

This compilation was prepared taking into account amendments up to and including the *Consequential Amendments (West Coast Rock Lobster Managed Fishery) Order 2012* published in Government Gazette No. 37 on 01/03/13.

FISHERIES ACT 1905
HOUTMAN ABROLHOS REEF OBSERVATION AREAS NOTICE 1994
Notice No. 637

FD 272/90.

Made by the Minister under sections 9 and 10.

Citation

1. This notice may be cited as the *Houtman Abrolhos Reef Observation Areas Notice 1994**.

Interpretation

2. In this notice unless the contrary intention appears-
“attended” means to have either the fishing line or the fishing rod held by the fisher;
“authorised boat” means a boat licensed under the Fisheries Regulations 1938 and authorised by a limited entry fishery licence issued in accordance with the *West Coast Rock Lobster Managed Fishery Management Plan 2012* to be used to take rock lobster from Zone A of the West Coast Rock Lobster Limited Entry Fishery;
“Houtman Abrolhos Islands” means those Islands of A Class Reserve No. 20253;
“Reef Observation Areas” means the waters as described in Schedule 1;
“rock lobster” means all species of fish of the *genus Panulirus*;
“traditional fisher of Beacon Island” means a resident of Beacon Island who has a significant fishing history as determined by the Minister, and who has the written approval of the Minister to fish from the Defined Fishing Area of Beacon Island;
“traditional fisher of Leo Island” means a resident of Leo Island who has a significant fishing history as determined by the Minister, and who has the written approval of the Minister to fish from the Defined Fishing Area of Leo Island; and
“transfer” means the passing of ownership or effective control of the rights, entitlements and obligations attached to a licence, from one person to another person.

Prohibition on taking fish

3. Subject to the provisions of clause 4, a person shall not take, or attempt to take, any fish by any means from the waters described in Schedule 1.

Exemption from clause 3

4. The prohibition in clause 3 does not apply to -
 - (a) the holder of a professional fisherman’s licence when operating from an authorised boat when taking rock lobster by means of a rock lobster pot;
 - (b) the holder of a recreational fishing licence specifying that the holder may undertake rock lobster fishing, when taking rock lobster by means of a rock lobster pot, or by diving;

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- (c) the licensees of limited fishing licences numbered -
- (i) 1141;
 - (ii) 1375;
 - (iii) 1680.
- when resident on Beacon Island during the period 15 March to 30 June in the same year when taking fish for the licensee's own personal consumption and not for sale, barter or exchange, or attempted sale, barter or exchange, from the Defined Fishing Area of the Beacon Island Reef Observation Area as described in Item 1 of Schedule 2 by means of an attended hand line from a boat.
- (d) the licensee of limited entry fishery licence number 1143 when resident on Leo Island during the period 15 March to 30 June in the same year when taking fish for the licensee's own personal consumption and not for sale, barter or exchange, or attempted sale, barter or exchange, from the Defined Fishing Area of the Leo Island Reef Observation Area as described in Item 2 of Schedule 2 by means of an attended hand line from a boat;
- (e) a traditional fisher of Beacon Island when taking fish for his or her own personal consumption and not for sale, barter or exchange, or attempted sale, barter or exchange, from the Defined Fishing Area of Beacon Island as described in Item 1 of Schedule 2 by means of an attended hand line from a boat during the period 15 March in any year to 30 June in the same year;
- (f) a tradition fisher of Leo Island when taking fish for his or her own personal consumption and not for sale, barter or exchange, or attempted sale, barter or exchange, from the Defined Fishing Area of Leo Island as described in Item 2 of Schedule 2 by means of an attended hand line from a boat during the period 15 March in any year to 30 June in the same year; or
- (g) a person using an attended hand line or attended rod, reel and line when fishing from a jetty.

Transfer

5. (1) The exemption granted in paragraphs (c) and (d) of clause 4 shall apply only to the licensee of the specified licence at the date this notice commences operation and shall not be transferred.
- (2) The exemption granted in paragraphs (e) and (f) of clause 4 shall not be transferred, shall expire on 30 June each year and may be renewed on 15 March in the following year if the Minister considers it appropriate to do so.

