

TORRES STRAIT PRAWN FISHERY HANDBOOK



Compiled by

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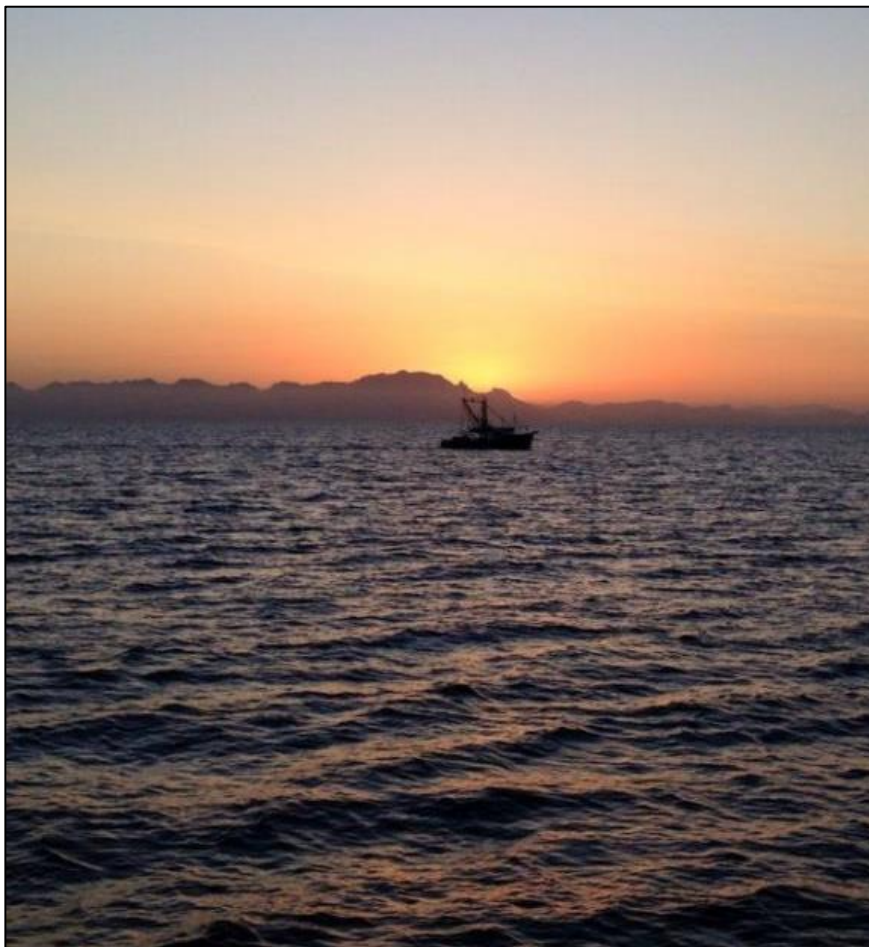
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1 Introduction

The Torres Strait Prawn Fishery (TSPF) handbook provides TSPF licence holders with important information for operating in the TSPF, including management, social and cultural information for the fishery and surrounding region. As of 2016, the handbook will no longer be updated on an annual basis, however a separate data report will be issued to licence holders annually. This report will include catch and effort data, observer and licensing updates and any other relevant updates for the fishery.

The information in this handbook is a guide and does not replace legislation including the *Torres Strait Prawn Fishery Management Plan 2009* and associated Fisheries Management Instruments, or detailed advice specific to individual circumstances. For more information readers should make use of the contacts listed inside the back cover. Legislation current for January 2016 can be found in Section 15 and 16 of the handbook, however the ComLaw website (www.comlaw.gov.au) should always be consulted for an accurate complete list of legislation relevant to the fishery.

The information in this handbook in no way limits the powers and decisions of the PZJA in its determinations, or in its considerations of any matters placed before it. Individual applicants wishing to participate in Torres Strait fisheries or vary the conditions under which they participate should be aware that the powers are vested with the PZJA to consider each application on its individual merits.



1.1 Acronyms

ABARES	Australian Bureau of Agriculture and Resource Economics and Sciences
AFMA	Australian Fisheries Management Authority
AMSA	Australian Maritime Safety Authority
BAP	Bycatch Action Plan
BRD	Bycatch Reduction Device
CPUE	Catch per Unit Effort
ERA	Ecological Risk Assessment
ERM	Ecological Risk Management
FMI	Fisheries Management Instrument (replaces FMN below)
FMN	Fisheries Management Notice (old name for FMI)
FRDC	Fisheries Research and Development Corporation
ECOTF	Queensland East Coast Otter Trawl Fishery
E_{MSY}	Effort at Maximum Sustainable Yield.
EPBC Act	<i>Environmental Protection and Biodiversity Conservation Act 1999</i>
NPF	Northern Prawn Fishery
PNG	Papua New Guinea
PZJA	Protected Zone Joint Authority
QB&FP	Queensland Boating and Fisheries Patrol
QDAF	Queensland Department of Agriculture and Fisheries
TAE	Total Allowable Effort
The Plan	<i>Torres Strait Prawn Fishery Management Plan 2009</i>
TSPMAC	Torres Strait Prawn Management Advisory Committee
TSPF	Torres Strait Prawn Fishery
TSPZ	Torres Strait Protected Zone
TSRA	Torres Strait Regional Authority
VMS	Vessel Monitoring System

2 Fishing respectfully in the Torres Strait

The Torres Strait Prawn Fishery (TSPF) is a multi-species prawn fishery which operates in the eastern part of the pristine Torres Strait region. The Torres Strait is located between the tip of Cape York Peninsula and Papua New Guinea (PNG) and is a culturally distinct area within Australia, being home to Australia's indigenous Melanesian people - the Torres Strait Islanders.

It is estimated that approximately 4600 aboriginal and Torres Strait Islander people live within the Torres Strait across 18 Island communities and 2 Northern Peninsula communities (ABS Census 2011). The region consists of over one hundred islands and reefs and the islands are divided into inner, eastern, central, western, and top-western island groups; 18 of which are currently inhabited.

The Brown Tiger Prawn (*Penaeus esculentus*) and the Blue Endeavour Prawn (*Metapenaeus endeavouri*) are the key target species and the Red Spot King Prawn (*Penaeus longistylus*) is essentially a by-product species. It is important that fishers operating in the Torres Strait have an understanding of the culture and lifestyle of the Aboriginal and Torres Strait Islander people, as fishing operations are basically occurring in their backyard. By working with communities to honour the peoples, land and seas of the region as their home, it will foster respectful relationships, aiding in more effective stakeholder engagement during decision making processes for the fishery. There are also a number of obligations to license holders discussed below.

2.1 Torres Strait Islanders and their lifestyle

It is important that fishers operating in the Torres Strait have an understanding of the culture and lifestyle of the Torres Strait Islanders. The Torres Strait is a culturally distinct area within Australia.

Aboriginal and Torres Strait Islander peoples have a strong relationship with the sea, coast and reefs. The significance of the sea as a basis of their livelihoods and food source can be appreciated by the fact that average rates of consumption of seafood in the Torres Strait are amongst the highest in the world. This is reflected in their myths and legends that contain many references to fish, turtle, dugong and shellfish. Marine resources, particularly dugong and turtle, are important in community ceremonies such as weddings and tombstone openings.

Everyday life on island communities revolves around maintaining essential services, schooling and supporting other members of the village as well as duties to the various churches of the islands. Islanders today use outboard motors and dinghies for fishing and inter-island travel rather than dugouts as they did in the past. Islanders are involved in the commercial fishing for lobster, sea cucumbers, mackerel and reef fish, trochus and pearl shell. The taking of turtle and dugong is restricted to the indigenous inhabitants and the sale of either species (including the shell of the turtle) is strictly prohibited. Women often handline for fish which is consumed by their immediate and extended family.

2.2 Protocols when visiting communities

The communities are managed by elected Chairpersons and Councillors in the same way as local councils are on the mainland. Visitors to communities are reminded that resources on communities are limited. Water and telephone and medical services are designed for community use only. When visiting a community for medical help or to connect with an airline service, visitors are asked to respect community standards and remember that you are on someone else's home or property. There are accepted protocols for visiting island communities, including wearing appropriate clothing and covering up tattoos and piercings from impressionable young community members.

2.3 Seeking permission prior to landing on Torres Strait islands (inhabited and uninhabited)

Before coming ashore any of the Torres Strait Islands (inhabited or uninhabited) you should contact the council office and speak to the Prescribed Body Corporate Chairperson and the local councillor or clerk. Please explain why you wish to come to the island and how long you will be staying.

When coming ashore an uninhabited island, only the PBC chair needs contacting. A list of the PBC contacts for the main islands within the TSPF can be found within the contacts section in the back cover of this handbook. A full and most [current list of relevant PBCs](#) can be found on the TSRA website.

It is the responsibility of TSPF licence holders to ensure that skippers and crew are familiar with cultural sensitivities. It is encouraged that people read the cultural guide to researchers which is available on the PZJA website or through contacting AFMA. This contains detailed information about working in and around Torres Strait communities.



3 Management

3.1 Current Management Arrangements

The TSPF is managed under the *Torres Strait Prawn Fishery Management Plan 2009* (the Plan).

Fishing season

From 2016, the TSPF season dates are 6pm on 1 February to 6am on 1 December each year. This is a change from the previous opening of 1 March each year.

Effort units

A total of 9,200 effort units were initially allocated under the Plan. 6,867 of these were issued to Australian TSPF boat licence holders when the plan was introduced, where one effort unit was issued for each fishing day held by a licence holder immediately before the commencement of the Plan (allocations did not include temporarily allocated fishing days including PNG days). Where a licence holder held multiple licences, these units were pooled together and can be used on any licensed boats that licence holder operates in the fishery. The other 2,333 units are set aside for use by PNG through treaty arrangements.

Annual use entitlement

Each season, effort units are converted into an annual use entitlement for each operator, depending on the total allowable effort (TAE) that is set for each year. The TAE is divided equally between all current effort units (note the total number of units in the fishery may change if licences and units are surrendered). The TAE has been set at 9,200 days since 2006. Under current management arrangements the TAE limit is reviewed at least once every three years.

Temporary transfer of effort units

Under the Plan, TSPF boat licence holders can temporarily transfer unused effort units to another holder of a TSPF boat licence for one season. A licence holder must apply to the PZJA licensing delegate (see contacts section of handbook) to register a transfer of a specific number of effort units. These units can only be used by the transferee for the season in which they are transferred. Any temporarily transferred units cannot be transferred on by the transferee. The system automatically transfers the temporary units back to the transferor before the commencement of the following season.

If a licence holder wishes to temporarily transfer a given number of fishing days, it is the transferor and transferee's responsibility to determine the equivalent number of effort units. See section 4.4 of the handbook for the process to transfer unused effort units.

There are a maximum of 61 licences allowed in the TSPF. A number of licences in the TSPF are currently inactive licences with no boat attached. An up to date summary of license and effort unit numbers along with a catch and effort data summary will be provided through the annual data summary.

3.2 Catch sharing with Papua New Guinea (PNG)

Under the *Torres Strait Treaty 1985*, PNG is entitled to 25 per cent of the effort allocation in the TSPF, located within the Australian waters of the Protected Zone. Likewise, Australia is entitled to 25 per cent of any effort allocation in PNG's prawn fishery in the PNG waters of the Protected Zone. To meet this obligation 6,867 units are allocated to Australian licence holders, and 2,333 are set aside for use by PNG under the Plan. Each season, the PZJA determines how many of the 2,333 PNG units will be available for PNG's use based on catch sharing discussions. Any PNG boat fishes in Australian waters must operate under the same regulations that as Australian boats. There will also be some requirements around Australian quarantine, customs and immigration laws which must be adhered to. PNG fishers have not accessed the fishery since 2004.

Up until 2009, PNG days were offered to Australian licence holders for use each season, as PNG did not want to use these units. In 2013, the PZJA made a decision not to offer PNG units to Australian licence holders until latent Australian effort has been used. This decision aimed to encourage the trade and use of Australian effort units.

3.3 Management consultative process

The PZJA is responsible for management decisions in the TSPF. At the time of publication the PZJA comprised of the Assistant Minister for Agriculture and Water Resources, the Queensland Minister responsible for Agriculture and Fisheries and the Chair of the Torres Strait Regional Authority.

The Torres Strait Prawn Management Advisory Committee (TSPMAC) is the main consultative forum for the fishery. It includes members from industry, Traditional Inhabitant representatives and State and Commonwealth Government representatives as well as a fisheries scientist. TSPMAC meetings provide a forum where industry and Traditional Inhabitant representatives can engage and discuss issues, identify concerns and develop solutions. It is the role of the TSPMAC to provide management and scientific advice and recommendations to the PZJA. There is typically one face to face meetings of the TSPMAC held each year as well as teleconferences when required.

To have your views put forward for management consideration you should contact one of the industry representatives or traditional inhabitant representatives on the TSPMAC. Relevant contact numbers are listed in the back cover of this booklet. These positions are generally a three year term and any interested party that meets the requirements of the positions in [Torres Strait Fisheries Management Paper no. 1](#) are invited to apply.

4 What do I need to fish in the TSPF?

The following minimum requirements are in place to fish in the TSPF.

- A Torres Strait Master Fisherman's licence.
- A Fishing Boat Licence endorsing you to take prawns in the area of the fishery.

- Unused UFCs (fishing days).
- An approved Turtle Excluder Device and Bycatch Reduction Device.

The complete requirements for TSPF operators are outlined in the following documents.

- The Commonwealth *Torres Strait Fisheries Act 1984*.
- *Torres Strait Prawn Fishery Management Plan 2009*.
- *Torres Strait Fishery Regulations 1985*.
- Fishery Management Instruments (formally Fisheries Management Notices; see index page 32).
- *Fisheries Levy (Torres Strait Prawn Fishery) Regulations 1998*.
- The *Torres Strait Treaty 1985*.

It is the responsibility of operators to familiarise themselves with these documents and understand the requirements when fishing within the TSPF. A full list of legislation including links is available from the [PZJA website](#).

5 Licensing and mandatory logbook reporting

5.1 Licences

There is a limit of 61 licences in the TSPF and no new licences will be issued for the fishery. Licences can be sold (permanent transfer) or temporarily transferred to other people (see Section 3.4).

5.2 Renewal of licences

Subject to the payment of levies, a TSPF licence comes into effect on the date of issue and expires on date specified in your licence conditions.

5.3 Surrender of licences

PZJA licence holders may surrender their licences by written notice to the PZJA,

Licensing Officer - Torres Strait Fisheries
Australian Fisheries Management Authority
BOX 7051
CANBERRA ACT 2610

Fax: (02) 6225 5540

Email: licensing@afma.gov.au

5.4 Transfers of licences and Units of Fishing Capacity (UFCs)

Permanent transfer of licences and UFCs

A TSPF boat licence holder (the transferor) may permanently transfer (sell) their licence to another person (the transferee) as set out in section 25 of the Act and Part 3, Section 3.3 of the Plan. The transferee must be an Australian citizen. If the licence is the transferor's last licence, all of their units of fishing capacity must be transferred before or at the same time as the licence transfer. The transferor and transferee must apply to the PZJA using the appropriate form and pay the transfer fee.

