

WESTERN  
AUSTRALIAN  
GOVERNMENT  
**Gazette**

1143



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CONTENTS

PART 1

	Page
City of Cockburn—Adoption of Local Law Relating to the South Lake Leisure Centre— <i>Correction</i> .....	1146
Local Government Act 1995—City of Gosnells—Repeal of Outdated Local Laws Law 1998 .....	1146-7
Plant Diseases Act 1914—Plant Diseases Amendment Regulations 1999.....	1145-6

PART 2

Agriculture.....	1148
Fisheries .....	1148
Fair Trading .....	1148-9
Local Government .....	1149-50
Medical Board.....	1150-1
Planning.....	1151-4
Police .....	1154
Premier and Cabinet.....	1154-5
Public Notices—	
Deceased Estates .....	1155
Disposal of Uncollected Goods.....	1155

**NEW FORMAT FOR GENERAL GOVERNMENT GAZETTES**

For ease of access to particular notices the general Gazette will be divided into two parts as detailed below. In each part, the notices will appear in alphabetical order of the authorising Department.

**Part 1** will contain Proclamations, Regulations, Rules, Local Laws and various other Instruments etc. but not Town Planning Schemes.

**Part 2** will contain general notices and information and Town Planning Schemes.

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The following guidelines should be followed to ensure publication in the *Government Gazette*.

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## SPECIAL PUBLICATION NOTICE GOVERNMENT GAZETTE—EASTER 1999

Advertisers are advised to note the following changes to publication dates for *Government Gazette* over the Easter period 1999.

There will be no edition for TUESDAY 6 APRIL.

### EASTER ISSUES:

**THURSDAY 1 APRIL** (Copy closes Tuesday 30 March at 12.00 noon)

**FRIDAY 9 APRIL** (Copy closes Wednesday 7 April at 12.00 noon)

Any enquiries should be directed to John Thompson, Phone (08) 9426 0010

# — PART 1 —

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## AGRICULTURE

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AG301\*

Plant Diseases Act 1914

### Plant Diseases Amendment Regulations 1999

Made by the Governor in Executive Council.

#### 1. Citation

These regulations may be cited as the *Plant Diseases Amendment Regulations 1999*.

#### 2. The regulations amended

The amendments in these regulations are to the *Plant Diseases Regulations 1989*\*.

[\* Reprinted as at 7 July 1997.

*For amendments to 27 January 1999 see 1997 Index to Legislation of Western Australia, Table 4, p. 208, and Gazette 6 January, 23 June, and 19 August 1998.]*

#### 3. Regulation 19FA repealed

Regulation 19FA is repealed.

#### 4. Schedule 1 amended

Schedule 1 is amended as follows:

- (a) in Part A in the item for Potato (seed) by inserting in Column 2 after “52” the following —

“ , 55 ”;

- (b) in Part B by deleting condition 21(2) and inserting instead —

“

- (2) To be treated on arrival in a solution of 2ppm copper for 24 hours then held for 6 days followed by inspection or to be certified to have been —

- (a) treated in a solution of 2ppm copper for 24 hours then held for 6 days; and

- (b) followed by inspection and found to be free from fresh water snail.

”.

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.

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## LOCAL GOVERNMENT

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### LG101

#### *CORRECTION*

#### CITY OF COCKBURN

#### ADOPTION OF LOCAL LAW

#### RELATING TO THE SOUTH LAKE LEISURE CENTRE

It is hereby notified for public information that the notice published in the *Government Gazette* on 4 December 1998, in respect of the abovementioned Local Law, contained errors which are now corrected as follows—

- Clause 16(k)—delete the word “without” and substitute “ with ”
- Clause 18—delete the word “he” in the last line and substitute “ be ”; and
- Clause 20—at the conclusion of the Clause delete “;” and substitute “ . ”.

