

FI401

## FISH RESOURCES MANAGEMENT ACT 1994

### WEST COAST ROCK LOBSTER MANAGED FISHERY MANAGEMENT PLAN AMENDMENT 2020

FD 200098

Made by the Minister under section 54.

#### 1. Citation

This instrument is the *West Coast Rock Lobster Managed Fishery Management Plan Amendment 2020*.

#### 2. Management plan amended

The amendments in this instrument are to the *West Coast Rock Lobster Managed Fishery Management Plan 2012*.

#### 3. Commencement

These amendments come into operation as follows—

- (a) clauses 1 and 2—on the day on which these amendments are published in the *Gazette*;
- (b) the rest of the clauses—on the day after that day.

#### 4. Clause 3 amended

In clause 3—

- (a) delete the definitions—

*Abrolhos Islands holding area*

*carrier boat consignment form*

*CDR book*

*designated holding area*

*designated rock lobster pot storage area*

- (b) insert in the correct alphabetical position the definitions—

*Abrolhos Islands holding area* means the waters where rock lobster may be held in accordance with this plan, as specified in Schedule 12;

*back of boat lobsters* means rock lobsters referred to in a pre-landing nomination as catch that are to be sold to, or retained by, a person other than a registered receiver or person acting on a registered receiver's behalf;

*back of boat sales* means the sale of back of boat lobsters;

*coastal waters of the State* has the definition provided by section 3 of the *Coastal Waters (State Powers) Act 1980* of the Commonwealth;

*CDR book* means a book containing CDR forms and crew list log sheets;

*designated holding area* means the waters within a radius of 15 metres from a point determined by reference to points of latitude and longitude (in degrees, minutes and decimal minutes, to three decimal places) in the Abrolhos Islands holding area, as nominated by a licence holder to the Department, and as approved by a regional manager, compliance manager or fisheries officer;

#### 5. Clause 8 replaced

Delete clause 8 and insert—

##### 8. Duration of a licence

- (1) Subject to subclauses (2) and (3), a licence granted or renewed for a period commencing on 15 January in any year expires on 14 January next following the date of grant or renewal.
- (2) A licence granted or renewed for a period commencing on 15 January 2020 expires on 30 June 2021.
- (3) A licence granted or renewed for a period commencing on 1 July 2021 expires on 14 January 2022.

#### 6. Clause 12 amended

In clause 12 delete subclause (2) and insert—

- (2) An election for the purposes of subclause (1) must be—

- (a) made in writing; and

- (b) received at the head office of the Department—

- (i) for the licence period commencing on 1 July 2021 and ending on 14 January 2022, on or before 1 July 2021; and

- (ii) for any other licence period, on or before 15 January next following the day on which the licence expires, and

- (c) accompanied by the first instalment plus the surcharge.

#### 7. Clause 13 replaced

Delete clause 13 and insert—

**13. Capacity of the Zones of the Fishery**

(1) The capacity of—

- (a) Zone A of the Fishery is 1,620,000 kilograms (whole weight) of rock lobster;
- (b) Zone B of the Fishery is 2,880,000 kilograms (whole weight) of rock lobster; and
- (c) Zone C of the Fishery is 4,500,000 kilograms (whole weight) of rock lobster.

(2) The capacity of a Zone of the Fishery is the relevant quantity of rock lobster specified in subclause (1), as varied from time to time under clause 14.

**8. Clause 14 amended**

In clause 14(2) delete paragraph (d) and insert—

- (d) the surrender of a relevant licence under section 144 of the Act, such reduction being the equivalent in kilograms of rock lobster to the number of usual units of entitlement conferred by the licence.

**9. Clause 15 replaced**

Delete clause 15 and insert—

**15. CEO to publish notice of any change in capacity**

The CEO must, as soon as practicable following any change in capacity of a Zone pursuant to clause 13, clause 14(2)(a), (b) or (c), publish notice of the change in the *Gazette*.

**10. Clause 19 amended**

In clause 19, delete subclauses (b) and (c) and insert—

- (b) have any rock lobster on board an authorised boat unless the total quantity of rock lobster taken under the authority of the licence in the Zone fished on that trip is less than or equal to the product of the current entitlement for the Zone in which lobster were taken and the relevant unit value; or
- (c) take, land, consign or sell lobsters unless the total quantity of rock lobster taken under the authority of the licence in the Zone fished on that trip is less than or equal to the product of the current entitlement for the Zone in which fish were taken and the relevant unit value.