The PZJA must not transfer a licence if:

- (a) A proceeding for an offence under the Act or Regulations has been brought against the transferor or the transferee and has not been decided; or
- (b) Levy due and payable by the transferor or the transferee has not been paid.

Temporary transfer of licences

Licence holders can apply to the PZJA to have their TSPF licence temporarily transferred to a third party for one fishing season. The system for temporarily transferring TSPF licences is similar to that used for the temporary transfer of effort units. Licence holders can transfer their TSPF licence before and throughout a given TSPF season up until the licensing expiry date for the relevant year. As TSPF licences expire each year, temporary transfers of TSPF licences cannot be granted for multiple seasons. Further to this, the temporary transfer of a TSPF licence cannot be processed unless all levies associated with the licence have been paid in full. Licence holders interested in the temporary transfer of their TSPF licence should contact the PZJA licensing delegate.

Temporary transfer UFCs

The holder of a TSPF boat licence (the transferor) that has unused units for a fishing season may temporarily transfer the unused units to the holder of another TSPF boat licence (the transferee) for a season. A temporary transfer of Australian units:

- (a) Must be of whole unused units only.
- (b) Does not take effect until it is registered.
- (c) Entitles the transferee to use the temporarily transferred units during the fishing season for which the temporary transfer is registered.
- (d) Remains in force for that season, after which the PZJA will automatically transfer the units back to the transferor before the commencement of the following season.

The transferor and transferee must apply to the PZJA using the approved form for the temporary transfer to be registered, and pay the transfer fee. The PZJA must not register the temporary transfer if:

- (a) A proceeding for an offence under the Act or Regulations has been brought against the transferor or transferee and has not been decided; or
- (b) Levy due and payable by the transferor or transferee has not been paid.

A person who holds Australian units as the result of a temporary transfer is not entitled to transfer or temporarily transfer those units.

5.5 Forfeiture of endorsements upon transfer

The policy of forfeiting endorsements on transfer of commercial licences was abolished by the PZJA in July 1999.

5.6 Logbook reporting

Logbook reporting in the TSPF is compulsory. The **NP16** logbook was introduced for the TSPF for the 2009 season and will remain in effect until revoked. Licence holders or their authorised agents are required to ensure all fields contained in the logbook are fully completed by no later than one day after the day on which the fishing activities took place. Each logbook contains full instructions on how the logbook should be completed and licence holders or their authorised agents are required to return them in the manner specified in the logbook. Licence holders or their authorised agents should refer to the current Fisheries Logbook Instrument listed on ComLaw for legal requirements regarding logbooks. Logbooks are supplied by AFMA and a new logbook may be acquired by contacting:

AFMA Logbook Section

PO Box 7051

Canberra Business Centre

Canberra 2610 ACT

Or *AFMA Direct*: 1300 723 621

IMPORTANT REMINDER

COMPLETING AND RETURNING LOGBOOKS ON TIME

Licence holders or their authorised agents are asked to ensure that logbooks have all fields fully completed and the logsheet copies sent to AFMA as per the instructions contained in the logbook, "a vessel must submit their completed up to date logsheets to AFMA each time they return to port or rendezvous with a mothership that holds an AFMA carrier boat permit"

late and irregular returns create difficulties for staff processing the data and result in incomplete information for reports such as this handbook.

the penalty for failure to supply or complete logbook returns correctly is up to \$10,000 and/or cancellation of licence.

Registration for use of e-logs

TSPF licence holders may use electronic logbooks (e-logs) instead of paper logs. To use e-logs you must purchase and install an e-logs software [package that has been](#)

[accredited by AFMA](#). Operators also need to register for GOFish, AFMA's online business facility.

You will still be required to submit paper logbook forms for TED's and BRD's.

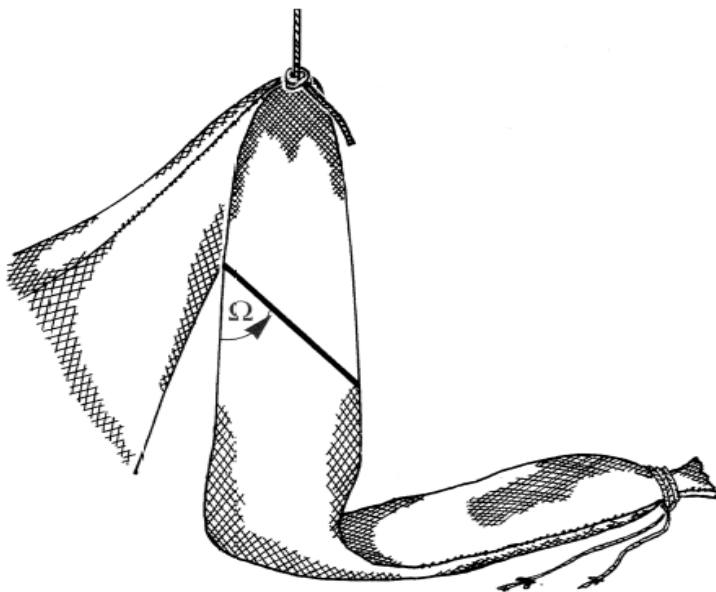
For information on e-logs, please visit the AFMA website (www.afma.gov.au) or contact Narelle Williams direct on 02 6225 5542 or 1300 723 621 or email dataentry@afma.gov.au

If e-logs are used, the NP16 Logbook **must** be carried on board the vessel at all times and must be used if the e-log system is not operational at any time during the season.

6 Minimising Bycatch

6.1 Mandatory use of Turtle Excluder Devices

As outlined in Fisheries Management Notice (FMN) No. 81, all Torres Prawn boats are required to have a Turtle Excluder Device (TED) fitted in their nets (Figure 1-7). "Turtle Excluder Device" means a device fitted to a net, and modification made to a net, that allows turtles to escape immediately after being taken in the net. The specific [parameters of the TEDs are detailed in FMN No. 81](#) on the PZJA website.



Measuring the grid angle.

Figure 1. Correct position for measuring angle size on turtle excluder devices (angle must be 30 - 55°).

Single Flap TED Specifications

- Must be on the outside of the trawl
- Must be a panel not less than 338cm x 132 cm, with the 338cm edge attached to the forward edge of the opening
- Trailing edge of each panel must not extend more than 61 cm behind the posterior edge of the grid

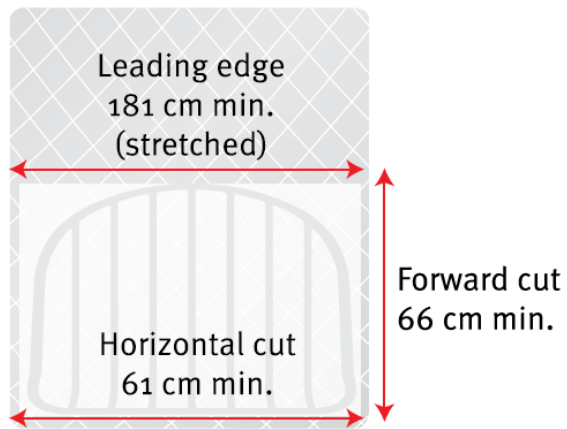


Figure 2. Measurements for rectangular escape opening with single flaps

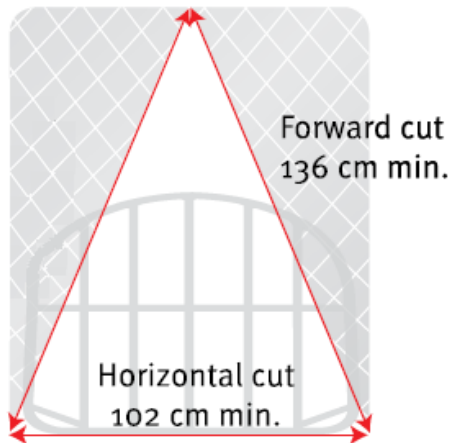


Figure 3. Measurements for triangular escape opening with single flaps

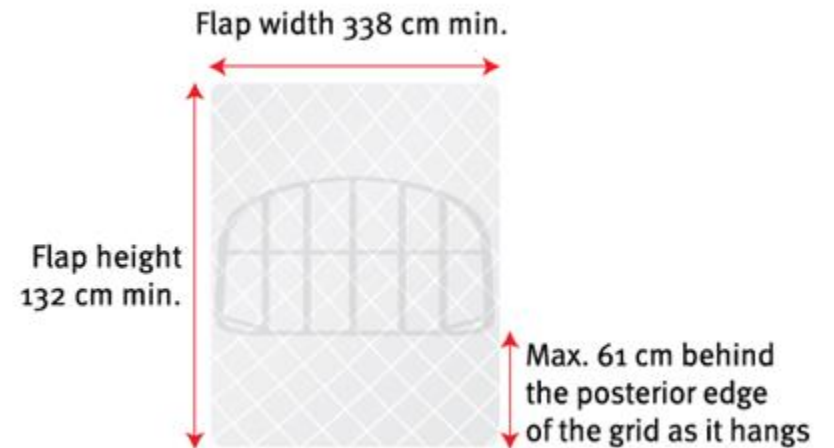


Figure 4. Measurements for single flap configuration

Double Flap TED Specifications

- Must be on the outside of the trawl
- Must have two equal size rectangular panels, each a minimum of 147cm wide
- Panels may overlap no more than 38cm
- Panels may be sewn together only along the leading edge of the cut
- Panels may be sewn down the entire length of the outside edge of each panel
- Trailing edge of each panel must not extend more than 61 cm behind the posterior edge of the grid

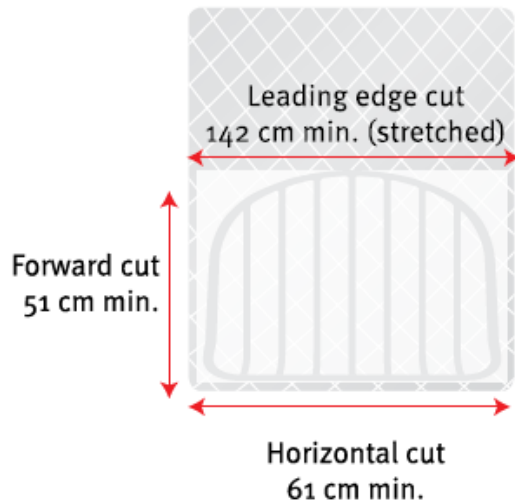


Figure 5. Measurements for rectangular escape opening with double flaps

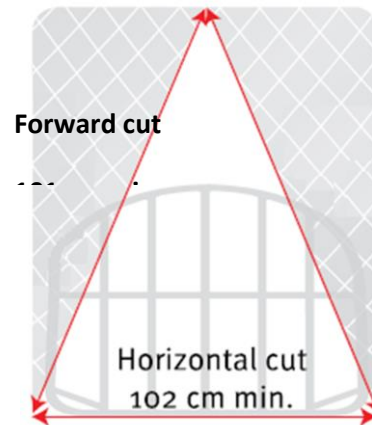


Figure 6. Measurements for triangular escape opening with double flaps

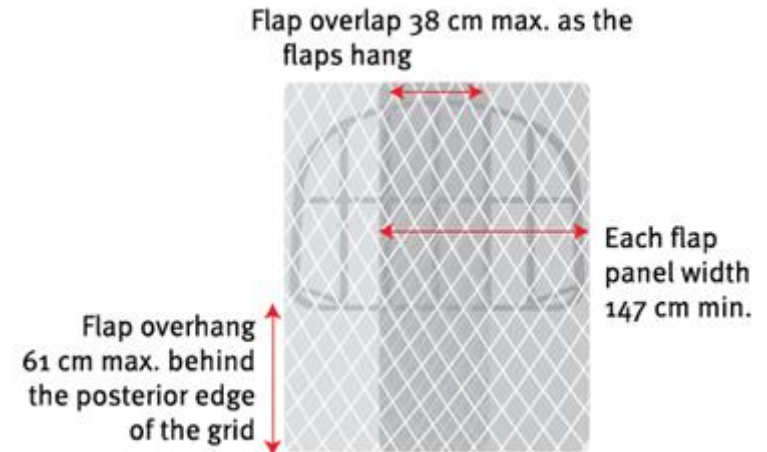


Figure 7. Measurements for double flap configuration

6.2 Mandatory use of Bycatch Reduction Devices (BRDs)

As outlined in FMN No. 82 all Torres Prawn boats are required to use an approved Bycatch Reduction Device (BRDs; in their nets. “Bycatch Reduction Device” means a device that allows fish and other animals to escape immediately after being taken in the net and is constructed in accordance with [Schedule 1 in FMN No. 82](#).

Please contact AFMA or Fisheries Queensland (see contacts inside back cover) with respect to the trialling of BRDs in the TSPF or any other enquiries about the operation of BRDs, noting a permit is required to trial a BRD that does not meet the requirements in FMN No. 82. Information on BRDS allowed in the TSPF is in figures 8-13.

Square mesh codend by-catch reduction device (BRD)

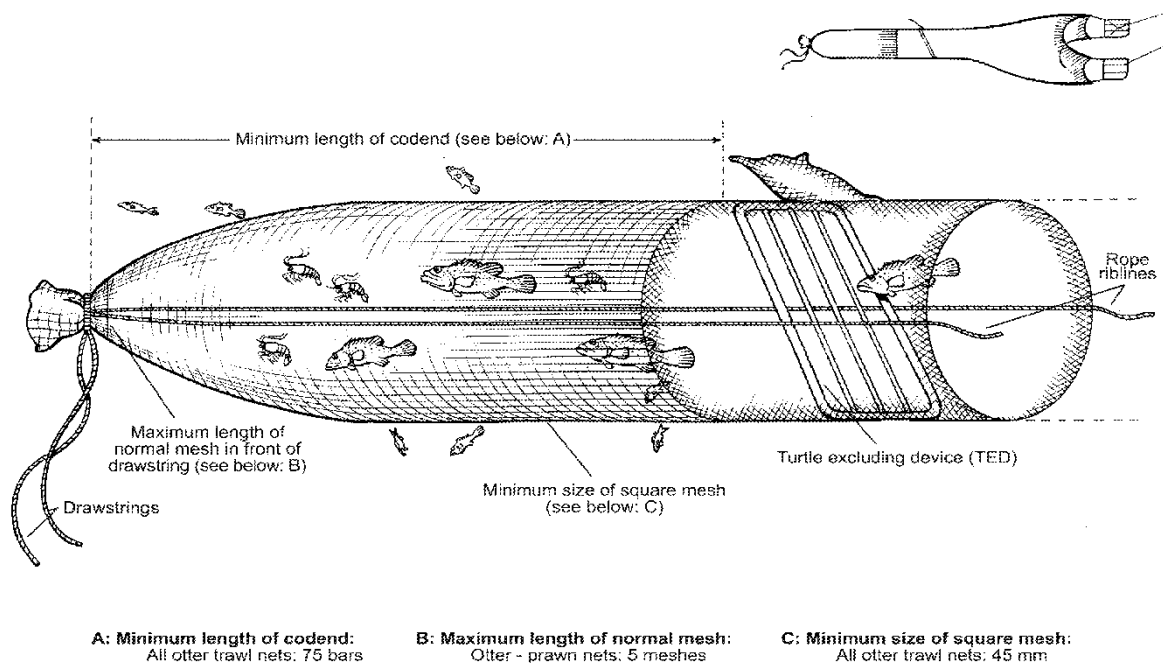


Figure 8. Diagram of a square mesh codend bycatch reduction device BRD.

