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Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically.

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- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper.
- Copy must be lodged with the Publications Officer, Department of the Premier and Cabinet no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition)—

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## EDUCATION

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**ED401****MURDOCH UNIVERSITY ACT 1973****MURDOCH UNIVERSITY SENATE (APPOINTMENT OF MEMBER) INSTRUMENT 2023**

Made by the Deputy of the Governor in Executive Council under section 12(1)(g) of the *Murdoch University Act 1973*.

**Citation**

1. This is the *Murdoch University Senate (Appointment of Member) Instrument 2023*.

**Appointment of member**

2. Dr Robyn Smith-Walley is appointed to be a member of the Senate of the University for a term of office of 3 years commencing on the date of Executive Council approval.

Dated this 21st day of June 2023.

NICK HAGLEY, Clerk of the Executive Council.

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## ENERGY

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**EN401****ELECTRICITY INDUSTRY ACT 2004****NOTICE UNDER SECTION 23 (1) NOTICE OF DECISIONS**

Notice is given that the following electricity distribution licence and electricity retail licence have been granted—

Licensee:	Eglinton Village Energy Pty Ltd ACN 665 916 085
Address:	52 Belmont Avenue, Rivervale, WA 6103
Classification:	Electricity distribution licence (EDL10, Version 1) and electricity retail licence (ERL33, Version 1)
Commencement Date:	2 August 2023
Term of Licences:	Up to and including 1 August 2053 (EDL10) and up to and including 1 August 2038 (ERL33)
Licence Area:	The licence area is the area as set out in plan ERA-EL-162 in the State of Western Australia.
Inspection of Licences:	Economic Regulation Authority 4th Floor, Albert Facey House 469 Wellington Street Perth WA 6000 <a href="http://www.erawa.com.au">http://www.erawa.com.au</a>

Mr STEVE EDWELL, Chair, Economic Regulation Authority.

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## JUSTICE

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**JU401****JUSTICES OF THE PEACE ACT 2004****APPOINTMENTS**

It is hereby notified for public information that the Governor in Executive Council has approved of the following to the Office of Justice of the Peace for the State of Western Australia—

Ross Graeme Doney of Salmon Gums

JOANNE STAMPALIA, Deputy Director General, Court and Tribunal Services.

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## LOCAL GOVERNMENT

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LG401

**DOG ACT 1976**  
**LOCAL GOVERNMENT ACT 1995**  
*Town Of Cottesloe*  
**DOGS LOCAL LAW 2023**

Under the powers conferred by the *Dog Act 1976*, the *Local Government Act 1995* and under all other powers enabling it, the Council of the Town of Cottesloe resolved on 27 June 2023 to make the following local law.

**PART 1—PRELIMINARY**

**1.1 Citation**

This local law may be cited as the *Town of Cottesloe Dogs Local Law 2023*.

**1.2 Commencement**

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

**1.3 Application**

This local law applies throughout the district.

**1.4 Repeal**

The *Town of Cottesloe Dogs Local Law 2011*, as amended, published in the *Government Gazette* on 26 July 2011 is repealed.

**1.5 Terms Used**

In this local law unless the context otherwise requires—

**Act** means the *Dog Act 1976*;

**authorised person** means a person appointed by the local government to perform all or any of the functions conferred on an authorised person under this local law;

**CEO** means the Chief Executive Officer of the local government;

**dangerous dog** means a dog which is the subject of a declaration under section 33E of the Act declaring it to be a dangerous dog;

**district** means the district of the local government;

**dog management facility** has the meaning given to it in section 3(1) of the Act;

**infringement notice** means the notice referred to in clause 6.3;

**local government** means the *Town of Cottesloe*;

**notice of withdrawal** means the notice referred to in clause 6.6(1);

**owner** in relation to a dog means—

(a) The person by whom the dog is ordinarily kept; or

(b) The person who is deemed by the Act to be the owner of the dog;

**person liable for the control of the dog** has the same meaning as in section 3(1) of the Act;

**pound keeper** means a person authorised by the local government to perform all or any of the functions conferred on a "pound keeper" under this local law;

**premises** has the same meaning as in section 3 of the Act;

**public place** has the same meaning given to it by section 3(1) of the Act;

**Regulations** means the *Dog Regulations 2013*;

**Schedule** means the schedule to this local law;

**thoroughfare** has the meaning given to it in section 1.4 of the *Local Government Act 1995*; and

**town planning scheme** means a town planning scheme made by the local government under the *Planning and Development Act 2005* which applies throughout the whole or a part of the district.

**PART 2—IMPOUNDING OF DOGS**

**2.1 Charges and costs**

The following are to be imposed and determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995*—

- (a) the charges to be levied under section 29(4) of the Act relating to the seizure and impounding of a dog;
- (b) the additional fee payable under section 29(4) of the Act where a dog is released at a time or on a day other than those determined under clause 2.2; and
- (c) the costs of the destruction and the disposal of a dog referred to in section 29(15) of the Act.

**2.2 Attendance of authorised person at dog management facility**

The authorised person is to be in attendance at the dog management facility for the release of dogs at the times and on the days of the week as are determined by the CEO.

**2.3 Release of impounded dog**

- (1) A claim for the release of a dog seized and impounded is to be made to the authorised person or in the absence of the authorised person, to the CEO.
- (2) The authorised person is not to release a dog seized and impounded to any person unless that person has produced, to the satisfaction of the authorised person, satisfactory evidence—
  - (a) of her or his ownership of the dog or of her or his authority to take delivery of it; or
  - (b) that he or she is the person identified as the owner of a microchip implanted in the dog.

**PART 3—KEEPING OF DOGS****3.1 Dogs to be confined**

- (1) An occupier of premises on which a dog is kept must—
  - (a) cause a portion of the premises on which the dog is kept to be fenced in a manner capable of confining the dog;
  - (b) ensure the fence used to confine the dog and every gate or door in the fence is of a type, height and construction which having regard to the breed, age, size and physical condition of the dog is capable of preventing the dog at all times from passing over, under or through it;
  - (c) ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises (unless the gate is temporarily opened in a manner that ensures that the dog remains confined) and is fitted with a proper latch or other means of fastening it;
  - (d) maintain the fence and all gates and doors in the fence in good order and condition; and
  - (e) where no part of the premises consists of open space, yard or garden or there is no open space or garden or yard of which the occupier has exclusive use or occupation, ensure that other means exist on the premises (other than the tethering of the dog) for effectively confining the dog within the premises.
- (2) Where an occupier fails to comply with sub clause (1), he or she commits an offence.

**Penalty:**

For an offence relating to a dog other than a dangerous dog—

- (i) A fine of \$5,000
- (ii) For each separate and further offence committed by the person under the *Interpretation Act 1984* Section 71, a fine of \$100.

Notwithstanding Clause 1 the confinement of dangerous dogs is dealt with in the Act and Regulations.

**3.2 Limitation on the number of dogs**

- (1) This clause does not apply to premises which have been
  - (a) granted an exemption under section 26(3) of the Act, or
  - (b) established as a veterinary hospital or veterinary clinic.
- (2) The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act is two (2) dogs over the age of 3 months and the young of those dogs under that age.

**Penalty:**

For an offence relating to a dog other than a dangerous dog—

- (i) A fine of \$5,000
- (ii) For each separate and further offence committed by the person under the *Interpretation Act 1984* Section 71, a fine of \$100.

The confinement of dangerous dogs is dealt with in the Act and Regulations.

**3.3 Application to keep additional dog or dogs**

- (1) The local government may consider an application to keep an additional dog or dogs where—
  - (a) the property is deemed suitable by an authorised person—
    - (i) having sufficient space capable of confining more dogs;
    - (ii) noise, odours, fleas, flies and other vectors of disease will be affectively controlled; and
    - (iii) the care and welfare of the dogs is considered adequate
  - (b) the details of every dog proposed to be kept on the premises are provided including name, age, colour/description, breed, registration number and microchip details; and
  - (c) sufficient reason has been provided, including—
    - (i) to replace an elderly or sick dog not expected to live;
    - (ii) a family emergency resulting in the dog being inherited;
    - (iii) merging of two households;
    - (iv) where the applicants have had approval to keep an additional dog or dogs in another local authority.

- (d) In the case of tenanted property, provide written consent by either the landowner or their appointed property owner.

### 3.4 Determination of application

In determining an application for a license, the local government is to have regard to—

- (a) the matters referred to in clause 3.33;
- (b) the effect which approval of the proposed may have on the environment or the amenity of the neighbourhood;
- (c) whether approval of application will create a nuisance for the owners and occupiers of adjoining premises.

### 3.5 Conditions of approval

- (1) The local government may approve an application to keep an additional dog or dogs subject to any conditions as considered appropriate.
- (2) Approval of an application is not transferrable to successive owners or occupiers of the premises
- (3) A person who fails to comply with a condition imposed under subclause (1) commits an offence.

#### Penalty:

For an offence relating to a dog other than a dangerous dog—

- (i) A fine of \$5,000
- (ii) For each separate and further offence committed by the person under the *Interpretation Act 1984* Section 71, a fine of \$100.

The confinement of dangerous dogs is dealt with in the Act and Regulations.

### 3.6 Revocation of license to keep additional dogs

Where a person does not comply with the conditions of approval to keep an additional dog or dogs under Clause 3.5 the local government may revoke the approval to keep an additional dog or dogs.

## PART 4—DOGS IN PUBLIC PLACES

### 4.1 Places where dogs are prohibited absolutely

- (1) Designation of places where dogs are prohibited absolutely is dealt with in the Act.
- (2) If a dog enters or is in a place specified in subclause (1) every person liable for the control of the dog at that time commits an offence.
- (3) Subclause (2) does not apply to a dog which is being used as an assistance animal as defined in the *Disability Discrimination Act 1992 (Commonwealth)*.

#### Penalty:

For an offence relating to a dog other than a dangerous dog—

- (i) A fine of \$5,000
- (ii) For each separate and further offence committed by the person under the *Interpretation Act 1984* Section 71, a fine of \$200.

The penalties relating to dangerous dogs are dealt with in the Act and Regulations.

### 4.2 Places which are dog exercise areas

Designation of places which are dog exercise areas is dealt with in the Act.

## PART 5—MISCELLANEOUS

### 5.1 Fees and Charges

Set fees and charges are to be imposed and determined by the local government under section 6.16 to 6.19 of the Act.

### 5.2 Offence to excrete

- (1) A dog must not excrete on—
  - (a) any thoroughfare or other public place; or
  - (b) any land which is not a public place without the consent of the occupier.
- (2) Subject to subclause (3), if a dog excretes contrary to subclause (1), every person liable for the control of the dog at that time commits an offence.

