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Draft Management Plan for the Pilbara Crab Managed Fishery

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Department of
**Primary Industries and
Regional Development**

Fisheries Management Paper No. 290

**Draft Management Plan
for the Pilbara Crab
Managed Fishery**

May 2018

Important disclaimer

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CONTENTS

1.0 OPPORTUNITY TO COMMENT	1
1.1 Key Elements of the Draft Management Plan	1
1.2 Next Steps.....	2
2.0 BACKGROUND	3
3.0 DRAFT PILBARA CRAB MANAGED FISHERY MANAGEMENT PLAN	4
4.0 APPENDICIES	18
Appendix 1 - Government Gazette Notice.....	18
Appendix 2 – Map of the proposed Pilbara Crab Managed Fishery	19

1.0 OPPORTUNITY TO COMMENT

INTENTION TO DETERMINE A MANAGEMENT PLAN FOR THE PILBARA CRAB MANAGED FISHERY: DRAFT PLAN OPEN FOR PUBLIC COMMENT

In accordance with section 64(2) of the Fish Resources Management Act 1994, the Minister for Fisheries published a Notice in the Government Gazette on 4 May 2018 (Appendix 1) stating that he intends to determine a Management Plan for the Pilbara Crab Managed Fishery (the Fishery) and invites interested persons to comment on the Draft Plan.

A copy of the Draft Plan is included within this Fisheries Management Paper and is available on the Department of Primary Industries and Regional Development (DPIRD) website, www.dpird.wa.gov.au.

Interested persons seeking to comment on the Draft Plan are invited to make representations in writing to the Minister for Fisheries by 4.00 pm, Monday 4 June 2018.

Representations in connection with the Draft Plan may be forwarded to:

Minister for Fisheries
Draft Pilbara Crab Management Plan
c/- Deputy Director General
Department of Primary Industries and Regional Development
Locked Bag 39,
Cloisters Square WA 6850, Australia

Alternatively, written submissions may be forwarded electronically to Ellen.Smith@dpird.wa.gov.au.

1.1 Key Elements of the Draft Management Plan

Below are some of the key elements within the Draft Plan; however, interested persons are encouraged to read the Draft Plan thoroughly to formulate their own view.

- The capacity of the Fishery is set at 600 traps.
- There are 1200 units in the Fishery, with each unit equating to 0.5 traps.
- The holder of Instrument of Exemption No. 3012 as of 29 November 2017 will be granted a licence with 1200 units (600 traps) if an application for a licence is received on or prior to 1 December 2018.
- There are provisions in the Draft Plan to allow the granting of additional licences, which will only be able to operate in the Fishery by obtaining a minimum operational unit holding of 400 units (200 traps) from an existing licence holder.
- The area of the Fishery includes the waters of northern Western Australia (WA) located north of 23° 34' south latitude and west of 115° 06.50' east longitude, out to the Exclusive

Economic Zone (200nm). See map of the proposed Pilbara Crab Managed Fishery at Appendix 2.

- There are prohibitions on fishing within close proximity to recreationally important and culturally significant areas such as Onslow, Dampier, Port Hedland and waters west of 115°06.50' east longitude including Exmouth Gulf and the Ningaloo Marine Park.

1.2 Next Steps

1. DPIRD will collate submissions and provide advice to the Minister for Fisheries regarding the written comments received on the Draft Plan and the Draft Plan may be amended if the Minister considers it appropriate to do so;
2. Following consideration of the submissions received and amendment of the Draft Plan as appropriate, the final management plan will be provided to the Minister for his consideration and approval. Subject to the Minister's approval, the new Management Plan will be published in the Government Gazette;
3. Subject to the Management Plan gaining Ministerial approval and being published in the Government Gazette, DPIRD will invite persons meeting the criteria for the grant of a licence to lodge an application for a licence; and,
4. The final Plan will come into effect on 1 November 2018.

After reading the Draft Plan, if you have any questions please contact Ellen Smith on (08) 9193 8611 or Sascha Brand-Gardner on (08) 6551 4497.

2.0 BACKGROUND

An Instrument of Exemption currently allows for commercial fishing for crabs in the Pilbara. The Pilbara crab resource has been accessed commercially through the Pilbara Developing Crab Fishery (Developing Fishery) since it commenced in 2001, with the majority of effort being undertaken in Nickol Bay, near Dampier. Crab stocks in the Pilbara region are highly variable which can be attributed to environmental fluctuation, however, catches have remained steady over the past five years.