Square mesh panel by-catch reduction device (BRD)

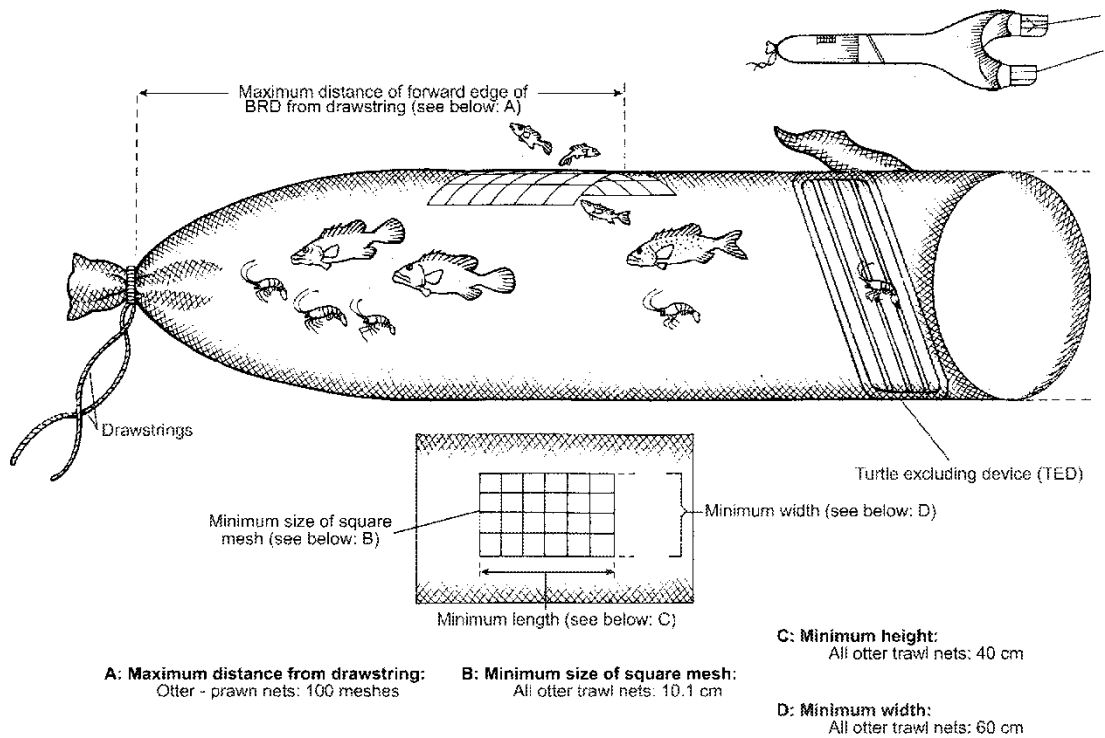


Figure 9. The Square-Mesh Panel BRD.

Fish eye by-catch reduction device (BRD)

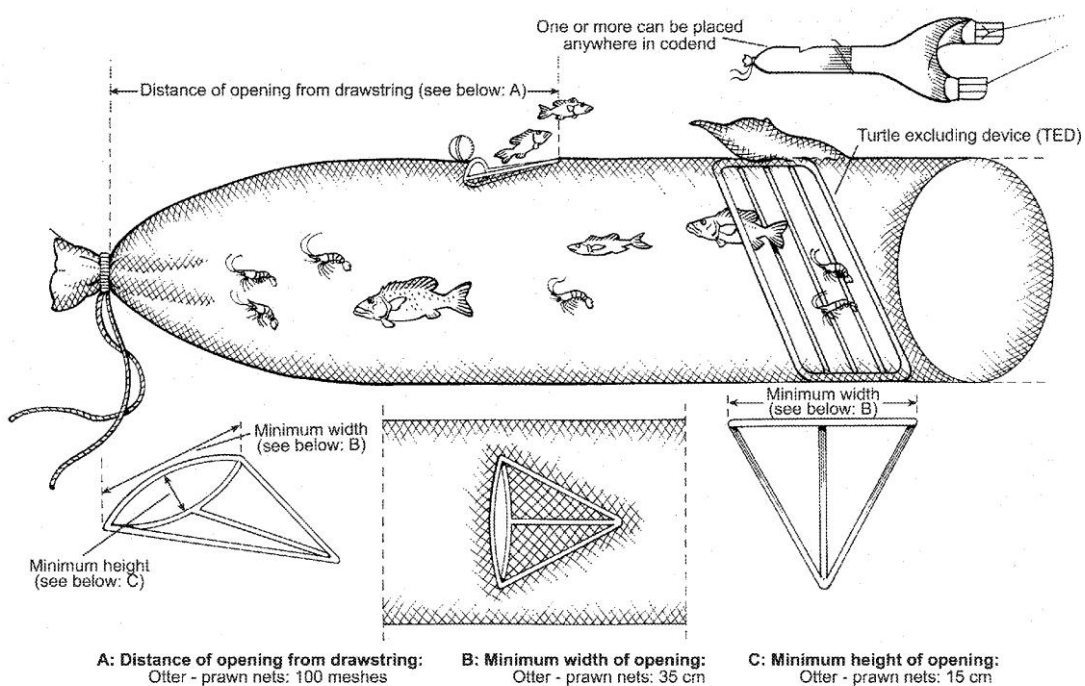


Figure 10. The Fish Eye BRD.

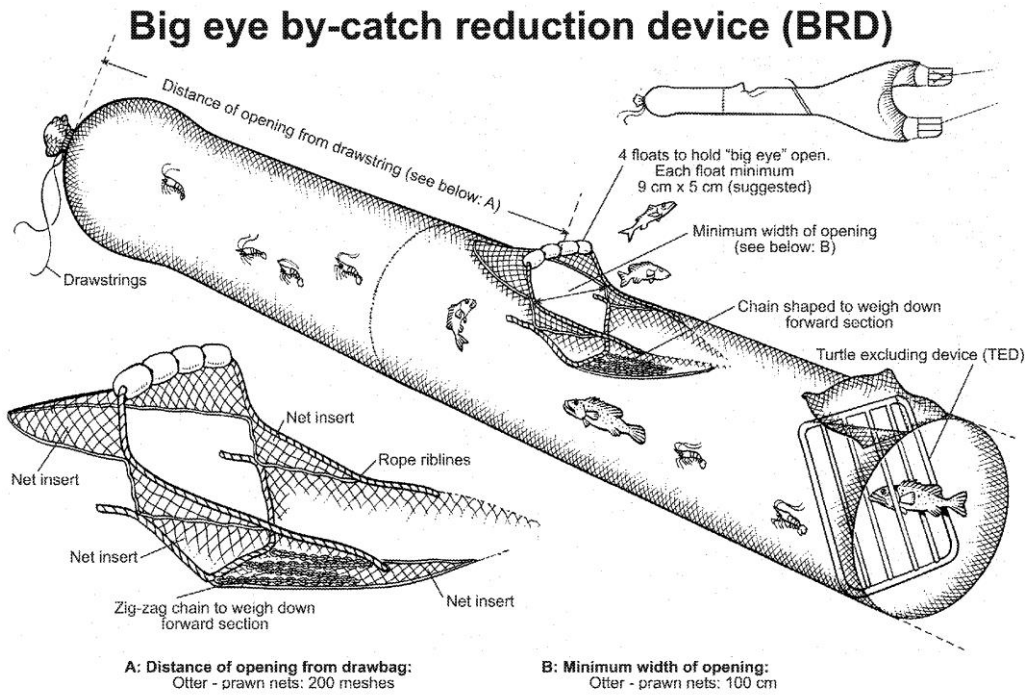


Figure 11. The Big Eye BRD.

Radial escape section by-catch reduction device (BRD)

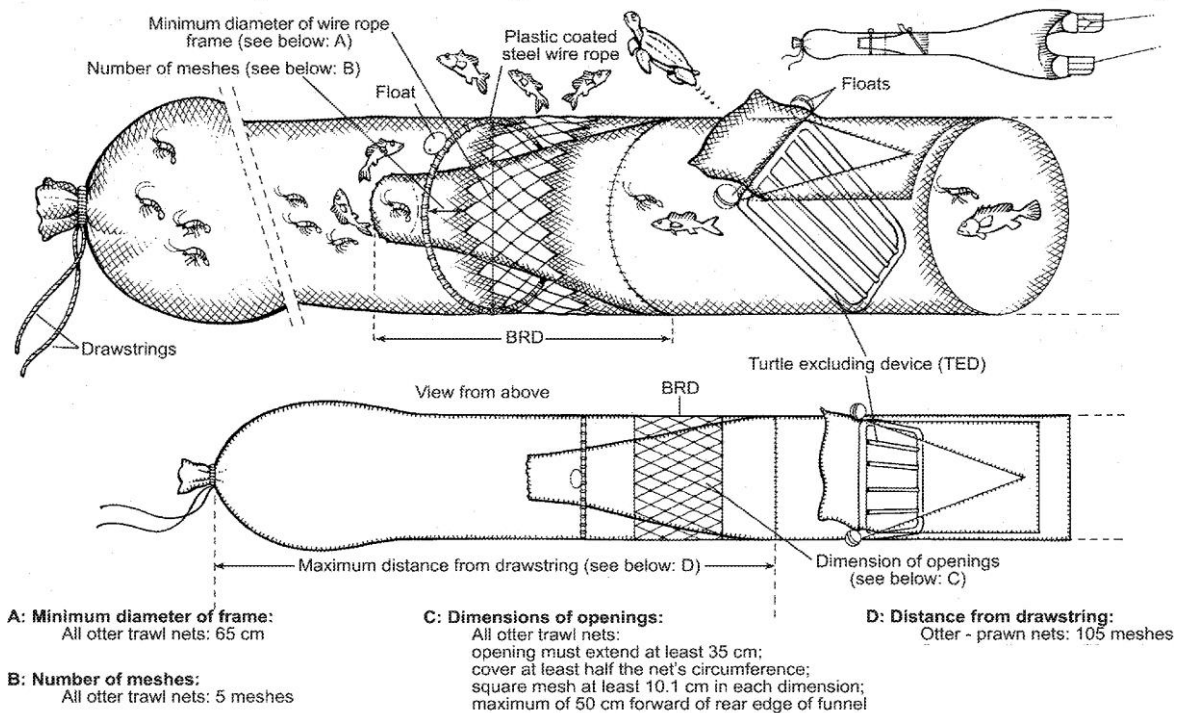


Figure 12. The Radial Escape Section BRD.

Popeye fish excluder by-catch reduction device (BRD)

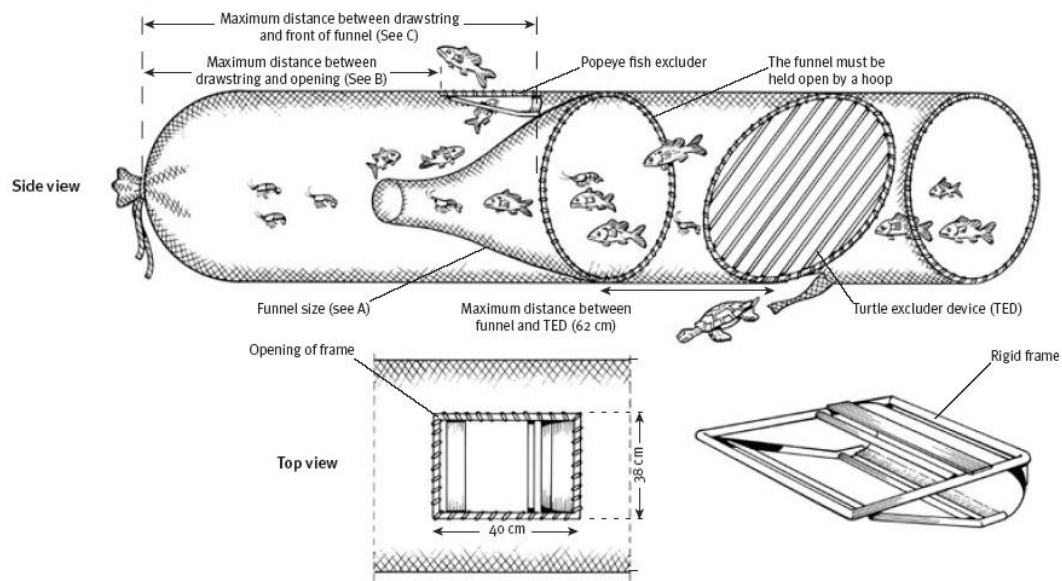


Figure 13. The Popeye Fish Excluder BRD.

6.3 Carriage of other species

Table 1 shows the by-product limits for the TSPF under the Plan. Size limits are also shown for some species.

Table 1. TSPF species carriage allowances.

SPECIES	MAXIMUM QUANTITY UNDER TSPF MANAGEMENT PLAN 2009
Mackerels (Scombrids)	Total of 20kg combined in any form (FMI 79).
Finfish	Total of 20kg combined in any form, including Mackerels (FMI 79).
Shark	Nil
Shark fin	Nil
Tropical rock lobster	Nil
Pearl shell	Nil
Turtle	Nil
Coral	Nil
Moreton Bay Bug	No quantity limit. 75mm minimum carapace width.

7 Reporting requirements for Vessel Monitoring Systems (VMS)

All Torres Strait prawn trawl boats are required to have an approved VMS fitted. The VMS unit must be operational at all times unless prior arrangements have been entered into with the PZJA or manual position reporting is being undertaken as a result of a unit failure. For detailed information about specifications and installation of your VMS unit, see the [TSPF VMS guidelines](#).

How is VMS to be used in the fishery?

The primary role of VMS is to monitor (count) fishing days and where people are fishing as a compliance and management tool.

How will VMS be used to count fishing days?

When a boat enters the TSPF it is automatically determined by VMS and every subsequent day is monitored whilst the boat remains in the fishery.

