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FISH RESOURCES MANAGEMENT ACT 1994

SOUTH COAST ESTUARINE FISHERY MANAGEMENT PLAN 2005

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FISH RESOURCES MANAGEMENT ACT 1994**SOUTH COAST ESTUARINE FISHERY MANAGEMENT
PLAN 2005**

FD 173/05 [660]

Made by the Minister under section 54.

PART 1—PRELIMINARY**1. Citation**

This plan may be cited as the *South Coast Estuarine Fishery Management Plan 2005*.

2. Commencement

This plan will commence operation on 1 July 2005.

3. Interpretation

(1) In this plan, unless the contrary intention appears—

“authorised boat” means—

- (a) a licensed fishing boat, the name, licensed fishing boat number and length of which are specified on a licence; or
- (b) a boat specified in a written authority under regulation 132 where that boat is to be used in place of a boat described in (a);

“auxiliary boat” means an authorised boat that is specified on a licence as an auxiliary boat;

“Fishery” means the South Coast Estuarine Managed Fishery identified in clause 5;

“fishing net” means any fishing net other than—

- (a) a hand scoop net or hand dip net;
- (b) a prawn hand trawl net; or
- (c) a drop net which has a diameter not exceeding 1.5 metres;

“fishing unit” means one primary fishing boat and not more than 4 auxiliary boats that are specified on the same licence;

“haul net” means a fishing net that—

- (a) does not have a pocket or a bunt;
- (b) has a hauling rope of more than 20 metres in length;

and when used—

- (c) is not stationary in the water;
- (d) the operator of the net is within 10 metres of the net at all times it is in the water;

“licence” means a managed fishery licence which authorises the holder to fish in the Fishery;

“length” means, in relation to a boat, the length as determined in accordance with regulations made under the *Western Australian Marine Act 1982*, expressed in metres to one decimal point (with a length which incorporates the number 0.05 of a metre or more being rounded upwards to the next 0.1 of a metre);

“mesh size” means the size of the mesh of a fishing net as measured in accordance with regulation 64D of the regulations;

“permit” means an interim managed fishery permit issued in accordance with the *South Coast Estuarine Fishery (Interim) Management Plan 2002*;

“primary fishing boat” means the authorised boat used primarily for or in conjunction with fishing under the authority of a licence and is specified on the licence as the primary fishing boat;

“pull” means to bring from the waters of the Fishery to the surface of those waters;

“regulations” means the *Fish Resources Management Regulations 1995*;

“ring net” means a fishing net that does not have a pocket or a bunt and when used—

- (a) the two ends of the net are brought together so that the net is circular in shape;
- (b) the operator of the net is within 10 metres of the net at all times it is in the water;

“seine net” means a fishing net that—

- (a) has a pocket or a bunt;
- (b) has a hauling rope of more than 20 metres in length;

and when used—

- (c) is not stationary in the water;
- (d) the operator of the net is within 10 metres of the net at all times it is in the water;

“set” when used as a verb, means to fix a fishing net, crab pot or fish trap in the water so that it remains stationary;

“set net” means a fishing net that—

- (a) has been fixed in place in the water so that it remains stationary; and
- (b) is left in the water for a period of 15 minutes or more;

“shellfish” means all molluscs of the Class Gastropoda or Bivalvia;

“throw net” means a fishing net where—

- (a) the net has a length not exceeding 3 metres measured from the centre retrieval line to the lead line;
- (b) the net has a mesh of not more than 25 millimetres; and
- (c) the operator of the net is in constant contact with the centre retrieval line while the net is in the water.

(2) In this plan, unless the contrary intention appears, the following terms have the same meanings as provided for in—

- (a) regulation 3 of the regulations—

“fishing boat licence”;

“licensed fishing boat number”;

“sunrise” and “sunset”;

- (b) Schedule 7 of the regulations—

“black bream”;

“cobbler”;

“cockle”;

“mussel”;

“razorfish”.

4. Procedure before this plan may be amended or revoked

For the purposes of section 65 of the Act, all the licence holders of the Fishery are the persons to be consulted before this plan is amended or revoked.

PART 2—THE FISHERY

5. Identification and Declaration

(1) The Fishery to which this plan relates is fishing by any means in the waters described in Schedule 1 and may be referred to as the South Coast Estuarine Managed Fishery.

(2) The Fishery is a managed fishery.

6. Areas

The Fishery is divided into the Areas described in Schedule 2.