**11. Clause 20 Amended**

In clause 20—

- (a) In subclauses (1)(b) and (2)(b) delete “ 30 ” and insert—  
60
- (b) Delete subclauses (1)(d) and (2)(d).

**12. Clause 21 replaced**

Delete clause 21 and insert—

**21. Temporary transfer of entitlement**

(1) Subject to subclause (2), an entitlement conferred by a licence may be temporarily transferred to another licence for a period ending at the time that the licence expires, provided that—

- (a) the extent of the right to fish as conferred by the current units of entitlement (in kilograms whole weight) for the relevant class of unit that would be conferred by the licence after the transfer would not be less than the total quantity of rock lobster (whole weight) relevant to that class of unit taken under the authority of the licence during the period for which the licence has been granted or renewed; and
- (b) the transfer is of a whole number of units.

(2) For the purposes of a transfer made in accordance with subclause (1), the period ending at the time that the licence expires, for the licence period commencing on 15 January 2020, is taken to be the period ending on 30 June 2021.

**13. Clause 22 amended**

In subclause 22(1) delete “ may ” and insert—

must

**14. Clause 23A amended**

In clause 23A—

- (a) Delete subclause (5)(b) and insert—
  - (b) the value of a unit of forfeited entitlement;

(b) Delete subclauses (8) and (9) and insert—

(8) Where a person has purchased forfeited entitlement, the CEO, upon receiving a certificate evidencing that purchase, is—

- (a) in the case of a licence holder, to vary the relevant licence so that the entitlement conferred by that licence includes the entitlement as specified in a certificate; or

- (b) in the case of a person satisfying the criteria in clause 7(3), to grant a licence conferring the entitlement as specified in a certificate, in addition to any other entitlement that may be conferred pursuant to an application made under clause 7(3).

#### **15. Clause 26A amended**

In clause 26A—

- (a) Delete subclause (1) and insert—
  - (1) This clause applies to the use of pot lines and float rigs used to fish for rock lobster during the period commencing on 1 April in any year and ending on 31 October in that same year.
- (b) In subclause (2) delete paragraph (b) and insert—
  - (b) the top third of the length of the pot line is held as close to vertical in the water column as possible, by the use of weighted rope or by a weight attached to the rope;
- (c) Delete subclause (4) and insert—
  - (4) Subclause (2) does not apply to the use of a pot line used to fish for rock lobster that is less than or equal to 32.9 metres long.

#### **16. Clause 27 amended**

In clause 27 delete subclause (4).

#### **17. Clause 29 replaced**

Delete clause 29 and insert—

##### **29. Transporting and setting pots**

Notwithstanding clause 19, the master of an authorised boat operating under the authority of a licence for which the current entitlement conferred by that licence has been exhausted—

- (a) may transport pots on the authorised boat during the following periods—
  - (i) 7 days following the exhaustion of the entitlement conferred by the licence; or
  - (ii) 7 days prior to the commencement of a new licensing period; and
- (b) may set pots that have been transported on that authorised boat in accordance with paragraph (a), and within the same periods specified in subparagraphs (a)(i) and (ii).

#### **18. Clause 30 amended**

Delete subclause 30(2) and insert—

- (2) The master of an authorised boat that is also licensed as a carrier boat must, in respect of rock lobster taken under the authority of the licence, and after complying with clause 36 of this plan, ensure that, where a CDR book was used under clause 60, the original copy of a CDR form applying to the rock lobster is removed from the CDR book and enclosed and sealed in the envelope provided by the Department.

#### **19. Clause 31 amended**

In clause 31—

- (a) Delete subclause (1) and insert—
  - (1) The master of a licensed carrier boat must not cause or permit any rock lobster to be carried on the boat at any time unless the rock lobster is held in sealed containers with not more than four landing tags securely attached in respect of those containers.
- (b) Delete subclause (4).

