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— PART 1 —

CONSUMER AND EMPLOYMENT PROTECTION

CE301*

Retail Trading Hours Act 1987

Retail Trading Hours Variation Order 2008

Made by the Minister for Consumer Protection under section 12E of the Act.

1. Citation

This order is the *Retail Trading Hours Variation Order 2008*.

2. Variation of retail trading hours — Metropolitan area

This order varies the trading hours of general retail shops, except motor vehicle shops, in the metropolitan area for the particular days and hours set out in the Table.

Table

Column 1 <i>Days</i>	Column 2 <i>Hours closed</i>
Sunday 7 December 2008	until 10 a.m. and from and after 5 p.m.
Sunday 14 December 2008	until 10 a.m. and from and after 5 p.m.
Friday 19 December 2008	until 8 a.m. and from and after 9 p.m.
Sunday 21 December 2008	until 10 a.m. and from and after 5 p.m.
Monday 22 December 2008	until 8 a.m. and from and after 9 p.m.
Tuesday 23 December 2008	until 8 a.m. and from and after 9 p.m.
Sunday 28 December 2008	until 10 a.m. and from and after 5 p.m.

Column 1 <i>Days</i>	Column 2 <i>Hours closed</i>
Monday 29 December 2008	until 8 a.m. and from and after 9 p.m.
Tuesday 30 December 2008	until 8 a.m. and from and after 9 p.m.

3. *Retail Trading Hours (Tourism Precincts) Variation Order 2008* unaffected

This order does not affect the *Retail Trading Hours (Tourism Precincts) Variation Order 2008*.

SHEILA McHALE, Minister for Consumer Protection.

CE302*

Retail Trading Hours Act 1987

Retail Trading Hours (Tourism Precincts) Variation Order 2008

Made by the Minister for Consumer Protection under section 12A of the Act.

1. Citation

This order is the *Retail Trading Hours (Tourism Precincts) Variation Order 2008*.

2. Principal order

This order varies the *Retail Trading Hours (Tourism Precincts) Order 2008* for the particular days and hours set out in the Table to each clause.

3. Variation of retail trading hours — Fremantle tourism precinct

This clause varies the *Retail Trading Hours (Tourism Precincts) Order 2008* for general retail shops, except motor vehicle shops, in the Fremantle tourism precinct on the particular days and for the hours set out in the Table.

Table

Column 1 <i>Days</i>	Column 2 <i>Hours closed</i>
Sunday 7 December 2008	until 10 a.m. and from and after 5 p.m.
Sunday 14 December 2008	until 10 a.m. and from and after 5 p.m.
Sunday 21 December 2008	until 10 a.m. and from and after 5 p.m.
Monday 22 December 2008	until 8 a.m. and from and after 9 p.m.
Tuesday 23 December 2008	until 8 a.m. and from and after 9 p.m.
Wednesday 24 December 2008	until 8 a.m. and from and after 6 p.m.
Sunday 28 December 2008	until 10 a.m. and from and after 5 p.m.
Monday 29 December 2008	until 8 a.m. and from and after 9 p.m.
Tuesday 30 December 2008	until 8 a.m. and from and after 9 p.m.
Wednesday 31 December 2008	until 8 a.m. and from and after 6 p.m.

4. Variation of retail trading hours — Perth tourism precinct

This clause varies the *Retail Trading Hours (Tourism Precincts) Order 2008* for general retail shops, except motor vehicle shops, in the Perth tourism precinct on the particular days and for the hours set out in the Table.

Table

Column 1 <i>Days</i>	Column 2 <i>Hours closed</i>
Sunday 7 December 2008	until 10 a.m. and from and after 5 p.m.
Sunday 14 December 2008	until 10 a.m. and from and after 5 p.m.
Sunday 21 December 2008	until 10 a.m. and from and after 5 p.m.
Monday 22 December 2008	until 8 a.m. and from and after 9 p.m.
Tuesday 23 December 2008	until 8 a.m. and from and after 9 p.m.
Wednesday 24 December 2008	until 8 a.m. and from and after 6 p.m.
Sunday 28 December 2008	until 10 a.m. and from and after 5 p.m.
Monday 29 December 2008	until 8 a.m. and from and after 9 p.m.

