

WESTERN AUSTRALIAN GOVERNMENT Gazette

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The Western Australian *Government Gazette* is published by State Law Publisher for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances.

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically. The following guidelines should be followed to ensure publication in the *Government Gazette*.

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
- Copy must be lodged with the Sales and Editorial Section, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

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- Inquiries regarding publication of notices can be directed to the Editor on (08) 9426 0010.
- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

If it is necessary through isolation or urgency to fax copy, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*

ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 2004 (Prices include GST).

Deceased Estate notices, (per estate)—\$22.45

Real Estate and Business Agents and Finance Brokers Licences, (per notice)—\$52.40

Other articles in Public Notices Section—\$52.40 (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

All other Notices

Per Column Centimetre—\$10.45

Bulk Notices—\$194.70 per page

Clients who have an account will be invoiced for advertising charges.

Clients without an account will need to pay at time of lodging the notice.

PUBLISHING ALTERATIONS

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

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

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

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

JOHN A. STRIJK, Government Printer.

— PART 1 —

PROCLAMATIONS

AA101*

MINES SAFETY AND INSPECTION AMENDMENT ACT 2004

68 of 2004

PROCLAMATION

Western Australia

*By His Excellency**Lieutenant General John Murray Sanderson,
Companion of the Order of Australia,
Governor of the State of Western Australia*

[L.S.]

JOHN SANDERSON
Governor

I, the Governor, acting under section 2 of the *Mines Safety and Inspection Amendment Act 2004*, and with the advice and consent of the Executive Council, fix 4 April 2005 as the day on which the provisions of that Act, other than Part 7 Division 2 and section 88(4), come into operation.

Given under my hand and the Public Seal of the State on 22 December 2004.

By Command of the Governor,

C. BROWN, Minister for State Development.

GOD SAVE THE QUEEN !

MINERALS AND PETROLEUM

MP301*

Mining Act 1978

Mining (Ellendale Diamond Royalties) Amendment Regulations 2004

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Mining (Ellendale Diamond Royalties) Amendment Regulations 2004*.

2. The regulations amended

The amendments in these regulations are to the *Mining (Ellendale Diamond Royalties) Regulations 2002**.

[* *Published in Gazette 8 February 2002, p. 581-95.*]

3. Regulation 3 amended

Regulation 3(1) is amended in the definition of “year” by deleting “means a calendar year and, if the sale date is a day other than 1 January, includes the period beginning on the sale date and ending on the next 31 December” and inserting instead —

“ means a financial year ”.

4. Transitional provisions

(1) In this regulation —

“**first return**” means the first royalty return under regulation 11 of the *Mining (Ellendale Diamond Royalties) Regulations 2002* after the commencement of these regulations.

(2) The first return is to be forwarded within 4 months after 30 June 2005.

(3) Regulation 11 of the *Mining (Ellendale Diamond Royalties) Regulations 2002* applies in relation to the first return as if references in that regulation to “that year” and “the year to which the return relates” were references to “the period from 1 January 2004 to 30 June 2005”.

By Command of the Governor,

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

TRANSPORT

TR301*

Public Transport Authority Act 2003

**Public Transport Authority Amendment
Regulations 2005**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Public Transport Authority Amendment Regulations 2005*.

2. The regulations amended

The amendments in these regulations are to the *Public Transport Authority Regulations 2003**.

[* *Published in Gazette 27 June 2003, p. 2465-97.*
For amendments to 31 December 2004 see Western Australian Legislation Information Tables for 2003, Table 4, p. 303.]

3. Part 4A inserted

After Part 4 the following Part is inserted —

“

Part 4A — Bicycles on passenger trains

33A. Interpretation

In this Part —

“**counter flow direction**” means —

- (a) away from the Perth CBD in the morning; or
- (b) towards the Perth CBD in the afternoon or evening;

“**peak time**” means 7.00 a.m. to 9.00 a.m., and 4.30 p.m. to 6.30 p.m.;

“**peak flow direction**” means —

- (a) towards the Perth CBD in the morning; or
- (b) away from the Perth CBD in the afternoon or evening;

“**working day**” means a weekday that is not a public holiday for the Perth metropolitan area.

33B. Bikes on trains generally

- (1) Subject to regulation 33D, a person may travel with a bicycle on a passenger train on a day that is not a working day, at any time.
- (2) Subject to regulation 33D, a person may travel with a bicycle on a passenger train on a working day, at any time that is not peak time.