#### Penalty: \$1,000

- (3) The person liable for the control of the dog does not commit an offence against subclause (2) if any excreta is removed immediately by that person.

## PART 6—ENFORCEMENT

### 6.1 Offences

A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.

### 6.2 General Penalty

A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5,000 and if the offence is of a continuing nature, to an additional penalty not exceeding \$100 for each day or part of the day during which the offence has continued.

**6.3 Modified penalties**

- (1) The offences contained in Schedule 1 are offences in relation to which a modified penalty may be imposed.
- (2) The amount appearing in the third column of Schedule 1 directly opposite an offence is the modified penalty payable in respect of that offence if—
  - (a) the dog is not a dangerous dog; or
  - (b) the dog is a dangerous dog, but an amount does not appear in the fourth column directly opposite that offence.
- (3) The amount appearing in the fourth column of Schedule 1 directly opposite an offence is the modified penalty payable in respect of that offence if the dog is a dangerous dog.

**6.4 Issue of infringement notice**

Where an authorised person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, he or she may issue to that person a notice in the form of Form 2 of Schedule of the *Local Government (Functions and General) Regulations 1996*.

**6.5 Failure to pay modified penalty**

Where a person who has received an infringement notice fails to pay the modified penalty within the time specified in the notice, or within further time as may in any particular case be allowed by an authorised person, he or she is deemed to have declined to have the offence dealt with by way of a modified penalty.

**6.6 Payment of modified penalty**

A person who has received an infringement notice may, within the time specified in that notice or within such further time as may in any particular case be allowed by an authorised person, send or deliver to the local government the amount of the penalty, with or without a reply as to the circumstances giving rise to the offence, and the local government may appropriate that amount in satisfaction of the penalty and issue an acknowledgment.

**6.7 Withdrawal of infringement notice**

Whether or not the modified penalty has been paid, an authorised person may withdraw an infringement notice by sending a notice in the form of Form 3 of Schedule 1 of the *Local Government (Functions and General) Regulations 1996*. A person authorised to issue an infringement notice under clause 6.4 cannot sign or send a notice of withdrawal.

**6.8 Service of notices**

An infringement notice or a notice of withdrawal may be served on a person personally, or by leaving it at or posting it to her or his address as ascertained from her or him, or as recorded by the local government under the Act, or as ascertained from inquiries made by the local government.

**SCHEDULE 1—PRESCRIBED OFFENCES**

(Clause 6.2)

Offence	Nature of offence	Modified penalty \$	Dangerous Dog Modified Penalty \$
3.1	Failing to provide means for effectively confining a dog	200	As per Regulations
3.2	Limitation on the number of dogs	100	500
3.5	Failure to comply with conditions of approval to keep additional dog or dogs	200	500
4.1	Places where dogs are prohibited absolutely	200	500
5.2(2)	Dog excreting in public place	250	250

Dated 27 June 2023.

The Common Seal of the Town of Cottesloe was affixed by authority of a resolution of the Council in the presence of—

LORRAINE YOUNG, Mayor.  
WILLIAM MATTHEW SCOTT, Chief Executive Officer.

**LG402****LOCAL GOVERNMENT ACT 1995***City of Kwinana***BASIS OF RATES**

I, Tim Fraser, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from 24 July 2023, determined that the method of valuation to be used by the City of Kwinana as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land—

**Schedule**

	Designated Land
UV to GRV	All those portions of land being Lot 462, Lot 541, Lots 546 to 561 inclusive, Lots 567 to 579 inclusive, Lots 762 to 768 inclusive and Lot 838 as shown on Deposited Plan 423862.

TIM FRASER, Executive Director Local Government,  
Department of Local Government, Sport and Cultural Industries.

**LG403****LOCAL GOVERNMENT ACT 1995***City of Swan***BASIS OF RATES**

I, Tim Fraser, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from 19 July 2023, determined that the method of valuation to be used by the City of Swan as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land—

**Schedule**

	Designated Land
UV to GRV	<b>SCHEDULE 'A'</b> All that portion of land being Lot 160 as shown on Plan 16376. <b>SCHEDULE 'B'</b> All those portions of land being Lot 102 as shown on Deposited Plan 39484; Lot 182 as shown on Deposited Plan 36467 and Lot 1004 as shown on Deposited Plan 420360

TIM FRASER, Executive Director Local Government,  
Department of Local Government, Sport and Cultural Industries.

**LG404****LOCAL GOVERNMENT ACT 1995***Shire of Dumbleyung***HEALTH AMENDMENT LOCAL LAW 2023**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Dumbleyung resolved on 20 July 2023 to make the following local law.

**1. Citation**

This local law may be cited as the *Shire of Dumbleyung Health Amendment Local Law 2023*.

**2. Commencement**

The local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

**3. Principal local law**

This local law amends the *Shire of Dumbleyung Health Local Law 2022* as published in the *Government Gazette* on 3 November 2022.

**4. Clause 2.9 Amended**

In clause 2.9

- (a) Renumber subclause '(7)' as subclause '(8)'.
- (b) renumber paragraph '(6)(c)' as 'subclause (7)'.



**5. Clause 5.6(2) Amended**

In clause 5.6(2)(b) move the words 'then every owner and occupier of lot commits an offence' to a separate line.

**6. Clause 6.17 Amended**

In the first line of paragraph 6.17(c) change the word 'of' to 'or'.

**7. Clause 6.24 Amended**

In clause 6.24 delete paragraph '(3)'.

**8. Clause 7.4 Amended**

In clause 7.4 delete paragraph '(4)'.

**9. Clause 7.11 Amended**

In clause 7.11 delete paragraph '(3)'.

**10. Clause 8.7 Amended**

In clause 8.7—

- (a) delete subclause '(1)'.
- (b) in paragraph (2) delete the words 'without limiting the generality of subclause (1)'
- (c) renumber subclauses '(2) to (5)' as '(1) to (4)'.

**11. Clause 8.32 Amended**

In the second line of subclause 8.32(f)(i) change the word 'an' to 'and'.

**12. Clause 10.1 Amended**

In subclause 10.1(1)(c) move the words 'commits an offence' to a separate line.

Dated 20 July 2023.

The Common Seal of the Shire of Dumbleyung was affixed by authority of a resolution of Council in the presence of—

JULIE RAMM, Shire President.  
GAVIN TREASURE, Chief Executive Officer.

**LG405****LOCAL GOVERNMENT ACT 1995***Shire of Dumbleyung***LOCAL GOVERNMENT PROPERTY AND PUBLIC PLACES AMENDMENT LOCAL LAW 2023**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Dumbleyung resolved on 20 July 2023 to make the following local law.

**1. Citation**

This local law may be cited as the *Shire of Dumbleyung Local Government Property and Public Places Amendment Local Law 2023*.

**2. Commencement**

The local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

**3. Principal local law**

This local law amends the *Shire of Dumbleyung Local Government and Public Places Local Law 2022* as published in the *Government Gazette* on 3 November 2022.

**4. Clause 1.5 Amended**

In clause 1.5 amend the definition of **animal** by inserting after 'dog' the phrase 'or a cat'.

**5. Clause 2.6 Amended**

In clause 2.6 (1) and (3) replace 'local government' with 'Council'.

**6. Clause 12.3(2) Amended**

In clause 12.3(2)—

- (a) delete paragraph '(c)'.
- (b) renumber paragraphs '(d) to (g)' to '(c)' to '(f)'

**7. Clause 15.6(1)(b) Amended**

In clause 15.6(1)(b) move the words 'demand from the person the person's name, place of residence and date of birth' to a separate line.

Dated 20 July 2023.

The Common Seal of the Shire of Dumbleyung was affixed by authority of a resolution of Council in the presence of—

JULIE RAMM, Shire President.  
GAVIN TREASURE, Chief Executive Officer.

## LG406

### BUSH FIRES ACT 1954 LOCAL GOVERNMENT ACT 1995 *Shire of Dumbleyung*

#### BUSH FIRE BRIGADES LOCAL LAW 2023

Under the powers conferred by the *Local Government Act 1995*, *Bush Fires Act 1954* and under all other powers enabling it, the Council of the Shire of Dumbleyung resolved on 20 July 2023 to make the following local law.

### PART 1—PRELIMINARY

#### 1.1 Citation

This local law may be cited as the *Shire of Dumbleyung Bush Fire Brigades Local Law 2023*.

#### 1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

#### 1.3 Repeal

This local law repeals the *Shire of Dumbleyung Bush Fire Brigade Local Law 2022* as published in the *Government Gazette* on 3 November 2022.

#### 1.4 Application

This local law applies throughout the district.

#### 1.5 Definitions

(1) In this local law unless the context otherwise requires—

**Act** means the *Bush Fires Act 1954*;

**AGM** means Annual General Meeting;

**AIIMS** means Australasian Inter-Service Incident Management System;

**brigade area** is defined in clause 2.1(3)(b);

**brigade member** means any member referred to in clause 4.1;

**brigade officer** means a person holding a position referred to in clause 2.2 (3), whether or not he or she was appointed by the local government or elected at an annual general meeting of a bush fire brigade or otherwise appointed to the position;

**bush fire brigade** is defined in section 7 of the Act;

**Bush Fire Control Officer** means a Bush Fire Control Officer appointed by the local government under section 38 the Act;

**Bush Fire Operating Procedures** means the operating procedures adopted by the local government as amended from time to time;

**CEO** means the Chief Executive Officer of the local government;

**Chief Bush Fire Control Officer** means the Chief Bush Fire Control Officer appointed under the Act;

**Committee** means the Committee of the bush fire brigade;

**DFES** means the Department of Fire and Emergency Services;

**direct communications** is the act of transferring information from one place, person or group to another with confirmation of understanding and acknowledgement of receipt;

**district** means the area within the boundary of the Shire of Dumbleyung;

**local government** means the Shire of Dumbleyung;

**local law** means the *Shire of Dumbleyung Bush Fire Brigades Local Law 2023*;

**normal brigade activities** are defined by section 35A of the Act;

**Regulations** means Regulations made under the Act;

**Rules** means the Rules Governing the Operation of bush fire brigades; and

**Schedule** means a schedule to this local law.

- (2) In this local law, unless the context otherwise requires, a reference to—
- (a) a Captain;
  - (b) a First Lieutenant;
  - (c) a Second Lieutenant;
  - (d) Fire Control Officer;
  - (e) any additional Lieutenants;
  - (f) a Training Officer;
  - (g) an Equipment Officer;
  - (h) a Secretary; or
  - (i) a Treasurer.

means a person holding that position in a bush fire brigade.

