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## — PART 2 —

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### FIRE AND EMERGENCY SERVICES

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#### FE401

##### EMERGENCY MANAGEMENT ACT 2005

##### EXTENSION OF STATE OF EMERGENCY DECLARATION

I, Stephen Noel Dawson, the Minister for Emergency Services, hereby extend the state of emergency declaration made on 15 March 2020 at 12:45 pm.

The state of emergency declaration is extended for a period of fourteen (14) days.

The powers that may be exercised during the period by which the state of emergency declaration is extended are limited as follows: Nil limitations.

Time when declaration made: 3:07 pm.

Date on which declaration made: 30 May 2022.

This declaration has effect from 12 am on 3 June 2022 and remains in force until—

(a) 12 am on 17 June 2022; or

(b) It is revoked under section 59 of the *Emergency Management Act 2005*.

This declaration of an extension of a state of emergency declaration is made under section 58 of the *Emergency Management Act 2005*.

STEPHEN NOEL DAWSON, Minister for Emergency Services.

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### FISHERIES

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#### FI401

##### FISH RESOURCES MANAGEMENT ACT 1994

##### SOUTH COAST CRUSTACEAN MANAGED FISHERY MANAGEMENT PLAN AMENDMENT 2022

[A2556]

Made by the Minister under section 54.

##### 1. Citation

This instrument is the *South Coast Crustacean Managed Fishery Management Plan Amendment 2022*.

##### 2. Management plan amended

The amendments in this instrument are to the *South Coast Crustacean Managed Fishery Management Plan 2015*.

##### 3. Commencement

The amendments in this instrument come into operation on 1 July 2022.

##### 4. Clause 4 amended

In clause 4—

(a) insert in alphabetical order—

**approved landing area** means an area described in Schedule 7;

**approved remote landing area** means an area described in Schedule 8;

**approved weighing point** means an area described in Schedule 9;

**bridle** means the rope which attaches to a pot line on a pot;

**CDR book** means a book containing catch and disposal record forms as approved by the CEO;

**CDR form** means the catch and disposal record form approved by the CEO in a CDR book issued by the Department in respect of a licence, for recording information regarding the taking and consignment of crustacean in the Fishery;

**Champagne Crab** means crustacean of that common name described by the scientific classification *Hypothalassia acerba*;

**Crystal Crab** means crustacean of that common name described by the scientific classification *Chaceon albus*;

**first surface float** means the surface float that is connected to the pot line and the beginning of the float rig;

**float rig** means the rope on the surface of the water that is connected to the first surface float and the last surface float, including any rope beyond the last surface float;

**Giant Crab** means crustacean of that common name described by the scientific classification *Pseudocarcinus gigas*;

**last surface float** means the surface float that is connected to the float rig and is the farthest away from the pot line;

**nomination of intention to fish** means a nomination made by the master of an authorised boat prior to moving the boat to commence a fishing trip;

**nomination to land** means a nomination made by the master of an authorised boat prior to entering an approved landing area or an approved remote landing area to conclude a fishing trip;

**pot line** means the length of rope between the first surface float and the bridle;

**pull** means, in relation to pots, to bring pots from the seabed to the surface;

**Southern Rock Lobster** means crustacean of that common name described by the scientific classification *Jasus edwardsii*;

**total weight** means the sum of the weight of each species of crustacean determined in kilograms to one decimal place;

**Western Rock Lobster** means crustacean of that common name described by the scientific classification *Panulirus cygnus*;

(b) delete the definitions of—

- (i) Department;
- (ii) fishing session; and
- (iii) south coast crustacean trip return;

(c) delete the definition of “ fishing trip “ and insert—

**fishing trip** means the period between when an authorised boat commences travelling through the waters of the Fishery in order to pull pots and when that boat enters an approved landing area or an approved remote landing area for the purpose of landing crustacean;

(d) in the definition of “ unit value “, delete “ in terms of pots “ and insert—  
in terms of kilograms of crustacean

#### 5. Clause 10 amended

In clause 10(h) and (i), delete the words “ in each zone “ and insert—  
for each species of crustacean in each Zone

#### 6. Clause 13 replaced

Delete clause 13 and insert—

##### 13. Capacity of the Zones of the Fishery

- (1) The capacity of Zone 1 of the Fishery is—
  - (a) 3,000 kilograms of Champagne Crab
  - (b) 910 kilograms of Crystal Crab
  - (c) 1,505 kilograms of Giant Crab
  - (d) 700 kilograms of Southern Rock Lobster
  - (e) 35,000 kilograms of Western Rock Lobster
- (2) The capacity of Zone 2 of the Fishery is—
  - (a) 5,000 kilograms of Champagne Crab
  - (b) 6,000 kilograms of Crystal Crab
  - (c) 2,000 kilograms of Giant Crab
  - (d) 1,000 kilograms of Southern Rock Lobster
  - (e) 6,530 kilograms of Western Rock Lobster
- (3) The capacity of Zone 3 of the Fishery is—
  - (a) 4,000 kilograms of Champagne Crab
  - (b) 4,000 kilograms of Crystal Crab
  - (c) 2,500 kilograms of Giant Crab
  - (d) 16,000 kilograms of Southern Rock Lobster
  - (e) 1,050 kilograms of Western Rock Lobster
- (4) The capacity of Zone 4 of the Fishery is—
  - (a) 430 kilograms of Champagne Crab
  - (b) 430 kilograms of Crystal Crab
  - (c) 430 kilograms of Giant Crab
  - (d) 14,000 kilograms of Southern Rock Lobster
  - (e) 430 kilograms of Western Rock Lobster

(5) The capacity of a species of crustacean for a Zone of the Fishery is the relevant quantity of a species of crustacean specified in this clause, as varied from time to time under clause 13A.

**13A. Change in capacity of a Zone of the Fishery**

(1) The capacity applying to a species of crustacean in a Zone, as provided for in clause 13, will be reduced upon the making of an order under section 76(2) of the Act, such reduction being the number of kilograms of a species of crustacean corresponding to the units of entitlement fished, or intended to be fished, in excess of the entitlement of the licence, as determined in accordance with clause 16.

