

This compilation incorporates amendments up to and including the *Prohibition on Recreational Fishing (Shoalwater Islands Marine Park) Amendment Order 2014* published in Government Gazette No. 144 on 19/09/2014.

## FISH RESOURCES MANAGEMENT ACT 1994

### PROHIBITION ON RECREATIONAL FISHING (SHOALWATER ISLANDS MARINE PARK) ORDER 2010

Order No. 5 of 2010

FD 1620/98 [959]

Made by the Minister under section 43.

#### 1. Citation

This order is the *Prohibition on Recreational Fishing (Shoalwater Islands Marine Park) Order 2010*.

#### 2. Interpretation

In this order unless the contrary intention appears –

“**General Use Area**” means the area specified in Schedule 5;

“**pointed instrument**” means a speargun, harpoon, gidgie, Hawaiian sling or any other similar instrument capable of acting as, or launching, a projectile;

“**Sanctuary Area**” means all the areas specified in Schedule 2;

“**Saxon Ranger Wreck Site Area**” means the area specified in Schedule 4;

“**Shoalwater Islands Marine Park**” means the waters of the area specified in Schedule 1;

“**Special Purpose Area**” means all the areas specified in Schedule 3.

#### 3. Prohibition on recreational fishing

A person must not engage in recreational fishing by any means in the waters of the Shoalwater Islands Marine Park.

#### 4. Exceptions to prohibition

Clause 3 does not apply to a person engaged in an activity specified in Schedule 6.

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## Schedule 1 Shoalwater Islands Marine Park

All waters bounded by a line commencing west northwest of Cape Peron at the intersection of 32° 15.660' south latitude and 115° 40.089' east longitude; thence generally north easterly along the geodesic to the intersection with 32° 14.831' south latitude and 115° 42.093' east longitude and the causeway extending from Garden Island to the mainland; thence generally south easterly and south westerly along the western side of the causeway to the intersection with 32° 16.178' south latitude; thence west along the parallel to the intersection with the high water mark on the mainland; thence generally westerly and southerly along the high water mark of Shoalwater Bay, Safety Bay and Warnbro Sound to the intersection with 115° 43.889' east longitude; thence north along the meridian to the intersection with 32° 21.710' south latitude; thence westerly along the geodesic to the intersection with 32° 21.694' south latitude and 115° 43.089' east longitude; thence south along the meridian to the intersection with the high water mark on the mainland; thence generally westerly, southerly and south easterly along the high water mark to the intersection with 32° 22.594' south latitude; thence west along the parallel to the intersection with 115° 40.089' east longitude; thence north along the meridian to the commencement point.

## Schedule 2 Sanctuary Areas

### Becher Point Sanctuary Area

All waters bounded by a line commencing north west of Becher Point at the intersection of 32° 21.333' south latitude and 115° 41.400' east longitude; thence east along the parallel to the intersection with 115° 42.500' east longitude; thence south along the meridian to its intersection with 32° 22.133' south latitude; thence west along the parallel to the intersection with 115° 41.400' east longitude; thence north along the meridian to the commencement point.

### Seal Island Sanctuary Area

All waters bounded by a line commencing north of Penguin Island at the intersection of 32° 17.483' south latitude and 115° 41.300' east longitude; thence generally east north-easterly along the geodesic to the intersection with 32° 17.283' south latitude and 115° 41.933' east longitude; thence south along the meridian to the intersection with 32° 17.833' south latitude; thence west along the parallel to the intersection with 115° 41.300' east longitude; thence north along the meridian to the commencement point.

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## Second Rock Sanctuary Area

All waters bounded by a line commencing south of Penguin Island at the intersection of 32° 18.933' south latitude and 115° 41.400' east longitude; thence east along the parallel to the intersection with 115° 42.000' east longitude; thence south along the meridian to the intersection with 32° 19.233' south latitude; thence west along the parallel to the intersection with 115° 41.400' east longitude; thence north along the meridian to the commencement point.

## Schedule 3 Special Purpose Areas

### Murray Reef Special Purpose Area (Scientific Reference)

All waters bounded by a line commencing west north-west of Becher Point at the intersection of 32° 21.333' south latitude and 115° 40.683' east longitude; thence east along the parallel to the intersection with 115° 41.400' east longitude; thence south along the meridian to its intersection with 32° 22.133' south latitude; thence west along the parallel to the intersection with 115° 40.683' east longitude; thence north along the meridian to the commencement point.

### Shoalwater Bay Special Purpose Area (Wildlife Conservation)

All waters bounded by a line commencing west of the south western portion of Cape Peron at the intersection of 32° 16.271' south latitude and 115° 41.128' east longitude; thence east along the parallel to the intersection with the high water mark on Cape Peron; thence generally easterly and southerly along the high water mark of Shoalwater Bay to the intersection with the geodesic joining the coordinates 32° 18.317' south latitude and 115° 42.133' east longitude on Mersey Point and 32° 18.727' south latitude and 115° 41.373' east longitude; thence generally south westerly along the geodesic to the intersection of 32° 18.727' south latitude and 115° 41.373' east longitude; thence generally northerly along the geodesic to the commencement point.

## Schedule 4 Saxon Ranger Wreck Site Area

All the waters bounded by a line commencing at the intersection of 32°19.67' south latitude and 115°42.37' east longitude; thence west along the parallel to the intersection of 115°42.25' east longitude; thence north along the meridian to the intersection of 32°19.55' south latitude; thence east along the parallel to the intersection of 115°42.37' east longitude; thence south along the meridian to the commencement point.

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## **Schedule 5 General Use Area**

All waters of the Shoalwater Islands Marine Park that are not a Sanctuary Area, a Special Purpose Area or a Saxon Ranger Wreck Site Area.

## **Schedule 6 Permitted Recreational Fishing Activities**

1. Fishing for abalone, in the waters of the General Use Area and the Shoalwater Bay Special Purpose Area (Wildlife Conservation);
2. Fishing for crab, in the waters of the General Use Area and the Shoalwater Bay Special Purpose Area (Wildlife Conservation);
3. Fishing for mussel, in the waters of the General Use Area and the Shoalwater Bay Special Purpose Area (Wildlife Conservation);
4. Fishing for octopus, by means of octopus pots, in the waters of the General Use Area and the Shoalwater Bay Special Purpose Area (Wildlife Conservation);
5. Fishing for rock lobster, in the waters of the General Use Area, the Shoalwater Bay Special Purpose Area (Wildlife Conservation) and the Murray Reef Special Purpose Area (Scientific Reference);
6. Fishing by means of a haul net or throw net, in the waters of the General Use Area;
7. Fishing by line, in the waters of the General Use Area and the Shoalwater Bay Special Purpose Area (Wildlife Conservation);
8. Fishing by means of a pointed instrument, without the use of compressed air breathing apparatus, in the waters of the General Use Area.
9. For the purposes of item 4 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.
10. Paragraphs 6, 7 and 8 do not apply in respect of sea urchin.

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