

FISH RESOURCES MANAGEMENT ACT 1994

PILBARA FISH TRAWL INTERIM MANAGED FISHERY MANAGEMENT PLAN 1997

Arrangement

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 PILBARA FISH TRAWL INTERIM MANAGED FISHERY MANAGEMENT PLAN 1997

FD 1387/97 [194]

Made by the Minister under section 54.

Citation

1. This plan may be cited as the *Pilbara Fish Trawl Interim Managed Fishery Management Plan 1997*.

Commencement

2. This Plan will commence operation on 1 January 1998.

[Clause 3 was deleted by Government Gazette No. 53 published on 26 April 2019]

Interpretation

4. In this management plan, unless the contrary intention appears -
- “approved directions for use” means the directions for use of an ALC -
- (a) as specified in the regulations; or
 - (b) given by the CEO in a notice in writing to the master of an authorised boat or the holder of a permit;
- “ALC” means an Automatic Location Communicator;
- “Area” means an area of water as described in Schedule 3;
- “Area 1” is the waters described in Schedule 3 item 1;
- “Area 2” is the waters described in Schedule 3 item 2;
- “Area 3” is the waters described in Schedule 3 item 3;
- “Area 4” is the waters described in Schedule 3 item 4;
- “Area 5” is the waters described in Schedule 3 item 5;
- “Area 6” is the waters described in Schedule 3 item 6;
- “authorised boat” means -
- (a) a licensed fishing boat, the name, licensed fishing boat number and length of which are specified in a permit; or
 - (b) a boat specified in a written authority under regulation 132 where that boat is to be used in place of a boat described in (a);
- “bobbin” means a spherical, cylindrical or wheel like attachment to the groundrope which assists the groundrope to clear rough sections of sea bed;
- “bridles” means the cables or chains which attach the trawl net to the sweeps;
- “Code” means the Uniform Shipping Laws Code published in the *Commonwealth of Australia Gazette* on 11 May 1981 as amended from time to time and adopted by the Western Australian Department of Transport;
- “current fish trawl units” means the number of fish trawl units specified on a permit after taking into account any transfer of fish trawl units made in accordance with clause 24;
- “exhausted” means the authority to use a fish trawl net which is conferred by a permit and expressed in terms of fish trawl units has been exercised in full in respect of the entitlement arising from -
- (a) the total number of fish trawl units specified on that permit for a specified Zone or Area; or
 - (b) the total number of fish trawl units specified on that permit for the Fishery, as the case may be;
- “fish trawl hour” means one trawl net used in the fishery for one hour or part thereof;
- “Fishery” means the Pilbara Fish Trawl Interim Managed Fishery as identified in clause 6;

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- “fishing boat licence” has the same meaning as defined in the regulations;
- “groundrope” means the rope or cable onto which is attached the lower half of the mouth of the trawl net;
- “headrope” means the rope onto which is attached the upper half of the mouth of the trawl net;
- “headrope length” means the distance measured along the headrope from where the trawl net attaches to one end of the headrope to where it attaches to the other end of the headrope;
- “licensed fishing boat number” has the same meaning as defined in the regulations;
- “licensing period” means the period commencing on 1 July in a year and ending on 30 June in the following year;
- “measured length” means the measured length of the authorised boat as defined by the Western Australian Department of Transport and stated on the Certificate of Survey for that boat;
- “Nickol Bay Prawn Managed Fishery” means the fishery identified in the *Nickol Bay Prawn Management Plan 1991*;
- “nomination” is a notification sent to the Fisheries Department via ALC in accordance with the approved directions for use;
- “one hour period” means a period of one hour taken from on the hour to the next hour;
- “permit” means an interim managed fishery permit which authorises a person to fish in the Fishery;
- “port area” means the area within two nautical miles radius of the intersection of the co-ordinates specified in items 1, 2 and 3 of Schedule 6;
- “regulations” means the *Fish Resources Management Regulations 1995*;
- “scalefish” means all species of fish of the Class Osteichthyes;
- “sweeps” means the cables connecting the trailing edge of the otter boards to the bridles;
- “total fee” means the fee as calculated in accordance with Part 2 of Schedule 8;
- “unauthorised area of the Fishery” means -
- (a) a Zone or Area of the Fishery in relation to which the entitlement on a specific permit which refers to that particular Zone or Area has been exhausted; or
 - (b) a part of the Fishery in which a person is not authorised to fish by a permit or this Plan.

