

PERTH, TUESDAY, 13 MARCH 2007 No. 47

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.30 PM © STATE OF WESTERN AUSTRALIA

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PUBLISHING DETAILS

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).

Delivery address:

State Law Publisher

Ground Floor.

10 William St. Perth, 6000

Telephone: 9321 7688 Fax: 9321 7536

- Inquiries regarding publication of notices can be directed to the Editor on (08) 9426 0010.
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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR EASTER 2007

Gazettes will not be published on Friday, 6 April or Tuesday, 10 April 2007.

A Gazette will be published on Thursday, 5 April at 3.30 pm. Copy closes at noon on Tuesday, 3 April.

The next Gazette published will be on Friday, 13 April at 3.30 pm. Copy closes at noon on Wednesday, 11 April.

— PART 1 —

CONSUMER AND EMPLOYMENT PROTECTION

CE301*

Auction Sales Act 1973

Auction Sales (Fundraising Auctions) Order 2007

Made by the Governor in Executive Council under section 5(2) of the Act.

1. Citation

This order is the *Auction Sales (Fundraising Auctions) Order 2007.*

2. Fundraising auctions

- (1) In this clause
 - "non-profit body" means a body or association (whether incorporated or not) that is not carried on for the purposes of profit or gain to its individual members.
- (2) The Act does not apply to a sale by auction if
 - (a) the sale is conducted by, or on behalf of, a non-profit body; and
 - (b) the sole purpose of the sale is to raise funds for the purposes of the non-profit body.

By Command of the Governor,

CE302*

Fair Trading Act 1987

Fair Trading (Product Information Standard) Amendment Regulations 2007

Made by the Governor in Executive Council.

1. Citation

These regulations are the Fair Trading (Product Information Standard) Amendment Regulations 2007.

2. The regulations amended

The amendments in these regulations are to the *Fair Trading (Product Information Standard) Regulations 2005**.

[* Published in Gazette 29 June 2005, p. 2971-81. For amendments to 22 January 2007 see Gazette 1 September and 29 December 2006.]

3. Regulation 8 amended

Regulation 8(1) is amended by inserting in the appropriate alphabetical position —

"The National Marine Safety Committee" means The National Marine Safety Committee incorporated under the New South Wales Associations Incorporation Act 1984;

4. Regulation 8A inserted

After regulation 8 the following regulation is inserted —

"

8A. Prescribed body

For the purposes of section 59(3)(a)(ii) of the Act, The National Marine Safety Committee is prescribed.

By Command of the Governor,

LOCAL GOVERNMENT

LG301*

DOG ACT 1976 LOCAL GOVERNMENT ACT 1995

Shire of Capel

LOCAL LAWS RELATING TO DOGS AMENDMENT LOCAL LAW 2007

Under the powers conferred by the *Dog Act 1976* and the *Local Government Act 1995* and under all other powers, the Council of the Shire of Capel on 14th February 2007 resolved to make the following amendment to the Local Laws Relating to Dogs published in the *Government Gazette* on 22 April 1999 and amended on 12 November 1999 and 14 December 2001, as follows—

Subclause 10(d) is deleted and the following clause substituted—

10(d) any of the beach foreshore areas from 1 November to $30\mathrm{April}$ each year, specified hereunder—

- (i) northeast of the prolongation of Peppermint Grove Road, Peppermint Grove Beach to the prolongation of Wave Walk, Peppermint Grove Beach between 7am and 7pm,
- (ii) northeast of the prolongation of Dalyellup Beach Road, Dalyellup to the prolongation of Norton Promenade Dalyellup between 7am and 7pm,
- (iii) Beach foreshore west of and adjacent to Reserve 25427, Forrest Beach, and
- (iv) Northeast from the prolongation of Rich Road Stratham for a distance of 300 metres.

Dated: 14th February 2007.

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

M. T. SCOTT, Shire President. P. F. SHEEDY, Chief Executive Officer.

LG302*

LOCAL GOVERNMENT ACT 1995

Shire of Capel

PARKING AND PARKING FACILITIES LOCAL LAW 2007

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Capel resolved on 14th February 2007 to make the Shire of Capel Parking and Parking Facilities Local Law 2007.

