

**TORRES STRAIT FISHERIES MANAGEMENT ADVISORY
COMMITTEE MEETING – No. 5
24 – 25 May 2005
TSRA BOARD ROOM, THURSDAY ISLAND**

RECOMMENDATIONS FROM THE TSFMAC

Number	Agenda Item	Recommendation
1	2.1 <i>Specialist Group report</i>	<ol style="list-style-type: none">1. The TSFMAC AGREED that a meeting of the TSFMAC be held immediately prior to the PZJA (4 July) for the paper(s) to be discussed, and explore options for working group involvement in the process (meeting prior to TSFMAC).2. The TSFMAC NOTED that the short period for consultation is an issue that will not allow for full consultation of all stakeholders, and that the papers need to be provided to stakeholders at the earliest possible opportunity.

6	3.5 Turtle tagging project	The TSFMAC NOTED the current progress on the CRC Torres Strait funded marine turtle project which primarily aims to collect biological data on the marine turtle populations in Torres Strait.
7	4.1 Bêche-de-mer fishery survey and workshops	<p>The TSFMAC REQUESTED that AFMA ask CSIRO:</p> <ol style="list-style-type: none"> 1. for provision of report or draft of report as soon as possible; and 2. if abundance issues are addressed in the report to allow for the fishery to be opened. <p>The TSFMAC NOTED:</p> <ol style="list-style-type: none"> 1. the success of the CRC Torres Strait funded project entitled <i>Torres Strait Bêche-de-mer (sea cucumber) Sustainability Workshop 2005 – A Collaborative Approach</i>; and 2. the recent completion of the east Torres Strait bêche-de-mer stock survey undertaken by CSIRO.
8	4.2 Bêche-de-mer fishery Strategic Assessment	<p>The TSFMAC:</p> <ol style="list-style-type: none"> 1. NOTED the need to identify funding to support implementation of the recommendations; 2. RECOMMENDED that the TSSAC should review the research needs associated with the implementation of recommendations; and 3. RECOMMENDED that the PZJA Chair seek specific inclusion of community engagement in research where appropriate in recommendations in response to the recommendations from the Minister for Environment and Heritage.
9	4.3 Bêche-de-mer working group	<p>The TSFMAC:</p> <ol style="list-style-type: none"> 1. SUPPORTED the establishment and formation of a Hand Collectables Working Group (HCWG) to include fisheries such as bêche-de-mer, trochus and pearl shell to consider issues relating to these fisheries subject to funding confirmation; and 2. RECOMMENDED that PNG be asked to participate in the HCWG as observers at their own expense.
10	6.1 FFWG recommendations – Quota management	<p>The TSFMAC SUPPORTS the Working Group recommendations that:</p> <ol style="list-style-type: none"> 1. a TAC be established for the fishery. In the absence of stock assessments for each species, that the historical catches from the fishery be used to identify a stable period of production, the average of which would become the TAC; 2. the non-Islander sector should be allocated a share of the TAC and that they are managed to stay within that limit. ITQs were an option put forward by the working group but the TSFMAC noted industry now had concerns about this option. The TSFMAC recommends that the PZJA direct the WG to

		<p>explore the merits of ITQs, ITEs and other methods of management in light of the specialist group report and report to the TSFMAC in time for consideration at PZJA 19;</p> <p>3. the Islander sector being managed under the current arrangements but with a trigger in place to bring the Working Group together to develop an appropriate mechanism for controlling effort in that sector should Traditional Inhabitant catches since 2004 increase by 50% (pending further consultation). Note that this approach was supported by industry.</p>
11	6.2 FFWG recommendations – Maori wrasse	<p>1. The TSFMAC NOTED the recent CITES listing for Maori wrasse.</p> <p>2. The TSFMAC NOTED that the views of Stakeholders groups in relation to its status in TS are:</p> <ul style="list-style-type: none"> a) Industry – that Maori wrasse should remain a take species as per decisions of PZJA 17; b) Islanders – following further consultation all Islander representatives agreed that Maori wrasse should be a no take species; and c) Management – in light of new information on slow growth rate, longevity, rarity, large size at maturity, national concerns per the CITES listing, public perception of the management of this species in TS, that the PZJA reassess its decision to make Maori wrasse a take species. <p>3. The TSFMAC RECOMMENDS, noting the dissenting industry view, that the PZJA should reconsider its decision on Maori wrasse and make it a no take species.</p>
12	6.3 FFWG recommendations – Barramundi cod	<p>The TSFMAC NOTED that the Finfish Working Group:</p> <ul style="list-style-type: none"> 1. considered new information on barramundi cod from east coast research; 2. reaffirmed its decision to maintain a minimum size limit of 450mm but will review this as new biological advice from the Torres Strait becomes available; and 3. considers further research on this species as a high priority and that additional funding will be required.
13	6.4 FFWG recommendations – Red Bass	<p>The TSFMAC RECOMMENDS that the PZJA support the Working Group recommendation that a minimum legal length for Red Bass be set at 450mm and a maximum legal length at 550mm.</p>
14	6.5 FFWG recommendations – Live fish fishery	<p>The TSFMAC NOTED that the working group:</p> <ul style="list-style-type: none"> 1. considered the introduction of a live fish fishery, but because of concerns over inadequate control over catch/effort and the potential that a live fishery would more directly target the common coral trout; the FFWG recommends that the

		<p>prohibition on the take of live fish be continued; and</p> <p>2. still sees potential advantages in a live fishery and that this issue should continue to be re-appraised as the management of the fishery evolves.</p>
15	6.6 FFWG recommendations – Daytime closure Bramble Cay	<p>The TSFMAC RECOMMENDED that the PZJA support the Finfish Working Group recommendation that in waters surrounding Bramble Cay and Black Rocks, when TVH licence holders are fishing for Spanish mackerel:</p> <ol style="list-style-type: none"> 1. a daily fishing closure be implemented during the hours of 0930 hrs and 1500 hrs during the months of August to December; and 2. the fishing method be restricted to trolling only.
16	6.7 FFWG recommendations – Long term monitoring project Bramble Cay	<p>The TSFMAC NOTED that:</p> <ol style="list-style-type: none"> 1. the Qld long-term monitoring program for Spanish mackerel in the Torres Strait ceased in 2003 and that a voluntary program commenced in 2004 with three commercial fishers participating; 2. the voluntary sampling was commendable but that additional sampling must be undertaken to support a stock assessment for this fishery; and 3. an interim monitoring program will be implemented for the 2005 season whilst a more comprehensive program is developed for the longer term.
17	6.8 FFWG recommendations – Barramundi fishery	<p>The TSFMAC NOTED that the Working Group:</p> <ol style="list-style-type: none"> 1. supports the Boigu Island proposal in-principle provided the issues of fishing capacity and bycatch are addressed; and 2. encourages the completion of the report on the proposed net fishery and that this report be used as a guide in the development of the fishery.
18	6.9 FFWG recommendations – Strategic Assessment & BAP	<p>The TSFMAC ENDORSED the strategic assessment and BAP subject to a short review period (2 weeks) to allow members to again review the documents.</p>
19	6.10 FFWG recommendations – Shark finning	<p>The TSFMAC NOTED that Islander Fisher reps indicated their need to have further consultation on working group recommendations 2 (a), 2 (b) and 2 (c) and report back to the PZJA, but indicated that issue of prohibiting shark finning had in principle support.</p> <p>The TSFMAC RECOMMENDED that the PZJA endorse:</p> <ol style="list-style-type: none"> 1. the practice of ‘shark finning’ as defined in the National Plan of Action be prohibited; and 2. a prohibition on the take be implemented on:

		<ul style="list-style-type: none"> a. sharks greater than two metres in length (subject to further islander consultation); b. Hammerhead sharks (subject to further islander consultation); c. Tiger sharks (subject to further islander consultation) ; d. Grey nurse sharks; and <p>3. note that these arrangements will also be referred to the Prawn Working Group for consideration.</p>
20	6.10 FFWG recommendations – Management Objectives	The TSFMAC NOTED that the Finfish Working Group has been unable to further develop the draft management objectives for the fishery as requested by TSFMAC 3 but will endeavor to progress this matter at the next Finfish Working Group meeting.
21	7.1 TRL recommendations – Tender trading & licence amalgamation	<p>The TSFMAC NOTED agreement on the policy could not be reached, and a recommendation to the PZJA to endorse the policy could not be progressed. The views of each sector are detailed below:</p> <ul style="list-style-type: none"> 1. Islanders – policy premature until priority of access is sorted out; 2. Industry - this can't progress until policy is tidied up and detail in policy is addressed (particularly the wording of section 7.5) and allocation issue is finalised. The type of trading policy depends on the management system in place; and <p>Management – PZJA requested policy be delivered. This has been discussed in the TRLWG & TSFMAC. It was acknowledge that clarification of the policy required and will continue to be developed, but believe the policy is sound and could be considered if the PZJA should wish to do so.</p>
22	7.1 TRL recommendations – register of hookah	The TSFMAC RECOMMENDED that the PZJA should not require hookahs to be registered but that the PZJA inform fishers that they must provide complete details on the log and docket books or be required to register their hookahs in the future.
23	7.1 TRL recommendations – hookah closed area	The TSFMAC SUPPORTED the working group proposal for the agreed closure around Badu, Moa and Mabuiag Islands but noted that a final decision could not be made until the long-term management arrangements for the fishery are made clear.
24	7.1 TRL recommendations – fisheries management objectives	<p>The TSFMAC:</p> <ul style="list-style-type: none"> 1. NOTED that a subgroup has been formed and issue will be progressed; and 2. ASKED the Working Group to progress the matter as soon as possible.

