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FIRE AND EMERGENCY SERVICES

FE401

BUSH FIRES ACT 1954

TOTAL FIRE BAN DECLARATION

Correspondence No. D18023

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Assistant Commissioner of the Department of Fire and Emergency Services, declared under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 18 August 2023 for the local government districts of—

Port Hedland.

Dated 17 August 2023.

JON BROOMHALL, Assistant Commissioner of the Department of Fire and Emergency Services, as a sub-delegate of the Minister under section 16 of the *Fire and Emergency Services Act 1998*.

HERITAGE

HR401

HERITAGE ACT 2018

INSTRUMENT OF DELEGATION—CITY OF FREMANTLE

Pursuant to section 19 of the *Heritage Act 2018* (Act), the Heritage Council of Western Australia resolved to—

1. To revoke the delegation instrument as published in the *Government Gazette* on 3 June 2022 at page 3221;
2. To delegate the provision of advice under section 74 of the Act to the Manager Strategic Planning and City Design (delegate) of the City of Fremantle (City) for proposals as defined under section 71 of the Act that if implemented would, or would be likely to, affect P25225 *West End, Fremantle* (West End) as defined by the Council.
3. To require that the delegate refer proposals for the classes and in the locations specified in Schedule 1 to the Council for determination.
4. To require that the delegate has due regard to the Heritage Council Delegation Framework dated July 2023 as published by the Council on its website when exercising this delegation.
5. To declare that this resolution take effect when notice of it is published in the *Government Gazette*.

This delegation shall come into operation on 22 August 2023.

VAUGHAN DAVIES, Assistant Director General, Heritage and Property Services, Department of Planning, Lands and Heritage.

Schedule

This is the Schedule to the instrument of delegation as authorised by the Heritage Council of Western Australia pursuant to section 19 of the *Heritage Act 2018* (Act).

Schedule 1

1. Other registered places

Proposals that would also affect, or be likely to affect, any registered place as defined in section 4 of the Act, other than West End.

2. Places owned or occupied by the City

Proposals related to a place owned or occupied by, or where the management body is, the City.

3. Contentious issues

Proposals where, in the opinion or understanding of the delegate—

- (a) the impacts on the cultural heritage significance of a place are assessed as ‘major’ on the Impact Rating provided at Schedule 1 of the Heritage Council Delegation Framework dated July 2023;
- (b) there is substantial public, community commentary or media activity;
- (c) the Minister for Heritage is, or is likely to become, involved or interested;
- (d) there are significant stakeholder objections or concerns;

- (e) the recommended response would conflict with the direction or activity of any statutory authority or State agency;
- (f) the recommended response conflicts or is inconsistent with a previous Council resolution, or an adopted Council policy;
- (g) there is no consensus between the delegate and their reporting/supporting officer(s) or professional advisers;
- (h) a decision may have a negative impact on the reputation of the Council, the Minister or cultural heritage in general.

4. State-wide interest

Proposals for—

- (a) any State-wide or regional activity, policy, guidelines or strategy where there is an identified heritage matter to be raised
- (b) State legislation or policy that may impact on heritage places
- (c) projects that will have a broad impact on the economy or cultural heritage of the State or a region.

5. Heritage Agreements

Proposals that would result in the delegate exercising their delegated powers in a way that would commit the Council to entering a heritage agreement; unless it can be clearly demonstrated as being consistent with the Council’s policy ‘Heritage agreement as a condition of Heritage Council support’.

6. Places of strategic priority

Proposals that relate to a place for which the delegate has received notice that, in the opinion of the Council, is a strategic priority.

HR402

HERITAGE ACT 2018

INSTRUMENT OF DELEGATION NO. 4

Pursuant to section 19 of the *Heritage Act 2018* (Act), the Heritage Council of Western Australia resolved to—

1. To revoke the delegation instruments that were published in the *Government Gazette* on 27 May 2022 at page 3110; and
2. To delegate its powers and functions under the Act as set out in Column 1 of Schedule 1 to the specified person or the holder for the time being of a specified office in the Heritage and Property Services Division, Department of Planning, Lands and Heritage as specified in Column 2.
3. To require the delegate to refer applications for the classes and in the locations specified in Schedule 2 to the Council for determination.
4. To require that the delegate have due regard to the Heritage Council Delegation Framework dated July 2023 as published by the Council on its website.
5. To declare that this resolution take effect when notice of it is published in the *Government Gazette*.

