

# WESTERN AUSTRALIAN GOVERNMENT Gazette

5513



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## **PUBLISHING ALTERATIONS**

Periodically the normal *Gazette* publishing times need to be altered to cater for disruption caused by public holidays.

- Easter and Christmas holidays cause disruption each year.
- Australia Day and Anzac Day cause disruption when they fall on a Tuesday or Friday.

In these instances, notices warning of the change are generally published on page 2 for approximately 4 weeks prior to the date.

Readers are urged to check *Gazettes* accordingly, prior to contacting State Law Publisher.

JOHN A. STRIJK, Government Printer.

# — PART 1 —

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## PROCLAMATIONS

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AA101\*

**JURIES AMENDMENT ACT 2000**

12 of 2000

## PROCLAMATION

WESTERN AUSTRALIA John Sanderson, Governor. [L.S.]	}	By His Excellency Lieutenant General John Murray Sanderson, Companion of the Order of Australia, Governor of the State of Western Australia.
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I, the Governor, acting under section 2(2) of the *Juries Amendment Act 2000*, and with the advice and consent of the Executive Council, fix 2 October 2000 as the day on which section 10 of that Act comes into operation.

Given under my hand and the Public Seal of the State on 19 September 2000.

By Command of the Governor,

PETER FOSS, Attorney General.

GOD SAVE THE QUEEN !

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## ENERGY

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EG301\*

Gas Corporation Act 1994

### **Gas Corporation (Waiver of Obligations) Notice (No. 2) 2000**

Made under section 96A(2) by the Minister of Energy.

**1. Citation**

This notice may be cited as the *Gas Corporation (Waiver of Obligations) Notice (No. 2) 2000*.

**2. Certain obligations of board waived**

The board of directors of the Gas Corporation is relieved from compliance with its obligations under —

- (a) clause 9 of Schedule 3 of the *Gas Corporation Act 1994*;

- (b) clause 10 of Schedule 3 of the *Gas Corporation Act 1994*;
- (c) clause 15(1) of Schedule 3 of the *Gas Corporation Act 1994*;
- (d) clause 16 of Schedule 3 of the *Gas Corporation Act 1994*;
- (e) clause 17(1) of Schedule 3 of the *Gas Corporation Act 1994*;
- (f) clause 24 of Schedule 3 of the *Gas Corporation Act 1994*; and
- (g) clause 31 of Schedule 3 of the *Gas Corporation Act 1994*;

on the condition that the board of directors of the Gas Corporation complies with its obligations under these provisions on or before 31 October 2000.

### 3. **Certain obligations of board waived**

The Gas Corporation is relieved from compliance with its obligations under section 63 of the *Gas Corporation Act 1994* on the condition that the Gas Corporation complies with its obligations under this provision on or before 31 October 2000.

COLIN J. BARNETT, Minister for Energy.

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## **FISHERIES**

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**FI301\***

Fish Resources Management Act 1994

## **Fish Resources Management Amendment Regulations (No. 5) 2000**

Made by the Governor in Executive Council.

### 1. **Citation**

These regulations may be cited as the *Fish Resources Management Amendment Regulations (No. 5) 2000*.

**2. Schedule 1 amended**

Schedule 1 Part 3 to the *Fish Resources Management Regulations 1995\** is amended as follows:

- (a) in item 3(28) by deleting “77.00” and inserting instead —  
“ 98.50 ”;
- (b) in item 3(29) by deleting “72.00” and inserting instead —  
“ 40.80 ”.

[\* Reprinted as at 2 June 2000.

*For amendments to 1 September 2000 see 1999 Index to Legislation of Western Australia, Table 4, pp. 89-91, and Gazettes 11 and 25 August 2000.]*

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

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**LOCAL GOVERNMENT**

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**LG301\*****CEMETERIES ACT 1986**

*Shire of Wongan-Ballidu*

**CEMETERIES LOCAL LAW**

Under the powers conferred by the Cemeteries Act 1986, the Council of the Shire of Wongan-Ballidu resolved on 21 September 2000 to adopt the *Model Local Law (Cemeteries) 1998* published in the *Government Gazette* on 12 May 1998 with such modifications as are here set out:

**1. Preliminary**

In construing the following modifications, where a modification requires the renumbering of a clause, sub clause or paragraph, subsequent modifications have been drafted on the basis that a renumbering has been effected.