25	7.1 TRL recommendations – night diving prohibition	<p>The TSFMAC RECOMMENDS that the PZJA endorse the working group recommendation on the prohibition on the take of lobsters by night diving where:</p> <ol style="list-style-type: none"> 1. it is prohibited to take, carry or process lobsters between 1900 and 0600 hours; 2. a person is exempt from the prohibition if that person does not have in his or her possession “diving equipment” on a boat measuring 6 m or less, or where diving equipment is in that persons possession, the diving equipment is securely stowed in a sealed bag where the seal cannot be removed without the aid of a device to cut the seal; and 3. “diving equipment” is defined as any of the following items of equipment: diving mask or goggles; fins or diving flippers.
26	7.1 TRL recommendations – one diver per hookah	<p>The TSFMAC NOTED the issue and the concerns of Working Group members but referred the matter back to the Working Group to monitor and consider again in light of what is decided in relation to future management arrangements for the fishery.</p>
27	7.2 TRL TOR for RAG	<p>The TSFMAC:</p> <ol style="list-style-type: none"> 1. ENDORSED the TOR and Reporting arrangements for the TRL RAG, noting reservations on the associated costs by industry; and 2. ENCOURAGED the PZJA to invite Queensland and PNG to nominate members to the RAG.
28	7.3 TRL QMS consultants report	<p>The TSFMAC NOTED that the report has been delayed but will be available for discussion at the special TSFMAC meeting prior to the PZJA, and will be distributed to all licence holders and TSFMAC & TRLWG members as soon as possible.</p>
29	8. Torres Strait docket book	<p>The TSFMAC:</p> <ol style="list-style-type: none"> 1. NOTED that the docket book system was in operation and was producing valuable information; 2. ENCOURAGED the participation of all TIB fishers in the program; and 3. EXPRESSED thanks to Vanessa Moore and Jim Prescott for their commitment and dedication in establishing and maintaining this program.
30	9. Consultative committee guidelines	<p>The TSFMAC NOTED the operating guidelines set out in the draft Fisheries Management Paper on the Torres Strait Fisheries Management Advisory Committee and Associated Committees and Working Groups.</p> <p>The TSFMAC ENDORSED the Fisheries Management Paper noting non islander industry concerns on the omission of peak representative bodies in the nomination process.</p>

31	<i>10. Cost recovery</i>	The TSFMAC NOTED : <ol style="list-style-type: none"> 1. that a policy on the application of cost recovery to indigenous fishers is currently being drafted for presentation at PZJA 18; 2. a proposal will be put to the next PZJA meeting for agreement to distribute for consultation, on a mechanism to implement cost recovery in these fisheries; and 3. draft estimates of the costs and cost per licence holder for cost recovery for the fisheries will be presented to the next PZJA meeting for their consideration.
32	<i>11.1 Domestic Compliance</i>	The TSFMAC NOTED concerns from Traditional Inhabitants about a compliance presence on the outer Islands.
33	<i>11.2 Foreign Compliance</i>	The TSFMAC NOTED the changes to AFMA's foreign compliance program.
34	<i>11.3 Impact of FFV on PZJA compliance</i>	The TSFMAC NOTED : <ol style="list-style-type: none"> 1. concern from Island reps to response times: 2. that recent initiatives have been implemented to minimise FFV impacts on the PZJA compliance program and these appear to be working, albeit during a period of less demand from the FFV program on Thursday Island; 3. that the Commonwealth proposal to directly deliver FFV services should prevent any impacts on the PZJA compliance program in the longer term; and 4. this information will also be provided to the PZJA as directed.

ACTION ITEMS

Number	Action Item	Action Agency
1	AFMA to ask CSIRO if a report on the results from the survey can be sped up (even a preliminary report), and if the report addresses abundance issues of the bêche-de-mer stocks of the east Torres Straits	AFMA
2	Sascha Taylor to provide Charles David with the survey on Warrior Reef that was conducted in January 2004	AFMA
3	The Executive summary of Tony Smith's report will be sent to members	AFMA
4	The Strategic Assessment and BAP be resent to working group members for a short comment period.	AFMA
5	Trysh Stone to provide an interim report on the research currently been undertaken in the Northern Prawn	AFMA

	Fishery studying the effects of trawling – ‘ <i>The knock-down project</i> ’ to Don Mosby and Rosemary Millward.	
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**TORRES STRAIT FISHERIES MANAGEMENT ADVISORY
COMMITTEE MEETING – No. 5
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MEETING AGENDA

A) *OPENING COMMENTS*

B) *APOLOGIES*

C) *ADOPTION OF AGENDA*

1. **Confirmation of the record of the previous TSFMAC meeting (02 – 03 November 2004)** FOR DECISION
2. **Outcomes of the meeting of the PZJA (01 – 02 February 2005)** FOR INFORMATION
3. **Turtle and Dugong Fishery** FOR INFORMATION/DECISION
 - 3.1 MACC Draft National Approach and Update on the NAILSMA Project
 - 3.2 Strategic Assessment: *Guidelines and Terms of Reference*
 - 3.3 Updated “*Dugong for our Children*” video
 - 3.4 Catch Monitoring Project: *An update*
 - 3.5 Turtle Tagging Project: *An update*
4. **Bêche-de-mer (sea cucumber) Fishery** FOR INFORMATION/DECISION
 - 4.1 CRC Torres Strait Sustainability workshops and fishery survey
 - 4.2 Strategic Assessment: *Recommendations from DEH*
 - 4.3 Establishment of bêche-de-mer working group
5. **Prawn Fishery** FOR INFORMATION/DECISION
 - 5.1 Observer program: *Brief report*
 - 5.2 Outcomes of negotiations with PNG and Torres Strait Islanders
 - 5.3 Planned alternative management workshop

6. Finfish Fishery

FOR INFORMATION/DECISION

- 6.1 Recommendations from the Finfish Working Group meeting (19 – 20 April 2005)
- *Introduction of Quota Management*
 - *Hump Headed Maori Wrasse – CITIES Listing*
 - *Barramundi cod size limits*
 - *Red bass size limits*
 - *Live fish fishery*
 - *Daytime closure at Bramble Cay*
 - *Long term monitoring program at Bramble Cay*
 - *Barramundi fishery in Top Western Islands*
 - *Strategic Assessment and BAP*
 - *Prohibition on “shark finning” and take of some species*
 - *Fishery Management Objectives*

7. Tropical Rock Lobster Fishery

FOR INFORMATION/DECISION

- 7.1 Recommendations from the TRL Working Group meeting (10 – 11 March 2005)
- *Tender trading and licence amalgamation*
 - *Register of hookahs*
 - *Hookah closed area*
 - *Fishery management objectives*
 - *Night diving prohibition*
 - *Limit of one diver per hookah*
- 7.2 Action from previous TSFMAC: *Terms of Reference for RAG*
- 7.3 Recommendations for introduction of a Quota Management System: *Consultants report*

8. Data from Torres Strait Docket book

FOR INFORMATION

- 8.1 Docket book update and summary of information

9. Consultative Committee Guidelines

FOR INFORMATION

10. Cost Recovery

FOR INFORMATION/DECISION

11. Compliance Update

FOR INFORMATION

- 11.1 Domestic compliance
- 11.2 Foreign compliance: *Australian Government initiatives*
- 11.3 Impact of Foreign Fishing Vessels on PZJA compliance

12. Other Business

D) NEXT MEETING

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DRAFT RECORD OF MEETING

THESE ARE **DRAFT** MINUTES WHICH HAVE BEEN DISTRIBUTED TO MEMBERS OF THE TORRES STRAIT FISHERIES MANAGEMENT ADVISORY COMMITTEE (TSFMAC) AND WILL BE RATIFIED AT THE NEXT MEETING. IF **NO** COMMENTS ARE RECEIVED BY **FRIDAY 01 JULY 2005**, THIS WILL REMAIN A TRUE COPY OF MINUTES TAKEN AT THIS MEETING.