#### **20. Clause 36 amended**

In subclause (6) delete paragraphs (c) and (d) and insert—

- (a) recording the consignment number issued by Fish Eye for each consignment of rock lobster.

#### **21. Clause 37 amended**

In clause 37—

- (a) delete subclause (4)(c) and insert—
  - (c) consigns rock lobster for back of boat sales,
- (b) delete subclause (5) and insert—
  - (5) Prior to entering into an approved landing area, the master of an authorised boat must—
    - (a) store all rock lobster on that boat in a sealed container with a landing tag attached in respect of that container, and determine the number of those containers of rock lobster on board that boat; or
    - (b) accurately determine the number of rock lobster on board that boat.
  - (5A) Prior to entering into an approved landing area, the master of an authorised boat must, in the case of rock lobster intended for back of boat sales, ensure that those lobsters are stored in sealed containers with landing tags attached.

#### **22. Clause 38 amended**

In clause 38 delete the term “ personal consumption ” where it appears and insert—

back of boat sales

### **23. Clause 39 amended**

In clause 39 delete subclause (3)(a) and insert—

- (a) in the case of rock lobster consigned to a registered receiver, provide to the registered receiver the relevant licence number and either the CDR number or consignment number provided by Fish Eye in respect of the rock lobster to be consigned, prior to allowing the registered receiver to take possession of the rock lobster; and

### **24. Clause 41 amended**

In clause 41—

- (a) delete subclause (6) and insert—
  - (6) A person must not—
    - (a) remove a landing tag that has been attached to a container; or
    - (b) open the container to which a landing tag is attached, unless—
      - (i) that container is at a registered receiver's premises, and the rock lobster in that container have been consigned to that registered receiver; or
      - (ii) the lobster in that container are consigned for back of boat sales and the tag is not removed until 10 minutes after the accurate weight of lobster is reported on Fish Eye pursuant to clause 36.
- (b) delete subclauses (7) and (8).

### **25. Clause 42 replaced**

Delete clause 42 and insert—

#### **42. Transporting rock lobster**

- (1) A person must not transport rock lobster that has had the tail fan clipped or punched in the manner specified under regulation 31 unless the rock lobster has been caught under a recreational fishing licence and the amount of rock lobster being transported does not exceed the possession limit prescribed in the regulations.
- (2) A person must not transport rock lobster that has not had the tail fan clipped or punched in the manner specified under regulation 31 unless the rock lobster was lawfully purchased or obtained in accordance with this plan.
- (3) A person transporting rock lobster other than under subclause (1) must have a receipt, transport docket or other document regarding the rock lobster in the person's actual possession which shows—
  - (a) the weight (in kilograms) or number of rock lobster being transported; and
  - (b) that the rock lobster being transported were lawfully purchased or obtained in accordance with this plan.
- (4) A person must not transport rock lobster consigned by the master of an authorised boat by means other than a licensed carrier boat unless—
  - (a) the rock lobster is held in sealed containers with landing tags attached in respect of those containers; and
  - (b) a registered receiver consignment form has been completed and is in the possession of the person transporting the rock lobster; or
  - (c) the person is transporting rock lobster for back of boat sales; and
  - (d) no rock lobster other than those referred to in this subclause are being transported at the same time.
- (5) A person must not transport rock lobster that has been consigned by the master of an authorised boat on a licensed carrier boat other than where the rock lobster is held in sealed containers with landing tags attached in respect of those containers.
- (6) A person must not hold rock lobster consigned to a registered receiver by the master of an authorised boat at a place other than that registered receiver's premises, unless the rock lobster is held in sealed containers with landing tags attached in respect of those containers, and the rock lobster are being held—
  - (a) on a licensed carrier boat; or
  - (b) at a different place, and where a registered receiver consignment form has been completed and is being held with the rock lobster.

