

This compilation incorporates amendments up to and including the *Prohibition on Commercial Fishing (Marmion Marine Park) Amendment Order 2015* published in Government Gazette No. 144 on 25/09/2015.

FISH RESOURCES MANAGEMENT ACT 1994

PROHIBITION ON COMMERCIAL FISHING (MARMION MARINE PARK) ORDER 1999 Order No. 7 of 1999

FD 1620/98 [281]

Made by the Minister under section 43.

Citation

1. This order may be cited as the *Prohibition on Commercial Fishing (Marmion Marine Park) Order 1999*.

Interpretation

2. In this order “Marmion Marine Park” means all WA waters reserved as Marine Park Reserve No. 1 under section 13 of the *Conservation and Land Management Act 1984* by an order in Council published in the *Gazette* on 13 March 1987 at p. 628.

Prohibition on commercial fishing

3. A person must not fish for a commercial purpose in the waters of the Marmion Marine Park.

Exemptions from the prohibition in clause 3

4. Clause 3 does not apply to a person engaged in a commercial fishing activity specified in clause 5.

Permitted commercial fishing activities

5. The following commercial fishing activities are specified for the purposes of clause 4—
- (a) a person fishing under the authority of a managed fishery licence granted in respect of the *Abalone Management Plan 1992* in the waters described in Schedules 2 and 3;
 - (b) a person fishing under the authority of a managed fishery licence granted in respect of the *West Coast Rock Lobster Managed Fishery Management Plan 2012* in the waters described in Schedules 2 and 3;
 - (c) a person fishing in the waters described in Schedule 2 who is—
 - (i) the holder of a commercial fishing licence;
 - (ii) the recipient of a letter dated 3 March 1988, “Restricted Authorisation to use fishing nets in the Marmion Marine Park” and signed by the Executive Director; and
 - (iii) fishing by the use of a haul net in accordance with the manner described in the letter referred to in (ii).

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Schedule 1

Waterman Recreation Area

All waters of the Indian Ocean within 300 metres of the high water mark between the prolongation westerly of the northern side of Elsie Street, Waterman and the prolongation westerly of the southern side of Malcolm Street, Waterman.

The Lumps Sanctuary Area

All waters of the Marmion Marine park bounded by a line commencing at the intersection of 31°47.177' south latitude and 115°42.779' east longitude; thence easterly to the intersection of 31°47.177' south latitude and 115°42.949' east longitude; thence southerly to the intersection of 31°47.687' south latitude and 115°43.099' east longitude; thence westerly to the intersection of 31°47.714' south latitude and 115°42.919' east longitude; thence northerly to the commencement point.

Little Island Sanctuary Area

All waters of the Marmion Marine park bounded by a line commencing at the intersection of 31°48.707' south latitude and 115°42.409' east longitude; thence easterly to the intersection of 31°48.707' south latitude and 115°42.629' east longitude; thence southerly to the intersection of 31°48.797' south latitude and 115°42.619' east longitude; thence westerly to the intersection of 31°48.837' south latitude and 115°42.469' east longitude; thence northerly to the commencement point.

Boyinaboat Sanctuary Area

All waters of Marmion Marine park bounded by a line commencing at the intersection of 31° 49.473' south latitude and 115° 43.882' east longitude; thence south easterly to the intersection of 31° 49.583' south latitude and 115° 44.085' east longitude; thence south westerly to the intersection of 31° 49.653' south latitude and 115° 44.039' east longitude; thence north westerly to the intersection of 31° 49.585' south latitude and 115° 43.804' east longitude; thence north easterly to the commencement point.

Schedule 2

General Use Areas

All waters of the Marmion Marine Park other than the waters described in Schedule 1 and Schedule 3.

Schedule 3

1. All the waters of the Ocean Reef Boat Harbour on the landward side of a line drawn between the western most extremities of the outer groynes.
2. All the waters of the Hillarys Boat Harbour on the landward side of a line drawn between the western most extremities of the outer groynes.
3. All the waters within 200 metres seaward of the groynes and entrances of the Hillarys Boat Harbour and the Ocean Reef Boat Harbour.

Dated this 9th day of November 1999.

MONTY HOUSE, Minister for Fisheries.

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Original Order and Amendment Information:

Prohibition on Commercial Fishing (Marmion Marine Park) Order 1999 was first published in Government Gazette No. 214 on 12.11.99. (p.5707).

Amendments: Prohibition on Commercial Fishing (Marmion Marine Park) Amendment Order 2005 published in Government Gazette No. 97 on 24.05.05. (p. 2270-2271); *Consequential Amendments (West Coast Rock Lobster Managed Fishery) Order 2012* published in Government Gazette No. 37 on 01.03.13. (p. 1095); *Prohibition on Commercial Fishing (Marmion Marine Park) Amendment Order 2015* published in Government Gazette No. 144 on 25.09.15. (p. 3886).

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