This delegation shall come into operation on 22 August 2023.

VAUGHAN DAVIES, Assistant Director General Heritage and
Property Services, Department of Planning, Lands and Heritage.

Schedule

This is the Schedule to the instrument of delegation as authorised by the Heritage Council of Western Australia pursuant to section 19 of the *Heritage Act 2018* (Act).

Schedule 1

Column 1: Powers or functions	Column 2: Delegate
1. To make preliminary determination under section 39(2) of the Act as to whether the nominated place warrants review.	Assistant Director General; or Executive Director, Heritage Services.
2. To determine whether the accepted request for amendment of the land description in the register entry warrants consideration in detail under section 43(2).	

Column 1: Powers or functions	Column 2: Delegate
3. To determine, and recommend to the Minister, whether an amendment to the land description in an entry in the register be made pursuant to section 44.	
4. To determine whether the accepted request for removing an entry in the register warrants consideration in detail under section 48(2).	
5. To update or amend statements of cultural heritage significance pursuant to section 53.	
6. To determine whether a place should be the subject of a heritage agreement for any reasons as specified in section 91(1)(e) of the Act.	
7. To call tenders, award contracts, appoint technical or professional consultants for the purposes of— (a) identifying, documenting or conserving places of cultural heritage significance; and (b) assisting with education, research and publication that furthers the objectives of the Act.	
8. To commence any prosecution under section 136 the Act.	Assistant Director General; Executive Director, Heritage Services; Director, Historic Heritage Conservation; or Assistant Manager, Historic Heritage
9. To determine an application for a works permit made under section 79 of the Act.	
10. To provide advice to the relevant decision-maker under section 74 of the Act and other written laws (e.g. Planning and Development 2005).	
11. To direct an owner or occupier of any place to give information or comply with any orders under sections 126(1) and 133(5) of the Act.	Assistant Director-General; Executive Director Heritage Services; or Inspectors appointed under section 114 of the Act.

Schedule 2

1. Contentious issues

Proposals where, in the opinion or understanding of the delegate—

- the impacts on the cultural heritage significance of a place are assessed as ‘major’ on the Impact Rating provided at Schedule 1 of the Heritage Council Delegation Framework dated July 2023;
- there is substantial public, community commentary or media activity;
- the Minister for Heritage is, or is likely to become, involved or interested;
- there are significant stakeholder objections or concerns;
- the recommended response would conflict with the direction or activity of any statutory authority or State agency;
- the recommended response conflicts or is inconsistent with a previous Council resolution, or an adopted Council policy;
- there is no consensus between the delegate and their reporting/supporting officer(s) or professional advisers;
- a decision may have a negative impact on the reputation of the Council, the Minister or cultural heritage in general.

2. State-wide interest

Proposals for—

- any State-wide or regional activity, policy, guidelines or strategy where there is an identified heritage matter to be raised
- State legislation or policy that may impact on heritage places
- projects that will have a broad impact on the economy or cultural heritage of the State or a region.

3. Heritage Agreements

Proposals that would commit the Council to entering a heritage agreement; unless it is consistent with the Council’s policy ‘Heritage agreement as a condition of Heritage Council support’.

4. Places of strategic priority

Proposals that relate to a place for which the delegate has received notice that, in the opinion of the Council, is a strategic priority.

HR403**HERITAGE ACT 2018****INSTRUMENT OF DELEGATION—NATIONAL TRUST OF AUSTRALIA (WA)**

Pursuant to section 19 of the *Heritage Act 2018* (Act), the Heritage Council of Western Australia resolved to—

1. To revoke the delegation instrument, which was published in the *Government Gazette* on 24 September 2019 at page 3408; and
2. To delegate the provision of advice under s.74 of the Act to Senior Manager Asset Management (delegate) of the National Trust of Australia (WA) (Trust) for proposals for works located in any place acquired by, vested in, or under the control of the Trust.
3. To require the delegate to refer applications for the classes and in the locations specified in Schedule 1 to the Council for determination.
4. To require that the delegate have due regard to the Heritage Council Delegation Framework dated July 2023 as published by the Council on its website when exercising this delegation.
5. To declare that this resolution take effect when notice of it is published in the *Government Gazette*.