R. W. BROWN, Chief Executive Officer.

### LG301\*

#### **LOCAL GOVERNMENT ACT 1995**

#### *CITY OF GOSNELLS*

#### REPEAL OF OUTDATED LOCAL LAWS LAW 1998

#### **PREAMBLE**

Pursuant to the powers conferred on it by the *Local Government Act 1995* and of all other powers enabling it, the Council of the City of Gosnells hereby records having resolved on 9 February 1999 to make the following Local Law.

#### **PART 1—INTRODUCTORY MATTERS**

##### **Title**

1.1. This law may be cited as the *City of Gosnells Repeal of Local Laws Law 1998*.

##### **Commencement**

1.2 This Local Law comes into operation on the 14th day after the day on which it is published in the *Gazette*.

##### **Content and intent**

1.3 (1) This local law—

- (a) provides for the repeal of outdated local laws;
- (b) identifies the outdated local laws by giving their names and the date they were first printed in the *Gazette*;

(2) This local law is intended to result in—

- (a) more efficient and effective local government by removing outdated local laws from the public record.

#### **PART 2—SUBSTANCE OF THIS LAW**

##### **Repeal**

2.1 The following local laws are hereby repealed—

- (1) Relating to House Numbering published in the *Gazette* on 24 November 1958

- (2) Relating to Nuisances—Smoke, Fumes, Dust, Sawdust published in the *Gazette* on 19 February 1971
  - (3) Relating to Old Refrigerators and Cabinets published in the *Gazette* on 1 August 1962
  - (4) Relating to Model Local Laws (Petrol Pumps) No. 10 published in the *Gazette* on 21 June 1966
  - (5) Relating to Removal of Refuse, Rubbish, Litter and Disused Materials published in the *Gazette* on 2 April 1993
  - (6) Relating to Old Motor Vehicles Local Laws (No. 2) published in the *Gazette* on 28 October 1971
  - (7) Relating to Model Local Law (Motels) No. 3 published in the *Gazette* on 1 August 1962.
- 

Dated this 4th day of March 1999.

The Common Seal of the City of Gosnells was affixed to this document in the presence of—

A. PISANO, Deputy Mayor.  
SIMON HOLTBY, Chief Executive Officer.

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## — PART 2 —

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### AGRICULTURE

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**AG101***CORRECTION***HERD IMPROVEMENT SERVICE ACT 1984**

Notice "AG402" published in the *Government Gazette* page 520 on 16 February 1999, should read "5(1)(d)".

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### FISHERIES

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**FI401****FISH RESOURCES MANAGEMENT ACT 1994**

## BROOME PRAWN MANAGED FISHERY MANAGEMENT PLAN 1999

## Clause 12—Closures of Areas Within the Fishery

In accordance with clause 12 of the *Broome Prawn Managed Fishery Management Plan 1999*\*, I hereby prohibit all persons from fishing in the waters described in Schedule 2 of that Plan for the period commencing on 1 January 1999 and ending on 9 June 1999, and the period commencing on 11 August 1999 and ending on 9 June 2000.

[\*Published in the *Gazette of 26 February 1999*.]

Dated this fourth day of March 1999.

P. J. MILLINGTON, Executive Director.

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### FAIR TRADING

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**FT401****RETAIL TRADING HOURS ACT 1987**RETAIL SHOPS ADVISORY COMMITTEE (APPOINTMENT OF MEMBER)  
INSTRUMENT 1999

Made by the Minister for Fair Trading under section 19 of the Act.

**Citation**

1. This instrument may be cited as the *Retail Shops Advisory Committee (Appointment of Member) Instrument 1999*.

**Definitions**

2. In this instrument—

“the Act” means the Retail Trading Hours Act 1987;

“the Committee” means the Retail Shops Advisory Committee established under section 17 (1) of the Act.

**Appointment of member to vacated office**

3. Under section 19 (2) of the Act, Dilys J. Hughes of 11 Tremlett Street, Thornlie, is appointed as a member of the Committee for the remainder of the term of the office vacated by Ron Boskell.