Column 1 <i>Days</i>	Column 2 <i>Hours closed</i>
Tuesday 30 December 2008	until 8 a.m. and from and after 9 p.m.
Wednesday 31 December 2008	until 8 a.m. and from and after 6 p.m.

SHEILA McHALE, Minister for Consumer Protection.

WATER/SEWERAGE

WA301*

Country Towns Sewerage Act 1948

Country Towns Sewerage Amendment By-laws (No. 3) 2008

Made by the Minister under the *Country Towns Sewerage Act 1948* section 102 and the *Water Agencies (Powers) Act 1984* section 34(1).

1. Citation

These by-laws are the *Country Towns Sewerage Amendment By-laws (No. 3) 2008*.

2. Commencement

These by-laws come into operation as follows:

- (a) by-laws 1 and 2 — on the day on which these by-laws are published in the *Gazette*;
- (b) the rest of the by-laws — on the day after that day.

3. The by-laws amended

The amendments in these by-laws are to the *Country Towns Sewerage By-laws 1952*.

4. By-law 2 amended

By-law 2 is amended by inserting in the appropriate alphabetical position —

“

“CEO” means the chief executive officer of the department of the Public Service principally assisting in the administration of the Act;

”.

5. By-law 49 amended

By-law 49 is amended by deleting “Coordinator” in each place where it occurs and inserting instead —

“ CEO ”.

JOHN KOBELKE, Minister for Water Resources.

WA302*

Metropolitan Water Supply, Sewerage, and Drainage Act 1909

Metropolitan Water Supply, Sewerage and Drainage Amendment By-laws (No. 5) 2008

Made by the Minister under the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909* section 146 and the *Water Agencies (Powers) Act 1984* section 34(1).

1. Citation

These by-laws are the *Metropolitan Water Supply, Sewerage and Drainage Amendment By-laws (No. 5) 2008*.

2. Commencement

These by-laws come into operation as follows:

- (a) by-laws 1 and 2 — on the day on which these by-laws are published in the *Gazette*;
- (b) the rest of the by-laws — on the day after that day.

3. The by-laws amended

The amendments in these by-laws are to the *Metropolitan Water Supply, Sewerage and Drainage By-laws 1981*.

4. By-law 28.6 amended

By-law 28.6.2 is amended as follows:

- (a) in paragraph (a)(iii) by deleting “Corporation” and inserting instead —
“ CEO ”;
- (b) by deleting “Coordinator” in each place where it occurs and inserting instead —
“ CEO ”.

JOHN KOBELKE, Minister for Water Resources.

WA303*

Country Areas Water Supply Act 1947

Country Areas Water Supply Amendment By-laws (No. 3) 2008

Made by the Minister under the *Country Areas Water Supply Act 1947* section 105 and the *Water Agencies (Powers) Act 1984* section 34(1).

1. Citation

These by-laws are the *Country Areas Water Supply Amendment By-laws (No. 3) 2008*.

2. Commencement

These by-laws come into operation as follows:

- (a) by-laws 1 and 2 — on the day on which these by-laws are published in the *Gazette*;
- (b) the rest of the by-laws — on the day after that day.

3. The by-laws amended

The amendments in these by-laws are to the *Country Areas Water Supply By-laws 1957*.

4. By-law 58A amended

By-law 58A is amended by deleting “Coordinator” in each place where it occurs and inserting instead —

“ CEO ”.

JOHN KOBELKE, Minister for Water Resources.

— PART 2 —

HERITAGE

HR401*

HERITAGE OF WESTERN AUSTRALIA ACT 1990**ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES**

Notice is hereby given in accordance with section 51(2) of the *Heritage of Western Australia Act 1990* that, pursuant to directions from the Minister for Heritage, the places described in Schedule 1 have been entered in the Register of Heritage Places on a permanent basis with effect from today.

