

NORTHERN TERRITORY OF AUSTRALIA
BARRAMUNDI FISHERY MANAGEMENT PLAN AMENDMENT 2012

Subordinate Legislation No. 52 of 2012

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Schedule Plan further amended



NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 52 of 2012*

Barramundi Fishery Management Plan Amendment 2012

I, Willem Rudolf Westra van Holthe, Minister for Primary Industry and Fisheries, under section 25A of the *Fisheries Act*, approve the following amendments to the *Barramundi Fishery Management Plan*.

Dated 3 December 2012

W. R. Westra van Holthe
Minister for Primary Industry and Fisheries

* Notified in the *Northern Territory Government Gazette* on 19 December 2012.

1 Citation

This instrument may be cited as the *Barramundi Fishery Management Plan Amendment 2012*.

2 Plan amended

This instrument amends the *Barramundi Fishery Management Plan*.

3 Clause 8 replaced

Clause 8

repeal, insert

8 Fishing permitted only in commercial fishing area

(1) The **commercial fishing area** is:

- (a) the area extending seaward from the mainland coast to an imaginary line that is 3 nautical miles from the shore of the mainland at mean low-water mark and that follows the shore or the mouth of any river; and
- (b) the area extending seaward from the coast of each included island to an imaginary line that is 3 nautical miles from the shore of each island at mean low-water mark and that follows the shore or the mouth of any river; and
- (c) if a seven inch net line is specified in Schedule 6 for a river – the part of the river seaward of the line.

(2) However, the following areas are not part of the commercial fishing area:

- (a) that part of Fog Bay that is landward of imaginary straight lines drawn between the following co-ordinates on 1:100 000 map sheet Fog Bay 4972:
 - (i) 6320 E 85680 N to 6351 E 85680 N;
 - (ii) 6351 E 85680 N to 6390 E 8570 N;

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- (b) that part of the area described in subclause (1)(a) that falls between the following lines (whether or not it is also part of the area described in subclause (1)(b)):
- (i) an imaginary straight line in the vicinity of the Little Finnis River drawn between co-ordinates 6350 E 85740 N and 6390 E 8570 N on 1:100 000 map sheet Fog Bay 4972;
 - (ii) an imaginary straight line in the vicinity of the Wildman River drawn between co-ordinates 1813 E 86445 N and 1813 E 86390 N on 1:100 000 map sheet Field Island 5373;
- (c) the dugong protection zones in the vicinity of the South West Islands, being the areas:
- (i) landward and south-easterly of an imaginary straight line drawn between co-ordinates 6761 E 82665 N and 6790 E 82674 N on 1:100 000 map sheet Pellew 6266; and
 - (ii) landward and south-westerly of an imaginary straight line drawn between co-ordinates 6798 E 82669 N and 6832 E 82639 N on 1:100 000 map sheet Pellew 6266;
- (d) the McArthur River system, being the areas:
- (i) landward of an imaginary straight line drawn between co-ordinates 6630 E 82610 N (coast) and 6761 E 82665 N (South West Island) on 1:100 000 map sheet Pellew 6266; and
 - (ii) landward of an imaginary straight line drawn between co-ordinates 6800 E 82553 N (Amos Point) and 6895 E 82420 N (Sharker Point) on 1:100 000 map sheet Pellew 6266;
- (e) the dugong protection zone bounded by imaginary straight lines drawn between the following co-ordinates on 1:100 000 map sheet Pellew 6266:
- (i) 6826 E 82546 N to 7084 E 82546 N;
 - (ii) 7084 E 82546 N to 7120 E 82477 N;
 - (iii) 7120 E 82477 N to 7050 E 82427 N;
 - (iv) 7050 E 82427 N to 6860 E 82427 N;

(v) 6860 E 82427 N to 6826 E 82546 N.

- (3) A barramundi licensee must not fish under a barramundi licence outside the commercial fishing area.

Maximum penalty: 85 penalty units.

- (4) In this clause:

included island means an island other than the following:

- (a) Dum In Mirrie Island;
- (b) Beer Eetar Island;
- (c) Windirr Island;
- (d) Grose Island;
- (e) Bare Sand Island;
- (f) Little Bare Sand Island;
- (g) Quail Island;
- (h) Indian Island;
- (i) each island in the Vernon Island group.

4 Schedule 5 amended

Schedule 5, entries for "Leaders Creek", "Unnamed creek at Cape Hotham", "Marsh Creek and neighbouring creeks", "Unnamed creeks west of Point Stuart", "Thrings Creek", "Carmour Creek", "Love Creek" and "Wildman River"

omit

5 Schedule 6 amended

Schedule 6, entry for "Wildman River"

omit

6 Plan further amended

The Schedule has effect.

Schedule Plan further amended

clause 6

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
clause 4(1), definition barramundi	whole definition	
clause 4(1)		<i>(in alphabetical order)</i> commercial fishing area , see clause 8.
clause 4(1), definitions closed season and open season	with	on
clause 4(1), definition river	has the meaning in	, see
clause 4A(1)	river include:	river includes:
clause 9, penalty provision	\$10 000	85 penalty units
clauses 10, 11 and 12, penalty provision	\$5 000	40 penalty units
clause 12(1), at the end		Maximum penalty: 40 penalty units.
clauses 13 and 14, penalty provision	\$5 000	40 penalty units
clause 15, penalty provision	\$10 000	85 penalty units
clauses 16(1), 20(1) and (2) and 21, penalty provision	\$5 000	40 penalty units
clause 22(2), penalty provision	\$2 000	17 penalty units
clause 23, penalty provision	\$500	4 penalty units

clause 24(1) to (3), penalty provision	\$1 000	8 penalty units
clause 25(1) and (2), penalty provision	\$2 000	17 penalty units
	\$10 000	85 penalty units
clause 25(4), penalty provision	\$2 000	17 penalty units
clause 26(1), penalty provision	\$1 000	8 penalty units
clause 27, penalty provision	\$500	4 penalty units
clause 28, penalty provision	\$2 000	17 penalty units
Schedule 3	86688 N	85688 N