PART 3—GENERAL REGULATION OF FISHING

7. Persons prohibited from fishing in the Fishery

(1) Subject to subclause (2), a person must not fish in the Fishery—

- (a) other than in accordance with this Plan;

- (b) unless the person is—

- (i) the holder of a licence; or

- (ii) the holder of a commercial fishing licence and is fishing together with the holder of a licence.

(2) A person fishing in accordance with the Act for a recreational purpose may fish in the waters described in Schedule 1.

8. Prohibition on selling, dealing in or purchasing fish

A person must not sell, deal in or purchase any fish taken from the Fishery unless the fish were taken by a person who is the holder of a commercial fishing licence fishing under the authority of a licence and in accordance with this plan.

9. Closure of parts of the Fishery

(1) Notwithstanding the provisions of clauses 17, 19, 20 and 21 the Executive Director may, by notice published in the Gazette, prohibit fishing by any means in any part of the Fishery for the period

specified in the notice if, in the opinion of the Executive Director, the prohibition is required in the better interests of the Fishery.

(2) A notice made in accordance with subclause (1)—

- (a) may only be made after consultation with all the licence holders;
- (b) may be made to apply at all times or at any specified time; and
- (c) revokes any previous notice made under that subclause.

(3) A person must not fish in any part of the Fishery at a time when fishing in that part of the Fishery has been prohibited by a notice made under subclause (1).

(4) The Executive Director may, by further notice published in the gazette, revoke a notice made under subclause (1).

PART 4—LICENCES

10. Criteria for the grant of a licence

The criteria to be satisfied before the Executive Director may grant a person a licence are that—

- (a) on 30 June 2005 the person was the holder of a permit that authorised the person to fish in the South Coast Estuarine Interim Managed Fishery as identified and declared in the *South Coast Estuarine Fishery (Interim) Management Plan 2002*; and
- (b) the person applies for a licence before 31 August 2005.

11. Duration of licences

A licence expires on 30 June next following the date of its grant or renewal.

12. Fees

- (1) The fee payable for the grant of a licence that will expire on 30 June 2006 is \$985.00
- (2) Where a licence is renewed as provided under section 139(1) of the Act an additional fee of 20% of the fee payable on the issue of the licence is payable by way of penalty.

13. Items that must be specified on a licence

(1) A licence must specify the following—

- (a) the name and business address of the holder of the licence;
- (b) the name, licensed fishing boat number and the measured length of any licensed fishing boat which may be used for or in connection with fishing in the Fishery under the authority of that licence and whether the boat is the primary fishing boat or an auxiliary boat;
- (c) the licence number;
- (d) the period for which the licence is in force;
- (e) the name of the fishery to which the licence refers;
- (f) the extent of any fish trap or shell fish entitlement;
- (g) any conditions imposed on the licence by the Executive Director.

(2) A boat must not be specified on more than one licence.

14. Grounds to refuse to transfer a licence

The Executive Director may refuse to transfer a licence on the grounds that—

- (a) there are more than 15 licences granted in respect of the Fishery and in the Executive Director's opinion it would not be in the best interests of the Fishery if the transfer was granted; or
- (b) as at 30 June 2002 the proposed transferee was not the holder of a commercial fishing licence that was endorsed with condition number 17 which specified that the holder of that licence was authorised to engage in taking fish for sale in the South Coast Estuarine Fishery as a trainee fisherman.

PART 5—ENTITLEMENT—FISH TRAPS, SHELL FISH AND BEAUFORT INLET

15. Entitlement to use fish traps

(1) Where, on 30 June 2005 a person was the holder of a permit and—

- (a) as at that date condition number 600 was endorsed on the permit; and
- (b) the holder of the permit has been granted a licence in accordance with clause 10,
then the licence shall, at the time it is granted, confer an entitlement to fish by means of fish traps.

(2) The maximum number of fish traps that may be specified on a licence at the time it is first granted is 10.

16. Entitlement to fish for shellfish

Where, on 30 June 2005 a person was the holder of a permit and—

- (a) as at that date condition number 601 was endorsed on the permit; and
- (b) the holder of the permit has been granted a licence in accordance with clause 10,
then the licence shall, at the time it is granted, confer an entitlement to fish for shellfish.

