

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1995, No. 38*

Amendments of Fishery Management Plan
under the *Fisheries Act*

I, MICHAEL JAMES PALMER, the Minister for Primary Industry and Fisheries, in pursuance of section 25A(3) of the *Fisheries Act*, approve the following amendments to the Mud Crab Fishery Management Plan.

Dated 14 November 1995.

M.J. PALMER
Minister for Primary Industry
and Fisheries

AMENDMENTS OF MUD CRAB
FISHERY MANAGEMENT PLAN

1. PRINCIPAL PLAN

In these amendments, the Mud Crab Fishery Management Plan, as in force immediately before their commencement, is referred to as the Principal Plan.

2. COMMENCEMENT

These amendments shall come into operation on 1 January 1996.

3. REPEAL AND SUBSTITUTION

Clause 5 of the Principal Plan is repealed and the following substituted:

"5. WHEN MUD CRAB NOT TAKEN OR IN POSSESSION

"Subject to this Part, a mud crab shall be deemed not to have been taken by, or to be in the possession of, a person if, as soon as practicable after it has been taken and the expiration of such time as is reasonably necessary to enable the mud crab to be measured, it is returned to the water with as little damage to it as possible."

* Notified in the *Northern Territory Government Gazette* on 29 November 1995.

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4. NEW CLAUSES

The Principal Plan is amended by inserting after clause 6 the following:

"6A. NUMBER OF LICENCES

"The Director shall not issue more than 49 Mud Crab Fishery licences.

"6B. TRANSFER OF LICENCE

"A mud crab licensee may transfer his or her licence."

5. MINIMUM SIZE - COMMERCIAL

Clause 10 of the Principal Plan is amended by omitting all words after "shall not" and substituting the following:

", under the mud crab licence, take or have possession of -

(a) a female mud crab that measures less than 140 mm; or

(b) a male mud crab that measures less than 130 mm,

across the widest part of the carapace."

6. NEW CLAUSE

The Principal Plan is amended by inserting after clause 10 the following:

"10A. CERTAIN FISH NOT TO BE TAKEN

"A mud crab licensee shall not take barramundi, threadfin salmon or spanish mackerel under the licence."

7. COMMERCIAL GEAR

Clause 11 of the Principal Plan is amended by adding at the end the following:

"(4) Subject to this clause, a mud crab licensee may, under a mud crab licence, use a restricted bait net only -

(a) if the net -

(i) is not fixed, anchored or staked; or

(ii) is fixed, anchored or staked at one end only, whereupon it may be used by -

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- (A) hauling the other end by hand; or
 - (B) attaching the other end to a vessel which is not anchored or fixed, in which case the vessel may be used for hauling the net;
- (b) within the area extending seaward from the coast from the high water mark to an imaginary line following the coastline 3 nautical miles from the low water mark;
 - (c) for the taking of fish to be used by the licensee as bait for use with pots in the fishery;
 - (d) if it is, when catch is being cleared, in not less than 30 cm of water; and
 - (e) if it is not left unattended while in use.

"(5) Subject to this clause, a mud crab licensee shall not have possession of a restricted bait net in the area specified in Schedule 2.

"(6) A mud crab licensee may have possession of a restricted bait net in the area specified in Schedule 2 -

- (a) in an area in respect of which he or she has been granted an approval under subclause (8); or
- (b) on a road extending from Borroloola to Bing Bong.

"(7) A mud crab licensee may apply in writing to the Director for approval to have possession of a restricted bait net in the area specified in Schedule 2.

"(8) The Director may -

- (a) grant, in writing, on such conditions as the Director thinks fit; or
- (b) refuse to grant,

an approval for a mud crab licensee to have possession of a restricted bait net in the area specified in Schedule 2.

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"(9) Where a mud crab licensee has been granted an approval under this clause, he or she shall keep the approval, or a copy of the approval, in the proximity of the restricted bait net while in the area specified in Schedule 2."

8. MINIMUM SIZE - RECREATIONAL

Clause 15 of the Principal Plan is amended by omitting all words after "have possession of" and substituting the following:

", except under a licence or permit -

(a) a female mud crab that measures less than 140 mm; or

(b) a male mud crab that measures less than 130 mm,

across the widest part of the carapace."

9. NEW SCHEDULE

The Principal Plan is amended by adding at the end the following:

"SCHEDULE 2

Clause 11

AREAS IN WHICH LICENSEE NOT TO BE
IN POSSESSION OF OR USE RESTRICTED BAIT NET

All that part of the Northern Territory bounded by an imaginary line -

- (a) to the north commencing on the western side of Bing Bong Creek at grid reference 6410E 82759N (Sheet 6166 Edition 1 Bing Bong); then due north to a point 3 nautical miles past the straight baselines surrounding the Sir Edward Pellew Group then easterly and southerly parallel to the straight line baseline to within 3 nautical miles of the coast at low water mark then south easterly and parallel to the coast 3 nautical miles from low water to the border of the Territory with Queensland;
- (b) from there to the east commencing at a point along the border of the Territory with Queensland 3 nautical miles from low water mark then south to a point where the border intersects the northern side of the Carpentaria Highway near Wollogorang at grid reference 8191E 80944N (Sheet 6463 Edition 1 Wollogorang);

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- (c) from there to the south commencing at a point where the border intersects the northern side of the Carpentaria Highway at grid reference 8191E 80944N (Sheet 6463 Edition 1 Wollogorang) then in a north westerly direction towards the township of Borroloola to the turn off from the Carpentaria Highway to Borroloola at grid reference 6394E 82207N (sheet 6165 Edition 1 Borroloola);
- (d) from there to the west in a north, north westerly direction from grid reference 6394E 82207N (Sheet 6165 Edition 1 Borroloola) to the Blue Lagoon Yard at grid reference 6238E 82498N (Sheet 6166 Edition 1 Bing Bong) then north east back to the point of commencement at the western side of Bing Bong Creek at grid reference 6410E 82759N (Sheet 6166 Edition 1 Bing Bong).

NOTE: All maps referred to are part of the National Topographic Map Series Australia 1:100,000."