Schedule 1

Description of Place

Albany Masonic Hall at 50-60 Spencer Street, corner Earl Street, Albany: Lot 25 on DP 46817 being the whole of the land contained in C/T V 2612 F 88.

Dempster Homestead (fmr) at 155 Dempster Street, Esperance: Lot 1 on Plan 7287 being the whole of the land contained in C/T V 1310 F 266.

Edna May Tavern, Westonia at corner Wolfram & Cement Streets, Westonia: Lot 1 on DP 203296 being the whole of the land contained in C/T V 1452 F 50 & Lot 2 on DP 203296 being the whole of the land contained in C/T V 1452 F 49.

Mt Magnet Primary School and Teacher's Quarters (fmr) at corner Attwood & Naughton Streets, Mt Magnet: Lot 404 on DP 183137 being Res 35947 & the whole of the land contained in CLT V 3025 F 431 & Ptn of Lot 596 on DP 190339 being part of Res 3012 & part of the land contained in CLT V 3040 F 305 as shown on HCWA Survey Drawing 1642 prepared by Steffanoni Ewing & Cruickshank Pty Ltd.

St John of God Convent (fmr), Broome at 9 Barker Street corner Weld Street, Broome: Lot 301 on Diagram 87740 being the whole of the land contained in C/T V 2119 F 696.

St Joseph's Church, Perenjori at corner Carnamah-Perenjori Road and Old Wells Road, Perenjori: Lot 202 on DP 302170 & being the whole of the land contained in C/T V 1056 F 870.

Tanker Jetty, Esperance adjacent to The Esplanade and Norseman Road Intersection, Esperance: Ptn of Lot 362 on DP 47462 being part of a dedicated road & part of the land contained in CLT V 3135 F 687, Ptn of Lot 991 on DP 220456 being part of Res 27318 & part of the land contained in CLT V 3114 F 351, Ptn of Lot 2194 on DP 38819 being unallocated Crown land & part of the land contained in CLT V 3148 F 111 together as shown on HCWA Survey Drawing No. 0831 (DP57906) prepared by Whelans.

IAN BAXTER, Director,
Office of the Heritage Council of W.A.
108 Adelaide Terrace
East Perth WA 6004.

Date 26 August 2008.

JUSTICE

JU401*

DISTRICT COURT OF WESTERN AUSTRALIA ACT 1969**(SITTINGS AND WINTER RECESS FOR 2009)**

Pursuant to the powers conferred by the *District Court of Western Australia Act 1969* I hereby appoint the following sittings of the District Court for the year 2009.

Civil Sittings at Perth

1. Civil sittings of the District Court at Perth for the trial of causes and issues of fact shall commence on Tuesday 13 January and shall continue, except for the Winter Recess and for public holidays, until Wednesday 23 December. The Court will be held from 10.30 am on each day of sitting unless otherwise stated.

Criminal Sittings at Perth

2. Criminal sittings of the District Court at Perth shall commence on the following days—

Tuesday	13	January
Monday	2	February
Tuesday	3	March
Wednesday	1	April
Friday	1	May
Tuesday	2	June
Monday	6	July
Monday	3	August
Tuesday	1	September
Thursday	1	October
Monday	2	November
Tuesday	1	December

The Court will be held from 10.00 am on each day of sitting unless otherwise stated.

