

**12<sup>th</sup> MEETING OF THE TORRES STRAIT HAND COLLECTABLES  
WORKING GROUP**

**Tuesday 24 October 2017 (8:30 am – 5:00 pm)**

**Thursday Island (Port Kennedy Association Hall, 64-66 Douglas Street)**

**DRAFT AGENDA**

**Followed by CSIRO HARVEST STRATEGY WORKSHOP**

**Day 1: Wednesday 25 October 2017 (8:30 am – 5:00 pm)**

**Day 2: Thursday 26 October 2017 (8:30 am – 12:00 pm)**

**Thursday Island (Port Kennedy Association Hall, 64-66 Douglas Street)**

**Separate agenda to be provided**

**1. Preliminaries**

- 1.1. Opening prayer, acknowledgement of Traditional Owners, welcome and apologies
- 1.2. Adoption of agenda
- 1.3. Declarations of interest
- 1.4. Action items from HCWG 11 and previous meetings
- 1.5. Out of session correspondence

**2. Fishery Updates**

- 2.1. Industry update (to include Torres Strait fisheries strategic issues including economic trends)
- 2.2. Government agencies update (AFMA, TSRA, QDAF)
- 2.3. Native Title update
- 2.4. PNG National Fisheries Authority update

**3. Management**

- 3.1. Research update and priorities
- 3.2. Catch data summary
- 3.3. Pearl Shell Fishery update
- 3.4. Implementation of a fish receiver system

- 3.5. Black teatfish
- 3.6. Prickly redfish – update on management actions
- 3.7. White teatfish – update on management actions
- 3.8. Future management priorities

**4. Other business**

**5. Date and venue for next meeting**

**Individuals wishing to attend the meeting as an observer must contact the Executive Officer – Natalie Couchman ( [natalie.couchman@afma.gov.au](mailto:natalie.couchman@afma.gov.au) )**

<b>TORRES STRAIT HAND COLLECTABLES WORKING GROUP</b>	<b>Meeting 12 24 October 2017</b>
<b>PRELIMINARIES</b> <b>Opening prayer, acknowledgement of Traditional Owners, welcome and apologies</b>	<b>Agenda Item 1.1 For NOTING</b>

## **RECOMMENDATIONS**

1. That the Working Group **note**:
  - a. an opening prayer;
  - b. an acknowledgement of Traditional Owners;
  - c. the Chairperson's welcome address; and
  - d. apologies received from members unable to attend.

## **BACKGROUND**

2. Apologies have been received from Danielle Stewart (Queensland Department of Agriculture and Fisheries) and Patrick Mills (Industry Member).

<b>TORRES STRAIT HAND COLLECTABLES WORKING GROUP</b>	<b>Meeting 12 24 October 2017</b>
<b>PRELIMINARIES Adoption of agenda</b>	<b>Agenda Item 1.2 For DECISION</b>

## **RECOMMENDATIONS**

1. That the Working Group consider and **adopt** the agenda (**Attachment 1.2a**).

## **BACKGROUND**

2. A draft agenda was circulated to members and other participants on 22 September 2017. No comments were received.

<b>TORRES STRAIT HAND COLLECTABLES WORKING GROUP</b>	<b>Meeting 12 24 October 2017</b>
<b>PRELIMINARIES Declarations of interest</b>	<b>Agenda Item 1.3 For DECISION</b>

## RECOMMENDATIONS

1. That the Working Group members:
  - a. **declare** all real or potential conflicts of interest in Torres Strait hand collectable fisheries at the commencement of the meeting (**Attachment 1.3a**);
  - b. **determine** whether the member may or may not be present during discussion of or decisions made on the matter which is the subject of the conflict;
  - c. **abide** by decisions of the Working Group regarding the management of conflicts of interest.
  - d. **note** that the record of the meeting must record the fact of any disclosure, and the determination of the Working Group as to whether the member may or may not be present during discussion of or decisions made on the matter which is the subject of the conflict.

## BACKGROUND

2. Consistent with the Protected Zone Joint Authority (PZJA) Fisheries Management Paper No. 1 (FMP1), which guides the operation and administration of PZJA consultative forums, members are asked to declare any real or potential conflicts of interest.
3. Working Group members are asked to confirm the standing list of declared interests (**Attachment 1.3a**) is accurate and provide an update to be tabled if it is not.
4. FMP1 recognises that members are appointed to provide input based on their knowledge and expertise and as a consequence, may face potential or direct conflicts of interest. Where a member has a material personal interest in a matter being considered, including a direct or indirect financial or economic interest; the interest could conflict with the proper performance of the member's duties. Of greater concern is the specific conflict created where a member is in a position to derive direct benefit from a recommendation if it is implemented.
5. When a member recognises that a real or potential conflict of interest exists, the conflict must be disclosed as soon as possible. Where this relates to an issue on the agenda of a meeting this can normally wait until that meeting, but where the conflict relates to decisions already made, members must be informed immediately. Conflicts of interest should be dealt with at the start of each meeting. If members become aware of a potential conflict of interest during the meeting, they must immediately disclose the conflict of interest.
6. Where it is determined that a direct conflict of interest exists, the forum may allow the member to continue to participate in the discussions relating to the matter but not in any decision making process. They may also determine that, having made their contribution to the discussions, the member should retire from the meeting for the remainder of discussions on that issue. Declarations of interest, and subsequent decisions by the forum, must be recorded accurately in the meeting minutes.

### Hand Collectables Working Group Declarations of Interest

Name	Position	Declaration of interest
Anne Clarke	Chairperson	Nil.
Natalie Couchman	Executive Officer	Nil.
Selina Stoute	AFMA Member	Nil.
Mariana Nahas	TSRA Member	Nil.
Tim Skewes	Research Member	CSIRO/Independent Consultant. Previous principal scientist for Torres Strait Scientific Advisory Committee (TSSAC) project to develop a harvest strategy for the Torres Strait Beche-de-mer Fishery. Previous CSIRO researcher for TSSAC project investigating traditional take of finfish in Torres Strait.
Maluwap Nona	Industry Member	TIB licence holder.
Patrick Mills	Industry Member	TIB licence holder. Chairperson of the Torres Strait Fisheries Association.
Francis Pearson	Industry Member	TIB licence holder.
Michael Passi	Industry Member	TIB licence holder.
Jerry Stephen	TSRA Board - Fisheries Portfolio	TIB licence holder. President of the Erub Fisheries Management Association.

<b>TORRES STRAIT HAND COLLECTABLES WORKING GROUP</b>	<b>Meeting 12 24 October 2017</b>
<b>PRELIMINARIES</b> <b>Action items from HCWG 11 and previous meetings</b>	<b>Agenda Item 1.4 For NOTING</b>

## RECOMMENDATIONS

### 1. That the Working Group:

- a. **note** the progress against actions arising from previous meetings, including the 11<sup>th</sup> meeting of the Hand Collectables Working Group (HCWG 11) held on 27 June 2017 (**Attachment 1.4a**).
- b. **note** the final meeting record for HCWG 11, which was ratified out of session (**Attachment 1.4b**).

## BACKGROUND

### *Actions arising*

2. Updates are provided on the status of actions arising from HCWG 11 and previous meeting.

### *Minutes of the previous meeting*

3. The meeting record for HCWG 11 was ratified out of session.
4. A draft meeting record was circulated to all HCWG members on 15 August 2017 with comments closing on 29 August 2017.
5. After receiving minor technical comments back from HCWG members the meeting record was closed out of session and emailed to members on 5 September 2017.

## Status of actions arising from previous HCWG meetings

#	Meeting #	Action Item	Responsibility	Status
1	9 (20-21 June 2016)	AFMA to review the size limits set for the Torres Strait Beche-de-mer Fishery taking into consideration the size limits in place in Queensland and the Commonwealth Coral Sea Fishery.	AFMA	<b>In progress</b> To be addressed as part of the Beche-de-mer Harvest Strategy project.
2	11 (27 June 2017)	An industry observer requested that the historic black teatfish catch data from the early 1990s be made available to industry and the HCWG for consideration of how large catches impacted the fishery.	AFMA	<b>Completed</b> Provided under Agenda Item 3.2.
3	11 (27 June 2017)	Consideration on whether or not changes should be made to the current size limit for prickly redfish be undertaken during the Harvest Strategy Workshop noting relevant data will be presented.	AFMA	<b>In progress</b> To be addressed as part of the Beche-de-mer Harvest Strategy project.
4	11 (27 June 2017)	Industry members and observers to submit any outstanding catch reports to AFMA as a matter of priority.	Industry	<b>In progress</b> A reminder regarding this action was sent to members on 22 September 2017. No catch reports have been received to date.
5	11 (27 June 2017)	AFMA to confirm out-of-session the commitment from Masig and Ugar communities to voluntary spatial closures and size limits for prickly redfish.	AFMA	<b>In progress</b> AFMA sought further comment from industry on the proposed voluntary closures on 27 September 2017, including from Traditional Inhabitant representatives and relevant fishing associations. Further information on the industry proposed voluntary closures is provided under Agenda Item 3.6.