Procedure before this Plan may be amended or revoked

5. For the purposes of section 65 of the Act, the permit holders are to be consulted before this management plan is amended or revoked.

Identification of the Fishery

6. The Fishery to which this Plan relates is the fishing for scalefish by the use of a trawl net in the waters described in Schedule 1.

Zones of the Fishery

7. The Fishery is divided into Zones as described in Schedule 2.

Fishery an interim managed fishery

8. The Fishery is an interim managed fishery.

Persons prohibited from fishing in the Fishery

9. A person must not fish by trawl net in the Fishery other than -
- (a) in accordance with this Plan; and
 - (b) under the authority of a permit.

Prohibited on selling, dealing in or purchasing scalefish

10. A person must not sell, deal in or purchase any scalefish taken from the Fishery by trawl net unless the fish were taken by a person who holds a commercial fishing licence issued pursuant to the

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regulations and the fish were taken under the authority of a permit issued in accordance with this Plan and the Act.

Prohibited means of fishing in the Fishery

- 11.**
- (1) A person must not fish in the Fishery by any means other than by a trawl net.
 - (2) A person must not use a trawl net in the Fishery where -
 - (a) the headrope length of the trawl net exceeds 36.58 metres;
 - (b) the overall length of the trawl gear including sweeps, bridles and headropes exceeds 274.32 metres;
 - (c) the mesh size of the net is less than 100 millimetres; or
 - (d) the diameter of any bobbin attached to the ground rope is more than 350 millimetres.
 - (3) A person must not use a trawl net in the Fishery where -
 - (a) more than one trawl net is used; or
 - (b) a second boat is used in the trawling operation.

Use of boats

- 12.**
- (1) A person must not use a boat to fish in the Fishery unless the boat is an authorised boat.
 - (3) The master of an authorised boat, when traversing a part of the Fishery which is an unauthorised area, must have otter boards, warp wires and trawl nets carried on or attached to that boat, secured to that boat and out of the water at all times.
 - (4) A person must not, without the written approval of the CEO, repower an authorised boat by -
 - (a) changing the configuration of the existing engine, gearbox, propeller, propeller shaft or other components; or
 - (b) installing a new engine.
 - (5) The holder of a permit must -
 - (a) on the written instruction of the CEO, cause the suppliers of an engine for the authorised boat specified on that permit, to install a lead seal on the fuel pump for that engine in a manner which prevents any adjustment or alteration;
 - (b) authorise the CEO to install or permit installation of any further lead seals as the CEO may require.
 - (6) A person must -
 - (a) not remove or allow any interference with any seal fitted in accordance with subclause (5)
 - (b) report to the CEO any interference to any seal as described in subclause (5) caused by accident, mechanical requirements or any reason whatsoever and as soon as practical thereafter arrange for recertification of the installed engine power by the supplier and the installation of a new seal; and
 - (c) permit the inspection of the engine configuration and any seal by a fisheries officer and shall permit on board the boat any person the officer may require for such an inspection.

Requirement to install an automatic Location Communicator and Data Terminal

- 13.**
- (1) The authority to fish conferred by a permit shall be of no effect unless the authorised boat is fitted with an approved -
 - (a) ALC that -
 - (i) has been installed in accordance with a notice in writing given by the CEO to the holder of the permit;
 - (ii) is being operated in accordance with the approved directions for use; and
 - (b) Data Terminal as specified in the regulations.
 - (2) A reference to a Zone, Area or port area in the approved directions for use referred to in subclause (1) is a reference to a Zone, Area or port area as described in Schedule 2, Schedule 3 or Schedule 5 respectively.

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Permitted and prohibited fishing areas

14. (1) Where the CEO is of the opinion that it is in the better interests of the Fishery to do so, the CEO, following consultation with the permit holders, may by notice published in the *Gazette* -
- (a) prohibit fishing in the Fishery or in any part of the Fishery;
 - (b) permit fishing in the Fishery or in any part of the Fishery.
- (2) A person must not fish in any part of the Fishery at a time when fishing in that part of the Fishery has been prohibited by a notice made under subclause (1).
- (3) The provisions of a notice made in accordance with subclause (1) may be made to apply at all times or at any specified time.
- (4) A person must not fish by trawl net in Area 3 or the waters described in Schedule 5.

Criteria for a permit

15. (1) An applicant for a permit must satisfy the CEO that he or she is the holder of a current fishing boat licence and -
- (a) that licence is endorsed to permit the holder to take fish by means of trawling in the waters defined in that licence as the Pilbara Fish Trawl Fishery and the applicant applies for a permit before 31 December 1997; or
 - (b) as at 31 December 1997 that licence was endorsed to permit the holder to take fish by means of trawling in the waters defined in that licence as the Pilbara Fish Trawl Fishery and the applicant applies for a permit before 28 February 1998.

