

**FISHERIES MANAGEMENT ACT 1991
NORTHERN PRAWN FISHERY MANAGEMENT PLAN 1995**

**NPF DIRECTION No. 113
FIRST SEASON CLOSURES**
(revoking NPF Direction No. 112)

The Australian Fisheries Management Authority makes the following Direction under section 17(5A) of *the Fisheries Management Act 1991* and section 25(1) of the *Northern Prawn Fishery Management Plan 1995*.

Dated this 28 March 2008

The Common seal of the Australian
Fisheries Management Authority
was affixed in accordance with a
resolution of the Board

Peter Witheridge

Citation

1. This Direction may be cited as NPF Direction No. 113.

Commencement

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

Application

3. This Direction applies to a holder of statutory fishing rights in the Northern Prawn Fishery, and to a person acting on behalf of the holder, when fishing in the Northern Prawn Fishery area.

Period of Application

4. This Direction applies for a period beginning on the date this Direction commences and ending on 2200 hours UTC 31 December 2009.

Interpretation

- 5.1 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.

"**fishing**" means the commercial fishing activities that are referred to in section 14 of the *Northern Prawn Fishery Management Plan 1995*;

"**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; and

5.2 "**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).

5.3 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".]

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

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

Prohibition on fishing

6 A person in an area described in Schedules 1-8 is prohibited from fishing for the period in any year commencing at the time and on the day specified in the corresponding row in column 2, and ending at the time and on the day specified in the corresponding row in column 3 in the Closures Table following section 8 below.

To whom does the prohibition on fishing not apply?

7.1 The prohibition in clause 6 does not apply during the periods specified in Column 4 if information given by the boat's vessel monitoring system during the period that the boat was navigated in the closed zones shows that:

1. the boat was navigated in the closed zone for a continuous period of 30 minutes or more; and
2. at all times during the period, the boat was travelling at a speed of at least 5 knots.

7.2 The prohibition in clause 6 does not apply to a person who:

1. before entering an area described in a Schedule, during the period in any year commencing at the time and on the day specified in the corresponding row in column 2 and ending at the time and on the day specified in the corresponding row in column 3 of the Closures Table referred to in clause 6, applies for and receives an exemption from AFMA in accordance with Schedule 10; or
2. is carrying out a gear trial in accordance with NPF 116.

7.3 The prohibition in clause 6 does not apply to a person who:

- (a) is entitled to fish in the Northern Prawn Fishery using a boat under the *Northern Prawn Fishery Management Plan 1995*; and
- (b) uses the boat when fishing for gravid prawns; and
- (c) holds a written approval from the Australian Fisheries Management Authority to take gravid prawns from a specified area; and
- (d) does not fish for gravid prawns other than in accordance with that approval; or
- (e) a person who is fishing in accordance with another plan of management in force under the Act, or a law of a State or Territory that is in force in relation to the Northern Prawn Fishery area.

Revocation of NPF Direction No. 112

8. This Direction revokes NPF Direction No. 112 with effect from the date and time of commencement of this Direction.

Closures Table

Column 1 (area)	Column 2 (period commencing)	Column 3 (period ending)
Schedule 1 (Sweers Island – Mornington Island)	2200 hours UTC 16 April 2008	0200 hours UTC 5 June 2008
Schedule 2 (Joseph Bonaparte Gulf)	2200 hours UTC 26 March 2008	0200 hours UTC 5 June 2008
Schedule 3 (North West of Groote Eylandt)	2200 hours UTC 26 March 2008	0200 hours UTC 5 June 2008
Schedule 4 (South West Corner)	2200 hours UTC 26 March 2008	0200 hours UTC 5 June 2008
Schedule 5 (Fog Bay/ Bynoe Harbour)	2200 hours UTC 26 March 2008	0200 hours UTC 5 June 2008
Schedule 6 (Lingi Point)	2200 hours UTC 26 March 2008	0200 hours UTC 5 June 2008
Schedule 7 Mid season closure	0200 hours UTC 5 June 2008	0830 hours UTC 31 December 2008
Schedule 8 Mid season closure	0200 hours UTC 5 June 2008	0830 hours UTC 31 December 2008

SCHEDULE 1

(Sweers Island - Mornington Island)

The area bounded by the line:

- (a) commencing at the point where Latitude 17° 00 S intersects the east coast of Bentinck Island;
- (b) then north easterly along the geodesic to the point of Latitude 16° 32'S Longitude 139° 42.66'E 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'S Longitude 139° 49.5 E in the vicinity of the western side of South Bountiful Island;
- (d) then south along the meridian 139° 49.5'E to latitude 17° 00'S;
- (e) then west along the parallel of Latitude 17° 00'S to the point of commencement;
- (f) excepting for the exempt transit corridor listed in Schedule 9, 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° 00'South;
- (c) then running east along that parallel to its intersection with the mainland of Australia, in the vicinity of Point Blaze at low water; and
- (d) 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;
- (e) then in generally a south westerly Direction along the geodesics to the intersection of Latitude 14°30' South, Longitude 136°00' East;
- (f) then due east along the parallel of Latitude 14°30' South to Longitude 136°19.5'East;
- (g) then running north along that meridian to South Point, Groote Elyandt;

- (h) 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;
- (i) then northeast along the geodesic to the point of commencement;
- (j) excepting for the exempt transit corridors listed in Schedule 9, Parts 2 & 3.