(2) The capacity applying to a species of crustacean in a Zone will be reduced upon—

- (a) the expiry of the 60 day period provided for in section 139 of the Act without an application for renewal of a relevant licence having been made;
- (b) the cancellation or non-renewal of a relevant licence under section 143 of the Act;
- (c) the cancellation of a relevant licence under section 223 of the Act; or
- (d) the surrender of a relevant licence under section 144 of the Act, such reduction being the equivalent in kilograms of a species of crustacean to the number of usual units of entitlement conferred by the licence.

(3) The capacity applying to a species of crustacean in a Zone will be increased upon the increasing of the entitlement of a relevant licence pursuant to clause 19A, such increase being equal to the increase in the number of units that may be operated under the licence.

**7. Clause 14 replaced**

Delete clause 14 and insert—

**14. Licence entitlements to be expressed in terms of units**

(1) The entitlement to fish for each species of crustacean conferred by a licence is to be expressed in terms of units of entitlement in respect to a species of crustacean for a Zone or Zones in accordance with clause 16.

(2) The sum of the entitlements to fish for each species of crustacean in a Zone that may be conferred by all the licences is to be equal to the capacity for the Fishery for that Zone as determined in accordance with clause 13.

(3) On 1 July 2022, the usual units of entitlement for each species of crustacean conferred on a licence will be equivalent to the number of usual units of entitlement held in the relevant Zone of the Fishery on 30 June 2022.

*Note: For example, where a licence confers 20 usual units of entitlement in Zone 1 on 30 June 2022, that licence will confer 20 usual units of each species of crustacean in Zone 1 on 1 July 2022.*

**8. Clause 15 deleted.**

Delete clause 15.

**9. Clause 16 replaced**

Delete clause 16 and insert—

**16. Unit value**

The extent of the entitlement that arises from a unit, to be known as the unit value, will be determined in accordance with Schedule 6 and limited by reference to a number of kilograms of a species of crustacean that may be taken.

**10. Clause 17 replaced**

Delete clause 17 and insert—

**17. Prohibition on operating in excess of entitlement**

At any time a licence is in force a person must not operate in Zones 1, 2, 3 or 4 of the Fishery under the authority of that licence unless the total quantity of a species of crustacean taken under the authority of the licence in the relevant Zone is less than or equal to the product of the current entitlement for that species of crustacean in that Zone and the relevant unit value.

**17A. Defence to s.74(2) of the Act**

It is a defence in proceedings for an offence against section 74(2) of the Act in respect of contravening clause 17 for the person charged to prove that—

- (a) the person is the holder of the relevant licence or the person was acting on behalf of the holder of the relevant licence; and
- (b) the amount of a species of crustacean by which the entitlement of the relevant licence was exceeded is not more than 30 kilograms; and
- (c) the person, the relevant licence holder or the person acting on behalf of the relevant licence holder, not more than 21 days after the landing of the crustacean, paid to the Fisheries Research and Development Account an amount of money equal to the product of the number of kilograms by which the entitlement was exceeded and the prescribed value (per unit of weight) for the crustacean, as specified in Schedule 9 to the regulations.

**11. Clause 19A amended**

In clause 19A(1) delete subclauses (b), (c) and (d) and insert—

- (b) another licence has been surrendered under section 144 of the Act; and

(c) the person who was the holder of the surrendered licence has consented to the application referred to in paragraph (a).

(1A) The entitlement of a licence must not be increased by more than the usual units of entitlement in respect of a species of crustacean for a Zone of the surrendered licence.

## 12. Clause 22 replaced

Delete clause 22 and insert—

### 22. Nominations made under this plan

Where a nomination is made under this plan, the nomination must be made—

- (a) where fishing is to occur in Zones 1, 2, 3 or 4 of the Fishery—
  - (i) by telephone call to the Department's VMS Nomination Line on +61 8 6163 0925; or
  - (ii) by email to the Department at vms@dpird.wa.gov.au; or
  - (iii) through the use of an approved ALC in accordance with approved directions; and
- (b) where fishing is to occur in the Offshore Bight Zone, through the use of an approved ALC in accordance with approved directions.

### 22A. Nomination of intention to fish

(1) The master of an authorised boat must ensure that a nomination of intention to fish is made not more than two hours prior to moving an authorised boat to commence a fishing trip in the Fishery.

(2) A nomination made under subclause (1) must specify—

- (a) the type of nomination (for example, intention to fish);
- (b) the Fishery in which fishing will occur;
- (c) the full name of the master of the authorised boat;
- (d) the licensed fishing boat number of any licensed fishing boat that may be used for or in connection with fishing in the Fishery under the authority of that licence;
- (e) the number of the licence which authorises fishing to occur;
- (f) the Zone of the Fishery in which fishing will occur;
- (g) the number of pots that will be on board the authorised boat;
- (h) the estimated date and time of arrival to an approved landing area or approved remote landing area;
- (i) the approved landing area or approved remote landing area as specified in Schedule 7 or 8; and
- (j) where intending to land in an approved remote landing area, the approved weighing point as specified in Schedule 9.

(3) The master of an authorised boat must not—

- (a) allow any person on board that boat to pull a pot in the Fishery; or
  - (b) have crustacean on board that boat,
- unless a nomination of intention to fish remains in effect in accordance with this clause.

### 22B. Nomination to land

(1) The master of an authorised boat must ensure that a nomination to land is made prior to entering an approved landing area or an approved remote landing area to conclude a fishing trip.

(2) A nomination made under subclause (1) must specify—

- (a) the type of nomination (for example, nomination to land);
- (b) the Fishery in which fishing occurred;
- (c) the full name of the master of the authorised boat;
- (d) the number of the licence which authorised fishing to occur;
- (e) the approved landing area or approved remote landing area as specified in Schedule 7 or 8, if it is not the same area as specified in the nomination of intention to fish;
- (f) the date and time of landing, if it is not the same date or time specified in the nomination of intention to fish;
- (g) the accurate number of each species of crustacean to be landed; and
- (h) where intending to land in an approved remote landing area, the approved weighing point as specified in Schedule 9, if it is not the same weighing point as specified in the nomination of intention to fish.

## 13. Clause 23 replaced

Delete clause 23 and insert—

### PART 8A—LANDING AND WEIGHING CRUSTACEAN

#### 23. Landing requirements

(1) For the purposes of this plan, an approved landing area is an area described in Schedule 7 and an approved remote landing area is an area described in Schedule 8.