Duration of permits

16. A permit expires at the end of the licensing period for which it was issued.

[17. Deleted on 18.12.01. by Pilbara Fish Trawl Fishery (Interim) Management Plan Amendment 2001.]

Items that may be specified on a permit

18. A permit granted or renewed in respect of the fishery may specify the following -
- (a) name and business address of the holder of the permit;
 - (b) name of the licensed fishing boat, licensed fishing boat number and length of any licensed fishing boat which may be used for fishing in the Fishery under the authority of that permit;
 - (c) the permit number;
 - (d) the date of expiry of the permit;
 - (e) the name of the interim managed fishery to which the permit refers;
 - (f) the total number of fish trawl units that are allocated to the holder of that permit;
 - (g) the total number of current fish trawl units allocated to the holder of that permit;
 - (h) the number of fish trawl units that refer to a particular Zone or Area;
 - (i) the extent of the entitlement arising from a fish trawl unit;
 - (j) the total entitlement arising from the total number of current fish trawl units specified on the permit;
 - (k) the entitlement to a Zone or Area of the Fishery arising from the number of current fish trawl units that refer to that particular Zone or Area;
 - (l) any conditions imposed on the permit.

Units

19. (1) The authority conferred by a permit to fish using a trawl net shall be limited by reference to a specified number of fish trawl hours expressed in terms of fish trawl units.
- (2) The maximum number of fish trawl units that may be allocated for use in Zone 1 or any particular Area of Zone 2 of the Fishery is -
- (a) Zone 1 - nil

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- (b) Area 1 - 17136;
 - (c) Area 2 - 3360;
 - (d) Area 3 - nil;
 - (e) Area 4 - 3360;
 - (f) Area 5 - 5712;
 - (g) Area 6 - is the sum of all the units resulting from allocations made in accordance with clause 22(2)(b) and clause 22(2)(c).
- (3) A person who satisfied the criteria specified in clause 15 and -
- (a) the fishing boat licence referred to in that clause is endorsed -
 - (i) to permit the holder to fish in Zone 2 of the Pilbara Fish Trawl fishery as defined in that licence;
 - (ii) with condition number 83 or condition number 102 which, prior to 31 October 1997, did not restrict the amount of time the boat may be used to fish in Zone 2 of the fishery in any year;
 may be granted a permit which confers an entitlement of 4224 fish trawl units; or
 - (b) the fishing boat licence is endorsed to permit the holder to fish in Zone 2 of the Pilbara Fish Trawl Fishery as defined in that licence for 5 months in any year may be granted a permit which confers an entitlement of 2112 fish trawl units.
- (4) The maximum number of units that may be specified on a permit as described in subclause (3)(a) for use in a particular Zone or Area is, when that permit is first issued, -
- (a) Zone 1 - nil;
 - (b) Area 1 - 2448;
 - (c) Area 2 - 480;
 - (d) Area 3 - nil;
 - (e) Area 4 - 480;
 - (f) Area 5 - 816; and
 - (g) Area 6 - nil.
- (5) The maximum number of units that may be specified on a permit as described in subclause (3)(b) for use in a particular Zone or Area is, when that permit is first issued, -
- (a) Zone 1 - nil;
 - (b) Area 1 - 1224;
 - (c) Area 2 - 240;
 - (d) Area 3 - nil;
 - (e) Area 4 - 240;
 - (f) Area 5 - 408; and
 - (g) Area 6 - nil.
- (6) A person must not fish in any Zone or Area of the Fishery unless the person is authorised to fish in the Fishery by a permit which specifies fish trawl units for that Zone or Area.
- (7) A person must not fish under the authority of a permit in any Zone or Area of the Fishery if the entitlement expressed as a fish trawl units which are specified on that permit for that Zone or Area have been exhausted.
- (8) Notwithstanding the provisions of subclause (7) the holder of a permit may fish in an Area of the Fishery for which they have exhausted their fish trawl units of entitlement provided that -
- (a) the total entitlement conferred by the permit expressed in terms of fish trawl units for Areas 1 to 5 inclusive is not exceeded; and
 - (b) the total number of fish trawl hours fished by the permit holder in that Area is not more than 48 fish trawl hours in excess of the entitlement conferred by the fish trawl units specified on that permit for that Area.