DOUG SHAVE, Minister for Lands; Fair Trading;  
Parliamentary and Electoral Affairs

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**LOCAL GOVERNMENT**

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**LG401**

## SHIRE OF MUNDARING

## Temporary Ranger

It is hereby noted for public information that Steven Donald Cameron has been appointed as an Authorised Person of the Shire of Mundaring pursuant to the following—

1. To exercise power under Part XX of the Local Government (Miscellaneous Provisions) Act 1960;
2. Section 449 of the Local Government (Miscellaneous Provisions) Act 1960 as Pound Keeper and Ranger;
3. Part 9 Division 2 of the Local Government Act 1995;
4. Section 9.13, 9.15 of the Local Government Act 1995 as an Authorised Person;
5. Part 3 Subdivision 4 of the Local Government Act 1995;
6. Section 3.39 of the Local Government Act 1995 as an Authorised Person;

and as an Authorised Person pursuant to the following—

Dog Act 1976 for the purposes of registering, seizing, impounding, detaining and destroying of dogs; Section 33E(1) Dog Act as an Authorised Person;

Control of Vehicles (Off Road Area) Act 1978;

Litter Act 1979;

Bush Fires Act 1954

and effecting general ranger duties within the district.

M. N. WILLIAMS, Chief Executive Officer.

**LG402****LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960***City of Stirling*

## CLOSURE OF PRIVATE STREET

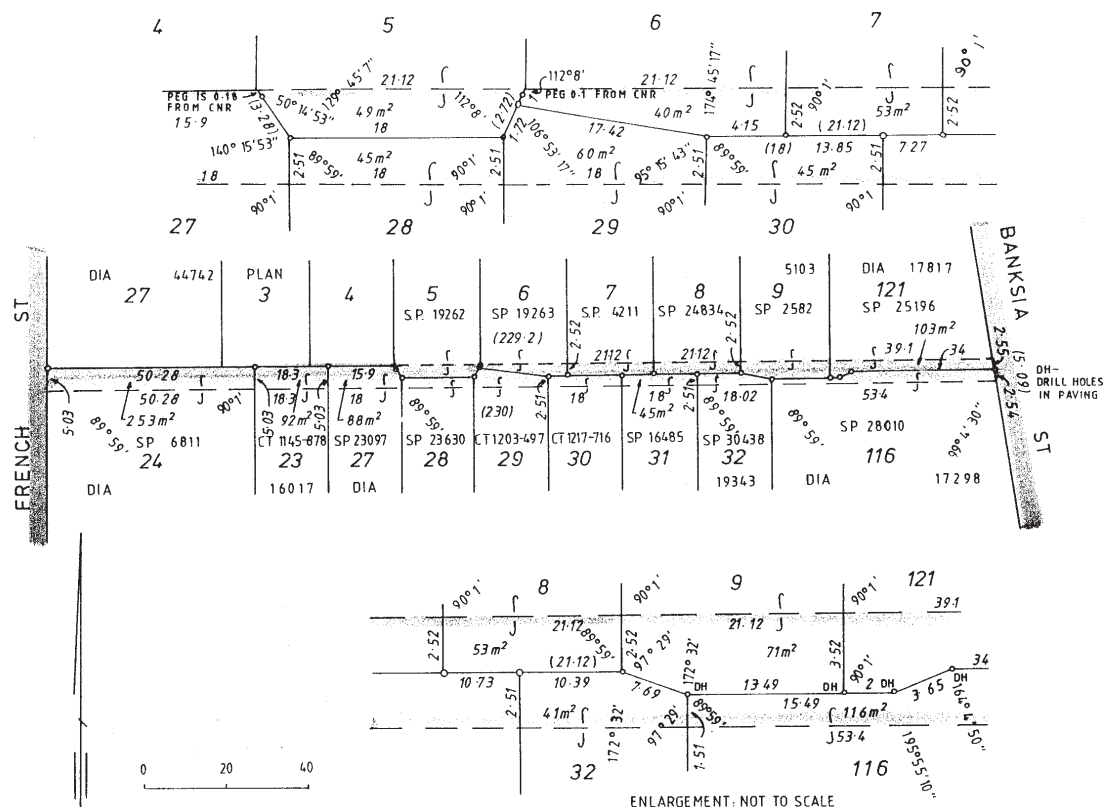
Department of Local Government,  
Perth, 9 March 1999.