(2) A person must not—

- (a) bring onto land, or attempt to bring onto land; or

- (b) remove from an authorised boat, any crustacean, unless it is brought onto land in an approved landing area or approved remote landing area in the Zone the crustacean was taken, and landed or removed from the authorised boat in accordance with this plan.
- (3) The master of an authorised boat must not permit any crustacean to be—
  - (a) brought onto land; or
  - (b) removed from an authorised boat, unless it is brought onto land in an approved landing area or approved remote landing area in the Zone the crustacean was taken, and landed or removed from the authorised boat in accordance with this plan.
- (4) Despite subclauses (2) and (3), the requirement to land crustacean in the same Zone it was taken does not apply to a person fishing in the Offshore Bight Zone in accordance with nominations made under clauses 22A and 22B.
- (5) The master of an authorised boat fishing under the authority of a licence must ensure that all crustacean is brought onto land or removed from an authorised boat prior to 30 June of the year in which the licence has been issued.

### **23A. Weighing crustacean**

- (1) Where crustacean is brought into an approved landing area, the master of the authorised boat must—
  - (a) ensure that all crustacean on or attached to the authorised boat are removed from the boat immediately; and
  - (b) immediately and accurately weigh and determine the total weight of all crustacean that were on board, by species; and
  - (c) ensure that the weights referred to in paragraph (a) are determined at the closest approved weighing point specified in Schedule 9; and
  - (d) ensure that—
    - (i) the placing of catch on a weighing device; and
    - (ii) the weight reading produced by that device,
 may both be clearly observed by a fisheries officer from any vantage point outside the place of weighing.
- (2) Where crustacean is brought into an approved remote landing area, the master of the authorised boat must—
  - (a) ensure that all crustacean on or attached to the authorised boat are removed from the boat immediately; and
  - (b) immediately travel by direct route to the nearest approved weighing point as specified in Schedule 9 that is in the same direction as the intended travel path; and
  - (c) upon arrival to the weighing point referred to in paragraph (a), immediately and accurately weigh and determine the total weight of each species of crustacean that were on board; and
  - (d) ensure that—
    - (i) the placing of catch on a weighing device; and
    - (ii) the weight reading produced by that device,
 may both be clearly observed by a fisheries officer from any vantage point outside the place of weighing.

## **PART 8B—CDR AND RECORDS**

### **23B. Holder of licence or master must not operate unless CDR book issued in respect of a licence**

- (1) The holder of a licence must not operate, or permit a person to operate, unless a CDR book has been issued in respect of that licence.
- (2) The master of an authorised boat must not operate unless the master can immediately produce the CDR book issued in respect of the licence specifying that authorised boat to a fisheries officer where required by the fisheries officer to produce the CDR book for inspection.

### **23C. Records to be made by master in a CDR form**

- (1) The master of an authorised boat must, immediately after weighing each species of crustacean pursuant to clause 23A and prior to departure from the approved weighing point, accurately and legibly record the weight of each species of crustacean on a CDR form and complete that form.
- (2) The master of an authorised boat must not remove any crustacean from the approved weighing point within 10 minutes of recording the weight referred to in subclause (1) unless directed by a fisheries officer to do so.
- (3) The master of an authorised boat must provide a copy of the CDR form made under subclause (1) to the CEO—
  - (a) by sending it by post to the address specified on the CDR form; and
  - (b) no later than 7 days after completing the CDR form.
- (4) The master of an authorised boat must keep the CDR book secure and in good condition at all times.

**14. Clause 26A inserted**

After clause 26 insert—

**26A. Use of pot lines and float rigs**

- (1) This clause applies to the use of pot lines and float rigs used to fish for crustacean during the period commencing on 1 April in any year and ending on 30 November in that same year.
- (2) The master of an authorised boat must ensure that—
  - (a) the top third of the length of the pot line is held as close to vertical in the water column as possible, by the use of weighted rope or by a weight attached to the rope;
  - (b) the float rig is attached to—
    - (i) no more than two surface floats when used in waters less than or equal to 54.9 metres in depth; or
    - (ii) no more than three surface floats when used in waters greater than 54.9 metres in depth.
- (3) The master of an authorised boat must ensure that a pot line is pulled at least once every ten days.

**15. Clause 27 replaced**

Delete clause 27 and insert—

**27. Prohibition of fishing activities**

- (1) A person fishing in the Fishery must not fish by any means other than by pots.
- (2) A person must not use a pot in the Fishery—
  - (a) that does not have at least one escape gap which conforms to the specifications in Part 3 of Schedule 13 to the regulations;
  - (b) that does not have one entrance located on the upper surface of the pot that is no less than 160 millimetres in diameter; and
  - (c) that has dimensions greater than 0.5 metres in height, 1 metre in length and 1 metre in width.
- (3) A person must not use a pot in the Fishery unless the pot is attached to a surface float that—
  - (a) has a diameter of not less than 150 mm if the float is spherical and, in any other case, has a length of not less than 200 mm and a width of not less than 100 mm; and
  - (b) is branded or stamped with the initial letter and licensed fishing boat number of the boat that is being used to fish in the Fishery and each character of the brand or stamp is legible and measures not less than 60 millimetres in height and 10 millimetres in width.

**16. Clause 28 replaced**

Delete clause 28 and insert—

**28. Prohibition on operating with more than the maximum number of pots**

- (1) In this clause, “total units of entitlement” means the sum of the current units of entitlement for all species of crustacean for a Zone of the Fishery.
- (2) The maximum number of pots that may be operated in Zone 1, 2, 3 or 4 of the Fishery under the authority of a licence is the total units of entitlement conferred on that licence for the relevant Zone divided by 5.
- (3) A person fishing under the authority of a licence in Zone 1, 2, 3 or 4 of the Fishery must not operate in the relevant Zone with more than the maximum number of pots provided for that Zone in subclause (2).
- (4) A person fishing in the Offshore Bight Zone of the Fishery must not use more than 200 pots.
- (5) Subject to subclause (7), the master of an authorised boat in a Zone of the Fishery must not carry more pots on board that boat than is provided for under subclause (2) or (4) unless approval has been given by the Department in respect of that boat.
- (6) An approval sought under subclause (5) must be made—
  - (a) by request in writing or by telephone; and
  - (b) to a Supervising District Fisheries and Marine Officer at the Albany or Esperance district office; and
  - (c) if carrying excess pots for the purpose of fishing in the Offshore Bight Zone of the Fishery, by nomination as specified in clause 22A.
- (7) Notwithstanding subclause (5), the master of an authorised boat may carry on board that boat a maximum of 2 additional unrigged spare pots to be used to replace any lost or damaged pots.