This delegation shall come into operation on 22 August 2023.

VAUGHAN DAVIES, Assistant Director General Heritage and
Property Services, Department of Planning, Lands and Heritage.

Schedule

This is the Schedule to the instrument of delegation as authorised by the Heritage Council of Western Australia pursuant to section 19 of the *Heritage Act 2018* (Act).

Schedule 1**1. Contentious issues**

Proposals where, in the opinion or understanding of the delegate—

- (a) the impacts on the cultural heritage significance of a place are assessed as ‘major’ on the Impact Rating provided at Schedule 1 of the Heritage Council Delegation Framework dated July 2023;
- (b) there is substantial public, community commentary or media activity;
- (c) the Minister for Heritage is, or is likely to become, involved or interested;
- (d) there are significant stakeholder objections or concerns;
- (e) the recommended response would conflict with the direction or activity of any statutory authority or State agency;
- (f) the recommended response conflicts or is inconsistent with a previous Council resolution, or an adopted Council policy;
- (g) there is no consensus between the delegate and their reporting/supporting officer(s) or professional advisers;
- (h) a decision may have a negative impact on the reputation of the Council, the Minister or cultural heritage in general.

2. State-wide interest

Proposals for—

- (a) any State-wide or regional activity, policy, guidelines or strategy where there is an identified heritage matter to be raised
- (b) State legislation or policy that may impact on heritage places
- (c) projects that will have a broad impact on the economy or cultural heritage of the State or a region.

3. Heritage Agreements

Proposals that would commit the Council to entering a heritage agreement; unless it is consistent with the Council’s policy ‘Heritage agreement as a condition of Heritage Council support’.

4. Places of strategic priority

Proposals that relate to a place for which the delegate has received notice that, in the opinion of the Council, is a strategic priority.

JUSTICE

JU401

PRISONS ACT 1981
PERMIT DETAILS

Pursuant to Section 15U of the *Prisons Act 1981*, I hereby revoke the following permits—

Surname	Other Name(s)	Permit No.
Brady	Shane Thomas	AP 0722
Chia	Karen Wendy	PA 0758
Marshall	Lucy Eva-Dianne	PA 0728

Dated 15 August 2023.

MIKE REYNOLDS, Commissioner, Corrective Services.

LOCAL GOVERNMENT

LG401

BUSH FIRES ACT 1954
LOCAL GOVERNMENT ACT 1995
Shire of Pingelly
BUSH FIRE BRIGADES LOCAL LAW 2023
PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Pingelly 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 Definitions

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

- Act** means the *Bush Fires Act 1954*;
- 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;
- Council** means the Council of the Shire of Pingelly;
- 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 Pingelly;
- Fire fighting member** means a registered operational member of a Bush Fire Brigade;
- Local Government** means the Shire of Pingelly;
- Local law** means the *Shire of Pingelly 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 Captain;
 - a First Lieutenant;
 - a Second Lieutenant;
 - Fire Control Officer;
 - any additional Lieutenants;
 - a Training Officer;
 - an Equipment Officer;
 - a Secretary; or
 - a Treasurer.

means a person holding that position in a Bush Fire Brigade.

1.4 Repeal

The *Shire of Pingelly By-Law Relating to Fire Control Matters* as published in the *Government Gazette* on 1 November 1995 including amendments, is repealed on the day that this local law comes into operation.

1.5 Application

This local law applies throughout the district.

