

Original Notice Published in GG No. 88 of 26-06-92
Notice/Order Amended by
Notice # 563 – GG No. 117, 14/08/92
Notice # 634 – GG No. 175, 31/12/93
Order # 9 - GG No. 225 12/12/97 **Effective 01-01-98**
Order # 29 – GG No. 184, 25/11/03
Order # 1 of 2012 – GG No. 11, 20/01/2012

FISHERIES ACT 1905

CLOSED WATERS RECREATIONAL NETTING RESTRICTIONS (RIVERS, ESTUARIES, INLETS AND LAKES SOUTH OF 23° LATITUDE) NOTICE 1992

Notice No. 547

FD 751/73

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

Citation

1. This notice may be cited as the *Closed Waters Recreational Netting Restrictions (Rivers, Estuaries, Inlets and Lakes south of 23° south latitude) 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 –

“haul net” means any net used or intended to be used to take fish other than prawns, crabs or marron that is not set and is not a throw net;

“set” means placed, put, fixed, anchored, staked or in anyway 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 below the surface of the water;

“sunrise” means the time provided by the Perth Astronomical Observatory for sunrise in Perth on the relevant day;

“sunset” means the time provided by the Perth Astronomical Observatory for sunset in Perth on the relevant day;

“throw net” means a net which-

- (a) is not set;
- (b) has a length not exceeding 3 metres measured from the centre retrieval line to the lead line; and
- (c) and has a mesh not exceeding 25 millimetres

Prohibition

4. Subject to clause 5 no person shall take, or attempt to take fish by means of a set gill net, haul net or throw net in the waters of any river, estuary, estuarine inlet or lake including tributaries, creeks, channels and entrances, in Western Australia south of 23° south latitude.

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Exemptions

5. (1) The holder of a recreational fisherman's licence specifying that the holder may take fish by means of a gill net or throw net when taking or attempting to take fish –

- (a) by the method;
- (b) at the times; and
- (c) in the waters,

as specified in the schedule.

(2) Persons holding a licence issued under Regulation 3 and using a fishing boat licensed under Regulation 2 the license for which is endorsed to permit the holder to use nets in the waters specified on the licence.

Schedule 1

Item 1 Peel Inlet and Harvey Estuary System

In all the waters of the Peel Inlet and the Harvey River estuary system excluding the waters described in Areas 1-5 of this Item –

- (a) set gill nets may be used from 1 November in any year to 31 July in the following year between 1630 hours and midnight on any Wednesday; and
- (b) throw nets may be used at any time.

Area 1 – Channel Entrance

In the waters of the Channel Entrance to Peel Inlet (Mandurah) including all constructed waterways connected to the Channel bounded on the south by lines drawn in an easterly direction from the south eastern corner of Murray location No. 5 to the southern extremity of Channel Island; thence to the southwestern extremity of Creery Island and by its southern foreshore along the high water mark to the eastern extremity of that island; thence in a northeasterly direction to a point on the foreshore of the mainland and including the waters of the Indian Ocean lying within a radius of 800 metres of the northern most extremity of the mole situated on the west side of the Channel Entrance to Peel Inlet.

Area 2 - Serpentine River

In the waters of the Serpentine River and its tributaries and the waters of the Peel Inlet upstream of a line commencing at the intersection of the southerly prolongation of the midline of William Road, Coodanup and the high water mark drawn southerly to Navigational Beacon No. 52 thence southerly to Navigational Beacon No. 119 thence easterly to Navigational Beacon No. 129 thence due east to the high water mark on the eastern shore of Peel Inlet.

Area 3 – Harvey River

In the waters of the Harvey River and that portion of the Harvey Estuary south of a line, being the prolongation easterly to the eastern shore of the estuary of the northern boundary of Murray Location No. 479.

Area 4 – Yunderup Canals

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In all that portion of Western Australian waters as shown delineated and bordered green on Lands and Surveys Miscellaneous Plan 1083.

Area 5 – Murray River

The Murray River and all its tributaries and branches including all constructed waterways connected to the system.

Item 2 Leschenault Inlet

In all the waters of the Leschenault Inlet system excluding the waters described in Areas 1 to 5 of this Item –

- (a) set gill nets may be used during the period commencing 1 November in any year and ending 31 July in the following year-
 - (i) from one and a half hours before sunset on any Wednesday to one and a half hours after sunrise on the following Thursday; and
 - (ii) from one and a half hours before sunset on any Friday to one and a half hours after sunrise on the following Saturday.
- (b) throw nets may be used at any time.

Area 1

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 2

All waters of the constructed 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 northeastern extremity of Turkey Point drawn northerly to a post on the south eastern 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 3

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

Area 4

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 5

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.

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Item 3 Irwin Inlet

In all waters of Irwin Inlet and the waters of all rivers, streams and creeks that flow into the inlet excluding the Bow River, set gill nets and throw nets may be used from 1600 hours on 1 May in any year to 1200 hours on 31 October next following.

