**AMENDMENT OF ARRANGEMENT BETWEEN THE COMMONWEALTH OF AUSTRALIA AND THE STATE OF WESTERN AUSTRALIA IN RELATION TO DEFINING THE AREA OF THE WESTERN DEEPWATER TRAWL FISHERY AND THE NORTH WEST SHELF TRAWL FISHERY**

THIS ARRANGEMENT is made between the Commonwealth of Australia (“the Commonwealth”) and the State of Western Australia (“the State”).

**WHEREAS:**

1. An Instrument entitled “Arrangement between the Commonwealth and the State of Western Australia in relation to the fishery for fish and other aquatic biological resources in waters relevant to Western Australia” was made between the parties and published in the Commonwealth of Australia Gazette on 1st February 1995 in GN 4 at pages 353 to 365.
2. The arrangement was amended by a further Instrument published on 23rd September 1998 in GN 38 at pages 3,200 to 3,205.
3. The parties have agreed to further amend the Instrument published on 1st February 1995.
4. Schedule 1 of the Instrument published on 1st February 1995 excepted the defined Commonwealth managed trawling areas of the North West Slope Deepwater Trawl Fishery, the Western Deepwater Trawl Fishery and the Great Australian Bight Trawl Fishery, which fisheries were excepted by clause 2(b) from being otherwise managed in accordance with the law of Western Australia.
5. The Amendment published on 23rd September 1998, more precisely restated the areas of the North West Slope Deepwater Trawl Fishery and the Western Deepwater Trawl Fishery.
6. The parties now wish to again restate the areas of the North West Slope Trawl Fishery and the Western Deepwater Trawl Fishery having regard to more accurate available data.
7. The Commonwealth may pursuant to s72(1)(a) of the *Fisheries Management Act 1991* (“the Commonwealth Act”) make an arrangement with a State with respect to a particular fishery in waters relevant to the State being wholly or partly in the coastal waters of the State for the fishery to be managed in accordance with the law of the Commonwealth or of the State.
8. The State may pursuant to s22 of the *Fish Resources Management Act 1994* (“the State Act”) make an arrangement with the Commonwealth in accordance with and in the manner provided by s74 of the Commonwealth Act.
9. Both the Commonwealth and the State, taking into account s10 and s77 of the Commonwealth Act and s5(d)(i) of the State Act, wish to make an arrangement for the ongoing management by the Commonwealth for the North West Slope Trawl Fishery and the Western Deepwater Trawl Fishery.

**NOW IT IS MUTUALLY ARRANGED** as follows:

1. The description of the area of the North West Slope Trawl Fishery in Schedule 1 of the Instrument published on 1st February 1995, as amended by the instrument published on 23rd September 1998, is amended by deleting paragraphs (a) to (ao) and substituting the description in Schedule A to this Instrument.
2. The description of the area of the Western Deepwater Trawl Fishery in Schedule 1 of the Instrument published on 1st February 1995 is amended by deleting the preamble and paragraphs (a) to (al) and substituting the description in Schedule B to this Instrument.
3. Paragraph 3 of the Instrument dated 1st February 1995 is amended by deleting the entire paragraph and substituting:

“The origin of geographical coordinates used in this Instrument is the Australian Geodetic Datum 1994 (GDA94).”

1. This Arrangement will take effect upon publication under s74(2) after being executed by the Commonwealth and State Ministers in accordance with s74(1)(a)and (b) of the Commonwealth Act.
2. This agreement may be terminated in accordance with s75 of the Commonwealth Actand/or as specified in sub section 22(2) of the State Act.