**2. Clause 3.2**

Delete

**3. Clauses renumbered**

Re-number clauses 3.3 and 3.4 to 3.2 and 3.3 respectively.

**4. Clause 3.2**

- a. Delete “and 3.3”
- b. Delete “3.4” and substitute “3.3”

**5. Clause 3.3(1)**

Delete “or crematorium within the cemetery,”

**6. Clause 4.2**

Delete “, or crematorium”

**7. Clause 4.3**

Delete “or crematorium,”

**8. Clause 5.1, para (a)**

Delete “or cremation”

**9. Clause 5.2**

Delete “or cremation” and “or clause 3.2”

**10. Clause 5.6, para (d)**

Delete

**11. Clauses renumbered**

Renumber Clause 5.6, paragraphs (e), (f) and (g), to (d), (e) and (f) respectively.

**12. Clause 5.6, para (d)**

Delete "or the ashes placed"

**13. Part 5, Division 2**

Delete

**14. Clause 5.13**

Delete

**15. Clause 5.14**

Delete

**16. Division Headings and Clauses Renumbered**

a. Renumber Division 3 to Division 2

b. Renumber Clause 5.12 to 5.7.

**17. Clause 7.12**

Delete and substitute—

"7.12 A person shall not place glass domes, vases or other grave ornaments outside the perimeter of a grave in the cemetery as defined in the plans kept and maintained under section 40 (2) of the Act."

**18. Part 7, Division 2**

Delete

**19. Part 7, Division 3**

Delete

**20. Division Headings and Clauses Renumbered**

Renumber Division 4 to Division 2.

Renumber Clauses 7.16, 7.17, 7.18, 7.19 and 7.20 to 7.13, 7.14, 7.15, 7.16 and 7.17 respectfully.

**Repeal**

The Shire of Wongan-Ballidu Local Law Relating to the Wongan Hills Public Cemetery published in the *Government Gazette* on 13 November 1998 is repealed.

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Dated this 21<sup>st</sup> day of September 2000

The Common Seal of the Shire of Wongan-Ballidu was hereunto affixed by authority of a decision of the Council in the presence of:

DAVID G. HOOD, President.  
ALLAN R. MOLES, Chief Executive Officer.

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**LG302\***

**DOG ACT 1976***Shire of Wongan-Ballidu***DOGS LOCAL LAW**

Under the powers conferred by the *Dog Act 1976* and under all other powers enabling it, the Council of the Shire of Wongan-Ballidu resolved on 21 September 2000 to make the following local law:

The Shire of Moora Dogs Local Law as published in the *Government Gazette* of 29 November 1999, is adopted as a local law of the Shire of Wongan-Ballidu with the modifications which follow—

**1. Preliminary**

Wherever the Shire of Moora is mentioned in the local law substitute "Shire of Wongan-Ballidu".

**2. Clause 1.2—Repeal**

Delete Clause 1.2 and substitute—

“1.2 The following local laws are repealed:

- (a) Shire of Wongan-Ballidu By Laws relating to Dogs published in the *Government Gazette* on 11 August 1989; and
- (b) Shire of Wongan-Ballidu Local Laws Relating to Dogs published in the *Government Gazette* on 13 November 1998.”

**3. Clause 3.2(2)—Limitations on the number of dogs**

In Clause 3.2(2), delete paragraphs (a) and (b) and substitute—

- “(a) 2 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated on land less than 10,000 square meters in area;
- (b) 3 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated on land 10,000 square meters in area or greater but less than 20,000 square meters in area; or
- (c) 4 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated on land greater than 20,000 square meters in area.”

