FISHERIES MANAGEMENT ACT 1991
BASS STRAIT CENTRAL ZONE SCALLOP FISHERY MANAGEMENT PLAN 2002

BASS STRAIT CENTRAL ZONE SCALLOP FISHERY (Closures) DIRECTION No. 2 2010

PROHIBITION ON FISHING

I, Glenn Hurry, Chief Executive Officer of the Australian Fisheries Management Authority, as delegate, make the following Direction under section 17(5A) of the Fisheries Management Act 1991 and section 23(1) of the Bass Strait Central Zone Scallop Fishery Management Plan 2002.

Dated 12th July 2010

Signed – Glenn Hurry

Chief Executive Officer,
Australian Fisheries Management Authority

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Citation

1. This Direction may be cited as BSCZSF (Closures) Direction No. 2 2010.

Commencement

2. This Direction commences at the start of 20 July 2010.

Revocation of BSCZSF (Closures) Direction No. 1 2010

3. The BSCZSF (Closures) Direction No. 1 2010 is revoked with effect from the commencement of this Direction.

Application

4. This Direction applies to a holder of statutory fishing rights in the Bass Strait Central Zone Scallop Fishery and to a person acting on behalf of the holder.
Note: This means that the Direction does not apply to a person if the person is fishing in the area of the Fishery in accordance with a fishing concession that is subject to another plan of management in force under the Act, under a scientific permit, a permit issued in another fishery, or under a licence issued under a law of a State or Territory.

Period of Application

5. This Direction applies for the period beginning on the date this Direction commences and ending on (and including) 31 December 2010.

Definitions

6.1 A term used in this Direction that is defined in the Bass Strait Central Zone Scallop Fishery Management Plan 2002 (the Management Plan) has the same meaning in this Direction as it has in the Management Plan.

6.2 All geographic coordinates contained within the schedules attached to this document are in terms of the Geocentric Datum of Australia 1994 (GDA94).

[Notes:
1. Terms defined in the Fisheries Management Act 1991 have the same meanings in this Direction.
2. Terms defined in the Management Plan include “Bass Strait Central Zone Scallop Fishery”.
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Direction not to engage in fishing

7.1 Subject to sub-clause 7.2, fishing is fishing is not to be engaged in the Bass Strait Central Zone Scallop Fishery, except for the area of waters described in Schedules 1, 2 and 3.

7.2 The only fishing activities that can be engaged in in the areas described in Schedule 3 (being navigation corridors) are the activities specified in paragraph (g) of the definition of ‘fishing’ in section 4 of the Fisheries Management Act 1991:

“the processing, carrying or transporting of fish that have been taken”.

[Note: This means that the navigation rules and offences in regulations 37C and 37D of the Fisheries Management Regulations do not apply to the navigation of boats in the areas described in Schedules 1, 2 and 3 (but they do apply in any other part of the fishery).
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SCHEDULE 1

Area 1 – Southern Box – The following area of waters are open to commercial fishing contained within and bounded by a line:

(a) commencing at the point of intersection of the parallel of latitude 39°23.500’ South and the meridian of longitude 148°20.000’ East; and

(b) proceeding east along that parallel of latitude to its intersection with the meridian of longitude 148°35.000’ East; then

(c) south along that meridian of longitude to its intersection with the parallel of latitude 39°26.500’ South; then

(d) west along that parallel of latitude to its intersection with the meridian of longitude 148°20.000’ East; then

(e) north along that meridian of longitude to the point of commencement.
SCHEDULE 2

Area 2 – Northern Box – The following area of waters are open to commercial fishing contained within and bounded by a line:

(a) commencing at the point of intersection of the parallel of latitude 39°12.000' South and the meridian of longitude 148°20.000' East; and

(b) proceeding east along that parallel of latitude to its intersection with the meridian of longitude 148°35.000' East; then

(c) south along that meridian of longitude to its intersection with the parallel of latitude 39°18.000' South; then

(d) west along that parallel of latitude to its intersection with the meridian of longitude 148°20.000' East; then

(e) north along that meridian of longitude to the point of commencement.

SCHEDULE 3

EXEMPT TRANSIT CORRIDORS

Areas for boat navigation include;

(a) commencing at the point of latitude 39º26.5' South, longitude 148º20.0' East;

(b) then running generally south east along the geodesic to the point of latitude 39º56.0' South, longitude 148º30.77' East;

(c) then running west along that parallel of latitude to its intersection with the meridian of longitude 148º26.7' East;

(d) then generally north west along the geodesic to the point of latitude 39º26.45' South, longitude 148º16.9' East;

(e) then generally south west along the geodesic to the point of latitude 39º42.0' South, longitude 148º04.0' East;

(f) then generally north along the geodesic of the outer limit of the coastal waters adjacent to, and east of Outer Sister Island to its intersection with the parallel 39º37.2' South;

(g) then generally north east along the geodesic to the point of latitude 39º24.68' South, longitude 148º14.67' East;

(h) then generally west along the geodesic to the point of latitude 39º22.3' South, longitude 147º53.5' East;

(i) then generally north west along the geodesic to the point of latitude 39º00.0' South, longitude 146º58.0' East;

(j) then running east along that parallel of latitude to its intersection with the meridian of longitude 147º06.0' East;

(k) then generally south east along the geodesic to the point of latitude 39º20.0' South, longitude 147º55.0' East;

(l) then generally east along the geodesic to the point of latitude 39º26.1' South, longitude 148º15.6' East;
(m) then running north along that meridian to its intersection with the parallel of Latitude 39°11.05’South;

(n) then generally west along the geodesic to the point of latitude 39°00.0’ South, longitude 147°19.0’ East;

(o) then running east along that parallel of latitude to its intersection with the meridian of longitude 147°22.83’ East;

(p) then generally north west along the line, every point on which is 20 nautical miles seaward of the nearest point of the baseline from which the coastal waters of Victoria are measured, to its intersection with the parallel of latitude 38°56.2’ South;

(q) then generally east along the geodesic to the point of latitude 39°06.7’ South, longitude 148°11.75’ East;

(r) then generally north west along the geodesic to the point of latitude 38°14.25’ South, longitude 148°01.2’ East;

(s) then generally north east along the line, every point on which is 20 nautical miles seaward of the nearest point of the baseline from which the coastal waters of Victoria are measured, to its intersection with the meridian of longitude 148°08.2’ East;

(t) then generally south east along the geodesic to the point of latitude 39°10.0’ South, longitude 148°20.0’ East;

(u) then south along that meridian to the point of commencement.