On 11 May 2014 the (then) Minister for Fisheries approved the drafting of a statewide commercial blue swimmer crab fishery management plan that was to include the developmental fisheries for this resource that operate within both the Pilbara and South-west regions. Since this approval to draft, concerns were raised regarding the status of blue swimmer crab breeding stocks in the South-west which led to DPIRD conducting a strategic review of management arrangements (commercial and recreational) for blue swimmer crabs in this region. Consequently, the transition of the South-west fishery into the proposed statewide blue swimmer crab fishery management plan was not progressed as part of the 2014 approval and is being addressed separately.

A draft Pilbara Crab Managed Fishery Management Plan 2018 has now been developed, as outlined in this document.

3.0 DRAFT PILBARA CRAB MANAGED FISHERY MANAGEMENT PLAN

Fish Resources Management Act 1994

PILBARA CRAB MANAGED FISHERY MANAGEMENT PLAN 2018

FD 7100/16 [1314]

Made by the Minister under section 54.

PART 1 - PRELIMINARY

1. Citation
2. Commencement
3. Interpretation
4. Procedure before this plan may be amended or revoked

PART 2 - THE FISHERY

5. Identification and declaration of the Fishery

PART 3 - LICENCES AND FEES

6. Criteria for the grant of a licence
7. Duration of a licence
8. Items to be specified on a licence
9. Fees

PART 4 - CAPACITY OF THE FISHERY

10. Capacity of the Fishery

PART 5 - SCHEME OF ENTITLEMENT

11. Licence entitlements to equal capacity
12. Entitlement to be expressed in terms of units
13. Conferral of entitlement
14. Authority of a licence of no effect where entitlement is less than 400 units
15. Unit values
16. Prohibitions in respect of conferred entitlement

PART 6 - TRANSFER OF ENTITLEMENT

17. Grounds for refusing to transfer part of an entitlement
18. Temporary transfer of entitlement

- 19. Reduction of entitlement conferred by a licence
- 20. Surrender of licence and reallocation of usual entitlement

PART 7 - GENERAL REGULATION OF FISHING

- 21. Use of boats
- 22. Fishing by means of crab trap - general restrictions
- 23. Reporting of lost traps
- 24. CEO may permit fishing by non-specified means

PART 8 - PROHIBITIONS AND OFFENCES

- 25. Persons prohibited from fishing in the Fishery
- 26. Prohibition on fishing for crab
- 27. Prohibition on possession of crab
- 28. Prohibition on fishing under the authority of more than one licence
- 29. Prohibition on selling, dealing, or attempting to deal, with crab

PART 9 - MISCELLANEOUS PROVISIONS

- 30. Notice of closure of area of the Fishery
- 31. Offences

SCHEDULE 1 - Description of the Fishery

SCHEDULE 2 - Closed areas of the Fishery

SCHEDULE 3 - Fees

SCHEDULE 4 - Determination of unit values

SCHEDULE 5 - Exempted management plans

PILBARA CRAB MANAGED FISHERY MANAGEMENT PLAN 2018

FD 7100/16 [1314]

Made by the Minister under section 54.

PART 1 - PRELIMINARY

1. Citation

This plan is the *Pilbara Crab Managed Fishery Management Plan 2018*.

2. Commencement

This Plan will commence operation on 1 November 2018.

3. Interpretation

In this plan, unless the contrary intention appears -

authorised boat means the boat used for or in connection with fishing under the authority of a licence, the name and licensed fishing boat number of which is specified on the licence;

crab means fish of the Family Portunidae, excluding crab of the genus *Scylla*;

crab trap means a device for taking crabs, as described in clause 22;

current entitlement means the usual entitlement conferred by a licence as -

- (a) increased by any entitlement transferred to the licence; or
- (b) decreased by any entitlement transferred from the licence;

Fishery means the Pilbara Crab Managed Fishery identified in clause 5;

fishing return means a return in a form approved by the CEO from time to time under the Act for recording the catch of crabs taken under the authority of a licence;

licence means a managed fishery licence authorising a person to fish in the Fishery;

licence period means the period provided for in clause 7;

plan means the *Pilbara Crab Managed Fishery Management Plan 2018*;

pull means, in relation to crab traps, to bring crab traps from the seabed to the surface;

total fee means the product of the fee (per unit) specified in Schedule 3 and the number of units of usual entitlement conferred by a licence;

unit value means the value of a unit of entitlement, determined in accordance with clause 15;

usual entitlement means the entitlement conferred by a licence without regard to any entitlement temporarily transferred to or from the licence.