**17. Clause 29 amended**

In clause 29—

- (a) delete subclause (3) and insert—
  - (3) The label referred to in subclause (2) must clearly identify—
    - (a) the licensed fishing boat number of any licensed fishing boat which was used to fish for crustaceans; and
    - (b) the number of the licence which authorised fishing to occur;



- (c) the Zone of the Fishery from which the crustaceans were taken; and  
 (d) the species of crustacean in the container.
- (b) after subclause (4) insert—  
 (5) Subclause (4) does not apply to a person removing crustaceans from a container for the purpose of weighing that crustacean in accordance with clause 23A.

**18. Clause 31A deleted**

Delete clause 31A.

**19. Clause 31 amended**

In clause 31(3)(a) delete “Compliance Manager at the Southern Regional Office” and insert—  
 Supervising District Fisheries and Marine Officer at the Albany or Esperance district office

**20. Clause 32 replaced**

Delete clause 32 and insert—

**32. Offences**

A person who contravenes clause 12, 17, 20, 21, 22, 22A, 22B, 23, 23A, 23B, 23C, 24, 25, 26, 26A, 27, 28, 29, 30 or 31 commits an offence.

**21. Schedule 5 amended**

- (1) In subclause (a) and (b) delete “ 50 “ and insert—  
 33
- (2) In subclause (b) delete “ (a). “ and insert—  
 (a);
- (3) After subclause (b) insert—  
 (c) the third instalment (34% of the total fee), due for payment on or before 15 March immediately following the period specified in paragraph (a).

**22. Schedule 6 amended**

In Schedule 6 delete the definitions of “ C “, “ N “ and “ U “ and insert—

‘C’ is the capacity of a species of crustacean for the relevant Zone of the Fishery as specified in clause 13;

‘N’ is the sum of all the units of entitlement of a species of crustacean for the relevant Zone of the Fishery as specified in the table below;

‘U’ is the value of a unit of a species of crustacean for the relevant Zone of the Fishery, rounded to two decimal points.

Zone	N
Zone 1	Champagne Crab—350 Crystal Crab—350 Giant Crab—350 Southern Rock Lobster—350 Western Rock Lobster—350
Zone 2	Champagne Crab—653 Crystal Crab—653 Giant Crab—653 Southern Rock Lobster—653 Western Rock Lobster 653
Zone 3	Champagne Crab—544 Crystal Crab—544 Giant Crab—544 Southern Rock Lobster—544 Western Rock Lobster 544
Zone 4	Champagne Crab—430 Crystal Crab—430 Giant Crab—430 Southern Rock Lobster—430 Western Rock Lobster 430

**23. Schedule 7 replaced**

Delete Schedule 7 and insert—

**SCHEDULE 7****Approved landing areas****L1: Augusta Marina**

All lands and waters of the Augusta Boat Harbour bounded by a line commencing at a point at 34° 21.114’ south latitude and 115° 09.988’ east longitude (on the mainland); then extending easterly

along the geodesic to a point at 34° 21.115' south latitude and 115° 10.034' east longitude (on the mainland); then south-easterly along the geodesic to a point at 34° 21.144' south latitude and 115° 10.074' east longitude (on the mainland); then generally easterly along the high water mark of the Augusta Boat Harbour to a point at 34° 21.146' south latitude and 115° 10.120' east longitude; then north-easterly along the geodesic to a point at 34° 21.113' south latitude and 115° 10.161' east longitude; then generally south-westerly along the high water mark of the Augusta Boat Harbour to a point at 34° 21.264' south latitude and 115° 10.076' east longitude; then south-westerly along the geodesic to a point at 34° 21.336' south latitude and 115° 09.988' east longitude (on the mainland); then due north along the meridian to the commencement point.

**L2: Windy Harbour**

All lands and waters of Windy Harbour bounded by a line commencing at a point at 34° 50.296' south latitude and 116° 01.493' east longitude (on the mainland at the Windy Harbour Boat Ramp); then extending due west along the parallel to a point at 34° 50.296' south latitude and 116° 01.357' east longitude (on the mainland at the Windy Harbour Boat Ramp); then due south along the meridian to a point at 34° 50.342' south latitude and 116° 01.357' east longitude (on the mainland at the Windy Harbour Boat Ramp); then due east along the parallel to a point at 34° 50.342' south latitude and 116° 01.470' east longitude (on the mainland at the Windy Harbour Boat Ramp); then south-westerly along the high water mark to a point at 34° 50.398' south latitude and 116° 01.363' east longitude (on the mainland); then due south along the meridian to a point at 34° 50.692' south latitude and 116° 01.363' east longitude; then due east along the parallel to a point at 34° 50.692' south latitude and 116° 02.269' east longitude; then due north along the meridian to a point at 34° 50.408' south latitude and 116° 02.269' east longitude (on the mainland); then generally north-westerly then south-westerly along the high water mark to the commencement point.

**L3: Peaceful Bay**

All lands and waters of Peaceful Bay bounded by a line commencing at a point at 35° 02.351' south latitude and 116° 55.962' east longitude (on the mainland at Peaceful Bay Boat Ramp); then extending north-westerly along the geodesic to a point at 35° 02.312' south latitude and 116° 55.925' east longitude (on the mainland at Peaceful Bay Boat Ramp); then south-westerly along the geodesic to a point at 35° 02.367' south latitude and 116° 55.862' east longitude (on the mainland at Peaceful Bay Boat Ramp); then south-easterly along the geodesic to a point at 35° 02.395' south latitude and 116° 55.945' east longitude (on the mainland at Peaceful Bay Boat Ramp); then generally south-westerly then south-easterly along the high water mark to a point at 35° 02.655' south latitude and 116° 55.866' east longitude (on the mainland); then north-easterly along the geodesic to a point at 35° 02.533' south latitude and 116° 56.021' east longitude; then north-easterly along the geodesic to a point at 35° 02.388' south latitude and 116° 56.105' east longitude; then due north along the meridian to a point at 35° 02.262' south latitude and 116° 56.105' east longitude; then due west along the parallel to a point at 35° 02.262' south latitude and 116° 55.951' east longitude (on the mainland); then southerly along the high water mark to the commencement point.