DAY 1

Attendance

Russell Reichelt	(Chairperson)
Jim Prescott	(AFMA)
Trysh Stone	(AFMA)
Allen Parsons	(QDPI&F)
John Kung	(QDPI&F)
Rosemary Millward	(TSPEHA and QSIA Representative – after 1030pm)
Ray Moore	(TRL Industry Representative)
Carl D'Aguiar	(Finfish Industry Representative)
Shaun Hansen	(Spanish mackerel Industry Representative)
Peter Yorkston	(TSRA Fisheries Co-ordinator - Supporting)
Don Mosby	(TSRA - Torres Fisheries Committee Representative)
Ken Bedford	(TSRA – Darnley Community Fisher Representative)
Railey Gibia	(TSRA – TRAWQ Community Fisher Representative)
Jerry Babia	(TSRA – Saibai Community Fisher Representative)
Dennis Gibuma	(TSRA – Boigu Community Fisher Representative)
Phillip Bigie	(TSRA – Dauan Community Fisher Representative)
Richard Newie	(TSRA – Kubin Community Fisher Representative)
Terrence Whap	(TSRA – Mabuiag Community Fisher Representative)
Kila Odo	(TSRA – Murray Community Fisher Representative)
Charles David	(TSRA – Yam Community Fisher Representative)
Willie Wigness	(TSRA – Kaurareg Community Fisher Representative)
Lota Warria	(TSRA – Yorke Community Fisher Representative)
Samuel Tamu	(TSRA – Warraber Community Fisher Representative)
Jack Billy	(TSRA – Coconut Community Fisher Representative)
Yen Loban	(TSRA – Muralag WMN Community Fisher Representative)
Graham Hirakawa	(TSRA – Port Kennedy Community Fisher Representative)
Seriako Dorante	(TSRA – Hammond Community Fisher Representative)
Harold Townson	(TSRA – Seisia Community Fisher Representative)
Mac Blarrey	(TSRA – Injinoo Community Fisher Representative)

Observers

John Marrington	(AFMA)
Sascha Taylor	(AFMA)
Mick George	(AFMA)
Matthew Stadler	(AFMA)
Britt Maxwell	(DAFF)

Inga Davis	(DAFF)
Lyndon Peddell	(QB&FP)
Bill Nason	(QB&FP)
Rob Ferguson	(DEH - Sustainable Fisheries)
Miya Isherwood	(TSRA)
Judith Fitzpatrick	(CRC Torres Strait Consultant)
Toshio Nakata	(CRC Torres Strait)
Richard Bowie	(Stakeholder – Buyer/ Processor Badu Island)
Frank Loban	(JCU Postgraduate student)

DAY 2

Attendance

Same as Previous

Jan Paulsen (TSPEHA)

Observers

Same as Previous

DAY 1 –

A) OPENING

The independent Chair, Mr Russell Reichelt, opened the meeting at 0845hrs on Day 1. This was followed by a traditional prayer by Mr Phillip Bigie and introduction around the forum.

B) APOLOGIES

Apologies were accepted for the following persons -

Mark Millward	(TSPEHA Representative)
John Wigness	(TSRA – St. Pauls Community Fisher Representative)

UPDATE OF EVENTS SINCE LAST MEETING

A brief update of events that had occurred since the November 2004 TSFMAC meeting was provided.

The TSFMAC were advised that the paper on options for quota management for the Tropical Rock Lobster (TRL) fishery being prepared by a consultant still required further work and would not be presented. The TSFMAC was also informed that a consultation paper from a Specialist group (consisting of senior officials from AFMA, TSRA, QDPI&F and DAFF) would be available in the next week. Industry representatives commented they were disappointed that they were not part of the specialist group. It was noted that opportunity to comment will be part of process for all stakeholders. Industry representatives stated their concerns that the consultative process will be short circuited if adequate time for comments is not allowed.

A question was raised regarding the consultants report on TRL Quota Management System (QMS) on whether this report will it go to the TSFMAC before it goes to PZJA. The Chair commented that this would be discussed in the TRL agenda papers. It was noted that all Islands were represented at this meeting as a result of the TSRA capacity building process

C) ADOPTION OF AGENDA

The agenda was adopted by the meeting.

Agenda Item 1: Confirmation of the record of the previous TSFMAC Meeting No. 4 (November 2004)

The minutes of the TSFMAC No.4 meeting held in November 2004 were ratified and adopted by the TSFMAC as a true and accurate record of the meeting.

Agenda Item 2: Outcomes of the meeting of the PZJA (01 – 02 February 2005)

The Chair passed around a letter from the Chair of the PZJA detailing outcomes of PZJA 17 and what the PZJA required from the TSFMAC in regard to these outcomes. The Chair then added an agenda item regarding the TSSAC that was to be addressed under other business.

2.1 Consultation - Specialist group report on scenarios for resource allocation

It was made clear by Management that the PZJA Chair requires the paper to be presented to PZJA 18, and asked for the TSFMACs thoughts on best options for comment on the paper, given the need to circulate papers by mid June for PZJA 18.

Traditional Inhabitant and Industry representatives recommended that the TSFMAC and working group needed to meet prior to PZJA. The Chair suggested that a TSFMAC meeting be held the day before PZJA 18. Traditional Inhabitant representatives felt that it should go through the working groups first and then to the TSFMAC. This was supported by Industry representatives, who reiterated that these were important issues and that the consultative process shouldn't be short circuited. Industry representatives felt timeframes for consultation periods were often too short for active fisherman, and therefore don't allow for adequate consultation. A Traditional Inhabitant representative made the comment that he felt the working groups were not an appropriate forum for discussion, but each sector needed to consider the paper.

The Chair sought to clarify that the PZJA were looking to make a decision at PZJA 18 on this issue. Management stated that the PZJA Chair had indicated that he wanted a decision on that date, but noted that there are two other PZJA members whose position on this issue was unknown.

The Chair commented that the PZJA has indicated that decisions would be made on a fishery by fishery basis. Management confirmed that the specialist group paper deals with each fishery and presents scenarios with 4-5 allocation options for each fishery. Management stated that there was concern about the consultation process given the importance of the paper but that everyone needed to be mindful of the time constraints. It was suggested that working group members that are not on the TSFMAC be invited to attend the proposed TSFMAC meeting immediately prior to PZJA 18, and stated that this meeting would only discuss the specialist resource allocation paper and possibly the TRL quota management options paper. The Chair stressed the importance of distributing the paper as soon as possible, noting the need for at least a three week period prior to the meeting for comment.

Recommendations:

1. The TSFMAC **AGREED** that a meeting of the TSFMAC be held immediately prior to the PZJA (4 July) for the paper(s) to be discussed, and explore options for working group involvement in the process (meeting prior to TSFMAC).
2. The TSFMAC **NOTED** that the short period for consultation is an issue that will not allow for full consultation of all stakeholders, and that the papers need to be provided to stakeholders at the earliest possible opportunity.

Agenda Item 3: Turtle & Dugong

3.1 MACC Draft National Approach and Update on the NAILSMA Project

Peter Yorkston presented the paper which detailed progress of the projects relating to the management of Turtle and Dugong in the Torres Strait's, and asked for opinions from the TSFMAC. It was advised that the Community Fisher Group had accepted the recommendations put to the TSFMAC at their meeting of 23 May. Industry and Management representatives had no comment.

Recommendations

The TSFMAC **NOTED**:

1. the consultation undertaken by members of the Marine and Coastal Committee (MACC) Taskforce in Torres Strait on the draft national approach on the sustainable harvest of dugong and marine turtles;
2. the developments regarding the cross- jurisdictional Dugong and Marine Turtle Project and put forward any suggestions as to possible priority actions to enable effective community-based management of dugong and marine turtles; and
3. the commencement of the strategic assessment of the Torres Strait Dugong and Turtle fisheries, pursuant to the *Environment Protection and Biodiversity Conservation Act* 1999.