## **PART 2—ESTABLISHMENT AND CANCELLATION OF BUSH FIRE BRIGADES**

### *Division 1—Establishment of a Bush Fire Brigade*

#### **2.1 Establishment and naming of a bush fire brigade**

- (1) The local government may establish a bush fire brigade for the purpose of carrying out normal brigade activities.
- (2) A bush fire brigade is established on the date of the local government's decision under subclause (1).
- (3) On establishing a bush fire brigade under clause 2.1(1) the local government is to—
  - (a) give a name to the bush fire brigade; and
  - (b) specify the area in which the bush fire brigade is primarily responsible for carrying out the normal brigade activities (the "brigade area").
- (4) The local government must register the brigade in a register kept pursuant to section 41(2) of the Act.

#### **2.2 Appointment of brigade officers**

- (1) On establishing a bush fire brigade under clause 2.1(1) the local government is to appoint or provide for the election of brigade offices as defined in the Rules Governing the Operation of Bush Fire Brigades (Schedule 1 of this local law).
- (2) When considering the appointment or election of brigade officers the local government is to consider the qualifications, experience and skills required to fill each position.
- (3) A person appointed or elected to a brigade is taken to be a brigade member of that brigade.
- (4) The appointments expire at the completion of the first annual general meeting of the bush fire brigade.
- (5) If a position becomes vacant prior to the completion of the first annual general meeting, then the local government may appoint a person to fill the vacancy.

### *Division 2—Transitional*

#### **2.3 Existing bush fire brigades**

Where a local government has established a bush fire brigade prior to the commencement date of this Local Law, from the commencement date—

- (a) The bush fire brigade is to be taken to be a bush fire brigade established under and in accordance with this local law; and
- (b) any Rules Governing the Operation of Bush Fire Brigades are to be taken to have been repealed and substituted with the Rules.

### *Division 3—Cancellation of a Bush Fire Brigade*

#### **2.4 Cancellation of a bush fire brigade registration**

The local government may cancel the registration of a bush fire brigade, in accordance with section 41(3) of the Act, if it is of the opinion that the bush fire brigade is not complying with the Act, this local law, the Bush Fire Operating Procedures or the Rules.

#### **2.5 New arrangement after cancellation of registration**

If a local government cancels the registration of a bush fire brigade, the local government is to make alternative fire control arrangements for that brigade area.

## **PART 3—OBJECTIVE, ORGANISATION AND MAINTENANCE OF BUSH FIRE BRIGADES**

### *Division 1—Objectives of Bush Fire Brigades*

#### **3.1 Objectives**

The objectives of the bush fire brigade are to carry out—

- (a) normal brigade activities; and
- (b) the functions of the bush fire brigade as specified in the Act, the Regulations and this local law.

*Division 2—Local Government Responsibility***3.2 Local government responsible for structure**

The local government is to ensure that an appropriate structure through which the organisation of bush fire brigades is maintained.

**3.3 Bush fire brigade to be supplied with Act**

The local government is to supply each bush fire brigade with two copies of the Act, the Regulations, the bush fire brigade operating procedures, relevant local government policies, this local law and any other written laws which may be relevant to the performance of the brigade officers' functions, and any amendments which are made thereto from time to time.

*Division 3—Bush Fire Advisory Committee***3.4 Functions of Advisory Committee**

The Bush Fire Advisory Committee is to have the functions set out in section 67 of the Act and is to include such number of nominees of the bush fire brigades as may be determined by the local government from time to time.

**3.5 Advisory Committee to consider brigade motions**

The Bush Fire Advisory Committee shall consider any motion received from a bush fire brigade and may make recommendations to the local government in relation to any motion supported by the Bush Fire Advisory Committee.

*Division 4—Bush Fire Control Officers***3.6 Local government to have regard to nominees for Bush Fire Control Officers**

When considering the appointment of persons for the position of a Bush Fire Control Officer under section 38 of the Act, the local government is to have regard to persons nominated by any bush fire brigade but is not bound to appoint the nominated person(s).

**3.7 Functions of a Bush Fire Control Officer**

- (1) The statutory powers and duties of bush fire control officers shall be those contained in the Act.
- (2) Under the provision of section 38 of the Act, the local government may appoint Bush Fire Control Officers generally or classes of Bush Fire Control Officers in order to carry out some or all the functions of the Act.
- (3) The functions of a Bush Fire Control Officer, or classes of Bush Fire Control Officers, are to be as described in the Bush Fire Control Officer position description as below but not limited to—
  - (a) Authorise permits to burn in accordance with the Act.
  - (b) Identify and conduct Risk Assessments in the brigade area.
  - (c) Maintain a personal fire diary to include a log of events and decisions made.
  - (d) Perform duties prescribed by the Act.
  - (e) Provide representation on the Bush Fire Advisory Committee (BFAC).
  - (f) To take control of firefighting operations at a bush fire within their brigade area.
  - (g) To take control of firefighting operations at a bush fire outside their brigade area where no other Fire Control Officer is present.
  - (h) exercise any of the appropriate powers of the FES Commissioner under the *Fire Brigades Act 1942*, in so far as the same may be necessary or expedient, for extinguishing a bush fire or for preventing the spread or extension of the fire.
- (4) The local government may limit the area in which a Bush Fire Control Officer can carry out his functions to one or more specified bush fire brigade area.

**3.8 Local government to advise Bush Fire Advisory Committee of appointments**

Within one month of the local government receiving a bush fire brigade's nomination for persons to serve as Bush Fire Control Officers, the local government is to advise the Bush Fire Advisory Committee of the persons appointed by the local government as Bush Fire Control Officers.

*Division 5—Chief Bush Fire Control Officer***3.9 Role and duties of Chief Bush Fire Control Officer**

- (1) Subject to any directions of the CEO, the Chief Bush Fire Control Officer has primary managerial responsibility for the organisation and maintenance of bush fire brigades.
- (2) The Chief Bush Fire Control Officer or his Deputy may attend as a non-voting representative of the local government, at any meeting of a bush fire brigade.
- (3) Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other Bush Fire Control Officers appointed by it.
- (4) The duties of the Chief Bush Fire Control Officer are to be as described in the Chief Bush Fire Control Officer position description in addition to the Bush Fire Control Officer as below but not limited to—
  - (a) Demonstrate positive leadership to Bush Fire Brigades;
  - (b) Promote the use of AIIMS structure during response to FCO's, Brigades and volunteer fire fighters;

- (c) Provide representation on the Bush Fire Advisory Committee, Regional Operations Advisory Committee and Local Emergency Management Committee;
- (d) Monitor Bush Fire Brigade resourcing, equipment and training levels with the district
- (e) Liaise with the local government and other Fire Control Officers concerning fire prevention/suppression matters generally;
- (f) Make tactical decisions with regard to permits to burn, prescribed burning and other operational matters;
- (g) Determine when Harvest and Vehicle movement bans should be implemented in conjunction with other officers and the local government; and
- (h) During wildfire incidents manage the fire resources of the Shire and Brigades and where necessary fulfil role as incident controller.

## **PART 4—BRIGADE MEMBERSHIP**

### *Division 1—Types of Membership*

#### **4.1 Membership of a bush fire brigade**

The membership of a bush fire brigade consists of the following—

- (a) operational members;
- (b) trainee members;
- (c) support members;
- (d) cadet members;
- (e) life members; and
- (f) honorary life members. A person shall only have membership of one bushfire brigade with the local government district at any given time.

#### **4.2 Operational members**

Operational members are those persons aged being at least 16 years of age who undertake all normal brigade activities and have completed the required training qualification as determined by the local government.

#### **4.3 Trainee members**

Members joining a bush fire brigade shall be classified as trainee members until they completed the basic training qualification as determined by the local government from time to time.

#### **4.4 Cadet members**

Cadet members are—

- (a) to be aged 11 to 15 years;
- (b) to be admitted to membership only with the consent of their parent or guardian;
- (c) admitted for the purpose of training and are not to attend an uncontrolled fire or other emergency incident;
- (d) to be supervised by an operational member when undertaking normal brigade activities as defined by paragraphs (c), (d), (e), (f) and of section 35A of the Act; and
- (e) ineligible to vote at brigade meetings.

#### **4.5 Support members**

Support members are brigade members who are not otherwise classified as an operational member, trainee member or cadet member.

#### **4.6 Life member**

- (1) The brigade may by a simple majority resolution appoint a person as a life member in recognition of services by that person to the bush fire brigade.
- (2) Only an Operational member can be appointed as a life member.

#### **4.7 Honorary life member**

- (1) The brigade may by a simple majority resolution appoint a person as an honorary life member in recognition of services by that person to the bushfire brigade.
- (2) Honorary life members are ineligible to vote at brigade meetings.

### *Division 2—Command at a Fire*

#### **4.8 Interpretation**

In this Division "in attendance" includes attendance—

- (a) in person; or
- (b) via direct communications.

#### 4.9 Ranks within the bush fire brigade

Where, under the Act, members of a bush fire brigade have command of a fire—

- (a) where a Bush Fire Control Officer is in attendance at the fire, the most senior Bush Fire Control Officer has full control over all other persons fighting the fire and is to issue instructions as to the methods and tactics to be adopted by the fire fighters, in accordance with sections 39(1)(f) and 44(3) of the Act; and
- (b) in the absence of a Bush Fire Control Officer, the Captain has full control over all other persons fighting the fire, and is to issue instructions as to the methods and tactics to be adopted by the fire fighters; and
- (c) in the absence of the Captain, the first Lieutenant, and in the absence of the first, the second Lieutenant and so on, in the order of seniority determined, is to exercise all the powers and duties of the Captain.

### PART 5—EQUIPMENT OF BUSH FIRE BRIGADES

#### 5.1 Policies of local government

The local government may make policies to—

- (a) provision funding to bush fire brigades for the purchase of protective clothing, equipment and training; and
- (b) keep bush fire brigades informed of funding opportunities from other bodies.

#### 5.2 Equipment in bush fire brigade area

The bush fire brigade is to report to the local government the quantity and quality of all protective clothing, equipment and appliances of the brigade when directed.

#### 5.3 Funding from local government budget

A request to the local government from a bush fire brigade for funding of protective clothing, equipment, training or appliance needs shall be submitted to the local government by a date advised by the CEO or delegate of the CEO, for consideration in the next following local government budget.

#### 5.4 Consideration in the local government budget

The local government—

- (a) may approve or decline an application for funding depending upon its assessment of budget priorities for the year in question; and
- (b) shall advise bush fire brigades of the final outcome of their individual requests for funding within a reasonable time frame.

### PART 6—APPLICATION OF RULES TO A BUSH FIRE BRIGADE

#### 6.1 Rules to govern

- (1) The Rules govern the operation of a bush fire brigade.
- (2) A bush fire brigade and each bush fire brigade member is to comply with the Rules.
- (3) The Rules Governing the Operation of Bush Fire Brigades are detailed at Schedule 1.

