

FISH RESOURCES MANAGEMENT ACT 1994

PROHIBITION ON FISHING (ROTTNEST ISLAND) ORDER 2007

Order No. 4 of 2007

FD 931/01 [813]

Made by the Minister under section 43.

1. Citation

This order is the *Prohibition on Fishing (Rottnest Island) Order 2007*.

2. Interpretation

In this order unless the contrary intention appears-

“pointed instrument” means a speargun, harpoon, Hawaiian sling, gidgie, or any other similar instrument;

“protected area” means any of the waters specified in Schedules 1, 2, 3, 4 or 5

3. Prohibition on fishing in a protected area

(1) A person must not fish by any means in a protected area.

(2) Subclause (1) does not apply in regard to any area specified in Schedule 1, 2 or 3 as a permitted area, and by the means specified.

4. Prohibition on fishing by net

A person must not take fish by means of a net of any description in any waters described in Schedule 6.

5. Prohibition on fishing for certain species

A person must not fish by any means for any fish specified in Schedule 7 in any waters described in Schedule 6.

6. Prohibition on fishing by pointed instrument

A person must not fish by means of a pointed instrument in the waters specified in Schedule 8.

7. Revocation

(1) The following Notices, which were made under the *Fisheries Act 1905* and were continued in force under regulation 186 of the *Fish Resources Management Regulations 1995* as if they were orders made under Section 43 of the Act, are revoked:

Notice No. 332 published in the Government Gazette of 30 May 1988

Notice No. 333 published in the Government Gazette of 30 May 1988

Notice No. 367 published in the Government Gazette of 2 December 1988

Notice No. 641 published in the Government Gazette of 22 July 1994

(2) Order No. 27 of 2003, published in the Government Gazette of 23 December 2003, is revoked.

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Schedule 1

West End Demersal protected area

All that portion of the Indian Ocean adjacent to Rottneest Island within and bounded by a line commencing at the point of latitude 32° 01.180' south; longitude 115° 27.103' east on the high water mark on Rottneest Island; then north along the geodesic to the point of latitude 32° 00.986' south; then west along the geodesic to the point of longitude 115° 26.381' east; then south along the geodesic to the point of latitude 32° 01.911' south; then easterly along the geodesic to the point of latitude 32° 02.005' south; longitude 115° 27.408' east; then northerly along the geodesic to the point of intersection on the high water mark of Rottneest Island and then generally westerly and northerly to the commencement point.

Permitted Area and means

1. Fishing for fish by means of a rod and line, or line held in the hand, from the shore, or from the reef top area adjacent to Rottneest Island, between a point of latitude 32° 01.479' south; longitude 115° 27.202' east; and latitude 32° 01.563' south; longitude 115° 27.408' east.
2. Trolling from a boat for pelagic species.

Schedule 2

Green Island protected area

All that portion of the Indian Ocean adjacent to Rottneest Island within and bounded by a line commencing at the point on the high water mark on the southern side of Rottneest Island and intersection 115° 29.342' east longitude; then south along the geodesic to the point of latitude 32° 01.454' south; then east along the geodesic to the point of longitude 115° 30.117' east; then north along the geodesic to the point of intersection with the high water mark on Rottneest Island then generally westerly and southerly along the high water mark to the commencement point.

Permitted Area and means

Fishing by means of a rod and line, or line held in the hand, from the structure known locally and referred to as the "Green Island jetty".

Schedule 3

Armstrong protected area

All that portion of the Indian Ocean adjacent to Rottneest Island within and bounded by a line commencing at the point of latitude 31° 59.242' south; longitude 115° 30.864' east; then northerly along the geodesic to the point of latitude 31° 58.880' south; longitude 115° 30.689' east; then generally westerly along the geodesic to the point of latitude 31° 59.171' south; longitude 115° 29.960' east; then south easterly along the geodesic to the point of latitude 31° 59.456' south; longitude 115° 30.193' east; then easterly and northerly along the high water mark of Rottneest island to a point of latitude 31° 59.260' south; longitude 115° 30.822' east; then north easterly back to the commencement point.

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Permitted Area and means

Fishing by means of a rod and line, or line held in the hand, from the shore, or from the reef top area adjacent to Rottnest Island, between –

- (a) a point of latitude 31° 59.456' south; longitude 115° 30.193' east; and latitude 31° 59.490' south; longitude 115° 30.229' east; or
- (b) a point of latitude 31° 59.417' south; longitude 115° 30.400' east; and latitude 31° 59.409' south; longitude 115° 30.455' east.

Schedule 4

Parker Point protected area

All that portion of the Indian Ocean adjacent to Rottnest Island within and bounded by a line commencing at the point on the high water mark latitude 32° 01.493' south; longitude 115° 31.719' east; then east along the geodesic to the point of longitude 115° 31.947' east; then south along the geodesic to the point of latitude 32° 01.670' south; then south westerly along the geodesic to the point of latitude 32° 01.949' south; longitude 115° 31.497' east; then north westerly along the geodesic to the point of latitude 32° 01.516' south; longitude 115° 31.021' east; then north along the geodesic to the point of latitude 32° 01.261' south; then east along the geodesic to the point of intersection with the high water mark of Rottnest Island; then generally southerly, easterly and northerly along the high water mark back to the commencement point.

Schedule 5

Kingston Reef protected area

All that portion of the Indian Ocean adjacent to the area of waters at Rottnest Island known as Thomson Bay, within and bounded by a line commencing at the point of latitude 31° 59.756' south; longitude 115° 33.050' east; then east north-easterly along the geodesic to the point of latitude 31° 59.640' south; longitude 115° 33.496' east; then north easterly along the geodesic to the point of latitude 31° 58.850' south; longitude 115° 33.978' east; then west south westerly along the geodesic to the point of latitude 31° 59.248' south; longitude 115° 32.655' east; then in a generally southerly direction back to the commencement point.

Schedule 6

All that portion of the Indian Ocean within 800 metres of the high water mark of Rottnest Island; and All that portion of the Indian Ocean within 200 metres of the high water mark of Dyer Island.

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Schedule 7

Phylum Mollusca (live), which includes all bivalve and gastropod shells and sea slugs other than abalone, squid, cuttlefish and octopus;

Phylum Echinodermata, which includes sea urchins, starfish, brittle stars, feather stars and sea cucumbers;

Phylum Cnidaria, which includes all corals, sea anemone and jelly fish;

Fishes of the families Syngnathidae and Solenostomidae, which includes sea dragons, sea horses and pipe fish.

Schedule 8

a) All that portion of the Indian Ocean bounded by a line commencing at the high water mark at Point Clune, then extending north 800 metres, then commencing in an easterly direction following, and parallel to, the coastline, at a distance of 800 metres from the high water mark, to a point 800 metres south of the high water mark at Salmon Point, then north to the high water mark at Salmon Point, then along the high water mark to the commencement point.

b) All that portion of the Indian Ocean bounded by a line commencing at the high water mark at Salmon Point, then extending south 200 metres, then commencing in a westerly direction following, and parallel to, the coastline, at a distance of 200 metres from the high water mark, to a point 200 metres north of the high water mark at Point Clune, then south to the high water mark at Point Clune, then along the high water mark to the commencement point.

c) All that portion of the Indian Ocean within 200 metres of the high water mark of Dyer Island.

Dated this 19th day of June 2007.

JON FORD, Minister for Fisheries.

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