be closed.

SCHEDULE

1. Shire of Boddington (DOLA File No. 1141/1995; Closure No. B1363).
The whole of the surveyed road now contained in Office of Titles Diagram 89525.
Public Plan: BH32 (10) 3.3.
2. City of Canning (DOLA File No. 1098/992; Closure No. C1300).
That portion of Arthur Street (Road No. 10145) plus widening as shown delineated and bordered blue on Crown Survey Diagram 92395.
Public Plan: BG34(2) 18.17.

A. A. SKINNER, Chief Executive,
Department of Land Administration

LOCAL GOVERNMENT

LG401

DOG ACT 1976
Shire of Ashburton

The appointment of Mr Ross Cook as an authorised officer under the Dog Act 1976 as a Ranger/Poundkeeper under the provision of Part XX of the Local Government Act 1960, is hereby cancelled.

LG402**BUSH FIRES ACT 1954***Shire of Chittering*

It is hereby notified for public information that the following person has been appointed as Fire Control Officer (non combatant) for the Shire of Chittering—

David Wells

PETER FITZGERALD, Chief Executive Officer.

LG404**BUSH FIRES ACT 1954***Shire of Koorda*

It is hereby notified for public information that the undermentioned persons are appointed—

Chief Bush Fire Control Officer—Mr D. Douglas
 Deputy Chief Fire Control Officer—Mr G. Storer
 Fire Weather Officer—Mr G. King
 Captain of Koorda Fire Brigade—Mr A. Weymouth

Bush Fire Control Officers

Mr A. Weymouth	Mr G. Briotti	Mr P. Briotti
Mr K. Jones	Mr A. Downie	Mr R. Beaton
Mr M. Henning	Mr P. Inman	Mr D. Sutherland
Mr G. Westlund	Mr J. Sutton	Mr G. King
Mr R. Lang	Mr V. Orchard	Mr R. Anderson
Mr J. Strahan	Mr P. Brandenburg	

All previous appointments are hereby cancelled.

A. J. BORRETT, Shire Clerk.

LG601**BUSH FIRES ACT 1954***Shire of Koorda*

Notice to all owners and occupiers of land in the Shire of Koorda

1. Firebreaks

Pursuant to the powers contained in section 33 (1) of the Bush Fires Act you are hereby required to plough, cultivate, scarify, burn or otherwise clear firebreaks on all land owned or occupied by you by the 1 October 1995 and thereafter to keep those firebreaks clear of all flammable material until 31 March 1996.

Firebreaks are required in locations and to the specifications detailed below.

2. Land Within Townsite

- (a) On land not exceeding 2023 square metres in area, all flammable material shall be removed.
- (b) On land exceeding 2023 square metres in area, a firebreak 3 metres wide shall be constructed inside and immediately adjoining all external boundaries.
- (c) Firebreaks 3 metres wide shall be constructed immediately surrounding all buildings.
- (d) Haystacks must not be located closer than 20 metres to an external boundary. They shall be surrounded by a 10 metre wide firebreak situated between 10 and 20 metre distance from the stack.
- (e) Stored fuel, oil and flammable materials shall be protected from fire as prescribed in the Explosives and Dangerous Goods Act 1961 and the Flammable Liquids Regulation 1967.

3. Rural Land

- (a) Land Used for Agricultural Purposes—
 - (i) Firebreaks 3 metres wide shall be constructed immediately inside and adjoining all property boundaries and internally in such manner as to divide the area into compartments not exceeding 400 hectares. Fire fighting equipment must be present during harvesting operations.
 - (ii) Firebreaks 3 metres wide shall be constructed immediately surrounding all buildings.
 - (iii) Firebreaks 3 metres wide shall be constructed between 10 and 20 metres distance from and surrounding all haystacks.
 - (iv) Firebreaks 3 metres wide shall be constructed immediately surrounding all areas of crop.
 - (v) Stored fuel, oil and flammable materials shall be protected from fire as prescribed in the Explosives and Dangerous Goods Act 1961 and which include that a firebreak 6 metres wide will be provided immediately surrounding storage areas.

4. Land Designated "Special Rural"

(i) The firebreak requirements will be as for "Rural Land".