**4. Clause 5.1—Places where dogs are prohibited absolutely**

In Clause 5.1(1)—

- (a) renumber paragraphs (b) and (c) to (c) and (d) respectively;
- (b) insert the following paragraph—“(b) a theatre or picture gardens”;
- (c) insert the following paragraph—“(e) a cemetery”.

**5. Clause 5.2—Places which are dog exercise areas**

In Clause 5.2(1) delete paragraphs (a), (b) and (c) and substitute—

- (a) Reserve 34418, Ray Road, Wongan Hills;
- (b) Reserve 29068, Wongan Road, Wongan Hills; and
- (c) Reserve 23874, Tootra Road, Ballidu.

Dated this 21<sup>st</sup> day of September 2000.

The Common Seal of the Shire of Wongan-Ballidu was hereunto affixed by authority of a decision of the Council in the presence of:

DAVID G. HOOD, President.  
ALLAN R. MOLES, Chief Executive Officer.

**LG303\***

**LOCAL GOVERNMENT ACT 1995**

*Shire of Wongan-Ballidu*

**STANDING ORDERS LOCAL LAW**

Under the powers conferred by the *Local Government Act 1995*, the Council of the Shire of Wongan-Ballidu resolved on 21 September 2000 to adopt the *Model Local Law (Standing Orders) 1998* published on 3 April 1998 with such modifications as are here set out:

**1. Clause 3.2—Order of Business**

In Clause 3.2(1) delete paragraphs (a) to (m) inclusive and substitute with the following paragraphs—

- “(a) Official opening
- (b) Attendance, apologies, leave of absence previously granted and applications for leave of absence
- (c) Public question time
- (d) Announcements by the person presiding without discussion
- (e) Petitions and presentations
- (f) Confirmation of minutes
- (g) Matters for which meeting may be closed
- (h) Reports of Officers and Committees
- (i) Questions by members of which due notice has been given
- (j) Motions of which previous notice has been given
- (k) Urgent business approved by the person presiding or by decision

- (l) Matters behind closed doors
  - (m) Closure”.
- 2. Clause 3.9—Motions of which Previous Notice has been Given**  
In Clause 3.9(2) delete “four (4)” and substitute “one (1)”.
- 3. Clause 3.10—Questions by members of which Due Notice has been given**  
In Clause 3.10(1) delete “four (4)” and substitute “one (1)”.
- 4. Clause 6.2—Loss of Quorum During a Meeting**  
In Clause 6.2(2)(b)(i) delete “9.5” and substitute “9.4”.
- 5. Clause 8.1—Official Titles to be Used**  
In Clause 8.1 delete “or committee”.
- 6. Clause 8.2—Members to Occupy Own Seats**  
Delete Clause 8.2—Members to Occupy Own Seats, in its entirety.
- 7. Renumber Clauses**  
Renumber clauses 8.3, 8.4, 8.5, 8.6 and 8.7 to 8.2, 8.3, 8.4, 8.5 and 8.6 respectively.
- 8. Clause 9.1—Members to rise**  
Delete Clause 9.1—Members to rise, in its entirety.
- 9. Clause 9.5—Limitation of Number of Speeches**  
In Clause 9.4 delete “once” and substitute “twice”.
- 10. Renumber Clauses**  
Renumber clauses 9.2, 9.3, 9.4, 9.5, 9.6, 9.7, 9.8 and 9.9 to 9.1, 9.2, 9.3, 9.5, 9.6 and 9.7 respectively.
- 11. Clause 10.16—Personal Explanation**  
In Clause 10.16 delete “rises to explain” and substitute “speaks to make a personal explanation”.
- 12. Clause 12.2—Question to be Adjourned—Effect of Motion**  
In Clause 12.2(2)(b) delete “9.5” and substitute “9.4”.
- 13. Clause 12.3—Council (or Committee) to Now Adjourn—Effect of Motion**  
In Clause 12.3(2)(b)(ii) delete “9.5” and substitute “9.4”.
- 14. Clause 12.7—Council (or Committee) to Meet Behind Closed Doors—Effect of Motion**  
In Clause 12.7(2) delete “9.5” and substitute “9.4”.
- 15. Clause 15.3—Points of Order—When to Raise—Procedure**  
In Clause 15.3 delete “and be seated”.
- 16. Clause 15.8—Precedence of Person Presiding**  
In clause 15.8—
  - (a) In paragraph (1) delete “rises” and substitute “speaks”
  - (b) In paragraph (1) delete “is to immediately sit down”
  - (c) In paragraph (2) delete “9.3” and substitute “9.2”.
- 17. Clause 15.9—Right of the Person Presiding to Adjourn Without Explanation to Regain Order**  
In Clause 15.9(2)(b) delete “9.5” and substitute “9.4”.
- 18. Clause 17.6—Standing Orders Apply to Committees**  
In Clause 17.6—
  - (a) In paragraph (c) delete “9.5” and substitute “9.4”
  - (b) Delete paragraph (b)
  - (c) Re-alphabetize paragraph (c) to (b).
- The Standing Orders of the Shire of Wongan-Ballidu published in the *Government Gazette* on 13 November 1998 are repealed.