17. Entitlement to fish in Beaufort Inlet

(1) In this clause—

“activated licence holder” means a licence holder who has complied with the provisions of subclause (7);

“authorised licence holder” means a licence holder who is entitled to fish in the waters of Beaufort Inlet during the permitted period;

“the list” means the sequential list of all the licence holders set out in Schedule 7;

(2) A person must not fish in the waters of Beaufort Inlet.

(3) Notwithstanding subclause (2) a person may fish in the waters of Beaufort Inlet during the period commencing 1 July 2005 and ending on 1 November 2005 if they are the holder of a licence and their name is specified in Schedule 6.

(4) Notwithstanding subclause (2) a person may fish under the authority of a licence in the waters of Beaufort Inlet during the period commencing 1 May and ending on the next 1 November in any year after 2005 if the licence number and relevant licensed fishing boat number are specified in a notice that is made by the Executive Director and displayed in accordance with subclause (5).

(5) A notice made under subclause (4) must be displayed—

(a) before 20 April in the relevant year ;

(b) in a prominent position on a public notice board in the Albany office of the Department.

(6) The Executive Director must not include any person in the notice made under subclause (4) unless that person has first become an activated licence holder in accordance with subclause (7) and (8) for the relevant year.

(7) If a licence holder wishes to be an activated licence holder in any year then that person must advise the Executive Director accordingly.

(8) Advice from a licensee made for the purposes of subclause (7) must—

(a) be in writing;

(b) be received at the Albany office of the Department between 1 January and 15 April of the relevant year.

(9) The first three activated licence holders specified on the list immediately following the person's names as specified in Schedule 6 shall be the three authorised licence holders in 2006.

(10) For each successive year following 2006, the licence holders who are to be authorised to fish in Beaufort Inlet are the next three activated licence holders who immediately follow the last of the three authorised licence holders from the previous year as they appear on the list in Schedule 7.

(11) For the purposes of determining the sequence of persons on the list the first person on the list shall immediately follow the last person on the list.

PART 6—CAPACITY OF THE FISHERY**18. Capacity of the Fishery**

The capacity of the fishery in relation to the maximum—

(a) amount of set net that may be used in the Fishery, is 37,500 metres;

(b) number of crab pots that may be used is 625;

(c) number of fish traps that may be used is 50; and

(d) number of licence holders who may fish for shell fish is 4.

PART 7—USE OF GEAR AND BOATS**19. Fishing by means of nets—general restrictions**

(1) A person must not operate a fishing net as a set net in the waters of the Fishery on any day during the period commencing 2 hours after sunrise and ending 1 ½ hours before sunset on the same day.

(2) The holder of a licence must not allow—

(a) more than a total of six fishing nets to be used in the Fishery; or

(b) more than a combined total of 1500 metres of fishing net to be on board a boat or used in the Fishery,

under the authority of that licence at any one time.

(3) The holder of a licence must not allow—

(a) more than 3 fishing nets;

(b) more than 1000 metres of fishing net; or

(c) a fishing net with a mesh size of less than 76 millimetres,

to be used as a set net in the waters of Beaufort Inlet under the authority of that licence at any time.

(4) The holder of a licence must not allow more than a total of 500 metres of fishing net to be used as—

- (a) a haul net;
- (b) a ring net;
- (c) a seine net; or
- (d) any combination of haul net, ring net and seine net,

in the Fishery under the authority of that licence at any one time.

(5) A person must not use a fishing net in any area at any time in the Described Areas in Schedule 3 other than—

- (a) in the permitted areas;
- (b) using the permitted means; and
- (c) subject to clause 20(1) and subclause (1) of this clause, during the permitted period,

as specified in that Schedule.

(6) The holder of a licence must not allow more than a total of 500 metres of fishing net to be used as—

- (a) a haul net;
- (b) a ring net;
- (c) a seine net; or
- (d) any combination of haul, ring and seine net,

when fishing in conjunction with a person fishing under the authority of another licence.

(7) For the purposes of subclause (6) the holder of a licence is taken to be fishing in conjunction with a person fishing under the authority of another licence when 2 or more persons operating in the Fishery under the authority of separate licences combine gear and/or fishing operations.

(8) A person must not permit a fishing net that has been used as a haul net or seine net to be brought onto a boat while there are fish still in that net.

(9) A person must not operate a fishing net as a set net if that net has a mesh size less than 57 millimetres.