“ Schedule 1 Reef Observation Areas

1. North Island—All Western Australian waters bounded by a line commencing at the intersection of 28° 19.293' south latitude and 113° 35.253' east longitude; thence east along the parallel to the intersection of 28° 19.293' south latitude and 113° 36.720' east longitude; thence south south westerly along the meridian to the intersection of 28° 21.026' south latitude and 113° 35.720' east longitude; thence west along the parallel to the intersection of 28° 21.026' south latitude and 113° 35.253' east longitude; thence north along the meridian to the commencement point.

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2. Wallabi Group—All Western Australian waters bounded by a line commencing at the intersection of 28° 26.926′ south latitude and 113° 46.086′ east longitude; thence east along the parallel to the intersection of 28° 26.926′ south latitude and 113° 49.686′ east longitude; thence south along the meridian to the intersection of 28° 28.526′ south latitude and 113° 49.686′ east longitude; thence south westerly along the geodesic to the intersection of 28° 30.726′ south latitude and 113° 46.586′ east longitude; thence north along the meridian to the intersection of 28° 27.926′ south latitude and 113° 46.586′ east longitude; thence west along the parallel to the intersection of 28° 27.926′ south latitude and 113° 46.086′ east longitude; thence northerly along the meridian to the commencement point.

3. Easter Group—All Western Australian waters bounded by a line commencing at the intersection of 28° 38.326′ south latitude and 113° 52.486′ east longitude; thence east along the parallel to the intersection of 28° 38.326′ south latitude and 113° 53.086′ east longitude; thence south along the meridian to the intersection of 28° 41.926′ south latitude and 113° 53.086′ east longitude; thence west along the parallel to the intersection of 28° 41.926′ south latitude and 113° 51.286′ east longitude; thence north north westerly along the geodesic to the intersection of 28° 40.143′ south latitude and 113° 50.270′ east longitude; thence north east along the geodesic to the commencement point.

4. Southern Group—All Western Australian waters bounded by a line commencing at the intersection of 28° 50.676′ south latitude and 113° 59.437′ east longitude; thence east along the parallel to the intersection of 28° 50.676′ south latitude and 114° 02.087′ east longitude; thence south along the meridian to the intersection of 28° 53.426′ south latitude and 114° 02.087′ east longitude; thence west along the parallel to the intersection of 28° 53.426′ south latitude and 114° 01.587′ east longitude; thence north westerly by north along the geodesic to the commencement point. ”.

Schedule 2

Defined Fishing Areas

1. Beacon Island – All the waters bounded by a line commencing at the eastern most extremity of Beacon island drawn due east for 200 metres, thence due south to the drying shallows of Morning Reef, thence in a generally west-southwesterly direction along the dry shallow edge of Morning Reef to the south western edge of the drying shallows which abut the eastern edge of Goss Passage’ thence in a generally northerly direction along the dry shallow edge of the eastern side of Goss Passage to the southwestern tip of Beacon Island, thence along the southern shoreline of Beacon Island back to the commencement point.

2. Leo Island – All the waters bounded by a line commencing at the northwestern extremity of Leo Island, thence drawn due north for 200 metres; thence generally north to the southwesterly extremity of White Island; thence in a generally south-southwesterly direction to the northeastern extremity of Leo Island; thence in a generally westerly direction along the island’s shoreline back to the commencement point.

Dated this 10th day of May, 1994.

MONTY HOUSE, Minister for Fisheries.

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Note :-

This consolidated notice includes the original notice published in Government Gazette No 67 of 20/05/1994; Amendment published in Government Gazette No. 202 of 23/12/2003; Amendment published in Government Gazette No. 42 of 12/03/2004; Amendment published in Government Gazette No. 157 of 03/09/2004; Amendment published in Government Gazette No. 97 of 24/05/2005; Amendment published in Government Gazette No. 165 of 21/09/2012; Amendment published in Government Gazette No. 37 of 01/03/2013 on page 1095.

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