Civil and Criminal Sittings at Other Places

3. The places, days and times for other Civil and Criminal sittings of the District Court shall be as follows—

Place	Jurisdiction	Commencing Day	
Albany	Criminal and Civil	Monday	16 February
		Monday	6 April
		Monday	25 May
		Monday	10 August
		Tuesday	29 September
Bunbury	Criminal	Monday	23 February
		Tuesday	14 April
		Monday	25 May
		Monday	3 August
		Monday	21 September
Bunbury	Civil	Monday	9 February
		Monday	11 May
		Monday	31 August
		Monday	19 October
Busselton	Criminal and Civil	Monday	2 February
		Monday	15 June
		Monday	14 September
		Monday	7 December
Carnarvon	Criminal and Civil	Monday	19 January
		Monday	25 May
		Monday	5 October
		Monday	30 November
Esperance	Criminal and Civil	Monday	16 February
		Monday	15 June
		Monday	19 October
Geraldton	Criminal and Civil	Monday	23 February
		Monday	4 May
		Monday	20 July
		Monday	7 September
		Monday	2 November
Kalgoorlie	Criminal and Civil	Tuesday	27 January
		Monday	23 March
		Monday	18 May
		Monday	10 August
		Monday	21 September
Meekatharra	Criminal	Monday	16 November
		Thursday	19 February
		Thursday	11 June
		Thursday	19 November
		Thursday	19 November
South Hedland Karratha	Criminal and Civil	Monday	19 January
		Monday	9 March
		Monday	4 May
		Monday	27 July
		Monday	7 September
		Monday	2 November

Place	Jurisdiction	Commencing Day	
Broome	Criminal and Civil	Monday	19 January
Derby		Monday	9 March
Kununurra		Monday	4 May
		Monday	20 July
		Monday	7 September
	Monday	2 November	

The Court will be held from 10.00 am on each day of sitting unless otherwise stated.

Winter Recess

4. The Winter Recess for 2009 shall commence on Monday 22 June and shall terminate on Sunday 5 July.

Dated the 13th day of August 2008.

ANTOINETTE KENNEDY, Chief Judge.

LOCAL GOVERNMENT

LG401*

LOCAL GOVERNMENT ACT 1995

City of Cockburn

AUTHORISED PERSONS

It is hereby notified for public information that as from 9 September 2008, Gary Thomas MacMillan-Smith-Davies has been appointed as a City Ranger and is a duly authorised officer in accordance with the various Acts, Regulations and Local Laws as detailed hereunder—

1. The Dog Act
2. Control of Vehicles (Off Road Areas) Act 1978
3. Litter Act 1979
4. Local Government Act 1995
5. Fire Control Officer pursuant to s.38 and 5.59 of the Bush Fires Act 1954
6. City of Cockburn (Local Government Act) Local Laws 2000 as detailed hereunder—
 - (i) Divisions 3, 4, 5, and 6, of Part II—Animals.
 - (ii) Part III—Reserves, Foreshores and Beaches except section (t) and section 3.4 (f), (g),(j),(k) and (l) thereof.
 - (iii) Divisions 2,5 and 6 of Part V—Dangerous and Offensive Things.
 - (iv) Part VI—Hawkers, Stallholders and Street Traders.
 - (v) Divisions 4 and 5 of Part VII—Management and Control of Council Property
 - (vi) Sections 8.22 and 8.23 of Part VIII—Signs, Hoardings, Bill Posting.
 - (vii) Part IX Streets and Public Places except sections 9.4, 9.5, 9.6, 9.7 and 9.8 thereof
 - (viii) Parking and Parking Facilities Local Law 2007.
 - (ix) Part XI—Law, Order and Security.
 - (x) Division 3 of Part V—Nuisances, limited to smoke nuisance only.

The appointments of Carol Ann Grazier and Kayla Lyn Windram are hereby cancelled.

It is hereby notified for public information that as from 26 August 2008 the following persons already appointed as officers of the City of Cockburn are duly authorised officers in accordance with the Local Law as detailed hereunder—

Robert Allan Leaver
 Ian Hargense
 Matthew George Kaiser
 Linda May Windram
 Russell John Hallberg
 Travis Shannon Ranieri
 Mark Stewart Adams
 Brent Matthew Stein

1. City of Cockburn (Local Government Act) Local Laws 2000 as detailed hereunder—

(1) Division 3 of Part V—Nuisances, limited to smoke nuisance only.

It is hereby notified for public information that as from 26 August 2008 the following person already appointed as an officer of the City of Cockburn is a duly authorised officer in accordance with the Local Law as detailed hereunder—

Julie Migliore

1. City of Cockburn (Local Government Act) Local Laws 2000 as detailed hereunder—

- (1) Section 3.3(t) and Section 3.4 (f), (g), (k) and (l) of Division 2 of Part III—Reserves, Foreshores and Beaches.