4. Procedure before this plan may be amended or revoked

The licence holders are the persons to be consulted before this plan may be amended or revoked.

PART 2 - THE FISHERY

5. Identification and declaration of the Fishery

(1) The Fishery to which this plan relates is the fishing for crab by any means in the waters described in Schedule 1.

(2) The Fishery is a managed fishery, and may be referred to as the Pilbara Crab Managed Fishery.

PART 3 - LICENCES AND FEES

6. Criteria for the grant of a licence

(1) The criteria to be satisfied before the CEO may grant a person a licence to fish in the Fishery are that -

- (a) on 29 November 2017 the applicant was authorised to take crab under the authority of an authorisation, subject to exemption number 3012, issued in accordance with section 7 of the Act; and
- (b) an application for the grant of a licence is made on or prior to 1 December 2018.

(2) Notwithstanding subclause (1), the CEO may grant a person a licence to fish in the Fishery if the CEO is satisfied that -

- (a) immediately upon being granted a licence an application will be made to transfer usual units of entitlement to the licence, if it is granted, from another licence; and
- (b) the application referred to in paragraph (a) will be in respect of a total of not less than one unit; and
- (c) in the CEO's opinion, there is no arguable ground in respect of the application referred to in paragraph (a) to refuse to transfer the units of usual entitlement to the licence; and
- (d) the applicant is a fit and proper person.

7. Duration of a licence

A licence expires on 31 October next following the date of grant or renewal.

8. Items to be specified on a licence

A licence granted or renewed in respect of the Fishery must specify -

- (a) the name and business address of the holder of the licence;
- (b) the authorised boat;
- (c) the licence number;
- (d) the date on which the licence was granted or renewed;
- (e) the date on which the licence expires;
- (f) the name of the Fishery;
- (g) the number of usual units of entitlement conferred by the licence;
- (h) the number of current units of entitlement conferred by the licence;
- (i) the unit value in respect of each unit conferred by the licence;
- (j) any conditions imposed on the licence by the CEO.

9. Fees

(1) The fee payable for the grant or renewal of a licence is specified in Schedule 3.

(2) For the purposes of regulation 137(2) the total fee may be paid by instalments as specified in Schedule 3 if -

- (a) an election to pay by instalments is made by the holder of a licence in accordance with subclause (3); and
- (b) there is no other fee, charge or levy in respect of the licence which has not been paid at the time the election is received at an office of the Department.

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

- (a) made in writing;
- (b) received at an office of the Department on or before 1 November next following the day on which the licence expires, and
- (c) accompanied by the first instalment plus the surcharge.

(4) For the purposes of regulation 137(3) the surcharge shall be 3.13% of the total fee.

PART 4 - CAPACITY OF THE FISHERY

10. Capacity of the Fishery

The capacity of the Fishery is 600 traps.

PART 5 - SCHEME OF ENTITLEMENT

11. Licence entitlements to equal capacity

The sum of all the entitlements to fish for crab in the Fishery that may be conferred by all the licences is to be equal to the capacity of the Fishery.

12. Entitlement to be expressed in terms of units

(1) The entitlement to fish for crab conferred by a licence is to be -

- (a) expressed in terms of units of entitlement; and
- (b) determined in accordance with clause 15.

(2) The maximum number of units that may be conferred by all licences may be reduced from time to time where -

- (a) an application for the renewal of a licence is not received within the period specified by s.139 of the Act; or
- (b) a licence is cancelled; or
- (c) units are forfeited by the operation of the Act.

13. Conferral of entitlement

Where a licence is granted in accordance with clause 6(1) the licence will, at the time it is granted, confer 1200 units of usual entitlement.

14. Authority of a licence of no effect where entitlement is less than 400 units.

The authority of a licence is of no effect where the usual or current entitlement conferred by the licence is less than 400 units of entitlement.

15. Unit values

The extent of the entitlement to fish arising from time to time from a unit (the unit value) is determined in accordance with Schedule 4, and is limited by reference to a number of traps that may be used.

16. Prohibitions in respect of conferred entitlement

A person must not fish in the Fishery under the authority of a licence -

- (a) where the current entitlement conferred by a licence is less than 400 units; or
- (b) by means of more crab traps than equates to the current entitlement of the licence.

