

**Original Notice Printed in GG No. 88 of 26-06-92**

**Original Notice/Order Amended by –**

**Notice # 562 – GG No. 117, 14/08/92**

**Notice # 668 – GG No. 109, 29/07/94**

**Order No. 1 – G.G. No. 116, 28/06/02**

**Effective 01-07-02**

**Order No. 8 – G.G. No.172, 31-10-03**

**Effective 08-11-03**

## **FISHERIES ACT 1905**

### **CLOSED WATERS PROFESSIONAL NETTING (RIVERS, ESTUARIES, INLETS AND LAKES SOUTH OF 23° SOUTH LATITUDE) NOTICE 1992**

Notice No. 548

FD 736/86.

Made by the Minister under sections 9, 10 and 11.

#### **Citation**

1. This notice may be cited as the *Closed Waters Professional Netting (Rivers, Estuaries, Inlets and Lakes) Notice 1992*.

#### **Commencement**

2. This notice will commence operation on 1 July 1992.

#### **Interpretation**

3. For the purpose of this notice unless the contrary intention appears —

"hauling gill net" or "throw net" means any net used or intended to be used for taking any fish other than prawns, crabs or marron, which is not set;

"set" means placed, put, fixed, anchored, staked or in any way to make a net stationary below high water mark;

"set gill net" means any gill net used or intended to be used to take any fish other than prawns, crabs or marron, set below high water mark and the net has a float line at or beneath the surface of the water;

"sunrise" means the time provided by the Perth Astronomical Observatory for sunrise in Perth on the relevant day; and

"sunset" means the time provided by the Perth Astronomical Observatory for sunset in Perth on the relevant day.

#### **Prohibition**

4. (1) All persons are prohibited from taking, or attempting to take fish by means of a set gill net, hauling gill net or throw net in any waters described in Schedule 1.

(2) Subject to subclause (3), all persons, other than the class of person described in clause 5, are prohibited from taking fish by means of a set gill net, hauling net or throw net in the waters described in Schedules 2 and 3.

(3) All persons are prohibited from —

carrying on board any boat; or

taking or attempting to take, fish by means of —

any net which has-

(a) a design feature known as a "pocket"; or

(b) a mesh size of 57 mm or less and the depth of the net exceeds 66 meshes; or

(c) a mesh size greater than 57 mm and the depth of the net exceeds 33 meshes;

in the waters described in Schedule 4 during the times specified in Schedule 5.

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### **Exemptions**

5. (1) Licensed Professional Fishermen using a fishing boat licensed under Regulation 2 and the licence is endorsed to permit the taking of fish by means of nets in the waters specified on the licence.

(2) A person authorised in accordance with subclause (1) shall not take, or attempt to take, fish from any waters described in Schedules 2 and 3 other than in accordance with this notice.

### **Revocation**

6. The following notices are revoked —

- (1) Number 112 published in the *Gazette* of 3 October 1980;
- (2) Number 228 published in the *Gazette* of 24 April 1986;
- (3) Number 422 published in the *Gazette* of 23 February 1990;
- (4) Number 424 published in the *Gazette* of 4 May 1990; and
- (5) Number 425 published in the *Gazette* of 30 March 1990.

## **Schedule 1**

### Item I-Mid West Coast

#### Area 1 — Moore River

- (1) The waters of the Moore River between its junction with the sea and Boobabbie Bridge situated approximately 13 kilometres upstream from the mouth of the river; and
- (2) The waters of the Indian Ocean within a radius of 800 metres of the mouth of the Moore River.

#### Area 2 — Greenough River

The whole of the waters of the Greenough River and its tributaries.

#### Area 3 — Chapman River

The whole of the waters of the Chapman River and its tributaries.

#### Area 4 — Bowes River

The whole of the waters of the Bowes River and its tributaries.

#### Area 5 — Murchison River

- (1) The whole of the waters of the Murchison River and its tributaries; and
- (2) the waters of the Indian Ocean within an 800 metre radius of the north western most point of the southern bank at the mouth of the Murchison River.

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**Item 4-South West (including Leschenault Inlet)**

**Area 1 — The Deadwater**

All waters of the old channel entrance to Leschenault Inlet known as the "Deadwater" including the waters of Koombana channel connecting the Deadwater with Koombana Bay.

**Area 2 — Bunbury Harbour Basin**

All waters of the Bunbury Harbour Basin inshore from a line between the western most end of the southern groyne and the western most end of the northern groyne at the harbour entrance.

**Area 3 — Collie River**

All waters of the Collie River and its tributaries and all waters of Leschenault Inlet lying within a radius of 400 metres of the northern most extremity of Bar Island.

**Area 4 — The Cut**

All waters of the man made channel connecting Leschenault Inlet to the sea known as "The Cut" and those waters of Koombana Bay bounded on the east by a line commencing at a post on the northern extremity of Turkey Point drawn northerly to a post on the southeastern extremity of an unnamed point on the northern bank of the channel and on the west by a line 400 metres radius from the western end of the northern groyne at the seaward entrance to the channel.