### **26. Clause 43 amended**

In clause 43 delete subclauses (1), (2) and (3), and insert—

- (1) Where rock lobster are brought into an approved landing area the master of the authorised boat must—
  - (a) immediately and accurately weigh and determine the gross weight and net weight of all rock lobster on board; and
  - (b) ensure that any back of boat lobsters are weighed before the remainder of the rock lobster is weighed; and
  - (c) ensure that the weights referred to in paragraph (a) are determined—
    - (i) within 90 metres of the boat in a part of that approved landing area; or

- (ii) at a weighing point specified in Schedule 13, and bearing the same designation as an approved landing area specified in Schedule 11, and
- (d) ensure that—
  - (i) the placing of catch on a weighing device; and
  - (ii) the weight reading produced by that device,
 may both be clearly observed by a fisheries officer from any vantage point outside the place of weighing.
- (2) Subject to subclause (3), the master of an authorised boat being operated in Zone A must, immediately prior to delivering rock lobster to a licensed carrier boat or removing rock lobster from a designated holding area—
  - (a) accurately weigh and determine the gross weight and net weight of the rock lobster; and
  - (b) ensure that any back of boat lobsters are weighed before the remainder of the catch is weighed.
- (3) The weight of rock lobster to be determined in accordance with subclause (2) must not be determined other than—
  - (a) in a designated holding area; or
  - (b) on a jetty within the Abrolhos Islands holding area; or
  - (c) on board an authorised boat in the Abrolhos Islands holding area; or
  - (d) on board an authorised boat or a licensed carrier boat at the time the rock lobster are transferred to the licensed carrier boat.

**27. Clause 44 amended**

In subclause 44(1)(b) delete “ an Abrolhos Islands holding area ” and insert—  
the Abrolhos Islands holding area

**28. Clause 45 replaced**

Delete clause 45 and insert—

**45. Holding rock lobster on a boat in the Abrolhos Islands holding area**

(1) The master of an authorised boat being used to hold rock lobster in the Abrolhos Islands holding area must not cause or permit any rock lobster to be held on board that boat unless the master has—

- (a) where using IVR to make nominations under this plan, recorded all information required in the original copy of a holding over form; or
- (b) where using Fish Eye to make nominations under this plan, recorded all session information for that day in a pre-landing nomination form in Fish Eye,

by no later than midnight on the day on which fishing has occurred or immediately upon ceasing to pull pots for that day, whichever occurs first.

(2) At any time that the master of the authorised boat referred to in subclause (1) is not on board that boat, all rock lobster on board must be held in containers secured with not more than four landing tags affixed in such a manner that the tag is locked and intact and no rock lobster can be removed or added.

(3) A person must not use more than four landing tags in respect of a container or any other storage facility in which rock lobster are held.

(4) A landing tag required to be used under this plan must be attached to a container or any other storage facility used to hold rock lobster in accordance with this plan by passing the tag through the lid of that container and the container itself, or in a manner that secures any cover or opening to any storage facility, and securing the tag through its locking device in such a manner that the tag is locked and intact and no rock lobster can be added to or removed from that container or storage facility without breaking one or more landing tags.

**29. Clause 46 amended**

In clause 46 delete subclauses (7) and (8) and insert—

(7) Where a designated holding area is in waters adjacent to a jetty, or consists of a pontoon that is not immediately adjacent to another designated holding area, the master of an authorised boat must—

- (a) in the case of a designated holding area adjacent to a jetty, hold rock lobster in containers secured with not more than four landing tags; or
- (b) in the case of a pontoon, hold rock lobster within the pontoon, in containers secured with not more than four landing tags securely attached in respect of each container.

(8) Where—

- (a) designated holding areas are immediately adjacent and rock lobster are held in a pontoon; and
- (b) two or more licence holders, or persons acting on behalf of those licence holders, hold rock lobster in that same pontoon,

the persons referred to in paragraph (b) must ensure that—

- (i) the pontoon is divided into compartments equivalent to the number of persons referred to in paragraph (b); and

- (ii) the rock lobster held in that pontoon are separated accordingly and clearly identified as having been taken under the authority of a particular licence.

### **30. Clause 50 replaced**

Delete clause 50 and insert—

#### **50. Consignment of rock lobster by master**

- (1) The master of an authorised boat must not consign rock lobster taken in respect of a trip to any person other than—
  - (a) a registered receiver; or
  - (b) a person acting on behalf of a registered receiver; or
  - (c) persons who have purchased back of boat lobsters taken on that trip; or
  - (d) persons who are to receive back of boat lobsters taken on that trip.
- (2) The master of an authorised boat must not consign rock lobster to a registered receiver or a person acting on behalf of a registered receiver unless the person to whom the rock lobster is to be consigned is present at the time that the master transfers possession of the rock lobster.
- (3) For the purpose of back of boat sales the master of an authorised boat must not land more than 100 rock lobster taken in respect of a trip.