5. General

If for any reason it is considered by the owner or occupier of land that it is impractical to comply with the requirements of this notice, a request may be made to the Council to approve alternative fire protection measures. Such application shall be accompanied by a sketch or drawing of the proposed variations and should be lodged at the Council Offices no later than the 1st day of October, 1995.

Where approval of a proposed variation is not granted by Council you shall comply with the requirements of the notice.

The penalty for non-compliance with this notice is a maximum of \$1 000.00 and notwithstanding prosecution, Council may enter onto the land and carry out the requisite works at the owner/occupier's expense.

By Order of the Council

A. J. BORRETT, Shire Clerk.

LG901**LOCAL GOVERNMENT ACT 1960**

Shire of Mukinbudin

NOTICE OF INTENTION TO BORROW

Proposed Loan No. 98—\$110 000

Pursuant to section 610 of the Local Government Act 1960, the Shire of Mukinbudin hereby gives notice that it proposes to borrow funds by the sale of debentures on the following terms for the following purpose—

\$110 000 for a period of 3 years payable by 6 half yearly repayments of principal and interest at the office of the Council of Mukinbudin. Interest rate to be fixed for a three year period.

Purpose: Plant Purchase.

Plans and costs as required by section 609 of the Act are open for inspection at the Shire Administration Centre, Maddock Street, Mukinbudin during normal office hours for 35 days, after the publication of this notice.

Dated 2nd November 1995.

E. R. VENTRIS, President.
W. M. FENSOME, Shire Clerk.

MAIN ROADS**MA101****PRINTERS CORRECTION**

File No. MRWA 93-3200-1

TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)**PUBLIC WORKS ACT 1902 (AS AMENDED)****METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959 (AS AMENDED)****WESTERN AUSTRALIAN PLANNING COMMISSION ACT 1985****LAND ACQUISITION****ROAD CONSTRUCTION—CITY NORTHERN BYPASS (MITCHELL FREEWAY TO EAST PARADE SECTION)**

An error occurred in the notice published under the above heading on page 4973 of *Government Gazette* No. 144 dated 27 October 1995 and is corrected as follows.

In the Schedule delete the following—

"Kenneth Albert Reading	K.A. Reading	Portion of each of Wellington Locations 42 & 48 and being	2.563 ha"
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At page 4977 delete—

MICHAEL JEFFREY, Director Corporate Services.

and insert—

" D. R. WARNER, Director Corporate Services. "

PARLIAMENT

PA401

PARLIAMENT OF WESTERN AUSTRALIA

Bills Assented To

It is hereby notified for public information that the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Bills passed by the Legislative Council and the Legislative Assembly during the Second Session of the Thirty-Fourth Parliament.

Short Title of Bill	Date of Assent	Act No.
Coal Industry Superannuation Amendment Bill 1995	1 November 1995	46 of 1995
Collic Hardwood Plantation Agreement Bill 1995	1 November 1995	47 of 1995
3 November 1995.	L. B. MARQUET, Clerk of the Parliaments.	

PLANNING

PD401

TOWN PLANNING AND DEVELOPMENT ACT 1928 SCHEME AMENDMENT AVAILABLE FOR INSPECTION

City of Belmont

Town Planning Scheme No. 11—Amendment No. 83

Ref: 853/2/15/10, Pt 83.

Notice is hereby given that the City of Belmont has prepared the abovementioned scheme amendment for the purpose of—

1. amending the Town Planning Scheme No. 11 Zoning Table to make Convenience Store an SA use in the Service Station Zone.
2. rezoning Lot 14 Kewdale Road, Kewdale from Industrial to Service Station.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 215 Wright Street, Cloverdale and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 19 December 1995.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 19 December 1995.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

B. R. GENONI, Town Clerk.

PD402

TOWN PLANNING AND DEVELOPMENT ACT 1928 SCHEME AMENDMENT AVAILABLE FOR INSPECTION

City of Canning

Town Planning Scheme No. 40—Amendment No. 31

Ref: 853/2/16/44, Pt 31.

