DIRECTION NOT TO ENGAGE IN FISHING

*Fisheries Management Act 1991*
Subsections 41A(2) and 22(5)

**NPF DIRECTION No. 147**
(revoking NPF Direction No. 134)

**PROTECTED AREA CLOSURES**

I, JAMES FINDLAY, Acting Chief Executive Officer of the Australian Fisheries Management Authority, as delegate, make the following Direction under subsections 41A(2) and 22(5) of the *Fisheries Management Act 1991*.

**Dated:** 17 March 2011

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**James Findlay**
Acting Chief Executive Officer,
Australian Fisheries Management Authority

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**Citation**

1. This Direction may be cited as NPF Direction No. 147.

**Commencement**

2. This Direction commences the day after it is registered on the Federal Register of Legislative Instruments.

**To Whom This Applies**

3. This Direction applies to a holder of a fishing concession in the Northern Prawn Fishery and to a person acting on behalf of the holder.

**Interpretation**

4.1 In this Direction:
"boat" means a boat that is nominated on statutory fishing rights for the Northern Prawn Fishery;
"equipment" means equipment for fishing;
"rack" means a structure on a boat (including a structure on, or forming a part of, the deck of the boat) designed specifically for carrying otter boards when the boards are not in use;
"the one nautical mile line" means the line, every point of which is one nautical mile seaward from the shore at low-water, of the mainland or an island of Australia and "the two nautical mile line" and "the three nautical mile line" have corresponding meanings;

"UTC" means Coordinated Universal Time, the time scale based on the second (SI), maintained by the International Bureau of Weights and Measures. For the purposes of this Direction UTC is equivalent to mean solar time at the prime meridian (0 degrees longitude), formerly expressed in Greenwich Mean Time (GMT).

4.2 A term used in this Direction that is defined for the purposes of the Northern Prawn Fishery Management Plan 1995 has the same meaning in this Direction as it has in that Plan.

[Notes: 1. Terms defined in the Fisheries Management Act 1991 have the same meanings in this determination. 2. Terms defined in the Northern Prawn Fishery Management Plan 1995 include "Northern Prawn Fishery" and "Northern Prawn Fishery area". ]

4.3 This Direction is to be read consistently with other Directions made under the Northern Prawn Fishery Management Plan 1995.

4.4 The origin of geographical coordinates used in this Direction is the Australian Geodetic Datum 1966 (AGD66).

Prohibition on fishing

5 Fishing is not to be engaged in in an area described in Schedule 1 in the fishery.

To whom does the prohibition on fishing not apply?

6.1 The prohibition in clause 5 does not apply to a person if the person:

1. is within an area described as an exempt transit corridor in Schedule 2; and

2. either carries the equipment out of the water; or

3. if any part of the equipment is in the water, then:
   (a) that part is drawn up to the boat; and
   (b) that part is visible from a nearby aircraft or boat; and
   (c) if the equipment includes cod ends - the cod ends are open; and
   (d) if the equipment includes lazy lines and blocks - the lazy lines are on the blocks.

Condition

7 It is a condition of all fishing concessions to which this Direction applies that the holder, or a person acting on behalf of the holder, complies with this Direction.

Revocation of NPF Direction No. 134

8 This Direction revokes NPF Direction No. 134 with effect from the date of this Direction.
SCHEDULE 1

Closure Areas

Part 1 - Caledon Bay area
The area in Caledon Bay landward of the geodesic joining the easternmost point of Point Alexander at low-water and the northernmost point of the unnamed point northeast of Mt Caledon at low-water.

Part 2 - Port Langdon area
The area bounded by the line:

(a) commencing at the northernmost point of Scott Point on Groote Eylandt at low-water;
(b) then running north-easterly along the geodesic to the westernmost point on Hawk Island at low-water;
(c) then generally westerly along the geodesic to the easternmost point on Jagged Point on an unnamed island at low-water;
(d) then along the northern shore of that unnamed island at low-water to its northernmost point;
(e) then west along the parallel of latitude which passes through that northernmost point to its intersection with the shore of Groote Eylandt at low-water; and
(f) then generally southerly, easterly and northerly along that shore at low-water to the point of commencement.