The Town of Cottesloe Parking and Parking Facilities Local law as published in the *Government Gazette* of 10 December 2001 is adopted as a local law of the Shire of Capel, with the modifications which follow—

1. Preliminary

- 1.1 On construing the following modifications, where a modification requires the renumbering of a Part, clause, subclause or paragraph, subsequent modifications have been drafted on the basis that the renumbering has been affected
- 1.2 Where "Town of Cottesloe" is mentioned in the Local Law substitute "Shire of Capel".

2. Clause 1.2—Repeal

Delete clause 1.2 and substitute—

"The Shire of Capel Parking and Parking Facilities Local Law as published in the *Government Gazette* of 21 February 2001 is repealed".

3. Clause 1.3—Interpretation

- 3.1 Delete the definitions of 'metered space', 'parking meter' and 'ticket issuing machine'.
- 3.2 In the definition of 'parking facilities' delete 'metered zones, metered spaces' and 'with or without charge'
- 3.3 In the definition of 'parking stall', delete', but does not include a metered space'.

3.4 In the definition of 'parking station', delete 'with or without charge, but does not include a metered zone or metered space'.

4. Clause 1.6—Classes of Vehicles

Delete the paragraph designations (c), (d), (e) and (f) and substitute (b), (c), (d) and (e).

5. Parts deleted and renumbered

- 5.1 Delete the whole of Parts 2 and 8.
- 5.2 Delete Clause 10.2 and renumber 10.3 as 10.2
- 5.3 Renumber Parts 3 to 7 inclusive to 2 to 6 respectively and 9 and 10 to 7 and 8 respectively.

6. Clauses renumbered

6.1 In renumbered Parts, renumber each clause so that the first number of each clause corresponds with the part number.

7. General Prohibitions on Parking

In clauses 3.5(2)(e) and 3.5(2)(k) delete 10 meters and substitute 20 meters.

8. Schedule 1—Parking Region

After the first four words delete 'divided into two sectors, Sector A and Sector B, that together are'; and

Delete all words and the plan which follow paragraph (3).

9. Schedule 2—Prescribed Offences

Delete Schedule 2 and substitute the following-

Schedule 2 PRESCRIBED OFFENCES PARKING AND PARKING FACILITIES LOCAL LAW

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
1	2.2	Failure to park wholly within parking stall	50
2	2.2(4)	Failure to park wholly within parking area	50
3	2.3(1)(a)	Causing obstruction in parking station	50
4	2.3(1)(b)	Parking contrary to sign in parking station	50
5	2.3(1)(c)	Parking contrary to directions of Authorized Person	100
6	2.3(1)(d)	Parking or attempting to park a vehicle in a parking stall occupied by another vehicle	50
7	3.1(1)(a)	Parking wrong class of vehicle	50
8	3.1(1)(b)	Parking by persons of a different class	50
9	3.1(1)(c)	Parking during prohibited period	60
10	3.1(3)(a)	Parking in no parking area	50
11	3.1(3)(b)	Parking contrary to signs or limitations	50
12	3.1(3)(c)	Parking vehicle in motor cycle only area	50
13	3.1(4)	Parking motor cycle in stall not marked 'M/C'	50
14	3.1(5)	Parking without permission in an area designated for 'Authorised Vehicles Only'	50
15	3.2(1)(a)	Failure to park on the left of two-way carriageway	50
16	3.2(1)(b)	Failure to park on boundary of one-way carriageway	50
17	3.2(1)(a) or 3.2(1)(b)	Parking against the flow of traffic	100
18	3.2(1)(c)	Parking when distance from farther boundary less than 3 metres	50
19	3.2(1)(d)	Parking closer than 1 metre from another 50 vehicle	
20	3.2(1)(e)	Causing obstruction	100