**L4: Albany Marina**

All lands and waters of the Albany Marina bounded by a line commencing at a point at 35° 01.938' south latitude and 117° 53.364' east longitude (on the mainland); then extending south-westerly along the geodesic to a point at 35° 01.955' south latitude and 117° 53.289' east longitude; then due south along the meridian to a point at 35° 01.995' south latitude and 117° 53.289' east longitude; then generally north-westerly then northerly then south-easterly along the high water mark of the Albany Marina to the commencement point.

**L5: Emu Point**

All waters of Emu Point Marina bounded by a line commencing at a point at 34° 59.579' south latitude and 117° 56.592' east longitude (on the mainland); then extending north-easterly along the geodesic to a point at 34° 59.532' south latitude and 117° 56.686' east longitude; then south-easterly along the geodesic to a point at 34° 59.685' south latitude and 117° 56.777' east longitude; then south-westerly along the geodesic to a point at 34° 59.735' south latitude and 117° 56.671' east longitude (on the mainland); then generally north-westerly along the high water mark to the commencement point.

**L6: Bremer Bay**

All lands and waters bounded by a line commencing at a point at 34° 25.487' south latitude and 119° 23.738' east longitude (on the mainland); then extending north-easterly along the geodesic to a point at 34° 25.467' south latitude and 119° 23.907' east longitude; then south-easterly along the geodesic to a point at 34° 25.529' south latitude and 119° 24.011' east longitude (on the mainland at Bremer Bay Boat Ramp); then south-westerly along the geodesic to a point at 34° 25.560' south latitude and 119° 23.971' east longitude (on the mainland); then generally south-westerly then north-westerly along the high water mark to the commencement point.

**L7: Hopetoun**

All lands and waters bounded by a line commencing at a point at 33° 57.081' south latitude and 120° 07.624' east longitude (on the mainland at the Hopetoun Boat Ramp); then extending south-westerly along the geodesic to a point at 33° 57.093' south latitude and 120° 07.555' east longitude (on the mainland at the Hopetoun Boat Ramp); then generally south-westerly then north-westerly along the high water mark to a point at 33° 56.646' south latitude and 120° 06.860' east longitude (on the mainland); then due south along the meridian to a point at 33° 57.899' south latitude and 120° 06.860' east longitude; then due east along the parallel to a point at 33° 57.899' south latitude and 120° 08.240' east longitude; then due north along the meridian to a point at 33° 56.730' south latitude and 120° 08.240' east longitude (on the mainland); then generally south-westerly along the high water mark to the commencement point.

**L8: Starvation Bay**

All lands and waters of Starvation Boat Harbour bounded by a line commencing at a point at 33° 55.137' south latitude and 120° 33.394' east longitude (on the mainland); then extending due south along the meridian to a point at 33° 55.160' south latitude and 120° 33.394' east longitude (on the mainland); then due east along the parallel to a point at 33° 55.160' south latitude and 120° 33.453' east longitude (on the mainland); then due north along the meridian to a point at 33° 55.137' south latitude and 120° 33.453' east longitude (on the mainland); then generally easterly along the high water mark to a point at 33° 55.155' south latitude and 120° 33.673' east longitude (on the mainland); then due north along the meridian to a point at 33° 54.561' south latitude and 120° 33.673' east longitude; then due west along the parallel to a point at 33° 54.561' south latitude and 120° 33.256' east longitude (on the mainland); then generally south-easterly along the high water mark to the commencement point.

**L9: Esperance Bandy Creek Boat Harbour**

All lands and waters of the Bandy Creek Boat Harbour bounded by a line commencing at a point at 33° 49.758' south latitude and 121° 56.202' east longitude (on the mainland); then extending south-easterly along the geodesic to a point at 33° 49.778' south latitude and 121° 56.242' east longitude (on the mainland); then south-westerly along the geodesic to a point at 33° 49.899' south latitude and 121° 56.147' east longitude (on the mainland); then north-westerly along the geodesic to a point at 33° 49.888' south latitude and 121° 56.128' east longitude (on the mainland); then generally south-westerly then southerly along the high water mark of the Bandy Creek Boat Harbour to a point at 33° 50.141' south latitude and 121° 56.002' east longitude; then south-westerly along the geodesic to a point at 33° 50.188' south latitude and 121° 55.984' east longitude; then generally north-westerly then north-easterly then south-easterly along the high water mark of the Bandy Creek Boat Harbour to the commencement point.

**L10: Duke of Orleans Bay**

All lands and waters of Duke of Orleans Bay bounded by a line commencing at a point at 33° 55.398' south latitude and 122° 34.761' east longitude (on the mainland); then extending north-westerly along the geodesic to a point at 33° 55.387' south latitude and 122° 34.718' east longitude (on the mainland); then south-westerly along the geodesic to a point at 33° 55.419' south latitude and 122° 34.677' east longitude (on the mainland); then south-easterly along the geodesic to a point at 33° 55.435' south latitude and 122° 34.764' east longitude (on the mainland); then generally south-easterly along the high water mark to a point at 33° 56.117' south latitude and 122° 35.561' east longitude (on the mainland); then north-easterly along the geodesic to a point at 33° 56.037' south latitude and 122° 35.596' east longitude (on the south-western most point of Nares Island); then generally north-easterly along the high water mark of Nares Island to a point at 33° 55.891' south latitude and 122° 35.689' east longitude (on the north-western most point of Nares Island); then north-easterly along the geodesic to a point at 33° 55.237' south latitude and 122° 36.435' east longitude (on the western most point of John Island); then north-westerly along the geodesic to a point at 33° 54.837' south latitude and 122° 35.918' east longitude (on the eastern side of Table Island); then generally south-westerly then north-easterly along the high water mark of Table Island to a point at 33° 54.736' south latitude and 122° 35.805' east longitude (on the western side of Table Island); then north-westerly along the geodesic to a point at 33° 54.634' south latitude and 122° 35.701' east longitude (on the mainland); then generally south-westerly along the high water mark to the commencement point.