Part 3 - North West Bay area
The area bounded by the line:

(a) commencing at the northernmost point on Alyinga Island at low water;
(b) then running west along the parallel of latitude which passes through that point to its intersection with the eastern shore of Winchelsea Island at low-water;
(c) then generally southerly and south-westerly along that shore at low-water to its southernmost point, in the vicinity of the southern end of Winchelsea Passage;
(d) then east along the parallel of latitude which passes through that point to its intersection with the shore of Groote Eylandt at low-water;
(e) then generally northerly, easterly, southerly, easterly northerly, easterly and northerly along that shore at low-water to its intersection with the parallel of latitude which passes through the northernmost point of Finch Island at low-water;
(f) then west along that parallel to the northernmost point on Finch Island at low-water; and
(g) then westerly along the geodesic to the point of commencement.

Part 4 - Bartalumba Bay area
The area bounded by the line:

(a) commencing at the westernmost point on Winchelsea Island at low-water;
(b) then running west along the parallel which passes through that point to its intersection with the one nautical mile line;
(c) then generally southerly, south-easterly, westerly and north-westerly along that line to its intersection with the meridian of longitude 136°27.3' East in the vicinity of the northernmost point of the eastern entrance point to Deception Bay at low-water, on the northern shore of Groote Eylandt;
(d) then generally north-easterly, southerly, easterly and northerly along that shore at low-water to its intersection with the meridian of longitude 136°31.75' East, in the vicinity of the eastern end of Winchelsea Passage;
(e) then north along that meridian to its intersection with the south-eastern shore of Winchelsea Island at low-water; and
(f) then generally south-westerly, westerly, north-westerly and northerly along that shore at low-water to the point of commencement.

**Part 5 - Alyangula area**

The area bounded by the line:
(a) commencing at the point of intersection of the jetty at Alyangula on Groote Eylandt by the western shore of Groote Eylandt at low-water;
(b) then running west along the parallel of latitude which passes through that point to its intersection with the one nautical mile line;
(c) then generally southerly along that line to its intersection with the parallel of Latitude 13°58’ South;
(d) then east along that parallel to its intersection with the eastern shore of Groote Eylandt at low-water, in the vicinity of the northern bank of the mouth of Angurugu Creek; and
(e) then generally northerly along that shore at low-water to the point of commencement.

**Part 6 - Cape Shield to West Island**

The area bounded by the line:
(a) commencing at the southernmost point on Cape Shield on the mainland of Australia at low-water.
(b) then running southerly along the geodesic to the westernmost point on Connexion Island at low-water;
(c) then south-westerly along the geodesic to the point of Latitude 14°30’ South, Longitude 136°00’ East;
(d) then west along the parallel of Latitude 14°30’ South to its intersection with the eastern shore of Edward Island at low-water;
(e) then generally south-westerly along that shore at low-water to its southernmost point;
(f) then south-westerly along the geodesic to the point of intersection of the two nautical mile line around Wilipili Island with the two nautical mile line around the mainland of Australia;
(g) then generally south-westerly, southerly and south-easterly along the two nautical mile line around the mainland of Australia to its intersection with the two nautical mile line around West Island in the Sir Edward Pellew Group;
(h) then south-easterly along the geodesic to the southernmost point on Crocodile Point on West Island at low-water;
(i) then south-westerly along the geodesic to the point of intersection of the meridian of Longitude 136°28’ East by the northern shore of the mainland of Australia at low-water; and
(j) then generally north-westerly, northerly, north-easterly, westerly, northerly, north-easterly and southerly along that shore at low-water to the point of commencement.