3.2 Strategic Assessment: *Guidelines and Terms of Reference*

Jim Prescott presented the paper detailing the progress on strategic assessment matters in the fishery, and asked if anyone wanted clarification about the process and procedures. A representative from the Department of the Environment and Heritage (DEH) clarified that both the TOR and draft report are open for public comment, with management stating that the TSFMAC should have the first opportunity to comment before the TOR and draft report are released for broader public comment.

Management stated that only the Torres Strait Turtle and Dugong fishery will go through the strategic assessment process whereas mainland Turtle and Dugong fisheries won't undergo the process.

Clarification on the requirements of strategic assessment with regard to community projects was sought. The DEH representative replied that it is a legislative requirement under the EPBC Act to conduct the strategic assessment as it is a declared fishery, and noted that the strategic assessment will take into account the community projects. Recommendations will be made on what can be controlled, and the strategic assessment looks at compliance issues as part of the process.

A Traditional Inhabitant representative commented that the impact of FFV on turtle and dugong stocks is very significant and important. The Chair noted that this impact needs to be addressed in both the TOR and report for the strategic assessment as it is a significant issue. The DEH representative again confirmed that compliance issues would be considered.

The TSFMAC held a discussion on the stock survey for the Torres Strait turtle and dugong and need for a broader survey of the population to include other areas around the Great Barrier Reef rather than focus on Torres Strait.

Recommendations

The TSFMAC:

1. **NOTED** progress on the strategic assessment of the Torres Strait Turtle and Dugong Fishery; and
2. **RECOMMENDED** that AFMA provide stakeholders with the Terms of Reference once agreed by the relevant Ministers.

3.3 Updated “*Dugong for our Children*” video

Sascha Taylor presented the paper on behalf of Helene Marsh. Toshie Nakata informed the TSFMAC that the up to date version would be released at scheduled TSRA board meeting before being widely distributed. Copies will be distributed through out Torres Strait.

It was asked if it would be possible for the Community Fisher Group to view the updated video prior to TSRA board meeting. The Chair asked if it would be possible to view the video at end of the TSFMAC meeting if time was available. (**NOTE:** This was done and the Chair congratulated those responsible for the updated video on behalf of the TSFMAC).

Recommendation

1. The TSFMAC **NOTED** the revised version of the ‘*Dugong for our Children*’ video.

3.4 Catch Monitoring Project: *An update*

Sascha Taylor presented the paper on behalf of Jillian Grayson, providing the TSFMAC with an update of the project which aims to develop methods to quantify the take of dugong and turtle by communities within the inner island cluster.

On the issue of the involvement of indigenous staff in the project the TSFMAC was advised that a Hammond Island Ranger is assisting with the project.

Management noted that the project is producing good results due to hard work by researchers along with the Hammond Island community, and encouraged people to get behind and support this important project. The TSFMAC was informed that the project was well supported by the TSRA Community Fisher Group (CFG), and noted that it was difficult to get agreement from all communities on the processes, requirements and principles of the project. He commented that there have been many discussions with communities that have provided excellent input to the project.

It was noted that the Traditional owners of Hammond Island supported the project 100% and that now the CFG in three other communities were engaged in project with the uptake of participants in those communities tremendous.

The Chair noted the extent to which co-management was occurring in the project and encouraged that to continue into the other areas of the fishery and fisheries in the Torres Strait.

A Traditional Inhabitant representative alerted the TSFMAC that comments to the media which have resulted in a reluctance to co-operate from communities have been made by people from outside the Torres Strait. All involved in the Torres Strait fisheries, particularly those from outside the Torres Strait, were encouraged to be careful of comments to the media, and to promote the projects being undertaken in the fisheries at all opportunities.

Recommendations

1. The TSFMAC **NOTED** the importance of the local communities, and particularly the traditional owners in this project.
2. The TSFMAC **RECOMMENDED** that the PZJA state their strong support for this and other community based projects.

3.5 Turtle Tagging Project: *An update*

Sascha Taylor presented the update on behalf of Mark Hamman. The project aims to collect biological data on the marine turtle populations in the Torres Strait.

The great support the project had received from Hammond Island council and community in working with the project scientists, learning new skills and collecting valuable information on traditional resources was highlighted to the TSFMAC. Data sheets for the project have been developed in conjunction with the community, including traditional and cultural questions to give feedback to traditional managers.

Management stated that the TSFMAC needed to note and keep eye on biological data and abundance of turtles on the reefs of the Inner Islands of the Torres Straits as early data indicates that the density of turtles residing on these reefs is lower than in other areas of the Great Barrier Reef. A Traditional Inhabitant representative noted that the abundance of turtles in eastern straits is very high, particularly around Murray and Darnley Islands.

Recommendation

The TSFMAC **NOTED** the current progress on the CRC Torres Strait funded marine turtle project which primarily aims to collect biological data on the marine turtle populations in Torres Strait.

Agenda Item 4: Torres Strait Bêche-de-mer (sea cucumber) Fishery

4.1 CRC Torres Strait Sustainability workshops and fishery survey

Sascha Taylor presented the paper, outlining the process and results of the workshops and the survey which visited approximately 123 sample sites.

Industry representatives suggested that the outcomes of the survey should go to new working group rather than to the Management agencies. Management informed the TSFMAC that the results will be made available to all stakeholders even if the new Hand Collectables Working Group is not formed. Traditional Inhabitant representatives commented that the results need to be available as soon as possible, as some felt that bêche-de-mer stocks are abundant and people want the fishery open.

The Chair asked if there was any possibility for the CSIRO report to be made available sooner than anticipated. AFMA is to ask CSIRO if a report on the results from the survey can be sped up (even a preliminary report), and if the report addresses abundance issues of the bêche-de-mer stocks of the east Torres Straits. Management suggested that CSIRO is asked when the next survey will be conducted as searching for funding will need to begin.

A Traditional Inhabitant representative asked when the last survey on Warrior Reef was undertaken and was informed that a survey on Warrior Reef was conducted in January 2004. The Chair noted the concern of the TSFMAC members on the impacts of illegal fishing, particularly on Warrior reef.

Recommendations

The TSFMAC **REQUESTED** that AFMA approach CSIRO;

1. for provision of a preliminary report as soon as possible; and
2. if abundance issues are addressed in the report to allow for the fishery to be opened.

The TSFMAC **NOTED**:

1. the success of the CRC Torres Strait funded project entitled *Torres Strait Bêche-de-mer (sea cucumber) Sustainability Workshop 2005 – A Collaborative Approach*; and
2. the recent completion of the east Torres Strait Bêche-de-mer stock survey undertaken by CSIRO.

Action Item: AFMA to ask CSIRO if a report on the results from the survey can be sped up (even a preliminary report), and if the report addresses abundance issues of the bêche-de-mer stocks of the east Torres Straits

Action Item: Sascha Taylor to provide Charles David with the survey on Warrior Reef that was conducted in January 2004.

4.2 Strategic Assessment: *Recommendations from DEH*

Sascha Taylor presented the draft recommendations from DEH for the Strategic Assessment and the draft *Statement of Management Arrangements* for the fishery. The Chair asked for comments from members on the recommendations and management arrangements.

STRATEGIC ASSESSMENT

Industry representatives asked who made the recommendations and if they had been to industry previously. Management advised that DEH developed the recommendations in consultation with AFMA, and that this is the opportunity for industry to comment on those recommendations.

Industry representatives further commented that the cost of implementation and staffing needs to be considered, with priorities given in relation to the work program for the Torres Strait fisheries, and suggested the TSFMAC should recommend to the PZJA that the TSSAC should follow up on the recommendations and examine funding options needed to implement these recommendations. Industry also raised the issue that research has moved from fisheries based to other projects (biodiversity etc), and as such dissemination of funds needs to be assessed. Management noted that this is new work that is been undertaken so resources need to be sourced.

Management pointed out that bêche-de-mer is included in the strategic research plan, and acknowledged issues with change in research funding. The TSFMAC was asked to refocus on the recommendations and stressed the importance of agreeing to the recommendations before signing off on them. Management asked Traditional Inhabitant representatives if the draft recommendations fit with the community plan for management of the bêche-de-mer resource. The community plan for management was outlined, and the Chair asked if this fit with recommendations from DEH.