LG: ST4-12.

It is hereby notified for public information that His Excellency the Governor has approved under section 297A of the Local Government (Miscellaneous Provisions) Act 1960, the resolution passed by the City of Stirling that portion of the private street which is described as being portion of Perthshire Location Au, being portion of the land coloured brown on Plan 5103 and being part of the land contained in Certificate of Title Volume 872 Folio 129 be closed, and the land contained therein be amalgamated with adjoining Lots 24 French Street, Lots 23 and 27-32 Edna Street, Lots 5-9 Royal Street and Lots 116 and 121 Banksia Street, Tuart Hill, as shown in the Schedule hereunder.

JOHN LYNCH, Executive Director,  
Department of Local Government.

Schedule  
Diagram No. 97076



## MEDICAL BOARD

MH401

**MEDICAL ACT 1894**  
IN THE MATTER OF AN INQUIRY  
WITH REFERENCE TO THE CONDUCT OF  
DR JUDITH ANNE ERREY

Date Heard: 9 February 1999.  
Medical Board of Western Australia.

I confirm that the following Orders were made by the Medical Board of Western Australia at the conclusion of the Inquiry held on 9 February 1999 namely that—

1. Dr Errey give an undertaking to be of good behaviour for a period of five years and to comply during that period with conditions in relation to her practice of medicine as set out below.
2. The following conditions and restrictions be imposed namely that—
  - A. Dr Errey work under the supervision at all times, of another practitioner who can monitor her working hours, caseload and variety of case material to the satisfaction of the Medical Board.
  - B. All employment or changes in employment are to be approved by the Medical Board in advance.
  - C. Dr Errey continues attending Dr Chiu for regular treatment.
  - D. Progress reports from Dr Effey's treating psychiatrist be provided to the Medical Board every 3 months.
  - E. Dr Errey be prohibited from prescribing or administering any drugs of addiction, being those drugs listed in Schedule 8 of the Poisons Act.
  - F. Dr Errey undergo urine testing for the presence of Pethidine and other substances to be specified from time to time, three times per week, and that the results be forward to the Medical Board on a regular basis.
  - G. Dr Errey undergo a formal psychiatric review every 12 months by a practitioner appointed by the Medical Board to reassess her condition.



H. Dr Errey may apply to the Medical Board for a variation or relaxation of the above conditions once in every year from now until 2004.

I. Dr Errey is to pay the costs of the inquiry.

By order of the Medical Board of Western Australia.

SIMON M. HOOD, Registrar.

23 February 1999.

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## PLANNING

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### PD401\*

#### TOWN PLANNING AND DEVELOPMENT ACT 1928

##### ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

###### *CITY OF STIRLING*

##### DISTRICT PLANNING SCHEME No. 2—AMENDMENT No. 224

Ref: 853/2/20/34, Pt 224.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Stirling Town Planning Scheme Amendment on 26 February 1999 for the purpose of—

1. Rezoning Lot 100 corner Wishart Street and North Beach Road, Gwelup from "Special Use Zone—Consulting Rooms—Group Practice" to "Residential R40".
2. Altering Schedule II of the Scheme by the deletion thereto of the following—

Wishart Street Gwelup	The northerly portion of Lot 11 corner North Beach Road	Consulting Rooms Group Practice
--------------------------	--	------------------------------------

D. C. VALLELONGA, Mayor.  
R. A. CONSTANTINE, Acting Chief Executive Officer.

### PD402\*

#### TOWN PLANNING AND DEVELOPMENT ACT 1928

##### ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

###### *SHIRE OF ESPERANCE*

##### TOWN PLANNING SCHEME No. 22—AMENDMENT No. 25

Ref: 853/11/6/21, Pt 25.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Esperance Town Planning Scheme Amendment on 27 February 1999 for the purpose of rezoning Lot 908 Simpson Street, Industry-General. Its present status is part closed road reserve, part Parks & Recreation reserve. Also the Simpson Street connection is to be shown as a public road reserve in lieu of "Parks & Recreation" reserve; the extension of Effie Turner Drive is to be shown as a public road reserve in lieu of "Parks & Recreation" reserve and "Industry General"; and the small northern portion of Coppin Street is to be shown as "Parks & Recreation" reserve in lieu of public road reserve.