**Part 7 - Sir Edward Pellew Group**

The area bounded by the line:
(a) commencing at the point of intersection of the meridian of Longitude 136°28’ East by the northern shore of the mainland of Australia at low-water;
(b) then running north-easterly along the geodesic to the southernmost point on Crocodile Point on West Island in the Sir Edward Pellew Group at low-water;
(c) then generally easterly along the shore of West Island at low-water to its south-easternmost point;
(d) then south-easterly along the geodesic to the northernmost point on South West Island at low-water;
(e) then north-easterly along the geodesic to the westernmost point on Toby Point on Watson Island at low-water;
(f) then generally north-easterly along the western shore of Watson Island at low-water to its north-westernmost point;
(g) then north-easterly along the geodesic to the southernmost point of Paradise Bay on North Island at low-water;
(h) then north-easterly along the shore to the northernmost point on Cape Pellew on North Island at low-water;
(i) then south-easterly along the geodesic to the point of Latitude 15°34.7' South and Longitude 136°58.7' East;
(j) then south along that meridian to its intersection with Kedge Point on Vanderlin Island;
(k) then generally northerly to the tip of Cape Vanderlin;
(l) then generally south-westerly, southerly, south-westerly, southerly and south-easterly along the eastern shore of Vanderlin Island at low-water to the southernmost point at Goat Point;
(m) then south along the meridian which passes through that point to its intersection with a line two nautical miles to sea from the mainland of Australia;
(n) then generally south-easterly along that two nautical mile line to its intersection with the meridian of Longitude 138°00' East;
(o) then south along that meridian to its intersection with the northern shore of the mainland of Australia at low-water; and
(p) then generally north-westerly, westerly and north-westerly along that shore at low-water to the point of commencement.

Part 8 - Darwin to Point Blaze

The area bounded by the line:
   (a) commencing at the westernmost point on Point Blaze on the mainland of Australia;
   (b) then running west along the parallel of latitude which passes through that point to its intersection with the three nautical mile line;
   (c) then generally northerly, north-easterly, easterly, south-easterly, north-easterly, northerly, north-easterly, easterly, south-easterly, easterly, northerly, north-easterly, easterly and northerly along that line to its intersection with the parallel of Latitude 12°15' South;
   (d) then east along that parallel to its intersection with northern shore of the mainland of Australia at low-water; and
   (e) then generally southerly, westerly, south-westerly, southerly, westerly, northerly, north-westerly, south-westerly, southerly, westerly, southerly, south-westerly and westerly along that shore at low-water to the point of commencement.

excepting for exempt transit corridors Part 1 and 2 listed in Schedule 2

Part 9 - Dalumba Bay area

The area bounded by the line:
   (a) commencing at the southernmost point of Lugadamanja Point on Groote Eylandt at low-water;
   (b) then running generally westerly, northerly, westerly, southerly, easterly and northerly along the eastern shore of Groote Eylandt at low-water to the northernmost point on the unnamed point, approximately 1.3 nautical miles west of Adilyagba Point at about the meridian of Longitude 136°46.5' East; and
(c) then north-westerly along the geodesic to the point of commencement.

Part 10 - Port Essington area
The area landward of the geodesic between the northernmost point on Vashon Head at low-water at Latitude 11°08’ South, Longitude 131°59’ East and the North-Eastern most point on Smith Point at low-water at Longitude 11°07’ South, Longitude 132°08’ East in Port Essington in the Northern Territory.