Item 4 Wilson Inlet

In all the waters of Wilson Inlet excluding the waters described in Areas 1 – 4 of this item –

- (a) set gill nets may be used from 1 ½ hours before sunset on any day until 1½ hours after the sunrise next following during the period commencing 1½ hours before sunset on 1 March in any year and ending 1½ hours after sunrise on 1 November next following and from 1700 hours on any day until 1½ hours after the sunrise next following during the period commencing at 1700 hours on 1 November in any year and ending 1½ hours after sunrise on 1 March next following; and
- (b) thrown nets may be used at any time.

Area 1

The waters of the Hay River and its tributaries and that portion of the waters of Wilson Inlet within a radius of 400 metres from the mouth of the Hay River.

Area 2

The waters of the Sleeman River and its tributaries and that portion of the waters of Wilson Inlet within a radius of 400 metres from the mouth of the Sleeman River.

Area 3

The waters of the Denmark River and its tributaries and that portion of the waters of Wilson Inlet within a radius of 800 metres from the mouth of the Denmark River.

Area 4

The waters of Wilson Inlet situated between low water mark of Ratcliffe Bay (Southern Ocean) and a line joining the southernmost extremity of Reserve 12344 and the northeastern corner of Plantagenet Location 1828.

Item 5 Princess Royal Harbour

In all the waters of Princess Royal Harbour excluding the waters described in Area 1 of this item –

- (a) set gill nets may be used from 1 ½ hours before sunset on any day until 1½ hours after the sunrise next following during the period commencing 1½ hours before sunset on 1 March in any year and ending 1½ hours after sunrise on 1 November next following and from 1700 hours on any day until 1½ hours after sunrise next following during the period commencing at 1700 hours on 1 November in any year and ending 1½ hours after sunrise on 1 March next following; and
- (b) throw nets may be used at any time.

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Area 1

The area bounded by a line commencing at a point situated at the intersection of the high water mark and the eastern side of the town jetty and continuing along the eastern side of the town jetty to its eastern most extremity thence southeasterly in a direct line to the northwestern extremity of the deep water jetty thence generally northerly to the eastern most extremity of the steel sheet piling forming the land section of the land backed berth (wharf) thence generally southwest and northeast and northwest along the seaward side of the wharf to a point situated at the intersection of the high water mark and the northwestern extremity of the land backed wharf thence generally northwesterly along the high water mark to the starting point; and

Item 6 Beaufort Estuary

In all waters of the Beaufort Estuary and the Pallinup River –

- (a) set gill nets may be used from one and a half hours before sunset on any day to one and a half hours after sunrise on the following day; and
- (b) throw nets may be used at any time.

Item 7 Wellstead Estuary

- (1) In all waters of the Wellstead Estuary excluding the waters of the Bremer River its tributaries and affluents upstream of the “Narrows” set gill nets and throw nets may be used at any time.
- (2) Notwithstanding the provisions of clause 5(2) and subclause (1) of this item, a person who is the holder of a Professional Fisherman’s Licence issued under Regulation 3 is prohibited from taking any fish whatsoever from all the waters of the Bremer River, its tributaries and affluents upstream from a line drawn from the southern most point of Reserve 4120 to the north western corner of Bremer Bay Town Lot 131.

Item 8 Hardy Inlet

In all waters of the Hardy Inlet and Blackwood River excluding the areas described in Areas 1 and 2 of this item –

- (a) set gill nets may be used from one a half hours before sunset on any day to one and a half hours after sunrise on the following day during the period commencing one and a half hours before sunset on 1 September in any year and ending one and a half hours after sunrise on 31 May in the following year; and
- (b) throw nets may be used at any time.

Area 1

All the waters of the Blackwood River and all its tributaries upstream from the Fisher Road boat ramp.

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Area 2

All waters of the Hardy 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.

Item 9 Broke Inlet

In all the waters of Broke Inlet and the waters of all rivers, streams and creeks that flow into the inlet –

- (a) set gill nets may be used from one and a half hours before sunset on any day to one and a half hours after sunrise on the following day during the period commencing one and a half hours before sunset on 1 May in any year and ending one and a half hours after sunrise on 31 October in the same year; and
- (b) throw nets may be used at any time.

Item 10 Gordon Inlet and Gairdner River

- (1) In all waters of the Gordon Inlet set gill nets and throw nets may be used at any time.
- (2) In all waters of the Gairdner River including its tributaries and affluents, downstream from a line which joins the southeastern corner of Kent Location 1295 to the southwestern corner of Kent Location 1301; and upstream of the mouth of the Gairdner River where it joins the Gordon Inlet, set gill nets may be used at any time during the period commencing April 1 in any year and ending on November 30 in the same year.
- (3) In all waters of the Gairdner River including its tributaries and affluents throw nets may be used at any time.

Item 11 Hammersley Inlet

In all the waters of the Hammersley Inlet and the Hammersley River set gill nets and throw nets may be used at any time.

Item 12 Stokes Inlet

In all waters of Stokes Inlet including its tributaries and affluents –

- (a) set gill nets may be used from one and a half hours before sunset on any day to one and half hours after sunrise on the following day during the period commencing one and a half hours before sunset on 1 May in any year and ending one and a half hours after sunrise on 30 November in the same year; and
- (b) throw nets may be used at any time.

Item 13 Thomas River

In all waters of the Thomas River including its tributaries and affluents set gill nets and throw nets may be used at any time.

Dated this 22nd day of June 1992.

GORDON HILL, Minister for Fisheries

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