# **Torres Strait Hand Collectables Working Group No.11 Meeting Record**

27 June 2017

Note all meeting papers and record are available  
on the PZJA webpage:

[www.pzja.gov.au](http://www.pzja.gov.au)



**Australian Government**

**Australian Fisheries Management Authority**

# Contents

Meeting Participants .....	3
Action Items .....	4
Recommendations .....	5
Agenda Item 1 - Preliminaries .....	7
1.1. Opening Prayer / Acknowledgement of Traditional Owners / Welcome / Apologies.....	7
1.2. Adoption of Agenda .....	7
1.3. Declaration of Interests .....	7
1.4. Actions Items .....	7
Agenda Item 2 – Fishery Updates.....	7
2.7. Strategic overview and update (including economic and market trends).....	7
Agenda Item 3 – Research .....	10
3.1 Research priorities .....	10
Agenda Item 4 – Management.....	11
4.1 Prickly redfish overcatch and options to mitigate overcatching .....	11
4.2 Black teatfish – community monitoring plans.....	15
4.3 White teatfish – survey outcomes and management priorities.....	16
4.4 Public register development .....	17
4.6 Crewing of traditional inhabitant boats.....	17
4.7 Draft AFMA Hand Collectable Fisheries Budget .....	18
4.8 Grant of carrier licenses to non-traditional inhabitants .....	18
Agenda item 5 - Other business .....	18
5.1 Other business.....	18

## Meeting Participants

### Members

Name	Position	Declaration of interest
Anne Clarke	Chairperson	Nil
Andrew Trappett	Executive Officer	Nil
Selina Stoute	AFMA Member	Nil
Tom Roberts	QDAF Member	Nil
Mariana Nahas	TSRA Member	Nil
Tim Skewes	Research Member	CSIRO/Independent Consultant. Previous principal scientist for TSSAC project to develop a harvest strategy for the Torres Strait Beche-de-mer Fishery. Previous CSIRO researcher for TSSAC project investigating traditional take of finfish in Torres Strait.
Maluwap Nona	Industry Member	TIB licence holder. Chairperson Malu Lamar.
Michael Passi	Industry Member	TIB licence holder

### Meeting Observers

Name	Position
Arthur Naawi	Small business owner, Erub Island.
Joseph Billy	Fisher, Masig Island.
Chris Saylor	Fisher, Erub Island.
Pau Stephen	Fisher, Representative of Kos & Abob Fishers Assoc., Ugar Island.
Daniel Stephen	Fisher, Ugar Island.
William Stephen	Fisher, Ugar Island.
Les Pitt	Fisher, Erub Island.
Kenny Bedford	TSRA Board member, Fisher, President, Erub Fisheries Management Association.
Thomas Nomoa	Fisher, Thursday Island.

Name	Position
Ned David	Fisher, Iama Island.
Dennis Passi	Fisher, Mer Island.
William Bero	MDW Fisheries Chair, Mer Island.
Alison Runck	Project Officer, TSRA.
Charles David	Project Officer, TSRA.
Eva Plaganyi	CSIRO Brisbane, harvest strategy project lead.
Nicole Murphy	CSIRO Brisbane, working on harvest strategy project
Natalie Dowling	CSIRO Hobart, working on harvest strategy project.

## Apologies

Name	Position
Ian Liviko	Papua New Guinea National Fisheries Authority
Francis Pearson	Member
Patrick Mills	Member

## Action Items

Number	Action
1.	<p><b>Agenda item 2.7 industry updates</b></p> <p>The HCWG agreed to the following <b>ACTION</b>: An industry observer requested that the historic black teatfish catch data from the early 1990's be made available to industry and the HCWG for consideration of how large catches impacted the fishery. AFMA advised it would work with QDAF and the research member and make these data available.</p>
2.	<p><b>Agenda item 4.1 prickly redfish</b></p> <p>The HCWG agreed to the following <b>ACTIONS</b>:</p> <ol style="list-style-type: none"> <li>Consideration on whether or not changes should be made to the current size limit for prickly redfish be undertaken during the Harvest Strategy Workshop noting relevant data will be presented.</li> <li>Industry members and meeting observers to submit any outstanding catch reports to AFMA as a matter of priority</li> <li>AFMA to confirm out-of-session the commitment from Masig and Ugar communities to voluntary spatial closures and size limits for prickly redfish.</li> </ol>

## Recommendations

Number	Recommendations
1.	<p><b>Agenda item 4.1 prickly redfish.</b></p> <p>The HCWG <b>AGREED</b>:</p> <ol style="list-style-type: none"> <li>likely over catch is well above reported catches (total harvest may be in the range of 40 to 50 t );</li> <li>based on available science and industry advice on stock availability across the fishing grounds, considered that the stock is likely being depleted; and</li> <li>immediate action is required to mitigate risk to the stock (noting harvest strategy will provide a longer-term management strategy)</li> </ol> <p>The HCWG <b>RECOMMENDED</b> the following immediate management action:</p> <ol style="list-style-type: none"> <li>a limited reduction in TAC to 15 tonnes (down 5 tonnes from the current 20 tonne TAC);</li> <li>continued (ongoing) fishing be contingent on having reliable catch data; and</li> <li>if in two years' time catch data is still unreliable (after the 2017, 2018 seasons), and in the absence of any new information on the status of the stock, closure of commercial fishing for the stock should be considered.</li> </ol> <p>Mer and Erub industry members and observers <b>AGREED</b> to the following voluntary spatial closures - noting that consultation with Ugar and Masig was required:</p> <ul style="list-style-type: none"> <li>10 nautical mile radial closures from Mer and Erub communities</li> <li>Big Mary Reef</li> <li>Small Mary Reef</li> <li>Bramble Cay</li> <li>Brown Reef</li> <li>Laxton Reef</li> </ul> <p>The HCWG further <b>RECOMMENDED</b> that an annual review of data and implementation of these measures be undertaken.</p>
2.	<p><b>Agenda item 4.2 black teatfish</b></p> <p>The HCWG <b>NOTED</b> and welcomed the progress made by Mer, Ugar and Erub fishery associations to develop catch monitoring plans and as a matter of priority encouraged their implementation as a means to improve catch data for all BDM species;</p> <p>The HCWG <b>NOTED</b> that industry and AFMA need to work in strong partnership to successfully implement a fish receiver by 1 December. Once implemented the HCWG would recommend the PZJA reopen the fishery for a limited level of fishing. The HCWG noted the industry would meet to discuss preferred management arrangements for a future opening;</p> <p>The HCWG <b>RECOMMENDED</b>:</p> <ol style="list-style-type: none"> <li>HCWG industry members (i.e. fishers) be included in any consultation on the fish receiver system with communities noting that their support and expertise will be key to the program being a success.</li> <li>AFMA as PZJA secretariat to keep stakeholders informed on the status of matters being considered by the PZJA as they progress through the decision making process (noting out of session decision can take around 3 months and involve many administrative steps).</li> </ol>

3.	<p><b>Agenda item 4.3 White teatfish</b></p> <p>The HCWG <b>NOTED</b></p> <ul style="list-style-type: none"> <li>a. general support from industry members and meeting observers for Mer fishers to pursue flexibility to use hookah in their waters to fish white teatfish;</li> <li>b. that the Mer proposal includes the observation of cultural protocols according to Malo's law of other communities (e.g. if a Mer fisher was to fish in Erub waters they would remove hookah gear and free dive) and must ultimately be approved by Mer elders;</li> <li>c. that broader stakeholder consultation would be required for the PZJA to consider options to formally support the proposal with management regulation. In particular, defining areas of waters and catch shares; and</li> <li>d. that AFMA would seek PZJA approval to commence formal consultation on the Mer proposal.</li> </ul>
4.	<p><b>Agenda item 4.4 Development of a public register</b></p> <p>The HCWG <b>SUPPORTS</b> the development of a public register of all Torres Strait commercial fishing boats as outlined in the agenda paper.</p>
5.	<p><b>Agenda item 4.6 Crewing of traditional inhabitant boats</b></p> <p>The HCWG <b>NOTED</b> the potential benefit for individual businesses to have more flexibility with employing crew, however it was noted there are several broader issues with supporting the TSFA proposal at this time. It was noted that some industry observers present at the meeting were supportive of the proposal.</p> <p>The HCWG identified a range of issues including:</p> <ul style="list-style-type: none"> <li>a. high levels of unemployment;</li> <li>b. latent effort in the TIB sector;</li> <li>c. the culture of welfare dependency is affecting the ability of the fishery to recruit and retain crew; and</li> <li>d. the different business needs of different types of TIB operators (dingy operators compared with TIB operators running large primary vessels).</li> </ul> <p>The HCWG <b>RECOMMENDED</b> that broader consultation be undertaken with Traditional Owners.</p>
6.	<p><b>Agenda item 4.8. Carrier licences for non-traditional inhabitants</b></p> <p>Noting the number of related issues (e.g. crewing, unemployment as per agenda item 4.6) the Hand Collectable Working Group was <b>NOT SUPPORTIVE</b> of any additional carrier licenses being issued to non-traditional inhabitants.</p>

## Agenda Item 1 - Preliminaries

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### 1.1. Opening Prayer / Acknowledgement of Traditional Owners / Welcome / Apologies

Mr Arthur Naawi opened the meeting in prayer at 9:00 am.

The meeting Chairperson, Anne Clarke, welcomed attendees and noted the large number of observers and thanked them for travelling long distances and taking the time to attend. Meeting attendees were advised that the purpose of the meeting was to provide advice to the Protected Zone Joint Authority on the management of hand collectable fisheries in line with *PZJA Fisheries Management Paper No. 1*.

Apologies were **NOTED** from Francis Pearson (member for Kulkalgul), Patrick Mills (member for Kaiwalagal), Jerry Stephen (TSRA Fisheries Portfolio Board Member) and invited participant Ian Liviko (PNG-National Fisheries Authority).

Mr Nona advised that he would provide the native title update on behalf of Malu Lamar.

### 1.2. Adoption of Agenda

The Hand Collectables Working Group (HCWG) **ADOPTED** the agenda. It was agreed to reorder the agenda to prioritise agenda items under section 4 'Management', in particular items 4.1 prickly redfish, 4.2 black teatfish and 4.3 white teatfish. It was agreed for the fishery updates under agenda items 2.1 to 2.6 to be presented last.

### 1.3. Declaration of Interests

The HCWG **NOTED** that there could be potential conflicts of interest for members and observers when providing information and advice on some agenda items. HCWG members declared that their tabled interests were still current and Mr Bedford updated his declaration to reflect his current TSRA Board responsibilities.

HCWG members **NOTED** the additional paper circulated on *PZJA Fisheries Management Paper No. 1* member roles and responsibilities and those of casual observers (**Attachment A**).