The authorisation of Sandra Edgar and Marilyn McLean is cancelled.

Further, the authorisation for Marilyn McLean pursuant to Divisions 2 and 3 of Part VII—Management and Control of Council Property is cancelled.

It is hereby notified for public information that as from 26 August 2008 the following persons already appointed as officers of the City of Cockburn are duly authorised officers in accordance with the Local Law as detailed hereunder—

Nicholas Ian Jones
Gary Wayne Ware
Lyall Davison
Murray Ladhams
Kris Briggs

1. City of Cockburn (Local Government Act) Local Laws 2000 as detailed hereunder—

- (1) Divisions 4 and 5 of Part VII—Management and Control of Council Property.

It is hereby notified for public information that as from 26 August 2008 the following person already appointed as an officer of the City of Cockburn is a duly authorised officer in accordance with the Local Law as detailed hereunder—

Caroline Clark

1. City of Cockburn (Local Government Act) Local Laws 2000 as detailed hereunder—

- (1) Division 5 of Part IX—Streets and Public Places.

The authorisation of Andrea Jeanne Holman is cancelled.

It is hereby notified for public information that as from 26 August 2008 the following person already appointed as an officer of the City of Cockburn is a duly authorised officer in accordance with the Local Law as detailed hereunder—

Adam Johnston

1. City of Cockburn (Local Government Act) Local Laws 2000 as detailed hereunder—

- (1) Section 8.43 of Part VIII—Signs, Hoardings, Bill Posting.

The authorisation of Warren James Stephens is cancelled.

It is hereby notified for public information that as from 26 August 2008 the following person already appointed as an officer of the City of Cockburn is a duly authorised officer in accordance with the Local Law as detailed hereunder—

John Radaich

1. Parking and Parking Facilities Local Law 2007.

- (1) Clause 8—Erection of signage.

STEPHEN CAIN, Chief Executive Officer.

LG402

BUSH FIRES ACT 1958

Shire of Dundas

APPOINTMENTS

The Shire of Dundas wishes to advise for public information the appointment of the following officers, effective 19 August 2008, as authorised officers to operate within the Shire of Dundas pursuant to section 38 of the *Bush Fires Act 1958*—

Richard Brookes—Chief Bush Fire Control Officer
Tanya Browning—Deputy Chief Bush Fire Control Officer

RICHARD J. BROOKES, Chief Executive Officer.

MINERALS AND PETROLEUM

MP401*

OFFSHORE PETROLEUM ACT 2006

SURRENDER OF EXPLORATION PERMIT WA-339-P

The surrender of Exploration Permit WA-339-P has been registered and will take effect on the date this Notice appears in the *Government Gazette*.

W. L. TINAPPLE, Director Petroleum and Royalties Division.

MP402***OFFSHORE PETROLEUM ACT 2006****SURRENDER OF EXPLORATION PERMIT WA-337-P**

The surrender of Exploration Permit WA-337-P has been registered and will take effect on the date this Notice appears in the *Government Gazette*.

W. L. TINAPPLE, Director Petroleum and Royalties Division.

MP403***PETROLEUM (SUBMERGED LANDS) ACT 1982****SURRENDER OF EXPLORATION PERMIT TP/22**

The surrender of Exploration Permit TP/22 has been registered and will take effect on the date this Notice appears in the *Government Gazette*.

W. L. TINAPPLE, Director Petroleum and Royalties Division.

MP404***PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967****SURRENDER OF EXPLORATION PERMIT EP341**

The surrender of Exploration Permit No. EP341 has been registered and will take effect on the date this Notice appears in the *Government Gazette*.

W. L. TINAPPLE, Director Petroleum and Royalties Division.

PLANNING AND INFRASTRUCTURE

PI401***PLANNING AND DEVELOPMENT ACT 2005****METROPOLITAN REGION SCHEME AMENDMENT 1156/57**

Neerabup Power Precinct

Call for Public Submissions

The Western Australian Planning Commission (WAPC) intends to amend the Metropolitan Region Scheme (MRS) for land in the local government of Wanneroo and is seeking public comment.