PART 6 - TRANSFER OF ENTITLEMENT

17. Grounds for refusing to transfer part of an entitlement

The CEO may refuse to transfer part of an entitlement to another licence on the grounds that the application is not in respect of a whole number of units.

18. Temporary transfer of entitlement

A unit of entitlement may be temporarily transferred from one licence to another licence, for a period ending at the time the licence expires, provided that -

- (a) the transfer is for a whole number of units; and
- (b) the fee in respect of the licence has been paid when it became due.

19. Reduction of entitlement conferred by a licence

(1) Where -

- (a) a person is convicted for an offence against section 74 of the Act relating to exceeding the current entitlement conferred by a licence; and

(b) a court has determined the extent by which the restriction was exceeded, the CEO is to reduce the number of usual units of entitlement conferred by the relevant licence.

(2) For the purposes of subclause (1), the number of units of entitlement conferred by the licence is to be reduced by the number of units that were fished in excess of the current entitlement at the time of the offence.

20. Surrender of licence and reallocation of usual entitlement

(1) The criteria to be satisfied before the CEO will increase the usual entitlement conferred by a licence are that -

- (a) an application to increase the usual entitlement conferred by a licence is made by the holder of a licence;
- (b) another licence has been surrendered under section 144 of the Act;
- (c) the person who was the holder of the surrendered licence has consented to the application referred to in paragraph (a); and
- (d) the CEO is of the opinion that the person who was the holder of the surrendered licence is not liable to prosecution for an offence that is prescribed for the purposes of section 224 of the Act.

(2) The entitlement of a licence must not be increased by more than the usual entitlement conferred by the surrendered licence.

(3) Subclause (1) applies once in connection with the surrender of any licence.

(4) For the purposes of subclause (1)(a) a reference to a licence includes a reference to a licence which has been applied for in accordance with clause 6(2) of this plan.

PART 7 - GENERAL REGULATION OF FISHING

21. Use of boats

(1) A person must not use a boat in the Fishery unless -

- (a) the person is the holder of a licence, and the boat is an authorised boat; or
- (b) the person is acting for or on behalf of the holder of the licence, and the boat is an authorised boat; or
- (c) the person is fishing for crab for a non-commercial purpose and the boat is not an authorised boat.

(2) Subclause (1) does not apply in respect of persons fishing by boat under the authority of an authorisation issued with respect to a management plan specified in Schedule 5.

22. Fishing by means of crab trap - general restrictions

(1) For the purposes of this clause -

24 hour period means a period commencing at midnight on any day.

(2) A person fishing in the Fishery under the authority of a licence must not fish by any means other than by crab trap.

(3) A person must not use a crab trap to fish for crabs in the Fishery unless that crab trap is an 'hourglass' trap, comprising two circular components no greater than 550 millimetres apart, and with neither component having -

- (a) a diameter greater than 1200 millimetres; or
- (b) mesh size of less than 75 millimetres.

(4) A crab trap must -

- (a) be attached to a non-buoyant rope with a surface float branded or stamped with the Licensed Fishing Boat number of the authorised boat, in legible characters; or
- (b) be attached to another crab trap, and a float of the type mentioned in paragraph (a) must be attached at each end of the line of crab traps.

(5) The maximum number of crab traps that may be used in a line of traps is 20.

(6) A person fishing in the Fishery under the authority of a licence must pull and empty every crab trap at least once, but not more than once, in any 24-hour period.

(7) The master of an authorised boat must not -

- (a) use in the Fishery; or
- (b) carry on an authorised boat,

more crab traps than the number of traps corresponding to the current entitlement.

(8) Subparagraph (7)(b) does not apply where the master of an authorised boat has reported lost crab traps pursuant to clause 23.

(9) This clause does not apply in respect of a person fishing for crab under the authority of an authorisation issued with respect to a management plan specified in Schedule 5.

23. Reporting of lost traps

(1) The master of an authorised boat must report to the Karratha branch of the Department any lost or irretrievable crab traps used for fishing -

- (a) by email to karrathacompliance@dpird.wa.gov.au; or
- (b) by telephone; and
- (c) in the relevant fishing return for the nominated period in which the traps were lost or could not be retrieved.

(2) A report of lost or irretrievable traps in a fishing return must specify -

- (a) the quantity and type of traps; and
- (b) the last known location of the traps.