### 1.4. Actions Items

The HCWG **NOTED** the status of the previous action items from recent meetings as per the provided paper.

## Agenda Item 2 – Fishery Updates

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### 2.7. Strategic overview and update (including economic and market trends)

The HCWG **NOTED** updates provided by HCWG industry members and meeting observers on strategic issues facing the beche-de-mer fishery as detailed below

#### ***Fishing activity reports***

- Ugar and Masig Island fishers report that they have had a recent or current focus on curryfish.
- Mer Island fishers report they have been targeting white teatfish, with catches of 2 ½ to 3 tubs on a good day.

- Mer Island fishers report they are focusing their fishing on areas due north of Mer, working the cays north of the Mer and to the south of Mer Island near Yule entrance.
- Industry raised concerns that the abundance of prickly redfish was apparently lower in recent times. Mer Island fishers report having to travel further to find economically viable grounds to dive for prickly redfish.

### ***Catch reporting***

- Fishers identified a strong need for fishers to supply catch reports to AFMA including on-water logbooks to make sure the amount being harvested was understood.
- A representative from the Kos and Abob Industry Association, Ugar Island, advised that they had catch data to supply to AFMA after the meeting.
- Arthur Naawi advised that con-notes with catch data from his business were being located which are to be supplied to AFMA after the meeting.

### ***Recovery of depleted species***

Industry members and observers advised how depleted species, such as black teatfish, appeared to be recovering at different rates in different areas of the fishery as follows:

- Recovery appears to be slow around Erub Island, black teatfish could traditionally be found at 3m depth in these waters and now appear to be found in 5-6m depths.
- Reefs to the SW of Mer and towards Cumberland Passage appear to be depleted of prickly redfish. Black teatfish appear to be recovering in these areas.
- During the black teatfish openings fishing effort was mainly focused towards the north and south-west and to the north and south-west of Mer Island.
- Fishers report that in general catches of BDM are being taken in deeper waters (5-7m) and suggest that climate change could also be playing a role in this, forcing the species to seek deeper water.
- Erub fishers advised that prickly redfish now appears to be no longer readily available on reef crests and is now only found in deeper depths.
- Broad concerns were raised for the status of BDM stocks on the reefs around Erub and out to as far as 20 miles from the island.
- Erub fishers report that higher value species seem to be recovering, although slowly, in waters around Erub.
- Strong concerns were raised regarding the availability of BDM species on broad areas of reef around Erub including reefs to the south, south-south-east and south-south-west and also that the reefs to the north-east of Erub towards Bramble Cay are not recovering for some species.
- Reports are that Emar Reef (seven miles east of Erub) used to be profitable fishing grounds and now only yield 1 to 2 beche-de-mer per 100m of reef walked.
- The recovery rate of black teatfish around Big Mary Reef appears to be slow.

The HCWG agreed for the following **ACTION**: An industry observer requested that the historic black teatfish catch data from the early 1990's be made available to industry and the HCWG for consideration of how large catches impacted the fishery. AFMA advised it would work with QDAF and the research member and make these data available.

### ***Value adding***

- Fishers discussed the different handling practices by species and noted that spoilage was occurring due to poor catch handling. It was also noted that the quality of product being given to buyers varied greatly.
- Kos and Abob Industry Association advised they were focusing on improving the processing techniques of product.



- It was noted that some operators are investigating processing and drying product within their community, noting the associated difficulties in perfecting this technique given the high humidity and the need to acquire the correct equipment.
- Communities feel exporting dried product will value add and provide employment opportunities to communities.
- It was noted that fishing for curryfish was now in an 'experimental' phase with fishers reportedly discarding tonnes of product due to spoilage as the best handling and processing practices are being established.

### ***Marketing and fair trade value***

An industry member advised that issues within the market for Torres Strait beche-de-Meriam product need to be addressed:

- Industry called on the TSRA to call a meeting with fishers and buyers to examine export market prices and fair trade prices for Torres Strait product.
- Industry also advised that intermediaries in the market chain were causing issues by refusing to take lower value species. Industry feel that there should be market demand for lower value species such as elephant's trunk and greenfish.
- Industry called on government to help industry find and develop new markets for lower value species.

The AFMA member advised the following:

- Industry are encouraged to meet to further pursue this initiative and to develop a strong industry position on what they wanted to achieve.
- AFMA is able to facilitate fishers getting in touch with other industries that have developed markets but advised that's its role was regulating harvest, not finding markets for product.

The TSRA member advised the following:

- the TSRA does have an interest in developing the beche-de-mer industry with projects such as examining branding Torres product, industry development and exporting product from the Torres Strait with an initial workshop held;
- Investigation has been occurring into BDM ranching with a visit to a Darwin aquaculture facility. Initial findings are that ranching BDM may not be commercially viable in Torres Strait.

### ***Climate change and breeding grounds***

Industry members queried how climate change may be impacting their fishery, particularly growth, breeding grounds and reproductive rates.

- The research member advised that it was difficult to determine as growth rates of sea cucumber species are highly variable and are uncertain in the wild. Uncertainty also exists around age at sexual maturity for many species.
- The research member advised that the large amount of outstanding catch data identified by industry members present needed to be submitted to address this issue and to analyse how catch rates per day might be changing.
- Regarding identifying breeding grounds, the research member advised that management assumes that the Torres Strait is the likely source of stocks due to the way that currents flow around the strait. CSIRO advised that a table of breeding times would be supplied in the harvest strategy workshop for information.

### ***Future direction of the fishery***

Concerns were raised by industry members and meeting observers that since the two black teatfish openings (2014,2015) there remains a keen, ongoing interest in the fishery which was historically limited.

- It was supposed that once a species had become the target of large amounts of commercial fishing it has generally led to a depleted stock status (e.g. sandfish, surf redfish, black teatfish and noting concerns recently raised by industry over prickly redfish).
- It was noted that some fishers are now focusing on fishing beche-de-mer rather than working in other sectors such as crayfishing.
- Due to reductions in traditional target species biomass, and no-take TACs for some species, there has been increased focus on fishing species that were traditionally byproduct species such as prickly redfish which has now become a key commercial species.
- Concern was also raised by industry on the potential damage being done to reefs and ecosystems from fishers removing byproduct species that traditionally were not worth collecting and left alone would continue to provide ecosystem services i.e. cleaning the reefs. Industry identified a strong need for communities to understand the science of these impacts.
- An industry observer requested that future consideration be given to spatial management arrangements and whether separate sectors could be established e.g. create a 'fence' to divide the eastern and western sections of the fishery to limit access.
- An industry observer also suggested that the government should be investigating a contingency plan should more stocks collapse e.g. investigating ranching/ aquaculture.

Industry advised that in sustainably developing the fishery strong consideration needs to be given to getting the most economic benefit and development while being underpinned by the correct management arrangements.

## **Agenda Item 3 – Research**

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### **3.1 Research priorities**

The HCWG **NOTED** that:

- a) it is a standing item for the Working Group to consider research priorities for the Hand Collectable Fisheries;
- b) that it was agreed at the HCWG last meeting (June 2016) that future research priorities would be guided by the Harvest Strategy to be developed over the coming 18 month;
- c) advice from the AFMA member that most of AFMA's available research budget (~\$400,000 per year) is committed for the next few years (as detailed in the Agenda paper); and
- d) that the current research funding commitment for BDM is the harvest strategy project.

Members and observers discussed the following areas of research interest:

#### ***Harvesting larvae for ranching***

- Some industry members and observers queried whether juvenile beche-de-mer that washes up on the shoreline from time-to-time in large numbers, could be harvested and be grown-out for ranching and potentially used to restore depleted stocks.
- The research member advised that:
  - this would be a challenging project.
  - samples and juveniles should ideally be collected for research and identification; and
  - the only grow-out in hatcheries at the moment is for sandfish and that small beche-de-mer could potentially be used to seed reefs.

### *Stock status of sandfish*

- Some industry members and observers raised concerns that the status of the sandfish stock on Warrior Reef was not currently known with the last survey being carried out in 2010. Anecdotal reports from industry are that the stock appears to not be rebuilding and concerns were raised that illegal, unregulated and unreported (IUU) fishing might be playing a role in this apparent lack of rebuilding.
- Advice was sought on the potential benefit and feasibility of a re-seeding program to facilitate stock rebuilding. The Research Member advised that while there may be some benefit, any re-seeding program would need to be well designed to ensure that moving stock around the strait did not disrupt the natural spawning potential of this recovering species.
- Members and observers noted advice from the AFMA member that as part of the harvest strategy project, agreed minimum information requirements together with supporting management measures could be developed to guide any resumption of fishing. Fishery independent surveys may be one way to obtain an understanding of stock status.
- The AFMA member advised that Australia continues to work closely with PNG-NFA to combat IUU fishing this includes, conducting patrols, apprehensions and prosecutions.

## **Agenda Item 4 – Management**

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### **4.1 Prickly redfish overcatch and options to mitigate overcatching**

The HCWG:

- a) noted advice that based on updated Prickly Redfish catch reports, the species was overcaught by 8 tonne in 2015. The HCWG further noted AFMA advice that it is likely the total reported catch is a likely underestimate of actual catches noting the number of outstanding logbook and docket reports; and
- b) discussed the likely impacts of the overcatch of stocks and options to mitigate the risk of further overcatches.