(10) Notwithstanding the provisions of subclause (9) a person may use a fishing net with a mesh size less than 57 millimetres as a set net provided that—

- (a) the fishing net is not set during the period commencing on 2 November in any year and ending on 31 May in the following year;
- (b) the mesh size of the fishing net is not less than 44 millimetres;
- (c) the amount of fishing net with a mesh size of less than 57 millimetres that has been set under the authority of a licence at any one time is less than 400 metres in length;
- (d) the depth of the fishing net is less than or equal to 50 meshes; and
- (e) no part of the fishing net is set or left in waters less than 2 metres in depth.

20. Fishing by means of fish traps or crab pots—general restrictions

(1) A person must not use a fish trap or crab pot at any time in any waters of the Fishery other than in the waters described in Schedule 5.

(2) A person must not use a fish trap in the Fishery unless they are fishing under the authority of a licence and the use of fish traps is specified on that licence as a permitted method of fishing.

(3) The maximum number of fish traps that may be used at any time in the Fishery under the authority of a licence is 10.

(4) The holder of a licence must not allow the combined total number of fish traps being—

- (a) used in the Fishery from; and
- (b) carried on,

the authorised boats specified in that licence at any time to be more than the number of fish traps permitted to be used under the authority of that licence.

(5) A person must not use a fish trap in the Fishery if that fish trap does not conform with the specifications for fish traps set out in Schedule 4.

(6) A person must not use a crab pot in the Fishery if that crab pot does not conform with the specifications for crab pots described in Schedule 4.

(7) The holder of a licence must not allow the combined total number of crab pots being—

- (a) used in the Fishery from; and
- (b) carried on,

the authorised boats specified on that licence at any time to be more than 25.

(8) The holder of a licence must not allow any person fishing from an authorised boat specified on that licence to use, set or pull any crab pot or fish trap unless that crab pot or fish trap has attached to it a surface float which—

- (a) has a diameter of not less than 150 millimetres; and
- (b) is branded or stamped with the initial letter and the licensed fishing boat number for the boat that is being used to fish in the Fishery and each character of the brand or stamp is legible and measures not less than 60 millimetres high and 10 millimetres wide.

21. General fishing and gear restrictions

- (1) A person must not fish in the Fishery by any means other than—
- (a) by fishing net;
 - (b) by crab pot;
 - (c) by fish trap;
 - (d) by hand line; or
 - (e) by hand when fishing for shellfish.
- (2) A person must not—
- (a) fish in the waters of the Fishery, or leave a crab pot, fish trap or net in the waters of the Fishery, at any time during the period—
 - (i) commencing 2 hours after sunrise each Saturday morning and ending 1½ hours before sunset on the following Sunday;
 - (ii) commencing 1½ hours before sunset on the evening previous to any public holiday except Anzac Day and the day proclaimed as the Albany Show Day and ending 1½ hours before sunset on that public holiday;
 - (b) fish at any time by any means in any part of the Fishery which is not an Area of the Fishery as described in Schedule 2.
- (3) A person must not use a power operated reel in the Fishery.
- (4) A person must not use a winch or reel to set any line, fish trap, crab pot or fishing net that will be used as a set net.
- (5) A person must not use a winch or reel to pull any line, fish trap, crab pot or fishing net that has been used as a set net.
- (6) A person must not fish for shellfish unless they are the holder of a licence and that licence specifies that the holder may take shellfish.
- (7) A person who is fishing for shellfish under the authority of a licence must not take any shellfish other than cockles, mussels or razor fish.
- (8) A person must not take shellfish in any Area other than Oyster Harbour, Princess Royal Harbour or Wilson Inlet.
- (9) A person must not take shellfish by any means other than by hand without the use of an instrument.

22. Use of boats

- (1) A person must not use a boat in the Fishery unless the boat is an authorised boat.
- (2) A person must not use a boat in the Fishery if that boat is greater than 6.5 metres in measured length.
- (3) The holder of a licence must not permit—
- (a) more than 2 auxiliary boats to be used with the primary fishing boat in the Fishery; or
 - (b) more than two auxiliary boats to be used in the Fishery,
- under the authority of that licence at any one time.
- (4) If more than one boat from a fishing unit is being used in the Fishery at any one time then the holder of the licence must not allow the boats to be used other than in the same fishing operation.
- (5) For the purposes of subclause (4) boats are being used to fish in the same fishing operation when the licence holder is physically involved and present in the fishing operation.
- (6) The maximum number of auxiliary boats that may be specified on a licence is 4.