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Dated this 21st day of September 2000.

The Common Seal of the Shire of Wongan-Ballidu was hereunto affixed by authority of a decision of the Council in the presence of:

DAVID G. HOOD, President.  
ALLAN R. MOLES, Chief Executive Officer.



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— PART 2 —

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**AGRICULTURE**

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**AG401**

**MARKETING OF EGGS ACT 1945**

Agriculture Western Australia,  
South Perth WA 6151.

The Governor is pleased to appoint, pursuant to Section 7 (3) (d) of the Marketing of Eggs Act 1945, Brent Stewart as the Chairman of the Western Australian Egg Marketing Board for a term of office, expiring 1 December 2003.

MONTY HOUSE, Minister for Primary Industry; Fisheries.

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**AG402**

**PLANT DISEASES ACT 1914**

Agriculture Western Australia,  
South Perth WA 6151.

I, the undersigned Minister for Primary Industry; Fisheries, being the Minister responsible for the administration of the Plant Diseases Act 1914, hereby appoint the following as Inspectors pursuant to Section 7 of the said Act—

Glen Coupar  
Malcolm McCallum

MONTY HOUSE, Minister for Primary Industry; Fisheries.

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**FISHERIES**

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**FI401\***

**FISH RESOURCES MANAGEMENT ACT 1994**

PROHIBITION ON FISHING (WAROONA DAM) REVOCATION ORDER 2000

Order No. 7 of 2000

FD 1620/98 [382]

Made by the Minister under section 43.

**Citation**

1. This order may be cited as the *Prohibition on Fishing (Waroona Dam) Revocation Order 2000*.

**Revocation**

2. The *Prohibition on Fishing (Waroona Dam) Order 2000* \* is revoked.

[\*Published in the Gazette of 28 July 2000.]

Dated this 8th day of September 2000.

MONTY HOUSE, Minister for Fisheries.

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**HEALTH**

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**HE401\*****HEALTH ACT 1911****HEALTH (DANGEROUS INFECTIOUS DISEASES) AUTHORIZATION 2000**

Given by the Minister for Health under section 251 of the Act.

**Citation**

1. This authorization may be cited as the *Health (Dangerous Infectious Diseases) Authorization 2000*.

**Duration**

2. This authorization is effective for the period commencing on 1 November 2000 and ending on 31 October 2001.

**Authorization**

3. The Executive Director, Public Health and Scientific Support Services, is authorized to exercise and delegate to any public health official the special powers conferred by section 251 of the Act within or with respect to any district for the purpose of more effectually checking or preventing the spread of any dangerous infectious disease.

Dated this 20<sup>th</sup> day of September 2000.

JOHN DAY, Minister for Health.

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**LOCAL GOVERNMENT**

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**LG401\*****BUSH FIRES ACT 1954***Town of Northam***Appointment of Officers**

It is hereby notified for public information that in accordance with section 38 of the Act, the Council of the Town of Northam has appointed the following officers—

Luc Thirion (Chief Fire Control Officer)  
Dave Ashford (Deputy Fire Control Officer)  
Mr Aiton Sheppard (Fire Permit Issuing Officer)  
Ms Michelle Hinsley (Fire Permit Issuing Officer)

All previous appointments are hereby cancelled.