33C. Bikes on trains in peak times

- (1) Subject to regulation 33D, a person may travel with a bicycle on a passenger train, in a counter flow direction during a peak time on a working day but, in doing so, must not get any closer to the Perth CBD than the McIver, City West or Leederville station.

Modified penalty: \$50.

Penalty: \$2 000.

- (2) A person must not travel with a bicycle on a passenger train in a peak flow direction, during a peak time on a working day.
Modified penalty: \$50.
Penalty: \$2 000.
- (3) A security officer, an authorised person, or a member of the Police Force may direct that a person who is about to board a passenger train carriage with a bicycle is not to board that passenger train if, by embarking, that person would breach subregulation (1) or (2).
- (4) A security officer, an authorised person, or a member of the Police Force may direct that a person who is in breach of subregulation (1) or (2) is to disembark.

33D. Special events

- (1) A security officer, an authorised person, or a member of the Police Force may direct that a person who is about to board a passenger train carriage with a bicycle is not to board that passenger train if —
- (a) the particular carriage is crowded; or
 - (b) the particular carriage will be crowded,
- due to an event causing high demands on the urban passenger train system (*e.g. Australia Day celebrations, Royal Show, Christmas pageants, sporting events or entertainment events*).
- (2) A security officer, an authorised person, or a member of the Police Force may direct that a person who is in a passenger train carriage with a bicycle is to disembark if —
- (a) the particular carriage is crowded; or
 - (b) the particular carriage will be crowded,
- due to an event causing high demands on the urban passenger train system (*e.g. Australia Day celebrations, Royal Show, Christmas pageants, sporting events or entertainment events*).
- (3) A person who does not comply with a direction under this regulation commits an offence.
Modified penalty: \$50.
Penalty: \$2 000.

”.

4. Regulation 43 amended

Regulation 43 is amended after paragraph (f) by inserting the following paragraph —

“

- (fa) the person has been given a direction under regulation 33C(3), 33C(4), 33D(1) or 33D(2) and the person does not obey that direction;

”.

By Command of the Governor,

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

— PART 2 —

MINERALS AND PETROLEUM

MP401*

Commonwealth of Australia

PETROLEUM (SUBMERGED LANDS) ACT 1967

RENEWAL OF RETENTION LEASE WA-1-R (R3)

The renewal of Retention Lease No. WA-1-R (R3) has been granted to Esso Australia Resources Pty Ltd and BHP Billiton Petroleum (North West Shelf) Pty Ltd and will take effect from the 2/2/05.

W. F. MASON, Acting Director Petroleum & Royalties Division.

MP402*

PETROLEUM ACT 1967

GRANT OF RENEWAL OF EXPLORATION PERMIT NO. EP413

Renewal of Exploration Permit EP413 has been granted to Origin Energy Developments Pty Limited, Arc Energy Limited, Hardman Oil & Gas Pty Limited, Voyager (PB) Limited, Victoria Petroleum Offshore Pty Limited, Norwest Energy NL, Roc Oil (WA) Pty Limited and John Kevin Geary to have effect from and including 2 February 2005 for a period of five years.

W. F. MASON, Acting Director Petroleum and Royalties Division.

MP403

MINING ACT 1978

SECTION 19

Instrument of Exemption of Land

The Minister for State Development pursuant to the powers conferred on him by section 19 of the *Mining Act 1978* hereby exempts that land described hereunder (not being private land or land that is the subject of a mining tenement or application for a mining tenement) from Divisions 1 to 5 of Part IV of the *Mining Act 1978*.

Description

Zone 52 (GDA94)

Northing(m) 8286529	Easting(m) 494125
Northing(m) 8286526	Easting(m) 486129
Northing(m) 8280993	Easting(m) 482830
Northing(m) 8283718	Easting(m) 477651
Northing(m) 8293306	Easting(m) 477642
Northing(m) 8298030	Easting(m) 481898
Northing(m) 8298033	Easting(m) 487225
Northing(m) 8298001	Easting(m) 488837
Northing(m) 8298002	Easting(m) 491191
Northing(m) 8299433	Easting(m) 491191
Northing(m) 8299433	Easting(m) 492979
Northing(m) 8298811	Easting(m) 495473
Northing(m) 8297644	Easting(m) 500042
Northing(m) 8270144	Easting(m) 500043
Northing(m) 8270144	Easting(m) 497344
Northing(m) 8276368	Easting(m) 494127
Northing(m) 8286529	Easting(m) 494125

Area

Approximately 29333.32 ha

Dated at Perth this 31st day of January 2005.

CLIVE BROWN MLA, Minister for State Development.