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## SCHEDULE 1—RULES GOVERNING THE OPERATION OF BUSH FIRE BRIGADES

### PART 1—PRELIMINARY

#### 1.1 Interpretation

- (1) Unless the context otherwise requires, where a term is used in these Rules and is defined in the local law, the Act or the Regulations, then the term is to be taken to have the meaning assigned to it in this local law, the Act or the Regulations, as the case may be.
- (2) In these Rules, unless the context otherwise requires—  
**simple majority** means a majority of more than 50% of members of—
  - (a) brigade members of a bush fire brigade, present in person if the majority is required at a meeting of the bush fire brigade; or
  - (b) brigade officers of the bush fire brigade, present in person, if the majority is required at a meeting of the Committee.

### PART 2—BUSHFIRE BRIGADE EXECUTIVE COMMITTEE

#### 2.1 Management of a bush fire brigade

- (1) The administration and management of the affairs of a bush fire brigade are vested in the Executive Committee, subject to the provisions of these Rules.
- (2) The Executive Committee's functions include, but are not limited to—
  - (a) recommending amendments to these Rules to the local government;
  - (b) approving the brigade's annual budget and presenting it at the brigade's annual general meeting;
  - (c) proposing a motion for consideration at any bush fire brigade meeting;

- (d) recommending to the local government equipment which needs to be supplied by the local government to the bush fire brigade;
- (e) investing or placing on deposit any bush fire brigade funds not immediately required to perform normal brigade activities;
- (f) delegating to a person, any Executive Committee functions (being less than the total functions of the Executive Committee) as considered reasonable, on any conditions it thinks fit;
- (g) doing all things necessary or convenient in order to perform any of its functions and to secure the performance of the normal brigade activities by the bush fire brigade; and
- (h) dealing with membership applications, grievances, disputes and disciplinary matters.

## **2.2 Membership of Executive Committee**

- (1) The brigade Executive Committee is to consist of the Captain, Lieutenants, Fire Control Officer, Secretary, Treasurer, and any other brigade members as may be determined by the Executive Committee from time to time.
- (2) The Executive Committee members are to—
  - (a) be elected at the brigade's annual general meeting;
  - (b) hold office until the next annual general meeting; and
  - (c) be eligible for re-election at the next annual general meeting.

## **2.3 Termination of Executive Committee Membership**

- (1) Any Executive Committee member may be removed from office by a majority decision of the brigade members present in person at a special meeting called for such a purpose.
- (2) If a position becomes vacant prior to the commencement of the annual general meeting, then the bush fire brigade is to elect a person to fill the vacancy at a bush fire brigade meeting.
- (3) The local government is to be advised within 7 days of the removal of an Executive Committee member from office under subclause (1), or the election of a person to fill a vacancy under subclause (2).

## **2.4 Meetings of Executive Committee**

- (1) The Executive Committee is to meet for the dispatch of business, adjourn and otherwise regulate its meeting as it thinks fit.
- (2) The Captain or the Secretary, may convene a meeting of the Executive Committee at any time giving members a minimum of 3 days' notice.

## **2.5 Quorum**

- (1) The quorum for an Executive Committee meeting is 50% of members of the Executive Committee present, either in person or via direct communication.
- (2) No business is to be transacted at an Executive Committee meeting, without a quorum of Executive Committee members.
- (3) Subject to these Rules, a decision made by the Executive Committee may be made by a resolution passed by a simple majority of Executive Committee members who are present in person, via electronic communication.

## **2.6 Voting**

- (1) Each Executive Committee member is to have one vote.
- (2) In the case of an equality of votes, the person presiding may exercise an additional casting vote.

# **PART 3—FUNCTIONS OF BRIGADE OFFICERS**

## **3.1 Chain of command during fire fighting activities**

Subject to the Act and the local law, the command procedures to apply during fire fighting activities are as detailed in the *Bush Fires Act 1954* and Shire of Dumbleyung Bush Fire Risk Management Plan.

## **3.2 Captain**

The Captain assumes the role of the most senior operational member of the brigade and is to—

- (a) subject to subclause (b) below, preside at all meetings;
- (b) in the absence of the President, the meeting may elect another person to preside at the meeting;
- (c) promote the objectives of the Brigade;
- (d) demonstrate positive leadership and mentor members;
- (e) attend meetings as requested by the local government;
- (f) in the absence of a Bush Fire Control Officer take overall charge of fire suppression activities, and/or ensure the principles of the Incident Management System are being adhered to during wildfire suppression or during hazard reduction programs;
- (g) provide leadership for the Brigade and related administration;
- (h) ultimately undertake responsibility for the proper management and maintenance of Brigade property and equipment;
- (i) deputise for the Bush Fire Control Officer at Bushfire Advisory Committee meetings when require;
- (j) advise the Brigade on administrative matters;

- (k) ensure Brigade members are adequately trained to carry out their functions in accordance with the Brigade standards;
- (l) in the absence of a Bush Fire Control Officer conduct brigade briefings and post incident analysis of any incident involving fire fighting;
- (m) conduct Brigade briefings and post incident analysis of any management issues;
- (n) to ensure that the incident reports are submitted to the local government within 14 days of the occurrence; and
- (o) ensure the behaviour of members is in accordance with the local government's code of conduct.

### **3.3 Lieutenants**

- (1) The Brigade may increase or decrease the number of Lieutenants to meet their specific operational requirements, up to a maximum of four.
- (2) All Lieutenants shall be ranked numerically according to seniority.
- (3) The first Lieutenant assumes the role of the second most senior operational member of the Brigade, and so on.
- (4) The duties of the Lieutenant are to—
  - (a) provide support to the Captain;
  - (b) command and manage members during emergencies and other Brigade related activities;
  - (c) demonstrate positive leadership and mentor members;
  - (d) maintain open lines of communication and encourage positive interaction and teamwork between members;
  - (e) ensure Bush Fire Operating Procedures are adhered to during Brigade activities;
  - (f) ensure members engaged in fire fighting activities hold competencies relevant to the task;
  - (g) work cohesively with the Brigade Training Officer and conduct training activities for members; and
  - (h) ensure the behaviour of members is in accordance with the Local Government's code of conduct.

### **3.4 Fire Control Officer (FCO)**

- (1) FCOs are nominated by the brigade to the Bush Fire Advisory Committee and forwarded to the local government for consideration and ratification.
- (2) Duties and responsibilities of the FCO include—
  - (a) authorise permits for hazard reduction burns within the local government in accordance with the Act;
  - (b) identify and conduct risk assessments of fire hazards within the local government;
  - (c) perform duties prescribed by the Act and authorised by the local government;
  - (d) may take overall control of fire suppression activities or operational incidents where the local government is the Controlling Agency;
  - (e) maintain a personal incident diary to include a record of events and decisions during an incident; and
  - (f) conduct brigade briefings and post incident analysis of any incident involving fire fighting or management issues.

### **3.5 Secretary**

The Secretary is to—

- (a) keep a correct minute and account of the proceedings of all meetings of the brigade and the Executive Committee which shall be open for inspection by brigade members at any reasonable time;
- (b) answer all correspondence or direct it appropriately, and keep a record of the same;
- (c) prepare and send out all necessary notices of meetings;
- (d) maintain a register of all current brigade members which includes each brigade member's contact details and type of membership; and
- (e) provide the local government a copy of the AGM minutes within 14 days of the meeting being held.

### **3.6 Treasurer**

The Treasurer is to—

- (a) receive donations and monies on behalf of the brigade and deposit all monies to the credit of the brigade's bank account;
- (b) pay accounts as authorised by the Executive Committee;
- (c) keep a record of all monies received and payments made, maintain the accounts and prepare the balance sheet for each financial year;
- (d) be the custodian of all monies of the brigade; and
- (e) report on the financial position at meetings of the brigade or Executive Committee;
- (f) prepare requests for funding for submission to the local government;



- (g) prepare for submission to local government an annual statement of acquittal providing detail of expenditure of funding monies received; and
- (h) make available the financial statements of the brigade for review by the local government on request.

### **3.7 Equipment Officer**

- (1) The Equipment Officer is—
  - (a) responsible for the inspection and maintenance of all equipment and appliances as directed by the brigade Captain;
  - (b) to report to the local government any damage incurred to brigade equipment as soon as practicable; and
  - (c) to report to the local government any maintenance required to brigade equipment as soon as practicable.
- (2) In consultation with the Chief Bush Fire Control Officer an Equipment Officer may temporarily locate equipment at an alternative location from time to time for operational purposes.
- (3) In the absence of this position the Captain will assume these responsibilities.

### **3.8 Training Officer**

- (1) The Training Officer is responsible for the coordination of brigade training under the direction of the Captain and the local government.
- (2) In the absence of this position the Captain will assume these responsibilities.

## **PART 4—MEMBERSHIP OF A BUSH FIRE BRIGADE**

### **4.1 Conditions of membership**

- (1) Members of a bush fire brigade shall comply with the bush fire brigade operating procedures in carrying out normal brigade activities.
- (2) In relation to any type of membership, as described in Part 4 of the local law, the local government may establish policies regarding—
  - (a) the qualifications required;
  - (b) fitness for duty;
  - (c) a requirement to serve a probationary period; and
  - (d) the Executive Committee's assessment of an application for membership.

### **4.2 Applications for membership**

Applications for membership of a bush fire brigade shall—

- (a) be submitted to the Captain or Secretary of the relevant bush fire brigade, who shall forward a copy of the application to the Chief Bush Fire Control Officer within 1 week of the application being submitted; and
- (b) shall be determined by the brigade's Executive Committee, who shall consider any advice received from the Chief Bush Fire Control Officer in relation to the application.

### **4.3 Decision on application for membership**

- (1) Subject to clause 2.1, the Executive Committee may—approve an application for membership unconditionally or subject to any conditions; or decline an application for membership.
- (2) If the Executive Committee declines an application for membership, it is to give written notice to the applicant as soon as practicable after the decision is made and advise the applicant that he or she has the right to object to the local government.
- (3) The local government is to be advised of approved applications within 14 days of approval of membership.

### **4.4 Notification of membership**

- (1) All approved applications for membership forms are to be submitted to the local government within 1 week of the application being made in accordance with clause 4.2 of the Rules.
- (2) As soon as practicable after the bush fire brigade annual general meeting, the local government will supply all bush fire brigades with a list of current membership.
- (3) Within 1 month of being provided a list under subclause (2), the bush fire brigade must review the list and report any anomalies to the local government.
- (4) The local government will supply the Chief Bush Fire Control Officer a list of current membership of any or all brigades upon request.