### **31. Clause 51 replaced**

Delete clause 51 and insert—

- (1) A person must not receive a consignment of rock lobster unless the person is—
  - (a) a registered receiver; or
  - (b) acting on behalf of a registered receiver; or
  - (c) the recipient of back of boat lobster.
- (2) The master of the authorised boat who is consigning the rock lobster to a person referred to in subclause (1)(a) or (b) must provide the relevant licence number and either the CDR number or the consignment number provided by Fish Eye.
- (3) The master of the authorised boat who is consigning the rock lobster to a person receiving back of boat lobsters must provide—
  - (a) a receipt for the purchase of the lobster, complying with all relevant legal requirements in regard to the sale of goods, and
  - (b) the managed fishery licence number of the authorisation under which the lobster were taken and landed; or
  - (c) in the case of lobster that is not purchased, written evidence—
    - (i) that the lobster were taken under the authority of a specified managed fishery licence number; and
    - (ii) of the weight of rock lobster.
- (4) The holder of a commercial fishing licence must not act for or on behalf of a registered receiver on the same day as the licence holder has undertaken a trip in the Fishery.

### **32. Clause 52 amended**

In clause 52, delete subclause (1) and insert—

- (1) A person who intends to receive rock lobster, other than a fish processing licence holder authorised to process rock lobster or a person who is to receive a consignment of back of boat lobsters, must—
  - (a) notify the CEO in writing of that intent; and
  - (b) specify a registered receiver's premises; and
  - (c) specify the business address of the person notifying of the intent to become a registered receiver.

### **33. Clause 55 replaced**

Delete clause 55 and insert—

#### **55. Rock lobster brought onto land**

- (1) A person on board an authorised boat must not remove rock lobster from the authorised boat without the authority of the master of that authorised boat.
- (2) A person must not bring any rock lobster onto land in Zone A unless the rock lobster is consigned as back of boat lobsters in accordance with this plan.

### **34. Clause 59 replaced**

Delete subclause 59 and insert—

- (1) Where the master of an authorised boat has used Fish Eye to make and complete nominations on a trip the master must not make records in a CDR book.
- (2) Where the master of an authorised boat uses Fish Eye to make and complete nominations, the master must keep records of the information submitted to Fish Eye and received from Fish Eye for a period of 5 years.

(3) The master of an authorised boat who has used Fish Eye to make nominations must immediately report to a fisheries officer—

- (a) any loss of records required to be kept under this plan; or
- (b) any loss of, or damage to, any device used to store records required to be kept under this plan.

**35. Clause 60 amended**

In clause 60, delete subclause (1) and insert—

(1) This clause does not apply to a master of an authorised boat who uses Fish Eye to make and complete nominations on a trip.

**36. Clause 61 amended**

In clause 61—

- (a) Delete subclause (1) and insert—

(1) This clause does not apply to a master of an authorised boat who uses Fish Eye to make and complete nominations on a trip.
- (b) Delete subclause (4) and insert—

(4) Where rock lobster are delivered to a carrier boat, the master of the authorised boat must forward to the Department the original copy of the CDR form in respect of all rock lobster to be consigned.
- (c) Delete subclauses (6) and (7) and insert—

(6) The master of an authorised boat must—

  - (a) unless otherwise required in the plan, ensure that all copies of all CDR forms remain attached to the CDR book; and
  - (b) complete the forms in a CDR book in consecutive order.

**37. Clause 62 amended**

In clause 62 delete subclause (8) and insert—

- (8) Where a registered receiver takes possession of a consignment of rock lobster at the registered receiver's premises, the registered receiver must—
- (a) immediately and accurately weigh and determine the gross weight of the rock lobster; and
  - (b) not less than 10 minutes after determining the gross weight of the consignment and immediately upon removing landing tags from the containers of rock lobster, accurately weigh and determine the net weight of the rock lobster; and
  - (c) immediately complete Part C of a registered receiver consignment form in respect of that consignment.