SCHEDULE 4

(South West Corner)

The area bounded by the line:

- (a) commencing at the point Latitude 14° 30'S Longitude 136° E on the Cape Shield to West Island permanent closure;
- (b) then south westerly to the point latitude 14° 37.7'S Longitude 135° 46.8'E;
- (c) then south westerly to the point Latitude 14° 50'S Longitude 135° 44.9'E on Maria Island;
- (d) then southerly along the coast of Maria Island to the point Latitude 14° 54'S Longitude 135° 46'E;
- (e) then south easterly to the point Latitude 15° 27'S Longitude 136° 46.2'E;
- (f) then east to the point Latitude 15° 27'S Longitude 137° 04.2'E;
- (g) then south to the point Latitude 15° 37.8'S Longitude 137° 04.2'E;
- (h) then south easterly to the eastern tip of Steep Cut at Latitude 15° 43.2S Longitude 137° 06'E;
- (i) then south easterly to the point Latitude 15° 46.2'S Longitude 137° 20'E;
- (j) then south easterly to the point Latitude 16° 00'S Longitude 137° 45'E;
- (k) then south along the meridian to its intersection with the northern shore of the mainland of Australia;
- (l) 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 Darwn 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;
- (g) 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 $11^{\circ} 08'S$ Longitude $132^{\circ} 00'E$ in the vicinity of Vashion Head;
- (b) then running north along the meridian to Latitude $11^{\circ} 05'S$;
- (a) then north westerly along the geodesic to the point of Latitude $10^{\circ} 59'S$, $131^{\circ} 53.7'E$;
- (b) then south westerly along the geodesic to the intersection of Latitude $11^{\circ} 08'S$ $131^{\circ} 45'E$;
- (c) then running southerly along the geodesic to the low water mark at Latitude $11^{\circ} 18'S$ Longitude $131^{\circ} 46'E$;
- (d) then generally easterly and northerly along that shore at low water to the point of commencement.

SCHEDULE 7

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 $11^{\circ} 47'$ South; and
- (c) then east along the geodesic to the intersection of the parallel of Latitude $11^{\circ} 47'$ 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 8

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 $123^{\circ} 45'$ East;
- (b) then running north along that meridian to its intersection with the parallel of Latitude $15^{\circ} 28'$ South;
- (c) then north-easterly along the geodesic to the point of Latitude $14^{\circ} 53'$ South, Longitude $124^{\circ} 08'$ East;
- (d) then north-easterly along the geodesic to the point of Latitude $14^{\circ} 12'$ South, Longitude $124^{\circ} 50'$ East;
- (e) then north-easterly along the geodesic to the point of Latitude $13^{\circ} 28'$ South, Longitude $125^{\circ} 43'$ East;
- (f) then east along the parallel of Latitude $13^{\circ} 28'$ South to the meridian of Longitude $127^{\circ} 00'$ East;
- (g) then north easterly along the geodesic to the point of Latitude $13^{\circ} 21.4'$ South, Longitude $129^{\circ} 30.9'$ East;

- (h) then south westerly along the geodesic to the point of Latitude 13°45' South, Longitude 129°12' 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 13°10' South;
- (k) then westerly along the parallel to the point of Latitude 13°10' South, Longitude 129°40' East;
- (l) then north along the meridian of Longitude 129°40' East to its intersection with the parallel of Latitude 10°30' South;
- (m) then east along that parallel to its intersection with the meridian of Longitude 133°16' East;
- (n) then south along that meridian to its intersection with the parallel of Latitude 11°00' South;
- (o) then south-easterly along the geodesic to the point of Latitude 11°25' South, Longitude 134°15' East;
- (p) then east along the parallel of Latitude 11°25' South to its intersection with the meridian of Longitude 135°35' East;
- (q) then north-easterly along the geodesic to the point of Latitude 11°05' South, Longitude 136°10' East;
- (r) then north-easterly along the geodesic to the point of Latitude 10°30' South, Longitude 136°40' East;
- (s) then south-easterly along the geodesic to the point of Latitude 11°00' South, Longitude 137°05' East;
- (t) then south along the meridian of Longitude 137°05' East to its intersection with the parallel of Latitude 11°47' South;
- (u) then north easterly along the geodesic to the point of intersection of the parallel of Latitude 11° 29.16' South with the meridian of Longitude 138° East;
- (v) then south along that meridian to its intersection with the mainland at low water mark;
- (w) then generally westerly along the shore at low water mark to the point of commencement.

SCHEDULE 9

EXEMPT TRANSIT CORRIDORS

Part 1 - 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°53.42' East;
- (c) then generally south along the geodesic to the point of Latitude 16°56' South, Longitude 139°54.66' 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 2 - 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 3 - 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.

SCHEDULE 10

APPLICATIONS FOR EXEMPTIONS

1. An application for exemption to an AFMA Compliance Officer in Canberra, must be made either by telephone, by fax or in person as follows:
 - (a) by telephone to (02) 6225 5369 or 0418 468 134; or
 - (b) by fax to (02) 6225 5443 ; or
 - (c) after hours on 0419 205 329

2. An exemption approval from an AFMA Compliance Officer must be provided to the person in writing, and must be:
 - (a) posted to an address; or
 - (b) transmitted to a fax number; or
 - (c) provided via email;nominated by the person giving the notice.

3. Applications for exemptions to prohibitions on navigation in prohibited areas during seasonal closures will be considered for approval in exceptional circumstances. Where navigation is required because of vessel breakdown, distress, medical emergency, cyclone or weather warning, or to access an anchorage where no transit corridor has been provided, applications for an exemption will always be approved.

4. In the event that an exemption approval is not granted by an AFMA Compliance Officer, a vessel operator may request that the application be reviewed by a person who did not participate in the making of the original decision and who holds, occupies, or performs the duties of position titles General Manager, Strategy and Planning and Executive Secretary, General Manager, Operations or General Manager, Fisheries.