D. S. BURNETT, Chief Executive Officer.

**LG402\*****DOG ACT 1976****CITY OF ROCKINGHAM**

It is hereby notified for public information that the following persons have been appointed as Dog Registration Officers for the City of Rockingham—

Wendy Janine Andacich	Marlene Carol Green
Lisa Brown	Beverley Margaret Grow
James Millar Charters	Katherine Linda Hill
Colin Richard Curry	Pattina Nicole Jones
Natalie Christina Derks	Samantha Suzette Lawrence
Debbie Ann Dunne	Peter John Oliver
Corey James Easson	Janis Margaret Sinclair
Helen Elisabeth Edwards	Jodie Marie Smallwood
Frederick William Gardiner	Gregory Norman Whip

All previous appointments are hereby cancelled.

G. G. HOLLAND, Chief Executive Officer.

**LG503\*****BUSH FIRES ACT 1954***TOWN OF NORTHAM*

To all Owners and/or Occupiers of Land in the Town of Northam

**FIREBREAK NOTICE 2000-2001**

Burning Permits are required from 19<sup>th</sup> September to 14<sup>th</sup> November (inclusive)

Burning is prohibited between 15<sup>th</sup> November and 14<sup>th</sup> February

Burning Permits are required from 15<sup>th</sup> February to 27<sup>th</sup> March (inclusive)

Permits are free of charge and are available from the Northam Town Council Office, 298 Fitzgerald Street, Northam between 10:00am and 2:00pm Monday to Friday.

Before 15<sup>th</sup> November, or within fourteen (14) days of the date if you become an owner or occupier after that date, you are required to comply with the firebreaks and hazard reduction requirements set out below.

If you have any queries, please contact a Bush Fire Control Officer on 9622 1466.

**FIREBREAKS AND HAZARD REDUCTION REQUIREMENTS****1. IN RESIDENTIAL AREAS**

- (a) Where the area of your land is 2,024 square metres or less—inflammable material on the land shall be reduced to a height not exceeding 100mm from the ground and all excess inflammable material removed from the whole of the land;
- (b) Where the area of your land exceeds 2,024 square metres in area—firebreaks at least four (4) metres wide must be cleared of all inflammable material immediately inside all external boundaries of the land and immediately surrounding all buildings situated on the land;
- (c) Firebreaks to a width of at least fifteen (15) metres around any fuel dump or liquid fuel container.

**2. IN RURAL AREAS**

- (a) Firebreaks at least four (4) metres in width immediately inside and along all external boundaries of the land;
- (b) Firebreaks at least four (4) metres in width within one hundred (100) metres of the perimeter of all buildings and/or haystacks or groups of buildings and or haystacks in such a manner as to completely encircle the buildings and/or haystacks;
- (c) Firebreaks of at least four (4) metres wide immediately inside all boundaries contiguous with any operational Railway Reserve.

Application must be made for and Council's approval granted before 29 October for any variations to the firebreaks and hazard reduction requirements. If permission is not granted by the Council or its duly authorised officer, then you must comply with the requirements.

Inspections of all properties will be carried out immediately after 15<sup>th</sup> November and detailed photographs taken as evidence of land which does not comply with these requirements—Penalty up to \$1,000 fine.

D. S. BURNETT, Chief Executive Officer.

**LG501\*****BUSH FIRES ACT 1954***Shire of Wongan-Ballidu***FIREBREAK ORDER**

Notice to Owners and Occupiers of Land within the Shire of Wongan-Ballidu

Pursuant to the powers contained in section 33 of the Bush Fires Act 1954, you are hereby required on or before the 9th day of October 2000, to plough, scarify, cultivate, spray or otherwise clear and thereafter maintain free of all inflammable material until the 18th day of March 2001 firebreaks in the following dimensions, on the land owned or occupied by you.