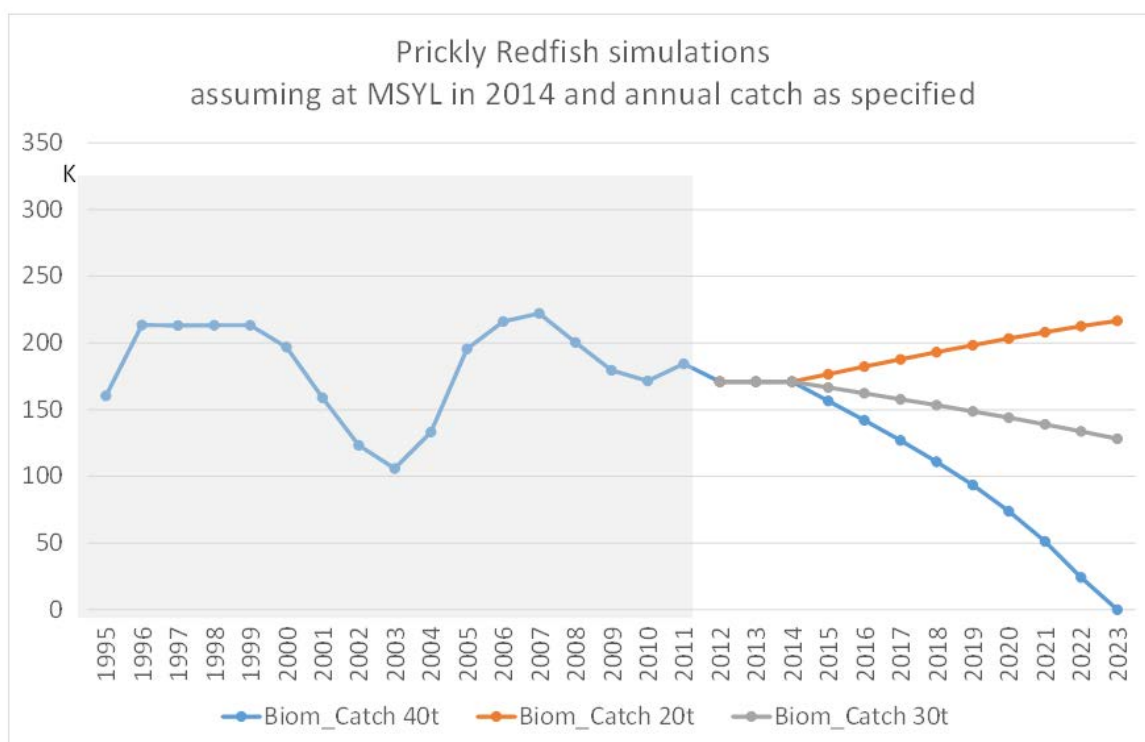
The HCWG noted the following advice from the Research Member:

- the nominal TACs were set after the 2009 survey and were set at a level of harvest representing six per cent of the lower confidence interval of our biomass estimate.
- Setting these TACs was reliant on regular checks of the amount of BDM being harvested and collecting data such as size composition.
- Harvest rates should ideally be less than ten per cent of biomass to ensure sustainability.
- The east coast black teatfish stock had been depleted by harvesting around only 10 per cent of the biomass.
- Based on its biology prickly redfish is likely vulnerable to fishing pressure due to its life history traits – being a relatively larger, slower growing, long lived, less productive species.

Three future biomass scenarios based on different harvest levels were presented by CSIRO for the Torres Strait stock of prickly redfish (**Figure 1**). The HCWG noted the analysis indicates that for annual catches of:

- 20 tonnes (equal to the current TAC) the stock is likely to build (orange projection);
- 30 tonnes (being 1.5 times higher than the TAC) the stock is likely to decline over time (grey coloured projection); and
- 40 tonnes (two times the TAC) the stock is likely to crash within ten years (blue coloured projection).

Industry members and observers considered that the prickly redfish stock may be on a downwards trajectory following an increase in effort in the Beche-de-mer Fishery since the 2014 and 2015 black teatfish openings (in particular following the 2015 opening). Industry have observed declines in abundance across many key fishing grounds and with fishers having to fish further afield and/or for a longer time to maintain good catch rates. Industry remains concerned over the amount of unreported catch.



**Figure 1.** Simulated impacts of different harvest levels (fixed annual catches) on the future relative abundance of prickly redfish assuming the current level of biomass is  $B_{MSY}$  (maximum sustainable yield). Source: Plagányi É, Skewes T, Dowling N, Haddon M (2011) Evaluating management strategies for data-poor bêche de mer species in Torres Strait. CSIRO/DAFF Report, Brisbane, Australia

## Recommendations and actions

The HCWG **AGREED**:

- likely over catch is well above reported catches (total harvest may be in the range of ~40-50 t);
- based on available science and industry advice on stock availability across the fishing grounds, the stock is likely being depleted; and
- immediate action is required to mitigate risk to stock (noting a harvest strategy will provide a longer-term management strategy)

The HCWG **RECOMMENDED** the following immediate management action:

- a limited reduction in TAC to 15 tonnes (down 5 tonnes from the current 20 tonne TAC);
- continued (ongoing) fishing be contingent on having reliable catch data; and
- if in two years' time catch data is still unreliable (after the 2017, 2018 seasons), and in the absence of any new information on the status of the stock, closure of commercial fishing for the stock should be considered.

Mer and Erub industry HCWG members and observers **AGREED** to the following voluntary spatial closures - noting that consultation with Ugar and Masig was required:

- 10 nautical mile radial closures from Mer and Erub communities
- Area closures on the following reefs:
  - Big Mary Reef
  - Small Mary Reef
  - Bramble Cay
  - Brown Reef
  - Laxton Reef

The HCWG further **RECOMMENDED** that an annual review of data and implementation of these measures be undertaken.

In making these recommendations the HCWG noted the input provided from observers during discussion.

The HCWG agreed to the following **ACTIONS**:

- a. Consideration on whether or not changes should be made to the current size limit for prickly redfish be undertaken during the Harvest Strategy Workshop noting relevant data will be presented;
- b. Industry members and meeting observers to submit any outstanding catch reports to AFMA as a matter of priority; and
- c. AFMA to confirm out-of-session the commitment from Masig and Ugar communities to voluntary spatial closures and size limits for prickly redfish.

### **Broader management issues discussed**

In considering the immediate impacts of the recent overcatching of the prickly redfish TAC and possible measures to mitigate further overcatches, the HCWG and observers discussed a range of broader management issues that are critical to how the fishery may be developed and utilised into the future. These are detailed below.

### **Reporting**

The HCWG and observers confirmed their strong support for accurate catch reporting. Catching reporting was fundamental to good management which in turn is needed to support certainty and investment within the industry. Members and observers noted and supported initiatives underway to improve reporting in the longer-term including that:

- Ministerial approval had been given for AFMA to approach drafters to develop draft amendments to the Torres Strait Fisheries Act to make changes including the ability to make logbook reporting mandatory; and
- the PZJA had agreed to implement a mandatory fish receiver system from 1 December 2017 to replace the existing voluntary docket books. The AFMA member advised community visits will commence soon to discuss the proposed FRS and to work with stakeholders to ensure it may successfully be implemented.

The AFMA member noted that while these regulatory initiatives are being progressed, industry should take responsibility and begin accurate reporting now for all species. It was also noted that despite the agreed importance of catch reporting there has not been a significant improvement with no catch reports received by AFMA for the year to date.

HCWG members queried what the root cause was for the lack of reporting to date. Some industry members ventured that most fishers understood that reporting was not a legal requirement. It was suggested that some fishers, particularly full time fishers, were recognising the importance of good

data in understanding the health of the stocks and in protecting the fishery. It was noted and welcomed that some fishers have begun to complete individual catch logbooks.

Industry members and observers advised that resourcing was a limitation for most industry Association's capacity to implement their community based catch monitoring plans effectively. It was suggested that funding could be supplied to industry associations to facilitate the implementation of fish receivers project e.g. provide support for association in the identification of buyers and to improve reporting. It was noted that the TSRA has offered developmental grants to industry associations in the past with a focus on governance and facilities; it was noted that this scope would need to be broadened to include reporting.

### ***Latent effort and access issues***

Some industry members and observers raised concerns over the large number of people who could access the fishery (e.g. 103 TIB licenced beche-de-mer fishers at the time of the meeting) noting the fishery is managed for unlimited entry.

The HCWG members and observers recognised that access arrangements (e.g. cap the number of licences versus having no limit on the licence numbers) for the fishery is a significant issue that needs to be considered against stakeholders broader objectives for the fishery.

The MDW Fishers Association advised that their position was that only 'full time' fishers should be able to access the fishery (at least in Mer Island waters). Allowing too many people to fish in the fishery means there is less security (for example certainty around available catch) for those who have invested in the fishery.

Industry members advised that some fishers were keen to be full time beche-de-mer fishers and could make good incomes from the fishery if issues identified with marketing, market prices and exporting product from the TSPZ were addressed.

Members and observers noted their previous consideration that the beche-de-mer fishery could likely support around 10 operators making ~ \$65,000 per year each within the 130 tonne total harvest.

### ***Management arrangements***

In considering that kinds of management measures needed to support the sustainable development of the fishery for the long-term the HCWG revisited previous analysis presented by the QDAF member on the differences between the QLD east coast fishery and the Torres Strait fishery (**Table 1** below). The management arrangements of the east coast fisheries were noted and gaps between these and the Torres Strait arrangements were noted.

**Table 1.** Comparison of management measures in place in QLD east coast fishery compared to those in place or under development in the Torres Strait. Gaps are identified.

Queensland East Coast	Torres Strait (gaps)	Torres Strait (~ in progress)
<ul style="list-style-type: none"> <li>✓ 30% waters closed to Marine Protected Areas</li> <li>✓ Mandatory logs and Catch Disposal Record</li> <li>✓ Limited entry (18 operators)</li> <li>✓ Rotational harvest</li> <li>✓ Prior landing report</li> <li>✓ Catch size limits (bigger than TS)</li> <li>✓ OH&amp;S licensed and qualified divers</li> </ul>	<ul style="list-style-type: none"> <li>X – no limited entry (no cap on licences)</li> <li>X – catch size limits need review (potentially too small)</li> <li>X – logbooks are not mandatory</li> </ul>	<ul style="list-style-type: none"> <li>✓ Fish receivers by 1 Dec 2017</li> <li>~ Mandatory logs for all fishers – possibly in 2 years</li> <li>~ VMS (primary and carrier boats only from 1 July 2017)</li> <li>✓ TAC</li> <li>~ License register – consulting with stakeholders now.</li> <li>✓ Boat size restriction (7m cap)</li> </ul>

## 4.2 Black teatfish – community monitoring plans

The HCWG and observers:

- a) noted that the PZJA has agreed that fishing for black teatfish will remain closed until the risk of exceeding the Total Allowable Catch (TAC) set for the species is substantially reduced through cost-effective management tools;
- b) noted an update on Community Monitoring Plans and community positions received from Erub, Mer and Ugar communities; and
- c) discussed management priorities for black teatfish in the context of these updates.