Entitlement

- 20.** (1) At any time during the licensing period the extent of the entitlement arising from the fish trawl unit in -

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- (a) Area 1 is 0.24 fish trawl hours, which entitles the holder of a permit that specifies Area 1 fish trawl units to use a fish trawl net for 0.24 hours in that Area for each one of those Area 1 units;
 - (b) Area 2 is 0.95 fish trawl hours, which entitles the holder of a permit that specifies Area 2 fish trawl units to use a fish trawl net for 0.95 hours in that Area for each one of those Area 2 units;
 - (c) Area 4 is 1.01 fish trawl hours, which entitles the holder of a permit that specifies Area 4 fish trawl units to use a fish trawl net for 1.01 hours in that Area for each one of those Area 4 units;
 - (d) Area 5 is 0.90 fish trawl hours, which entitles the holder of a permit that specifies Area 5 fish trawl units to use a fish trawl net for 0.90 hours in that Area for each one of those Area 5 units;
 - (e) Area 6 is 1.00 fish trawl hour, which entitles the holder of a permit that specifies Area 6 fish trawl units to use a fish trawl net for 1.00 hour in that Area for each one of those Area 6 units.
- (2) If, as a result of calculating the total entitlement arising from the total number of fish trawl units specified on a permit for a particular area, the total number of fish trawl hours is not a whole number, the number shall be rounded to the nearest whole number with 0.5 being rounded up.

Exercise of entitlement

- 21.** (2) If, during any one hour period, any ALC reading of the position of an authorised boat shows that the boat is in a Zone or Area of the Fishery in which it is authorised by a permit to be used for fishing then the boat shall be taken to have been used for fishing in that Zone or Area for that one hour period provided that the boat may only be taken to have been used for fishing in one Zone or one Area during that one hour period.
- (3) If an authorised boat is in an unauthorised area of the Fishery the time for which that boat is in that unauthorised area (in this subclause referred to as "the period") is to be taken to have been time used —
- (a) prior to the period; and
 - (b) in the last Area in which authorised fishing took place using that boat.
- (4) For the purpose of determining the exercise of an entitlement following a nomination made in accordance with subclause 28(1)(c), subject to subclause (3) fishing shall be taken to have commenced when the authorised boat has entered any Area of the Fishery in which, according to this Plan, it may be used for fishing, and fishing shall be taken to have ceased when the boat leaves that Area.

Access to Area 6

- 22.** (1) Notwithstanding the provisions of clause 19(4) and clause 19(5) the holder of a permit may fish in any part of Area 6 which has not been prohibited to fishing in a notice made in accordance with clause 14 provided that the CEO has varied that permit by specifying units of entitlement for Area 6 on that permit.
- (2) A variation to a permit to give access to Area 6 of the Fishery shall be -
- (a) for all or part of one licensing period only;
 - (b) for a maximum of 1584 fish trawl units if the permit confers on the holder a total of not less than 4224 fish trawl units for Areas 1 to 5 inclusive;
 - (c) for a maximum of 792 fish trawl units if the permit confers on the holder a total of less than 4224 fish trawl units for Areas 1 to 5 inclusive.

Criteria for variation of a permit

- 23.** (1) The criterion to be satisfied before a permit shall be varied by the endorsement of fish trawl units for Area 6 on that permit is that when the permit holder applies for the variation of the permit, he or she also provides to the CEO a letter from the Department's Director -

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Fisheries Research advising that the permit holder has agreed to participate in a research program conducted in Area 6 of the Fishery during the relevant licensing period.

(2) The criteria to be satisfied before a permit shall be varied to replace an authorised boat specified on a permit with another boat is that the replacement boat must not exceed 375 boat units as calculated in accordance with the formula specified in Schedule 7.

Temporary transfer of entitlement

- 24.** (1) Subject to subclause (2) where the holder of a permit applies to transfer entitlement conferred by fish trawl units for a limited period to the holder of another permit and -
- (a) the application is for a whole number of fish trawl units; and
 - (b) the specified fish trawl units refer to entitlement to fish in Areas 1, 2, 4 or 5 and at the date the application is received by the CEO any entitlement conferred by those units has not been exercised,
- the CEO may transfer those units for a specified time.
- (2) The master of an authorised boat which is specified on a permit that is the subject of an application to transfer fish trawl units as referred to in subclause (1), must not use that boat to fish in the Fishery to the extent that the entitlement conferred by the fish trawl units on that permit would be exceeded if the application to transfer were to proceed.
- (3) Fish trawl units for Area 6 of the Fishery may only be transferred if -
- (a) the application is in accordance with paragraph (a) of subclause (1); and
 - (b) all the fish trawl units which refer to Area 6 are transferred from the transferor's permit to the transferee's permit.
- (4) Notwithstanding that all the fish trawl units that refer to Area 6 are transferred in accordance with paragraph (b) of subclause (3), a person fishing under the authority of a permit to which Area 6 fish trawl units have been transferred may only fish in Area 6 to the extent that the entitlement conferred by those fish trawl units has not been exercised.