MP404**MINING ACT 1978****SECTION 19**

Instrument of Exemption of Land

The Minister for State Development pursuant to the powers conferred on him by section 19 of the *Mining Act 1978* hereby exempts that land described hereunder (not being private land or land that is the subject of a mining tenement or application for a mining tenement) from Divisions 1 to 5 of Part IV of the *Mining Act 1978*.

Description

Zone 52 (GDA94)

Northing(m) 8291989	Easting(m) 442917
Northing(m) 8291960	Easting(m) 432189
Northing(m) 8273524	Easting(m) 432243
Northing(m) 8273582	Easting(m) 455469
Northing(m) 8277269	Easting(m) 455462
Northing(m) 8277249	Easting(m) 446528
Northing(m) 8280937	Easting(m) 446519
Northing(m) 8280956	Easting(m) 455455
Northing(m) 8286486	Easting(m) 455444
Northing(m) 8286475	Easting(m) 450081
Northing(m) 8288319	Easting(m) 450077
Northing(m) 8288311	Easting(m) 446502
Northing(m) 8290154	Easting(m) 446497
Northing(m) 8290146	Easting(m) 442922
Northing(m) 8291989	Easting(m) 442917

Area

Approximately 34393.85ha

Dated at Perth this 31st day of January 2005.

CLIVE BROWN MLA, Minister for State Development.

RACING, GAMING AND LIQUOR

RG401***LIQUOR LICENSING ACT 1988****LIQUOR LICENSING APPLICATIONS**

The following is a summary of applications received under the *Liquor Licensing Act 1988* and required to be advertised. Any person wishing to obtain more details about any application, or about the objection process, should contact the Department of Racing, Gaming and Liquor, 1st Floor, Hyatt Centre, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
10599	Ian John Winfield and Sylvia Jean Winfield	Application for the grant of a Producer's licence in respect of premises situated in Metricup and known as Metricup Gallery Estate	20/02/2005

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
22683	Alto Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Margaret River and known as Prevelly Liquor Store	24/02/2005
22643	Loganbay Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Perth and known as The Spirit Sound Bar	15/02/2005
APPLICATIONS TO ADD, VARY OR CANCEL A CONDITION OF LICENCE			
214826	Northbridge Enterprises Pty Ltd	Application to add, vary or cancel a condition of a permit of the Tavern licence in respect of premises situated in Northbridge and known as the Aberdeen Hotel	1/03/2005
214203	Fastway Holdings Pty Ltd	Application to add, vary or cancel a condition of the Restaurant licence in respect of premises situated in Broome and known as Cable Beach Sandbar & Grill	27/02/2005

This notice is published under section 67(5) of the *Liquor Licensing Act 1988*.

Dated: 9 February 2005.

H. R. HIGHMAN, Director of Liquor Licensing.

WATER

WA401*

WATER SERVICES LICENSING ACT 1995

NOTICE UNDER SECTION 31 (5) AMENDMENT OF LICENCE

Notice is given that the following operating licence has been amended—

Licensee:	Water Corporation
Classification:	Operating Licence, Water Supply, Sewerage, Irrigation and Drainage Services
Term of Licence:	Up to and including 28 June 2021
Amendment:	Licence substituted as a result of amendments to— <ul style="list-style-type: none"> • Tambellup Sewerage Services Operating Area drawing OWR-OA-288(B) • Geraldton Region Potable Water Supply Services Operating Area drawings OWR-OA-102-3(D) and OWR-OA-102-1(G) and adding the following areas to Schedule 1 sole provider operating areas for Potable Water Supply Services— <p style="margin-left: 40px;">Lots 188, 189, 222 & 1214 of Curtis Lane, Pinjarra</p>
Inspection of Licence:	Economic Regulation Authority 6th floor 197 St Georges Terrace Perth WA 6000

LYNDON G. ROWE, Chairman.

