



Australian Government

Australian Fisheries Management Authority

## DIRECTION NOT TO ENGAGE IN FISHING

*Fisheries Management Act 1991*  
Subsections 41A(2)

### SOUTHERN AND EASTERN SCALEFISH AND SHARK FISHERY (Closures) DIRECTION No. 2 2011

---

I, **JAMES FINDLAY**, Chief Executive Officer of the Australian Fisheries Management Authority, as delegate under delegation No. 1 of 2011 made on 28<sup>th</sup> January 2011 from the Commission, make the following Direction under section 41A(2) of the *Fisheries Management Act 1991*.

**Dated:** 18 October 2011

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

---

#### Citation

1. This Direction may be cited as the *Southern and Eastern Scalefish and Shark Fishery (Closures) Direction No.2 2011*.

#### Commencement

2. This Direction commences on 1 November 2011.

#### Period of Application

3. This Direction applies for the period beginning on the date this Direction commences and ends at the end of 30 April 2013, unless earlier revoked.

#### To Whom This Direction Applies

4. This Direction applies to a holder, in the Southern and Eastern Scalefish and Shark Fishery, of:

- (a) a Gillnet Boat Statutory Fishing Right; and/or
- (b) a South Australian Coastal Waters Permit

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.]

### **Interpretation**

- 5. A term used in this Direction that is defined in the *Southern and Eastern Scalefish and Shark Fishery Management Plan 2003* (the Management Plan) has the same meaning in this Direction as it has in the Management Plan.

### **Direction Not to Engage in Fishing**

- 6. Fishing by gillnet methods is not to be engaged in in the areas of waters of the Southern and Eastern Scalefish and Shark Fishery described in Schedule 1.

### **Interaction with other legislative instruments**

- 7. For the avoidance of doubt:

(1) Where a person is authorised to fish in an area under both this Direction and the *Fisheries Management (Southern and Eastern Scalefish and Shark Fishery Management Plan 2003) Temporary Order 2011 No.2*, which commenced on 23 September 2011 (the Dolphin Temporary Order):

- (a) this Direction does not authorise the person to fish in that area using gillnet methods if this would be inconsistent with the Dolphin Temporary Order; and
- (b) if the person is prohibited from fishing in that area using gillnet methods by this Direction, but not by the Dolphin Temporary Order, this Direction prevails.

(2) This Direction does not affect any other Direction made under s41A of the *Fisheries Management Act 1991* (the Management Act), or, prior to the commencement of the *Fisheries Legislation amendment Act (NO. 2) 2010*, under former section 17(5A) of the Management Act and section 56 of the Management Plan, which directions continue in force according to their terms.

## Schedule 1

### *Southern and Eastern Scalefish and Shark Fishery (Closures) Direction No.2 2011.*

Fishing by gillnet methods is not to be engaged in in the following areas:

#### **Kangaroo Island gillnet strip closure**

The area of the Kangaroo Island gillnet strip closure is the part of the Australian Fishing Zone and coastal waters of the State of South Australia contained within and bounded by a line:

- (a) commencing at the intersection of the coastline of Kangaroo Island, South Australia at mean low water with the parallel of longitude of  $137^{\circ} 43' 30''$  east, in the vicinity of Reynolds Point and running progressively;
- (b) generally southwesterly and westerly along the mean low water line of the southern coastline of Kangaroo Island to its intersection with the parallel of longitude  $136^{\circ} 34' 44.88''$  east in the vicinity of Cape du Couedic;
- (c) then west along that meridian of latitude to its intersection with longitude  $136^{\circ} 31' 18.22''$  east;
- (d) then south along that meridian to latitude  $36^{\circ} 14' 56.47''$  south;
- (e) then east along that parallel to its intersection with longitude  $137^{\circ} 35' 19.97''$  east;
- (f) then north along that meridian to its intersection with a line every point of which is four nautical miles seaward of the mean low water line of the southern coastline of Kangaroo Island;
- (g) then generally northeasterly along that four nautical mile line to its intersection with the parallel of longitude of  $137^{\circ} 43' 30''$  east;
- (h) then north along the parallel of longitude to the point of commencement.