Grounds for refusal to transfer entitlement

- 25.** The transfer of any part of an entitlement may be refused on the grounds that -
- (a) that the proposed transfer is not for a whole number of fish trawl units;
 - (b) that the proposed transfer is for fish trawl units that relate to Area 6 and the application is not for the transfer of all of those units; or
 - (c) that the total fee has not been paid in respect of the permit from which the fish trawl units are being transferred.

Grounds for refusal to transfer a permit

- 26.** The CEO may refuse to transfer a permit if the total licence fee for that permit has not been paid.

Grounds to cancel a permit

- 27.** It shall be grounds for the CEO to cancel a permit if other than fish trawl units transferred in accordance with clause 24, all the fish trawl units are transferred from that permit;

Presence in the Fishery

- 28.** (1) The master of an authorised boat must, when intending to fish within the Fishery, not use that boat —
- (a) to enter the waters of the Fishery; or
 - (b) outside a port area within the waters of the Fishery;
- at any time when any part of the Fishery is open to fishing unless —
- (c) the Department has received from the master of that boat a nomination of intention to enter the Fishery and comply with the requirements of the Management Plan; and
 - (d) that nomination is current.

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- (2) If the Department receives a nomination in accordance with subclause 1(c) in any licensing period, that nomination is current for the remainder of that licensing period unless —
- (a) the Department receives a nomination from the master of that boat cancelling it;
 - (b) the boat leaves the waters of the Fishery; or
 - (c) the boat is used in accordance with the *Nickol Bay Prawn Management Plan 1991* to fish in that part of the waters of the Fishery that coincides with the waters of the Nickol Bay Prawn Limited Entry Fishery.
- (3) The master of an authorised boat must not use that boat to enter or be underway in an unauthorised area of the Fishery either in the waters of the Fishery west of 116° east longitude or within Zone 2 unless the Department—
- (a) has received a nomination to enter or be underway in an unauthorised area of the Fishery (as the case may be); and
 - (b) received the nomination no more than one hour before the boat entered or was underway in that unauthorised area.
- (4) For the purposes of section 62(1) of the Act and this clause the areas specified are those detailed in Schedules 1, 2, and 3.
- (5) Any nomination to the Department made in accordance with this clause must be made using an ALC in accordance with the approved directions for use.
- (6) In any proceedings for an offence against the Act, unless proven to the contrary, the position of an authorised boat received by the Department from an ALC installed on that boat is to be taken to be conclusive evidence of the actual position of that boat at that time.
- (7) For the purpose of this clause, if a person uses an authorised boat on behalf of another person they are both taken to have so used the boat.

Payment by instalments

- 28A.** (1) For the purposes of regulation 137(2) of the regulations, the total fee may be paid by instalments as specified in Schedule 9 if -
- (a) an election to pay by instalments is made by the holder of a permit in accordance with subclause (2); and
 - (b) there is no other fee, charge or levy in respect of the permit which has not been paid at the time the election is received at the head office of the Department.
- (2) An election for the purposes of subclause (1) must be -
- (a) made in writing;
 - (b) received at the head office of the Department prior to the commencement of the licensing period to which the election relates;
 - (c) accompanied by the first instalment plus the surcharge.
- (3) For the purposes of regulation 137(3) of the regulations, the surcharge shall be 3.13% of the total fee.
- (4) The holder of a permit, or a person acting on that persons behalf, must not fish in the Fishery at any time when any fee or surcharge payable in respect of the permit is outstanding.

Offences and major provisions

- 29.** A person who contravenes a provision of -
- (a) clause 9, 10, 11, 12, 14(2), 14(4), 19(6), 19(7) 19(8) 24(4), 28A(4) or 28(3); or
 - (b) clause 24(2), 28(1) or 28(5),
- commits an offence and for the purposes of section 75 of the Act, the provisions described in subclause (a) are major provisions.