Whilst in the area of the fishery “fishing days” will only be deducted if:

1. the boat is in an area where prawns are permitted to be taken; and
2. the boat is not within the area of one of the designated anchorages specified below in section 4.2; and
3. the boat 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
4. no boat position reports are received via the VMS or through another arrangement entered into with PZJA (i.e. the VMS is malfunctioning and an alternate arrangement hasn't been entered into with the PZJA).

How will I know if my VMS has broken down?

AFMA will contact the boat or licence holder and advise that the unit is not responding. However, if you become aware that your VMS is not operational, please inform the AFMA immediately on AFMA Direct 1300 723 621.

What must I do if my VMS breaks down?

If your VMS breaks down the master will be contacted and efforts made to rectify the fault. Should this not be possible, the master will be requested to submit manual position reports to the PZJA at times, or at a frequency determined by the PZJA, until the VMS unit is properly functioning. More information on manual reporting is in the VMS guidelines on the PZJA website (www.pzja.gov.au).

Allocated fishing days and VMS detection

Each month, licence holders are sent a ‘Torres Strait Prawn Fishery Use of Fishing Days’ statement. The statement lists the fishing days recorded as being used for that

month. If you think that there is a day recorded that you didn't fish, you should submit evidence to demonstrate that the boat was not fishing on that particular day. To avoid delays in processing applications, they should be lodged as soon as possible after receiving the notice.

These applications are subject to the decision of the PZJA delegate. You should not use a trawl fishing day on the presumption that an application will be successful. You must await the delegate's decision.

Please forward all correspondence and supporting documents to:

Licensing Officer - Torres Strait Fisheries

AFMA

BOX 7051

CANBERRA BC ACT 2610

Ph: (02) 6225 5555

Fax: (02) 6225 5540

licensing@afma.gov.au

7.1 Designated anchorages

The geographical co-ordinates used in these areas are in **WGS84**.

AUREED ISLAND

That area of waters bounded by a line:

- (1) commencing at the point of intersection of the parallel of Latitude 9° 55' 59.10" South and the meridian of Longitude 143° 18' 56.10" East;
- (2) running thence south-easterly along the geodesic to the point of Latitude 9° 57' 18.54" South, Longitude 143° 19' 22.38" East;
- (3) thence south-westerly along the geodesic to the point of Latitude 9° 58' 47.22" South, Longitude 143° 18' 02.28" East;
- (4) thence west along the geodesic to the point of Latitude 9° 58' 31.02" South, Longitude 143° 15' 52.92" East;
- (5) thence north along the geodesic to the point of Latitude 9° 57' 28.32" South, Longitude 143° 15' 51.24" East;
- (6) thence north-easterly along the geodesic to the point of Latitude 9° 56' 00.18" South, Longitude 143° 17' 10.08" 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' 11.82"

- (2) South and the meridian of Longitude 143° 27' 38.82" East;
- (3) running thence south-easterly along the geodesic to the point of Latitude 9° 43' 47.04" South, Longitude 143° 28' 01.86" East;
- (4) thence south along the geodesic to the point of Latitude 9° 44' 42.72" South, Longitude 143° 28' 04.38" East;
- (5) thence south-westerly along the geodesic to the point of Latitude 9° 45' 27.48" South, Longitude 143° 27' 35.22" East;
- (6) thence south-westerly along the geodesic to the point of Latitude 9° 45' 51.18" South, Longitude 143° 26' 45.42" East;
- (7) thence south-westerly along the geodesic to the point of Latitude 9° 46' 02.34" South, Longitude 143° 25' 43.68" East;
- (8) thence south-westerly along the geodesic to the point of Latitude 9° 46' 21.42" South, Longitude 143° 24' 33.30" East;
- (9) thence north-westerly along the geodesic to the point of Latitude 9° 46' 05.88" South, Longitude 143° 23' 49.68" East;
- (10) thence north-westerly along the geodesic to the point of Latitude 9° 45' 22.80" South, Longitude 143° 23' 25.86" East;
- (11) thence north-easterly along the geodesic to the point of Latitude 9° 44' 45.90" South, Longitude 143° 23' 36.84" East;
- (12) thence north-easterly along the geodesic to the point of Latitude 9° 43' 15.96" South, Longitude 143° 26' 33.90" East;
- (13) 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° 30' 19.62" South and the meridian of Longitude 143° 04' 27.78" East;
- (2) running thence east along the geodesic to the point of Latitude 10° 30' 19.08" South, Longitude 143° 05' 48.54" East;
- (3) thence south-easterly along the geodesic to the point of Latitude 10° 30' 36.00" South, Longitude 143° 06' 44.16" East;
- (4) thence south-easterly along the geodesic to the point of Latitude 10° 31' 05.88" South, Longitude 143° 07' 22.92" East;

- (5) thence south along the geodesic to the point of Latitude 10° 31' 55.38" South, Longitude 143° 07' 25.56" East;
- (6) thence south-westerly along the geodesic to the point of Latitude 10° 32' 30.66" South, Longitude 143° 07' 04.86" East;
- (7) thence south-westerly along the geodesic to the point of Latitude 10° 32' 37.68" South, Longitude 143° 06' 14.64" East; and
- (8) thence north-westerly along the geodesic to the point of Latitude 10° 31' 26.94" South, Longitude 143° 03' 56.64" 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° 02' 24.18" South and the meridian of Longitude 143° 04' 00.72" East;
- (2) running thence south-easterly along the geodesic to the point of Latitude 10° 02' 25.98" South, Longitude 143° 04' 29.46" East;
- (3) thence south-easterly along the geodesic to the point of Latitude 10° 02' 40.14" South, Longitude 143° 06' 01.08" East;
- (4) thence east along the geodesic to the point of Latitude 10° 02' 27.12" South, Longitude 143° 07' 11.46" East;
- (5) thence south-easterly along the geodesic to the point of Latitude 10° 02' 43.50" South, Longitude 143° 07' 53.46" East;
- (6) thence south-easterly along the geodesic to the point of Latitude 10° 03' 38.46" South, Longitude 143° 08' 10.32" East;
- (7) thence south-westerly along the geodesic to the point of Latitude 10° 04' 20.88" South, Longitude 143° 06' 36.48" East;;
- (8) thence west along the geodesic to the point of Latitude 10° 04' 26.82" South, Longitude 143° 04' 33.72" East;
- (9) thence north-westerly along the geodesic to the point of Latitude 10° 03' 20.88" South, Longitude 143° 02' 43.02" East;
- (10) thence north-easterly along the geodesic to the point of Latitude 10° 02' 31.92" South, Longitude 143° 03' 29.94" East;
- (11) thence north-easterly along that meridian to the point of commencement where it terminates.

8 Closures and Exclusion Zones

Seasonal area closures and exclusion zones are an important management tool in the TSPF. The closures protected sensitive areas, seagrass beds, or restrict fishing during certain times of year such as during the recruitment of small prawns to the fishery.

The summaries given below are to be used only as a guide and do not replace the formal legislation in FMNs. It is strongly recommended that you contact AFMA, QDAF or the QB&FP if you have any questions.

8.1 Seasonal closure of the entire fishery

The entire TSPF is closed between 0600 hours local time on 1 December in any year and 1700 hours local time on 1 February in the following year (specified in the Plan and Fisheries Management Instrument no. 10; FMI 10).

Carriage of equipment: During the seasonal closure of the entire fishery all equipment that is capable of being used for any kind of trawling, or being used for taking Prawns (this includes nets, boards, beams, and skids) must be carried either in the racks or on the deck; except;

1. between 1200 hours and 1700 hours local time on 1 February (in any year) if the boat is anchored; or
2. between 0600 hours and 1800 hours local time on 1 December (in any year);
 - if all equipment is out of the water; or
 - if any part of the equipment is in the water - that part is drawn up to the boat and is visible from nearby aircraft or boat, and if the equipment includes cod ends, the cod ends are open.

Carriage of prawns: The carriage of prawns is prohibited in the area of the TSPF from 0600 local time on 15 December to 1700 hours local time on 1 February each year. This is provided for in FMI10).

8.2 Kailag Enterprises sponge aquaculture farm

Kailag Enterprises Pty has a commercial aquaculture sponge farm in the area around Masig (York) Island. There have been marine incidences with this farm, including TSPF vessels. The coordinates of the farm are detailed below.

Latitude 9 degrees 44.800'S Longitude 143 degrees 25.630'E

Latitude 9 degrees 44.695'S Longitude 143 degrees 25.860'E

Latitude 9 degrees 44.520'S Longitude 143 degrees 25.780'E

Latitude 9 degrees 44.630'S Longitude 144 degrees 25.550'E

Although the farm does not have a formal exclusion zone or closure in place, PZJA agencies support the operation and expect operators to be aware of the sponge farm and to make the necessary amendments to their navigation systems and charts to clearly indicate the farm site co-ordinates.

8.3 West of Warrior Reef exclusion zone

The taking of prawns in the area west of Warrior Reef is permanently prohibited. This is currently provided for in FMI No. 2. The prohibition also specifies that prawns may not be carried in this area with the exception of the transit zone as described in Schedule 1 of FMI No. 10.

This closure, as well as providing some protection for smaller prawns, was introduced taking into consideration that most of the inhabited islands are in this region and that a significant concentration of traditional fishing for tropical rock lobster occurs in this area.

Carriage of equipment: In the west of Warrior Reef exclusion zone all equipment that is capable of being used for any kind of trawling or taking Prawns (this includes nets, boards, beams, and skids) must be carried either in the racks or on the deck.

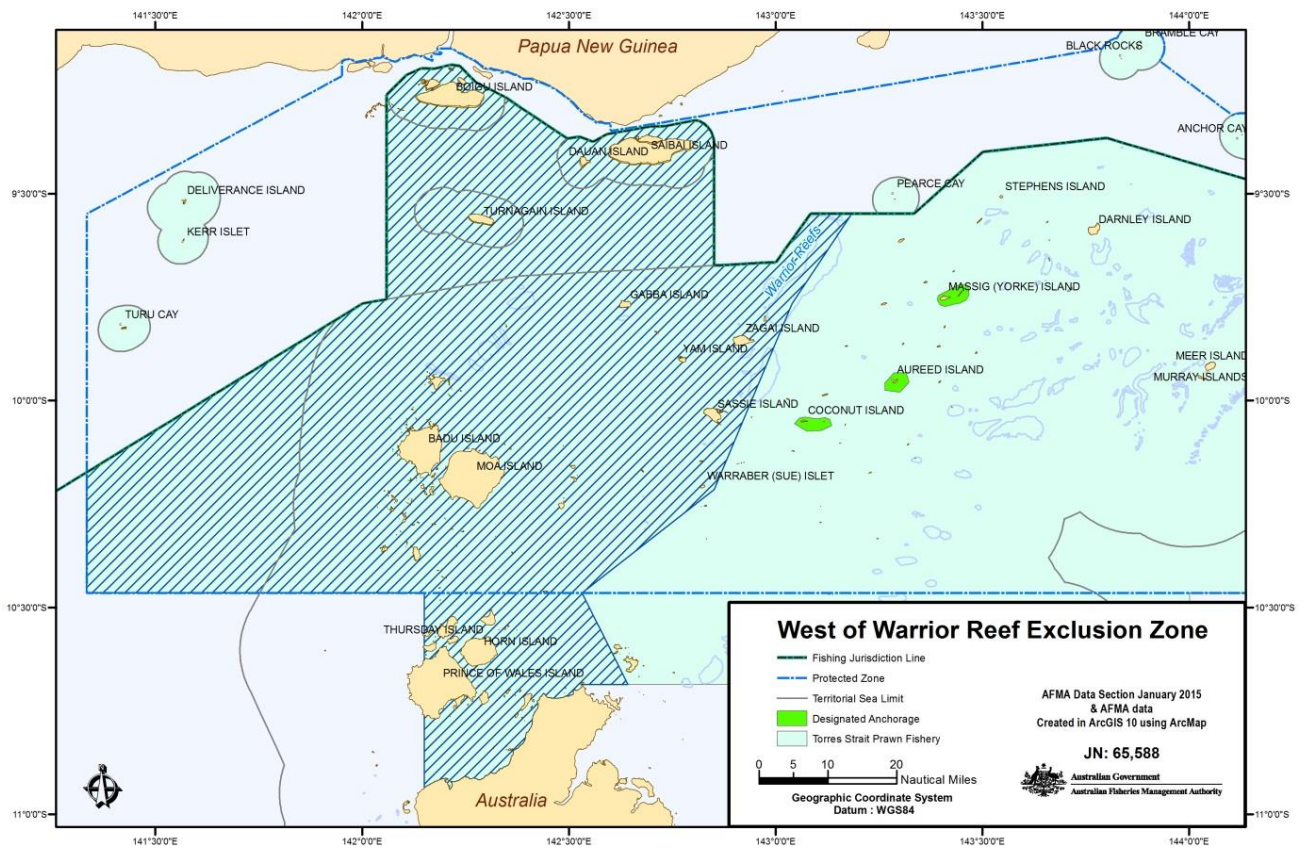


Figure 14. Map of West Warrior Reef exclusion zone.

8.4 Transit zone - exemption to exclusion zone

The transit zone, which overlaps the west of Warrior Reef exclusion zone, was designed to allow vessels safe passage into Thursday Island.

Carriage of equipment: In the transit zone all equipment that is capable of being used for any kind of trawling, or being used for taking Prawns (this includes nets, boards, beams, and skids) must be carried so that all of the equipment is out of the water, or if any part of the equipment is in the water that all codends are open and drawn up to the boat so that the codends would be visible from an aircraft or another boat and the boards are at the blocks.