The amendment proposes to approximately 43.8ha of land reserved for parks and recreation and zoned industrial adjoining the Neerabup Industrial Area (NIA) to the public purposes (SU) reservation in the Metropolitan Region Scheme.

The Western Australian Planning Commission certifies that, in its opinion, the proposed amendment does not constitute a substantial alteration to the Metropolitan Region Scheme.

The plans showing the proposed change and the WAPC amendment report which explains the proposal, will be available for public inspection from Tuesday 26 August 2008 to Friday 31 October 2008 at each of the following places—

- Western Australian Planning Commission, 469 Wellington Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- Municipal offices of the City of Wanneroo and Joondalup

Documents are also available from the WAPC website www.wapc.wa.gov.au.

Any person who desires to make a submission to support, object or provide comment on any part of the proposed amendment should do so on a form 57. This submission form is available from the display locations, the amendment report and the internet.

Submissions must be lodged with the: Secretary, Western Australian Planning Commission, 469 Wellington Street, Perth WA 6000; on or before 5.00pm **Friday, 31 October 2008**.

Late submissions will not be considered.

WAYNE WINCHESTER, Acting Secretary,
Western Australian Planning Commission.

PI402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Harvey

Town Planning Scheme No. 1—Amendment No. 69

Ref: 853/6(12)18 Pt 69

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning and Infrastructure approved the Shire of Harvey Local Planning Scheme Amendment on 28 August 2007 for the purpose of—

1. Rezoning Lot 16 Papps Road, Brunswick from the 'General Industry' zone to 'General Industry' and 'Additional Use: Car Sales'.
2. Amending the Scheme Maps accordingly.
3. Inserting Particulars of Land details and Permitted Uses in Schedule 7 of the Scheme—

	Street Locality	Particulars Of Land	Only Use Permitted
A9	Papps Road, Brunswick	Lot 16	Car Sales Premises (max of 5 motor vehicles for sale at any one time.)

M. A. PARKER, Chief Executive Officer.

P. F. MONAGLE, Shire President.

PI501*

PLANNING AND DEVELOPMENT ACT 2005
METROPOLITAN REGION SCHEME AMENDMENT 1152/41
 Jindalee (Jindee) Foreshore Rationalisation
 Call for Public Submissions

The Western Australian Planning Commission (WAPC) intends to amend the Metropolitan Region Scheme (MRS) for land in the local government of Wanneroo and is seeking public comment.

The amendment seeks to rezone 8.1 hectares of Lot 3054 Marmion Avenue, Jindalee from the parks and recreation reservation to the urban zone, and 6.1 hectares of Lot 10 Marmion Avenue, Jindalee from the urban zone to the parks and recreation reservation.

Display locations

The plans showing the proposed change and the WAPC's amendment report which explains the proposal, will be available for public inspection from Tuesday 26 August 2008 to Friday 28 November 2008 at each of the following places—

- Western Australian Planning Commission
Wellington Street, Perth
- J S Battye Library
Level 3, Alexander Library Building
Perth Cultural Centre
- City of Perth
- City of Fremantle
- City of Joondalup
- City of Stirling
- City of Wanneroo

Documents are also available from the WAPC's website www.wapc.wa.gov.au.

Submissions

Any person who desires to make a submission to support, object or provide comment on any part of the proposed amendment should do so on a form 41. This submission form is available from the display locations, the amendment report and the internet.

Submissions must be lodged with the: Secretary, Western Australian Planning Commission, 469 Wellington Street, Perth WA 6000; on or before 5.00pm **Friday, 28 November 2008**.

Late submissions will not be considered.

WAYNE WINCHESTER, Acting Secretary,
Western Australian Planning Commission.

TRANSPORT

TR401*

RAILWAYS (ACCESS) ACT 1998**RAILWAYS (ACCESS) CODE 2000**

Review of the Weighted Average Cost of Capital
to Apply to the Freight and Urban Rail Networks

The *Railways (Access) Code 2000* requires the Authority to make an annual determination, as at 30 June, of the WACC to be applied when calculating the floor and ceiling costs for each of the urban and freight rail networks covered under Schedule 1 of the Code.