### **4.5 DFES to be notified of registrations**

The local government is to supply details of any approved membership applications to DFES within 14 days of a person being admitted to membership in the form required by the DFES from time to time.

**PART 5—SUSPENSION AND TERMINATION OF MEMBERSHIP  
OF A BUSHFIRE BRIGADE**

**5.1 Suspension of membership**

- (1) Membership of the bush fire brigade may be suspended at any time if, in the opinion of the Executive Committee or the Chief Bush Fire Control Officer or the Chief Executive Officer, circumstances warrant suspending the member.
- (2) Without limiting the generality of subclause (1), a member of a bush fire brigade may be suspended in the event the member—
  - (a) contravenes the Act, the Regulations, the brigade operating procedures, this local law or the local government's bush fire brigade policies;
  - (b) has performed an unsafe act that jeopardises the safety of the member or others;
  - (c) has been charged with a criminal offence relevant to the member's role within the brigade and is awaiting court proceedings;
  - (d) is unfit (physically, emotionally and/or mentally), or unable to perform the inherent requirements that could reasonably be expected of the role; or
  - (e) has acted in a manner contrary to the local government's code of conduct policy.
- (3) The suspended member may be excluded immediately from all or any specified bush fire brigade activities.
- (4) The period of suspension shall be determined by the Executive Committee or the Chief Bush Fire Control Officer or the Chief Executive Officer, and a review of the suspension shall take place within three months of the date of suspension.
- (5) Upon the expiry of the period of suspension the Executive Committee or the Chief Bush Fire Control Officer or the Chief Executive Officer may—
  - (a) extend the period of suspension;
  - (b) terminate the membership; or
  - (c) reinstate the membership.

**5.2 Termination of membership**

- (1) Membership of the brigade terminates if the member—
  - (a) dies;
  - (b) gives written notice of resignation to the Executive Committee;
  - (c) is dismissed by the Executive Committee or the Chief Bush Fire Control Officer or the Chief Executive Officer, by reason of—
    - (i) failing to comply with the objectives of the bush fire brigade under clause 3.1 of this local law;
    - (ii) failing to comply with the Act, the Regulations, the bush fire operating procedures, the local law or relevant local government policies;
    - (iii) displaying conduct detrimental to the interests and reputation of the bush fire brigade;
    - (iv) being convicted of a criminal offence that in the opinion of the Chief Bush Fire Control Officer would ordinarily exclude the member from joining a brigade; or
    - (v) has acted in a manner contrary to the local government's code of conduct policies.
- (2) A brigade member who has had their membership to a brigade terminated for any of the reasons contained in 5.2(1)(c) is ineligible to join another bush fire brigade within the local government district for 12 months or longer as determined by the Executive Committee or the Chief Bush Fire Control Officer or the Chief Executive Officer.
- (3) A brigade member who, in the opinion of the Executive Committee or the Chief Bush Fire Control Officer or the Chief Executive Officer, has not adequately fulfilled his or her role within the bush fire brigade, and has not responded to any written correspondence requesting that he or she state their intentions, within 21 days, shall be deemed to have resigned from the bush fire brigade.
- (4) Where the local government reasonably considers that a member of a bush fire brigade has behaved in a manner that may lead to termination, the local government may give notice to the Executive Committee or the Chief Bush Fire Control Officer or the Chief Executive Officer requesting the Executive Committee or the Chief Bush Fire Control Officer or the Chief Executive Officer to investigate the matter.
- (5) Where a membership is terminated, all property owned by the bush fire brigade or the local government that is held by or in the possession of the person whose membership has been terminated, shall be returned on demand to the bush fire brigade or the local government.

**5.3 Member has right of defence**

A bush fire brigade member dismissed under clause 5.2(1)(c) or has his or her membership terminated under clause 5.1(5)(b), will be afforded the principle of natural justice through the right of reply to the Executive Committee or the Chief Bush Fire Control Officer or the Chief Executive Officer.

**5.4 Existing liabilities to continue**

The resignation, or dismissal of a member under clause 5.2 or the suspension or termination of a member under clause 5.1 does not affect any liability of the bush fire brigade member arising prior to the date of resignation, dismissal, suspension or termination as the case may be.

**5.5 Objection rights**

- (1) A person whose—
  - (a) application for membership is refused under clause 4.3(1);
  - (b) membership is terminated under clauses 5.2(1)(c)(v) or clause 5.1(5)(b); or
  - (c) membership is suspended under clause 5.1(1) or clause 5.1(2), has a right of objection to the local government.
- (2) Where a person lodges an objection to the local government under subclause (1), the local government may deal with the objection by—
  - (a) dismissing the objection;
  - (b) varying the decision objected to; or
  - (c) revoking the decision objected to, with or without—
    - (i) substituting for it another decision; or
    - (ii) referring the matter, with or without directions, for another decision by the Executive Committee or the Chief Bush Fire Control Officer or the Chief Executive Officer.
- (3) No further right of review is available under this local law in respect of a decision made by a local government pursuant to subclause (2).

**PART 6—MEETINGS OF THE BUSH FIRE BRIGADE****6.1 Annual General Meeting**

- (1) A bush fire brigade is to hold its annual general meeting prior to the commencement of May each year.
- (2) The Secretary is to give at least 14 days' notice in writing of the annual general meeting to all brigade members.
- (3) At the annual general meeting the bush fire brigade is to—
  - (a) elect the brigade officers from among the brigade members;
  - (b) brigade's nominee for Fire Control Officer;
  - (c) consider the Captain's report on the year's activities;
  - (d) adopt the annual financial statements;
  - (e) deal with any general business arising from the previous annual general meeting; and
  - (f) deal with any business approved by the Captain.

**6.2 Notification of Elected Office Bearers**

- (1) The Secretary is to forward a list of elected office bearers and contact details from the brigade's annual general meeting to the Chief Bush Fire Control Officer and the local government within 1 month of the annual general meeting.
- (2) Where an office bearer is elected at a meeting other than an annual general meeting, the Secretary shall forward a revised list of the elected office bearers and contact details to the Chief Bush Fire Control Officer and the local government within 1 month of the meeting at which the office bearer is elected.
- (3) If the local government lodges an objection to the election of an office bearer with the Bush Fire Brigade within 1 month of receiving the list of elected office bearers required under clause 6.2(1) or (2) of these Rules, the Bush Fire Brigade must elect an alternative office bearer to that position.

**6.3 Ordinary/General meetings**

Ordinary meetings may be called at any time by the Secretary by giving at least 7 days' notice to all brigade members.

**6.4 Special General meetings**

- (1) The Secretary is to call a special general meeting when 5 or more brigade members request one in writing.
- (2) The Secretary is to give at least 14 days' notice of a special general meeting to all brigade members.
- (3) In a notice given under subclause (2) the Secretary is to specify the business which is to be conducted at the meeting.
- (4) No business is to be conducted at a special general meeting beyond that specified in the notice given under subclause (3) in relation to that meeting.

**6.5 Notice of a meeting**

- (1) Notices of meetings of the bush fire brigade are to be in writing.
- (2) The notice of a meeting shall—
  - (a) set out the date, time and place of the meeting;
  - (b) set out particulars of motions of which notice has been given; and
  - (c) in the case of special meetings, set out particulars of the business to be transacted.
- (d) Notices of Executive Committee meetings may be given in writing in accordance with subclause (1) or by such other means as the Executive Committee may decide at an Executive Committee meeting.

- (3) Any accidental omission to give notice of a meeting to, or non-receipt by a person entitled to receive such notice, is not to invalidate the meeting, the subject of notice or any resolutions passed at the meeting.

#### **6.6 Quorum**

- (1) Except for Executive Committee Meetings, the quorum for a meeting of the brigade is at least 50% of Executive Committee members and a total of not less than 7 members.
- (2) Notwithstanding the provision of (1) the CBFCO may vary these requirements with the approval of the local government.
- (3) No business is to be transacted at a meeting of the bush fire brigade unless a quorum of brigade members is present in person.

#### **6.7 Voting**

- (1) Each eligible brigade member is to have 1 vote.
- (2) Voting to be in the form of—
  - (a) In person.
  - (b) Pre arrange public electronic meeting format (i.e. ZOOM).
  - (c) Public telephone conversation (i.e. speaker phone).
  - (d) Voting via proxy is not permitted.
- (3) In the event of an equality of votes, the person presiding may exercise a casting vote.
- (4) Subject to these Rules, where a decision is to be made by the bush fire brigade, then the decision may be made by a resolution passed by a majority of the brigade's members.

### **PART 7—GENERAL ADMINISTRATION MATTERS**

#### **7.1 Funds**

The funds of a bush fire brigade are to be used solely for the purpose of fulfilling the objectives of the Bush Fire Brigade.

#### **7.2 Financial year**

The financial year of a bush fire brigade is to commence on 1 July and end on 30 June of the following year.

#### **7.3 Banking**

- (1) The funds of a bush fire brigade are to be placed in the bush fire brigade's bank account and are to be drawn on only by—
  - (a) cheques signed jointly by any 2, of the Captain, 1st Lieutenant, Secretary or Treasurer; or
  - (b) authorised use of electronic banking by the Secretary or Treasurer in accordance with subclause (2).
- (2) For the purposes of subclause (1)(b), any 2 of the Captain, 1st Lieutenant, Secretary or Treasurer may authorise in writing the use of electronic banking to draw on the brigade's funds.

#### **7.4 Auditing**

- (1) The bush fire brigade shall supply on request to the local government the brigade's full financial records for the financial year.
- (2) The local government may request the brigade's financial and accounting records for a review at any time.

#### **7.5 Disclosure of interests**

- (1) A brigade member shall disclose to the bush fire brigade or the Executive Committee any financial or personal interest (whether direct, indirect or perceived) he or she may have in any matter being considered by the bush fire brigade or the Executive Committee, as appropriate.
- (2) If an interest has been disclosed under subclause (1), then the bush fire brigade or Executive Committee, as appropriate, is to decide, in the absence of the brigade member who disclosed that interest, whether or not the brigade member is to be permitted to vote on that matter.
- (3) Where the bush fire brigade or Executive Committee, as appropriate, decides under subclause (2), that a brigade member is not permitted to vote on the matter, then her or his vote is to be taken to have no effect and is not to be counted.

#### **7.6 Dispute Resolution**

- (1) Any dispute between brigade members may be referred to the Captain or to the Executive Committee for resolution.
- (2) Where a dispute referred under subclause (1) is considered by the Captain or the Executive Committee to concern the general interests of the bush fire brigade, then the Captain or the Executive Committee, is to refer the dispute to the annual general meeting, an ordinary meeting or a special general meeting of the bush fire brigade.
- (3) The local government is the final authority on matters affecting the bush fire brigade and may resolve any dispute which is not resolved under subclause (1) or (2).