PART 8—MISCELLANEOUS**23. Offences and major provisions**

A person who contravenes a provision of—

- (a) clause 7, 8, 9(3), 17(2), 19, 21 and 22 ; or
- (b) clause 20,

commits an offence and for the purposes of section 75 of the Act the offences specified in paragraph (a) are major provisions.

Schedule 1**DESCRIPTION OF THE FISHERY**

The waters of all estuaries on the south coast of Western Australia between Cape Beaufort and 129° east longitude, including Princess Royal Harbour and Oyster Harbour, and all the rivers, streams and all the tributaries that flow into those estuaries.

Schedule 2
AREAS OF THE FISHERY

The Areas of the Fishery are—

- (a) Broke Inlet;
- (b) Princess Royal Harbour;
- (c) Gordon Inlet;
- (d) Jerdacuttup Lakes;
- (e) Beaufort Inlet;
- (f) Irwin Inlet;
- (g) Oyster Harbour;
- (h) Hamersley Inlet;
- (i) Oldfield Inlet;
- (j) Wilson Inlet;
- (k) Waychinicup Inlet;
- (l) Culham Inlet;
- (m) Stokes Inlet,

and any estuarine waters of the rivers, streams and tributaries that flow into those waters.

Schedule 3
PERMITTED FISHING AREAS AND PERIODS (NETS)

1. Described Area—Irwin Inlet and its tributaries

Permitted area

All the waters of Irwin Inlet and the waters of all rivers, streams and creeks that flow into the inlet excluding the Bow River and its tributaries.

Permitted means

- (1) Subject to subclause (2) a fishing net that is used as a set net, ring net, haul net or throw net.
- (2) A fishing net used as a set net with a mesh size of not less than 89 millimetres when being used to fish for black bream.

Permitted period

Commencing 1½ hours before sunset on 1 May in any year and ending 2 hours after sunrise on 1 November next following.

2. Described Area—Wilson Inlet and its tributaries

Permitted area

All the waters of Wilson Inlet, excluding—

- (a) the waters of the Hay River and its tributaries and that portion of the waters of Wilson Inlet within a radius of 400 metres of the mouth of the Hay River;
- (b) the waters of the Sleeman River and its tributaries and that portion of the waters of Wilson Inlet within a radius of 400 metres of the mouth of the Sleeman River;
- (c) the waters of the Denmark river and its tributaries and that portion of Wilson Inlet north of a line drawn from the intersection of 34° 58.2939' south latitude and 117° 22.8368' east longitude (Mineral Point) to the intersection of 34° 58.5635' south latitude and 117° 21.9695' east longitude (the Yacht Club);
- (d) all the waters of Wilson Inlet west, north west and south west of a line drawn in a southerly direction from the intersection 34° 59.5779' south latitude and 117° 21.3081' east longitude (prominent granite rock on the south western point of Poison Point) to the intersection of 35° 0.4032' south latitude and 117° 21.3081' east longitude (post with large white diamond shape top).

Permitted means

A fishing net that is used as a set net, ring net, haul net, seine net or throw net.

Permitted period

All year.

3. Described Area—Princess Royal Harbour and its tributaries

Permitted area

All the waters of Princess Royal Harbour excluding the waters on the landward side of a line commencing at the intersection of the high water mark and the eastern side of the town jetty; thence along the eastern side of the town jetty to its most southern and easterly point; thence south south easterly to navigational marker No. 16; thence south easterly to navigational marker No. 14; thence

south easterly to navigational marker No. 10; thence east north easterly to navigational marker No. 8; thence north north westerly through navigational marker No. 7 to the water mark on the mainland.

Permitted means

A fishing net that is used as a set net, ring net, haul net, seine net or throw net.

Permitted period

All year.

4. Described Area—Broke Inlet and its tributaries**Permitted area**

All the waters of Broke Inlet and the waters of all rivers, streams and creeks that flow into the Inlet.

Permitted means

A fishing net that is used as a set net.

Permitted period

The period 1½ hours before sunset on 1 May in any year and ending 2 hours after sunrise on 1 November next following.

