DIRECTION NOT TO ENGAGE IN FISHING

Fisheries Management Act 1991
Subsection 41A(2)

NORTHERN PRAWN FISHERY (Closures) DIRECTION No. 163

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

Dated: 5 March 2013

James Findlay
Chief Executive Officer
Australian Fisheries Management Authority

Citation
1. This Direction may be cited as the Northern Prawn Fishery (Closures) Direction No. 163.

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

Cessation
3. This Direction ceases as it if was revoked at 2200 hours UTC on 31 December 2013 unless earlier revoked.

Interpretation
4.1 In this Direction:
"boat" means a boat that is nominated on statutory fishing rights for the Northern Prawn Fishery;

"gear trial" means a test, or a series of short tests, of equipment on or towed by a boat and carried out under the following conditions:

(a) the test is conducted in such a way as to avoid the capture of fish, primarily by keeping the cod end of nets fully open at all times; and

(b) fish that are captured in the equipment during the test are returned to the sea as soon as practicable after it becomes apparent that the fish have been captured.

"equipment" means equipment for fishing;

"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 Terms used in this Direction that are defined for the purposes of the Northern Prawn Fishery Management Plan 1995 have the same meanings in this Direction as they have in that Plan.

Notes:  1. Terms defined in the Fisheries Management Act 1991 have the same meanings in this Direction.

4.3 This Direction is to be read consistently with other Directions made under the Fisheries Management Act 1991.

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

To whom this Direction applies

5. 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.

Direction not to engage in fishing

6.1 Fishing is not to be engaged in in the area defined in Schedule 1 of this Direction between the hours of 1100 UTC and 1900 UTC between 2200 hours UTC 21 April 2013 and 2200 hours UTC 15 June 2013.

6.2 Fishing is not to be engaged in in the area defined in Schedule 2 of this Direction between 2200 hours UTC 31 March 2013 and 0200 hours UTC 15 June 2013.

6.3 Fishing is not to be engaged in in the area defined in Schedule 3 of this Direction between 2200 hours UTC 31 March 2013 and 0200 hours UTC 15 June 2013.

6.4 Fishing is not to be engaged in in the area defined in Schedule 4 of this Direction between 2200 hours UTC 31 March 2013 and 0200 hours UTC 15 June 2013.

6.5 Fishing is not to be engaged in in the area defined in Schedule 5 of this Direction between 2200 hours UTC 31 March 2013 and 0200 hours UTC 15 June 2013.
6.6 Fishing is not to be engaged in in the area defined in Schedule 6 of this Direction between 2200 hours UTC 31 March 2013 and 0200 hours UTC 15 June 2013.

6.7 Fishing is not to be engaged in in the area defined in Schedule 7 of this Direction between 2200 hours UTC 31 March 2013 and 2200 hours UTC 30 April 2013.

6.8 Fishing is not to be engaged in in the area defined in Schedule 8 of this Direction between 0200 hours UTC 1 May 2013 and 0200 hours UTC 15 June 2013.

6.9 Fishing is not to be engaged in in the area defined in Schedule 9 of this Direction between 2200 hours UTC 31 March 2013 and 0200 hours UTC 15 June 2013.

6.10 Fishing is not to be engaged in in the area defined in Schedule 10 of this Direction between 0200 hours UTC 24 June 2013 and 0830 hours UTC 31 December 2013.

6.11 Fishing is not to be engaged in in the area defined in Schedule 11 of this Direction between 0200 hours UTC 24 June 2013 and 0830 hours UTC 31 December 2013.

Exemption to the prohibitions in clauses 6.1 through to 6.11

7.1 The prohibitions in clauses 6.1 through to 6.11 do not apply to a person if the person:

1. is within an area described as an exempt transit corridor in Schedule 12 of this Direction; 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.

7.2 The prohibitions in clauses 6.1 through to 6.11 do not apply to a person who is carrying out a gear trial in accordance with Northern Prawn Fishery (Closures) Direction No. 162.