**1. TOWN SITES**

- 1.1 Where the area is 2,000 square meters or less, remove all annual grass and herbage.
- 1.2 Where the area is greater than 2,000 square meters but less than 10,000 square meters, construct a firebreak not less than two meters in width immediately inside all external boundaries and immediately surrounding all buildings and/or haystacks situated on the land.
- 1.3 Where the area is greater than 10,000 square meters construct a firebreak of not less than three meters in width immediately inside all external boundaries and immediately surrounding all buildings and/or haystacks situated on the land.

**2. FUEL DUMPS AND/OR DEPOTS**

All grass and inflammable material is to be cleared from areas where fuel is stored and such areas are to be maintained free of grass and similar inflammable material until the 18th day of March 2001.

### 3. RURAL LAND

Firebreaks of not less than three meters in width immediately inside and along the whole external boundaries of the properties owned or occupied by you. In addition, firebreaks of at least three meters in width are required surrounding, and not more than fifty meters from the perimeter of any building, group of farm buildings, haystack or fuel storage situated on the land.

### 4. HARVESTING AND STRAW RAKING, BALING AND CHAINING OPERATIONS

A person shall not operate any harvesting machine or header or undertake straw raking, baling or churning activities in any crop or paddock during the restricted and prohibited period unless a readily mobile firefighting unit containing a minimum of 400 litres of water capacity powered by an engine driven pump is in attendance in or adjacent to the entrance of the paddock being harvested, raked, baled or chained.

### 5. GENERAL PROVISIONS

The term "*Inflammable Material*" for the purpose of this notice includes bush (as defined in the Bush Fires Act 1954), timber, boxes, cartons, paper, and the like inflammable materials, rubbish and any combustible matter, but does not include buildings, green standing trees and bushes or growing bushes or plants in gardens or lawns.

If it is considered to be impractical for any reason to provide firebreaks in the position or adhere to the provisions required by this notice, the written approval of a Bush Fire Control Officer must be obtained to prepare such firebreaks in an alternative position.

If permission is not granted by a duly authorised officer you shall comply with the requirements of this order.

A "*Total Movement Ban*" includes the movement of vehicles in paddocks, except vehicles carrying water to stock and inspecting water supplies to stock.

Harvesting is permitted on all Sundays and Public Holidays other than Christmas Day and New Years Day, except where a harvesting or movement ban has been imposed due to extreme weather conditions.

The penalty for failing to comply with this order is a fine of not more than one thousand dollars (\$1000) and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed by this notice, if it is not carried out by the owner or occupier by the date required by this notice.

By Order of the Council,

ALLAN R. MOLES, Chief Executive Officer.

LG502\*

#### **BUSH FIRES ACT 1954**

#### *SHIRE OF SERPENTINE-JARRAHDAL*

#### FIREBREAK ORDER 2000/2001

Notice to all Owners and/or Occupiers of Land in the Shire of Serpentine-Jarrahdale  
please read carefully

Property Owners/Occupiers are required to have firebreaks constructed in accordance with this  
Notice by 30 November 2000 and maintained until 30 May 2001

As an assistance to ratepayers listed on the bottom of this order are the names, addresses and  
telephone numbers of private contractors in the area who are prepared to undertake this work.

*"On-the-spot" fines may be served if firebreaks are not constructed in accordance with the  
following order:*

Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954 you are hereby required on or before the 30th day of November 2000 to remove from land owned or occupied by you all flammable material and/or to clear firebreaks in accordance with the following, and thereafter to maintain the land and/or firebreaks clear of flammable material up to and including the 30th day of May 2001, in such positions/dimensions and specifications as required by this Notice.

1. RURAL LAND (Land other than that within the Mundijong, Serpentine, Jarrahdale and Byford urban areas and the North and West Wards of the Shire of Serpentine-Jarrahdale).

1.1 Have firebreaks not less than two (2) metres wide inside and along all boundaries of land abutting road, rail and drain reserves and all public open space reserves, with all overhanging branches, trees, limbs, etc to be trimmed back clear of the firebreak area.