**38. Clause 63 amended**

In clause 63 delete subclause (5) and insert—

- (5) Where a registered receiver takes possession of a consignment of rock lobster at the registered receiver's premises, a registered receiver who—
- (a) has received approval under subclause (2), and
  - (b) elects to make and submit records electronically with respect to that consignment of rock lobster,

must make a record of the information that is required under clause 62 to be entered in Parts A and C of the registered receiver consignment form.

**39. Clause 68 replaced**

Delete clause 68 and insert—

**68. Prohibition on operating with more than the maximum number of pots**

(1) Subject to subclauses (2) and (3), the maximum number of pots that may be operated under the authority of a licence is—

- (a) in Zone A, the sum of—
  - (i) the current entitlement of Zone A units multiplied by 0.05;
  - (ii) the current entitlement of Zone B units multiplied by 0; and
  - (iii) the current entitlement of Zone C units multiplied by 0;
- (b) in Zone B, the sum of—
  - (i) the current entitlement of Zone A units multiplied by 0.028;
  - (ii) the current entitlement of Zone B units multiplied by 0.05; and
  - (iii) the current entitlement of Zone C units multiplied by 0;
- (c) in Zone C, the sum of—
  - (i) the current entitlement of Zone A units multiplied by 0;
  - (ii) the current entitlement of Zone B units multiplied by 0; and
  - (iii) the current entitlement of Zone C units multiplied by 0.05.

(2) For the period 1 November in any year to 30 April in the following year the maximum number of pots that may be operated under the authority of a licence is—

- (a) in Zone A, the sum of—
  - (i) the current entitlement of Zone A units multiplied by 0.1;
  - (ii) the current entitlement of Zone B units multiplied by 0; and
  - (iii) the current entitlement of Zone C units multiplied by 0;
- (b) in Zone B, the sum of—
  - (i) the current entitlement of Zone A units multiplied by 0.056;
  - (ii) the current entitlement of Zone B units multiplied by 0.1; and
  - (iii) the current entitlement of Zone C units multiplied by 0;
- (c) in Zone C, the sum of—
  - (i) the current entitlement of Zone A units multiplied by 0;
  - (ii) the current entitlement of Zone B units multiplied by 0; and
  - (iii) the current entitlement of Zone C units multiplied by 0.1.

(3) Notwithstanding the maximum number of pots that may be operated pursuant to a calculation made in accordance with subclauses (1) or (2), the maximum number of pots that may be operated is 200—

- (a) for the period ending on 31 October 2020; and
- (b) for the period 1 May 2021 to 30 June 2021.

(4) Subject to subclause (5), a person fishing under the authority of a licence must not operate more than the maximum number of pots provided for in subclauses (1), (2) or (3).

(5) The Manager Regional Compliance, or a fisheries officer, may, in writing, authorise a person to operate under the authority of a licence with up to twice the maximum number of pots provided for in subclauses (1), (2) or (3), for the purpose of gear replacement.

(6) A person fishing in accordance with an authority provided under subclause (5) must—

- (a) comply with any conditions of that authority; and
- (b) not operate more pots below the surface of the water than the maximum number of pots provided for in subclauses (1), (2) or (3).

#### **40. Clause 70 amended**

In clause 70—

- (a) delete subclause (4) and insert—

(4) Subclauses (3) and (7) do not apply to rock lobster taken by a person operating under the authority of a managed fishery licence granted with respect to the *South Coast Crustacean Managed Fishery Management Plan 2015*.
- (b) delete subclause 70(5) and insert—

(5) A person must not sell, purchase or deal in, or attempt to sell, purchase or deal in, any rock lobster that have had the tail fan clipped or punched in the manner specified in regulation 31.
- (c) delete subclause (7).

#### **41. Clause 72B inserted**

Following clause 72A insert—

##### **72B. Prohibitions in respect of back of boat lobsters**

- (1) A person must not—
  - (a) be in possession of back of boat lobsters in a registered receiver's premise; or
  - (b) sell, consign, or attempt to sell or consign, back of boat lobsters to a registered receiver; or
  - (c) receive a consignment of back of boat lobsters in a registered receiver's premise.
- (2) A registered receiver must not purchase back of boat lobsters.

