

INSTRUMENT REGULATING FISHING

Torres Strait Fisheries Act 1984

Section 16

Torres Strait Prawn Fishery

TORRES STRAIT FISHERIES MANAGEMENT INSTRUMENT NO. 11

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*, of the Minister's powers under section 16 of the *Torres Strait Fisheries Act 1984*, makes the following Instrument.

Dated: 22 November 2015

Senator the Hon. Anne Ruston

Parliamentary Secretary to the Minister for Agriculture and Water Resources
on behalf of the Torres Strait Protected Zone Joint Authority

Citation

1. This Instrument may be cited as the *Torres Strait Fisheries Management Instrument No. 11*.

Commencement

2. This Instrument commences on the day after it is registered on the Federal Register of Legislative Instruments.

Cessation

3. This Instrument is repealed on 31 December 2025 unless earlier revoked.

Revocation

4. This Instrument repeals the *Torres Strait Fisheries Management Instrument No. 3* from the date of commencement of this Instrument.

Interpretation

- 5.1 In this Instrument, unless the contrary intention appears "the Act" means the *Torres Strait Fisheries Act 1984*, and:

5.2 Terms used but not defined in this Instrument have the same meaning as in the Act and the *Torres Strait Fisheries Regulations 1985*; and

5.3 “**area of the fishery**” means the area described in Part 1 of Schedule 1 of the *Torres Strait Prawn Fishery Management Plan 2009*, excluding the area described in Part 2 of Schedule 1 of the Plan.

“**closed areas**” means the areas described in Schedule 1.

“**closure period**” means the period commencing at 1700 hours local time on 1 February in a year and ending at 1700 hours local time on 31 July in the same year.

“**fishery**” means the Torres Strait Prawn Fishery as described in the *Torres Strait Prawn Fishery Management Plan*.

“**local time**” means the time of day in the state of Queensland.

“**prawns**” means *Metapenaeus endeavouri* (blue endeavour prawn), *Penaeus esculentus* (brown tiger prawn) and *Melicertus longistylus* (red spot king prawn).

“**the Act**” means the *Torres Strait Fisheries Act 1984*.

“**Torres Strait Prawn Fishery Management Plan**” means the plan of management for the fishery as made by the PZJA under s 15A of the *Torres Strait Fisheries Act 1984*, currently registered on the Federal Register of Legislative Instruments under s 24 of the *Legislative Instruments Act 2003*.

Description of closed areas

6.1 The position of a geographical coordinate for the description of the closed areas in Schedule 1 is to be determined by reference to the Australian Geodetic Datum 1966 (AGD66).

6.2 For convenience in the use of navigational aids, the closed areas are also described in Schedule 2 by reference to the World Geodetic Datum 1984 (WGS84).

6.3 In the case of an inconsistency between the coordinates in Schedule 1 and Schedule 2, Schedule 1 takes precedence.

Prohibitions

7.1 Under paragraph 16(1)(a) of the Act, the taking of prawns in the closed areas are prohibited during the closure period.

7.2 Under paragraph 16(1)(o) of the Act, in the closed areas during the closure period a person must not have in his or her possession or charge in a boat, equipment that is:

- (a) capable of being used for any kind of trawling; or
- (b) capable of being used for taking prawns;

unless the 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:

- (c) 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
- (d) the boards are at the blocks.

SCHEDULES

NOTES:

- (1) The position of a geographical coordinate in the description of the closed areas East of Warrior Reef are to be determined by reference to the Australian Geodetic Datum 1966 (AGD66), that is to say, 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 a flattening of 1/298.25 and the position of the Johnston Geodetic Station in the Northern Territory of Australia. That station is to 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.
- (2) For convenience, the coordinates of the closed areas East of Warrior Reef are also expressed in Schedule 2 based on the World Geodetic Datum 1984 (WGS84) Reference Frame at the 2005.0 epoch. The geographic coordinates are referenced to the WGS84 reference spheroid having its centre at the centre of the Earth and a major (equatorial) radius of 6,378,137 metres and a flattening of 1/298.257223563.
- (3) In the case of an inconsistency between the coordinates in Schedule 1 and Schedule 2, Schedule 1 takes precedence – *see* Clause 6.