The Code also requires that, from 2003, the Authority undertakes public consultation every fifth year before determining the WACC values for that year. Consequently, the Authority was required to consult the public before making the 2008 determination.

The Authority carried out two rounds of public consultation in preparing its determination. The first was for a six-week period following release of the Allen Consulting Group's report on 30 October 2007. The second was for four weeks following release of the Authority's draft determination on 4 April 2008. The Authority has considered the submissions received during both periods in preparing its final determination.

The final determination, which is available on the Authority's web site, sets the 2008 real pre-tax WACC values at—

- 9.77 per cent for the freight network; and
- 7.19 per cent for the urban network.

The 2008 WACC applies for the 2008-09 financial year, from 1 July 2008 to 30 June 2009.

LYNDON ROWE, Chairman.

WORKSAFE

WS401*

OCCUPATIONAL SAFETY AND HEALTH ACT 1984**INSTRUMENT OF DECLARATION NO. 2 OF 2008**

Made under Section 4(3) of the Occupational Safety and Health Act 1984.

The Minister for Resources being the Minister administering the *Mining Act 1978*; and the Minister for Employment Protection being the Minister administering the *Occupational Safety and Health Act 1984* and the *Mines Safety and Inspection Act 1994* declare that—

1. from 17 June 2008 until the cancellation of this Instrument—
 - (a) all of the provisions of the *Occupational Safety and Health Act 1984* as it may be amended from time to time; and
 - (b) all of the regulations made, or to be made, under the *Occupational Safety and Health Act 1984* as they may be amended from time to time

apply to and in relation to the workplaces or parts of workplaces specified in Schedule 1 to this Instrument of Declaration.

SCHEDULE 1

1. All workplaces or parts of workplaces that, from time to time—
 - (a) are a mine to which the *Mining Act 1979* applies, or at which work is carried out on a mine to which the *Mining Act 1978* applies; and
 - (b) are, or form part of, a railway or rolling stock that is operated, managed or controlled by Pilbara Infrastructure.
2. In this Schedule—
 - (a) “**infrastructure**” means the facilities necessary to enable a railway to operate safely and includes railway track, associated track structures, over or under track structures, supports (including supports for equipment or items associated with the use of a railway), tunnels, bridges, stations, platforms, train control systems, signalling systems, communication systems, electric traction infrastructure, buildings, workshops and associated plant, machinery and equipment;
 - (b) “**Pilbara Infrastructure**” means The Pilbara Infrastructure Pty Ltd (ACN 103 096 340) and its employees, agents, contractors, successors and assigns;

- (c) “**railway**” means a guided system designed for the movement of rolling stock which has the capability of transporting passengers, freight or both on a railway track, together with its infrastructure and associated sidings, and includes a heavy railway, light railway, monorail, inclined railway or tramway, a railway within a marshalling yard or a passenger or freight terminal; and
- (d) “**rolling stock**” means a vehicle, whether or not self propelled, that operates on or uses a railway track (for example a locomotive, carriage, rail car, rail motor, light rail vehicle, train, tram, light inspection vehicle, road/rail vehicle, trolley and wagon) but does not include a vehicle designed to operate both on and off a railway track when the vehicle is not operating on a railway track.

FRANCIS (FRAN) MICHAEL LOGAN, Minister for Resources.

Date of signing 1 August 2008.

JONATHON (JON) ROBERT FORD, Minister for Employment Protection.

Date of signing 7 July 2008.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Notice to Creditors and Claimants of Annie Martindale late of Craigcare Maylands Nursing Home, Third Avenue East, Maylands, Western Australia, Retired Home Duties.

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 23 July 2008 are required by the Trustee ANZ Trustees Limited ACN 006 132 332 of Level 4, 100 Queen Street, Melbourne, Vic 3000 to send particulars of their claim to them by 7 October 2008 after which date the Trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

WESTERN AUSTRALIA

LOCAL GOVERNMENT ACT 1995

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