#### **Head of the Great Australian Bight gillnet strip closure**

The area of the Head of the Great Australian Bight gillnet strip closure is the part of the Australian Fishing Zone and coastal waters of the State of South Australia contained within and bounded by a line:

- (a) commencing at the intersection of the southern coastline of the mainland of Australia at mean low water with the meridian of longitude  $129^{\circ} 00' 05.2''$  east and running progressively;
- (b) south along that meridian to its intersection with a line every point of which is four nautical miles seaward of the mean low water line of the southern coast of the mainland of Australia;
- (c) then generally easterly and northeasterly along that four nautical mile line to its intersection with the parallel of longitude of  $129^{\circ} 19' 36.05''$  east;
- (d) then south along that meridian to latitude  $31^{\circ} 48' 24.76''$  south;

- (e) then east along that parallel to its intersection with longitude 130° 45' 44.52" east;
- (f) then north along that meridian to its intersection with a line every point of which is four nautical miles seaward of the mean low water line of the southern coastline of Kangaroo Island;
- (g) then generally northeasterly along that four nautical mile line to its intersection with the parallel of longitude of 131° 08' 00" east;
- (h) north along that parallel of longitude to its intersection with the mean low water line of the southern coastline of South Australia, in the vicinity of Twin Rocks;
- (i) then generally southwesterly and westerly along the mean low water line of the southern coastline of South Australia to the point of commencement.

#### **4nm radius Australian sea lion gillnet closures**

The area of the 4nm Australian sea lion gillnet closures is the part of the Australian Fishing Zone and/or Coastal Waters of the State of South Australia contained within and bounded by a line four nautical miles seaward of:

- (a) Purdie Island located near latitude 32° 16' 11" south, longitude 133° 13' 42" east;
- (b) Lounds Island located near latitude 32° 16' 23" south, longitude 133° 21' 56" east;
- (c) West Island located near latitude 32° 30' 39" south, longitude 133° 15' 05" east;
- (d) Fenelon Island located near latitude 32° 34' 52" south, longitude 133° 16' 54" east;
- (e) Blefuscu Island located near latitude 32° 28' 01" south, longitude 133° 38' 38" east;
- (f) Albatross Island located near latitude 35° 04' 07" south, longitude 136° 10' 53" east;
- (g) North Island located near latitude 35° 07' 14" south, longitude 136° 28' 34" east;  
and
- (h) Peaked Rocks located near latitude 35° 11' 06" south, longitude 136° 28' 55" east.

#### **11nm radius Australian sea lion gillnet closures**

The area of the 11 nm Australian sea lion gillnet closures is the part of the Australian Fishing Zone and/or Coastal Waters of the State of South Australia contained within and bounded by a line eleven nautical miles seaward of:

- (a) Nuyts Reef (west) located near latitude 32° 07' 07" south, longitude 132° 07' 53" east;
- (b) Nuyts Reef (east) located near latitude 32° 08' 19" south, longitude 132° 08' 29" east;
- (c) Point Fowler located near latitude 32° 00' 39" south, longitude 132° 26' 16" east;
- (d) Olive Island located near latitude 32° 43' 09" south, longitude 133° 58' 11" east;
- (e) Nicolas Baudin Island located near latitude 33° 00' 56" south, longitude 134° 07' 59" east;
- (f) Jones Island located near latitude 33° 11' 07" south, longitude 134° 22' 02" east;

- (g) West Waldegrave Island located near latitude  $33^{\circ} 35' 46''$  south, longitude  $134^{\circ} 45' 41''$  east;
- (h) Ward Island located near latitude  $33^{\circ} 44' 27''$  south, longitude  $134^{\circ} 17' 06''$  east;
- (i) Dorothee Island located near latitude  $34^{\circ} 00' 18''$  south, longitude  $134^{\circ} 14' 42''$  east;
- (j) Rocky (North) Island located near latitude  $34^{\circ} 15' 31''$  south, longitude  $135^{\circ} 15' 38''$  east;
- (k) Four Hummocks (North) Island located near latitude  $34^{\circ} 45' 28''$  south, longitude  $135^{\circ} 02' 32''$  east;
- (l) Price Island located near latitude  $34^{\circ} 42' 28''$  south, longitude  $135^{\circ} 17' 22''$  east; and
- (m) Liguanea Island located near latitude  $34^{\circ} 59' 54''$  south, longitude  $135^{\circ} 37' 11''$  east;
- (n) Lewis Island located near latitude  $34^{\circ} 57' 25''$  south, longitude  $136^{\circ} 01' 54''$  east;
- (o) North Neptune (East) Island located near latitude  $35^{\circ} 13' 41''$  south, longitude  $136^{\circ} 04' 37''$  east.
- (p) South Pages Island located near latitude  $35^{\circ} 46' 38''$  south, longitude  $138^{\circ} 17' 30''$  east; and
- (q) North Pages Island located near latitude  $35^{\circ} 45' 32''$  south, longitude  $138^{\circ} 18' 04''$  east.