The HCWG **NOTED** and welcomed the progress made by Mer, Ugar and Erub fishery associations to develop catch monitoring plans and as a matter of priority encouraged their implementation as a means to improve catch data for all BDM species.

The HCWG **NOTED** that industry and AFMA need to work in strong partnership to successfully implement a fish receiver by 1 December. Once implemented the HCWG would recommend the PZJA reopen the fishery for a limited level of fishing. The HCWG noted the industry would meet to discuss preferred management arrangements for a future opening.

The HCWG **RECOMMENDED** that:

- a) HCWG industry members (i.e. fishers) be included in any consultation on the fish receiver system with communities noting that their support and expertise will be key to the program being a success; and
- b) AFMA as PZJA secretariat to keep stakeholders informed on the status of matters being considered by the PZJA as they progress through the decision making process (noting out of session decision can take around 3 months and involve many administrative steps).

In making these recommendations the HCWG noted the input provided from observers during discussion.

The HCWG also noted the following advice from individual members and observers:

- The Malu Lamar representative advised that once the Part A native title court case was settled their aspiration is to formally map out and identify the resources of each nation for example black teatfish habitat. It was advised that the intent is for all cultural protocols for accessing species and areas for each nation are to be agreed.
- The MDW Fisher Association advised their members feel they have the right to harvest BDM outside of the fishery arrangements under native title rights. Their members however want to operate within the arrangements of the fishery and are seeking a compromise. The association advised they would put a recommendation to the PZJA out of session.

### 4.3 White teatfish – survey outcomes and management priorities

The HCWG:

- a) noted the results from the survey on industry views on amending hookah ban for a limited number of fishers to target white teatfish (as detailed in the agenda paper). Two responses were received and both did not support a further trial of hookah either at this time or in the eastern Torres Strait more generally; and
- b) discussed whether further assessing the potential to amend hookah ban for a limited number of fishers to target white teatfish should be a high management priority.

Meriam fishers expressed a strong preference for being able to access white teatfish stocks within Meriam waters using hookah as it is the most economically efficient method of doing so.

Industry suggested that a management arrangement could be put into place for any future hookah fishing that could prevent fishers using hookah from harvesting depleted and recovering species.

It was also noted that some of the basic management needs are not being met across the fishery and are in need of improvement, especially data collection. The HCWG noted past advice that these issues would need to be addressed prior to any expansion.

The Kos and Abob Association (Ugar) submission was tabled and read out at the meeting (**Attachment B**). As detailed in the submission, the Association's strong preference is for a management plan to be implemented in the fishery first which could then support expansion of effort such as the use of hookah. The Association advised that the management plan should contain:

- a. measures to ensure reliable catch reporting;
- b. monitoring process;
- c. respect for cultural aspects; and
- d. zones boundaries – 10 nm around home islands.

The HCWG **NOTED**:

- a) general support from industry members and meeting observers for Mer fishers to pursue flexibility to use hookah in their waters to fish white teatfish;
- b) that the Mer proposal includes the observation of cultural protocols according to Malo's law of other communities (e.g. if a Mer fisher was to fish in Erub waters they would remove hookah gear and free dive) and must ultimately be approved by Mer elders;



- c) that broader stakeholder consultation would be required for the PZJA to consider options to formally support the proposal with management regulation. In particular, defining areas of waters and catch shares; and
- d) that AFMA would seek PZJA approval to commence formal consultation on the Mer proposal.

### **Points discussed**

- Mer Island fishers expressed concerns that they should be allowed to access the TAC within Murray Island waters with stocks available there for harvest and advised that they will continue to pursue the use of hookah as being the most economically efficient method of doing so.
- Mer fishers queried why hookah was not allowed for BDM in the Torres Strait when it was permissible for east coast BDM fishing and for Tropical Rock Lobster in the Torres Strait.
- The AFMA member advised that the government had no aversion to use of hookah but its adoption would have to be balanced against a short term increase effort and other previously identified issues such as the impacts on other species. The QDAF member advised that strong fisheries arrangements existed on east coast (as per **Table 1**, page 15).
- AFMA member reiterated previous advice that in order to support Mer fishers using hookah in their waters the PZJA would need to give consideration to how much of the 15 t TAC (set for the entire stock) could be harvested from Mer waters and who determined access to the fishery. It was advised that it would be hard to support catch shares being allocated without improvements in catch data reporting.

## **4.4 Public register development**

The HCWG **SUPPORTED** the development of a public register of all Torres Strait commercial fishing boats as outlined in the agenda paper.

## **4.6 Crewing of traditional inhabitant boats**

The HCWG **NOTED** and discussed the proposal from the Torres Strait Fishers Association Inc. (TSFA) to allow for more non-indigenous fishers to be employed as crew on Traditional Inhabitant Boat (TIB) licenced vessels.

The HCWG and observers noted the following advice from other PZJA Working Groups:

- the TRL Working Group recommended consultation with other working groups, communities and the PBC and noted both TVH (non-traditional) and TIB (traditional) sectors in the TRL Fishery have identified that crewing is an issue; and
- the Finfish Working Group had given in principal support to removing impediments to business and had recommended broader industry consultation.

The HCWG **NOTED** the potential benefit for individual businesses to have more flexibility with employing crew however noted there are several broader issues with supporting the TSFA proposal at this time. It was noted that some industry observers present at the meeting were supportive of the proposal.

The HCWG identified a range of issues including:

- a) high levels of unemployment;
- b) latent effort in the TIB sector;
- c) the culture of welfare dependency is affecting the ability of the fishery to recruit and retain crew; and
- d) the different business needs of different types of TIB operators (dingy operators compared with TIB operators running large primary vessels).

The HCWG **RECOMMENDED** that broader consultation be undertaken with Traditional Owners.

## 4.7 Draft AFMA Hand Collectable Fisheries Budget

The HCWG **NOTED** the AFMA's draft Hand Collectable budget as detailed in the agenda paper.

## 4.8 Grant of carrier licenses to non-traditional inhabitants

The HCWG discussed potential issues with the grant of new carrier-only boat licenses to non-traditional inhabitants for vessels that are not also licensed to fish. As detailed in the agenda paper, AFMA advised that there is a level of ambiguity in how the current PZJA licencing policy should be applied. The HCWG noted that there has been recent interest from smaller, non-Traditional Inhabitant owned companies to transport seafood in the Torres Strait.

Noting the number of related issues (e.g. crewing, unemployment, c.f. agenda item 4.6) the HCWG was **NOT SUPPORTIVE** of any additional carrier licenses being issued to non-traditional inhabitants.

AFMA noted that subject to outcomes of consultation with the PZJA Working Groups work would be undertaken to amend the current PZJA licencing policy to make clear how it is to be applied.

## Agenda item 5 - Other business

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### 5.1 Other business

In closing the meeting the Chair noted that Agenda items 2.1 to 2.6 would be taken as read however the Executive Officer would contact HCWG Members out of session to take any additional comments on information items.

The Chair thanked members and the large number of observers for a productive meeting and declared the meeting closed.

**Meeting opened Tuesday 27<sup>th</sup> June at 9:00 am and closed at 5:45 pm.**

**Meeting reopened Thursday 29<sup>th</sup> June at 9:00 am and closed 10:30 am.**

### List of Attachments

**Attachment A** - *Fisheries Management Paper No. 1* (agenda item 1.3)

**Attachment B** - Kos and Abob views on White Teatfish and hookah (agenda item 4.3)



Queensland  
Government



TORRES STRAIT  
**PZJA**  
PROTECTED ZONE  
JOINT AUTHORITY

**PROTECTED ZONE JOINT AUTHORITY**  
**FISHERIES MANAGEMENT PAPER No. 1**  
**(PZJA FMP No.1)**

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**MANAGEMENT ADVISORY COMMITTEES,  
SCIENTIFIC ADVISORY COMMITTEES,  
WORKING GROUPS AND  
RESOURCE ASSESSMENT GROUPS**

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**MAY 2008**

Prepared by the Australian Fisheries Management Authority  
on behalf of the Protected Zone Joint Authority