**24. Schedules 8 and 9 inserted**

After schedule 7 insert—

**SCHEDULE 8****Approved remote landing areas****RL1: Grass Patch**

All waters bounded by a line commencing at a point at 33° 54.941' south latitude and 123° 08.531' east longitude (on the mainland at Point Jedacorrudup); then extending south-westerly along the geodesic to a point at 33° 55.727' south latitude and 123° 06.480' east longitude; then south-easterly along the geodesic to a point at 33° 57.701' south latitude and 123° 07.819' east longitude; then north-easterly along the geodesic to a point at 33° 56.748' south latitude and 123° 09.794' east longitude (on the mainland); then generally north-westerly along the high water mark to the commencement point.

**RL2: Cape Arid**

All waters bounded by a line commencing at a point at 33° 59.813' south latitude and 123° 13.075' east longitude (on the mainland); then extending due south along the meridian to a point at 34° 00.227' south latitude and 123° 13.075' east longitude; then north-easterly along the geodesic to a point at 33° 59.717' south latitude and 123° 14.433' east longitude (on the mainland); then generally north-westerly then south-westerly along the high water mark to the commencement point.

**RL3: Seal Creek**

All waters bounded by a line commencing at a point at 33° 55.138' south latitude and 123° 19.746' east longitude (on the mainland); then extending south-easterly along the geodesic to a point at 33° 55.669' south latitude and 123° 20.228' east longitude; then north-easterly along the geodesic to a point at 33° 55.224' south latitude and 123° 21.033' east longitude; then north-westerly along the geodesic to a point at 33° 54.787' south latitude and 123° 20.655' east longitude (on the mainland); then generally south-westerly along the high water mark to the commencement point.

**RL4: Point Malcolm**

All waters bounded by a line commencing at a point at 33° 45.007' south latitude and 123° 44.890' east longitude (on the mainland); then extending due east along the parallel to a point at 33° 45.007' south latitude and 123° 46.932' east longitude; then due south along the meridian to a point at 33° 47.713' south latitude and 123° 46.932' east longitude; then due west along the parallel to a point at 33° 47.713' south latitude and 123° 45.800' east longitude (on the mainland at Point Malcolm); then generally northerly along the high water mark to the commencement point.

**RL5: Israelite Bay**

All waters bounded by a line commencing at a point at 33° 38.008' south latitude and 123° 52.464' east longitude (on the mainland at Point Dempster); then extending south-easterly along the geodesic to a point at 33° 38.756' south latitude and 123° 53.411' east longitude; then north-easterly along the geodesic to a point at 33° 36.853' south latitude and 123° 55.935' east longitude; then north-westerly along the geodesic to a point at 33° 35.517' south latitude and 123° 54.166' east longitude (on the mainland at Point Lorenzen); then generally south-westerly along the high water mark to the commencement point.

**RL6: Eyre**

All waters bounded by a line commencing at a point at 32° 14.962' south latitude and 126° 17.246' east longitude (on the mainland); then extending due south along the meridian to a point at 32° 16.865' south latitude and 126° 17.246' east longitude; then due east along the parallel to a point at 32° 16.865' south latitude and 126° 19.388' east longitude; then due north along the meridian to a point at 32° 15.325' south latitude and 126° 19.388' east longitude (on the mainland); then generally north-westerly along the high water mark to the commencement point.

**RL7: Madura**

All waters bounded by a line commencing at a point at 32° 17.407' south latitude and 126° 57.517' east longitude (on the mainland); then extending due south along the meridian to a point at 32° 20.095' south latitude and 126° 57.517' east longitude; then due east along the parallel to a point at 32° 20.095' south latitude and 127° 04.511' east longitude; then due north along the meridian to a point at 32° 16.687' south latitude and 127° 04.511' east longitude (on the mainland); then generally south-westerly along the high water mark to the commencement point.

**RL8: Red Rocks**

All waters bounded by a line commencing at a point at 32° 12.550' south latitude and 127° 31.429' east longitude (on the mainland); then extending south-easterly along the geodesic to a point at 32° 14.962' south latitude and 127° 32.743' east longitude; then north-easterly along the geodesic to a point at 32° 12.513' south latitude and 127° 38.356' east longitude; then north-westerly along the geodesic to a point at 32° 10.065' south latitude and 127° 36.512' east longitude (on the mainland); then generally south-westerly along the high water mark to the commencement point.

**RL9: Wanteen**

All waters bounded by a line commencing at a point at 31° 58.860' south latitude and 128° 17.752' east longitude (on the mainland); then extending south-easterly along the geodesic to a point at 32° 01.886' south latitude and 128° 19.079' east longitude; then north-easterly along the geodesic to a point at 31° 58.830' south latitude and 128° 27.010' east longitude; then north-westerly along the geodesic to a point at 31° 56.108' south latitude and 128° 25.343' east longitude (on the mainland); then generally south-westerly along the high water mark to the commencement point.

**RL10: Eucla**

All waters bounded by a line commencing at a point at 31° 44.421' south latitude and 128° 50.709' east longitude (on the mainland); then extending south-easterly along the geodesic to a point at 31° 46.268' south latitude and 128° 51.907' east longitude; then north-easterly along the geodesic to a point at 31° 44.498' south latitude and 128° 55.739' east longitude; then north-westerly along the geodesic to a point at 31° 42.845' south latitude and 128° 54.258' east longitude (on the mainland); then generally south-westerly along the high water mark to the commencement point.

**SCHEDULE 9****Approved weighing points****WP1: Augusta**

The weighing point is within 25m of the intersection of 34° 21.263' south latitude and 115° 10.051' east longitude.

**WP2: Windy Harbour**

The weighing point is within 25m of the intersection of 34° 50.314' south latitude and 116° 01.405' east longitude.

**WP3: Peaceful Bay**

The weighing point is within 25m of the intersection of 35° 02.346' south latitude and 116° 55.926' east longitude.

**WP4: Albany Marina**

The weighing point is within 25m of the intersection of 35° 01.934' south latitude and 117° 53.324' east longitude.

**WP5: Emu Point**

The weighing point is within 25m of the intersection of 34° 59.587' south latitude and 117° 56.639' east longitude.

