

Torres Strait Fisheries Act 1984

Fisheries Management Notice No 72A

TORRES STRAIT PRAWN FISHERY

PROHIBITION ON TAKING PRAWNS (TIME ALLOCATION)

The Protected Zone Joint Authority, acting in accordance with the powers conferred on the Authority by paragraph 35(1)(a) of the *Torres Strait Fisheries Act 1984*, and the Minister in accordance with the powers under section 16 of the *Torres Strait Fisheries Act 1984*, makes the following notice.

Dated this 11th day of October 2006



ERIC ABETZ

**Minister for Fisheries, Forestry and Conservation and member and Chair of the
Protected Zone Joint Authority**

CITATION

1. This notice may be cited as Torres Strait Fisheries Management Notice No 72A.

COMMENCEMENT

2. This notice commences on *Gazettal*.

NOTICE TO APPLY WITH OTHER NOTICES

3. This notice applies in conjunction with any other notice in force in the area of the Torres Strait Prawn Fishery.

INTERPRETATION

- 4.1 In this notice, unless the contrary intention appears, words have the same meaning as in the *Torres Strait Fisheries Act 1984*; and
- "prawns" means fish of the family Penaeidae; and
- "the Act" means the *Torres Strait Fisheries Act 1984*; and
- "transit zone" means the area described in schedule 1.
- 4.2 Where for the purposes of Schedule 1 of this Notice it is necessary to determine the position on the surface of the Earth of a point, line or area, that position shall be determined by reference to the Australian Geodetic Datum, that is by reference to a spheroid having its centre at the centre of the Earth and a major (equatorial) radius of 6,378,160 metres and flattening of 1/298.25 and by reference to the Johnston Geodetic Station in the Northern Territory of Australia. That station shall be taken to be situated at Latitude 25°56' 54.5515" South and at Longitude 133°12' 30.0771" East and to have a ground level of 571.2 metres above the spheroid referred to above.
- 4.3 The origin of the geographical coordinates used in Schedule 2 is the World Geodetic Datum 1984 (WGS84).

PROHIBITIONS (GENERAL)

- 5.1 Pursuant to paragraph 16(1)(a) of the Act, the taking of prawns is prohibited in the area of the Torres Strait Prawn Fishery; and
- 5.2 Pursuant to paragraph 16(1)(a) of the Act, the processing or carrying of prawns is prohibited in the area of the Torres Strait Prawn Fishery; and
- 5.3 Pursuant to paragraph 16(1)(o) of the Act, the possession of any equipment capable of being used for prawn trawling is prohibited unless the boards are unshackled from the nets and are placed on board the boat, in the area of the Torres Strait Prawn Fishery.

EXEMPTIONS FROM PROHIBITIONS

- 6.1 Pursuant to paragraph 16(1A)(d) of the Act, if:
- (a) a person is, or is acting on behalf of, the holder of a licence in respect of a boat, granted under subsection 19(2) of the Act, or is the master of a boat in respect of which such a licence is in force; and

- (b) there is specified in the licence a condition, under subsection 22(1) of the Act, that limits the number of days in a year that the boat can be used for fishing in the area of the Torres Strait Prawn Fishery; and
- (c) the number of days that the boat, and any other boats in respect of which that licence was in force, has been used for fishing in the area of the Torres Strait Prawn Fishery since the start of the year is less than the number specified in the licence;

then the person is exempt from the prohibitions in paragraphs 5.1 and 5.3.

6.2 For the purposes of paragraph 6.1, a boat is taken to have been fishing for one full day if:

- (a) the boat's position reports, received via the Vessel Monitoring System or through another arrangement entered into with AFMA, indicate that the boat:
 - (i) is in an area of the Torres Strait Prawn Fishery where prawns are permitted to be taken; and
 - (ii) is not within the area of one of the designated anchorages specified in Schedule 2; and
 - (iii) has moved more than 250 metres at any time between 1800 hours local time on one day and 0600 hours local time on the next day; or
- (b) no boat position reports are received via the Vessel Monitoring System or through another arrangement entered into with AFMA.