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

- The local government may establish a Bush Fire Brigade for the purpose of carrying out normal brigade activities.
- A Bush Fire Brigade is established on the date of the local government's decision under subclause (1).
- On establishing a Bush Fire Brigade under clause 2.1(1) the local government is to—
 - give a name to the Bush Fire Brigade; and
 - specify the area in which the Bush Fire Brigade is primarily responsible for carrying out the normal brigade activities (the "brigade area").
- 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

- On establishing a Bush Fire Brigade under clause 2.1(1) the local government is to appoint or provide for the election of brigade officers as defined in the Rules Governing the Operation of Bush Fire Brigades (Schedule 1 of this local law).
- 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.
- A person appointed or elected to a brigade is taken to be a brigade member of that brigade.
- The appointments expire at the completion of the first annual general meeting of the Bush Fire Brigade.
- 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—

- The Bush Fire Brigade is to be taken to be a Bush Fire Brigade established under and in accordance with this local law; and
- any rules governing the operation of the Bush Fire Brigade 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 the 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 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 Offices 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; and
 - (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 Bush Fire 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 Bush Fire 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.

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—BUSH FIRE 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 Pingelly 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 required;
- (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; and
- (d) maintain a register of all current brigade members which includes each brigade member's contact details and type of membership.
- (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 CBFCO 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 the local law and these rules, 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 BUSH FIRE 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 jeopardizes 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 the 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 subsection (1) the CBFCO may vary these requirements to 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; or
- (e) facsimile transmission, or
- (f) any other method approved by the local government.

SCHEDULE 2—MEMBERSHIP FORM



APPLICATION TO JOIN A BUSH FIRE BRIGADE



1.

BRIGADE NAME

LOCAL GOVERNMENT
2. Emergency services volunteers are required to be fully vaccinated for COVID-19
 COVID-19 vaccination sighted by Brigade member:
 Dose 1 ☐ Dose 2 ☐ Booster ☐ Most recent date:
3. MR ☐ MRS ☐ MISS ☐ MS ☐
4. SURNAME (BLOCK LETTERS)
5. GIVEN NAMES (IN FULL)
6. DATE OF BIRTH FEMALE ☐ MALE ☐
7. ADDRESS

HOME

POSTAL
8. TELEPHONE

HOME

WORK

MOBILE

PAGER

EMAIL
9. MEMBERSHIP TYPE

ACTIVE
(please ✓)

 AUXILIARY

 CADET

[A person who will become involved in the operational work of the brigade]
 [A person involved only in a support role (e.g. Communications/Admin)]
 [An enrollee who is under 16 years of age]

☐

☐

☐
10. NEXT OF KIN DETAILS

FULL NAME

 ADDRESS

 TELEPHONE

RELATIONSHIP
11. BRIGADE TRAINING CARRIED OUT (IF KNOWN)

Course Title	Location	Date of Course

I certify that the above particulars are true and correct

12. APPLICANT

SIGNATURE

DATE

PARENT/GUARDIAN (IF UNDER 16 YEARS OF AGE)

SIGNATURE

DATE



13. AUTHORISED: BRIGADE CAPTAIN/SECRETARY

FIRE SERVICE USE ONLY
ENTERED INTO RMS

MEMBERSHIP NUMBER

INITIALS

DATE

 PROTECTIVE CLOTHING REQUISITION WA BUSH FIRE SERVICE 														
NAME OF BRIGADE:														
Members Name:														
DELIVERY DETAILS:														
Jacket Size:	Size:	XS	S	M	L	XL	2XL	3XL	4XL	Comments:				
Trouser Size:	Size:	72r	77r	82r	87r	92r	102r	107r	112r	117r	Comments:			
Helmet:	Colour:	White	Yellow	Red										
Boots:	Size:	3	3.5	4	4.5	5	5.5	6	6.5	7	7.5	8	8.5	
		9	9.5	10	10.5	11	11.5	12	13	14	15	16		
Gloves:	Size:	2XS	XS	S	M	L	XL	2XL	3XL	Comments:				
Torch:	Bag:	Face respirator:		Googles:		Name Badge:		Yes	No					
Comments:														

LG402**LOCAL GOVERNMENT ACT 1995***Shire of Irwin***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 14 August 2023, determined that the method of valuation to be used by the Shire of Irwin 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 portion of land being Lots 244 to 251 inclusive as shown on Deposited Plan 425302.