WA402*

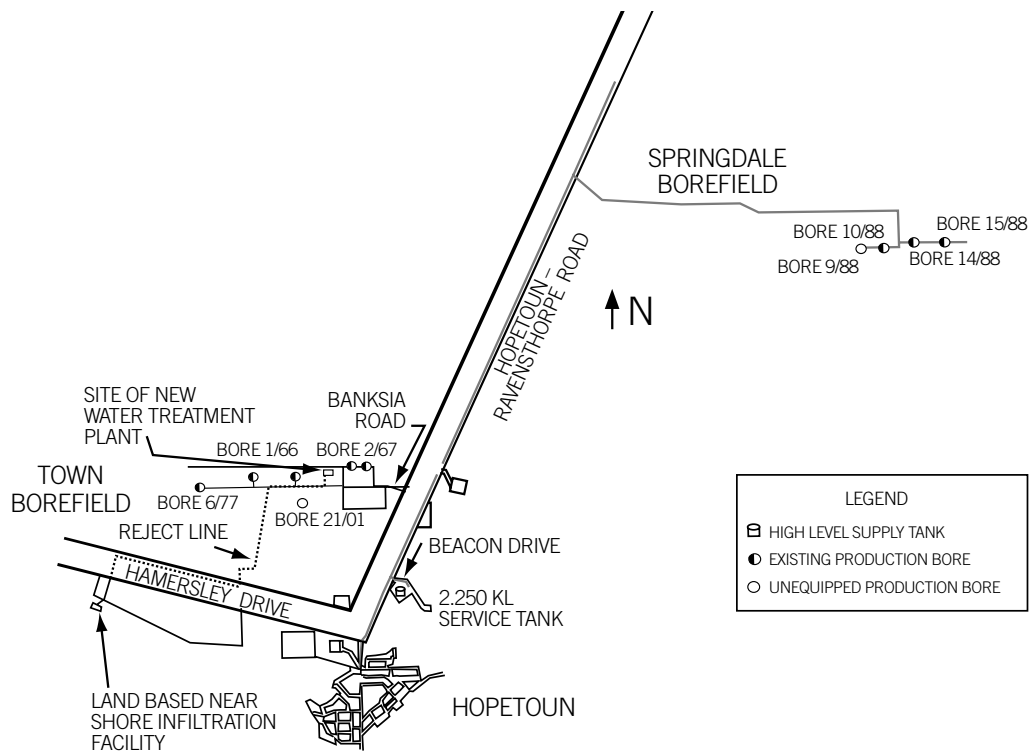
WATER AGENCIES (POWERS) ACT 1984**WATER SUPPLY IMPROVEMENTS***Shire of Ravensthorpe***Notice of Authorisation to Construct a Water Treatment Plant,
Bore Headworks and Upgrade a Bore Collector Main**

In accordance with the provisions of the Water Agencies (Powers) Act 1984, the Minister for the Environment has authorised the Water Corporation to construct a water treatment plant on the Town borefield property to desalinate bore water. A land based near shore infiltration facility will also be constructed.

Existing Springdale and Town bores will be upgraded with new mechanical and electrical headworks. An existing Springdale bore 9/88 and new Town bore 21/01 will be equipped.

The construction of pipelines will generally be located in existing road reserves along Banksia Road, Beacon Drive and Hamersley Drive. It will include modifying the existing borefield collector main to direct water to the treatment plant. A new pipeline to the existing service water tank and 4km reject line from the water treatment plant to coastal dunes to the west of Hopetoun will also be constructed.

The location of the proposed works is at the town and Springfield borefields, Hopetoun. The works will improve the quality of the water supplied to Hopetoun.

**DECEASED ESTATES**

ZX401

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

Creditors and other persons having claims (to which Section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 11th March 2005, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Jacovic, Mirsada, late of 21 Bournan Heights, Parmelia, died 19/12/99, (DE30324980EM213)

Mapstone, Kylie Fay, late of Bunbury Nursing Home, 39 Hayes Street, Bunbury, died 21/11/04, (DE19672896EM26)

Martin, Cecilia Margaret, late of 5 Wollong Place, Nollamara, died 7/12/04, (DE19980080EM13)

O'Neill, Barry James, late of 7 Ferris Way, Spearwood, died 6/1/05, (DE19970864EM23)

Vuleta, Neda, late of 48 Toodyay Road, Middle Swan, died 9/12/04, (DE33036507EM34)

Webb, Maude May, late of Unit 7/4 Keals Close, Bentley, died 4/1/05, (DE19784187EM15)

ANTONINA ROSE McLAREN, Public Trustee,
Public Trust Office,
565 Hay Street,
Perth WA 6000.

Telephone 9222 6777.

WESTERN AUSTRALIA

YOUNG OFFENDERS ACT 1994

***Price: \$43.00 counter sales
Plus postage on 865 grams**

YOUNG OFFENDERS REGULATIONS 1995

***Price \$5.15 counter sales
Plus postage on 70 grams**

*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

THE CRIMINAL CODE

(Reprinted as at 9 September 2004)

***Price: \$72.40 counter sales
Plus postage on 1535 grams**

* Prices subject to change on addition of amendments.



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