

Meeting of Torres Strait Tropical Rock Lobster Working Group members

26 April 2018

Teleconference

Note: as a quorum of members was not present at the meeting, this is a record of members' advice not of the Working Group.



Australian Government

Australian Fisheries Management Authority

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Meeting participants

Members

Name	Position	Location	Declaration of interest
Alexander Morison	Chair	On phone	No pecuniary or other interest in the Tropical Rock Lobster Fishery or any other Torres Strait fisheries Fisheries Consultant. Chair of SERAG and SharkRAG. Scientific member on SEMAC. Contracted by government departments, non-government agencies and companies for a range of fishery related matters including research and MSC assessments of AFMA managed and other fisheries (by SCS Global Services)
Natalie Couchman	AFMA Executive Officer	AFMA Office	Nil
Selina Stoute	AFMA member	AFMA Office	Nil
Charlie Kaddy	TSRA member (Fisheries Programme Manager)	On phone	Nil. TSRA holds multiple TVH TRL fishing licences on behalf of Torres Strait Communities but does not benefit from them
John Dexter	Queensland Department of Agriculture and Fisheries (QDAF) member	On phone	Nil
Darren Dennis ¹	Scientific member	On phone	Nil. Member of other RAGs and research consultant
Aaron Tom	Industry member	AFMA Office	Nil. Traditional Inhabitant Gudumalulgal

Name	Position	Location	Declaration of interest
Mark David ²	Industry member	AFMA Office	Traditional Inhabitant Kulkalgal and TIB licence holder
Mark Dean	Industry member	AFMA Office	TVH operator
Brett Arlidge	Industry member	On phone	General Manager MG Kailis Pty Ltd. MG Kailis Pty Ltd is a holder of TVH licences

Observers

Name	Position	Location	Declaration of interest
Allison Runck	TSRA observer	On phone	Nil. TSRA holds multiple TVH TRL fishing licences on behalf of Torres Strait Communities but does not benefit from them
Jerry Stephen	TSRA Deputy Chair, TSRA Member for Ugar and TSRA Portfolio Member for Fisheries	On phone	TIB licence holder and Traditional Owner
Dr Eva Plaganyi	CSIRO scientific observer	On phone	Project staff for PZJA funded TRL research projects
Dr Robert Campbell	CSIRO scientific observer	On phone	Project staff for PZJA funded TRL research projects

Notes:

¹ Departed the meeting at 11:00 am – was present for discussions on Agenda Items 1-3 and provided advice on Agenda Item 4 prior to departure.

² Arrived at the meeting at 11:15 am – was present for discussions on Agenda Items 4-6.

1 Preliminaries

1.1 Meeting preliminaries

1. Mr Jerry Stephen opened the meeting in prayer at 10:15 am on 26 April 2018.
2. The Chair welcomed attendees to the meeting of Torres Strait Tropical Rock Lobster Working Group members held by teleconference. The Chair acknowledged the Traditional Owners of the land on which the meeting was held and paid respect to Elders past and present.
3. Attendees at the meeting are detailed in the meeting participant tables at the start of this meeting record, including details of who was in attendance at the AFMA Office and who joined the meeting by phone.
4. Apologies were received from:
 - a. Sevaly Sen (Fisheries Economist member);
 - b. Phillip Ketchell (Industry member and Traditional Inhabitant Kaiwalagal);
 - c. Maluwap Nona (Chair, Malu Lamar (Torres Strait Islanders) Corporation RNTBC).
5. Terrence Whap (Industry member and Traditional Inhabitant Maluialgal) confirmed attendance but did not phone in at the scheduled time. Les Pitt (Industry member and Traditional Inhabitant Kemer Kemer Meriam) was contacted but was unable to confirm attendance.
6. The meeting discussed whether there was a quorum present to constitute a valid Working Group meeting. It was noted that PZJA Fisheries Management Paper No. 1 (FMP1) states that a quorum is two-thirds of the members with an adequate spread of responsibility, experience and representation. It was agreed that given the number of absent TIB Industry members (4 of 5 where absent), a quorum was not present. Given this, the advice that follows is the advice of members only, and not of the Working Group.
7. Mr Aaron Tom (Industry member) informed the meeting that he had been advised by colleagues that the matters to be discussed at this meeting are the subject of legal proceedings. On this basis, Mr Tom advised that the position put forward by TIB Industry members to the meeting of the Working Group held on 28-29 March 2018 (TRLWG7) still stand and he would not be providing further advice to this meeting.