Notice is hereby given that the City of Canning has prepared the abovementioned scheme amendment for the purpose of rezoning 39-43 Kew Street (Lot Pt 404), Welshpool, from "Local Authority Reservations—Public Purposes" to "General Industry".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 1317 Albany Highway, Cannington and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 19 December 1995.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 19 December 1995.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

I. F. KINNER, Town Clerk.

PD403**TOWN PLANNING AND DEVELOPMENT ACT 1928**
SCHEME AMENDMENT AVAILABLE FOR INSPECTION*City of Cockburn*

District Zoning Scheme No. 2—Amendment No. 116

Ref: 853/2/23/19, Pt 116.

Notice is hereby given that the City of Cockburn has prepared the abovementioned scheme amendment for the purpose of—

1. rezoning Lots 78, 79 and JAA Pt 231 Beeliar Drive/Cooper Road, from "Rural" to "Residential" (R40).
2. rezoning Lots 77, 5 and 6 Hammond Road, Lot 7 and Pt Lots 8 and 9 Hammond Road, Pt Lot 677, Pt Lots 9 and 10 Yangebup Road, and Lots 1 and 10 Cooper Road from "Rural" and "General Industry" to "Light Industry".
3. rezoning Pt Lot 8 Hammond Road Pt "Light Industry" and "Commercial".
4. amending the Scheme Text (Second Schedule—Additional Use).

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 9 Coleville Crescent, Spearwood and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 19 December 1995.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 19 December 1995.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

R. W. BROWN, Town Clerk.

PD404**TOWN PLANNING AND DEVELOPMENT ACT 1928**
SCHEME AMENDMENT AVAILABLE FOR INSPECTION*City of Mandurah*

District Zoning Scheme No. 1A—Amendment No. 252

Ref: 853/6/13/9, Pt 252.

Notice is hereby given that the City of Mandurah has prepared the abovementioned scheme amendment for the purpose of rezoning Lots 5 and 86 Hickman Road, Silver Sands from "Residential 1 R15" to "Residential 3 R35".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Mandurah Terrace, Mandurah and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 19 December 1995.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 19 December 1995.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

M. R. NEWMAN, A/Town Clerk.

PD405**TOWN PLANNING AND DEVELOPMENT ACT 1928**
APPROVED TOWN PLANNING SCHEME AMENDMENT*City of Melville*

Town Planning Scheme No. 3—Amendment No. 127

Ref: 853/2/17/10, Pt 127.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Melville Town Planning Scheme Amendment on 26 October 1995 for the purpose of—

- a) removing Clause 4.5.25 Policy 2 (A)-(E); and
- b) inserting a new Clause 4.5.25 Policy 2 as follows—
 2. Notwithstanding Policy 1, the Council may permit development in accordance with the R40 code on Lots 9068, 9069, 11, 31 and 9070 Winnacott Street/Worley Street, and the areas bounded by Hodge, Bawdan, Bartlett and Lucas Streets.

K. J. MAIR, Mayor
J. McNALLY, Town Clerk.

PD406**TOWN PLANNING AND DEVELOPMENT ACT 1928**
SCHEME AMENDMENT AVAILABLE FOR INSPECTION*City of Wanneroo*

Town Planning Scheme No. 1—Amendment No. 733

Ref: 853/2/30/1, Pt 733.

Notice is hereby given that the City of Wanneroo has prepared the abovementioned scheme amendment for the purpose of recoding portion of Lot 25 East Road, Hocking from Rural to Commercial and Residential Development R40.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Boas Avenue, Joondalup and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 19 December 1995.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 19 December 1995.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

R. F. COFFEY, Town Clerk.

PD407**TOWN PLANNING AND DEVELOPMENT ACT 1928**
SCHEME AMENDMENT AVAILABLE FOR INSPECTION*Shire of Murray*

Town Planning Scheme No. 4—Amendment No. 85

Ref: 853/6/16/7, Pt 85.

Notice is hereby given that the Shire of Murray has prepared the abovementioned scheme amendment for the purpose of rezoning portion of Lot 217 Hougham Road, Barragup, from "Rural Zone" to "Special Rural Zone".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Pinjarra Road, Pinjarra and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 19 December 1995.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 19 December 1995.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

D. A. McCLEMENTS, Shire Clerk.

PD408**TOWN PLANNING AND DEVELOPMENT ACT 1928**
SCHEME AMENDMENT AVAILABLE FOR INSPECTION*Shire of Swan*

Town Planning Scheme No. 9—Amendment No. 182

Ref: 853/2/21/10, Pt 182.