5. Described Area—Oyster Harbour and its tributaries**Permitted area A**

All the waters of Oyster Harbour excluding—

- (a) the waters of the King River, including all tributaries upstream from the south eastern side of the Lower King River Bridge (situated about 60 metres north westerly from Point Henty);
- (b) the waters of the Kalgan River including all tributaries upstream from the southern side of the Lower Kalgan River Bridge (situated about 60 metres north from White Island);
- (c) the waters of the channel entrance between King George Sound and Oyster Harbour south of a line drawn in an easterly direction from a point on the foreshore 200 metres north of Emu Point to a line drawn in an easterly direction from a point on the foreshore 200 metres south of Emu Point; and
- (d) the waters of Oyster Harbour lying south and west of a line drawn from the high water mark at Bayonet Head through the high water mark of the easternmost point of Green Island to the high water mark on the opposite shore.

Permitted means

A fishing net that is used as a set net, ring net, haul net, seine net or throw net.

Permitted period

All year.

Permitted area B

The waters of Oyster Harbour lying south and west of a line drawn from the high water mark at Bayonet Head through the high water mark of the easternmost point of Green Island to the high water mark on the opposite shore excluding—

- (a) the waters within 400 metres of the high water mark of Green Island; and
- (b) the waters described in paragraph (c) of permitted area A.

Permitted means

A fishing net that is used as a set net, ring net, haul net or seine net.

Permitted period

- (1) A fishing net may be used as a set net during the period commencing 1½ hours before sunset on 1 May in any year and ending 2 hours after sunrise on 1 November next following.
- (2) A fishing net may be used as a haul net, ring net or seine net from 1800 hours on any day to 0700 hours next following throughout the year.

6. Described Area—Culham Inlet and its tributaries**Permitted area**

All the waters of the Culham Inlet excluding—

- (a) all the waters of the Phillips River and its tributaries upstream from a line drawn across the river due west from the western most corner of Oldfield Location 730; and
- (b) all the waters of the Steere River and its tributaries upstream from a line drawn across the river due west from the intersection of the northern side of road 7964 and the western boundary of Oldfield Location 73.

Permitted means

A fishing net that is used as a set net, ring net, haul net, seine net or throw net.

Permitted period

All year.

7. Described Area—Jerdacuttup Lakes and their tributaries**Permitted area**

All the waters of Jerdacuttup Lakes excluding the waters of the Jerdacuttup River including all tributaries upwards from its entrance into Jerdacuttup Lakes to its source.

Permitted means

A fishing net that is used as a set net, ring net, haul net, seine net or throw net.

Permitted period

All year.

8. Described Area—Beaufort Inlet and its tributaries**Permitted area**

All the waters of Beaufort Inlet downstream of a line drawn from Miller's Point due west to the high water mark of the opposite shore (the "Narrows").

Permitted means

A fishing net that is used as a set net.

Permitted period

Subject to clause 17, the period commencing 1½ hours before sunset on 1 May in any year and ending 2 hours after sunrise on 1 November in the same year.

9. Described Area—Stokes Inlet and its tributaries**Permitted area**

All the waters of Stokes Inlet excluding all the waters of the Young and Lort Rivers upstream from the bridges that cross those rivers at the South Coast Highway.

Permitted means

(1) Subject to paragraph (b) a fishing net maybe used as a set net, ring net, haul net, seine net or throw net.

(2) A fishing net may be used as a set net provided it has a mesh size of not less than 100 millimetres or greater than 128 millimetres.

Permitted period

The period commencing on 1 ½ hours before sunset on 1 May in each year and ending on 2 hours after sunrise on 1 December next following.

10. Described Area—Gordon Inlet/Gairdner River and their tributaries**Permitted area A**

All the waters of Gordon Inlet excluding the waters of the Gairdner River upstream from the mouth of the river where it joins the Gordon Inlet.

Permitted means

A fishing net may be used as a set net, ring net, haul net, seine net or throw net.

Permitted period

All year.

Permitted area B

All the waters of the Gairdner River upstream of the mouth of the River where it joins the Gordon Inlet and downstream of a line drawn across the River which joins the south eastern corner of Kent Location 1295 to the south western corner of Kent Location 1301.

Permitted means

A fishing net may be used as a set net or throw net.

Permitted period

The period commencing on 1½ hours before sunset on 1 April in each year and ending on 2 hours after sunrise on 1 December next following.

11. Described Areas—Hammersley Inlet, Oldfield Inlet, Waychinicup Inlet and their tributaries**Permitted areas**

All the waters of Hammersley Inlet, Oldfield Inlet, Waychinicup Inlet.

Permitted means

A fishing net may be used as a set net, ring net, haul net, seine net or throw net.

Permitted period

All year.