1.2 Adoption of agenda

8. The draft agenda was adopted without change (**Attachment A**).

1.3 Declaration of interests

9. The Chair stated that as outlined in PZJA Fisheries Management Paper No. 1 (FMP1), all members of the Working Group must declare all real or potential conflicts of interest in Torres Strait TRL Fishery at the commencement of the meeting.
10. Updates to declarations of interests from TRLWG7 were provided by members. These are detailed in the meeting participant tables at the start of this meeting record.

1.4 Action items from previous meetings

11. It was noted that an update on the status of actions arising from previous TRLWG meetings would be provided at the next Working Group meeting.

2 Updates on catches to date

12. The meeting noted an update provided by the AFMA Member on catches in the Torres Strait Tropical Rock Lobster (TRL) Fishery in the 2017/18 fishing season:
 - a. The recommended biological catch (RBC) for the 2017/18 fishing season is 299 tonnes shared between Australia and PNG under the Torres Strait Treaty. The Australian catch share of the RBC is 190.65 tonnes (with an additional 11.2 tonnes accessible by Australian vessels if cross endorsed to fish in PNG waters). Final catch shares are pending agreement between Australia and PNG.
 - b. As at 25 April 2018, approximately 142 tonnes of TRL had been landed or approximately 75 per cent of the Australian catch share of the RBC. It was noted that there may be some outstanding Catch Disposal Records.
 - c. Catches for all months have been updated since TRLWG7. The latest figures take into account Catch Disposal Records received after 21 March 2018 (total 14 tonnes) and catch data that had been incorrectly reported as tailed weight not live weight (total 10 tonnes).
13. The AFMA member advised that there are reports from industry that catches are higher than what might be expected under the RBC. Based on all available catch and length frequency information however, CSIRO have advised that there is no firm basis to suggest the assessment is inaccurate. The AFMA member noted the CSIRO advice was circulated to members earlier in the week in the paper titled: *Updated length frequency analysis for TRL April 2018*.
14. The Scientific member noted that the next meeting of the TRL Resource Assessment Group (RAG) will be considering further analysis of catches for the 2017/18 fishing season, which will include an assessment of whether the catch trends for different age classes (1+ and 2+ lobsters) are inconsistent with those forecast by the stock assessment. The member further noted that catch rates from February and March appear higher than expected as well as the abundance of 2+ lobsters and this warrants further consideration by the TRLRAG.
15. An Industry member also noted that catch rates from February and March are as expected based on the season start. Overall catches have been higher than what might have been expected with such a low RBC.
16. The members noted that they would expect the additional moon-tide hookah closures, implemented on 10 April 2018, to have had an effect on catch rates.
17. The AFMA member advised that catches were approximately 70 and 72 tonnes, between the TVH and TIB sectors, respectively.
18. The TSRA Fisheries Portfolio Member stated that the different sectors should be held to their provisional catch shares. The AFMA member advised that catch shares do not currently apply in the Fishery. There is a provisional quota allocation that is to be given effect under a quota management plan.