#### **42. Clause 73 repealed**

Delete clause 73.

#### **43. Clause 75 replaced**

Delete clause 75 and insert—

##### **75. Offences**

A person who contravenes a provision of clause 9, 12, 19, 25, 26, 26A, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 72A, 72B, or 74 commits an offence.

#### **44. Schedule 4 amended**

Delete Schedule 4 and insert—

### **SCHEDULE 4—Big Bank area**

[clause 65]



All of the waters of the Indian Ocean bounded by a line commencing at a point at 27° 14.000' south latitude and 113° 06.046' east longitude, then extending due east along the parallel to a point at 27° 14.000' south latitude and 113° 17.313' east longitude, then southerly to a point at 27° 30.000' south latitude and 113° 21.986' east longitude, then due west along the parallel to a point at 27° 30.000' south latitude and 113° 10.681' east longitude, then generally northerly to the commencement point.

#### 45. Schedule 9 amended

##### SCHEDULE 9—Payment of fees by instalments

[clause 12]

1. Subject to Items 2 and 3 of Schedule 9, the fee payable in respect of the grant or renewal of a licence may be paid in instalments consisting of—
  - (a) the first instalment being 25% of the total fee and due for payment on or before 15 January;
  - (b) the second instalment being 35% of the total fee and due for payment on or before 15 May following the day on which the first instalment is paid;
  - (c) the third instalment being 40% of the total fee and due for payment on or before 15 September following the day on which the first instalment is paid.
2. For the period ending 30 June 2021 the instalment referred to in Item 1(c) is due for payment on or before 15 March 2021.
3. The fee payable in respect of the grant or renewal of a licence for the period 1 July 2021 to 14 January 2022 may be paid in instalments consisting of—
  - (a) the first instalment being 25% of the total fee and due for payment on or before 1 July 2021;
  - (b) the second instalment being 35% of the total fee and due for payment on or before 15 September 2021;
  - (c) the third instalment being 40% of the total fee and due for payment on or before 15 November 2021.

#### 46. Schedule 11 amended

In Schedule 11, following item 50 insert—

##### **Area 51: Augusta Marina**

All waters of the Augusta Boat Harbour bounded by a line commencing at a point at 34° 21.144' south latitude and 115° 10.074' east longitude, then south-easterly to a point at 34° 21.176' south latitude and 115° 10.153' east longitude, then generally south-westerly and north-easterly along the high water mark of the Augusta Boat Harbour to the commencement point.

##### **Area 415: Mangles Bay**

All waters bounded by a line commencing at a point at 32° 16.530' south latitude and 115° 43.670' east longitude, then extending north-westerly to a point at 32° 16.100' south latitude and 115° 43.000' east longitude, then due west along the parallel to a point at 32° 16.100' south latitude and 115° 42.150' east longitude, then south-westerly to a point at 32° 16.450' south latitude and 115° 42.000' east longitude, then generally easterly along the high water mark to the commencement point.

##### **Area 122: Big Pigeon Island**

All waters bounded by a line commencing at a point at 28° 27.350' south latitude and 113° 43.615' east longitude, then extending south-easterly to a point at 28° 27.425' south latitude and 113° 43.667' east longitude, then northerly to a point at 28° 27.284' south latitude and 113° 43.727' east longitude, then westerly to a point at 28° 27.265' south latitude and 113° 43.686' east longitude, then generally southerly and westerly along the high water mark to the commencement point.

#### 47. Schedule 12 amended

In Schedule 12 delete items 1 to 8 and insert—

The area of WA waters adjacent to the Abrolhos Islands from the high water mark to the seaward limits of the coastal waters of the State.

#### 48. Schedule 13 amended

In Schedule 13—

- (a) following weighing point **Mandurah Ocean Marina** insert—

##### **Mangles Bay**

The weighing point is within 50 metres of the intersection of 32°16.540' south latitude and 115°42.910' east longitude.

- (b) following weighing point **Hamelin** insert—

##### **Augusta Marina**

The weighing point is within 50 metres of the intersection of 34°21.270' south latitude and 115°10.040' east longitude.

Dated 3rd of September 2020.

P. TINLEY, Minister for Fisheries.