(3) If the master of an authorised boat finds traps which have been reported as lost or irretrievable, pursuant to clause (1), the master must report the finding of those traps to the Karratha branch of the Department -

- (a) by email to karrathacompliance@dpird.wa.gov.au; or
- (b) by telephone; and

- (c) in the relevant fishing return for the nominated period in which the traps were found.

24. CEO may permit fishing by non-specified means

(1) The CEO may, by notice published in the Gazette, permit persons fishing in the Fishery to fish by means of gear that would otherwise be prohibited by this plan if, in the opinion of the CEO the use of different means will provide for sustainable management of the Fishery.

(2) A notice made pursuant to subclause (1) -

- (a) must specify the gear that is permitted to be used in the Fishery;
- (b) must specify the period of time for which the notice is in effect;
- (c) may only be made after consultation with all the licence holders entitled to fish in the Fishery; and
- (d) must take into account any advice received from the Department's Executive Director of Science and Resource Assessment.

PART 8 - PROHIBITIONS AND OFFENCES

25. Persons prohibited from fishing in the Fishery

(1) Subject to subclauses (2), a person must not fish in the Fishery other than -

- (a) in accordance with this plan; and
- (b) under the authority of a licence.

(2) Subclause (1) does not apply to -

- (a) a person fishing under the authority of an authorisation issued with respect to a management plan specified in Schedule 5; or
- (b) a person fishing for crab for a non-commercial purpose in accordance with the Act.

26. Prohibition on fishing for crab

(1) A person must not fish for crab at any time in a closed area of the Fishery described in Schedule 2.

(2) A person must not fish for crab between 15 August and 15 November in any year.

(3) The master of an authorised boat must not -

- (a) take crabs, or pull a crab trap on board a boat, in the Fishery, or a specified part of the Fishery; or
- (b) store or transport any crab on board a boat in the Fishery, or a specified part of the Fishery -
 - (i) at any time in the waters specified in Schedule 2; or
 - (ii) during the period specified in subclause (2).

27. Prohibition on possession of crab

(1) For the purposes of this clause -

bait means fish -

- (a) taken lawfully under an authorisation; or
- (b) for which proof of purchase can be provided on demand.

(2) A person fishing in the Fishery under the authority of a licence must not be in possession of fish other than blue swimmer crab (*Portunus armatus*), three spot sand crab (*Portunus sanguinolentus*), ridged swimming crab (*Charybdis natator*), or coral crab (*Charybdis feriata*), with the exception of bait.

(3) A person fishing in the Fishery under the authority of a licence must not -

(a) be in possession of; or

(b) consign,

blue swimmer crab (*Portunus armatus*) of a length less than 135 millimetres.

(4) Any blue swimmer crab (*Portunus armatus*) of a length less than 135 millimeters in length must be returned to the water immediately.

(5) A person other than a person fishing -

(a) in the Fishery under the authority of a licence; or

(b) for a non-commercial purpose in accordance with the Act; or

(c) under the authority of an authorisation issued with respect to a managed fishery specified in Schedule 5; or

(d) under the authority of a managed fishery licence for another managed fishery that authorises the take of crab,

must not be in possession of crab.

28. Prohibition on fishing under the authority of more than one licence

(1) A person must not take crabs in the Fishery under the authority of more than one licence on any trip using the same authorised boat.

(2) A person must not commence fishing under the authority of a licence until all crabs taken under the authority of a different licence have been removed from the authorised boat.

29. Prohibition on selling, dealing, or attempting to deal, with crab

(1) In this clause -

deal with includes handling, storing, transporting, weighing and recording;

otherwise dealt with includes handled, stored, transported, weighed and recorded.

(2) A person must not sell, purchase or deal with, or attempt to sell, purchase or deal with, or be in possession of, any crab taken, landed or otherwise dealt with in contravention of this plan.

(3) A person must not sell, purchase or deal with, or attempt to sell, purchase or deal with, or be in possession of, any crab, unless that crab was taken and landed by the holder of a commercial fishing licence under the authority of a licence.

(4) Subclauses (2) and (3) do not apply in respect of persons in possession of crab taken under the authority of an authorisation issued with respect to a management plan specified in Schedule 5.