Schedule 4
FISH TRAP AND CRAB POT SPECIFICATIONS

Fish traps

- (1) A fish trap which has a circular base must not exceed, when measured externally—
 - (a) 1100 millimetres in base diameter;
 - (b) 550 millimetres in height.
- (2) A fish trap which has a square or rectangular base must not exceed, when measured externally—
 - (a) 1100 millimetres in base length;
 - (b) 850 millimetres in base width;
 - (c) 800 millimetres in height.
- (3) A fish trap must—
 - (a) not have any part of the trap, when measured horizontally, a diameter, length or width (as the case may be) that is greater than its base;
 - (b) not have more than two entrances;
 - (c) have an exterior panel on a vertical plane of the fish trap that measures not less than 30 centimetres by 30 centimetres that is comprised of wire that is capable of rusting and—
 - (i) does not exceed 1 millimetre in diameter;
 - (ii) is not made of stainless steel;
 - (iii) is not covered by any synthetic coating.
 - (d) have securely fastened to it a tag which—
 - (i) is not greater than 15 centimetres in length or 6 centimetres in height; and
 - (ii) clearly displays the licensed fishing boat number of the boat that is being used to set and pull that fish trap.
- (4) A panel as specified in subclause (3)(c) must not be covered in anyway that will prevent the ingress or egress of fish once the panel has eroded away.

Crab pots

- (1) Each crab pot must have securely fastened to it a tag which—
 - (a) is not greater than 15 centimetres in length or 6 centimetres in height; and
 - (b) clearly displays the licensed fishing boat number of the boat that is being used to set and pull that crab pot.
- (2) A crab pot that is cylindrical in shape must not exceed—
 - (a) 1160 millimetres in diameter;
 - (b) when set, a height between the rings greater than 450 millimetres.
- (3) A crab pot that is rectangular in shape must not exceed, when measured externally—
 - (a) 1000 millimetres in length;
 - (c) 1000 millimetres in width; or
 - (c) 450 millimetres in height.

Schedule 5

PERMITTED AREAS TO USE FISH TRAPS AND CRAB POTS

1. Oyster Harbour

All the waters of Oyster Harbour excluding—

- (a) the waters of the King River, including all tributaries upstream from the south eastern side of the Lower King River Bridge (situated about 60 metres north westerly from Point Henty);
- (b) the waters of the Kalgan River including all tributaries upstream from the southern side of the Lower Kalgan River Bridge (situated about 60 metres north from White Island);
- (c) the waters of the channel entrance between King George Sound and Oyster Harbour south of a line drawn in an easterly direction from a point on the foreshore 200 metres north of Emu Point to a line drawn in an easterly direction from a point on the foreshore 200 metres south of Emu Point; and
- (d) the waters of Oyster Harbour lying south and west of a line drawn from the high water mark at Bayonet Head through the high water mark of the easternmost point of Green Island to the high water mark on the opposite shore but not including the waters within 400 metres of the high water mark of Green Island.

2. Princess Royal Harbour

All the waters of Princess Royal Harbour excluding the waters on the landward side of a line commencing at the intersection of the high water mark and the eastern side of the town jetty; thence along the eastern side of the town jetty to its most southern and easterley point; thence south south

easterly to navigational marker No. 16; thence south easterly to navigational marker No. 14; thence south easterly to navigational marker No. 10; thence east north easterly to navigational marker No. 8; thence north north westerly through navigational marker No. 7 to the water mark on the mainland.

Schedule 6

PERSONS WHO MAY FISH IN BEAUFORT INLET IN 2005

Michael Williams
Graham Kennedy
Gregory Sharp

Schedule 7

LIST OF PERSONS

Rodney George Ebbett
Derrick Roy Beale
Vernon William Simpson
Judith Ellen Dittmer
Hugh Colin Gilbert
Peter Mark Beale
Kevin Charles Benson and Edward Brooks Mouchmore
Wayne C Birss and David K Wheatcroft
Michael Ross Williams
Gregory Ian Marchant
Graham David Kennedy
Warren Brady Miller
Gregory Mark Sharp
Terry Wayne Sharp
Darren Michael Green
William Frank Ebbett
Paul Martin Benson
Colin Kennedy
David John Palfrey
Alan Frank Rule
Jason Dale Smith
Shane Dee Smith
Kevin Charles Benson
Jeremy Daniel North
Owen Rodney McIntosh

Dated this 8th day of June 2005.

J. FORD, Minister for Fisheries.