Item No.			Modified Penalty \$
21	3.3(b)	Failure to park at approximate right angle	50
22	3.4(2)	Failure to park at an appropriate angle	50
23	3.5(2)(a) and 6.2	Double parking	100
24	3.5(2)(b)	Parking on or adjacent to a median strip	50
25	3.5(2)(c)	Denying access to private drive or right of way	50
26	3.5(2)(d)	Parking beside excavation or obstruction so as to obstruct traffic	100
27	3.5(2)(e)	Parking within 20 metres of traffic island	50
28	3.5(2)(f)	Parking on footpath/pedestrian crossing	100
29	3.5(2)(g)	Parking contrary to continuous line markings	50
30	3.5(2)(h)	Parking on intersection	50
31	3.5(2)(i)	Parking within 1 metre of fire hydrant or fire plug	50
32	3.5(2)(j)	Parking within 3 metres of public letter box	50
33	3.5(2)(k)	Parking within 20 metres of intersection	50
34	3.5(3)(a) or (b)	Parking vehicle within 10 metres of departure side of bus stop, children's crossing or pedestrian crossing	50
35	3.5(4)(a) or (b)	Parking vehicle within 20 metres of approach side of bus stop, children's crossing or pedestrian crossing	50
36	3.5(5)	Parking vehicle within 20 metres of approach side or departure side of railway level crossing	50
37	3.6	Parking contrary to direction of Authorized Person	100
38	3.7(2)	Removing mark of Authorized Person	50
39	3.8	Moving vehicle to avoid time limitation	50
40	3.9(a)	Parking in thoroughfare for purpose of sale	50
41	3.9(b)	Parking unlicensed vehicle in thoroughfare	50
42	3.9(c)	Parking a trailer/caravan on a thoroughfare	50
43	3.9(d)	Parking in thoroughfare for purpose of repairs	50
44	3.10(1) or (2)	Parking on land that is not a parking facility without consent	50
45	3.10(3)	Parking on land not in accordance with consent	50
46	3.11	Driving or parking on reserve	100
47	4.1(1)	Stopping contrary to a 'no stopping' sign	100
48	4.1(2)	Parking contrary to a 'no parking' sign	60
49	4.1(3)	Stopping within continuous yellow lines	100
50	5.1	Stopping unlawfully in a loading zone	50
51	5.2	Stopping unlawfully in a taxi zone or bus zone	50
52	5.3	Stopping unlawfully in a mail zone	50
53	5.4	Stopping in a zone contrary to a sign	50
54	6.1	Stopping in a shared zone	50
55	6.3	Stopping near an obstruction	50
56	6.4	Stopping on a bridge or tunnel	50
57	6.5	Stopping on crests/curves etc	50
58	6.6	Stopping near fire hydrant	50
59	6.7	Stopping near bus stop	50

Item Clause No. No.		Nature of Offence	Modified Penalty \$	
60	6.8	Stopping on path, median strip or traffic island	50	
61	6.9	Stopping on verge	50	
62	6.10	Obstructing path, a driveway etc 5		
63	6.11	Stopping near letter box		
64	6.12	Stopping heavy or long vehicles on carriageway		
65	6.13	Stopping in bicycle parking area		
66	6.14	Stopping in motorcycle parking area 50		
67	6.15	Stopping in disabled parking area 120		
68	7.6	Leaving vehicle so as to obstruct a public place 50		
69		All other offences not specified 5		

Dated: 14th February 2007.

The Common Seal of the Shire of Capel was affixed by authority of a resolution of the Council in the presence of— $\,$

M. T. SCOTT, Shire President. P. F. SHEEDY, Chief Executive Officer.

— PART 2 —

AGRICULTURE

AG401*

PLANT DISEASES ACT 1914 SEEDS ACT 1981

APPOINTMENT

Department of Agriculture & Food, South Perth WA 6151.

I, the undersigned Minister for Agriculture and Food, being the Minister responsible for the administration of the *Plant Diseases Act 1914 and Seeds Act 1981* hereby appoint Jarna Megan Kendle as Authorised Inspector pursuant to Section 7A of the *Plant Diseases Act 1914* to carry out all the functions authorized to be performed by an Inspector under the said Act and its Regulations and Section 14 of the *Seeds Act 1981*.

KIM CHANCE MLC, Minister for Agriculture and Food.