1.2 Have firebreaks not less than two (2) metres wide so far as to surround all buildings, sheds and haystacks. The inner perimeter of such firebreaks to be within fifteen (15) metres of the buildings, sheds and haystacks, with all overhanging branches, trees, limbs, etc. to be trimmed back clear of firebreak area.

2. RURAL LAND—NORTH AND WEST WARDS: Clear firebreaks of all inflammable material, a minimum of two (2) metres wide immediately inside all external boundaries of the land and also immediately surrounding all buildings and haystacks or groups of buildings and haystacks situated on the land, with all overhanging branches, trees, limbs, etc. to be trimmed back clear of the firebreak area.

3. URBAN AREAS: (Land situated within the urban areas of Mundijong, Serpentine, Jarrahdale and Byford).

- 3.1 Have the entire land clear of all flammable material by slashing or other means to a maximum height of 25mm where the area of land is 2000 m<sup>2</sup> or less.
- 3.2 Have the firebreak not less than two (2) metres wide immediately inside and along all boundaries of land exceeding 2000 m<sup>2</sup> in area, with all overhanging branches, trees, limbs, etc. to be trimmed back clear of the firebreak area,
- 3.3 Have firebreaks not less than two (2) metres wide immediately abutting all buildings, outbuildings, sheds, etc. situated on land exceeding 2000 m<sup>2</sup> in area, with all overhanging branches, trees, limbs, etc. to be trimmed back clear of the firebreak area.

4. PLANTATIONS: Any area of planted trees, other than a wind break, within gazetted town sites exceeding 3 hectares and elsewhere exceeding 10 hectares (as at 1st August 1996.)

- 4.1 Construct firebreaks not less than twenty (20) metres in width around and immediately inside all external boundaries of such land.
- 4.2 Construct firebreaks not less than 10 (ten) metres in width within the plantation so as to subdivide the plantation into areas or compartments each not exceeding twenty eight (28) hectares.
- 4.3 Trees within two (2) metres of the edge of any firebreaks to be pruned so that branches do not impede access along the firebreak.
- 4.4 *A map of each plantation showing roads, firebreaks, access points and water points shall be lodged with the Council on or before 15th December 2000.*
- 4.5 Where there is a public building adjoining plantations there shall be a minimum fifty (50) metre distance between the building and the first line of trees. Council may require greater distances if, in its opinion, public safety would be at risk.
- 4.6 Where there is a fuel depot/station or storage facility for fuel or gases adjoining a plantation there shall be a minimum one hundred (100) metre distance between the boundary of the facility and the first line of trees. Council may require greater distances if, in its opinion, public safety would be at risk.

All firebreaks as required by section 4 of the notice shall be constructed to a standard trafficable by fire units. Where Council, or the Senior Ranger, requires extra works to roads or plantation operations, Council, or the Senior Ranger, shall serve written notice upon the owner/occupier to comply with the works.

5. Where Council or the Senior Ranger, requires total boundary breaks of not less than three (3) metres wide upon properties, or requires that fuel loadings within the property be reduced by slashing, mowing or other means. Council, or the Senior Ranger, may in writing, order the owner and/or occupier to comply with the required works.

6. **APPLICATION TO VARY FIREBREAK REQUIREMENTS.** If for any reason it is considered impractical to clear firebreaks or to remove the flammable material from the land as required by this Notice, you may apply in writing to Councils Senior Ranger on or before 15<sup>th</sup> day of October, 2000 requesting permission to provide firebreaks in an alternative position or take alternative action to abate a fire hazard. If the Council or the Senior Ranger does not grant permission for your variation you shall comply with the requirements of this Notice in its entirety.

7. All properties, that have a fire management plan approved in accordance with the Town Planning Scheme or subdivisional requirements shall comply with those plans for their estate to the satisfaction of Council or the Senior Ranger.