Notice is hereby given that the Shire of Swan has prepared the abovementioned scheme amendment for the purpose of providing the additional uses of 'Post Office and Lunch Bar' on Lot 51 (No. 174) Great Eastern Highway, Midvale.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Great Northern Highway (Corner Bishop Road), Middle Swan and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 19 December 1995.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 19 December 1995.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

E. W. LUMSDEN, Shire Clerk.

POLICE**PE501****POLICE ACT 1982
POLICE AUCTION**

Under the provision of the Police Act 1982, unclaimed and stolen property will be sold by Public Auction at the premises of Fuller Auctions, of 95 Forrest Avenue, Bunbury on the 9th December 1995 at 9.30 am.

R. FALCONER, Commissioner of Police.

RACING AND GAMING**RA301****THE WESTERN AUSTRALIAN TURF CLUB
Amendment of By-Laws**

I, Charles Wilson Tuckey, the Chairman for the time being of The Western Australian Turf Club hereby certify that at a meeting of the Committee of the Club held on the 18th day of July 1995 the following resolution was passed unanimously by the members of the Committee amending the By-laws of the Club as follows:

- 1 in By-law 18 shall be amended by replacing the words:
"Subject to By-Law 19, the" with the word "The";
- 2 in By-Law 19 by deleting the words:
"provided that with effect from the 1994 General Meeting, no person, other than the Chairman or Vice-Chairman for the time being, may be a Member of the Committee for more than ten consecutive years.";
- 3 by replacing the comma in paragraph (b) of By-Law 19 with a full stop; and
- 4 by deleting By-Law 29A(c).

Dated the 12th day of September 1995.

C. W. TUCKEY, Chairman.

(This amendment has not been disallowed and will come into effect on the date of publication in the *Government Gazette*).

Approved—

G. M. EVANS, Minister for Racing and Gaming.

WATER AUTHORITY**WA401****WATER BOARDS ACT 1904
BUNBURY WATER BOARD
Memorandum of Imposing Rates**

To Whom it May Concern:

At the Special Meeting of the Bunbury Water Board held on 20 September 1995, it was resolved that the Rates and Charges specified hereunder should be imposed on all rateable properties within the District of the Bunbury Water Board in accordance with the Water Boards Act 1904 for the financial year 1 October 1995 to 30 September 1996.

Schedule of Charges:

- (a) 1.12 cents in the dollar to be levied on the Gross Rental Value (GRV) of all developed residential zoned property.
- (b) 4.58 cents in the dollar to be levied on the GRV of all commercial zoned property.
- (c) 3.59 cents in the dollar to be levied on the GRV of all industrial zoned and special use zoned properties.
- (d) 3.99 cents in the dollar to be levied on the GRV of all public purpose zoned, rural zoned and sporting zoned properties.
- (e) 7.56 cents in the dollar to be levied on the GRV of all residential zoned vacant land.
- (f) The charge for non rateable properties under section 57 of the Water Board's Act to be \$285.00 per annum.

(g) The charge (per kl) for water consumed at residential zoned properties to be:

First 150 kl \$0.34
 Next 200 kl \$0.61
 Next 150 kl \$0.89
 Next 200 kl \$1.15
 Next 300 kl \$1.36
 Next 1,000 kl \$1.89
 Next 2,000 kl \$2.10

Registered pensioners to receive 50% rebate of the total amount of the water rates payable and 50% rebate of the amount payable for water consumption up to 350 kl.

Registered seniors to receive 25% rates rebate and 50% rebate of the amount payable for water consumption up to 150 kl.

- (h) Registered Pensioner tenants, other than Homeswest tenants, to receive 50% rebate of the amount payable for water consumption up to 350 kl providing the same rented premises are occupied for the whole consumption year and the tenant is responsible for all or part of the cost for the first 350 kl.
- (i) Registered Senior tenants, other than Homeswest tenants, to receive 50% rebate of the amount payable for water consumption up to 150 kl provided the same rented premises are occupied for the whole consumption year and the tenant is responsible for all or part of the cost for the first 150 kl.
- (j) A rebate of 1 kl to be allowed for 61 cents of rates paid on non-residential zoned properties and the excess water to be at the rate of 61 cents per kl.