# CONTENTS

1.	ACRONYMNS/DEFINITIONS .....	4
2.	PURPOSE .....	4
3.	INTRODUCTION .....	4
4.	CONSULTATIVE STRUCTURE .....	5
4.1	Role and Functions of a Management Advisory Committee (MAC) .....	6
4.2	Role and Functions of a Scientific Advisory Committee (SAC) .....	7
4.3	Role and Functions of Working Groups (WG) .....	7
4.4	Role and Functions of a Resource Assessment Group (RAG) .....	7
5.	TERMS OF REFERENCE .....	8
5.1	Management Advisory Committees and Working Groups .....	8
5.2	Scientific Advisory Committee (SAC) .....	8
5.3	Resource Assessment Groups (RAG) .....	9
6.	COST RECOVERY .....	9
7.	OPERATIONAL GUIDELINES .....	9
7.1	Membership Composition .....	9
7.1.1	Management Advisory Committee (MAC) .....	10
7.1.2	Scientific Advisory Committee (SAC) .....	10
7.1.3	Working Group (WG) .....	10
7.1.4	Resource Assessment Group (RAG) .....	11
7.2	Term of Appointment .....	11
8.	RESPONSIBILITIES AND OBLIGATIONS OF MEMBERS .....	11
8.1	Responsibilities of Members .....	11
8.2	Reaching Consensus .....	12
8.3	Disclosure of Interests .....	12
8.3.1	Types of Interests .....	12
8.3.2	Declaring an Interest .....	13
8.3.3	Dealing with an Interest .....	13
8.4	Other Obligations of Members .....	13
8.5	Personal and Professional Behaviour .....	14
8.5.1	Fairness and Equity .....	14
8.5.2	Public Comment .....	14
9.	CONFIDENTIALITY AND NON-DISCLOSURE .....	15
9.1	General .....	15
9.2	Resource Assessment Groups (RAG) .....	15
10.	ROLE AND APPOINTMENT PROCEDURES FOR MEMBERS .....	15
10.1	The Chair .....	15
10.1.1	Role .....	15
10.1.2	Selection/Appointment Procedure .....	16
10.1.3	Acting Chair .....	17
10.2	Protected Zone Joint Authority (PZJA) Agency Members .....	17
10.2.1	Role .....	17
10.2.2	Selection/Appointment Procedure .....	17
10.3	Industry Members .....	17
10.3.1	Role .....	17
10.3.2	Selection/Appointment Procedure .....	17
10.4	Scientific Member .....	19
10.4.1	Role .....	19
10.4.2	Selection/Appointment Procedure .....	19
10.5	Traditional Inhabitant Members .....	19
10.5.1	Role .....	19
10.5.2	Selection/Appointment Procedure .....	19
10.6	Conservation Member – Optional .....	20
10.6.1	Role .....	20
10.6.2	Selection/Appointment Procedure .....	20
10.7	Other members .....	20
11.	TERMINATION OR RESIGNATION – CHAIR AND MEMBERS .....	20
11.1	Termination of Appointment .....	20

11.2	Resignation .....	21
11.2.1	Chair .....	21
11.2.2	Members .....	21
12.	OTHER PARTICIPANTS .....	22
12.1	Permanent Observers .....	22
12.2	Casual Observers .....	22
13.	EXECUTIVE OFFICERS (EO) .....	23
13.1	Role of Executive Officers .....	23
13.2	Duties of Executive Officers .....	23
13.3	Selection/Appointment Procedures .....	24
14.	MEETINGS .....	24
15.	COMMUNICATION .....	24
15.1	General Communication and Liaison Issues .....	24
15.2	Publication and Distribution of MAC, SAC, WG and RAG papers .....	24
15.3	Reporting .....	24
15.3.1	Chair's Summary .....	25
15.3.2	Self Assessment .....	25
16.	FINANCIAL MANAGEMENT .....	26
16.1	Fishery Budgets .....	26
16.2	Annual Work Planning and Budget Preparation for RAGs .....	26
16.3	Travel Expenses of Members .....	26
16.4	Remuneration for inter-sessional work .....	27
16.5	Remuneration for Chairs and SAC/RAG Research Members .....	27
16.6	Consultancies .....	27
17.	CONSULTATIVE COMMITTEES .....	27

## LIST OF ATTACHMENTS

ATTACHMENT A .....	28
ATTACHMENT B .....	29
ATTACHMENT C .....	30
ATTACHMENT D .....	34

## 1. ACRONYMS/DEFINITIONS

For the purposes of this document:

AFMA	Australian Fisheries Management Authority
DAFF	Department of Agriculture, Fisheries and Forestry
EO	Executive Officer
FMP	Fisheries Management Paper
MAC	Management Advisory Committee
PNG	Papua New Guinea
PZJA	Protected Zone Joint Authority
QDPI&F	Queensland Department of Primary Industries and Fisheries
RAG	Resource Assessment Group (including Stock Assessment Group, species Assessment Group or any scientific group).
SAC	Scientific Advisory Committee
TSFMAC	Torres Strait Fisheries Management Advisory Committee
TSPMAC	Torres Strait Prawn Management Advisory Committee
TSPZ	Torres Strait Protected Zone
TSRA	Torres Strait Regional Authority
WG	Working Group

## 2. PURPOSE

This Fisheries Management Paper sets out the Torres Strait Protected Zone Joint Authority's (PZJA) policy for the operation and administration of Management Advisory Committees (MACs), Scientific Advisory Committees (SACs), Working Groups (WGs) and Resource Assessment Groups (RAGs) or other associated consultative groups.

This paper also outlines key decision making processes associated with the delivery of advice in the pursuit of the Protected Zone Joint Authority's (PZJA) legislative objectives. This includes the interactive processes, respective roles and responsibilities between the PZJA, MACs, SACs, WGs and RAGs.

## 3. INTRODUCTION

Sections 40(7-8) of the *Torres Strait Fisheries Act 1984* (the Act) provide for the establishment of advisory committees "...to provide information and advice to the Protected Zone Joint Authority on scientific, economic and technical matters related to any fishery."

In the Australian area of jurisdiction, traditional fishing and the commercial fisheries are managed by the Torres Strait Protected Zone Joint Authority (PZJA). The PZJA, established under the *Torres Strait Fisheries Act 1984* (the Act), comprises the Federal and State (Queensland) Ministers responsible for fisheries, and the Chair of the Torres Strait Regional Authority (TSRA). The PZJA is responsible for managing fisheries in the Torres Strait Protected Zone (TSPZ). The PZJA has delegated day-to-day management of the fisheries to the Australian Fisheries Management Authority (AFMA) and compliance and licensing in the fisheries to the Queensland Department of Primary Industries and Fisheries (QDPI&F) under a cost sharing arrangement. Five of the fisheries currently being managed are known as Article 22 fisheries and are jointly

managed by PNG and Australia. The two countries share the catches of Article 22 commercial fisheries according to formulae set out in the Torres Strait Treaty.

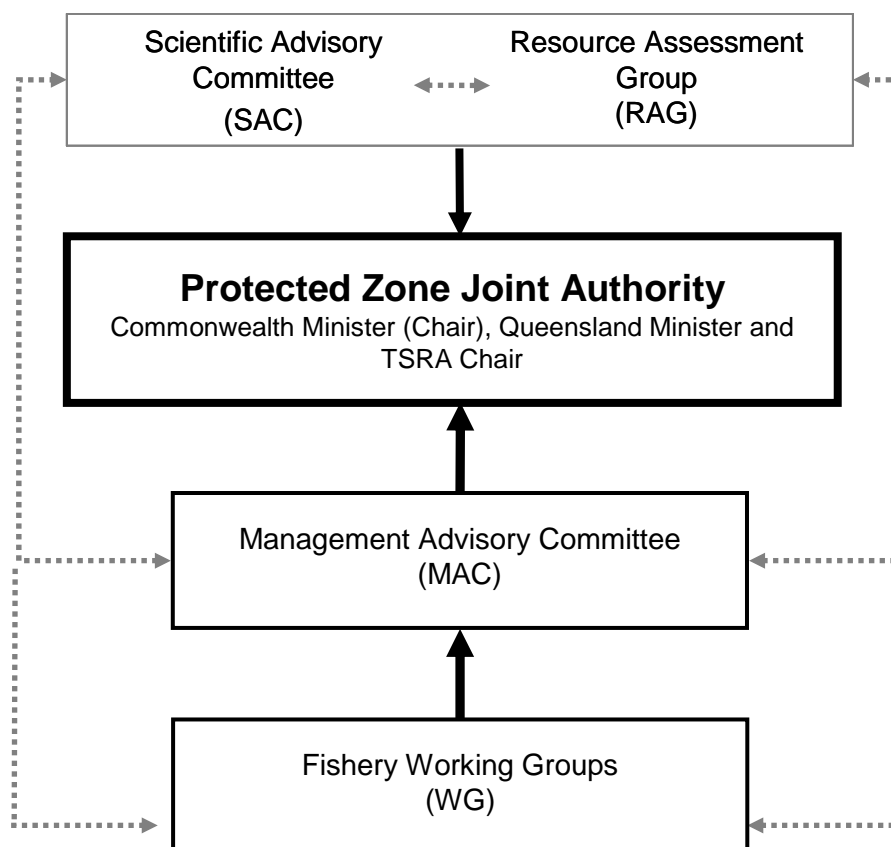
The PZJA agencies include AFMA, the Queensland Department of Primary Industries and Fisheries (QDPI&F), the Torres Strait Regional Authority (TSRA) and the Department of Agriculture, Fisheries and Forestry (DAFF). Recreational fishing is still managed under Queensland law.

The PZJA is responsible for monitoring the condition of the designated fisheries and for the formulation of policies and plans for their management. The PZJA has regard to the rights and obligations conferred on Australia by the Torres Strait Treaty, in particular the protection of the traditional way of life and livelihood of the traditional inhabitants, including their traditional fishing.

#### 4. CONSULTATIVE STRUCTURE

The consultative structure for Torres Strait fisheries incorporates Australian Traditional Inhabitant commercial and traditional fishers, non-Traditional Inhabitant commercial fishers, Australian and Queensland Government officials, and technical experts.

The PZJA may be advised by Management Advisory Committees (MAC), Scientific Advisory Committees (SAC), and Resource Assessment Groups (RAG) on issues associated with TSPZ fisheries (Figure 1).



**Figure 1.** The consultative structure of the Torres Strait Protected Zone Joint Authority (PZJA). Solid lines and dashed lines indicate primary and secondary lines of communication respectively.

Consultation and communication can be difficult across all islands of the Torres Strait, but are important elements in the effective management of the region's fisheries. The consultative committees are, therefore, complemented by meetings between fisheries officers and fishermen in communities around the Torres Strait. These meetings are occasionally supplemented by fisheries programs broadcast on Radio Torres Strait and articles/advertisements in the Torres News.

While the Committee's and Groups outlined in Figure 1 are the main means of the PZJA obtaining advice and information, it is not the only means. The PZJA may seek advice and views from others with relevant expertise or interest. This includes PZJA Agencies, other government agencies, independent consultants, operators in fisheries more broadly and representatives of the broader community.