CONSUMER AND EMPLOYMENT PROTECTION

CE401*

ASSOCIATIONS INCORPORATION ACT 1987

Section 35(4)

THE BUSSELTON OLD TIME DANCE INC—A1000884Z

Notice is hereby given that the incorporation of the above-named association has been re-instated as from the date of this notice.

Dated the 20th February 2007.

PATRICK WALKER, Commissioner for Consumer Protection.

CE402*

ASSOCIATIONS INCORPORATION ACT 1987

Section 35(4)

MIDLAND GOLDEN OLDIES RUGBY CLUB INC.—A1001659X THE DAIRY GOAT SOCIETY OF WESTERN AUSTRALIA—A100111P PAKISTAN ASSOCIATION OF WESTERN AUSTRALIA INC—A1002272Z

Notice is hereby given that the incorporation of the above-named associations has been re-instated pursuant to section 35(4) of the Associations Incorporation Act 1987.

Dated the 19th February 2007.

ENERGY

EN401*

ELECTRICITY INDUSTRY ACT 2004

CODE OF CONDUCT

(For the Supply of Electricity to Small Use Customers)

Notice is given of the following amendment to Clause 9.6(b)—

Delete-

9.6 (b) "a *pre-payment meter customer* can access a *recharge facility* between the hours of 9:00am to 5:00pm, Monday to Friday; and"

Replace with—

- 9.6 (b) a pre-payment meter customer—
 - (i) other than a customer within an ARCPSP community can access a *recharge facility* between the hours of 9:00am to 5:00pm, Monday to Friday;
 - (ii) within an ARCPSP community can access a recharge facility at least 3 hours per day, 5 days per week, within the hours determined by the Aboriginal Corporation or relevant entity responsible for the community store facility.

LYNDON G. ROWE, Chairman, Economic Regulation Authority.

FIRE AND EMERGENCY SERVICES

FE401*

EMERGENCY MANAGEMENT ACT 2005

DECLARATION OF EMERGENCY SITUATION

Fire and Emergency Services Authority of Western Australia

The Fire and Emergency Services Authority of Western Australia (FESA) is prescribed in Regulation 17 of the *Emergency Management Regulations 2006* as the Hazard Management Agency for Cyclones.

Pursuant to the powers conferred by Section 50 of the above Act, I, Jo Harrison-Ward, the Chief Executive Officer of FESA, do hereby declare an Emergency Situation, in respect of Cyclone "George", for that part of the State of Western Australia as described hereunder.

This DECLARATION shall take effect at 0800 hours (8.00 a.m.) on Friday, 9 March 2007 and shall remain in force until—

- 0800 hours on Monday, 12 March 2007; or
- it is revoked under section 53; or
- the expiry of any extension/s made by the State Emergency Coordinator under section 52.

AREA SUBJECT TO DECLARATION OF EMERGENCY SITUATION

That part of the State being the whole of the local government districts of—

- Town of Port Hedland
- Shire of Roebourne
- Shire of Ashburton

Pursuant to Section 55 of the above Act, I hereby authorise the following person to be a hazard management officer for the purposes of the Act—

FESA Chief Operations Officer

The powers available to the above hazard management officer, under Part 6 of the above Act, may only be exercised at the direction of the FESA State Duty Director to prevent or minimise—

- (i) loss of life, prejudice to the safety, or harm to the health, of persons or animals;
- (ii) destruction of, or damage to, property; or
- (iii) destruction of, or damage to, any part of the environment.

The powers under Part 6 include the power to—

- obtain identifying particulars;
- direct or prohibit the movement of persons, animals and vehicles within, into, out of or around an emergency area;
- direct the evacuation and removal of persons or animals from the emergency area or any part
 of it:
- close any road, access route or area of water in or leading to the emergency area;
- utilise a vehicle in any place and in any circumstance despite any provision of the *Road Traffic Act 1974* that would require a permit for such use;

- take control of, or make use of any place, vehicle or other thing—inside or outside of the emergency area;
- detain, quarantine, decontaminate any person who has been exposed to a hazardous substance; and
- · exchange information.