Traditional Inhabitant representatives asked Sascha Taylor if he could see any problems with the recommendations given his good work in the fishery and discussions with communities. Sascha felt that there are mixed feelings across the communities. He commented that a lot of work needs to go back to communities, along with the need to use best scientific info available. The Chair questioned if there was an opportunity to utilise the community for stock assessments, to which it was advised that DEH would support the inclusion of the community in the consultation process.

STATEMENT OF MANAGEMENT ARRANGEMENTS

DEH advised the TSFMAC that the *Statement of Management Arrangements* is needed to formalise the Strategic Assessment process.

Recommendations

The TSFMAC:

1. **NOTED** the need to identify funding to support implementation of the recommendations;
2. **RECOMMENDED** that the TSSAC should review the research needs associated with the implementation of recommendations; and
3. **RECOMMENDED** that the PZJA Chair seek specific inclusion of community engagement (i.e. Torres Strait Island communities) in research where appropriate in recommendations in response to the recommendations from the Minister for Environment and Heritage.

4.3 Establishment of bêche-de-mer working group

Sascha Taylor presented the paper to provide the TSFMAC with the relevant information for the re-establishment of a Hand Collectables Working Group (HCWG). The Chair asked for comments, and commented that scientific advice should be on individual expertise and not limited to the CSIRO.

Queensland management asked if a QDPI&F policy officer would be part of HCWG, to which it was agreed that it was appropriate for an officer from that Department to be part of the HCWG. Management also noted the cost effectiveness of having the meetings in conjunction with the TSFMAC. An industry representative commented they wouldn't support timing as this doesn't allow for decent consideration of outcomes from the HCWG, and that there should be separate meeting and the increased costs associated with this accepted. Management reiterated that there was no more money available, so a new group would need to be funded from the existing budget. That may mean that there would need to be a cut back of other working group meetings.

The TSFMAC was advised of strong support from Traditional Inhabitants and the TSRA Chair for the HCWG, but noted the need to check on budgets to fund the HCWG. It was also suggested by Traditional Inhabitants that PNG have observer status on the HCWG due to illegal fishing issues associated with these fisheries.

Recommendations

The TSFMAC:

1. **SUPPORTED** the establishment and formation of a Hand Collectables Working Group (HCWG) to include fisheries such as bêche-de-mer, trochus and pearl shell to consider issues relating to these fisheries subject to funding confirmation; and
2. **RECOMMENDED** that Papua New Guinea (PNG) be asked to participate in the HCWG as observers at their own expense.

4.4 ERA Process

Jim Prescott spoke on the Ecological Risk Assessment process and the decision to apply the process to six Torres Strait fisheries to be finalised by May 2006 (starting in October 2005). Stakeholder involvement in the process will be through the working groups. The Chair noted that this could be referred to new HCWG.

Management advised that the aim of the ERA process was to identify species at high risk from interactions with the fishery, and that it is a whole of biodiversity issue. The process provides a defensible framework to respond to criticisms of the fisheries. Management also noted that the ERA process is required as part of strategic assessment process.

The TSFMAC was asked if the trochus fishery was part of the process. Management advised that it wasn't, as the funding for the process was from NHT, so there are some priorities.

Action Item: The Executive summary of Tony Smith's report will be sent to members

Agenda Item 6: Finfish Fishery Recommendations from the Finfish Working Group meeting (19 – 20 April 2005)

John Marrington presented the paper detailing the issues and recommendations arising from the Finfish Working Group (FFWG) meeting held in April 2005.

6.1 Introduction of Quota Management

John Marrington outlined the working group discussions that lead to the recommendation for a TAC to be established for the reefline fishery. An Industry representative agreed in principle to the recommendations but stated he felt that he would need to know what the relative proportion of the TAC will be and what the allocation formula will be before continuing to support the recommendations. He also commented that there were no provisions for day allocation and that only TAC was recommended. Management reaffirmed that the discussion at the working group was focused on kilos and not days, as reflected in the recommendations coming from the working group.

The Industry representative felt that there was now a need for an option between kilos and days, so that discussions can be had as to best options for the industry. Management clarified that the recommendations to the TSFMAC that the working group agreed on are for ITQ's and not days.

An Industry representative commented that they didn't bother attending the working group meeting as they didn't think this would be discussed, but that the TSFMAC should take the opportunity to look at consequences of tropical quota systems in other fisheries. The issue of catch reporting processes for traditional Inhabitant fishers was raised, as was the costs for catch of quota by species as opposed to other systems.

Management expressed surprised on the discussion given the recommendations were formed by the working group, and refuted the claim from the Industry representative that they weren't aware that issue would be discussed at the working group as was all members were provided with all agenda papers, including one on effort controls. Management asked Industry representatives to acknowledge that recommendations were as agreed by the working group. An Industry representative acknowledged this was the case, but now after looking at other tools stated that Industry did not want to limit to ITQs. The Industry representative noted that they agreed to the recommendations at the working group with view that it would be developed and amended at the TSFMAC and not simply progressed through unchanged.

Traditional Inhabitant representatives stated that the recommendations in the paper were what were agreed at the meeting, and commented that while it was understand what industry were now saying the working group were discussing kilos as the option and not days. The TSFMAC noted that Traditional Inhabitants were not comfortable with days, and the issue would need to be rediscussed if this was an option. Traditional Inhabitant representatives noted that all parties want to prevent confrontation, and felt the working group recommendations were a move towards this.

The Chair stated that the TSFMAC should respect the work of the working group, or abolish it if that process is not going to add value to the TSFMAC process. Therefore the Chair stated his support of the working group's recommendations.

Industry representatives also raised concerns on the introduction of ITQ's into the reefline fishery given the experiences with ITQ's on the east coast fisheries, and the issue of filleting in the fishery.

Management was asked a question regarding the 50% increase trigger limit and its effect on islander fishing, and noted that this was only a trigger limit that when reached doesn't stop fishing, but will cause the working group to come together to look at controls for fishery. Management acknowledged that this trigger point needs to be better referenced, but that this was a matter for the working group and not the TSFMAC.

Recommendations

The TSFMAC **SUPPORTS** the Working Group recommendations that;

1. a TAC be established for the reefline fishery. In the absence of stock assessments for each species, that the historical catches from the fishery be used to identify a stable period of production, the average of which would become the TAC;
2. the non-Islander sector should be allocated a share of the TAC and that they are managed to stay within that limit. ITQs were an option put forward by the working group but the TSFMAC noted industry now had concerns about this option. The TSFMAC recommends that the PZJA direct the FFWG to explore the merits of ITQs, ITEs and other methods of management in light of the specialist group report and report to the TSFMAC in time for consideration at PZJA 19;
3. the Islander sector being managed under the current arrangements but with a trigger in place to bring the Working Group together to develop an appropriate mechanism for controlling effort in that sector should Traditional Inhabitant catches since 2004 increase by 50% (pending further consultation). Note that this approach was supported by industry.

6.2 Hump Headed Maori Wrasse – CITIES Listing

Presented by John Marrington detailing the listing of the species and the differing positions of working group members on the appropriateness of the species remaining as a take species in the Torres Straits.

The Chair asked if further consultation had occurred in the Traditional Inhabitant sector and was advised consultation had occurred. The TSFMAC was informed that the Traditional Inhabitant sector support making Maori Wrasse a "no take" species.

Industry representatives stated that commercial fisherman strongly support the species being a "take" species, and felt that the PZJA had all relevant information available to them when the decision to allow the take of one fish per trip was made. Industry commented that it is a commercially important species to industry, and that industry feel that they are acting responsibly in their approach to Maori Wrasse. It was clarified that Management was not aware of this species being CITES listed at time of PZJA 17 and noted that management supported take at PZJA 17. Managements position now was to support it being a "no take" species.

DEH advised the TSFMAC that the species is under consideration for listing under the EPBC Act. If it is listed, then the species wouldn't be able to be exported and would need exceptional circumstances to trade domestically. The listing is still under consideration and decision is unlikely to be made by the scientific committee until later this year. Industry stated that it would still like it to be a take species with a review of this following completion of the DEH process in September.

The Chair commented that the species is globally under pressure, and that there is a potential for ecotourism as noted by Traditional Inhabitants.