**Area 5 — Preston River**

All waters of the Preston River and its tributaries upstream from the railway bridge near its mouth.

**Area 6 — Capel River**

All waters of the Capel River and its tributaries.

**Area 7 — Wonnerup Inlet**

All waters of Wonnerup Inlet downstream from the floodgates near the boundary between Wonnerup Sub Lots 67 and 68 and the floodgates at Forrest Beach Road, the waters known as the "Deadwater" and all waters of Geographe Bay within a radius of 400 metres from the centre of the mouth of Wonnerup Inlet.

**Item 5 Dunsborough to Windy Harbour**

**Area 1 — Blackwood River**

All waters of the Blackwood River and all its tributaries upstream from a line drawn across the river along the northern prolongation of the eastern boundary of Sussex Location 133.

**Area 2 — Hardey Inlet**

All waters of Hardey Inlet including Swan Lakes and the Deadwater downstream from a line drawn southwesterly from the high water mark on the western most point of Point Irwin on the eastern side of the inlet to the high water mark at the Irwin Street boat ramp on the western side of the inlet.

**Schedule 2**

**Item I — Swan and Canning Rivers**

(1) In all areas of the Swan and Canning Rivers and their affluents and tributaries, excluding the areas specified in subclause (2) and Areas 1 to 6 of Item 2 in Schedule 1, set gill nets, hauling gill nets and throw nets may be used from 1800 hours on each Sunday until 0800 hours on the following Saturday during the period commencing on 1 October in each year and ending on 31 March next following and from 1800 hours on each Sunday until 0900 hours on the following Saturday during the period commencing on 1 April in each year and ending on 30 September next following.

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(2) In the waters of the Swan River bounded by a line commencing from a point being the intersection of the high water mark and the prolongation east-northeasterly of a line drawn along the northern most side of a street known as the South Perth Esplanade; thence generally northeasterly to the first starboard hand beacon located east of the Narrows Bridge thence generally southeasterly to the fourth navigational pile counted from the Mends Street jetty located along the western side of the Mends Street/Barrack Street ferry channel; thence southwesterly to a point on the foreshore being the intersection of the high water mark and the prolongation northeasterly of a line drawn along the western side of Mends Street thence generally northerly along the high water mark to the starting point hauling gill nets and throw nets, but not set nets, may be used during the period from 0000 hours to 0800 hours on each weekday.

**Item 2 Peel Inlet and Harvey Estuary System**

In all the waters of the Peel Inlet and the Harvey River estuary system excluding Areas 1-5 of Item 3 in Schedule 1 —

- (a) set gill nets may be used from 1½ hours before sunset on each weekday until 1½ hours after sunrise next following throughout the year provided that the nets must be removed from the water by 0800 hours on each Saturday; and
- (b) hauling gill nets and throw nets may be used from —
  - (i) 0700 hours each Monday to 0800 hours each Saturday during the period commencing on 1 April in any year and ending on 30 September next following; and
  - (ii) 0500 hours each Monday to 0800 hours each Saturday during the period commencing on 1 October in any year and ending on 31 March next following.

**Item 3 South West (Leschenault Inlet)**

In all the waters of the Leschenault Inlet system excluding the waters described in Areas 1 to 7 of Item 4 in Schedule 1, fish may be taken by means of set gill nets, hauling gill nets and throw nets from —

- (a) 0700 hours on each Monday until 0800 hours on the following Saturday during the period commencing on 1 April in each year and ending on 30 September next following; and
- (b) from 0500 hours on each Monday until 0800 hours on the following Saturday during the period commencing on 1 October in each year and ending on 31 March next following.

**Item 4 — Dunsborough to Windy Harbour**

In all waters of the Blackwood River and Hardy Inlet excluding the area described in Item 5 of Schedule 1 —

- (a) set gill nets may be used during the period from 1½ hours before sunset to 1½ hours after sunrise throughout the year; and
- (b) hauling gill nets and throw nets may be used at any time.

**Schedule 3**

All other rivers, estuaries, inlets and lakes south of 23° south latitude not specified in Schedules 1 and 2 but not including those rivers, streams, estuaries and their tributaries east of Cape Beaufort.

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#### **Schedule 4**

- (a) All waters of the Leschenault Inlet together with all its tributaries and affluents.
- (b) All waters of the Peel Inlet and Harvey Estuary, together with the Murray, Serpentine and Dandalup rivers and all their tributaries, affluents and all waters of the Indian Ocean lying within a radius of 800 metres from the northern extremity of the Channel Entrance to Peel Inlet.

#### **Schedule 5**

The period commencing on 1 August in each year and ending 30 September next following.

Dated this 22nd day of June 1992.

GORDON HILL, Minister for Fisheries.