PART 9 - MISCELLANEOUS PROVISIONS

30. Notice of closure of area of the Fishery

- (1) The CEO may make a notice prohibiting -
 - (a) fishing in the Fishery, or any part of the Fishery; or
 - (b) the take of a particular species; or
 - (c) the use of particular gear,if, in the opinion of the CEO, fishing activities in the Fishery create high levels of risk with respect to -
 - (i) the sustainability of fish stocks; or
 - (ii) the mortality of threatened, endangered, or protected species.
- (2) A notice made in accordance with subclause (1) -
 - (a) may only be made after consultation with all the licences holders;
 - (b) must take into account advice received from the Department's Executive Director of Science and Resource Assessment or person occupying the equivalent position; and
 - (c) may be made to apply at all times or at any specified time; and
 - (d) must state the dates, times, and areas where fishing is to be prohibited; and
 - (e) must be provided to each licence holder authorised to operate in the Fishery; and
 - (f) revokes any previous notice made under that subclause; and
 - (g) takes effect on the date of Gazettal of the notice.
- (3) A person must not fish for crab in the Fishery, or a specified part of the Fishery, at any time when fishing in the Fishery, or that specified part of the Fishery, has been prohibited by a notice made under subclause (1).
- (4) The master of an authorised boat must not -
 - (a) take crabs, or pull a crab trap on board a boat, in the Fishery, or a specified part of the Fishery; or
 - (b) store or transport any crab on board a boat in the Fishery, or a specified part of the Fishery,at any time when fishing in the Fishery, or that specified part of the Fishery, has been prohibited by a notice made under subclause (1).

31. Offences

A person who contravenes clause 16, 21, 22, 23, 25, 26, 27, 28, 29, or 30 commits an offence.

SCHEDULE 1
Description of the Fishery

[clause 5]

All Western Australian waters off the north-western coast of Western Australia north of 23° 34' south latitude and west of 120° 00' east longitude.

SCHEDULE 2
Closed areas of the Fishery

[clause 26]

1. All waters of the Fishery north of 23° 34' south latitude and west of 115° 06.50' east longitude.
2. All waters of the Fishery within any tidal creek or river, including waters within 400 metres of the mouth of any tidal creek or river.
3. All waters of the Fishery within a radius of five (5) nautical miles of the intersection of 32° 38.47' south latitude and 115° 07.28' east longitude (at Beadon Creek groyne).
4. All waters of the Fishery bounded by a line commencing at the intersection of the high water mark and the geodesic between a point at 20° 31.61' south latitude and 116° 52' east longitude (on the mainland at Sloping Point) and a point at 20° 25.22' south latitude and 116° 57.141' east longitude (on Legendre Island); thence extending north-easterly along the geodesic to the eastern extremity of Legendre Island, a point closest to the intersection of 20° 25.22' south latitude and 116° 57.141' east longitude; thence generally north-westerly along the high water mark on the southern side of Legendre Island to the western extremity of Legendre Island, a point closest to the intersection of 20° 21.597' south latitude and 116° 49.82' east longitude; thence extending south-westerly along the geodesic to the western extremity of Whittaker Island, a point closest to the intersection of 20° 32.615' south latitude and 116° 40.481' east longitude; thence extending south-westerly along the geodesic to the northern extremity of Enderby Island, a point closest to the intersection of 20° 34.07' south latitude and 116° 33.086' east longitude; thence generally south-westerly along the high water mark on the eastern then southern side of Enderby Island to the western extremity of Enderby Island, a point closest to the intersection of 20° 36.541' south latitude and 116° 27.802' east longitude; thence extending southerly along the geodesic to the eastern extremity of Eaglehawk Island, a point closest to the intersection of 20° 39.91' south latitude and 116° 27.091' east longitude; thence extending south-easterly along the geodesic to the southern extremity of West Intercourse Island a point closest to the intersection of 20° 43.956' south latitude and 116° 34.644' east longitude; thence extending south-easterly along the geodesic towards a point at 20° 44.636' south latitude and 116° 35.914' east longitude (on the mainland) until its intersection with the high water mark; thence generally north-easterly along the high water mark to the commencement point.
5. All waters of the Fishery bounded by a line commencing at the intersection of the high water mark and the meridian between a point at 20° 41.75' south latitude and 117° 13.20' east longitude (on the mainland) and a point at 20° 39.50' south latitude and 117° 13.20' east longitude; thence extending due north along the meridian to the intersection of 20° 39.50' south latitude and 117° 13.20' east longitude; thence extending northerly along the geodesic to the intersection of 20° 37.60' south latitude and 117° 13' east longitude; thence extending northerly along the geodesic