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Schedule 1

Description of the Fishery

All waters of the Indian Ocean and Exmouth Gulf bounded by a line commencing at the intersection of 21°35' south latitude and 114°9.6' east longitude and extending north along the meridian to the intersection of 21°27.1' south latitude and 114°9.6' east longitude; thence generally north easterly to the intersection of 21°00' south latitude and 114°43' east longitude; thence north to the intersection of 20°53' south latitude and 114°43' east longitude; thence generally north by east to the intersection of 20°35' south latitude and 114°47' east longitude; thence continuing generally north by east to intersection of 20°15' south latitude and 114°55' east longitude; thence generally north easterly to the intersection of 20°03' south latitude and 115°03' east longitude; thence generally north east by east to the intersection of 19°55' south latitude and 115°14' east longitude; thence continuing north easterly to the intersection of 19°40' south latitude and 115°25' east longitude; thence generally north east by east to the intersection of 19°30' south latitude and 115°50' east longitude; thence generally north easterly to intersection 19°17' south latitude and 116°05' east longitude; thence generally east by north to the intersection of 19°11' south latitude and 116°28' east; thence continuing east by north to the intersection of 19°09' south latitude and 116°50' east longitude; thence generally north east by east to the intersection of 19°00' south latitude and 117°14' east longitude; thence generally north easterly to intersection of 18°01' south latitude and 119°00' east longitude, thence continuing generally north easterly to the intersection of 17°55' south latitude and 119°11' east longitude, thence east north east to intersection of 17°41.712' south latitude and 120°00' east longitude; thence south along the meridian to the high water mark on the coast of North-Western Australia; thence in a west south westerly direction along the high water line to the intersection of 21°35' south latitude; thence west along the parallel to the commencement point.

Schedule 2

Zones of the Fishery

ZONE 1

All the waters bounded by a line commencing from the intersection of 21°29.786' south latitude and 114°40' east longitude and extending north to the intersection of 21°02.44' south latitude and 114°40' east longitude; thence north easterly to the intersection of 21°00' south latitude and 114°43' east longitude; thence north to the intersection of 20°53' south latitude and 114°43' east longitude; thence north by east to intersection of 20°35' south latitude and 114°47' east longitude, thence continuing north by east to the intersection of 20°15' south latitude and 114°55' east longitude, thence generally north easterly to the intersection of 20°03' south latitude and 115°03' east longitude; thence generally north east by east to the intersection of 19°57.91' south latitude and 115°10' east longitude; thence south along the meridian to the intersection of 21°19.5' south latitude and 115°10' east longitude; thence generally north westerly to the intersection of 21°15.9' south latitude and 115°01.2' east longitude, thence generally south easterly to the commencement point, but excluding the waters within 5 nautical miles radius of the intersection of -

- (a) 21°15.9' south latitude and 115°01.2' east longitude (Rosily Island); and
- (b) 21°12.4' south latitude and 115°03.8' east longitude (Penguin Bank).

ZONE 2

All the waters bounded by a line commencing from the intersection of 20°10' south latitude and 116°00' east longitude and extending north to the intersection of 19°21.3' south latitude and 116°00' east longitude; thence in a north easterly direction to the intersection of 19°17' south latitude and 116°05' east longitude; thence north easterly to the intersection of 19°11' south latitude and 116°28' east longitude; thence east by northerly to the intersection of 19°09' south latitude and 116°50' east longitude; thence north east by east to the intersection of 19°00' south latitude and 117°14' east longitude; thence generally north easterly to the intersection of 18°01' south latitude and 119°00' east

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longitude; thence continuing north easterly to the intersection of 17°55' south latitude and 119°11' east longitude; thence continuing east north east to the intersection of 17°41.712' south latitude and 120°00' east longitude; thence south to the intersection of 19°00' south latitude and 120°00' east longitude; thence in a west by south direction to the intersection of 19°20' south latitude and 118°30' east longitude; thence generally south westerly to the intersection of 19°50' south latitude and 117°45' east longitude; thence west south westerly to the intersection of 20°10' south latitude and 116°30' east longitude; thence west to the commencement point.

Schedule 3 Areas of Zone 2 of the Fishery

Item 1 - Zone 2 - Area 1

All the waters bounded by a line commencing at the intersection of 20°10' south latitude and 116°00' east longitude and extending north to the intersection of 19°46' south latitude and 116°00' east longitude; thence in a north easterly direction to the intersection of 19°35' south latitude and 116°19.5' east longitude; thence north east to intersection of 19°26.8' south latitude and 116°38' east longitude; thence generally east by north to the intersection of 19°26.5' south latitude and 116°40' east longitude; thence south to the intersection of 20°07.34' south latitude and 116°40' east longitude; thence south westerly to the intersection of 20°10' south latitude and 116°30' east longitude; thence west to the commencement point.