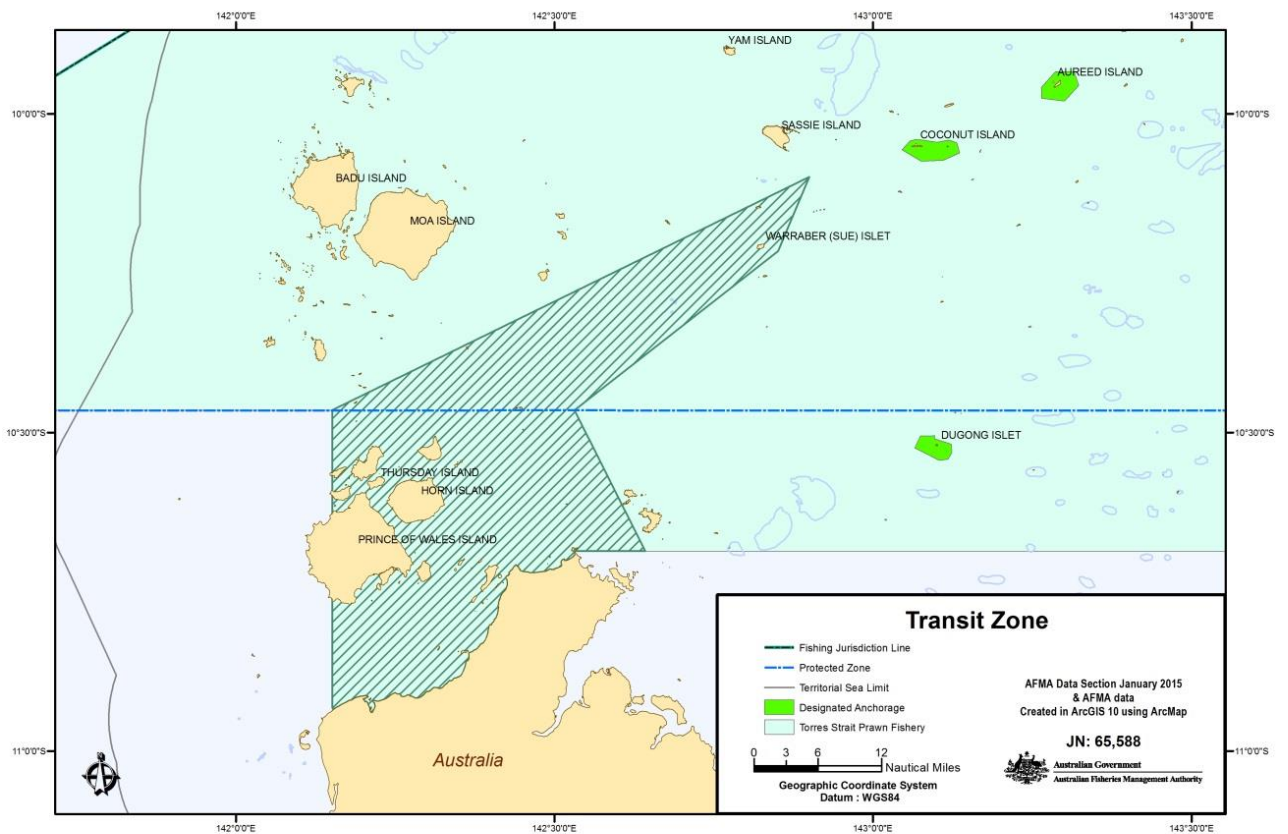


Figure 15. Map transit zone.

8.5 Darnley Island exclusion zone

The Darnley Island exclusion zone was introduced in response to traditional inhabitants concerns in relation to the potential for trawling to damage pearl shell beds in the area.

Carriage of equipment: In the Darnley Island exclusion zone all equipment that is capable of being used for any kind of trawling, or being used for taking Prawns (this includes nets, boards, beams, and skids) must be carried so that all of the equipment is out of the water, or if any part of the equipment is in the water that all codends are open and drawn up to the boat so that the codends would be visible from an aircraft or another boat and the boards are at the blocks.

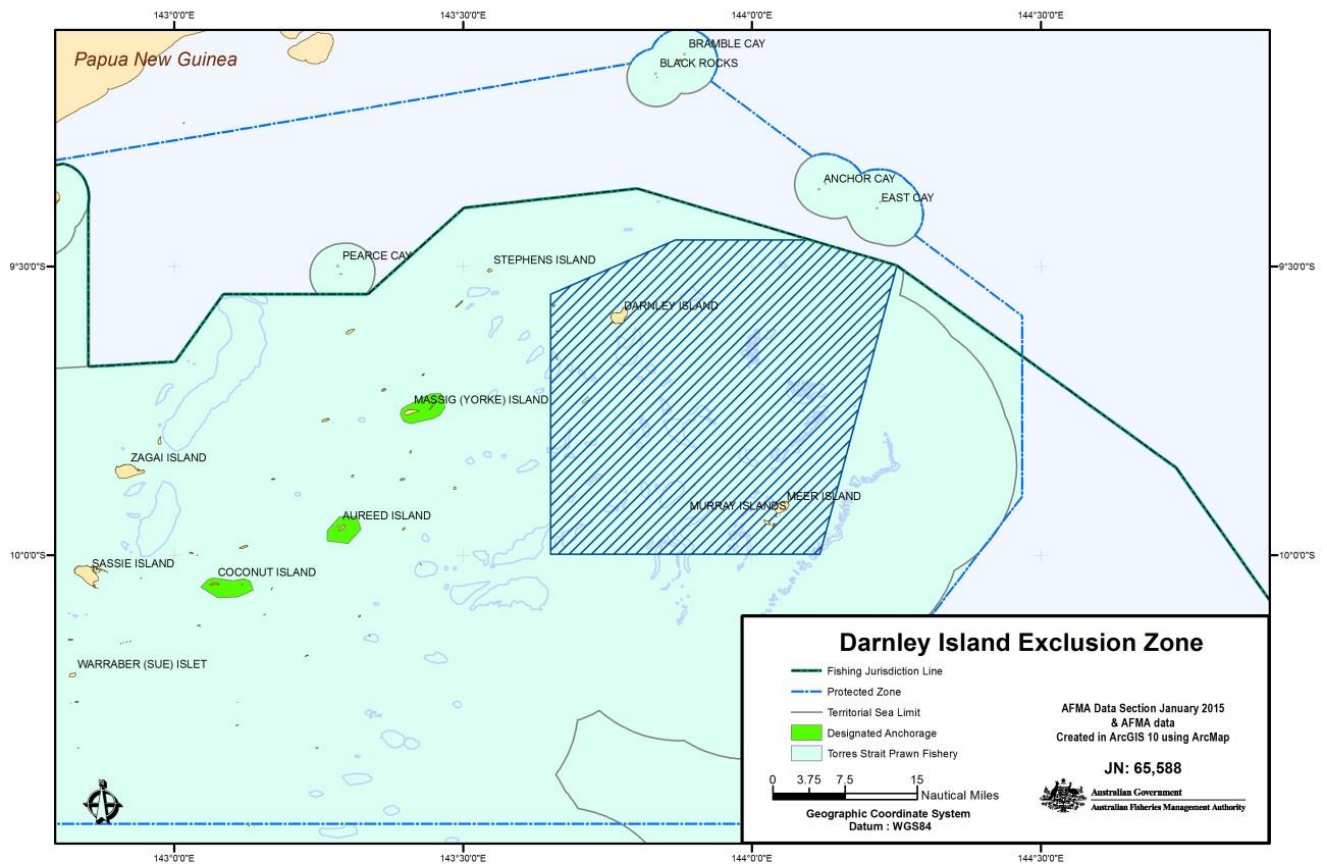


Figure 16. Map of Darney Island exclusion zone.

8.6 Deliverance, Kerr and Turu exclusion zones

In May 2008 the PZJA agreed to implement exclusion zones under the Plan around Deliverance Island, Kerr Islet, and Turu Cay. These areas have been excluded from the fishery in response to concern about the important nesting areas for Green and Flatback turtles.

Carriage of equipment: In the Deliverance Island, Kerr Islet, and Turu Cay exclusion zones all equipment that is capable of being used for any kind of trawling, or being used for taking Prawns (this includes nets, boards, beams, and skids) must be carried so that all of the equipment is out of the water, or if any part of the equipment is in the water that all codends are open and drawn up to the boat so that the codends would be visible from an aircraft or another boat and the boards are at the blocks.

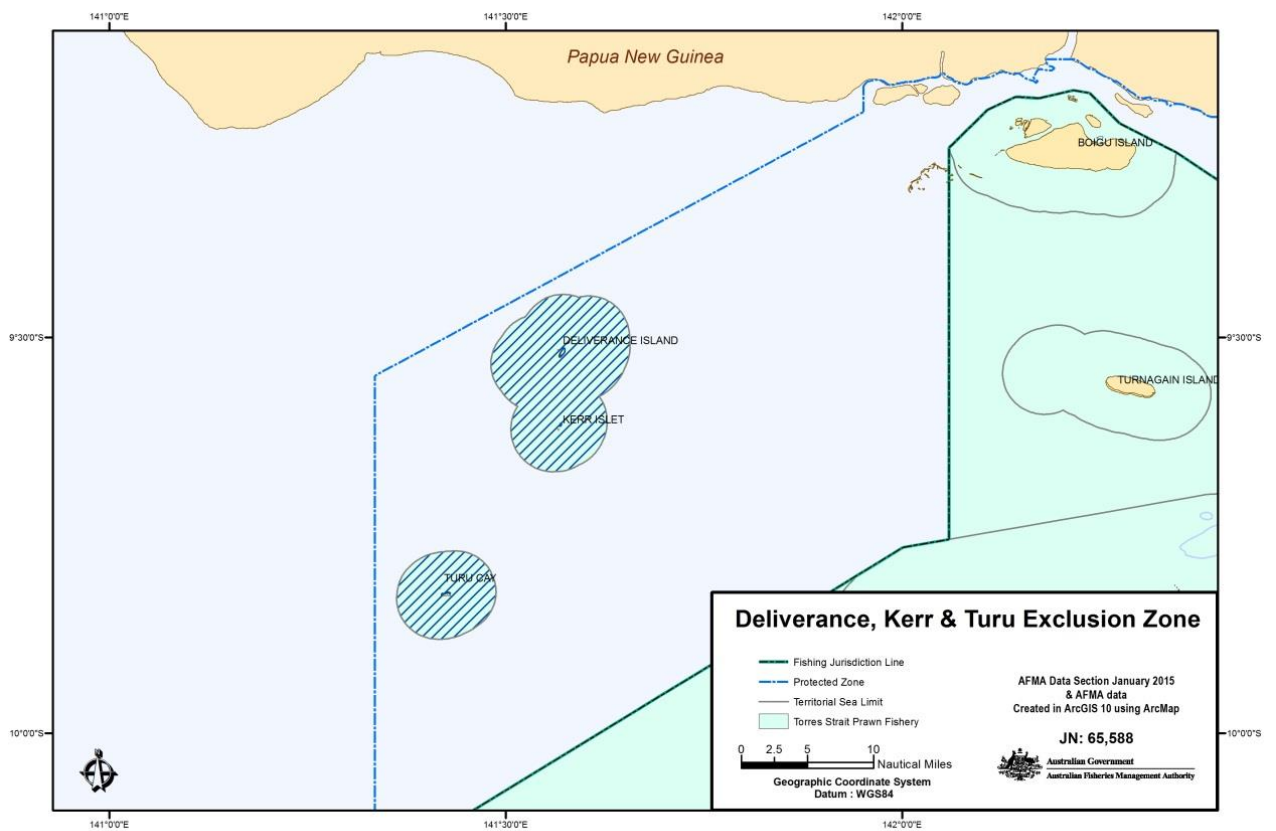


Figure 17. Map of Deliverance, Kerr and Turu exclusion zones.

8.7 East of Warrior Reef seasonal closure

This closure was introduced following a request from industry with the aim of improving the economic yield from the prawns harvested in this area by protecting juvenile prawns.

Timing: The east of Warrior Reef closure applies every year from 0600 hours local time on 1 December in any year and ends at 1700 hours local time on 31 July in the following year.

Carriage of equipment: During the seasonal closure of the entire fishery all equipment that is capable of being used for any kind of trawling, or being used for taking Prawns (this includes nets, boards, beams, and skids) must be carried either in the racks or on the deck; except between 1200 hours and 1700 hours local time on 1 February (in any year), the boat is anchored; or between 0600 hours and 1800 hours local time on 1 December (in any year), all equipment is out of the water or if any part of the equipment is in the water - that part is drawn up to the boat and is visible from nearby aircraft or boat; and if the equipment includes codends, the codends are open.

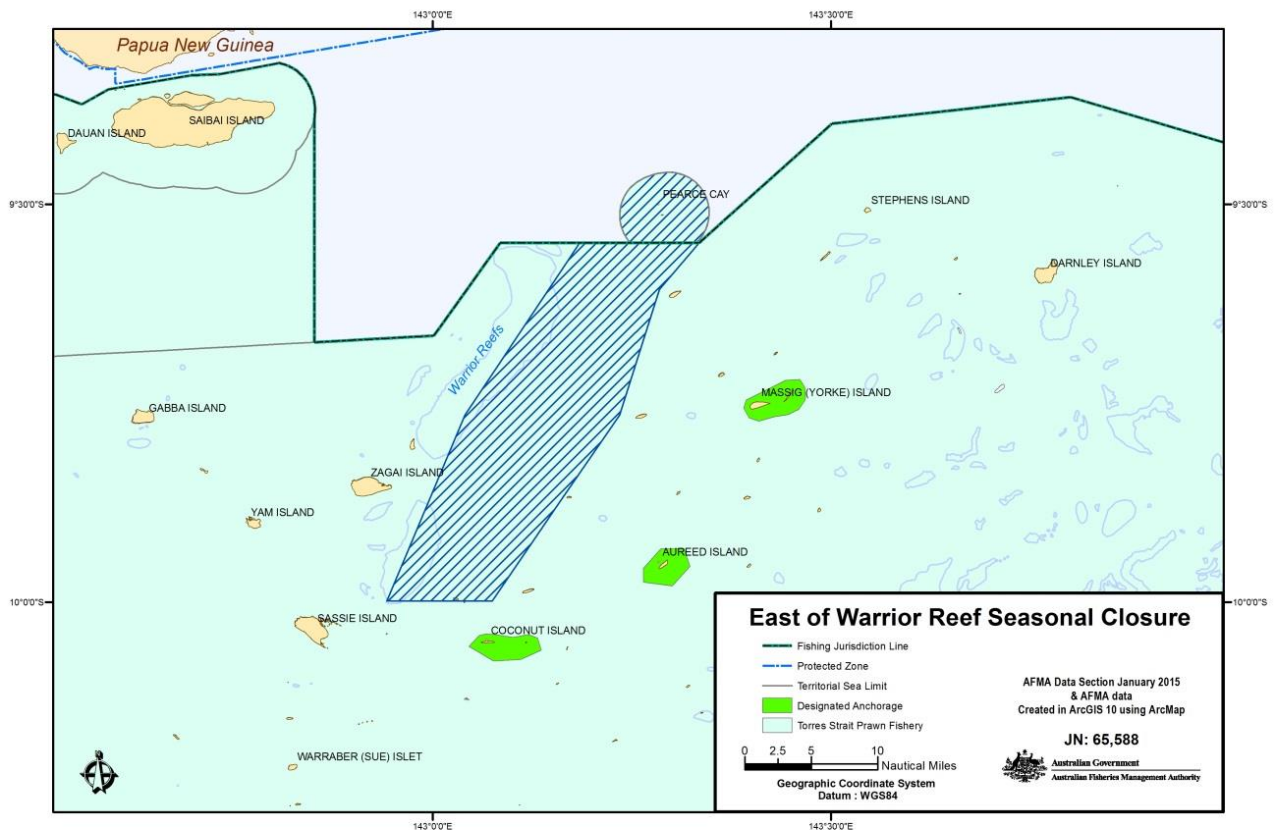


Figure 18. Map of East Warrior Reef exclusion zone.