**PART 8—NOTICES****8.1 Notices**

Where any notice other than a notice of meeting is to be given under these Rules, the notice may be given by—

- (a) personal delivery;
- (b) post;
- (c) Email;
- (d) short message service (SMS) or the like;
- (e) facsimile transmission, or
- (f) any other method approved by the local government.

Dated 20 July 2023.

The Common Seal of the Shire of Dumbleyung was affixed by authority of a resolution of Council in the presence of—

JULIE RAMM, Shire President.  
GAVIN TREASURE, Chief Executive Officer.

**LG407****LOCAL GOVERNMENT ACT 1995**

*City of Rockingham*

**BASIS OF RATES**

I, Tim Fraser, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from 31 July 2023, determined that the method of valuation to be used by the City of Rockingham as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land—

**Schedule**

	Designated Land
UV to GRV	All that of land being Lots 334 to 370 inclusive as shown on Deposited Plan 424279.

TIM FRASER, Executive Director Local Government,  
Department of Local Government, Sport and Cultural Industries.

**LG501****BUSH FIRES ACT 1954**

*Shire of Corrigin*

**FIREBREAK ORDER 2023/2024**

Pursuant to the powers contained in Section 33 of the *Bush Fires Act 1954*, you are hereby required to install firebreaks clear of all flammable material or take alternative approved measures, and to undertake fuel hazard reduction measures before 31 October 2023 and thereafter maintain free of all inflammable material until 15 April 2024.

**1. RURAL LAND**

- 1.1 *Mineral earth firebreaks* of not less than 2.44 metres (8 feet) in width must be constructed along and within 20 metres of all external boundaries of the property owned or occupied by you. If any portion of the land adjoins a public road or railway line, a firebreak must also be constructed along that boundary.
- 1.2 Property in excess of 250 hectares shall have fire *mineral earth firebreaks* positioned as necessary to divide land into areas not exceeding 250 hectares each completely surrounded by a *mineral earth firebreak*.
- 1.3 Clear and maintain *mineral earth firebreaks* at least 2.44 metres (8 feet) wide within 20 metres of the perimeter of any building or group of buildings, fuel tanks, hayshed or haystack, in such a manner as to fully encircle the structure/s. In addition to *mineral earth firebreaks*, a 20 metre wide low fuel zone is required to be maintained around any building or group of buildings, fuel tanks, hayshed or haystack. Low fuel means the removal of inflammable material, dead trees, leaf litter and trash and the removal of dead branches to a height of 1.5 metres from live standing trees. Grass is to be slashed to a height not exceeding 100mm.

- 1.4 During any period when harvesting operations are being conducted, there shall be provided an operational mobile firefighting unit with a minimum capacity of 500 litres of water located in or immediately adjacent to the paddock being harvested. The responsibility to supply the unit is that of the landowner/occupier.

## 2. TOWN SITES

- 2.1 Where the area of the land is 0.2 hectares (one half of one acre) or less, you shall clear all inflammable material on the land from the whole of the land.
- 2.2 Where the area of the land exceeds 0.2 hectares (one half of one acre), you shall clear of all inflammable material, mineral earth firebreaks not less than 2.44 metres (8 feet) wide immediately inside all external boundaries of the land, and also immediately surrounding all buildings, haystacks and fuel ramps situated on the land, and also immediately surrounding any drums or drums situated on the land which are normally used for the storage of fuel, whether they contain fuel or not.

## 3. GENERAL PROVISIONS

The term "*inflammable Material*" or 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 *mineral earth firebreaks* in the position or adhere to the provisions required by this notice, the written approval of Council or a duly authorised officer must be obtained to prepare such *mineral earth firebreaks* in an alternative position. If permission is not granted by Council or a duly authorised officer you shall comply with the requirements of this order.

The term "*mineral earth firebreak*" means an area of the owner(s)/occupiers(s) land, cleared and maintained totally clear of all vegetation material (living or dead) so there is only mineral earth left.

The term "*harvesting/total movement ban*" includes harvesting and the movement of vehicles in paddocks, except vehicles carrying water to stock.

Contractors carting lime, gypsum or fertilizer are allowed to enter into paddocks to unload at any time that there is a "*harvest/total movement ban*" in place on the condition that a manned fire unit with at least 500 litres of water is in attendance.

## 4. HARVEST/MOVEMENT OF VEHICLES BANS

TOTAL FIRE BANS may be imposed by DFES on a regional basis on days of high or greater fire danger. Activities which may cause a fire are prohibited. Harvesting/movement bans may also be imposed by the Shire. Harvesting is not permitted on Christmas Day, Boxing Day and New Year's Day.

## 5. ADDITIONAL RESPONSIBILITIES AND PENALTIES

The penalty for failing to comply with this order is a fine of not more than five thousand dollars (\$5,000) 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. In addition, Council can arrange for the required work to be carried out at the cost of the owner or occupier. Gas or electric barbecues ONLY are permitted during prohibited burning periods. No solid fuel or wood barbecues allowed. Camping and cooking fires are prohibited during the prohibited and restricted burning periods unless a valid permit has been issued by the Chief Bush Fire Control Officer.

Permits for burning during the restricted burning period are available from your local Bush Fire Control Officer. Burning is not permitted during the restricted burning period and public holidays or Good Friday and Easter Sunday when Easter falls within the restricted burning period. Persons burning without permits during the restricted burning period or on days when a high or greater fire weather warning has been issued may be prosecuted. Prior to any burning, you are required to notify your neighbours, Bush Fire Control Officer and the Shire of Corrigin. Besides being responsible for the safety of your own property, if a fire escapes from your property you may be liable to pay compensation for any damage caused outside of your property. Public infrastructure must not be placed in a manner that results in an above-ground encroachment into the firebreak area. Trees must not be planted in a manner that results in vegetation encroaching into the firebreak area.

## 6. BURNING PERIODS

RESTRICTED BURNING PERIOD—Permit to burn required from a Bush Fire Control Officer from 19 September 2023 to 31 October 2023 and from 16 February 2024 to 15 April 2024.

NO BURNING PERMITTED (INCLUDING CAMP FIRES)—From 1 November 2023 to 15 February 2024.

## 7. BUSH FIRE CONTROL OFFICERS

Shire of Corrigin Bush Fire Control Officers are authorised to issue permits to burn on private land during the restricted burning period. Bush Fire Control Officers are also empowered to enter land and issue directives relating to fire suppression and control.

### CHIEF BUSH FIRE CONTROL OFFICER

Greg Evans

### DEPUTY CHIEF BUSH FIRE CONTROL OFFICERS

Steven Bolt

**BUSH FIRE CONTROL OFFICERS**

Sandow Jacobs, Bruce Mills, Paul McBeath, Greg Doyle, Craig Jespersen, Bryce Nicholls, Juan Baker, John Hewett, Braden Grylls, Craig Poultney, Tim George, Kim Courboulos, Bruce Talbot, Garrick Connelly, Adam Rendell, Natalie Manton (CEO) and Jason Carrall (CESM).

**FIRE WEATHER OFFICERS**

Greg Evans, Steven Bolt, Adam Rendell and Sandow Jacobs.

NATALIE MANTON, Chief Executive Officer.

**LG502****BUSH FIRES ACT 1954**

*City of Greater Geraldton*

**2023-2024 FIRE HAZARD REDUCTION NOTICE**

Deadline: 5 October 2023

This is Your First and Only Notice

Pursuant to Section 33(1) of the *Bush Fires Act 1954*, the City of Greater Geraldton gives notice that you as owners of land within the district are required to undertake the works specified in this notice on land owned by you within the time frames specified within this notice.

Failure or neglect to comply with this notice is an offence and can result in a penalty of up to \$5,000. The City advises that its officers, servants, workers, contractors, vehicles, machinery and appliances (as the officers deem fit) may carry out the requisitions of this notice that are not complied with by the date specified above, and any costs and expenses incurred may be recovered from you as the owner of the property.

In addition to the requirements of this notice, the City may issue separate special orders to owners of property if additional hazard reduction is considered necessary.

This notice applies to all properties owned by you in the City of Greater Geraldton.

A list of local contractors who may be able to assist in making your property compliant can be found on the City of Greater Geraldton website [cgg.wa.gov.au](http://cgg.wa.gov.au)

**KEY DATES****13 September 2023**

Deadline for applying (in writing) for variation on fire hazard reduction works.

**4 October 2023**

All fire hazard reduction works must be completed and then maintained until 1 May 2024 (or within 14 days of becoming the owner or occupier).

**5 October 2023**

Fire hazard reduction work inspections carried out by City officers begin. Infringements for non-compliance will be issued from this date.

**1 May 2024**

End of fire hazard reduction works maintenance period.

**PROPERTY CATEGORIES**

Fire prevention measures throughout the City of Greater Geraldton must be completed by 4 October 2023 and maintained until 1 May 2024.

Specific hazard reduction requirements are based on three different property sizes;

1. Broadacre farming and lots over 5 ha structures and buildings on all categories of property.
2. Residential and Rural lots between 0.4 ha and 5 ha.
3. Small lots under 0.4 ha regardless of whether the property is vacant or is developed.

Fire hazard reduction works are essential to help slow the rate of spreading fires and to allow clear lines of vision, safer access and navigation for fire fighting vehicles.

Please ensure your property is fire hazard reduction compliant to avoid infringement penalties and any further action by the City.

**VEGETATION**

Properties with significant wattle bush, that in the opinion of the Fire Control Officer need further attention, will be contacted by the City as to any special action(s) required.

**All property with an area greater than 50,000m<sup>2</sup> (5 ha)****Fire Breaks**

Install or upgrade a 3m (wide) x 4m (high) clearance, bare mineral or mulched earth, continuous (no dead ends) trafficable fire break as close as possible inside the entire perimeter of the property.

Mineral earth or mulched breaks installed within 20 metres of the whole external boundary of property held in contiguous ownership up to a maximum of 200ha per fire break.

**Dead Flammable Material (DFM)**

Reduce and/or maintain all dead flammable material below 4.5 tonne per hectare (see definition Fuel Load).

**Slashing**

If installing a firebreak is not feasible then slash, mow or trim grasses, to a height no greater than 75mm and remove cuttings/swath across the entire property.

**Asset Protection Zone**

Maintain a fuel reduced zone around all buildings and assets which extends 20 metres from the outermost point of all buildings and assets.

- Gutters, roofs, and walls of all buildings to be free of flammable matter and maintained.
- Fuel load within the 20 metre zone will be reduced and maintained to no more than two tonne per hectare.
- Trees over five metres in height within the 20 metre zone to be under pruned up to two metres.
- Structures include private power poles.