Item 2 - Zone 2 - Area 2

All the waters bounded by a line commencing from the intersection of 20°07.34' south latitude and 116°40' east longitude and extending north to the intersection of 19°26.5' south latitude and 116°40' east longitude; thence in a east north easterly direction to the intersection of 19°16.6' south latitude and 117°29.5' east longitude; thence generally north east by east to intersection of 19°12' south latitude and 117°40' east longitude; thence south to the intersection of 19°27.78' south latitude and 117°40' east longitude; thence generally west south westerly to the intersection of 19°37.3' south latitude and 117°20' east longitude; thence south to the intersection of 19°56.671' south latitude and 117°20' east longitude; thence in a west south westerly direction to the commencement point.

Item 3 - Zone 2 - Area 3

All the waters bounded by a line commencing at the intersection of 19°56.671' south latitude and 117°20' east longitude and extending north to the intersection of 19°37.3' south latitude and 117°20' east longitude; thence in a north easterly direction to the intersection of 19°18.25' south latitude and 118°00' east longitude; thence south to intersection of 19°40' south latitude and 118°00' east longitude; thence in a south westerly direction to the intersection of 19°50' south latitude and 117°45' east longitude; thence in a west south westerly direction to the commencement point.

Item 4 - Zone 2 - Area 4

All the waters bounded by a line commencing at the intersection of 19°40' south latitude and 118°00' east longitude and extending north to the intersection of 19°18.24' south latitude and 118°00' east longitude; thence in a south westerly direction to the intersection of 19°27.78' south latitude and 117°40' east longitude; thence north to intersection of 19°12' south latitude and 117°40' east longitude; thence in a east north easterly direction to the intersection of 19°02.5' south latitude and 118°02' east longitude; thence continuing east north easterly to the intersection of 18°50' south latitude and 118°40' east longitude; thence south to the intersection of 19°17.78' south latitude and 118°40' east longitude; thence in a west by south direction to the intersection of 19°20' south latitude and 118°30' east longitude; thence in a south westerly direction to the commencement point.

Item 5 - Zone 2 - Area 5

The whole of the waters bounded by a line commencing from the intersection of 19°17.78' south latitude and 118°40' east longitude and extending north to the intersection of 18°50' south latitude and

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118°40' east longitude; thence in a east north easterly direction to the intersection of 18°43.8' south latitude and 118°58.4' east longitude; thence generally east by north to intersection of 18°31' south latitude and 120°00' east longitude; thence south to the intersection of 19°00' south latitude and 120°00' east longitude; thence in a west south westerly direction to the commencement point.

Item 6 - Zone 2 - Area 6

All the waters bounded by a line commencing from the intersection of 19°46' south latitude and 116°00' east longitude and extending north to the intersection of 19°21.3' south latitude and 116°00' east longitude; thence in a north easterly direction to the intersection of 19°17' south latitude and 116°05' east longitude; thence north easterly to intersection of 19°11' south latitude and 116°28' east longitude; thence east by northerly to the intersection of 19°09' south latitude and 116°50' east longitude; thence north east by east to the intersection of 19°00' south latitude and 117°14' east longitude; thence generally north easterly to the intersection of 18°01' south latitude and 119°00' east longitude; thence continuing north easterly to the intersection of 17°55' south latitude and 119°11' east longitude; thence continuing east north east to the intersection of 17°41.712' south latitude and 120°00' east longitude; thence south to the intersection of 18°31' south latitude and 120°00' east longitude; thence in a west by southerly direction to the intersection of 18°43.8' south latitude and 118°58.4' east longitude; thence in a west south westerly direction to the intersection of 18°50' south latitude and 118°40' east longitude; thence continuing in a west south westerly to the intersection of 19°02.5' south latitude and 118°02' east longitude; thence continuing south westerly to the intersection of 19°12' south latitude and 117°40' east longitude; thence south westerly to the intersection of 19°16.6' south latitude and 117°29.5' east longitude; thence continuing west by southerly to the intersection of 19°26.5' south latitude and 116°40' east longitude; thence south westerly to the intersection of 19°26.8' south latitude and 116°38' east longitude; thence continuing south westerly to the intersection of 19°35' south latitude and 116°19.5' east longitude; thence south westerly to the commencement point.