9 Breaches of regulations

The Torres Strait Treaty allows Australian authorities to consider cancellation or suspension of Australian TSPZ licences held by persons convicted under the Commonwealth *Torres Strait Fisheries Act 1984* (the Act) for either:

- breach of PNG law; or
- being found by the Australian authorities, on the basis of the available evidence, to have contravened or failed to comply with a condition of a licence while fishing in PNG jurisdiction of the TSPZ.

If an Australian boat, endorsed by PNG under catch sharing arrangements to fish in the PNG sector of the TSPZ, is charged under the Commonwealth the Act for breach of PNG law, the PNG authorities may, if the Commonwealth Government requests, cancel or suspend this endorsement.

The Treaty requires Australia to consider in Australian courts corrective action (including apprehension of a suspected offender, prosecution, execution of penalties ordered by a Court and cancellation/suspension of licences) against Australians who breach PNG law.

The Act allows the Australian authorities to suspend, for up to one month, an Australian vessel licence on reasonable suspicion that:

- there has been a breach or failure to comply with a condition to which the licence is subject;
- the licence holder or a person acting on their behalf has done an act prohibited by a Notice or Instrument; or
- the applicant for the licence knowingly made a false or misleading statement in relation to a material particular in the application.

In July 1999 the PZJA agreed that Master Fisherman's licences will be suspended for serious fisheries offences (i.e. fishing in closed waters) in the TSPF as follows:-

First Offence	3 month suspension
Second Offence	12 month suspension
Third Offence	5 year suspension

10 Protecting and Respecting the Torres Strait Environment and People

This section of the handbook is an adaptation of the Code of Practice for Responsible Disposal of Marine Debris, a TSPMAC initiative from 2010. It aims to provide operators with information to help them to understand the rules around marine pollution as well as a code of practice to ensure best practice around these issues.

The original code of practice was produced after concern was raised regarding the amount of trawl rubbish present in some areas of the Torres Straits. Although only a component of this rubbish is likely to be associated with prawn trawling vessels, the TSPMAC agreed it was worthwhile developing a code of practice to further guide the industry in ways to minimise the risk of trawl rubbish and pollution at sea.

Fishermen have an added responsibility not to pollute the resource that provides their livelihood. In the Torres Strait in particular, 1000's of people in Island communities are dependent on the oceans for food and income. For this reason, irresponsible disposal of marine debris at sea has always been under the spotlight in the TSPF. When fishers make a conscious effort to minimise their impact on the region this has a positive effect on relationships with traditional inhabitant communities, hopefully leading to more effective and easier management of the fishery.

This section sets out some mandatory requirements under the International Convention for the Prevention of Pollution from Ships (MARPOL) relevant to the TSPF. In addition, it outlines voluntary guidelines and standards of behaviour for responsible fishing practices to ensure the effective conservation, management and development of resources, with due respect for the ecosystem and biodiversity. As this document is a guideline only, it is the fishers' responsibility to understand the relevant legislation and other mandatory documents such as MARPOL. Any inconsistency between this document and any PZJA or Commonwealth Government legislation such as the *Torres Strait Fisheries Act 1984* or *Protection of the Sea (Prevention of Pollution from Ships) Act 1983* should be resolved by reference to the Legislative Instruments.

10.1 Laws and Conventions Controlling Marine Pollution in Australia

MARPOL

Pollution of the marine environment by ships of all types, including fishing vessels, is strictly controlled by the International Convention for the Prevention of Pollution from Ships (known as MARPOL 73/78). Australia is a signatory to this convention, which is now enforced in over 100 countries. The Australian Maritime Safety Authority (AMSA) administers the Convention. Its regulations are implemented through Commonwealth and State/NT legislation. There are heavy penalties for not complying with the laws.

The Australian MARPOL regulations apply to Australian fishing vessels wherever they are operating. Australian laws can be applied against foreign fishing vessels operating anywhere within Australia's 200 nautical mile exclusive economic zone.

Reporting Pollution

Under the laws pollution or potential pollution incidents should be reported to the authorities. Boats will avoid prosecution where an accident has occurred and everything has been done to minimise the pollution. Not reporting a pollution incident may result in a fine. Reporting pollution may eliminate your boat as a suspect.

Pollution incidents can be reported to the Australian Search and Rescue Centre or the local port/marine/transport authority, and the incident will be investigated. Please provide relevant details of the incident such as when and where incident occurred, name of the boat, type and extent of pollution and any other information.

The Australian Search and Rescue Centre operate 24 hours and can be contacted on:

Freecall 1800 641 792
Ph: (02) 6230 6811
Fax: (02) 6230 6868

Pollution report messages via a Telstra Maritime Communications Station are free of charge. For further information on the legislation, contact:

Marine Environment Protection Services

Australian Maritime Safety Authority

GPO Box 2181
CANBERRA ACT 2601
Telephone: (02) 6230 6811
Freecall: 1800 641 792
Facsimile: 02 2630 6868

or visit the [Australian Maritime Safety Authority website](#).

Other legislation

Marine pollution within Australia is also regulated through the Commonwealth Protection of the Sea (Prevention of Pollution from Ships) Act 1983, and in QLD through the;

Protection of the Sea (Prevention of Pollution from Ships) Act 1983
the Transport Operations (Marine Pollution) Act 1995;
the Transport Operations (Marine Pollution) Regulations 2008;
the Transport Operations (Marine Safety) Act 1994; and
the Transport Operations (Marine Safety) Regulations 2004.

Shore facilities

If mothership or shore facilities are not adequate for the disposal of your oil or garbage, let the marina owner or port authority know. You should also notify State/Territory and local officials of the inadequate facilities to allow the relevant bodies to consider if there is a need to upgrade the facilities.

10.2 Mandatory Requirements for TSPF licence holders under MARPOL

When adhering to the Code of Practice for the Torres Strait Prawn Fishery we advise to note that the following key elements of MARPOL 73/78 are **mandatory for TSPF operators to comply with**:

- A total ban on the disposal of plastics at sea;
- A ban on any disposal of garbage within 12 nautical miles of land, or 500m of a floating platform.

NOTE: The MARPOL 73/78 definition of “nearest land” prohibits operational discharges in the Torres Strait region.

- A ban on the discharge of oil or chemicals into the sea;
- All vessels of 12 metres or more in length are required to display placards setting out the disposal requirements of MARPOL 73/78. (For further details see Marine Notice 6/1997 and 6/1998.);
- The only allowable discharge of an oily mixture is at a rate of 15 parts of oil to one million parts of water; and

Any other waste oil and oily residues must be stored on board for disposal at port waste disposal facilities including bilge water with any concentration of oil.

As well as abiding by MARPOL and other regulations, TSPF operators will adhere to the following code of practice in relation to marine debris or garbage disposal and oil spills/pollution.



10.3 Code of Conduct for the disposal or waste and trawl rubbish

Rubbish

1. Minimise the taking aboard of potential garbage such as excess packaging;
2. all rubbish should be returned to home port or the mothership, i.e. minimise rubbish being taken to Torres Strait
3. Store all rubbish retained in suitable secure containers for return to port;
4. Not dispose of rags, glass, metal, bottles, crockery and similar refuse at sea;
5. Not dispose of material that will float, regardless of the distance from land;
6. As far as practical, collect and stow all plastic and floating garbage disposed by others and found at sea for disposal on land;
7. Cut all plastic waste which forms a continuous loop to minimise impact should these be accidentally lost at sea;
8. Where possible, pass on waste / oil etc to mother ships to avoid having large amounts of waste on the vessel which would be at risk of loss or spillage.

9. When waste is in port, use product specific waste disposal facilities (oil, sewerage) where provided.

Gear

10. Make all attempts to recover any lost gear.
11. Report any unrecovered gear to the PZJA and search and rescue authorities (table 1).
12. Utilise products packaged in or made of materials other than disposable plastic to replenish ship supplies unless a reusable plastic alternative is available.

What are considered plastics?

Plastic materials used at sea include synthetic materials such as:

- trawl and fishing nets
- bait gaskets
- synthetic rope
- paints
- plastic sheeting
- electrical / electronic
- "six pack" holders
- disposable eating utensils
- fibreglass

11 Index of Fisheries Management Instruments and Notices

Fisheries Management Instruments outline the rules and regulations in fisheries in addition to the rules within the *Torres Strait Prawn Fishery Management Plan 2009* and *Torres Strait Fisheries Act 1984*. A list of instruments current as of January 2016 and relevant to the TSPF is in the table below. The [instruments can be found on the PZJA website](#).

Notice No.	Description
43	Torres Strait Prawn Fishery – Prohibition on taking Prawns (Time allocation) and amendment to FMN No 40.
47	Torres Strait Fisheries – restriction on size of boats
71	Torres Strait Prawn Fishery – restriction on net sizes
81	Torres Strait Prawn Fishery – requirement for use of Turtle Excluder Device
82	Requirement for use of bycatch reduction devices
Instrument No.	Description
2	Torres Strait Prawn Fishery – Prohibition on taking Prawns and carrying equipment (exclusion zones)
4	Torres Strait Prawn Fishery – Prohibition on taking Prawns by Papua New Guinea boats
5	Revocation of Fisheries Management Notices 19 and 61
10	Torres Strait Prawn Fishery – Prohibition on taking Prawns (time allocation, transit zone and designated anchorages) and revocation of FMI 1. Torres Strait Prawn Fishery – Prohibition on taking Prawns and carrying equipment (seasonal area closures) and revocation of FMI 3.

Extract from the Papua New Guinea *Torres Strait Fisheries Act*

Carriage of equipment while on route between two areas of Australian jurisdiction

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12 Maps

The map of the TSPF below is indicative only. The charts listed below are given as a reference to fishermen so they can accurately plot the different closures and boundary lines within the Torres Strait Protected Zone.

AUS 376 Torres Strait (West of Warrior Reef exclusion zone) (the Fisheries Jurisdiction Line is marked on this chart).

AUS 377 Bligh entrance to Eastern Fields (Darnley Island exclusion zone) (the Fisheries Jurisdiction Line is marked on this chart).

AUS 839 Cairncross Island to Arden Island (Outside but near area of the prawn fishery).

AUS 840 Arden Island to Bramble Cay (East of Warrior Reef seasonal closure).

12.1 Fisheries jurisdiction line

Feedback from fishermen indicates that the fisheries notices in this Handbook are useful for skippers to enter the co-ordinates of closures in their plotters and charts. The co-ordinates of the Australia-PNG Fisheries Jurisdiction line are defined in the *Torres Strait Fisheries Act 1984* but not specifically detailed in the notices in the Handbook. In order to assist skippers who may find this useful the co-ordinates of this line are set out below.

Co-ordinates of the Fisheries Jurisdiction Line as provided in Annex 8 to the Torres Strait Treaty.

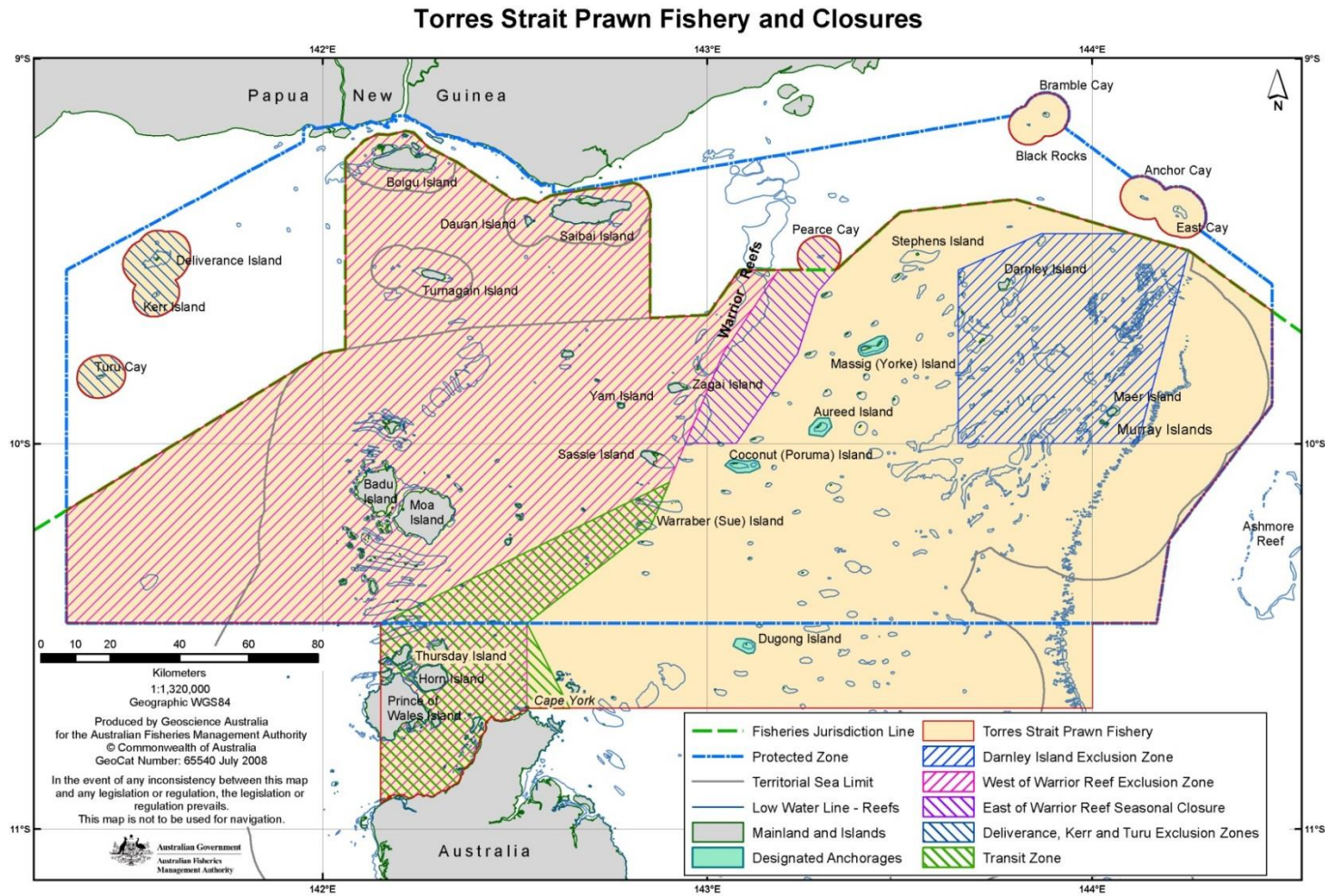
A line-

- (a) commencing at the point of Latitude 10° 50' 00"South, Longitude 139° 12' 00"East;
- (b) running thence south-easterly along the geodesic to the point of Latitude 11° 09' 00"South, Longitude 139° 23' 00"East;
- (c) thence north-easterly along the geodesic to the point of Latitude 10° 59' 00"South, Longitude 140° 00' 00"East;
- (d) thence north-easterly along the geodesic to the point of Latitude 9° 46' 00"South, Longitude 142° 00' 00"East;
- (e) thence north-easterly along the geodesic to the point of Latitude 9° 45' 24"South, Longitude 142° 03' 30"East;
- (f) thence north along the meridian of Longitude 142° 03' 30"East to its intersection by the parallel of Latitude 9° 15' 43"South;
- (g) thence north-easterly along the geodesic to the point of Latitude 9° 12' 50"South, Longitude 142° 06' 25"East;

