

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

**FISH RESOURCES MANAGEMENT ACT 1994**

**PROHIBITION ON RECREATIONAL FISHING (MARMION MARINE PARK)**

ORDER 1999

Order No. 6 of 1999

FD 1620/98 [281]

Made by the Minister under section 43.

**Citation**

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

**Interpretation**

2. In this order, unless the contrary intention appears—  
“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;  
“pointed instrument” means a speargun, harpoon, gidgie, Hawaiian sling or any other similar instrument capable of acting as, or launching, a projectile;  
“recreational fishing licence” means a licence referred to in regulation 123 of the regulations;  
“regulations” means the *Fish Resources Management Regulations 1995*.

**Prohibition on recreational fishing**

3. A person must not engage in recreational fishing 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 recreational fishing activity and by the means specified in Schedule 4.
- [5. Deleted on 19.09.14. by *Prohibition on Recreational Fishing (Marmion Marine Park) Amendment Order 2014*.]

**Revocation**

6. (1) The *Marmion Marine Park Ocean Reef and Hillarys Boat Harbour Fishing Restrictions Notice 1989* published as Notice No 376 in the *Gazette* of 10 February 1989 is revoked.  
(2) Notice number 329 dated 4 November 1988 and published in the *Gazette* of 11 November 1988 is revoked.

**Schedule 1—General Use Areas**

All waters of the Marmion Marine Park other than the waters described in Schedule 2 or Schedule 3.

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### Schedule 2—Recreation Area

**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.

### Schedule 3—Sanctuary Areas

#### 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 4

#### Permitted Recreational Fishing Activities and Gear

1. Fishing in the waters described in Schedule 1 by means of line.
2. Fishing from the shore in the waters described in Schedule 2 by means of line.
3. Fishing by means of a pointed instrument not less than 1800 metres from the high water mark on the mainland in the waters described in Schedule 1, provided that compressed air breathing apparatus is not used.

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4. Fishing for western rock lobster in the waters described in Schedule 1 under the authority of a recreational fishing licence authorising the holder to fish for rock lobster.
5. Fishing in the waters described in Schedule 1 for Roe's abalone under the authority of a recreational fishing licence authorising the holder to take abalone.
6. Fishing in the waters described in Schedule 1 for for white spotted sand crabs or blue manna crabs.
7. Fishing for octopus in the waters described in Schedule 1 by means of octopus pot.
8. For the purposes of item 7 an octopus pot is a device designed, used, or capable of being used, to take octopus, and which -
  - (a) is constructed of one or more pieces of tubing;
  - (b) has an inside diameter not exceeding 200 millimetres;
  - (c) is not baited; and
  - (d) is open at one end of the tubing.
9. Paragraphs 1, 2 and 3 do not apply in respect of sea urchin.

Dated this 9th day of November 1999.

MONTY HOUSE, Minister for Fisheries.

*Original Order and Amendment Information:*

*Prohibition on Recreational Fishing (Marmion Marine Park) Order 1999* was first published in Government Gazette No. 214 on 12.11.99. (p. 5705-5706).

*Amendments: Prohibition on Recreational Fishing (Marmion Marine Park) Amendment Order 2005* published in Government Gazette No. 97 on 24.05.05. (p. 2269-2270); *Prohibition on Recreational Fishing (Marmion Marine Park) Amendment Order 2014* published in Government Gazette No. 144 on 19.09.14. (p. 3347); *Prohibition on Recreational Fishing (Marmion Marine Park) Amendment Order 2015* published in Government Gazette No. 144 on 25.09.15. (p. 3886-3887).

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