8. **PENALTY: FAILURE OR NEGLECT TO COMPLY WITH THIS NOTICE RENDERS YOU LIABLE TO PROSECUTION, PENALTY—FINE OF \$1,000.00 AND THE PERSON IN DEFAULT IS ALSO LIABLE WHETHER PROSECUTED OR NOT TO PAY THE COST OF PERFORMING THE WORK DIRECTED IN THIS ORDER IF IT IS NOT CARRIED OUT BY THE OWNER OR OCCUPIER BY THE DATE REQUIRED BY THIS NOTICE.**

#### DEFINITIONS/EXPLANATIONS:

1. If the requirements of this Notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act 1954 (as amended) and Council shall be notified in the form of an alternative firebreak request.
2. Council hereby request owners and/or occupiers of land for the further improvement in Fire Control in the district to provide firebreaks at least three (3) metres wide around all farm boundaries even where a break is not required by this Order.
3. Drains do not constitute a firebreak.
4. FIREBREAKS MUST BE KEPT CLEAR UNTIL 31 MAY 2001
5. For further information and clarification please contact the Rangers & Fire Management Services on 9526 1122 or 9526 1136 or 9526 1115.

#### BURNING OFF AND PERMITS

PERMITS TO BURN ARE REQUIRED DURING THE RESTRICTED BURNING PERIODS

NO BURNING IS PERMITTED ON DAYS THAT THE FORECAST IS *VERY HIGH* OR *EXTREME* FIRE DANGER THIS INCLUDES SOLID FUEL BBQ'S AND GARDEN REFUSE.

RESTRICTED BURNING PERIODS (PERMITS REQUIRED) ARE—  
 1st OCTOBER TO 30th NOVEMBER, INCLUSIVE  
 1st APRIL TO 31st MAY, INCLUSIVE

These dates may be varied to suit local conditions and will be advertised in the Examiner and on local notice boards.

TOTAL FIRE BAN & PROHIBITED BURNING TIME IS  
 1st DECEMBER to 31st MARCH, INCLUSIVE

CHIEF FIRE CONTROL OFFICER—

D. GOSSAGE ..... (W) 9526 1122, (A/H) 0409 080 778

1<sup>ST</sup> DEPUTY CHIEF FIRE CONTROL OFFICER—

D. ROBINSON ..... 9525 2125

2<sup>ND</sup> DEPUTY CHIEF FIRE CONTROL OFFICER—

K. ELLIOTT ..... 9525 2268

This Order/Notice has effect from 1<sup>st</sup> August 2000 until 31<sup>st</sup> July 2001.

By Order of Council,

D. E. PRICE, Chief Executive Officer.

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## PLANNING

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**PD401\***

### TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*CITY OF SWAN*

TOWN PLANNING SCHEME No. 9—AMENDMENT No. 348

Ref: 853/2/21/10 Pt 348

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 Swan Town Planning Scheme Amendment on 13 September 2000 for the purpose of—

1. Amending the Scheme Map by rezoning all those lots in the Malaga Industrial Estate generally fronting Marshall/Beach Roads and Alexander Drive (north of Beach Road) from General Industry to Highway Service, as depicted on the Scheme Amendment Map.
2. Inserting in Table 3B—District Zones Other Than For The Midland Sub-Regional Centre the letters 'AA' within the Highway Service Zone column corresponding to Medical Centre.

C. M. GREGORINI, Mayor.  
 E. W. LUMSDEN, Chief Executive Officer.

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## POLICE

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**PE501**

### POLICE ACT 1892

#### POLICE AUCTION

Under the provisions of the Police Act 1892-1992, unclaimed found and stolen property and bicycles will be sold by public auction at Smith Broughton & Sons, 1 Clayton Street, Midland on Saturday 30th September 2000 at 9.00 am.

The auction is to be conducted by Mr Gary Silcock.

B. MATTHEWS, Commissioner of Police,  
 Western Australian Police Service.

## PUBLIC NOTICES

ZZ201

### TRUSTEES ACT 1962

Claims against the estate of Allen Henry Potts late of Unit 3, 87 David Street, Albany Western Australia should be lodged with the Executors, C/- P.O. Box 485, Albany, W.A. within one month of the date of this notice after which date the assets will be distributed having regard only to the claims received.

HAYNES ROBINSON.

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