Key principles that should be observed in relation to the respective committees/groups within the PZJAs decision-making framework are:

- i. All committees/groups are advisory rather than decision-making;
- ii. Committees/groups should provide expert advice that best pursues PZJAs legislative and policy objectives;
- iii. The PZJA seeks, through its consultative processes, to obtain best quality information and advice;
- iv. The PZJA will make decisions based on the best advice (and information) available at the time;
- v. Committees/groups should have defined roles and there should be minimum overlap in responsibilities; and
- vi. Advice and reporting should be a transparent and open process.

#### **4.1 *Role and functions of a Management Advisory Committee (MAC)***

Management Advisory Committees (MAC) are the principal source of advice for the PZJA on fishery-specific management issues in all Torres Strait fisheries. A MAC and its working group/s have specific functions that support the decision making process.

A MAC advises the PZJA on fishery objectives, strategies, reference points, risk profiles and management arrangements for achieving fishery-specific goals. For the PZJA to be able to make decisions based upon MAC advice, the PZJA has to be confident that a MAC has put in place rigorous processes to determine the best package of measures in pursuit of the PZJA's objectives. Good governance and business efficiency demand that the PZJA is normally able to approve MAC advice without delving into MAC business details, or needing to seek clarification from a MAC.

The role of a MAC is to advise the PZJA on management issues for the fisheries managed under the Act. It provides the forum where issues relating to the fisheries are discussed, problems identified and possible solutions developed. The outcome of these deliberations determines the recommendations a MAC will make to the PZJA concerning the management of relevant fisheries.

All MAC members must be aware of the PZJAs legislative objectives and functions (as contained in Attachment A) and of the continuing need to take these into account in their deliberations.



#### **4.2    *Role and functions of a Scientific Advisory Committee (SAC)***

A Scientific Advisory Committee's (SAC) main role is to advise the PZJA on the strategic directions, priorities and funding for research relevant to meeting information needs and objectives of the PZJA and its relevant consultative bodies.

The committee normally provides a review process for research conducted by research providers to ensure that milestones are met and that the research outcomes represent good value for money. The committee may also be called upon to make its own assessments of fisheries data and comment on stock assessment advice. The committee may also solicit external review when the questions asked fall outside the committee's area of expertise.

A SAC may also provide advice to the MACs, WGs, and RAGs on scientific and research issues in the Torres Strait Protected Zone (TSPZ).

#### **4.3    *Role and functions of Working Groups (WG)***

To assist in the operations of a MAC, Working Groups (WG) have been established to provide advice on particular matters relevant to individual fisheries. The task of a WG is to discuss, negotiate and debate issues relevant to individual fisheries. In order to be manageable and cost effective, WGs will be no larger than is necessary to ensure the appropriate blend of knowledge and expertise is available to provide the required advice to a MAC.

Ordinarily the WGs deal with the fishery specific issues, including the specification of management objectives, research priorities for the particular fishery, management issues and strategies, and compliance issues. In addition to these tasks the WGs deal with a range of ad hoc issues. These are reported to a MAC and/or SAC as appropriate.

#### **4.4    *Role and functions of a Resource Assessment Group (RAG)***

The main role of Resource Assessment Groups (RAG) is to provide advice on the status of fish stocks, sub-stocks, species (target and non-target species) and on the impact of fishing on the marine environment. Advice provided by a RAG should address biological, economic and wider ecological factors impacting on the fishery.

RAGs should also evaluate alternative harvest options proposed by the relevant fishery WG and/or MAC. This includes advising on the impact over time of different harvest strategies (for example, the time required for a particular fish stock to reach a reference point), stock depletion or recovery rates, the confidence levels of the fishery assessments, and risks to the attainment of approved fishery objectives.

A RAG reports to the PZJA. It also informs relevant SACs, MACs or WGs of work on stock assessments in progress or potential issues, but is not restricted by them. This ensures that the potential conflict of interest generated by the assessment roles of RAGs and the management advisory roles of other consultative bodies does not impact on the quality of advice provided to the PZJA. A MAC (including its WGs) and associated RAG are likely to have some common membership, therefore it is essential that members' roles be recognised and differentiated by the respective chairs.

## **5. TERMS OF REFERENCE**

### **5.1 Management Advisory Committees and Working Groups**

The following terms of reference are to be utilised by Management Advisory Committees (MAC) and Working Groups (WG) as operating guidelines.

1. To provide a forum for the discussion of matters relevant to the management of Torres Strait fisheries and to act as a medium for the flow of information between all stakeholders;
2. To provide advice and make recommendations to the PZJA (in the case of a MAC) or MAC (in the case of a WG) with respect to:
  - i. the management of the fishery;
  - ii. the development of fishery management plans;
  - iii. ongoing measures required to manage the fishery in accordance with the provisions of management plans; and
  - iv. amendments to management plans as required;
3. To provide advice and make recommendations to the PZJA (in the case of a MAC) or MAC (in the case of a WG) on research priorities and projects for the fishery. MACs and WGs are to ensure that processes are in place for industry and other interested stakeholders to receive advice from researchers in a form that will be easily understood by the audience;
4. To establish sub-committees as required ensuring that the range of management issues is given proper attention;
5. To liaise with PZJA Agency staff and provide assistance as necessary to ensure approved management measures are implemented; and
6. To undertake additional functions on behalf of the PZJA as determined by the Authority.

### **5.2 Scientific Advisory Committee (SAC)**

The following terms of reference are to be utilised by a Scientific Advisory Committee (SAC) as operating guidelines.

1. Identify and document research gaps, needs and priorities for fisheries in the Torres Strait;
2. Provide a forum for expert consideration of scientific issues referred to the SAC by a MAC;
3. Provide a forum for detailed consideration of scientific issues raised by WGs and relevant stakeholder representative bodies and advise WGs and relevant stakeholders on the feasibility and merits of suggested research;
4. Develop and update a strategic plan for Torres Strait Fisheries research;
5. Solicit and review research proposals in line with the strategic plan and recommend proposals for implementation to the AFMA Research Committee (ARC) and/or other relevant funding organisations;
6. Provide other advice to the MACs on matters consistent with SAC functions;
7. Review research / consultancies, stock assessments, and other reports and outputs relevant to Torres Strait fisheries and advise the appropriate MAC and WG, on their technical merit;
8. Advise the MACs and WGs on the management implications identified by the research projects or the SACs own assessment of fisheries data;
9. Convene Fisheries Assessment workshops as appropriate to review and address assessment needs for Torres Strait fisheries and recommend research priorities for future assessments;

10. Provide advice to research providers and the MACs on appropriate mechanisms and protocols for engaging research providers in the Torres Strait fisheries;
11. Provide advice on effective delivery of research results to stakeholders; and
12. Provide advice on a range of issues including stock assessment advice.

### **5.3 Resource Assessment Groups (RAG)**

A Resource Assessment Groups' (RAG) Terms-of-Reference (TOR) should be tailored according to their specific fishery requirements. However, general TOR for RAGs are:

1. Analyse, assess, and report on the fishery status against agreed reference points, including target and non-target stocks, impacts on the marine environment from fishing, and the economic efficiency with which stocks are fished;
2. Identify improvements and refinements to assessment methodology;
3. Evaluate alternative harvest strategies or TAC settings. This includes providing advice on confidence limits or risk levels associated with particular management/harvest strategies;
4. Assist the relevant MAC and/or the WG to develop, test, and refine sustainability reference points and performance indicators for the fishery. Advise on stock status and trends relative to these reference points and indicators;
5. Identify and document fishery assessment and monitoring gaps, needs and priorities. These should be communicated to the SAC so that they can be incorporated in the Torres Strait strategic research plan;
6. Provide advice and recommendations to the SAC on issues consistent with RAG functions;
7. Facilitate peer review of assessment outputs;
8. Facilitate/drive a collaborative stock assessment with adjacent jurisdictions;
9. Maintain awareness of current issues by promoting close links with the MACs, SACs and any other Torres Strait RAGs; and
10. Liaise with other researchers, experts and key industry members.

## **6. Cost Recovery**

Under the existing Australian Government cost-recovery policy, MACs and their subcommittees (WGs) are funded largely by industry levies as their functions are attributable to industry as the principal beneficiary.

In Torres Strait, only the costs of the prawn fishery are attributed to Industry and recovered at the present time. It should be noted however that the PZJA agreed in principle that cost recovery should extend to other Torres Strait fisheries in line with AFMAs Cost Recovery Impact Statement (CRIS). A policy on the cost recovery is being developed for the PZJAs consideration.

## **7. OPERATIONAL GUIDELINES**

### **7.1 Membership Composition**

The PZJA or delegate has final responsibility for determining the actual membership of MACs, SACs, WGs and RAGs and will consider membership in relation to the needs of the Torres Strait Fisheries.

### **7.1.1 Management Advisory Committee (MAC)**

The minimum requirements for MAC membership are as follows:

- 1 x Chair;
- 1 x Executive Officer;
- 2 x Staff members from AFMA;
- 2 x Staff members from QDPI&F;
- 1 x Scientific member;
- 6 x Traditional Inhabitant members\*;
- 5 x Non-Traditional Inhabitant Industry members#;
- 1 x TSRA support member.

\* The exact number of Traditional Inhabitant members may vary for each MAC as determined by the PZJA or delegate depending upon the needs of the fisheries (e.g. TSFMAC = 6 rotational from 24 communities; TSPMAC = 3).

# The composition of Non-Traditional Inhabitant Industry Members may vary for each MAC as determined by the PZJA or delegate depending upon the needs of the fisheries covered by the MAC (e.g. TSFMAC = 4 x Fishing licence holders, 1 x Industry processor; TSPMAC = 4 x Fishing licence holders, 1 x Industry processor).