S. MICKEL, President.  
J. D. BURROWS, Chief Executive Officer.

### PD403

#### TOWN PLANNING AND DEVELOPMENT ACT 1928

##### ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

###### *SHIRE OF SERPENTINE-JARRAHDAL*

##### TOWN PLANNING SCHEME No. 2—AMENDMENT No. 86

Ref: 853/2/29/3, Pt 86.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Serpentine-Jarrahdale Town Planning Scheme Amendment on 26 February 1999 for the purpose of—

1. Rezoning Peel Estate Lot 188 Thomas Road, Oakford, from "Rural" to "Rural Living B".

2. Amending the Scheme Map in accordance with the Scheme Amendment Map.
3. Amending the Scheme Text by inserting in Appendix 4B Special Provisions, the following—
 

(A) Specified Area of Locality	(B) Special Provisions to Refer to (A)
<ol style="list-style-type: none"> <li>1. Lot 188 Thomas Road, Oakford.</li> </ol>	<ol style="list-style-type: none"> <li>1. Within the Rural Living Zone, the following land uses are permitted or are permitted at the discretion of the Council. Use classes permitted (P)—               <ul style="list-style-type: none"> <li>Single Dwelling</li> <li>Public Recreation</li> <li>Public Utility</li> </ul>               Discretionary Uses (AA)—               <ul style="list-style-type: none"> <li>Ancillary</li> <li>Accommodation</li> <li>Home Occupation</li> <li>Rural Use/Intensive</li> <li>Agriculture</li> </ul>               In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied, following consultation with Government Agencies, that the land use does not involve excessive nutrient application or the clearing of the land.             </li> <li>2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic wastewater treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.</li> <li>3. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Corporation's By-laws applying to underground water supply and pollution control.</li> <li>4. Notwithstanding the obligations of the subdivider under Clause 5.12.9e of the Scheme, the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan for the estate.</li> <li>5. The subdivider shall, in accordance with the Subdivision Guide Plan, and the schedule of landscaping for the estate, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.</li> <li>6. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the local authority.</li> <li>7. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specifications of the local authority and the Bush Fires Board of WA.</li> </ol>

## (A) Specified Area of Locality

## (B) Special Provisions to Refer to (A)

8. The subdivider is required to place memorials on the Land Titles of each parcel of land affected by the 500m buffer at the time of subdivision, advising that—

“The land lies within an existing Landfill Buffer zone and may be subject to some loss of amenity through odour, noise, dust, litter or reduced aesthetic value.”

9. The subdivider is required to place memorials on the Land Titles of all of the lots at the time of subdivision advising that:

“The groundwater quality may not be suitable for human consumption and any person proposing to use the groundwater for such purposes should have the groundwater scientifically analysed to determine its quality.”

10. At the time of the building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.

11. The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult the Department of Environmental Protection before approval is granted.

C. RANKIN, President.  
I. BODILL, Chief Executive Officer.

**PD404\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

*SHIRE OF SWAN*

TOWN PLANNING SCHEME No. 9—AMENDMENT No. 346

Ref: 853/2/21/10, Pt 346.

Notice is hereby given that the local government of the Shire of Swan has prepared the abovementioned scheme amendment for the purpose of rezoning portion of Pt Lot 2 Great Northern Highway, Bullsbrook from “General Rural” to “Special Purpose—Rural Service Centre”.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Midland Square, Midland and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 20 April 1999.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before 20 April 1999.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

The Amendment is being re-advertised to allow for further comment and all persons/organisations who lodged a submission previously are not required to forward a new submission.