JO HARRISON-WARD, Chief Executive Officer.

9 March 2007.

FISHERIES

FI401*

FISH RESOURCES MANAGEMENT ACT 1994

SHARK BAY PRAWN MANAGEMENT PLAN 1993

Clause 10 closures of areas within the Fishery

I, Dr Rick Fletcher, Chief Executive Officer of the Department of Fisheries Western Australia, in accordance with the *Shark Bay Prawn Management Plan 1993* hereby give notice that I have cancelled *Determination No.1 of 2006* which set out the dates, times and areas that fishing is prohibited in the Shark Bay Prawn Managed Fishery.

I hereby give notice that a new determination (*Determination No. 1 of 2007*) has been made in accordance with clause 10 of the *Shark Bay Prawn Management Plan 1993* of the dates, times and areas that fishing is prohibited in the Shark Bay Prawn Managed Fishery during the period commencing from the date of gazettal of this notice and ending on 1 June 2008.

A copy of this determination which is signed by me may be obtained from, or inspected at the Head Office of the Department of Fisheries located at 168 St Georges Terrace Perth or the offices of the Department of Fisheries located at 83 Olivia Terrace, Carnarvon and Knight Terrace, Denham.

Dr R. FLETCHER, Chief Executive Officer.

Dated this 8th day of March 2007.

LAND

LA401

LICENSED SURVEYORS ACT 1909

APPOINTMENT

Landgate File 974-1929-01

His Excellency the Governor in Executive Council has appointed Robert Clive McCarthy under section 18 of the Licensed Surveyors Act 1909 to approve plans of authorised surveys lodged at Landgate (Western Australian Land Information Authority).

GRAHAME SEARLE, Chief Executive, Landgate.

LOCAL GOVERNMENT

LG401

DOG ACT 1976

Shire of Victoria Plains
APPOINTMENTS

The following officers have been appointed by Council to act as Dog Control Officers and Dog Registration Officers.

Dog Control Officers-

- 1. Harry Hawkins
- 2. Allen Kent
- 3. John Watson-Bates

- 4. Don Westlake
- 5. Ian Osboine
- 6. Wayne Davey
- 7. Anthony Martinovich

Dog Registration Officers-

- 1. Harry Hawkins
- 2. Fiona Watson
- 3. Carrie-Ann Clement
- 4. Julie Taylor
- 5. Danica King

H. E. (HARRY) HAWKINS, Chief Executive Officer.

MARINE/MARITIME

MX401*

WESTERN AUSTRALIAN MARINE ACT 1982 NAVIGABLE WATERS REGULATIONS

PROHIBITED SWIMMING AREA
Hillarys Boat Harbour
City of Joondalup

Department for Planning and Infrastructure, Fremantle WA, 12 April 2007.

Acting pursuant to the powers conferred by Regulation 10A(c) of the Navigable Waters Regulations, the department hereby revokes the Notice as published in the *Government Gazette* on 29 September 2006 in relation to the Swimming Prohibited area at Hillarys Boat Harbour providing however that such revocation will apply only between the hours of 8.00am to 11.30am on Saturday 14 April 2007 and applies only to competitors participating in the 52 Model Challenge Cup swim.

DAVID HARROD, General Manager Marine Safety, Department for Planning and Infrastructure.

PLANNING AND INFRASTRUCTURE

PI402*

DAMPIER TO BUNBURY PIPELINE ACT 1997

DESIGNATED LAND

I, Ljiljanna Ravlich, DBNGP Land Access Minister, give notice in accordance with section 33(1) of the *Dampier to Bunbury Pipeline Act 1997* that the land the subject of the land description described below is designated, at the beginning of the day this notice is published in the *Government Gazette*, as additional land in the DBNGP corridor.

Land Description

1. Portion of Lot 701 on Diagram 100776 shown as DBNGP corridor marked Y on Deposited Plan 39024 being part of the land comprised in Certificate of Title Volume 2198 Folio 865.

The Plans may be inspected at the Department of Land Information, Midland Square, Midland.

Hon LJILJANNA RAVLICH MLC, DBNGP Land Access Minister.