SCHEDULE 1

East of Warrior Reef Closed Areas

The area bounded by a line:

Reference	Description
(1)	commencing at the point of Latitude 10° 00' 00" South, Longitude 142° 56' 28" East;
(2)	thence east along that parallel to its intersection by the meridian of Longitude 143° 04' 24" East;
(3)	thence north-easterly along the geodesic to the point of Latitude 9° 52' 30" South, Longitude 143° 09' 30" East;
(4)	thence north-easterly along the geodesic to the point of Latitude 9° 46' 00" South, Longitude 143° 14' 00" East;
(5)	thence north-easterly along the geodesic to the point of, Latitude 9° 36' 30" South, Longitude 143° 17' 00" East;
(6)	thence north-easterly along the geodesic to the point of Latitude 9° 33' 00" South, Longitude 143° 20' 00" East;
(7)	thence west along that parallel to its intersection by the meridian of Longitude 143° 19' 46" East;
(8)	thence along a series of intersecting arcs of circles having a radius of three miles and drawn successively from the following points, - (which describe that part of the territorial sea of Pearce Cay which lies North of the Fisheries Jurisdiction Line) –

REFERENCE	LATITUDE (AGD66)	LONGITUDE (AGD66)
8(a)	9° 30' 50"S	143° 17' 40"E
8(b)	9° 30' 48"S	143° 17' 42"E
8(c)	9° 30' 41"S	143° 17' 43"E
8(d)	9° 30' 42"S	143° 17' 34"E
8(e)	9° 30' 43"S	143° 17' 26"E
8(f)	9° 30' 46"S	143° 17' 19"E
8(g)	9° 30' 50"S	143° 17' 08"E
8(h)	9° 30' 53"S	143° 17' 03"E
8(i)	9° 30' 56"S	143° 17' 03"E
8(j)	to the point of Latitude 9° 33' 00" South, Longitude 143° 14' 51" East;	
(9)	thence west along that parallel to its intersection by the meridian of Longitude 143° 11' 00" East;	
(10)	thence south-westerly along the geodesic to the point of Latitude 9° 46' 00" South, Longitude 143° 02' 20" East;	
(11)	thence south-westerly along the geodesic to the point of commencement.	

SCHEDULE 2

East of Warrior Reef Closed Areas Expressed Using Coordinates Based on WGS84

REFERENCE	LATITUDE (WGS84)	LONGITUDE (WGS84)
1	9° 59' 54.66" S	142° 56' 31.93" E
2	9° 59' 54.66" S	143° 04' 27.93" E
3	9° 52' 24.66" S	143° 09' 33.92" E
4	9° 45' 54.66" S	143° 14' 03.92" E
5	9° 36' 24.66" S	143° 17' 03.92" E
6	9° 32' 54.67" S	143° 20' 03.91" E
7	9° 32' 54.67" S	143° 19' 49.91" E
8(a)	9° 30' 44.67" S	143° 17' 43.91" E
8(b)	9° 30' 42.67" S	143° 17' 45.91" E
8(c)	9° 30' 35.67" S	143° 17' 46.91" E
8(d)	9° 30' 36.67" S	143° 17' 37.91" E
8(e)	9° 30' 37.67" S	143° 17' 29.91" E
8(f)	9° 30' 40.67" S	143° 17' 22.91" E
8(g)	9° 30' 44.67" S	143° 17' 11.91" E
8(h)	9° 30' 47.67" S	143° 17' 06.91" E
8(i)	9° 30' 50.67" S	143° 17' 06.91" E
8(j)	9° 32' 54.67" S	143° 14' 54.92" E
9	9° 32' 54.67" S	143° 11' 03.92" E
10	9° 45' 54.66" S	143° 02' 23.93" E
11	9° 59' 54.66" S	142° 56' 31.93" E