**WP6: Bremer Bay**

The weighing point is within 25m of the intersection of 34° 25.496' south latitude and 119° 23.934' east longitude.

**WP7: Hopetoun Jetty**

The weighing point is within 25m of the intersection of 33° 57.247' south latitude and 120° 07.607' east longitude.

**WP8: Starvation Bay**

The weighing point is within 25m of the intersection of 33° 55.151' south latitude and 120° 33.413' east longitude.

**WP9: Esperance Bandy Creek**

The weighing point is within 25m of the intersection of 33° 49.844' south latitude and 121° 56.131' east longitude.

**WP10: Duke of Orleans Bay**

The weighing point is within 25m of the intersection of 33° 55.413' south latitude and 122° 34.720' east longitude.

**WP11: Mundrabilla Roadhouse**

The weighing point is within 25m of the intersection of 31° 49.097' south latitude and 128° 13.296' east longitude.

**WP12: Eucla**

The weighing point is within 25m of the intersection of 31° 40.579' south latitude and 128° 53.104' east longitude.

Dated 1 June 2022.

Hon. DON PUNCH, MLA, Minister for Fisheries.

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## HEALTH

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**HE401****HUMAN REPRODUCTIVE TECHNOLOGY ACT 1991 (WA)****WESTERN AUSTRALIAN REPRODUCTIVE TECHNOLOGY COUNCIL APPOINTMENT OF MEMBER AND CHAIRPERSON INSTRUMENT 2022**

Made in Executive Council by the Honourable Kim Christian Beazley, Companion of the Order of Australia, Governor of the State of Western Australia under section 8(2)(a) and clause 1(1) to the Schedule of the *Human Reproductive Technology Act 1991*.

**1. Citation**

This instrument may be cited as the Western Australian Reproductive Technology Council (Appointment of Member and Chairperson) Instrument 2022.

**2. Appointment of Member**

Dr Stephan John Millett is appointed as a Member to the Western Australian Reproductive Technology Council under section 8(2)(a)(ii) of the *Human Reproductive Technology Act 1991* for a term of three years commencing on 11 June 2022 and expiring on 10 June 2025.

**3. Appointment of Chairperson**

Dr Stephan John Millett is appointed as Chairperson to the Western Australian Reproductive Technology Council under clause 1(1) to the Schedule of the *Human Reproductive Technology Act 1991* for a term of three years commencing on 11 June 2022 and expiring on 10 June 2025.

NICK HAGLEY, Clerk of the Executive Council.

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## JUSTICE

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JU401

### JUSTICES OF THE PEACE ACT 2004 RESIGNATIONS

It is hereby notified for public information that the Minister has accepted the resignation of—

Michael Barnett of Waikiki  
Tracy Ann Burrows formerly of Wickham  
Susan Ann Burton of Hilton  
Yvonne Daphne Henderson of Guildford  
Jean Mason of Parkwood  
Gerald Carew Moss of Swanbourne  
Graham Christopher Pyke of Little Grove  
Robert John Scott of Como

from the Office of Justice of the Peace for the State of Western Australia.

JOANNE STAMPALIA, Executive Director, Court and Tribunal Services.

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## LOCAL GOVERNMENT

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LG401

### LOCAL GOVERNMENT ACT 1995

*City of Fremantle*

#### LOCAL GOVERNMENT PROPERTY AMENDMENT LOCAL LAW 2022

Under the powers conferred by the *Local Government Act 1995* and by all other powers, the Council of the City of Fremantle resolved on 25 May 2022 to make the following local law.

#### 1. Citation

This local law may be cited as the *City of Fremantle Local Government Property Amendment Local Law 2022*.

#### 2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

#### 3. Principal Local Law amended

This local law amends the *City of Fremantle Local Government Property Local Law 2002* as published in the *Government Gazette* on 11 November 2002 and as amended on 12 March 2019 and 12 February 2021.

#### 4. New clause 5.4A—

After clause 5.3, insert—

##### 5.4A prohibited fishing activities

- (1) A person must not fish for sharks—
  - (a) by means of any fishing line that contains any metal wire or chain within one metre of any hook;
  - (b) with use of blood or berley as a lure;
  - (c) with use of a device such as a spear gun, hand spear, hawaiian sling or other like device.

#### 5. Clause 9.3(1)

In clause 9.3(1)(c) delete “*Association Incorporations Act 1987*” and replace with “*Associations Incorporations Act 2015*”.

**6. Schedule 1 amended**

Delete Schedule 1 and insert—

<b>SCHEDULE 1 PENALTIES</b>			
<b>ITEM</b>	<b>CLAUSE</b>	<b>DESCRIPTION</b>	<b>MODIFIED PENALTY \$</b>
1	2.4	Failure to comply with determination	125
2	3.6(1)	Failure to comply with conditions of permit	125
3	3.13(1)	Failure to obtain a permit	125
4	3.14(3)	Failure to obtain permit to camp outside a facility	125
5	3.15(1)	Failure to obtain permit for liquor	125
6	3.16	Failure of permit holder to comply with responsibilities	125
7	4.2(1)	Behaviour detrimental to property	125
8	4.3(1)	Taking or injuring any fauna	125
9	4.3(3)	Removing or damaging any flora	125
10	4.4	Under influence of liquor or prohibited drug	125
11	4.6(2)	Failure to comply with sign on local government property	125
12	5.3	Failure to comply with sign or direction on beach	125
13	5.4A	Undertaking prohibited fishing activities	500
14	5.4	Unauthorised entry to fenced or closed local government property	125
15	5.6	Failure to comply with direction of controller or notice on golf course	125
16	6.1(1)	Unauthorised entry to function on local government property	125
17	7.3	Unauthorised use of any part of jetty which is closed or under repair or construction	125
18	7.4	Mooring of boats in unauthorised manner	125
19	7.5	Unauthorised mooring of a boat to jetty	125
20	7.6	Failure to remove moored boat on direction of authorised person	125
21	7.7	Launching of boat from jetty without consent	125
22	7.8	Mooring when not ready to load or discharge cargo, at times not permitted or for longer than permitted	125
23	7.9	Unlawful storing of goods on jetty	125
24	7.10	Removing goods from jetty during other than permitted hours	125
25	7.11	Failure to remove cargo on jetty on direction of authorised person	125
26	7.12	Unauthorised deposit of bulk cargo on jetty	125
27	7.14	Fishing from jetty or bridge so as to obstruct a boat or another person	125
28	10.1	Failure to comply with notice	250

Dated 2 June 2022.