Recommendations

1. The TSFMAC **NOTED** the recent CITES listing for Maori wrasse;
2. The TSFMAC **NOTED** that the views of Stakeholders groups in relation to its status in TS are:
 - a. Industry – that Maori wrasse should remain a take species as per decisions of PZJA 17;
 - b. Islanders – following further consultation all Islander representatives agreed that Maori wrasse should be a no take species; and
 - c. Management – in light of new information on slow growth rate, longevity, rarity, large size at maturity, national concerns per the CITES listing, public perception of the management of this species in TS, that the PZJA reassess its decision to make Maori wrasse a take species.
3. The TSFMAC **RECOMMENDS**, noting the dissenting industry view, that the PZJA should reconsider its decision on Maori wrasse and make it a no take species.

6.3 Barramundi Cod size limits

The outcomes of the Finfish Working Group meeting in respect to barramundi cod were noted by the TSFMAC

Recommendations

The TSFMAC **NOTED** that the Finfish Working Group:

- 1 considered new information on barramundi cod from east coast research;
- 2 reaffirmed its decision to maintain a minimum size limit of 450mm but will review this as new biological advice from the Torres Strait becomes available; and
- 3 considers further research on this species as a high priority and that additional funding will be required.

6.4 Red Bass size limits

Traditional Inhabitants and industry supported recommendations as stated by the Working Group.

Recommendation

The TSFMAC **RECOMMENDS** that the PZJA support the Working Group recommendation that a minimum legal length for Red Bass be set at 450mm and a maximum legal length at 550mm.

6.5 Live Fish Fishery

Traditional Inhabitants and industry supported recommendations as per paper.

Recommendations

The TSFMAC **NOTED** that the working group:

- 1 considered the introduction of a live fish fishery, but because of concerns over inadequate control over catch/effort and the potential that a live fishery would more directly target the common coral trout; the FFWG recommends that the prohibition on the take of live fish be continued; and
- 2 still sees potential advantages in a live fishery and that this issue should continue to be re-appraised as the management of the fishery evolves.

6.6 Day time closures at Bramble Cay

Peter Yorkston advised the TSFMAC that consultation was now complete, and daily closure was supported by CFG for Industry (TVH) but not TIB. Industry commented that they need to further consult about Stephens Island to be also included in the closure, but noted that industry strongly support what is in recommendations.

Recommendations

The TSFMAC **RECOMMENDED** that the PZJA support the Finfish Working Group recommendation that in waters surrounding Bramble Cay and Black Rocks, when TVH licence holders are fishing for Spanish mackerel:

- 1 a daily fishing closure be implemented during the hours of 0930 hrs and 1500 hrs during the months of August to December; and
- 2 the fishing method be restricted to trolling only.

6.7 Long-term Monitoring Program (LTMP) at Bramble Cay

No comments were received on this item.

Recommendations

The TSFMAC **NOTED** that:

- 1 the QLD Long-term Monitoring Program for Spanish mackerel in the Torres Strait ceased in 2003 and that a voluntary program commenced in 2004 with three commercial fishers participating;
- 2 the voluntary sampling was commendable but that additional sampling must be undertaken to support a stock assessment for this fishery; and
- 3 an interim monitoring program will be implemented for the 2005 season whilst a more comprehensive program is developed for the longer term.

6.8 Barramundi fishery in Top Western Islands

John Marrington advised the TSFMAC that he provided Peter Yorkston with a draft of the report last week, and the report is close to release. Management commented that the TSFMAC needs to note additional resources are needed or reallocation of current resources if this is to be implemented.

Recommendations

The TSFMAC **NOTED** that the Working Group:

- 1 supports the Boigu Island proposal in-principle provided the issues of fishing capacity and bycatch are addressed; and

- 2 encourages the completion of the report on the proposed net fishery and that this report be used as a guide in the development of the fishery.

6.9 Strategic Assessment and BAP

Management asked if the TSFMAC could recommend the Strategic Assessment and BAP to the Minister. The Chair asked for the working groups view, and if the TSFMAC had seen reports. The TSFMAC was advised that the documents had been sent to all members previously, and that no comments had been received. An Industry representative asked if the documents could be resent to all members again for comments.

Recommendation

The TSFMAC **ENDORSED** the strategic assessment and BAP subject to a short review period (2 weeks) to allow members to again review the documents.

Action Item: The Strategic Assessment and BAP be resent to working group members for a short comment period.

6.10 Prohibition on “shark finning” and take of some species

It was commented that shark finning needs to be defined in the recommendation to the PZJA to better address intent of the working group discussion and be consistent with the national plan of action.

The TSFMAC was advised that Traditional Inhabitants had discussed finning issue and had a question on what would be the implications if the specified species were allowed to be taken. The CFG wanted to discuss these issues further with Traditional Inhabitants who fished for shark.

DEH noted that hammerhead and tiger sharks are not listed as endangered. Management commented that the fins of tiger sharks are valuable, and that the species is vulnerable to overfishing.

Recommendations

The TSFMAC **NOTED** that Islander Fisher reps indicated their need to have further consultation on working group recommendations 2 (a), 2 (b) and 2 (c) and report back to the PZJA, but indicated that issue of prohibiting shark finning had in principle support.

The TSFMAC **RECOMMENDED** that the PZJA endorse;

1. the practice of ‘shark finning’ as defined in the National Plan of Action be prohibited; and
2. a prohibition on the take be implemented on:
 - a. sharks greater than two metres in length (subject to further islander consultation);
 - b. Hammerhead sharks (subject to further islander consultation);
 - c. Tiger sharks (subject to further islander consultation) ;
 - d. Grey nurse sharks; and
3. note that these arrangements will also be referred to the Prawn Working Group for consideration.

6.11 Fishery Management Objectives

No comments were received on this agenda item.

Recommendation

The TSFMAC **NOTED** that the Finfish Working Group has been unable to further develop the draft management objectives for the fishery as requested by TSFMAC 3 but will endeavor to progress this matter at the next Finfish Working Group meeting.

Agenda Item 7: Tropical Rock Lobster Fishery – Options for Future Management

7.1 Recommendations from the TRL Working Group meeting (10 – 11 March 2005)

Tender trading and licence amalgamation

The TSFMAC was informed that this paper was written prior to the special meeting of the working group, so changes had occurred to the recommendations (revised recommendations were circulated to the TSFMAC). Management noted that the issue had now been discussed at two working group meetings. Management asked the Chair that given the decision from industry & Traditional Inhabitants from Saturday's meeting not to support the policy, if it was worth discussing the policy at the TSFMAC.

At this point, the TSFMAC was advised that following the CFG meeting on Monday that Traditional Inhabitants still did not want to commit to the policy without knowing the long term management arrangements for the fishery.

The Chair advised of a danger in that the PZJA may make a decision on this policy without the support of the TSFMAC. Management pointed out that the PZJA have asked for the policy, so that there is a risk in the TSFMAC not producing a policy on this matter.

Industry representatives felt that the issue was with this policy as a stand alone document, and it was industries view that it needs to be considered with coming management regulations for the fishery. The Chair asked for clarification on the issues with the policy following suggested minor modifications to the policy by management to address industries concern with possible effort increase arising from this policy. The industry representative commented that there were also concerns with input and output controls and the implications of this policy, and stated that industry members didn't understand intent of questionnaire distributed on the policy and so needed to be reconsidered.

Management stated that the policy aims to avoid uncertainty in investment in the fishery, as it is specific in what periods will be and history of the tender. Industry disagreed that how history will be used isn't specified, especially for effort. Industry advised that they base views on investment warnings, and legal issues could arise if the investment warning period was not used.

The Chair advised members of the need not to put off work that could be done now, and that the allocation issue doesn't stop this policy being developed. The Chair stated that he was not convinced that arguments put forward would prevent the PZJA Chair from signing the policy without TSFMAC support. A Traditional Inhabitant representative commented that the PZJA shouldn't make decision until everyone knows what the allocation decision is, and that the PZJA need to consider the outcomes on the ground of the implementation of this policy.

Recommendations

The TSFMAC **NOTED** agreement on the policy could not be reached, and a recommendation to the PZJA to endorse the policy could not be progressed. The views of each sector are detailed below:

1. Islanders – policy premature until priority of access is sorted out;

2. Industry - this can't progress until policy is tidied up and detail in policy is addressed (particularly the wording of section 7.5) and allocation issue is finalised. The type of trading policy depends on the management system in place; and
3. Management – PZJA requested policy be delivered. This has been discussed in the TRLWG & TSFMAC. It was acknowledge that clarification of the policy required and will continue to be developed, but believe the policy is sound and could be considered if the PZJA should wish to do so.