**All property with a total area greater than 4,000m<sup>2</sup> (0.4ha) but less than 50,000m<sup>2</sup> (5ha)****Fire Breaks**

Install or upgrade a 3m (wide) x 4m (high) clearance, bare mineral earth, continuous (no dead ends) trafficable fire break as close as possible inside the entire perimeter of the property.

**Dead Flammable Material (DFM)**

Reduce and/or maintain all dead flammable material below 4.5 tonne per hectare (see definition Fuel Load).

**Slashing**

If installing a firebreak is not feasible then slash, mow, or trim dead grasses, dead shrubs, and dead plants to a height no greater than 75mm and remove cuttings/swath across the entire property.

Excluding managed vegetation such as ornamental trees, distinct islands of vegetation remote from boundaries and asset).

**Asset Protection Zone**

Maintain a fuel reduced zone around all buildings and assets which extends 20 metres from the outermost point of all buildings and assets.

- Gutters, roofs, and walls of all buildings to be free of flammable matter and maintained.
- Fuel load within the 20 metre zone is reduced and maintained to no more than two tonne per hectare.
- Trees over five metres in height within the 20 metre zone to be under pruned up to two metres.
- Structures include private power poles.

**All property with a total area less than 4,000m<sup>2</sup> (0.4ha)****Dead Flammable Material (DFM)**

Reduce and/or maintain all dead flammable material below 4.5 tonne per hectare (see definition Fuel Load).

**Slashing**

Slash, mow, or trim all combustible material to a height no greater than 75mm and remove cuttings/swath across the entire property. Please see page 7 for definition of "flammable material".

**Vegetation**

All vacant property must have wattle bush removed, unless written application is made prior to 13 September 2023 and approved (see 'Variation to Firebreaks').

All developed property must either have wattle bush canopy maintained to a maximum height of 2.5m and the bush may not exceed the property boundaries, or be removed.

**Clean Gutter Debris**

Gutters, roofs and walls of all buildings to be free of flammable material and maintained.

**DEFINITIONS****Fire Break**

A strip of property free of all flammable material with the intention of minimising the spread or extension of a bushfire and provide safe access to the property for emergency vehicles and other firefighting operations.

- Clearance must be no less than three metres wide and four metres in height inside and along all boundaries (including boundaries adjacent to roads, rail and drain reserves and all public open space reserves).
- Must not be more than five metres wide (further width extensions may be considered upon written application or approval to the City).
- Maintained, reticulated living lawns are lawns considered to be kept completely green and no higher than 75mm. Driveways may be acceptable in conjunction with, or in lieu of, mineral earth fire breaks. Contact the City's Emergency Management team for further assistance.
- Must have a corner turning radius of up to 12 metres.



- Must be a mineral earth break with a continuous trafficable surface for a 4WD vehicle, be clear of any obstructions and must not terminate in a dead end inside the entire perimeter of the property.

**Fuel Load**

- Can be live and dead vegetation that accumulates over time. This Notice refers only to dead vegetation.
- Fine fuels include: Leaf litter, grasses, twigs (up to 6mm diameter), bark etc.
- Heavy (coarse) fuels include: Branches, logs, stumps etc.
- A fuel load depth of 15mm (fine fuels) is equivalent to 4.5 tonne per hectare.
- The more fuel load, the higher the flame height and increased fire intensity.
- Mulch piles, stored firewood and burn piles can contribute to fuel loading on property and must be stored safely away from assets, removed from the property, or actioned as directed by a Fire Control Officer.

**Flammable Material**

Fuel such as leaf litter, twigs, bark, grass over 75mm in height, timber boxes, cartons, paper and any combustible material, capable of carrying a running fire but excludes living, managed standing trees and shrubs.

Any combustible material, dead or alive, in isolation, clusters or aggregation with other combustible materials that, in the opinion of a Fire Control Officer, is likely to fuel a fire.

It includes, but is not limited to—

- Dead leaves, either on the ground or in gutters, fallen branches, long grass and weeds.
- It does not include—
- Vegetable patches, tended firewood stacks and timber, landscaped gardens, isolated planted shrubs.
- Slashed, mowed or mulched dry vegetative material that is less than 7.5cm in height.
- Established natural or planted trees or patches of vegetation that in the opinion of a Fire Control Officer is an acceptable risk.
- A distinct cluster of vegetation remote from boundaries and assets that in the opinion of a Fire Control Officer is an acceptable risk.

**Flammable Fuel Storage/Dumps**

- Includes all petroleum based liquids, Liquefied Petroleum Gas, Liquefied Natural Gas, and any other combustible liquid or gaseous fuel.

**SPECIAL CONDITIONS****Fuel and/or Gas Depots**

Remove all flammable material within 10 metres of fuel dumps, fuel ramps or where fuel drums, whether containing fuel or not, are stored.

**Haystacks**

Remove all flammable material within 10 metres of haystacks.

**Wood/Solid Fuel BBQs and Pizza Ovens**

The use of wood/solid fuel BBQs and pizza ovens is permitted except for days where the fire danger rating is high or above.

The use of any wood/solid fuel BBQ or pizza oven is prohibited during a total fire ban.

**Campfires and Firepits**

Campfires and Firepits are not permitted at any time during the prohibited Burning Period or at any other time where the fire danger rating is high or above. Campfires and Firepits cannot be lit before 6pm, no more fuel can be added after 11pm. They must be fully extinguished by midnight and cannot not be left unattended. You must have an available method of extinguishment while burning. No Campfires or Firepits will be lit on public property, unless purpose-built facilities have been provided by the owner of the property and permission to use them has been given.

**Variation to the Fire Hazard Reduction Notice**

If you consider it to be impractical to meet a requirement/s of this notice, you may apply to the City for a variation in writing no later than 13 September 2023.

**Note:** A variation is not an exemption but an application to employ other methods of fire hazard reduction to your property.

If your application is not granted you must comply with all requirements outlined in the Fire Hazard Reduction Notice 2023/2024.

**Additional Works**

Where a property has an approved bushfire management plan in effect, the property owner must still comply with all requirements in this notice and with all additional requirements outlined within that plan.

You may be required to carry out further bushfire property preparedness works on your property to reduce any fire hazards considered necessary by a Fire Control Officer.

**Emergency Management Plans and City Approved Treatment Plans**

Any property and/or property subject to a Bushfire Management Plan or an approved Bushfire Attack Level assessment (BAL), as a result of subdivision, development application or a City approved treatment plan, must comply with the listed requirements in their entirety.

**Environmental Conditions**

Any property subject to environmental value such as, but not limited to, Threatened Ecological Communities (TEC), Bush Forever sites, Declared Rare Flora and Fauna (DRF) sites should seek further information about what can or cannot be done prior to carrying out requirements under this notice. Please contact the City's Emergency Management team.

**For more information on Fire Hazard Reduction**

P: (08) 9956 6600

[www.cgg.wa.gov.au](http://www.cgg.wa.gov.au)

**Fire information and contacts**

Police, Fire and Ambulance. For emergencies dial 000

DFES information line—

13 3337

[www.dfes.wa.gov.au](http://www.dfes.wa.gov.au)

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## MINERALS AND PETROLEUM

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**MP401****MINING ACT 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Mines, Industry Regulation and Safety,

Leonora WA 6438.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

WARDEN GIBBS.

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To be heard by the Warden at Leonora on 12 September 2023.

**MT MARGARET MINERAL FIELD***Prospecting Licences*

P 37/8781	McKnight, Russell Geoffrey
P 37/8782	McKnight, Russell Geoffrey
P 37/8783	McKnight, Russell Geoffrey
P 37/8784	McKnight, Russell Geoffrey
P 37/8785	McKnight, Russell Geoffrey
P 37/8794	McKnight, Russell Geoffrey
P 37/9548	White, Andrew Roy McGregor, Todd Anthony
P 38/4504-S	Tagliaferri, Michael Howard
P 39/5443	Winiata, Brendon Wade
P 39/6276	Orgovan, Misko Reginald

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**MP402****MINING ACT 1978**  
**APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Mines, Industry Regulation and Safety,  
Meekatharra WA 6642.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

Dated 20 July 2023.

WARDEN T. W. MCPHEE.

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To be heard by the Warden at Meekatharra on 20 September 2023.

**MURCHISON MINERAL FIELD***Prospecting Licences*

P 51/3187      Campbell, Steele  
Kenney, Peter Jeffrey

**MP403****MINING ACT 1978**  
**APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Mines, Industry Regulation and Safety,  
Karratha WA 6741.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

WARDEN C. STOCKDALE.

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To be heard by the Warden at Karratha on 21 September 2023.

**KIMBERLEY MINERAL FIELD***Prospecting Licences*

P 80/1856      Pracilio, Ronald Domenic  
O'Reilly, Patrick Raymond

**WEST KIMBERLEY MINERAL FIELD***Prospecting Licences*

P 04/276      Sharma, Surender

**WEST PILBARA MINERAL FIELD***Prospecting Licences*

P 47/1982      Curlew Mine Pty Ltd

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**MP404****MINING ACT 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Mines, Industry Regulation and Safety,  
Karratha WA 6741.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable for forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for non payment of rent.

WARDEN C. STOCKDALE.

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To be heard by the Warden at Karratha on 21 September 2023.

**WEST PILBARA MINERAL FIELD***Prospecting Licences*

P 47/1982      Curlew Mine Pty Ltd

**MP405****MINING ACT 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Mines, Industry Regulation and Safety,  
Kalgoorlie WA 6430.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

WARDEN GIBBS.

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To be heard by the Warden at Kalgoorlie on 6 September 2023.

**BROAD ARROW MINERAL FIELD***Prospecting Licences*

P 24/5384      Mokhaiber, Hamdi  
P 24/5441      Bowden, Graeme Fredrick  
P 24/5461      Cooney, Sean Thomas  
P 24/5462      Miller, Brett Francis  
P 24/5547      Lynch, Sharicka Angelica  
P 24/5550      Stack, Christine Joanne

**EAST COOLGARDIE MINERAL FIELD***Prospecting Licences*

P 26/4549      Durham, Clinton Victor Jude  
                  Durham, Sean  
                  Bevan, Simon  
                  Durham, Deborah Ann  
P 26/4646      Grant, Jason Michael

**N. E. COOLGARDIE MINERAL FIELD***Prospecting Licences*

P 27/2469      Costanzo, Patrick Natale

**NORTH COOLGARDIE MINERAL FIELD***Prospecting Licences*

P 29/2550      Bon Super Pty Ltd

**MP406****MINING ACT 1978**  
**NOTICE OF INTENTION TO FORFEIT**

Department of Mines, Industry, Regulation and Safety,  
Perth WA 6000.