to the intersection of 20° 36.30' south latitude and 117° 12.40' east longitude; thence extending north-westerly along the geodesic to the intersection of 20° 35.55' south latitude and 117° 11' east longitude (at Cape Lambert); thence extending westerly along the geodesic to the intersection of 20° 35.60' south latitude and 117° 10.35' east longitude; thence extending westerly along the geodesic to the eastern extremity of Dixon Island, a point closest to the intersection of 20° 36.962' south latitude and 117° 05.402' east longitude; thence extending northerly along the geodesic to the intersection of 20° 34.90' south latitude and 117° 05.90' east longitude; thence extending south-westerly to the intersection of 20° 39' south latitude and 116° 55' east longitude; thence extending westerly along the geodesic towards a point at 20° 37.50' south latitude and 116° 48.15' east longitude (on the mainland) until its intersection with the high water mark; thence generally easterly along the high water mark to the commencement point.

6. All waters of the Fishery bounded by a line commencing at the intersection of the high water mark and the geodesic between a point at 20° 19.831' south latitude and 118° 20.67' east longitude (on the mainland) and a point at 20° 15' south latitude and 118° 35' east longitude; thence extending north-easterly along the geodesic to the intersection of 20° 15' south latitude and 118° 35' east longitude; thence extending south-easterly along the geodesic towards a point at 20° 17.062' south latitude and 118° 46.092' east longitude (on the mainland) until its intersection with the high water mark; thence generally westerly along the high water mark to the commencement point.

SCHEDULE 3

Fees

[clause 9]

Item 1: Grant or renewal

The fee payable in respect of the grant or renewal of a licence is \$8.41 per unit of entitlement.

Item 2: Payment by instalments

Where regulation 137(2) applies 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 1 November in any year;
- (b) the second instalment being 25% of the total fee and due for payment on or before 1 February following the day on which the first instalment is paid;
- (c) the third instalment being 50% of the total fee and due for payment on or before 1 May following the day on which the first instalment is paid.

SCHEDULE 4
Determination of unit values

[clause 15]

Item 1. The value of a unit for the period 1 November 2018 to 31 October 2019 is 0.5 traps.

Item 2. At any time that Item (1) of this Schedule does not apply, the extent of the entitlement to fish in the Fishery arising from a unit and during a licence period is determined in accordance with the following equation -

$$\left(\frac{C}{N} \right) = U$$

Where -

- C is the capacity (total number of traps);
- N is the sum of all of the units conferred, as specified on all the licences at the commencement of the relevant licence period;
- U is the value of the unit, rounded to two decimal places.

SCHEDULE 5
Exempted management plans

[clauses 21, 22, 25, 27, 29]

Exmouth Gulf Prawn Fishery Management Plan 1989

Nickol Bay Prawn Fishery Management Plan 1991

Onslow Prawn Fishery Management Plan 1991

West Coast Deep Sea Crustacean Managed Fishery Management Plan 2012

4.0 APPENDICIES

Appendix 1 - Government Gazette Notice

FI402

FISH RESOURCES MANAGEMENT ACT 1994

**INTENTION TO DETERMINE A MANAGEMENT PLAN FOR THE
PILBARA CRAB MANAGED FISHERY**

FD 7100/16 [1314]

I, Dave Kelly MLA, Minister for Fisheries, hereby give notice in accordance with section 64(2) of the *Fish Resources Management Act 1994* that I intend to determine a management plan for the Pilbara Crab Managed Fishery.

A copy of the draft management plan may be obtained from the website of the Department of Primary Industries and Regional Development (<https://dpird.wa.gov.au>).

Interested persons who wish to comment on the draft management plan are invited to make representations in writing to the Minister for Fisheries by 4 pm, Monday 4 June 2018.

Representations may be forwarded to—

Minister for Fisheries
Draft Pilbara Crab Managed Fishery Management Plan 2018
c/- Deputy Director General
Sustainability and Biosecurity
Department of Primary Industries and Regional Development
140 William Street
Perth WA 6000

Alternatively, written submissions may be forwarded electronically to: Ellen.Smith@dpird.wa.gov.au

Dated the 26th day of April 2018.

D. KELLY, Minister for Fisheries.

Appendix 2 – Map of the proposed Pilbara Crab Managed Fishery