**SCHEDULE A**

1. commencing at the point of latitude 21° 39' 49.1" south, longitude 114° east (Point 1).
2. Thence generally north-easterly along the geodesics sequentially connecting the following points:
	1. 21° 34' 58.2" south 114° 05' 34.2" east
	2. 21° 28' 50.2" south 114° 08' 26.2" east
	3. 21° 10' 16.8" south 114° 35' 10.8" east
	4. 21° 00' 13.8" south 114° 43' 58.8" east
	5. 20° 36' 56.0" south 114° 47' 35.0" east
	6. 20° 11' 37.8" south 114° 58' 46.8" east
	7. 19° 40' 35.8" south 115° 27' 14.8" east
	8. 19° 31' 04.8" south 115° 50' 28.8" east
	9. 19° 24' 17.4" south 115° 56' 32.4" east
	10. 19° 16' 58.8" south 116° 08' 01.8" east
	11. 19° 11' 52.8" south 116° 27' 58.8" east
	12. 19° 09' 58.8" south 116° 50' 01.8" east
	13. 19° 03' 04.8" south 117° 09' 31.8" east
	14. 18° 54' 06.6" south 117° 29' 55.8" east
	15. 18° 49' 31.2" south 117° 33' 46.2" east
	16. 18° 51' 15.5" south 117° 35' 12.5" east
	17. 18° 17' 51.3" south 118° 34' 16.8" east
	18. 18° 14' 33.3" south 118° 44' 10.8" east
	19. 18° 01' 16.8" south 119° 00' 22.8" east
	20. 17° 56' 10.8" south 119° 10' 07.8" east
	21. 17° 42' 04.8" south 120° 08' 10.8" east
	22. 17° 37' 52.8" south 120° 16' 16.8" east
	23. 17° 29' 55.8" south 120° 24' 49.8" east
	24. 17° 23' 55.8" south 120° 30' 22.8" east
	25. 17° 12' 49.8" south 120° 35' 46.8" east
	26. 17° 00' 13.8" south 120° 48' 40.8" east
	27. 16° 45' 40.8" south 120° 52' 16.8" east
	28. 16° 18' 49.8" south 120° 52' 46.8" east
	29. 15° 48' 04.8" south 120° 59' 22.1" east
	30. 15° 36' 26.4" south 121° 08' 50.4" east
	31. 15° 23' 32.2" south 121° 26' 32.2" east
	32. 14° 58' 43.8" south 121° 40' 34.8" east
	33. 14° 54' 12.0" south 121° 55' 07.8" east
	34. 14° 46' 52.8" south 122° 08' 46.8" east
	35. 14° 25' 52.8" south 122° 34' 25.8" east
	36. 14° 23' 10.8" south 122° 44' 28.8" east
	37. 14° 14' 47.2" south 122° 51' 58.0" east
	38. 14° 12' 53.4" south 123° 13' 54.9" east
	39. 14° 04' 07.8" south 123° 24' 49.8" east
	40. 14° 03' 04.8" south 123° 33' 49.8" east
	41. 13° 57' 45.0" south 123° 40' 45.6" east
	42. 13° 44' 05.1" south 123° 42' 42.1" east
	43. 13° 36' 42.7" south 123° 38' 53.6" east
	44. 13° 30' 58.8" south 123° 41' 10.8" east
	45. 13° 31' 25.8" south 123° 44' 46.8" east
	46. 13° 22' 52.8" south 123° 53' 10.8" east
	47. 13° 21' 31.8" south 123° 52' 07.8" east
	48. 13° 14' 37.8" south 123° 56' 01.8" east
	49. 13° 09' 10.2" south 124° 06' 19.2" east
	50. 13° 04' 43.8" south 124° 09' 49.8" east
	51. 13° 02' 55.8" south 124° 08' 19.8" east
	52. 13° 02' 37.8" south 124° 12' 04.8" east
3. Thence generally north-westerly, northerly, and westerly along the geodesics sequentially connecting the following points:
	1. 12° 57' 58.8" south 124° 11' 01.8" east
	2. 12° 55' 25.8" south 124° 14' 16.8" east
	3. 12° 51' 31.8" south 124° 10' 34.8" east
	4. 12° 50' 01.8" south 124° 13' 39.3" east
	5. 12° 48' 40.8" south 124° 11' 37.8" east
	6. 12°42' 40.8" south 124° 13' 43.8" east
	7. 12° 39' 27.3" south 124° 11' 42.3'' east
	8. 12° 49' 32.9" south 124° 02' 08.1" east
	9. 12° 47' 34.9" south 123° 49' 49.2" east
	10. 12° 45' 40.8" south 123° 49' 07.8" east
	11. 12° 39' 58.8" south 123° 59' 01.8" east
	12. 12° 36' 22.8" south 124° 00' 31.8" east
	13. 12° 36' 13.8" south 123° 46' 25.8" east
	14. 12° 33' 14.6" south 123° 43' 51.9" east
	15. 12° 30' 16.9" south 123° 36' 46.7" east
	16. 12° 26' 25.2" south 123° 34' 12.5" east
	17. 12° 23' 21.4" south 123° 26' 24.2" east
	18. 12° 23' 06.6" south 123° 11' 55.5" east
	19. 12° 22' 12.6" south 123° 12' 05.6" east
4. Thence north-easterly along the geodesic to its intersection with the line twelve nautical miles seaward of the baseline from which the breadth of the territorial sea is measured around Ashmore Islands being the point closest to latitude 12° 17' 40.7"south, longitude 123° 21' 19.3" east (Point 73);
5. Thence generally north-easterly, northerly, north-westerly, westerly , south westerly, southerly and south-easterly along the line every point on which is twelve nautical miles seaward of the baseline from which the breadth of the territorial sea is measured, around Ashmore Islands, to the point of latitude 12° 29’ 52.12” south, longitude 123° 06' 08.36” east (Point C);
6. Thence south-westerly along the geodesic to the point of latitude 12° 30' south, longitude 123° 06' east
7. Thence south-westerly along the geodesic to the point of latitude 13° 15' south, longitude 121° 49' east (Point Z87);
8. Thence south-westerly along the geodesic to the point of latitude 13° 56' 31.7" south, longitude 120° 00' 46.9" east (Point Z88);
9. Thence north-westerly along the arc of a circle with a radius of 200 nautical miles drawn through the following points to the point of latitude 13° 40' 34.1" south, longitude 119° 28' 46.1" east (Point Z92)