DR E. C. MANEA, Board Chairman.
 GARY P. BRENNAN, Board Secretary.

PUBLIC NOTICES

ZZ101

PUBLIC TRUSTEE ACT 1941

Notice is hereby given that pursuant to section 14 of the Public Trustee Act 1941 and amendments the Public Trustee has elected to administer the estates of the undermentioned deceased persons.

Dated at Perth the 30th day of October 1995.

K. E. BRADLEY, Public Trustee,
 565 Hay Street, Perth WA 6000.

Name of Deceased; Address; Date of Death; Date Election Filed.

Helm, Kenneth Harry; West Perth; 22 June 1995; 16 October 1995.
 Mason, Edward John; Eden Hill; 7 August 1995; 16 October 1995.
 Williams, Gladys Emily; Inglewood; 21 August 1995; 16 October 1995.
 Mauer, Adolf; Wilson; 9 June 1995; 10 October 1995.
 Myers, Stelar Elizabeth Mary; Manjimup; 1 June 1995; 10 October 1995.
 Ryszewska, Helena Irena; Poland; 26 April 1995; 10 October 1995.
 Bobanac, Mara; Croatia; 27 November 1984; 4 August 1995.

ZZ201

TRUSTEES ACT 1962

NOTICE TO CREDITORS AND CLAIMANTS

Estate of Antonietta Varischetti deceased

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the estate of Antonietta Varischetti late of 30 Babington Crescent, Bayswater who died on the 16th day of June 1995 are required to send particulars of their claims to the personal representative of the estate of the late Antonietta Varischetti care of Godfrey Virtue & Co, Solicitors, Level 5, 16 Irwin Street, Perth (Ref:JKE) within 30 days of publication of this Notice after which date the personal representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

ZZ301

INQUIRY AGENTS LICENSING ACT 1954
APPLICATION FOR LICENCE IN THE FIRST INSTANCE

To the Court of Petty Sessions at Central Law Courts.

I, Justin Robin Footit of 8/75 Sixth Avenue, Inglewood, Phone Number—H 0411 265 507, W 322 2226, Insurance Investigator having attained the age of twenty-one years, hereby apply on my own behalf for a licence under the abovementioned Act. The principal place of business will be at 1st Floor, 83 Havelock Street, West Perth.

Dated the 10th day of October 1995.

J. R. FOOTIT, Signature of Applicant.

Appointment of Hearing

I hereby appoint the 5th day of December 1995 at 2.15 o'clock in the afternoon as the time for the hearing of the foregoing application at the Court of Petty Sessions at Perth.

Dated the 1st day of November 1995.

M. MEE, Clerk of Petty Sessions.

Objection to the granting of the application may be served on the applicant and the Clerk of Petty Sessions at any time prior to seven days before the date appointed for the hearing.

ZZ401

COMPANIES LAW
Joch Investments Pty Ltd

Notice is hereby given that at the Extraordinary General Meeting of Joch Investments Pty Ltd duly convened and held at Suite 1, 703 Murray Street, West Perth on the 24th October 1995 the following Special Resolution was passed—

“That the Company be wound up voluntarily”.

Dated this 24th day of October 1995.

LEN V. BLYTH, Liquidator.

WESTERN AUSTRALIA

DISABILITY SERVICES ACT 1993

***Price: \$12.30 Counter Sales**
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CONTENTS
REGULATIONS, BY-LAWS, RULES, DETERMINATIONS, ORDERS

	Page
Bush Fires Act—	
City of Armadale—By-laws Relating to Firebreaks	5217
Shire of Pingelly—By-law Relating to Fire Control Matters	5219-25
Shire of York—By-laws Relating to Firebreaks	5217-8
Town of Kwinana—By-law Relating to Firebreaks	5218-9

GENERAL CONTENTS

	Page
Bush Fires Board	5217-25
Education	5225-9
Land Administration	5229
Local Government	5229-31
Main Roads	5231
Parliament	5232
Planning	5232-4
Police	5235
Public Notices—	
Companies	5237
Deceased Persons Estates	5236
Inquiry Agents	5237
Racing and Gaming	5235
Water Authority	5235-6