Revocation of previous Direction

8. This Direction revokes the Northern Prawn Fishery (Closures) Direction No. 160 with effect from the date of commencement of this Direction.
SCHEDULE 1

(Sweers Island - Mornington Island)

The area bounded by the line:
(a) commencing at the point of Latitude 17° 00 South and Longitude 139°36’ East;
(b) then north easterly along the geodesic to the point of Latitude 16° 32’ South Longitude
139° 42.66’ East in the vicinity of Cape Van Diemen on Mornington Island;
(c) then south easterly along the geodesic to the point of Latitude 16° 42.83’ South
Longitude 139° 49.5 East in the vicinity of the western side of South Bountiful Island;
(d) then south along the meridian 139° 49.5’ East to latitude 17° 00’South;
(e) then west along the parallel of Latitude 17° 00’South to the point of commencement;
(f) with the exception of the exempt transit corridor listed in Schedule 12, Part 1.

SCHEDULE 2

(Joseph Bonaparte Gulf)

The area bounded by the line:
(a) commencing at the intersection of the northern shore of the mainland of Australia, in
the vicinity of Cape Londonderry at low water mark, with the meridian of Longitude
126° 58’ East;
(b) then running north along that meridian to its intersection with the parallel of Latitude
13° 42’ South;
(c) then running east along that parallel to its intersection with the meridian of Longitude
127° 24’ East;
(d) then running south along that meridian to its intersection with the parallel of Latitude
13° 54.5’ South;
(e) then running east along that parallel to its intersection with the mainland of Australia,
in the vicinity of Hyland Bay at low water; and
(f) then generally south westerly, southerly, westerly and north-westerly along that shore
at low water to the point of commencement.

SCHEDULE 3

(North West of Groote Elyandt)

The area bounded by the line:
(a) commencing at the point of Latitude 13° 38’ South, Longitude 136° 57’ East;
(b) then running north-westerly along the geodesic to the intersection of the southern
shore of the mainland of Australia at low-water in the vicinity of Cape Arrowsmith
with the point Latitude 13°15’ South and Longitude 136°27.6’ East;
(c) then running south-westerly along the geodesic to the intersection of the southern
shore of the mainland of Australia at low-water in the vicinity of Cape Shield with the
meridian of Longitude 136°20.5’ East;
(d) then in a southerly Direction along the geodesic to the western most point of the
Connexion Island shore at low-water;
then in generally a south westerly Direction along the geodesics to the intersection of
Latitude 14°30’ South, Longitude 136°00’ East;
then due east along the parallel of Latitude 14°30’ South to Longitude 136°19.5’East;
then running north along that meridian to South Point, Groote Eylandt;
then running along the western shore of Groote Eylandt to the point Latitude 13°45’
South Longitude 136°50’ East in the vicinity of Scott Point;
then northeast along the geodesic to the point of commencement;
excepting for the exempt transit corridors listed in Schedule 12, Parts 2 & 3.

SCHEDULE 4

(South West Corner)
The area bounded by the line:
(a) commencing at the point Latitude 14° 30’ South Longitude 136° East on the Cape
    Shield to West Island permanent closure;
(b) then south westerly to the point latitude 14° 36.5’South Longitude 135° 45’East;
(c) then south to the point Latitude 14° 55’South Longitude 135° 45’East;
(d) then south easterly to the point Latitude 15° 28’South Longitude 136° 45’East;
(e) then east to the point Latitude 15° 28’South Longitude 137° 00’East;
(f) then south easterly to the point Latitude 15° 37.5’South Longitude 137° 04.2’East;
(g) then south easterly to the eastern tip of Steep Cut at Latitude 15° 43’ South Longitude
    137° 06’ East;
(h) then south easterly to the point Latitude 16° 00’ South Longitude 137° 30’East;
(i) then south easterly to the point Latitude 16° 06’ South Longitude 137° 45’East;
(j) then south along the meridian to its intersection with the northern shore of the mainland
    of Australia;
(k) then north west following the coastline of Australia and the Cape Shield to West Island
    permanent closure to the point of commencement.

SCHEDULE 5

(Fog Bay / Bynoe Harbour)
The area bounded by the line:
(a) commencing at the low water mark of the northern most point of Charles Point to the
    north west of Darwin Harbour;
(b) then north westerly along the geodesic to the point of Latitude 12°22’South,
    Longitude 130°17’ East;
(c) then south westerly along the geodesic to the point of Latitude 12°27’ South,
    Longitude 130°15’ East;
(d) then south along the meridian to the point of Latitude 12°32’ South, Longitude
    130°15’ East;
(e) then south easterly along the geodesic to the point Latitude 12°42’ South, 130°16’
    East;
(f) then east along that latitude to the intersection with the low water mark of the shore;
then generally northerly and easterly along the low water mark of the shore to the point of commencement.