6.3 Pursuant to paragraph 16(1A)(d) of the Act, if a person who holds a licence under subsection 19(3) of the Act in respect of the Torres Strait Prawn Fishery, then the person is exempt from the prohibition in paragraph 5.2.

6.4 Pursuant to paragraph 16(1A)(d) of the Act, if:

- (a) a person holds a licence, in respect of a boat, that was issued under the law of Papua New Guinea; and
- (b) the boat is endorsed by Australia to trawl for prawns in the Torres Strait Prawn Fishery

then the person is exempt from the prohibitions in paragraphs 5.1 and 5.3 in respect of the boat.

PROHIBITIONS (TRANSIT ZONE)

- 7.1 Pursuant to paragraph 16(1)(a) of the Act, in the area of the Transit Zone the taking of prawns is prohibited.
- 7.2 Pursuant to paragraph 16(1)(o) of the Act, in the area of the Transit Zone a person is prohibited from having in that person's possession or in that person's charge in a boat, equipment that is:
- (i) capable of being used for any kind of trawling; or
 - (ii) capable of being used for taking prawns
- unless that equipment is carried so that all of the equipment is out of the water, or if any part of the equipment is in the water:
- (iii) that all cod ends are open and drawn up to the boat so that the cod ends would be visible from an aircraft or another boat; and
 - (iv) the boards are at the blocks.

SCHEDULE 1 **Transit Zone**

That area of waters bounded by a line:

- (1) commencing at the point of intersection of the parallel of Latitude 10°28'00" South and the meridian of Longitude 142°09'00" East;
- (2) thence east along the Latitude of 10°28'00" South, to its intersection by the meridian of Longitude 142°31'49" East;
- (3) thence in a south easterly direction to its intersection by the parallel of Latitude 10°41'17" South, and the meridian of Longitude 142° 38'30" East;
- (4) thence west along that parallel to its intersection by the meridian of Longitude 142°31'49" East;
- (5) thence south along that meridian to its northernmost intersection by the coastline of Cape York Peninsula at low water;
- (6) thence generally south-westerly along the western coastline of Cape York Peninsula, that is along the low water line on that coast and across any river mouth, to its intersection by the meridian of Longitude 142°09'00" East; and
- (7) thence north along that meridian to the point of commencement.

SCHEDULE 2

Designated Anchorages

AUREED ISLAND

That area of waters bounded by a line:

- (1) commencing at the point of intersection of the parallel of Latitude 9°55.985' South and the meridian of Longitude 143°18.935' East;
- (2) running thence south-easterly along the geodesic to the point of Latitude 9°57.309' South, Longitude 143°19.373' East;
- (3) thence south-westerly along the geodesic to the point of Latitude 9°58.787' South, Longitude 143°18.038' East;
- (4) thence west along the geodesic to the point of Latitude 9°58.517' South, Longitude 143°15.882' East;
- (5) thence north along the geodesic to the point of Latitude 9°57.472' South, Longitude 143°15.854' East;
- (6) thence north-easterly along the geodesic to the point of Latitude 9°56.003' South, Longitude 143°17.180' East;
- (7) thence easterly along the meridian to the point of commencement where it terminates.

YORKE ISLANDS

That area of waters bounded by a line:

- (1) commencing at the point of intersection of the parallel of Latitude 9°43.197' South and the meridian of Longitude 143°27.647' East;
- (2) running thence south-easterly along the geodesic to the point of Latitude 9°43.784' South, Longitude 143°28.031' East;
- (3) thence south along the geodesic to the point of Latitude 9°44.712' South, Longitude 143°28.073' East;
- (4) thence south-westerly along the geodesic to the point of Latitude 9°45.458' South, Longitude 143°27.587' East;
- (5) thence south-westerly along the geodesic to the point of Latitude 9°45.853' South, Longitude 143°26.757' East;