The common seal of the City of Fremantle was affixed by authority of a resolution of the Council in the presence of—

HANNAH FITZHARDINGE, Mayor.  
GLEN DOUGALL, Chief Executive Officer.

**LG402***CITY OF KALGOORLIE-BOULDER*

## APPOINTMENTS

The City of Kalgoorlie-Boulder wishes to advise for public information the appointment of Louisha Griffiths as an authorised officer to operate within the City of Kalgoorlie-Boulder to enforce the following Acts, Regulations and Local Laws effective immediately—

- *Local Government Act 1995*
- *Local Government (Miscellaneous Provisions) Act 1960*

- *Dog Act 1976 and Regulations*
- *Cat Act 2011 and Regulations*
- *Litter Act 1979 and Regulations*
- *Bush Fires Act 1954 and Regulations— (Bush Fire Control Officer)*
- *Bush Fires (Infringements) Regulations 1978*
- *Control of Vehicles (Off-road Areas) Act 1978 and Regulations*
- *Caravan Parks and Camping Grounds Act 1995 and Regulations 1997*
- *City of Kalgoorlie-Boulder Local Laws*

In addition, Aidyn Bonney has been appointed as an authorised officer to operate within the City of Kalgoorlie-Boulder to enforce the following Acts, Regulations and Local Laws effective immediately—

- *Local Government Act 1995*
- *Local Government (Miscellaneous Provisions) Act 1960*
- *Litter Act 1979 and Regulations*
- *City of Kalgoorlie-Boulder Local Laws*

ANDREW BRIEN, Chief Executive Officer.

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## PARLIAMENT

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PA401

### PARLIAMENT OF WESTERN AUSTRALIA

#### Royal Assent to Bills

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

Title of Acts	Date of Assent	Act No.
COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Act 2022	27 May 2022	15 of 2022
Duties Amendment Act 2022	27 May 2022	16 of 2022

Dated 2 June 2022.

SAM HASTINGS, Clerk of the Parliaments.

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## PLANNING

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PL401

### PLANNING AND DEVELOPMENT ACT 2005 APPROVED LOCAL PLANNING SCHEME AMENDMENT *City of Stirling* Local Planning Scheme No. 3—Amendment No. 120

Ref: TPS/2707

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Stirling Local Planning Scheme amendment on 4 May 2022 for the purpose of—

1. Deleting the whole of ROW No. 29013 'Lawry Lane' east of Beaufort Street and between Tenth Avenue and Eleventh Avenue, Inglewood from DCA 5 ROW Map 3 in Schedule 11 A;
2. Deleting the whole of ROW No. 28023 bounded by Beaufort Street, Seventh Avenue, Lawry Lane and Sixth Avenue, Inglewood from DCA 5 ROW Map 3 in Schedule 11A;
3. Deleting the portion of ROW No. 18005 abutting Lots 1, 2 and 3 on Diagram 20527 House Number 274 Ewen Street, Woodlands from DCA 5 ROW Map 1 in Schedule 11 A;
4. Deleting the portion of ROW No. 22042 abutting Lot 4 on Strata Plan 24880 House Number 48 Swan Street, Lot 3 on Strata Plan 19349 House Number 3/258 Main Street, Lots 301 and 302 House Numbers 254 and 256 Main Street, Osborne Park, Lot 3 on Strata Plan 37964 House Number 54A Swan Street, and Lot 297 and Lots 1 to 8 on Strata Plan 17023 House Numbers 207 and 211 Waterloo Street, Tuart Hill from DCA 5 Map 2 in Schedule 11A;



5. Inserting the whole of ROW No. 16079 between Flamborough Street and Lot 3 on Survey-Strata Plan 81395 House Number 266C Herbert Street, Doubleview into DCA 5 Map 1 in Schedule 11 A;
6. Inserting a new bullet point “• the subdivision is solely for the purpose of transferring land for public uses;” after the words “In relation to development or subdivision of land within the Development Contribution Area, a cost contribution is not required to be paid in the following circumstances:” in Schedule 11 A.

M. IRWIN, Mayor.  
S. JARDINE, Chief Executive Officer.

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## PUBLIC NOTICES

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**ZZ401**

**TRUSTEES ACT 1962**

**DECEASED ESTATES**

Notice to Creditors and Claimants

In the Matter of the Estate of Patricia Ruth Howell, late of 76B Henry Street, East Cannington, in the State of Western Australia, deceased.

Creditors and other persons having claims, to which Section 63 of the *Trustees Act 1962* relate, in respect of the Estate of the deceased, who died on the 25th day of August 2021, are required by the Executor, Michael John Howell, to send the particulars of their claim to Messrs Taylor Smart of Level 2, 100 Railway Road, Subiaco, in the State of Western Australia, by the 7th day of July 2022, after which date the said Executor may convey or distribute the assets, having regard only to the claims of which he then has had notice.

Dated 2 June 2022.

GLEN B. GILES, Taylor Smart.

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**ZZ402**

**TRUSTEES ACT 1962**

**DECEASED ESTATES**

Notice to Creditors and Claimants

Maximes Cameron-Cooper late of Baptist Care Nursing Home, 1A North Street, Midland, Western Australia is 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 16 January 2022, are required by the Executor, Bruce Alexander Hilliard of 154 Comic Court Circuit, Darling Downs, Western Australia, are to send particulars of their claim to him by Friday 8 July 2022, after which date the Executor may convey or distribute the assets, having regards only to the claims of which he then has notice.

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**ZZ403**

**TRUSTEES ACT 1962**

**DECEASED ESTATES**

Notice to Creditors and Claimants

Marion Rose Lorke late of Aegis Amherst, 75 Amherst Road, Canning Vale in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the Estate of the Deceased who died on 9 April 2022, are required by the Trustee, Peter Eric George Head of 83 Waterperry Drive, Canning Vale in the State of Western Australia, to send particulars of their claims to him within one (1) month of the date of this notice, after which date the Trustee may convey or distribute the assets, having regard only to the claims which he then has notice.

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