3 TRL Resource Assessment Group next meeting and items for discussion and advice

19. The meeting noted an update provided by the AFMA Member on items proposed for discussion at the next meeting of the TRLRAG, tentatively scheduled for 8-9 May 2018:
 - a. Update on catches including length frequency and catch per unit effort (CPUE) trends for the 2017/18 fishing season to date;

- b. Evaluate merits of conducting a 2018 mid-season survey in light of potential impacts of recent management changes and an early closure on fishery-dependent CPUE and length-composition indicators. Noting also that CSIRO has provided advice on several survey options for objectively quantifying stock status, and assisting with CPUE standardisation (paper circulated to members titled: *Summary of additional survey options for TRL for 2018*);
 - c. Assess the likelihood of anomalous residual 2+ lobsters in the fishing grounds, and if relevant consider implications for future RBC calculations.
20. The AFMA member advised that whilst the current stock assessment and survey results would not trigger a mid-season survey under the draft Harvest Strategy, advice is being sought from the TRLRAG to inform data needs for the next stock assessment in light possible impacts on catch indicators this season. A mid-year survey is also likely provide information in which to examine some industry reports that catches are higher than expected based on the pre-season survey results. Members noted that the draft Harvest Strategy could be reviewed by the TRLRAG to see if it should be made responsive to such a situation if it occurs again in the future.
21. The CSIRO scientific observer noted that a mid-season survey will provide:
 - a. An assessment of 1+ and 2+ abundance and size for validation of the pre-season survey results, or alternatively highlighting that changes in the fishery are occurring (e.g. fishing efficiency) which may necessitate a revision of survey and assessment protocols;
 - b. Provide information on the stock that will otherwise not be available, if the fishing season closes early in 2018. It was noted that if the fishery is closed early, then the survey would survey sites that may not have been fished for 1-2 months, which may bias the survey relative to previous surveys which have always been during the active fishing season. Some form of correction factor would need to be applied to take this into account.
22. The Scientific member noted that he had heard reports of a race to a race to fish this season and this will need to be taken into account in future assessments. Based on past seasons it is expected for there to be a drop in CPUE around April/May. At this time, 1+ not 2+ lobsters would normally be expected, so this is a good period to compare previous years' data to determine the reasons for the higher than expected catch rates.
23. The TSRA member advised that they are not convinced of the merits of a mid-season survey at this time and would need to consider the matter further. If a survey is conducted, the reasons and expected outcomes from the survey need to be clearly communicated so as not to create expectations about how the results of that survey are likely to be used - for example the survey is unlikely to lead to an adjustment to the RBC for the Fishery this season. The primary consideration should be how a mid-season survey supports the Fishery next season. The TSRA are not convinced on the merits of a mid-season survey on the basis of validating the results of the November 2017 pre-season survey alone (which analysis to date has not provided any basis for considering inaccurate).
24. An Industry member advised that they supported undertaking a mid-year survey noting the Fishery has a long history of mid-year survey data and a lot of the science for the Fishery hangs on this data. Based on CSIRO's advice it would be good to have fishing occurring at the time of the survey.
25. The meeting agreed that the learnings from the 2017/18 fishing season should to be considered and reflected, where appropriate, in the Harvest Strategy for the Fishery.