**SCHEDULE 6**

**(Lingi Point)**

The area bounded by the line:
(a) commencing at the intersection of Latitude 11° 08’South Longitude 132° 00’East in the vicinity of Vashion Head;
(b) then running north along the meridian to Latitude 11° 05’South;
(c) then north westerly along the geodesic to the point of Latitude 10° 59’ South, 131°53.7’East;
(d) then south westerly along the geodesic to the intersection of Latitude 11° 08’South 131° 45’East;
(e) then running southerly along the geodesic to the low water mark at Latitude 11° 18’South Longitude 131° 46’East;
(f) then generally easterly and northerly along that shore at low water to the point of commencement.

**SCHEDULE 7**

**(Gulf of Carpentaria)**

The area bounded by the line:
(a) commencing at the intersection of mainland Australia at low-water mark and Latitude 14° 20’ South;
(b) then running east along the parallel to its intersection with the meridian of the Longitude 136° East;
(c) then running south easterly to the point of Latitude 15°30’ South, Longitude 137°30’ East;
(d) then running south easterly to the point of Latitude 16° South, Longitude 138° East;
(e) then generally south easterly to point of Latitude 16°15’ South, Longitude 139° East;
(f) then running parallel to its intersection with the meridian of the Longitude 140°;
(g) then north along the meridian of Longitude 140° East to its intersection with the parallel of Latitude 12°15’ South;
(h) then west along that parallel to its intersection of mainland Australia at low-water mark in the vicinity of Nhulunbuy;
(i) then generally southerly along that shore at low-water to the point of commencement.
SCHEDULE 8

(Gulf of Carpentaria - West)

The area bounded by the line:
(a) commencing at the intersection of mainland Australia at low-water mark and Latitude 14° 20’ South;
(b) then running east along the parallel to its intersection with the meridian of the Longitude 136° East;
(c) then running south easterly to the point of Latitude 15°30’ South, Longitude 137°30’ East;
(d) then running south easterly to the point of Latitude 16° South, Longitude 138° East;
(e) then north along the meridian of Longitude 138° East to its intersection with the parallel of Latitude 12°15’ South;
(f) then west along that parallel to its intersection of mainland Australia at low-water mark in the vicinity of Nhulunbuy;
(g) then generally southerly along that shore at low-water to the point of commencement.

SCHEDULE 9

(Goulburn Islands)

The area bounded by the line:
(a) commencing at the intersection of the mainland at low-water mark and Longitude 133°30’ East;
(b) then north along the meridian to the intersection with Latitude 11°20’ South;
(c) then west along the geodesic to the point Latitude 11º 20’ South and Longitude 132°55’ East in the vicinity of De Courcy Head;
(d) then generally southerly and easterly along that shore at low-water to the point of commencement.

SCHEDULE 10

Mid Season Closure

The area bounded by the line:
(a) commencing at the intersection of the meridian of longitude 138° East and the mainland of Australia at the low water mark; and
(b) then running north along that meridian to its intersection with the parallel of Latitude 11° 47’ South; and
(c) then east along the geodesic to the intersection of the parallel of Latitude 11º47’ South with the northern shore of the mainland at low water mark, in the vicinity of the Skardon River, on the eastern side of the Gulf of Carpentaria; and
(d) then generally southerly and then generally westerly along that shore at low-water to the point of commencement.
SCHEDULE 11