- (h) thence north-easterly along the geodesic to the point of Latitude 9° 11' 51"South, Longitude 142° 08' 33"East;
- (i) thence south-easterly along the geodesic to the point of Latitude 9° 11' 58"South, Longitude 142° 10' 18"East;
- (j) thence north-easterly along the geodesic to the point of Latitude 9° 11' 22"South, Longitude 142° 12' 54"East;
- (k) thence south-easterly along the geodesic to the point of Latitude 9° 11' 34"South, Longitude 142° 14' 08"East;
- (l) thence south-easterly along the geodesic to the point of Latitude 9° 13' 53"South, Longitude 142° 16' 26"East;
- (m) thence south-easterly along the geodesic to the point of Latitude 9° 16' 04"South, Longitude 142° 20' 41"East;
- (n) thence south-easterly along the geodesic to the point of Latitude 9° 22' 04"South, Longitude 142° 29' 41"East;
- (o) thence north-easterly along the geodesic to the point of Latitude 9° 21' 48"South, Longitude 142° 31' 29"East;
- (p) thence south-easterly along the geodesic to the point of Latitude 9° 22' 33"South, Longitude 142° 33' 28"East;
- (q) thence north-easterly along the geodesic to the point of Latitude 9° 21' 25"South, Longitude 142° 35' 29"East;
- (r) thence north-easterly along the geodesic to the point of Latitude 9° 20' 21"South, Longitude 142° 41' 43"East;
- (s) thence north-easterly along the geodesic to the point of Latitude 9° 20' 16"South, Longitude 142° 43' 53"East;
- (t) thence north-easterly along the geodesic to the point of Latitude 9° 19' 26"South, Longitude 142° 48' 18"East where it joins the outer limit of the three mile territorial sea of Saibai Island;
- (u) thence along that outer limit so as to pass to the east of Saibai Island to the point of Latitude 9° 23' 40"South, Longitude 142° 51' 00"East;
- (v) thence south along the meridian Longitude 142° 51' 00"East to its intersection by the parallel of Latitude 9° 40' 30"South;
- (w) thence north-easterly along the geodesic to the point of Latitude 9° 40' 00"South, Longitude 143° 00' 00"East;
- (x) thence north-easterly along the geodesic to the point of Latitude 9° 33' 00"South, Longitude 143° 05' 00"East;

- (y) hence east along the parallel of Latitude $9^{\circ} 33' 00''$ South to its intersection by the meridian of Longitude $143^{\circ} 20' 00''$ East;
- (z) thence north-easterly along the geodesic to the point of Latitude $9^{\circ} 24' 00''$ South, Longitude $143^{\circ} 30' 00''$ East;
- (za) thence north-easterly along the geodesic to the point of Latitude $9^{\circ} 22' 00''$ South, Longitude $143^{\circ} 48' 00''$ East;
- (zb) thence south-easterly along the geodesic to the point of Latitude $9^{\circ} 30' 00''$ South, Longitude $144^{\circ} 15' 00''$ East;
- (zc) thence south-easterly along the geodesic to the point of Latitude $9^{\circ} 51' 00''$ South, Longitude $144^{\circ} 44' 00''$ East;
- (zd) thence south-easterly along the geodesic to the point of Latitude $12^{\circ} 20' 00''$ South, Longitude $146^{\circ} 30' 00''$ East;
- (ze) thence south-easterly along the geodesic to the point of Latitude $12^{\circ} 38' 30''$ South, Longitude $147^{\circ} 08' 30''$ East;
- (zf) thence south-easterly along the geodesic to the point of Latitude $13^{\circ} 10' 30''$ South, Longitude $148^{\circ} 05' 00''$ East;
- (zg) thence south-easterly along the geodesic to the point of Latitude $14^{\circ} 38' 00''$ South, Longitude $152^{\circ} 07' 00''$ East;
- (zh) thence south-easterly along the geodesic to the point of Latitude $14^{\circ} 45' 00''$ South, Longitude $154^{\circ} 15' 00''$ East; and
- (zi) thence north-easterly along the geodesic to the point of Latitude $14^{\circ} 05' 00''$ South, Longitude $156^{\circ} 37' 00''$ East where it terminates.

12.2 Map of the Torres Strait Prawn Fishery and Closures



13 Fishery Observer Program

13.1 Objective of the program

Introduced in the 2005 fishing season, the purpose of the TSPF Observer Program is to place independent scientific observers on fishing boats to collect fishery independent scientific data, including commercial catch, bycatch and Threatened, Endangered and Protected (TEP) species information. This data is used to validate logbook data, improving the quality and certainty of scientific data for the fishery and assisting the fishery to report against the Bycatch Action Plan (BAP) and the Ecological Risk Assessment (ERA) and for developing Ecological Risk Management frameworks. Since the 2010 fishing season, the observer program has also collected data on species of particular cultural significance to the Torres Strait Islander community.

The observer program has several benefits to industry including:

- Reduction in other management and reporting requirements for fisherman, as validated catch information means fishers are not required to validate data in other more complex ways.
- Strong scientific data provides more certainty when setting annual catch limits, allowing them to be set at higher levels with certainty. When data is uncertain, more conservative levels must be used.
- The observer program also provides a valuable avenue for fishers to ask questions about the fishery face to face with AFMA staff and provide feedback to AFMA.

13.2 Requirements to take an observer

It is a condition of licences that licence holders take an AFMA observer on their boat when asked to do so. Refusing to take an observer may result in prosecution. More importantly, when people refuse to take observers, it can affect the usefulness of the fishery data, and may result in more stringent reporting requirements being placed on all licence holders across the fishery.

The number of observer days achieved each year varies and is based on 2.6 percent of the number of actual days fished in a given season.

Boat owners and masters wishing to participate in the observer program should contact the Observer Coordinator to organise placement. The Observer Program wish to express their thanks for the cooperation of industry and boat crews involved in the program to date.

Observer Manager

Australian Fisheries Management Authority

Phone: (02) 6225 5555

Fax: (02) 6225 5440

Email: observers@afma.gov.au



14 Other Information

14.1 Interactions with protected species under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)

It is an offence to kill, injure, or move a protected species listed under Part 13 of the EPBC Act in Commonwealth waters without the appropriate approval issued under that Act.

All Commonwealth managed fisheries have been assessed and accredited under the EPBC Act on the basis that the management plan includes all reasonable steps to ensure that members of protected species are not adversely affected by the fishing operation. As long as operators are fishing in accordance with the fishery management plan it is not an offence to interact with a protected species. It is, however, an offence not to report these interactions.

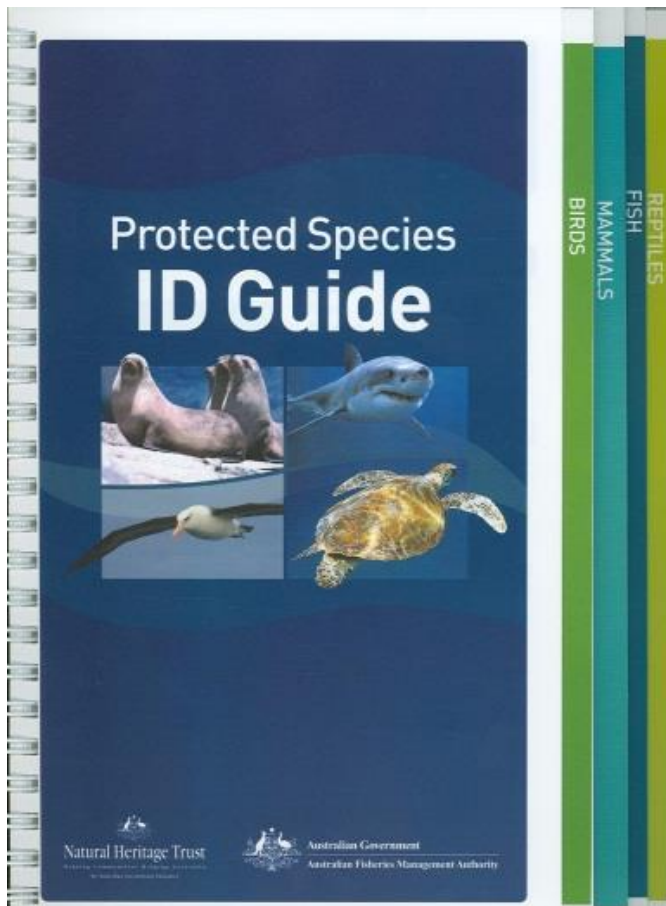
<p style="text-align: center;">Failure to report an interaction with a protected species is an offence under the EPBC Act.</p>

What is a protected species?

The classification of a species as “protected” provides for the recovery of populations and/or the long-term conservation of a species. The EPBC Act establishes four categories of protected species in Commonwealth managed areas:

1. Listed threatened species or ecological communities – species or communities whose survival is threatened, e.g. those with low population numbers or which have had a reduction in habitat or distribution.
2. Listed migratory species – listed to provide protection for species listed under the international *Convention on Migratory Species*.
3. Listed marine species – listed to provide general protection to Australia’s native marine wildlife to reduce the likelihood of population decline.
4. All cetaceans.

Commonwealth managed fishery operators should note that individuals from the following groups are protected; all whales, dolphins, seabirds, sea snakes, turtles, seals and sea lions, syngnathids (sea horses, sea dragons and pipefish), Sawfishes (Green, Dwarf and Freshwater), crocodiles, dugongs, some sharks (Great White, Grey Nurse, Short-fin Mako, Long-fin Mako, & Porbeagle) and other fish protected under the EPBC Act.



A full listing of protected species is available on the Department of Environment website at: www.environment.gov.au. AFMA has also provided a Protected Species Identification Guide to TSPF operators. For a copy of the guide contact the Senior Environment Officer on the contact details listed below.

What is an interaction with a protected species?

"Interaction" means any physical contact that you (personally, your boat or your fishing gear) has with a protected species that causes death, injury or stress to an individual member of a protected species. This includes any incidental collision, catching, hooking, netting, entangling, or trapping of a protected species.

Reporting an Interaction

- TSP operators must report all interactions with protected species in the Torres Strait Prawn Fisheries Daily Fishing Log (NP16) or the e-log.
- Operators, who have an interaction with a turtle, sawfish, seasnake, or a syngnathid (seahorse, pipefish, sea dragon) must record the interaction on the daily catch and effort log page.
- Operators, who have an interaction with a protected species other than those listed on the log page, are required to circle **Yes** in the box at the bottom of the log page and fill out the *Listed marine and threatened species* form located at the back of the logbook. The completed form must be returned to AFMA with the corresponding logsheets at the end of the fishing trip.
- **If there is an observer present, immediately inform them of the interaction. You are still required to report the interaction in your logbook.**

To assist operators in fulfilling their reporting obligations, AFMA provides a protected species interaction summary report to Department of Environment on a quarterly basis on behalf of fishers who report interactions in their logbook. These reports are published on the AFMA website at: <http://www.afma.gov.au/managing-our-fisheries/environment-and-sustainability/protected-species/>

Remember: Don't get caught just report!

Further information on interactions with protected species

Further information on interactions with protected species can be obtained from the AFMA environment section on (02) 6225 5555 or contact AFMA Direct on 1300 723 621.

Interactions with tagged wildlife

Researchers investigating wildlife species will periodically tag animals (or use bands, in the case of seabirds) to help improve the understanding of their biology and population.

Operators who capture a tagged animal should:

- record the details in the *Listed marine and threatened species* form, with the band or tag number inserted in the appropriate section of the form; and
- record the following details in the Comments section:
 - tag or band number and colour;
 - species identification or description (photos are very useful);
 - size;
 - sex; and
 - time, date and position of capture.

If the tagged animal is captured alive, operators should record as many details as possible about that animal then release it as carefully as possible, noting the condition in which it was released. AFMA will arrange to notify the appropriate researchers.

14.2 Other reading

PZJA Annual Reports

The PZJA has produced an annual report since its inception in February 1985. The annual reports provide background on the Treaty and the PZJA, information on the status of each fishery under PZJA control (including prawn) and financial details and decisions of the PZJA each year. The [PZJA annual reports are available on the PZJA website](#).

ABARES Fishery Status Reports

ABARES provides regular independent assessments of the status of Commonwealth managed fish stocks and the Fishery Status Reports provide an overview on the stocks of each fishery. Over time, the reports provide a means of monitoring whether management strategies are succeeding in sustaining the resources upon which each fishery is based. The reports are available for download from the ABARES website (www.abares.gov.au).

14.3 Turtle recovery procedures

The following guidelines re intended to help skippers and crews reduce deaths of any sea turtles caught when prawn trawling. The guidelines below are a copy of those provided (in colour) in the TSPF logbooks.



Code of Fishing Ethics: The Capture of Sea Turtles

Sea turtle mortality is caused by a number of factors including direct harvest by indigenous people, ingestion of marine debris, predation by introduced animals, fungal and bacterial infections of eggs, entanglement in shark nets, boat propellor strikes and incidental capture in fishing gear. Although trawl related mortality is minimal, the commercial fishing industry still needs to assist in the conservation of endangered sea turtles.

By following this code of fishing ethics, fishers can assist in minimising the impact of their trawling operations on sea turtles. Individual fishers are encouraged to adhere to the code of fishing ethics.

Refrain from trawling within 2 to 3 nautical miles of 'major' turtle nesting beaches during turtle nesting season.

Why: to minimise the possibility of nesting turtles being caught in trawl nets.

Limit trawl shots to less than 90 minutes in areas of high turtle numbers.

Why: to minimise mortality of turtles caught in trawl nets. Turtles caught in trawl nets have better chance of surviving if trawl shots are less than 90 minutes.

Apply recovery procedures when appropriate. Return lively turtles to the water as soon as possible. Why: to help the recovery of turtles accidentally caught in trawl nets thereby minimising unnecessary mortality.

Forward information on tagged or marked turtles caught to Southern Fisheries Centre.

Why: to help find out about basic turtle biology such as distance moved and life spans.

Participate in research programs monitoring the incidental capture of turtles in trawl nets. Why: to assist the collection of data to determine if trawling does/does not affect sea turtles.

Participate in research programs trialing by-catch excluding equipment. Why: through fishers participating in these trials an excluder device which is most suitable to your fishing grounds is more likely to be developed, something which will advantage fishers and turtles.