4 Management arrangements for the 2017/18 fishing season

26. The meeting noted an update provided by the AFMA member:
- a. The last TRLWG meeting held on 28-29 March 2018 recommended that catches should not exceed the RBC and measures be adopted to prolong the opportunity for the TIB sector to fish for the duration of the season. It was also noted that prolonging fishing would allow the collection of CPUE data over a longer period which will inform the next stock assessment for the Fishery.
 - b. Since that meeting, additional moon-tide hookah closures were implemented, commencing 13 April 2018. This measure was implemented to give immediate effect to the TRLWG recommendation to prolong the opportunity for the TIB sector to fish for a longer period.
 - c. The additional closures will reduce effort in the Fishery. However, based on monthly catches to date, the Fishery is likely to reach the Australian catch share of the RBC (190.65t) in late May 2018.
 - d. Given the timing and limitations under the *Torres Strait Fisheries Act 1984*, there are a limited number of measures available at this time. However, it was noted that further hookah restrictions could be implemented within a relatively short timeframe (less than two weeks) by way of a licence condition variation.
 - e. It is recognised that additional input and output controls such as further restrictions on the use of hookah gear are likely to reduce effort but also increase fishing costs.
27. Having regard to AFMA advice on administrative feasibility, meeting participants were asked to provide advice on any additional management measures that could be applied in 2017/18 fishing season to prolong fishing within the season.
28. The TSRA member advised that they support the implementation of a management measure to limit the catch of the TVH and TIB sectors to the provisional catch shares proposed under the draft Management Plan. This was supported by both TIB Industry members.
29. To the same effect, the TRSA Fisheries Portfolio member proposed that any remaining catch needs to be reserved for the TIB sector and additional management measures only applied after this has happened. The basis of this is that the livelihoods of the TIB sector should come first.
30. The AFMA member acknowledged the TIB proposal and advised that AFMA's previous advice, iterated at the 7th meeting of the TRLWG held on 28-29 March 2018, remains the same. A decision to implement the provisional catch shares proposed under the draft Management Plan, prohibiting fishing by a select group of licence holders mid-season and outside of a management plan would not be sound administrative decision making or procedurally fair.
31. In addition to the above, members discussed the following management measures:
- a. no additional measures and close the fishery when the Australian share of the RBC is reached;
 - i. Industry members advised that they did not support this option as this would not prolong the opportunity for the TIB sector, or the Fishery as a whole;
 - b. further hookah closures for May-June or for the remainder of the fishing season;
 - i. It was noted that either option would have a differential impact on fishers, depending on the method they employed in their operations;

- ii. Hookah closures would prolong the opportunity for the TIB sector to fish for a longer period but it was noted that fishers in the TIB sector use hookah;
 - iii. One Industry member advised that a hookah closure for May-June would likely benefit the Fishery as a whole by prolonging fishing for all. Secondly if beneficial for a mid-year survey, the Fishery would still be open in July rather than stopping in May;
 - iv. One Industry member noted that further hookah closures (May and June) are not likely to be supported by TVH operators and possibly some TIB fishers but it would leave catch for TIB free dive and lamp fishing and give time for the TRLRAG to consider the 2+ abundance, catches and the RBC.
 - v. It is uncertain as to what level of effort shift will occur from hookah to free dive. The AFMA member noted that of the reported TIB catch to date approximately 27 tonnes had been reportedly taken by free dive. The Scientific observer advised that free dive catch rates are approximately 85% of hookah catch rates;
 - vi. Prolonging the season would allow industry to fish to higher market prices expected in June/July;
 - vii. Prolonging the season so that fishing is occurring at the same time as a mid-season survey, will help address the issue with potential bias in the survey caused by an early cessation of fishing;
- c. Fishery closure for May-June or fortnight each month;
- i. Whilst this option may prolong the opportunity for the TIB sector to fish for a longer period, it would severely disrupt income and cash flow for fishers.
- d. increase the minimum size limits;
- i. There would need to be robust data and advice from the TRLRAG to support such a measure;
 - ii. Implementation would take approximately 1 month, as this would need to be given effect to under a legislative instrument.
32. The QDAF member noted, that in considering additional management measures, measures need to pursue the objectives under the *Torres Strait Fisheries Act 1984*, be implementable and enforceable.
33. An Industry member requested information be made available regarding operators' provisional catch shares proposed under the draft Management Plan, so members can better understand the circumstances of operators involved.

5 Other Business

34. No other business was discussed.

6 Date and venue for next meeting

35. The Chair noted that meeting by teleconference was not ideal and had associated difficulties but given the short timeframes was the only option available. The Chair thanked members for making themselves available at short notice and for their advice.

36. Mr Jerry Stephen closed the meeting in prayer at 12:00pm on 26 April 2018.

AGENDA

1. Preliminaries
 - 1.1. Meeting preliminaries
 - 1.2. Adoption of agenda
 - 1.3. Declaration of interests
 - 1.4. Action items from previous meetings
2. Update on catches to date
3. TRL Resource Assessment Group next meeting and items for discussion and advice
4. Management arrangements for the 2017/18 fishing season
5. Other Business
6. Date and venue for next meeting