Register of hookahs

Jim Prescott presented and summarised the discussions at the working group, noting that Traditional Inhabitants had concerns that a register of hookahs may limit future opportunities.

Recommendation

The TSFMAC **RECOMMENDED** that the PZJA should not require hookahs to be registered but that the PZJA inform fishers that they must provide complete details on the log and docket books or be required to register their hookahs in the future.

Hookah closed areas

Jim Prescott presented and noted this has been a contentious issue with little progression to date. The reasons for the PZJA not imposing full hookah ban (live trade) were detailed. A detailed proposal from Mabuiag was discussed, and the TSFMAC noted that industry representatives had issues with the coordinates. (This was discussed later, with industry feeling that the line would be difficult to police and proposed an alternative that was discussed with Traditional Inhabitant representatives).

Traditional Inhabitants support the recommendations from the working group but noted that the CFG discussed the hookah closure and proposed that further areas could not be reached until longer term management arrangements for the fishery are finalised. Management stated that it supported the working group recommendations.

Recommendation

The TSFMAC **SUPPORTED** the working group proposal for the agreed closure around Badu, Moa and Mabuiag Islands but noted that a final decision could not be made until the long-term management arrangements for the fishery are made clear.

Fishery management objectives

Jim Prescott presented and informed the TSFMAC that a small subgroup was formed on Saturday to progress this issue.

Recommendations

The TSFMAC;

1. **NOTED** that a subgroup has been formed and issue will be progressed; and
2. **ASKED** the Working Group to progress the matter as soon as possible.

Night diving prohibition

Jim Prescott presented and commented that the working group has developed an option where dive gear needs to be securely stowed on a boat less than 6 m in length between

1900 and 0600 hours. The issue of compliance enforcement was agreed by the TSFMAC as an important issue that needs to be addressed.

A discussion was held on the use of other devices (non hookah gear). Comment was made that stronger enforcement is required from compliance section regarding reports on the use of other breathing devices. The TSFMAC referred this issue back to working group, noting that there may need to be an amendment to the regulations to allow for changes in workplace safety requirements.

Recommendations

The TSFMAC **RECOMMENDS** that the PZJA endorse the working group recommendation on the prohibition on the take of lobsters by night diving where;

- 3.2 it is prohibited to take, carry or process lobsters between 1900 and 0600 hours;
- 3.3 a person is exempt from the prohibition if that person does not have in his or her possession “diving equipment” on a boat measuring 6 m or less, or where diving equipment is in that persons possession, the diving equipment is securely stowed in a sealed bag where the seal cannot be removed without the aid of a device to cut the seal; and
- 3.4 “diving equipment” is defined as any of the following items of equipment: diving mask or goggles; fins or diving flippers.

Limit of one diver per hookah

Recommendation

The TSFMAC **NOTED** the issue and the concerns of Working Group members but referred the matter back to the Working Group to monitor and consider again in light of what is decided in relation to future management arrangements for the fishery.

7.2 Action from previous TSFMAC: *Terms of Reference for RAG*

Jim Prescott presented. The Chair commented that TOR 5 should also link with identified gaps in knowledge arising from the working group, TSFMAC and PZJA.

Industry representatives questioned the roles of the PZJA and management agencies. (Advised that agencies are service providers and that PZJA make management decisions). Industry also questioned the cost and who would pay and felt that the RAG seemed to sit outside management process, where as it should fit in below management process, and cheaper alternatives may be available. The TSFMAC was asked if peer review as an option, with the Chair responding that you get what you pay for with peer review. The QSIA representative stated that industry wanted a bottom up approach and not to see the have RAG the ability to provide direct advice to PZJA.

Another industry representative expressed concern that the RAG will be another big organisation with associated costs, and felt it was a management proposal that the working group were asked to support, (and do support). The issue on costs was supported by Industry representatives.

Management reminded the TSFMAC of the need of the RAG to report to decision making body (PZJA), and advised that additional costs would be minimal (one extra scientist). It was advised that the RAG process allows for feedback on research better then from the SAC which doesn't need to provide feedback until the end of the process. The aim is to make assessments much more timely, which the SAC can not do.

DEH commented that he supported the proposal as a supporting process to the strategic assessment process. Traditional Inhabitants noted their support of the proposal as way of providing sound scientific advice to fishery.

Recommendations

The TSFMAC:

1. **ENDORSED** the TOR and Reporting arrangements for the TRL RAG, noting reservations on the associated costs by industry; and
2. **ENCOURAGED** the PZJA to invite Queensland and PNG to nominate members to the RAG.

7.3 Recommendations for introduction of a Quota Management System: *Consultants report*

Management presented an update on the report, informing the members that a draft had been received but that it was not at suitable standard for distribution and that further work was been done to address the issues. Industry representatives questioned if the process was still ongoing, with management confirming that a report will be produced. The TSFMAC was advised that it was anticipated that the report will be available for discussion at special TSFMAC meeting prior to the PZJA, and will be distributed to all licence holders, TSFMAC & working group members as soon as possible.

Recommendation

The TSFMAC **NOTED** that the report has been delayed but will be available for discussion at the special TSFMAC meeting prior to the PZJA, and will be distributed to all licence holders and TSFMAC & TRLWG members as soon as possible.

Agenda Item 8: Torres Strait Docket Book

A PowerPoint presentation on the docket book program was given by Vanessa Moore.

A question was asked that if this is a voluntary system, is the information provided accurate and complete, and the TSFMAC was advised that everyone who participated wanted to do so and therefore were providing full and accurate results. Although not fishers all are using it, the majority are. It was noted that the system simplifies paper work for freezers and makes life easier, so therefore adds incentive to use the book.

Management advised members that AFMA are getting the information that is required, but felt that fishers were not getting the socio-economic information that they could from this process. If used properly it will provide great information for communities to manage their resources. Management stated that all known buyers using docket book, and advised that voluntary systems like this are common in fisheries world wide as it is a successful process to gain information.

Traditional inhabitant representatives stated their support of the system, but noted that when system was introduced so was cap on TIB licences, so now that is lifted there is a need to reinforce positives of this system in helping the Traditional Inhabitant sector manage their resource.

It was commented that the TSFMAC should thank Vanessa Moore and Jim Prescott for all their work on this project.

Recommendations

The TSFMAC:

- 1 **NOTED** that the docket book system was in operation and was producing valuable information;
- 2 **ENCOURAGED** the participation of all TIB fishers in the program; and
- 3 Expressed its thanks to Vanessa Moore and Jim Prescott for their commitment and dedication in establishing and maintaining this program.

Agenda Item 9: Consultative Committee Guidelines

Presented by Trysh Stone, who did not read the entire policy, but highlighted the relevant areas of the role of members.

A question on declaring interests Was raised, with the TSFMAC advised that this process does not exclude people from being involved but allows all people to be aware of issues.

Industry representatives questioned why nominations are not called for from industry associations, as is the case for TSRA and research bodies. Industry associations have funds from members to support a representative, so should call for nominations from associations. Industry representatives raised concerns about why there had been a change to industry nominations in first place, and supported the view that individual members would not be able to financially support membership and may not be representing anyone other than themselves. Industry would have uncertainty given that it may be an individual and not part of association.

Management noted that the PZJA decision limits the capabilities to amend the document, noting that it does not stop industry associations influencing nominations. Management advised that the PZJA members took the position based on information provided to them and feedback about industry representation.

The Chair noted that there were a number of arguments for using peak bodies, but that industry needed to present a logical and succinct argument to the PZJA for an amendment to the PZJA 17 decision.

Industry again commented that it strongly opposed the omission of the ability of peak bodies to nominate representatives, but that they generally endorsed the document, noting it is a strict document in guidelines.

Recommendations

1. The TSFMAC **NOTED** the operating guidelines set out in the draft Fisheries Management Paper on the Torres Strait Fisheries Management Advisory Committee and Associated Committees and Working Groups.
2. The TSFMAC **ENDORSED** the Fisheries Management Paper noting non islander industry concerns on the omission of peak representative bodies in the nomination process.

Agenda Item 5: Torres Strait Prawn Fishery

5.1 Prawn Fishery – Brief Report on the Observer Program

Presented by Mick George. The TSFMAC was provided with a brief report on the inaugural season of the observer program in the Torres prawn fishery.