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

LG403**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 8 August 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 that portion of land being Lots 1802 to 1810 inclusive, Lots 1818 to 1855 inclusive, Lots 1865 to 1878 inclusive, Lot 2500 and Lot 2501 as shown on Deposited Plan 424562.

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

LG501**BUSH FIRES ACT 1954***City of Karratha***IMPORTANT FIRE MITIGATION NOTICE**

All Owners and/or Occupiers of Land Situated in the City of Karratha

This is a requirement under the *Bush Fires Act 1954* Section 33. Failure to comply with this Notice may incur penalties of up to \$5,000 and the works required by this Notice will be carried out at the expense of the owner/occupier.

Pursuant to the powers contained in Section 33 of the *Bush Fires Act 1954*, you are hereby required on or before the 1st day of November, (or within fourteen days of your becoming owner or occupier of land should this be after the 1st day of November), or within fourteen days of you receiving this notice, to clear and maintain mineral earth breaks and reduce the fuel load from the land owned or occupied by you as specified hereunder and to have the specified land and firebreaks clear of all flammable material all year round.

LAND IN TOWNSITES- INCLUDING MINING AND OR CONSTRUCTION ACCOMMODATION FACILITIES

1.1 Where the area of land is 2000 square metres (approximately 1/2 an acre) or less, all flammable material must be reduced over the whole of the land. Grasses shall be slashed to a height 75mm.

1.2 Where the area of land exceeds 2000 square metres, mineral earth breaks of at least five (5) metres in width must be cleared of all flammable material immediately inside and along the boundaries of the land. Where there are buildings on the land additional mineral earth breaks five (5) metres in width must be cleared immediately surrounding each building.

1.3 Ensure a minimum vertical clearance of 4 metres is maintained along the firebreaks to enable vehicles to drive along the firebreaks without access being obstructed.

LAND OUTSIDE TOWNSITES INCLUDING MINING AND OR CONSTRUCTION ACCOMMODATION FACILITIES

2.1 For all buildings on land outside of the townsite, two mineral earth breaks with a width not less than five (5) metres and cleared of all flammable material must surround the buildings. The inner mineral earth break must be no less than twenty (20) metres from the perimeter of the building or group of buildings and the outer mineral earth break no less than one hundred (100) metres from the inner mineral earth break.

POWERLINES AND POWER TRANSMISSION LINES IN TOWNSITES INCLUDING MINING AND OR CONSTRUCTION ACCOMMODATION FACILITIES

3.1 Aerial hazards to power and power transmission lines must be maintained as per the guidelines issued by the Energy Safety—Department of Mines, Industry Regulation and Safety.

For power lines conducting less than or equal to 33,000 volts; ground fuels such as grasses and ground storey species must be cleared to a minimum of five (5) metres either side of a centre line created by the poles, or towers. The total cleared area must not be less than ten (10) metres wide and the entire area must be maintained to the standard of a mineral earth break.

3.2 For power transmission lines greater than 33,000 volts, a mineral earth break of not less than five (5) metres in width must be maintained either side of the widest point of any arms or cross arms on the pole or tower. A mineral earth break of no less than five (5) metres width is to be maintained directly under the power line corridor. All power and transmission lines are to be maintained as per Australian Standard AS7000, to assist in minimizing the risk from sparks or arcing and shall be the responsibility of the owner of the transmission line.

WATER SUPPLY PIPELINES AND INFRASTRUCTURE

4.1 All water supply pipelines and associated infrastructure must have mineral earth breaks not less than five (5) metres wide on both sides of the pipeline and all associated infrastructure and be cleared of all flammable material to prevent the spread of fire and damage to the pipelines or associated infrastructure. Access points must be installed and maintained to allow for Emergency Services access and maintenance use.

EXPLOSIVES MAGAZINES AND STORAGE AREAS

5.1 All Flammable Materials are to be removed to bare earth between any bunkers or storage facilities and all Flammable Materials are to be removed for a distance of not less than fifteen (15) metres from the perimeter of any such storage area.