Part 11 - Mornington Island area
The area bounded by the line:
(a) commencing at the intersection of the mainland of Australia at low-water, in the vicinity of Tarrant Point, by the meridian of Longitude 139°25’ East;
(b) then running north-easterly along the geodesic to the point of Latitude 17°05.45’ South, Longitude 139°34.4’ East, in the vicinity of Raft Point on Bentinck Island;
(c) then north-easterly along the geodesic to the point of Latitude 16°31.5’ South, Longitude 139°42.45’ East, in the vicinity of Cape Van Diemen on Mornington Island;
(d) then north-easterly, along the geodesic to the point of Latitude 16°29.5’ South, Longitude 139°49.0’ East, in the vicinity of Pisonia Island;
(e) then north-westerly along the geodesic to the point of Latitude 16°27’ South, Longitude 139°45.5’ East, in the vicinity of Mudgun Point on Lingnoonganee (Wallaby) Island;
(f) then north-westerly to the point of Latitude 16°21.5’ South, Longitude 139°33’ East,
(g) then south along that meridian to the intersection with Mornington Island in the vicinity of Thabugan Point at Latitude 16°23.5’ South,
(h) then generally south-westerly along that shore at low-water to the westernmost point of Gee Wee point;
(i) then south-westerly along the geodesic to the intersection of the meridian of Longitude 138°50’ East by the shore of the mainland of Australia at low-water, in the vicinity of Bundella Creek;
(j) then generally easterly and south-easterly along that shore at low-water to the point of commencement; and
(k) excepting for exempt transit corridors in Schedule 2, Part 3.

Part 11A – Mornington Island Benthic Survey Sites
The area bounded by the line:
(a) Commencing at the point Latitude 16°27.94’ South, Longitude 139°7.65’ East;
(b) then east along that parallel of latitude to its intersection with the meridian of Longitude 139°12.3’ East;
(c) then south along that meridian to its intersection with the parallel of Latitude 16°30.33’South;
(d) then west along that parallel of Latitude to its intersection with the meridian of Longitude 139°7.65’ East;
(e) then north to the point of commencement; and

The area bounded by the line:
(a) Commencing at the point Latitude 16°33.17’ South, Longitude 140°6.04’ East;
(b) then east along that parallel of Latitude to its intersection with the meridian of Longitude 140°12.25’ East;
(c) then south along that meridian to its intersection with the parallel of Latitude 16°39.86’ South;
(d) then west along that parallel of Latitude to its intersection with the meridian of Longitude 140°9.35’ East;
(e) then north along that meridian to its intersection with the parallel of Latitude 16°35.64’ South;
(f) then west along that parallel of Latitude to its intersection with the meridian of Longitude 140°6.04’ East;
(g) then north to the point of commencement.

**Part 12 - Arnhem Bay area**

The area bounded by the line:

(a) commencing at the intersection of the mainland of Australia at low-water, in the vicinity of the northern shore of Cape Newbald, by the meridian of Longitude 136°10’ East;
(b) then running north-westerly to Latitude 12°04’ South, Longitude 136°02’.83 East in the vicinity of the northern point of Flinders Point at low-water;
(c) then generally southerly, easterly, northerly and westerly along the shoreline of Arnhem Bay at low-water to the point of commencement.
SCHEDULE 2

Exempt transit corridors

Part 1 - Darwin

The area bounded by the line:
(a) commencing at Emery Point on the mainland of Australia;
(b) then running north along the meridian to the point of Latitude 12°18.2' South, Longitude 130°48.8' East;
(c) then south west along the geodesic to the point of Latitude 12°21.5' South, Longitude 130°37.9' East; and
(d) then south east to West Point on the mainland of Australia at low water.

Part 2 - Fog Bay

The area bounded by the line:
(a) commencing at Latitude 12°40' South, at the low water mark on the coast of Australia;
(b) then running west along the parallel to its intersection with the meridian of Longitude 130°18' East;
(c) then south along that meridian to its intersection with the point of Latitude 12°44' South; and
(d) then west along the parallel of Latitude 12°44' South to the shore at low water.

Part 3 - Mornington Island

The area bounded by the line:
(a) commencing at the point of Latitude 16°45' South, Longitude 138°55.5' East;
(b) then running south east along the geodesic to the point of Latitude 16°57' South, Longitude 139°08.5' East;
(c) then running north east along the geodesic to the point of Latitude 16°56' South, Longitude 139°37.08' East;
(d) then north east to the point of Latitude 16°52.5' South, Longitude 139°37.83' East;
(e) then running south west along the geodesic to the point of Latitude 16°55.5' South, Longitude 139°08.5' East;
(f) then running north west to the point of Latitude 16°42.5' South, Longitude 139°00' East; and
(g) then running south west to the point of commencement.