PI401*

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL GOVERNMENT SCHEME AMENDMENT

City of Armadale

Town Planning Scheme No. 4—Amendment No. 4

Ref: 853/2/22/7 Pt 4

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 City of Armadale local planning scheme amendment on 20 February 2007 for the purpose of—

1. Amending the Scheme Text by inserting in appropriate numerical order, a new entry into the Schedule 2 as follows—

No.	Description of Land	Additional use		Conditions and requirements (See Note 1)	
37.	Lot 51 Warton Road, Forrestdale	Transport Depot	1.	The development control provisions (Clause 12) of Statement of Planning Policy 2.3 'Jandakot Groundwater Protection Policy' apply.	
			2.	No more than seven commercial vehicles are to be parked on the lot at any one time. Council may permit additional commercial vehicles following consultation with the Department of Environment.	
			3.	Commercial vehicles are to be parked on impervious hardstand.	
			4.	Stormwater runoff from hardstand areas to be managed in accordance with the principles of Water Sensitive Design to the satisfaction of the City.	
			5.	Commercial vehicles to be operated on the lot only between 7:00am and 4:00pm, except for callout emergency events.	
				6.	No refuelling, repair, maintenance or cleaning of commercial vehicles is permitted.
		9.	7.	No storage of liquids other than for domestic use is permitted.	
			8.	No additional filling and excavation of the wetland areas to be permitted without the consent of the Department of Environment.	
			9.	A comprehensive landscape plan is to be prepared, submitted and implemented to the City's satisfaction. The landscape plan should include planting for the purpose of biodiversity conservation by increasing natural vegetation cover and screen the lot from Warton Road to maintain a rural character.	
			10.	On 30 June 2009 or upon a change of ownership from C Zefara, whichever is the sooner, this Additional Use ceases to have effect and the zoning reverts to that of adjacent properties along Warton Road.	
			11.	When Council issues development approval for the temporary Additional Use—Transport Depot operations, a condition of approval will include a Caveat being lodged on the Certificate of Title of the subject land, advising the owners of the land that they are not permitted to conduct a transport or associated electrical pylon storage depot onsite, either after 30 June 2009 or upon a change of ownership from C Zefara, whichever first occurs. The Caveat is to be lodged within 3 months of development approval being issued.	

^{2.} Amending the scheme maps accordingly.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Colin George Gillies late of 92 Willcox Street, Chidlow, Western Australia who died on 26 October 2006 at Middle Swan, Western Australia.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the above estate are required by the executors and Trustees of care of Messrs Dwyer Durack Lawyers of 6th Floor, St Martins Tower, 44 St Georges Terrace, Perth to send particulars of their claims to them by 13 April 2007 after which date the Trustees may convey or distribute the assets having regard only to the claims of which they then have notice.

ZX402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Notice to Creditors and Claimants of Harold Eugene Sanders late of Unit 5, 5 Varley Street, Lesmurdie Western Australia, member of the United States Military, Deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estate of the deceased who died on the 18th day of January 2007 are required by the Trustee, Michael John Rogers of Barber House, Mead Street, Kalamunda in the State of Western Australia, to send particulars of their claim to him by the 20th day of April 2007, after which date the Trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

ZX403

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the estate of Bertha Jane Timms late of Craiglea Park Nursing Home, 38 Alday St., St. James Western Australia, Widow, deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees act 1962 relates) in respect of the estate of the deceased who died on the 16th day of November 2006 are required by the Administrator Shelley Nicole Scarboro, 8 Hope St., Dalyellup WA 6230 to send particulars of their claim to her on or before the 6th April, 2007 after which date the Administrator may convey or distribute the assets, having regard only to the claims of which she then has had notice.

ZX404

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Notice to Creditors and Claimants of Sheila Anne Palfrevman late of 11 Faye Crescent, Gooseberry Hill, Western Australia Settlement Agent 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 2 January 2007 are required by the Trustee ANZ Executors & Trustee Company Limited ABN 33 006 132 332 of Level 4, 100 Queen Street Melbourne Vic 3000 to send particulars of their claim to them by 20 April 2007 after which date the Trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

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