For further information contact:

QCFO (07) 3262 6855

or

Southern Fisheries Centre (07) 3817 9500

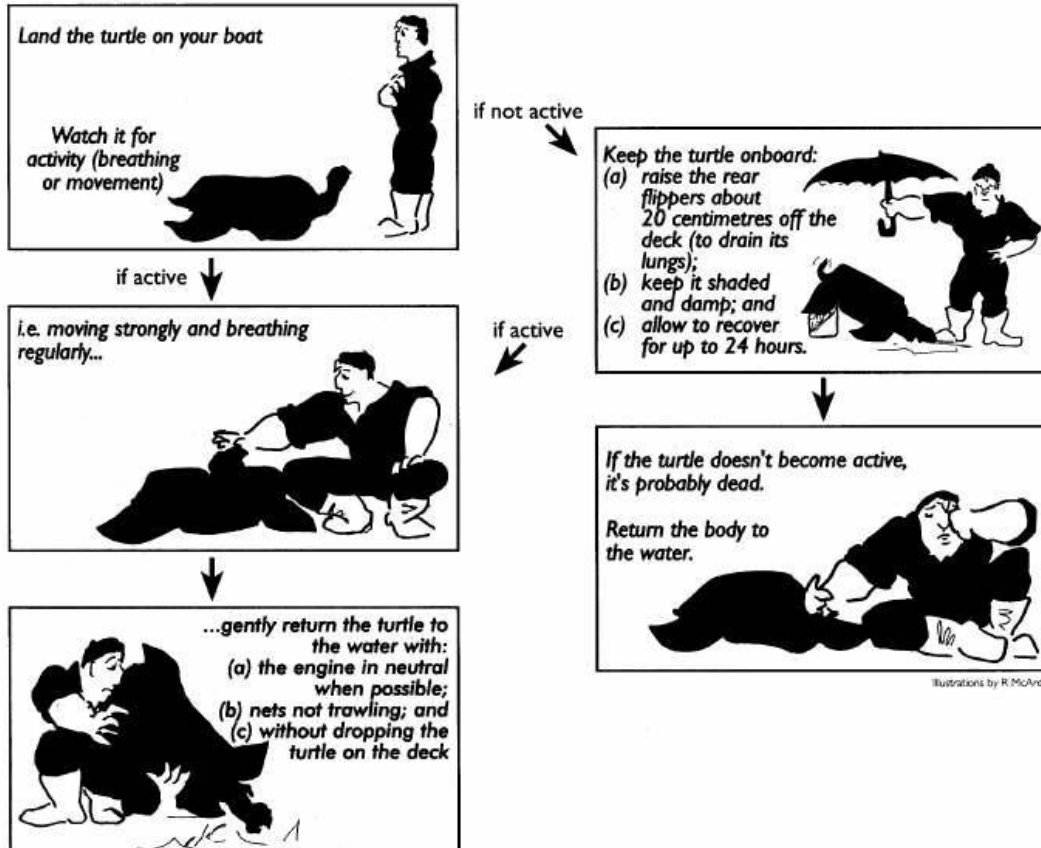


FISHERIES
RESEARCH &
DEVELOPMENT
CORPORATION



Turtle Recovery Procedures

Sea turtles caught in trawl nets may be stressed. Most are conscious and able to swim away after removal from the net, but some may be tired or appear lifeless. Turtles that appear lifeless are not necessarily dead. They may be comatose. Turtles returned to the water before they recover from a coma will drown. A turtle may recover on board your boat once its lungs have drained of water. This could take up to 24 hours. By following these steps you can help to prevent unnecessary turtle deaths:



Additional information

All records of turtle catches and deaths are important. If you catch a sea turtle record when, where, what species and what condition it was in when released. Record any tag numbers that may be on the front flippers of the turtle. This information should be recorded on your compulsory fishing log book or passed on to the Southern Fisheries Centre, telephone: (07) 3817 9500.

Indo-Pacific marine turtles



Dermochelys coriacea (Leatherback turtle)



Lepidochelys olivacea (Olive ridley turtle)



Eretmochelys imbricata (Hawksbill turtle)



Caretta caretta (Loggerhead turtle)



Natator depressus (Flatback turtle)

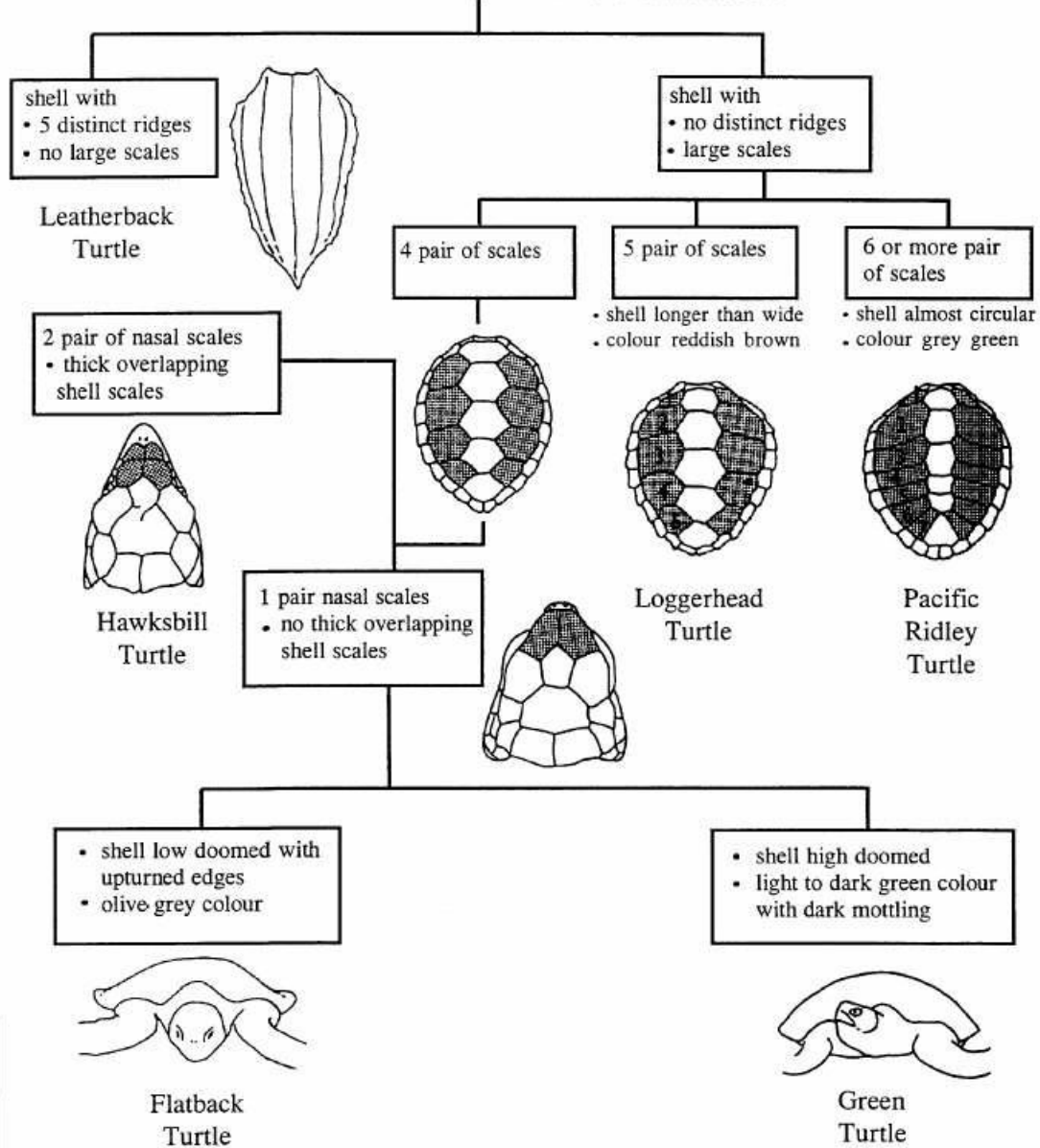


Chelonia mydas (Green turtle)



Queensland
Department of
Environment and
Heritage

Guide to Sea Turtle Identification



Note: The colour of the shell may vary within species.

For more information contact the Southern Fisheries centre on (07) 3817 9500

14.4 Code of Practice for the handling of sharks and rays in the TSPF

Sharks and rays are elasmobranchs which means they have a cartilaginous skeleton rather than one consisting of bone as in the majority of fish species. This cartilaginous skeleton leaves sharks and rays susceptible to damage if handled inappropriately.

The internal organs of many shark and ray species are loosely held in place by connective tissue. When in the water these organs are supported, however when removed from the water, for example when on a sorting tray, the weight distribution changes and internal damage may occur. There is also the danger of damaging tendons which hold the vertebrae in place. This is particularly the case if the shark is lifted by the tail. These problems are less likely to damage small sharks, but it is best to try and lift sharks in a horizontal position. This is achieved by holding the shark by the tail with one hand, and placing the other hand under the stomach.

The use of turtle excluder devices in the TSPF has all but eliminated the capture of large sharks and rays which are most at risk to internal damage when removed from the water. However, increased awareness and better handling can further reduce the impact of the TSPF on smaller sharks and rays.

The methods below should be followed when sharks and rays are captured:

- **Crew safety is the highest priority.** In the first instance ensure that sharks and rays are handled in a safe manner, avoid handling near the jaws of sharks and avoid the tails of rays.
- **Return to the water quickly.** Sharks and rays should be the first species returned to the water. Not only will this result in reduced mortality for these species but also will reduce the damage caused to the prawns and other target species.
- **Handle carefully.** Sharks and rays should be returned to the water as gently as possible and supported by the tail with one hand with the other hand supporting the shark under the stomach. Often, if a shark is turned over onto its back and held upside down, it will become quite calm and easy to handle, probably because it becomes disorientated in this position.
- **Don't swing.** Sharks and rays should never be held solely by the tail and should never be swung into the water by the tail.

15 List of Contacts

MANAGEMENT (AFMA)

Manager, AFMA
Canberra
Torres Strait Fisheries
PO Box 7051
Canberra BC ACT
2610
AFMA direct:
1300 723 621
Phone: (02) 6225 5555
Fax: (02) 6225 5500

Senior Management
Officer (AFMA Canberra)
PO Box 7051
Canberra BC ACT
2610
AFMA direct:
1300 723 621
Phone: (02) 6225 5451
Fax: (02) 6225 5500

MANAGEMENT (QDAF)

Senior Fisheries
Management Officer
(Torres Strait)
QDAF
GPO BOX 46
BRISBANE QLD 4001
Call Centre: 13 25 23
Phone: (07) 3087 8071
Fax: (07) 3229 8146

LICENSING

PZJA Licensing Delegate
QDAF
GPO BOX 2764
BRISBANE QLD 4001
Call Centre: 13 25 23
Phone: (07) 3225 1868
Fax: (07) 3229 8182

PRAWN LOGBOOKS

Data Entry/ Logbook
Help (AFMA Canberra)
PO Box 7051
Canberra BC ACT
2610
AFMA direct:
Phone: (02) 6225 5542
Fax: (02) 6235 5440

ENFORCEMENT

Queensland Boating and
Fisheries Patrol
100-106 Tingira St
CAIRNS
QLD 4870
Call Centre: 13 25 23
Phone: (07) 4035 0700
Fax: (07) 4035 1603

VESSEL MONITORING SYSTEM (VMS) BREAKDOWNS

AFMA VMS SECTION
GPO Box 46
BRISBANE QLD 4001
Phone: (02) 6225 5369
Toll Free: 1300 723 621
Fax: (02) 6225 5500
vmsinfo@afma.gov.au

MANUAL REPORTING

Phone: (02) 6225 5369
Toll Free: 1300 723 621
Fax: (02) 6225 5500

TSPMAC TORRES STRAIT ISLANDER CONTACT

TSRA Fisheries Co-
ordinator
c/- Torres Strait Regional
Authority
PO Box 261
THURSDAY ISLAND
QLD 4875
Phone: (07) 4069 0700
Fax: (07) 4069 1879

TSPMAC INDUSTRY REPRESENTATIVES

MARSHAL BETZEL
Mobile: 0408 202 089
Phone: (07) 4035 1989
Fax: (07) 4035 1552
1300 723 621
RON EARLE
Mobile: 0429 594 219
Phone: (07) 4945 7132

NICK SCHULTZ
Mobile: 0400 012 904
Phone: (07) 4215 1485
Fax: 07 4125 5932

JIM NEWMAN
Mobile: 0429 647 824
Phone: (07) 4035 2229

ED MORISSON
Mobile: 0429 068 320

TRADITIONAL INHABITANT INDUSTRY MEMBERS

FRANCIS PEARSON
Mobile: 0438 716 225

JERRY STEPHEN
Mobile: 0458 123 170

Note: AFMA will contact the boat or licence holder by phone, fax or e-mail and advise that the VMS unit is not responding. However, if you become aware that your VMS is not operational, please inform AFMA immediately on the mobile telephone number listed above.

16 Prescribed Body Corporate Directory for TSPF Area

Before coming ashore any of the Torres Strait Islands (inhabited or uninhabited) you should contact the council office and speak to the PBC Body Corporate Chairperson and local councillor. Only the PBC chair needs to be contacted for uninhabited islands.

Kulkalgal (TSI) Corporation RNTBC
Responsible for Zuizin and Aureed (note these are uninhabited islands)
PBC Chair
Francis Pearson
Ph: 07 40900545
Email: francis.pearson@tsirc.qld.gov.au

Erubam Le Traditional Land and Sea Owners (TSI) Corporation RNTBC
Responsible for Erub (Darnley Island)
PBC Chair
Jim Gela
Ph: (07) 4069 4001
Mobile: 0418566071

Porumalgal (TSI) Corporation RNTBC
Responsible for Poruma (coconut Island)
PBC Chair
Frank Faid
Mobile: 0499010774
Ph: (07) 4090 0790
Email: frank_faid01@hotmail.com
(Please only contact by mobile in urgent situations, and only send an email after speaking with Frank first)

Ugar Ged Kem Le Zeuber Er Kep (TSI) Corporation RNTBC
Responsible for Ugar (Stephens Island)
PBC Chair
Seriako Stephen/Contact Person
Mobile: 0477669498
seristephen67@gmail.com

The Ugar PBC is also responsible for Campbell Island (uninhabited).

Masigalgal (TSI) Corporation RNTBC
Responsible for Masig (York Island)
PBC Chair
John Morris
Mobile: 0497 329 373
Email: johnm2713@gmail.com

Others areas included in the Masigalgal determination include:

Umaga (Pantric Island) Igaba (Marsden Island) Mauar (Rennel Island)
Bak (Bourke Island)
Damuth (Dalrymple Island)
Kadal (Kodal Island)
Roag (Smith Island)