E. W. LUMSDEN, Chief Executive Officer.

**PD405\*****METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959****METROPOLITAN REGION SCHEME (SECTION 33) AMENDMENT No. 998/33  
ROAD CLASSIFICATION REVIEW****OUTCOME OF SUBMISSIONS**

The Western Australian Planning Commission has considered all the submissions received in respect of the amendment proposals for the 'Road Classification Review' Amendment No. 998/33. This proposal was first published in the *Government Gazette* on 23 June 1998. The Commission has recommended that the amendment proposal be modified. The amendment (as modified) is shown on Western Australian Planning Commission plans 1.3722/1 to 1.3750 inclusive.

The amendment has been presented to and approved by the Governor in accordance with the requirements of the Act. It will now be tabled in both Houses of Parliament, where it must remain for 12 sitting days. During this time either House may, by resolution, disallow the amendment. As soon as the amendment is no longer subject to disallowance it becomes legally effective in the Metropolitan Region Scheme.

Copies of the modified amendment and the accompanying *Report on Submissions* are available for public inspection from 11 March 1999 to 7 May 1999 at the following locations—

- Ministry for Planning  
469 Wellington Street  
PERTH
- Main Roads WA  
Don Aitken Centre  
Waterloo Crescent  
EAST PERTH
- All Local Government Council Offices in the Metropolitan Area
- J S Battye Library  
Alexander Library Building  
Cultural Centre  
Francis Street  
NORTHBRIDGE

Copies of the *Report on Submissions* are available upon request from these display locations.

PETER MELBIN, Secretary,  
Western Australian Planning Commission.

**POLICE****PE501****POLICE ACT 1892****POLICE AUCTION**

Under the provisions of the Police Act 1892, unclaimed found and stolen property and bicycles will be sold by public auction at Ross's Auctioneers, 241 Railway Parade, Maylands on Saturday 13th March 1999, at 9.00 am.

The auction is to be conducted by Mr Frank Lee.

R. FALCONER, Commissioner of Police,  
West Australian Police Service.

**PREMIER AND CABINET****PR401****MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Governor in accordance with Section 52(1)(b) of the Interpretation Act 1984 has approved the following temporary appointment in the place of the Hon N. F. Moore MLC in the period 4 to 14 March 1999 inclusive—

Minister for Mines; Tourism; Sport and Recreation

Hon C. L. Edwardes MLA

M. C. WAUCHOPE, Director General,  
Ministry of the Premier and Cabinet.

**PR402****MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Governor in accordance with Section 52(1)(b) of the Interpretation Act 1984 has approved the following temporary appointment in the place of the Hon P. D. Omodei MLA in the period 19 to 31 March 1999 inclusive—

Minister for Local Government; Disability Services

Hon K. D. Hames MLA

M. C. WAUCHOPE, Director General,  
Ministry of the Premier and Cabinet.

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**PUBLIC NOTICES**

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**ZZ201****TRUSTEES ACT 1962****NOTICE TO CREDITORS AND CLAIMANTS**

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the estate of the undermentioned deceased person are required by the personal representatives of care of Minter Ellison of Central Park, 152-158 St George's Terrace, Perth to send particulars of their claims to them by the 16th of April 1999 after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

McLarty, Katherine Joan, late of Craigwood Nursing Home, Gardner Street, Como, Spinster. Died 27 November 1998.

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**ZZ202****TRUSTEES ACT 1962****NOTICE TO CREDITORS AND CLAIMANTS**

Clifford Charles Hunt late of 48 Lord Street, Eden Hill WA, Travel Agent. Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) for the deceased's estate who died on the 18th May 1997 are required by me the trustee Ian Arthur Moiler of 70 Parry Street, Perth WA 6000 to send particulars of your claims to me by 15th April 1999, after that date I will convey or distribute the assets with regard to only the claims of which I have notice.

MOILER LAFFERTY & GASSON PROPRIETARY.

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**ZZ401\*****DISPOSAL OF UNCOLLECTED GOODS ACT 1970**

Unclaimed vehicle EA Falcon 1989 7MK322 this vehicle has been held for 8 months and now is to be sold for monies owed for towage and storage fees. This is from the Musk Towing Morley.

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