Mid Season Closure

The area bounded by the line:
(a) commencing at the intersection of the north-western shore of the mainland of Australia at low-water with the meridian of Longitude 123°45' East;
(b) then running north along that meridian to its intersection with the parallel of Latitude 15º28' South;
(c) then north-easterly along the geodesic to the point of Latitude 14º53' South, Longitude 124º08' East;
(d) then north-easterly along the geodesic to the point of Latitude 14º12' South, Longitude 124º50' East;
(e) then north-easterly along the geodesic to the point of Latitude 13º28' South, Longitude 125º43' East;
(f) then east along the parallel of Latitude 13º28' South to the meridian of Longitude 127º00' East;
(g) then north easterly along the geodesic to the point of Latitude 13º21.4' South, Longitude 129º30.9' East;
(h) then south westerly along the geodesic to the point of Latitude 13º45' South, Longitude 129º12' East;
(i) then west along the parallel to the intersection with the mainland at low water mark;
(j) then generally north easterly along the shore at low water mark to the parallel of latitude 13º10' South;
(k) then westerly along the parallel to the point of Latitude 13º10' South, Longitude 129º40' East;
(l) then north along the meridian of Longitude 129º40' East to its intersection with the parallel of Latitude 10º30' South;
(m) then east along that parallel to its intersection with the meridian of Longitude 133º16' East;
(n) then south along that meridian to its intersection with the parallel of Latitude 11º00' South;
(o) then south-easterly along the geodesic to the point of Latitude 11º25' South, Longitude 134º15' East;
(p) then east along the parallel of Latitude 11º25' South to its intersection with the meridian of Longitude 135º35' East;
(q) then north-easterly along the geodesic to the point of Latitude 11º05' South, Longitude 136º10' East;
(r) then north-easterly along the geodesic to the point of Latitude 10º30' South, Longitude 136º40' East;
(s) then south-easterly along the geodesic to the point of Latitude 11º00' South, Longitude 137º05' East;
(t) then south along the meridian of Longitude 137º05' East to its intersection with the parallel of Latitude 11º47' South;
(u) then north easterly along the geodesic to the point of intersection of the parallel of Latitude 11º 29.16' South with the meridian of Longitude 138º East;
(v) then south along that meridian to its intersection with the mainland at low water mark;
then generally westerly along the shore at low water mark to the point of commencement.

SCHEDULE 12
EXEMPT TRANSIT CORRIDORS

Part A - Sweers Island - Mornington Island

The area bounded by the line:
(a) commencing at the point of Latitude 16°52.5' South, Longitude 139°37.83' East;
(b) then running east along that parallel to its intersection with the meridian of Longitude 139° 49.5' East;
(c) then generally south along the geodesic to the point of Latitude 16°56' South, Longitude 139° 49.5' East;
(d) then west along that parallel to its intersection with the meridian of Longitude 139°37.08' East; and
(e) then generally north to the point of commencement.

Part B - Groote Eylandt, west

The area bounded by the line:
(a) commencing at the point of Latitude 14°18.5' South, Longitude 136°19.5' East;
then running north westerly along the geodesic to the point of Latitude 14°14.3' South, Longitude 136°14.5' East;
(b) then generally north easterly along the geodesic to the point of Latitude 13°50.5' South, Longitude 136°23' East;
(c) then running generally north along the geodesic to the point of Latitude 13°43.8' South, Longitude 136°25.8' East;
(d) then running north east to the point of Latitude 13°25.5' South, Longitude 136°41.2' East;
(e) then south east to the point of Latitude 13°26.3' South, Longitude 136°42.2' East;
(f) then south west to the point of Latitude 13°44.5' South, Longitude 136°26.8' East;
(g) then running generally south along the geodesic to Latitude 13°50.5' South, Longitude 136°24' East;
(h) then running south westerly to the point of Latitude 14°13.7' South, Longitude 136°16' East;
(i) then south easterly to the point of Latitude 14°16.5' South, Longitude 136°19.5' East;
(j) then south to the point of commencement.

Part C - Groote Eylandt, north

The area bounded by the line:
(a) commencing at the point of Latitude 13°32' South, Longitude 136°35.5' East;
(b) then running south west to the point of Latitude 13°40' South, Longitude 136°33.5' East;
(c) then running south east to the point of Latitude 13°41.25' South, Longitude 136°34.75' East on the northern tip of Groote Eylandt at low water;
(d) then running east to the point of Latitude 13°40.55’ South, Longitude 136°35.61' East;
(e) then running northerly to the point of Latitude 13°40' South, Longitude 136°35.62' East on the southern side of Chasm Island at low water;
(f) then running westerly along that shore at low water to the point of Latitude 13°40 South, Longitude 136°34.6' East on the western side of Chasm Island;
(g) then generally north east along the geodesic to the point of Latitude 13°32.5' South, Longitude 136°36.5' East; and
(h) then running generally north west to the point of commencement.