Industry representatives expressed concerns from constituents in the prawn industry about the newly introduced program. These included concerns about –

1. Specific roles and responsibilities of AFMA observers and trawler skippers

2. Lack of information/ communication on the observer program that was supplied from AFMA
3. Occupational health and safety issues onboard vessels (i.e. life raft capabilities)
4. Costs associated with the feeding of AFMA observer's onboard vessels.

Industry representatives also questioned management about the protocols and plan for the observer program. Management informed Industry that the protocols and plan for the observer program were forwarded to all prawn licence holders via post in February 2005.

The TSFMAC chair indicated that these '*small teething*' problems had perhaps arisen due to a communication problem and the lack of Prawn Working Groups (PWG) to meet to discuss the program in detail. It was noted that management would incorporate a specific section into the *Torres Prawn Handbook* outlining the roles and responsibilities of AFMA observers and trawler skippers, plus occupational health and safety issues onboard vessels.

Industry representatives surmised these issues by indicating that the first placement of observers on trawlers was positive and observer's behaviour and conduct was excellent.

Traditional Inhabitant representatives stated that the observer program was long overdue however questioned management on environmental concerns through habitat degradation caused by trawling of benthic habitats. Management responded by highlighting research currently being undertaken in the Northern Prawn Fishery studying the effects of trawling – '*The knock-down project*'.

Action Item: Trysh Stone to provide an interim report on the research currently being undertaken in the Northern Prawn Fishery studying the effects of trawling – '*The knock-down project*' to Don Mosby and Rosemary Millward.

5.2 Prawn Fishery – Outcomes of Negotiations with PNG and TSI's

Presented by Inga Davis (DAFF).

The Community Fisher Group (CFG) reaffirmed its decision to sell the three TSI prawn fishing licenses and to use the proceeds of the sale to invest in other Torres Strait fisheries. Furthermore, the CFG recommended that the Island Coordinating Council (ICC) and the TSRA Board consult with them on the consequential investments in Torres Strait fisheries with funds generated from the sale of the three Torres Strait Islander prawn licenses.

A proposal drafted by Mr Bluey Bedford from Darnley (Erub) Island was introduced highlighting his personal position on the three Torres Strait Islander prawn licences.

5.3 Prawn Fishery – Planned Alternative Management Workshop

An Industry representative stated that industry supported the workshop in principle but that it may be difficult for industry to attend given concerns about effort reduction and compensation, depending upon the outcomes of the current negotiation process.

Management noted that the workshop would involve multiple agencies.

5.4 Prawn Fishery – Strategic Assessment Update

A summary was provided by DEH who advised that the draft recommendations will be provided to the Minister for the Environment and Heritage in the next few weeks. These will then go to the PZJA Chair, and be progressed through the consultative structure (working groups and TSFMAC) for comment. It is hoped that this process will be completed by the end of July for the Alternative Management Workshop.

Agenda Item 10: Cost Recovery

Trysh Stone presented the paper that resulted from the PZJA decision to implement cost recovery in principle to the TRL, Pearl shell and finfish (reefline and mackerel) fisheries. Industry representatives questioned how cost will be divided between TIB & TVH sectors for the fisheries. The TSFMAC was advised that the TSRA provides \$200,000 annually into fisheries consultative process plus \$300,000 to the CRC annually for research. An industry representative suggested there could be a split of costs as for prawn budget.

The Chair raised question on reducing costs of management for these fisheries, and asked if it had been discussed at the working groups. Management advised that the working groups haven't been concerned with costs up to now so this has not been discussed.

The Chair felt that the TSFMAC couldn't comment on the policy as it hasn't seen it, but noted industry concern with the costs. The TSFMAC was advised by management that there will a recommendation to the PZJA for consultation with working groups and the TSFMAC after PZJA 18.

Recommendations

The TSFMAC **NOTED**;

1. that a policy on the application of cost recovery to indigenous fishers is currently being drafted for presentation at PZJA 18;
2. a proposal will be put to the next PZJA meeting for agreement to distribute for consultation, on a mechanism to implement cost recovery in these fisheries; and
3. draft estimates of the costs and cost per licence holder for cost recovery for the fisheries will be presented to the next PZJA meeting for their consideration.

Agenda Item 11: Compliance Update

11.1 Domestic Compliance

Presented by Lyndon Peddell, who detailed the staffing resources and vessels available for compliance in TS. This was followed by a suggestion by Traditional Inhabitants that additional resources that are located on outer islanders could be utilised (other department's vessels, eg customs AQIS and DIMIA). Traditional Inhabitants also expressed their concerns on the ability of compliance officers to respond to reports and therefore a need for QB&FP presence on those islands also.

Recommendation

The TSFMAC **NOTED** concerns from Traditional Inhabitants about a compliance presence on the outer Islands of Torres Strait.

11.2 Foreign Compliance

This was presented together with Agenda Item 11.3.

Recommendation

The TSFMAC **NOTED** the changes to AFMA's foreign compliance program.

11.3 Impact of FFVs on PZJA Compliance

Presented by John Marrington. An update was provided to the TSFMAC by Britt Maxwell (DAFF) on liaisons with Indonesia to prevent incursion of FFV into Australian waters. The TSFMAC was informed that the Government was engaging senior Indonesian officials in raising the issue that Indonesians are the primary source of FFV in Australian waters and of the participation of Indonesian authorities in operation Clearwater. Ideas from members on how to deal with and address FFV issues were sought. The TSFMAC was advised that Traditional Inhabitants have been seeing more FFVs recently after operation Clearwater seems to have shifted FFVs from the Gulf to Torres Strait waters. Dugong, turtles and fish discarded from FFV operations have commonly been observed around the top-western cluster of Boigu, Saibai and Dauan Island communities. (Management advised the TSFMAC that was an outcome on the vessel where large numbers of bycatch observed). It was commented that issues are being strongly raised through diplomatic process.

The TSFMAC was advised that Traditional Inhabitants have identified three FFV “hotspots” in Straits (Turnagain, Warrior, & Pearce Cay) where FFV’s transit. The CFG meeting also suggested a compliance presence on the outer islands to allow for quick turnaround in response to FFV sightings, as it is the view of Traditional Inhabitants that the current response time is too slow, and so there is no incentive to report sightings.

The TSFMAC was also informed of a CFG resolution to seek for a change to treaty/Act to allow for PNG FFV offences to be prosecuted under Australian law. The CFG are asking for the Commonwealth to invoke article 28 c in the Treaty to allow for prosecution in Australia.

Recommendations

The TSFMAC **NOTED**;

1. concern from Island reps to response times;
2. that recent initiatives have been implemented to minimise FFV impacts on the PZJA compliance program and these appear to be working, albeit during a period of less demand from the FFV program on Thursday Island;
3. that the Commonwealth proposal to directly deliver FFV services should prevent any impacts on the PZJA compliance program in the longer term; and
4. this information will also be provided to the PZJA as directed.

Agenda Item 12: Other Business

12.1 Request from QSIA to make a comment

The QSIA & TSPEHA requested that

1. the matter of PNG allocation is included in total cap for all Torres Strait fisheries.
2. copies of signed management notices to be sent to the TSPEHA
3. a copy of signed PZJA minutes be provided to the TSPEHA

12.2 SAC Effectiveness

A Letter from the PZJA to the TSFMAC was tabled, detailing concern on all sides that the effectiveness of the SAC was not as optimal as possible, and that there is a need to rethink the approach of interaction of scientists and fewer representatives. The TSFMAC Chair advised that he is approaching the SAC to come up with suggestions. The SAC had suggested restructuring the agenda to allow for more specialist advice on particular issues

and better involvement with key stakeholders. It has also been noted that holding a SAC meeting after a MAC is an issue in that scientific advice is not then provided to MAC for decisions. CRC putting resources into inter-sessional meetings with working groups to raise and identify issues.

All research money linked to CRC, with CRC having money to address emergency issues. Not enough leadership coming from MAC to guide the SAC (MAC should say what it wants from the SAC, as it does with the working groups).

12.3 National Conference on Seafood

In Sydney in September, making people aware of opportunity to attend.

12.4 Torres Strait Prawn

Torres Strait prawn boats black listed in European markets for heavy metal content. Issue with testing, with testing of whole prawn and not meat occurring. May have trade implications (also affecting some east coast fisheries).

D) NEXT MEETING

The next scheduled meeting of the TSFMAC is Monday 4 July 2005. (prior to PZJA)