Z89. 13° 53' 03.7" south 119° 52' 30.7" east

Z90. 13° 49' 14.5" south 119° 44' 24.5" east

Z91. 13° 45' 04.5" south 119° 36' 29.3" east

1. Thence north-westerly along the geodesic to the point of latitude 13° 36' 30.2" south, longitude 119° 22' 08.7" east (Point Z93) ;
2. Thence north-westerly along the arc of a circle with a radius of 200 nautical miles drawn through the following points to the point of latitude 13° 18' 43.8" south, longitude 118° 32' 28.3" east (Point Z99):

Z94. 13° 34' 26.1" south 119° 13' 33.5" east

Z95. 13° 32' 00.1" south 119° 05' 04.4" east

Z96. 13° 29' 12.5" south 118° 56' 42.4" east

Z97. 13° 26' 03.7" south 118° 48' 28.4" east

Z98. 13° 22' 34.0" south 118° 40' 23.4" east

1. Thence north-westerly along the arc of a circle with a radius of 200 nautical miles to its intersection with the AFZ closest to the point of latitude 13° 15' 20.3" south, longitude 118° 26' 07.1" east (Point 74);
2. Thence generally south-westerly and southerly along the outer limit of the AFZ to the intersection with the meridian of longitude 114° east closest point of latitude 17° 11' 38.5" south, longitude 114° east (Point 75); and
3. Thence south along that meridian to the point of commencement.

**SCHEDULE B**

That part of the Australian Fishing zone bounded by the line:

1. commencing at the point of latitude 21º 37' south, longitude 114º east (Point 1).
2. Thence generally south-westerly, southerly and south-easterly along the geodesics sequentially connecting the following points:
	1. 21º 41’ south 113º 57’ east
	2. 21º 48’ south 113º 51’ east
	3. 22º 01’ south 113º 47’ east
	4. 22º 12’ south 113º 45’ east
	5. 22º 50’ south 113º 26’ east
	6. 23º 20’ south 113º 13’ east
	7. 23º 36’ south 113º 02’ east
	8. 24º 06’ south 112º 37’ east
	9. 24º 25’ south 112º 25’ east
	10. 24º 39’ south 112º 19’ east
	11. 25º south 112º 14’ east
	12. 25º 33’ south 112º 12’ east
	13. 26º south 112º 18’ east
	14. 26º 24’ south 112º 30’ east
	15. 26º 50’ south 112º 44’ east
	16. 27º 20’ south 112º 55’ east
	17. 27º 55’ south 113º 10’ east
	18. 28º 35’ south 113º 29’ east
	19. 29º south 113º 46’ east
	20. 29º 54’ south 114º 25’ east
	21. 29º 54’ south 114º 27’ 19.6” east
	22. 29º 56’ 10.8” south 114º 28’ 55.4” east
	23. 30º 42’ 40.8” south 114º 42’ 57.9” east
	24. 31º 10’ 31.2” south 114º 55’ 22.2” east
	25. 31º 33’ 14.7” south 115º 00’ 10.8” east
	26. 31º 44’ 26.0” south 115º 01’ 42.8” east
	27. 31º 58’ 03.3” south 115º 14’ 33.3” east
	28. 32º 20’ 01.2” south 115º 05’ 16.1” east
	29. 32º 53’ 37.8” south 114º 42’ 00.3” east
	30. 33º 00’ 00.0” south 114º 39’ 24.7” east
	31. 33º 00’ 00.0” south 114º 38’ 07.1” east
	32. 33º 10’ south 114º 34’ east
	33. 33º 30’ south 114º 29’ east
	34. 34º south 114º 27’ east
	35. 34º 20’ south 114º 30’ east
	36. 34º 41’ south 114º 40’ east
	37. 34º 52’ south 114º 50’ east
	38. 34º 58’ south 115º east
	39. 35º 01’ south 115º 08’ east
3. Thence south along the meridian of longitude 115º 08’ east to its intersection with the Australian Fishing Zone at the closest point of latitude 38º 14’ 17.8” south (Point 41);
4. Thence generally north-westerly, northerly and north-easterly along the outer limit of the Australian Fishing Zone to its intersection with the meridian of longitude 114º east, closest to point of latitude 17º 11’ 38.5” south, longitude 114º east (Point 42); and
5. Thence south along that meridian of 114º back to the point of commencement.

**The Hon. Anne Ruston MP**

Commonwealth Assistant

Minister for Agriculture and Water Resources

on behalf of the Commonwealth under

the *Fisheries Management Act 1991*

in the presence of

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**The Hon. Joe Francis MLC**

Western Australian Minister for Fisheries

on behalf of the State under

the *Fish Resource Management Act 1994*

in the presence of

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