- (6) thence south-westerly along the geodesic to the point of Latitude $9^{\circ}46.039'$ South, Longitude $143^{\circ}25.728'$ East;
- (7) thence south-westerly along the geodesic to the point of Latitude $9^{\circ}46.357'$ South, Longitude $143^{\circ}24.555'$ East;
- (8) thence north-westerly along the geodesic to the point of Latitude $9^{\circ}46.098'$ South, Longitude $143^{\circ}23.828'$ East;
- (9) thence north-westerly along the geodesic to the point of Latitude $9^{\circ}45.380'$ South, Longitude $143^{\circ}23.431'$ East;
- (10) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}44.765'$ South, Longitude $143^{\circ}23.614'$ East;
- (11) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}43.266'$ South, Longitude $143^{\circ}26.565'$ East;
- (12) thence easterly along that meridian to the point of commencement where it terminates.

DUGONG ISLAND

That area of waters bounded by a line:

- (1) commencing at the point of intersection of the parallel of Latitude $10^{\circ}30.327'$ South and the meridian of Longitude $143^{\circ}04.463'$ East;
- (2) running thence east along the geodesic to the point of Latitude $10^{\circ}30.318'$ South, Longitude $143^{\circ}05.809'$ East;
- (3) thence south-easterly along the geodesic to the point of Latitude $10^{\circ}30.600'$ South, Longitude $143^{\circ}06.736'$ East;
- (4) thence south-easterly along the geodesic to the point of Latitude $10^{\circ}31.098'$ South, Longitude $143^{\circ}07.382'$ East;
- (5) thence south along the geodesic to the point of Latitude $10^{\circ}31.923'$ South, Longitude $143^{\circ}07.426'$ East;
- (6) thence south-westerly along the geodesic to the point of Latitude $10^{\circ}32.511'$ South, Longitude $143^{\circ}07.081'$ East;
- (7) thence south-westerly along the geodesic to the point of Latitude $10^{\circ}32.628'$ South, Longitude $143^{\circ}06.244'$ East; and

- (8) thence north-westerly along the geodesic to the point of Latitude $10^{\circ}31.449'$ South, Longitude $143^{\circ}03.944'$ East;
- (9) thence north-easterly along that meridian to the point of commencement where it terminates.

COCONUT ISLAND

That area of waters bounded by a line:

- (1) commencing at the point of intersection of the parallel of Latitude $10^{\circ}02.403'$ South and the meridian of Longitude $143^{\circ}04.012'$ East;
 - (2) running thence south-easterly along the geodesic to the point of Latitude $10^{\circ}02.433'$ South, Longitude $143^{\circ}04.491'$ East;
 - (3) thence south-easterly along the geodesic to the point of Latitude $10^{\circ}02.669'$ South, Longitude $143^{\circ}06.018'$ East;
 - (4) thence east along the geodesic to the point of Latitude $10^{\circ}02.452'$ South, Longitude $143^{\circ}07.191'$ East;
 - (5) thence south-easterly along the geodesic to the point of Latitude $10^{\circ}02.725'$ South, Longitude $143^{\circ}07.891'$ East;
 - (6) thence south-easterly along the geodesic to the point of Latitude $10^{\circ}03.641'$ South, Longitude $143^{\circ}08.172'$ East;
 - (7) thence south-westerly along the geodesic to the point of Latitude $10^{\circ}04.348'$ South, Longitude $143^{\circ}06.608'$ East;
 - (8) thence west along the geodesic to the point of Latitude $10^{\circ}04.447'$ South, Longitude $143^{\circ}04.562'$ East;
 - (9) thence north-westerly along the geodesic to the point of Latitude $10^{\circ}03.348'$ South, Longitude $143^{\circ}02.717'$ East;
 - (10) thence north-easterly along the geodesic to the point of Latitude $10^{\circ}02.532'$ South, Longitude $143^{\circ}03.499'$ East;
 - (11) thence north-easterly along that meridian to the point of commencement where it terminates.
-