FUEL DEPOT / FUEL STORAGE AREA / HAYSTACKS / STOCKPILED FLAMMABLE MATERIAL

6.1 For all fuel depots/fuel storage areas, all flammable matter within 10 metres of where fuel drums, fuel ramps or fuel dumps are located, and where fuel drums, whether containing fuel or not are stored, a mineral earth break of not less than five (5) metres in width must be installed immediately adjacent.

6.2 For all haystacks/stockpiled flammable materials, a mineral earth break of not less than five (5) metres in width must be installed immediately adjacent to any haystacks or stockpiled flammable material.

RAILWAY RESERVES IN TOWNSITES

7.1 Mineral earth breaks of at least five (5) metres in width must be installed immediately inside all boundaries continuous with any railway reserve on which railway traffic operates and are the responsibility of the owner of the railway.

APPLICATION TO VARY FIREBREAK REQUIREMENTS

8.1 If you consider it to be impractical to clear a mineral earth break or remove flammable material as required by this Notice, you may apply to Council or its Authorised Officer no later than the 30th day of August, for permission to provide firebreaks in alternative positions or take alternative action to remove or abate fire hazards. If permission is not granted by Council or its Authorised Officer, you must comply with the requirement of this Notice. An application must include a detailed map (google map or similar) of the area you intend to vary, outlining the variation you require, along with the reason for variation.

BURNING GARDEN REFUSE DURING LIMITED BURNING TIMES

9.1 A person must not burn garden refuse at a place (other than a rubbish tip) during the limited burning times for that place unless it is burned—

- (a) in an incinerator in accordance with subsection (9.2); or
- (b) on the ground in accordance with subsection (9.3).

9.2 Garden refuse burned in an incinerator is burned in accordance with this subsection where—

- (a) the incinerator is designed and constructed so as to prevent the escape of sparks or burning material; and
- (b) either—
 - (i) the incinerator is situated not less than two (2) metres from any building or fence; or
 - (ii) if the incinerator is less than two (2) metres from a building or fence, the Council or its Authorised Officer has given written permission in writing for the incinerator to be used; and there is no FLAMMABLE MATERIAL within two (2) metres of the incinerator while it is in use; and

- (c) there is no FLAMMABLE MATERIAL within two (2) metres of the incinerator while it is in use; and,
- (d) at least one person is present at the site of the fire at all times until it is completely extinguished; and
- (e) the fire is no longer required, the person ensures that the fire is completely extinguished by the application of water or earth.

9.3 The Council or its Authorised Officer must not give permission under subsection 9.2 (b) (ii) unless it is satisfied that the use of the incinerator is not likely to create a fire hazard.

ADDITIONAL WORKS

10.1 In addition to the requirements of this Notice, you may be required to carry out further works which are considered necessary by an Authorised Officer and specified by way of a separate written notice forwarded to the address of the owner/s as shown on the City rates record for the relevant land.

10.2 If the requirements of this Notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Act.

10.3 Pursuant to Section 33(4) of the Act, where the owner and/or occupier of land fails or neglects to comply with the requisitions of this Notice within the times specified, the City may by its officers and with such servants, workmen and contractors, vehicles and machinery as the officers deem fit, enter upon the land and carry out the requisitions of this Notice which have not been complied with and pursuant to Section 33(5) of the Act, the amount of any costs and expenses incurred may be recovered from the owner and or occupier of the land.

10.4 Failing to comply with this notice may incur a modified penalty or prosecution. A person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this notice, if it is not carried out by the owner or occupier by the date required by this notice.

Signed for and on behalf of City of Karratha by An Authorised Officer—

VIRGINIA MILTRUP, Chief Executive Officer.

MARINE/MARITIME

MA401

NAVIGABLE WATERS REGULATIONS 1958

WATER SKI AREA

Belmont

Swan River

Pursuant to regulation 48A(1) of the *Navigable Waters Regulations 1958*, I cancel Notice MA410 published in the *Government Gazette* on 27 November 2012 and set aside the following area of water for water skiing—

BELMONT: All the waters of the Swan River downstream of a line through 31°57.207'S, 115°53.966'E (starboard navigation marker) and 31°57.129'S, 115°54.025'E (port navigation marker) located approximately 100 metres upstream of the Balbuk Way public boat ramp and extending downstream to a line through 31°56.748'S, 115°53.742'E (starboard navigation marker) and 31°56.762'S, 115°53.829'E (port navigation marker) located approximately 1000 metres downstream of the boat ramp. All coordinates based on GDA 2020.