In accordance with Regulation 50(b) of the *Mining Regulations 1981*, notice is hereby given that unless the rent due on the under mentioned mining tenements are paid on or before 25 August 2023 it is the intention of the Minister for Mines and Petroleum under the provisions of sections 96A(1) and 97(1) of the *Mining Act 1978* to forfeit such for breach of covenant, being non-payment of rent.

DIRECTOR GENERAL.

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Number	Holder	Mineral Field
<i>Exploration Licence</i>		
E 16/539	Owen, Tristan David	Coolgardie
E 16/559	Owen, Tristan David	Coolgardie
E 16/562	Owen, Tristan David	Coolgardie
E 16/583	Owen, Tristan David	Coolgardie
E 59/2537	Jurassic Mining Pty Ltd	Yalgoo
E 63/2141	Vortex Minerals Pty Ltd	Dundas
<i>Mining Lease</i>		
M 31/8	Johnston, Gilbert Francis	North Coolgardie
M 31/9	Johnston, Gilbert Francis	North Coolgardie
<i>General Purpose Lease</i>		
G 47/1253	Hamilton, John Leslie	West Pilbara

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**MP407****PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967****GRANT OF GEOTHERMAL EXPLORATION PERMIT GEP 48**

Geothermal Exploration Permit GEP 48 has been granted to Good Earth Energy Corporation Pty Ltd and will remain in force for a period of six (6) years commencing on 27 July 2023.

LARA HAENGA, Senior Titles Officer, Resource Tenure Division,  
Department of Mines, Industry Regulation and Safety.

**MP408****PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967****GRANT OF GEOTHERMAL EXPLORATION PERMIT GEP 49**

Geothermal Exploration Permit GEP 49 has been granted to Good Earth Energy Corporation Pty Ltd and will remain in force for a period of six (6) years commencing on 27 July 2023.

LARA HAENGA, Senior Titles Officer, Resource Tenure Division,  
Department of Mines, Industry Regulation and Safety.

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## PLANNING

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**PL101***CORRECTION***PLANNING AND DEVELOPMENT ACT 2005***Shire of Augusta Margaret River*

Local Planning Scheme No. 1—Amendment No. 73

Ref: TPS/2822

It is hereby notified for public information that the notice under the above Amendment No. 73 published on page 2681 of the *Government Gazette No. 100* dated 28th July 2023, contained an error which is now corrected as follows—

For the words—

P. TOWNSHEND, President.

To read—

P. CRISTOFFANINI, President.

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**PL401****PLANNING AND DEVELOPMENT ACT 2005**

## APPROVED LOCAL PLANNING SCHEME AMENDMENT

*City of Kalamunda*

Local Planning Scheme No. 3—Amendment No. 108

Ref: TPS/2885

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Kalamunda Local Planning Scheme amendment on 23 June 2023 for the purpose of—

- (i) Rezoning Lot 33 on Plan 6798 being No. 4 Orange Valley Road, Kalamunda and Lot 32 on Plan 6798 being No. 4 Kirkdale Road, Kalamunda from 'Residential R10' to 'Residential R10/30'; and
- (ii) Amending the Scheme Map accordingly.

M. THOMAS, President.

P. VARELIS, A/Chief Executive Officer.

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## PREMIER AND CABINET

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**PR401**

## DEPARTMENT OF THE PREMIER AND CABINET

## Retention of Title Honourable

It is hereby notified for public information that the Governor, on behalf of His Majesty the King, has approved the retention of the title “Honourable” by the Hon Justice Andrew Robert Beech, who will retire as a Judge of the Supreme Court of Western Australia on 10 November 2023.

E. ROPER, Director General, Department of the Premier and Cabinet.

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## PUBLIC NOTICES

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**ZZ401****TRUSTEES ACT 1962****DECEASED ESTATES****Notice to Creditors and Claimants**

Ethel Gertrude Barrett late of 7 Balfour Road, Swan View, Western Australia who died on 24 January 1992, deceased.

Creditors and other persons having claims (to which s 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died 24 January 1992 are required by the Administrators, Wendy May MacKinnon and Linda Anne Davies care of Bowen Buchbinder Vilensky, PO Box 3038, East Perth, Western Australia 6892 to send particulars of their claims to them at the address herein within one month from the date of publication of this notice, after which date the Administrators may convey or distribute the assets, having regard only to the claims of which they have notice.

**ZZ402****TRUSTEES ACT 1962****DECEASED ESTATES****Notice to Creditors and Claimants**

Jacob Nicholas Stanley, late of 42 Jewell Lane, East Perth, Western Australia, Software Engineer, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died on 9 April 2023 at Holiday Inn Hotel, 786 Hay Street, Perth, Western Australia, are required by the executor Nicholas Anthony Stanley to send particulars of their claims to Birchstone Legal Group, PO Box 1399, Kalamunda WA 6926 within one month of publication of this notice, after which date the executor may convey or distribute the assets having regard only to the claims of which they then have notice.

Dated 31 July 2023.

LISA MONACO, Birchstone Legal Group, Lawyer for the Executor.

**ZZ403****TRUSTEES ACT 1962****DECEASED ESTATES****Notice to Creditors and Claimants**

Helen Edith Harding, Private Secretary, late of Karingal Green Aged Care, 53 Hawkevale Road, High Wycombe, in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 12/10/2022, are required by the Executors, being Edith Anne Roberts and David Alan Earnshaw, to send particulars of their claims to Edith Anne Roberts and David Alan Earnshaw at PO Box 2235, Midland WA 6936, within 1 month of publication of this notice after which date the Executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

Dated 30 July 2023.

EDITH ANNE ROBERTS AND DAVID ALAN EARNSHAW.

**ZZ404****TRUSTEES ACT 1962****DECEASED ESTATES****Notice to Creditors and Claimants**

Elissa Jane Pietras, late of 1 Cilantro Parkway, Seville Grove, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died on the 13th day of December 2022, are required by the Executor, Glen William Pietras of 7 Nepean Grove, Hannans, Western Australia, to send particulars of their claims within one month of the date of publication of this notice to him, after which date he may convey or distribute the assets, having regard only to claims of which he then has notice.

ZZ405

**TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

William Harry Oxley, late of 3 Euclid Close, Beldon, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died on the 12 June 2023, are required by the executor Shaun Oxley, 4 Whitmore Terrace, Heathridge, WA 6027 to send particulars of their claims to him within 1 month of the date of this publication hereof, after which date the executor may convey or distribute the assets having regard only to the claims of which he then has notice.

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ZZ406

**TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Trevor Andrew Cox late of Unit 66, 23 Junction Boulevard, Cockburn Central, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* (WA) relates) in respect of the estate of the deceased, who died on or before 18 July 2022, are required by the Administrator Susan Green to send the particulars of their claims to 7 Yallambee Crescent, Wanneroo WA 6065 on or before 30 days from the date of publication of this notice after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

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ZZ407

**TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

In the estate of Kerry Minette Ryan late of 128B Eighth Avenue, Maylands in the State of Western Australia, Disabilities Support Supervisor, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* (WA) relates) in respect of the estate of the deceased, who was found on 27 December 2022, are required by the administrator, Janelle Louise Dodds, c/- HFM Legal, PO Box 1, Maddington WA 6989, to send particulars of their claims to her at HFM Legal of PO Box 1, Maddington WA 6989 by the date being one month following the publication of this notice, after which date the Executor may convey or distribute the assets, having regard only to claims of which she then has notice.

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ZZ408

**TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Creditors and other persons having claims to which Section 63 of the *Trustees Act 1962* as amended relates in respect of the Estate of Elsie Pulford (deceased) late of 8/14 Anna Road Australind 6233 who died on 12 March 2022 are required by the personal representative to send particulars of their claims addressed to the Executors of the Estate of Elsie Pulford deceased care of Young & Young Lawyers 5 Spencer Street Bunbury 6230 by the 4th day of September 2023 after which date the personal representative may convey or distribute the assets having regard only to the claims of which the personal representative then has notice.

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ZZ409

**TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 4 September 2023, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Beeck, Edison Townsend, formerly of 2 George Street, Maylands, late of 7 Stanyford Place, Hamilton Hill, who died on 15 April 2020 (DE33191807 EM313).

Blatch, Terrence James, late of 4 Hansa Place, Marangaroo, who died on 30 May 2023 (DE19893877 EM14).

Bornholdt, Lynda Margaret, late of Osboine Contemporary Aged Care, Room 9, 36 Newton Street, Bayswater, who died on 25 April 2023 (DE19923707 EM23).

Byng, Robert George, late of Bethanie Waters Retirement Village, 18 Olivenza Crescent, Port Kennedy, who died on 25 May 2023 (DE19732808 EM37).

Grigsby, Beatrice Grace, late of Unit 12, 64-66 Railway Parade, Midland, who died on 17 March 2003 (DE19540652 EM15).

Hardie, Lindsay, late of Unit 1, 43 Hill View Terrace, East Victoria Park, who died on 3 June 2023 (PM33123085 EM214).

Haynes, Monica (also known as Phyllis Monica Haynes), late of Amaroo Village Buckley Caring Centre, 60 Stalker Road, Gosnells, who died on 3 August 2021 (PM33111900 EM27).

Jane, Jenifer (also known as Jenifer Jane Leeman), late of 58 Canna Drive, Canning Vale, who died on 12 June 2023 (DE20012284 EM26).

Jones, Pamela Patricia, late of 39A Lawley Street, Tuart Hill, who died on 17 May 2023 (DE19850008 EM110).

Kolenda, Nikola Fabian (also known as Nikola Kolenda), late of David Buttfield Centre, 649 North Beach Road, Gwelup, who died on 9 October 2021 (PM33165223 EM27).

Newton, Jerome Alexander, late of Unit 2, 207 Shepperton Road, East Victoria Park, who died on 14 February 2023 (DE19971788 EM35).

Poole, Hilary Katherine, late of Unit 22, 2 Bruce Street, Como, who died on 21 June 2023 (DE19916171 EM37).

Retallack, June Lorraine, formerly of 21 Jacaranda Drive, Ballajura, late of Brightwater Madeley Aged Care, 95 Imperial Circuit, Madeley, who died on 28 June 2023 (DE19732626 EM15).

Ryan, Robert William (also known as Bob Ryan), late of 19 Nooyan Close, South Guildford, who died on 22 July 2023 (DE29010113 EM32).

Stewart, Margaret Lucille, late of 120 Hardey Road, Glen Forrest, who died on 22 June 2023 (DE19770156 EM22).

BRIAN ROCHE, Public Trustee,  
553 Hay Street, Perth WA 6000.  
Telephone: 1300 746 212.