[Schedule 4. Deleted on 18.12.01. by *Pilbara Fish Trawl Fishery (Interim) Management Plan Amendment 2001*.]

Schedule 5 Prohibited fishing area

All waters of the Fishery not included in Zone 1 or in Zone 2.

Schedule 6 Port areas

Item 1 - The intersection of 20°18.19' south latitude and 118°34.68' east longitude (Port Hedland)

Item 2 - The intersection of 20°38.2' south latitude and 117°11.53' east longitude (Port Walcott)

Item 3 - The intersection of 20°39.32' south latitude and 116°40.78' east longitude (Port of Dampier)

Schedule 7 Boat unit formula

“boat units” means the units of a boat calculated by the formula -

$$\frac{ML \times B \times D \times 0.6}{2.83} + IEP$$

where

ML means “measured length” as defined in the Code measured in accordance with Appendix A to Section 1 of the Code;

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This compilation incorporates amendments up to and including the *Pilbara Fish Trawl Interim Managed Fishery Management Plan Amendment 2019* published in Government Gazette No. 53 on 26/04/2019.

B means the breadth as defined in the Code;

D means depth as defined in the Code;

IEP is installed engine power in kilowatts of the boat's engine as certified by the supplier.

[Schedule 8. Deleted on 18.12.01. by *Pilbara Fish Trawl Fishery (Interim) Management Plan Amendment 2001*.]

Schedule 9 Payment by Instalments

- (a) The first instalment is 25% of the total fee and is due for payment on or before 1 July of the year for which the permit is to be granted or renewed.
- (b) The second instalment is 25% of the total fee and is due for payment on or before 1 October immediately following the period specified in paragraph (a).
- (c) The third instalment is the total fee less the instalments provided for in paragraphs (a) and (b) and is due for payment on or before 1 January immediately following the period specified in paragraph (a).

Dated this 23rd day of June 2010

NORMAN MOORE, Minister for Fisheries

Original Management Plan and Amendment Information:

Pilbara fish Trawl Interim Managed Fishery Management Plan 1997 was first published in Government Gazette No. 231 on 23.12.97. (p. 7410-7419).

Amendments: Pilbara Fish Trawl Interim Managed Fishery Management Plan Amendment 1998 published in Government Gazette No. 256 on 30.12.98. (p. 7003); Pilbara Fish Trawl Fishery (Interim) Management Plan Amendment 1999 published in Government Gazette No. 242 on 21.12.99. (p. 6405-6406); Pilbara Fish Trawl Fishery (Interim) Management Plan Amendment 2000 published in Government Gazette No. 269 on 12.12.00. (p. 7166); Pilbara Fish Trawl Fishery (Interim) Management Plan Amendment 2001 published in Government Gazette No. 248 on 18.12.01. (p. 6498-6500); Pilbara Fish Trawl Fishery (Interim) Management Plan Amendment 2002 published in Government Gazette No. 226 on 24.12.02. (p. 6600-6602); Pilbara Fish Trawl Fishery (Interim) Management Plan Amendment 2003 published in Government Gazette No. 175 on 07.11.03. (p. 4643); Pilbara Fish Trawl Fishery (Interim) Management Plan Amendment 2005 published in Government Gazette No. 97 on 24.05.05. (p. 2268); Pilbara Fish Trawl Fishery (Interim) Management Plan Amendment 2007 published in Government Gazette No. 113 on 29.05.07. (p. 2510-2511); Pilbara Fish Trawl Fishery (Interim) Management Plan Amendment 2008 published in Government Gazette No. 129 on 25.07.08. (p. 3393); Pilbara Fish Trawl Interim Managed Fishery Management Plan Amendment 2009 published in Government Gazette No. 106 on 16.06.09. (p. 2203); Pilbara Fish Trawl Interim Managed Fishery Management Plan Amendment 2010 published in Government Gazette No. 116 on 29.06.10. (p. 3026-3027); Pilbara Fish Trawl Fishery (Interim) Management Plan Amendment 2011 published in Government Gazette No. 76 on 10.05.11. (p. 1670); Pilbara Fish Trawl Interim Managed Fishery Management Plan Amendment 2013 published in Government Gazette No. 86 on 07.06.13. (p. 2149); Pilbara Fish Trawl Interim Managed Fishery Management Plan Amendment 2016 published in Government Gazette No. 105 on 21.06.16 (p. 2204); Pilbara Fish Trawl Interim Managed Fishery Management Plan Amendment 2019 published in Government Gazette No. 53 on 24.04.19 (p. 1226).

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