All Water Skiing activities within this area are to be carried out in an anti-clockwise direction providing however that no vessel or water skier shall approach within 30 metres of the river bank and that no water ski take-off or landing shall be permitted on any foreshore within this area except at those designated areas as described below.

Take off only: At a point on the foreshore upstream of the Balbuk Way public boat ramp at approximately 31°57.226'S, 115°53.939'E and extending downstream to approximately 31°57.218'S, 115°53.920'E

Take off and landing: At a point on the foreshore downstream of the Balbuk Way public boat ramp at approximately 31°57.197'S, 115°53.867'E and extending downstream to approximately 31°57.155'S, 115°53.810'E

Take off only: At a point on the foreshore downstream of the Balbuk Way public boat ramp at approximately 31°57.131'S, 115°53.791'E and extending downstream to approximately 31°57.093'S, 115°53.767'E

Take off and landing: At a point on the foreshore downstream of the Balbuk Way public boat ramp at approximately 31°57.015'S, 115°53.723'E and extending downstream to approximately 31°57.002'S, 115°53.713'E

Restriction: This Water Ski Area is open for the towing of a person on water skis, wakeboards, surfboards, and kneeboards only, between the hours of 08:00am to Sunset. The towing of ski tubes and all other inflatable objects is prohibited.

MARK BRIANT, Acting Director Waterways Safety Management and
delegate of the Chief Executive Officer, Department of Transport.

PARLIAMENT

PA401**PARLIAMENT OF WESTERN AUSTRALIA****Royal Assent to Bill**

It is hereby notified for public information that the Governor has Assented in the name and on behalf of His Majesty the King, on the date shown, to the undermentioned Act passed by the Legislative Council and the Legislative Assembly during the First Session of the Forty First Parliament.

Title of Act	Date of Assent	Act No.
Nickel (Agnew) Agreement Amendment Act 2023	17 August 2023	17 of 2023

Dated 17 August 2023.

SAM HASTINGS, Clerk of the Parliaments.

PUBLIC NOTICES

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

Estate of Anne Margaret Hurley, who died on 15 August 2022.

If you have a claim against this estate, you must file your claim no later than 6 September 2023 with Groven Legal, 1/78 Blair Street, Bunbury, WA 6230. Email: admin@grovenlegal.com.au.

If you do not file by the date above, the estate property can lawfully be distributed without regard to any claim you may have.

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

Estate of the late Robert George Kenyon late of Unit 65, 46 Regency Avenue, Madeley, 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 27 May 2022 are requested by the Executor, Murray Noel Thornhill care of HHG Legal Group, GPO Box 2716, Cloisters Square PO WA 6850, to send particulars of their claims to the address stated herein within 30 days of this notice, after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

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

Dennis William Abbott, late of 12 Castleton Way, Canning Vale, Shearer, 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 28 May 2022 are required by the administrator, Cynthia Abbott of c/- Hall and Wilcox, Level 19, 108 St Georges Terrace, Perth 6000 to send particulars of their claims to her by the no later than one month from the date of this advertisement, after which date the administrator may convey or distribute the assets, having regard only to the claims of which she then has notice.

ZZ404**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Graham Bruce Atkinson late of 386 Banrock Drive, Ellenbrook, in the State of 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 20/01/2023, are required by the Administrator Judith Anne McGrath, to send the particulars of their claims care of Gregson & Associates PO Box Z5017, St Georges Terrace, Perth WA 6831 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.

ZZ405**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

John Earle Hare late of 2 Waterway Crescent, Ascot in the State of 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 15/12/2022, are required by the Administrator Craig Alan Gregson, to send the particulars of their claims care of Gregson & Associates PO Box Z5017 St Georges Terrace, Perth WA 6831 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 he then has notice.