### **7.1.2 Scientific Advisory Committee (SAC)**

In view of the special circumstances of the Torres Strait, especially in relation to the multiple jurisdictional arrangements for management and the provisions for economic development favouring Torres Strait Islanders in the Torres Strait Treaty (1985) and the Torres Strait Fisheries Act (1984), the Torres Strait Scientific Advisory Committee (SAC) should reflect a balance between stakeholder representation and research expertise. The SAC might be expected to have a greater representative function than other AFMA Scientific Committees. Accordingly, minimum requirements for a SAC membership are as follows:

- 1 x Chair;
- 1 x Executive Officer;
- 1 x Staff member from AFMA;
- 1 x Staff member from QDPI&F;
- 4x Scientists\*;
- 1 x Independent industry member;
- 1 x Community Fisher Representative nominated by the TSRA;
- 1 x Papua New Guinea Representative.

\*The exact number of Scientific members may vary for each SAC as determined by the PZJA or delegate depending upon the needs of the committee.

Other experts included on a register of experts maintained by AFMA may be called to attend specific SAC meetings based on their specific areas of expertise as required.

### **7.1.3 Working Group (WG)**

The minimum requirements for WG membership are as follows:

- 1 x Chair;
- 1 x Executive Officer;
- 1 x Staff member from AFMA;
- 1 x Staff member from QDPI&F;

- 1 x Scientific member;
- 6 x Traditional fishing members\*;
- 3 x Non-Traditional Inhabitant Industry members#;
- 1 x TSRA support member.

\* The exact number of Traditional Inhabitant members may vary for each WG as determined by the PZJA or delegate depending upon the needs of the fishery.

# The composition of Non-Traditional Inhabitant Industry Members may vary for each WG as determined by the PZJA or delegate depending upon the needs of the fishery.

#### **7.1.4 Resource Assessment Group (RAG)**

A stock assessment that engenders a strong management response may bring the RAG into conflict with sectors of industry or attract political attention. Therefore, members of the RAG must be credible, expert and impartial in undertaking their assessments.

The minimum requirements for RAG membership are as follows:

- 1 x Chair;
- 1 x Executive Officer;
- 1 x Staff member from AFMA;
- 1 x Staff member from QDPI&F;
- 1 x Traditional fishing member;
- 1 x Non-Traditional Inhabitant Industry member;
- 1 x Scientific member;
- 1 x Independent Scientific member;
- 1 x Conservation member;
- 1 x PNG NFA member;
- 1 x TSRA support member.

#### **7.2 Term of appointment**

The PZJA or delegate makes all appointments to MACs, SAC, WGs and RAGs, with Members generally appointed for terms of up to three years. In order to ensure continuity, Members will not normally be appointed for a period of less than two years. Subsequent re-appointment may be permitted.

## **8. Responsibilities and obligations of Members**

### **8.1 Responsibilities of Members**

Being appointed to a PZJA consultative committee or group brings with it a number of important responsibilities. Specifically, members must be prepared to meet the following requirements:

- they must be able to put views clearly and concisely and be prepared to negotiate to achieve acceptable outcomes and compromises where necessary;
- they must act in the best interests of the fisheries as a whole, rather than as an advocate for any particular organisation, interest group or regional concern;
- they must be prepared to observe confidentiality and exercise tact and discretion when dealing with sensitive issues;

- they must contribute to discussion in an objective and impartial manner and avoid pursuing personal agendas or self-interest;
- they must be prepared to make the necessary commitment of time to ensure that they are fully across matters which are the subject of consideration by the committee;
- Industry Members must not have commercial interests in the same company as other members on the same MAC, SAC, WG or RAG;
- Industry members must have the wider industry's confidence and authority to undertake their functions as a MAC, SAC, WG or RAG member. They must also be prepared to consult with members of industry through port-level associations, regional associations and peak industry bodies as necessary; and
- Traditional inhabitant members must have the community's confidence and authority to undertake their functions as a MAC, SAC, WG or RAG member. They must also be prepared to consult with members of community through local associations and meetings as necessary.

## **8.2    *Reaching consensus***

A co-operative approach to MAC, SAC, WG and RAG discussions is essential. While this does not mean that there won't be disagreements from time to time, it does mean that agreement is ultimately to be reached through reasoned discussion, consultation and negotiation having regard to what is best for the fishery.

A MAC, SAC, WG or RAG should reach agreement through consensus and not use voting as a mechanism for achieving outcomes. Where agreement cannot be reached, members are encouraged to reconsider the issue and seek further information if necessary before making their recommendation. If a deadlock cannot be avoided, the views of members and general discussion should be well documented in the minutes of the meeting and highlighted in recommendations that are put before the PZJA (in the case of a MAC, RAG or the SAC) or MAC (in the case of a WG). MACs and WGs are the best means to achieve agreement on management issues. Ownership of the formal process by its members is vital to successful fisheries management.

## **8.3    *Disclosure of interests***

### **8.3.1    *Types of interests***

MAC, SAC, WG and RAG members are appointed to provide input based on their knowledge and expertise and as a consequence, it is inevitable that members may face potential or direct conflicts of interest. There may be a conflict of interest where a member:

- has a material personal interest, including a direct or indirect financial or economic interest, in a matter being considered, or about to be considered, by the MAC, SAC, WG or RAG; and
- the interest could conflict with the proper performance of the member's duties in relation to the consideration of the matter.

There may often be a level of general conflict simply because members come from areas of the industry that may be affected as a result of a recommendation. For example, industry members may be participants in the fishery, TSRA members may represent the geographical region under discussion or scientific members may face a conflict related to a research proposal. To assist in identifying areas of potential conflict, a MAC, SAC, WG or RAG may consider it appropriate to maintain registers of members' interests that could possibly lead to conflicts.

Of greater concern is the specific conflict created where a member is in a position to derive direct benefit from a MAC, SAC, WG or RAG recommendation if it is subsequently implemented. In either case, members should recognise the potential for conflict to occur and its possible impact on the operations of the Committee/Group.

### **8.3.2 Declaring an interest**

When a MAC, SAC, WG or RAG member recognises that a real or potential conflict of interest exists, the conflict must be disclosed as soon as possible to other members. Where this relates to an issue on the agenda of a meeting this disclosure can normally wait until that meeting, but where the conflict relates to decisions already made, members must be informed immediately. If there is any doubt, a specific conflict of interest and its nature should be declared and recognised in the discussions of the meeting and recorded in the minutes of the meeting.

### **8.3.3 Dealing with an interest**

To facilitate the smooth operation of meetings, it is suggested that conflicts of interest are dealt with at the start of each meeting. Members receive agenda and associated papers prior to the meeting and should be able to make disclosures of potential conflicts of interest and their nature (including, for example, the type and quantity of fishing concessions held by industry members) at the commencement of meetings.

Where it is determined that a direct conflict of interest exists, the MAC, SAC, WG or RAG may allow the member to continue to participate in the discussions relating to the matter but not in any decision making process. The member or the Committee/Group may also determine that, having made his/her contribution to the discussions, the member should retire from the meeting for the remainder of discussions on that issue. As a guide, members with a direct conflict of interest should only be excluded from decision making if the matter being considered only affects the individual member rather than all persons involved in the fishery.

Finally, the Chair must ensure that the minutes of the meeting show the disclosure of interest, reflect the meeting's subsequent decision(s) and demonstrate that these are put into effect at the appropriate point in the meeting. If members become aware of a potential conflict of interest during the course of the meeting, they must immediately disclose the conflict of interest and the members present must consider how best to deal with the disclosure at that point.

## **8.4 Other Obligations of Members**

Members must:

- act in good faith in the best interests of the PZJA;
- act honestly and exercise a reasonable degree of care and diligence in the discharge of their duties; and
- not make improper use of inside information to gain an advantage for themselves or someone else or cause harm to the Authority or to another person.

Members must not use their position, or information obtained as a member of a MAC, SAC, WG or RAG, dishonestly or with the intention of directly or indirectly gaining an advantage for themselves or someone else, or with the intention of causing harm to the PZJA or to another person.

## **8.5 Personal and professional behaviour**

MAC, SAC, WG or RAG members should perform all duties associated with their positions diligently, impartially, conscientiously, in a civil manner and to the best of their ability.

In the performance of their duties they should:

- act in such a way, at meetings, in the field and at official functions that will be held in a high regard by the community and by industry;
- treat other members and stakeholders with courtesy and sensitivity; and
- not take, or seek to take, improper advantage of official information gained in the course of their membership.

### **8.5.1 Fairness and equity**

MAC, SAC, WG and RAG members are not permitted to discriminate against or harass any colleague, client or member of the public, particularly on the basis of:

- Race;
- Religion;
- Gender;
- Political or union affiliation;
- Sexual preference;
- Political opinion;
- Marital status;
- Pregnancy;
- Social origin;
- Criminal record;
- Age; or
- Physical, intellectual or mental disability or impairment.

Behaviour, which is shown to be discriminatory, or which constitutes harassment will not be tolerated and may result in the members' appointment to MACs, SACs, WGs and/or RAGs being terminated by the PZJA or delegate.

### **8.5.2 Public comment**

Public comment includes public speaking engagements, comments on radio and television and expressing views in letters to newspapers or in books, journals or notices or where it might be expected that the publication or circulation of the comment would spread to the community at large.

Whilst MAC, SAC, WG and RAG members, as members of the community, have the right to make public comment and to enter into public debate on political and social issues, there are some circumstances in which public comment is inappropriate. These circumstances would be where there is an implication that the public comment, although made in a private capacity, is in some way an official comment of a MAC, SAC, WG or RAG. Members should avoid making private statements about matters relating to a MAC, SAC, WG or RAG unless it is made clear that they are speaking as a private citizen.



## **9. Confidentiality and Non-Disclosure**

### **9.1 General**

Material made available to Members is generally public information. In some instances, members will have access to information that is confidential; however members will be advised accordingly. Members must not publish or communicate to any unauthorised person any fact or document which comes to their knowledge, or possession by virtue of being a MAC, SAC, WG or RAG member.

### **9.2 Resource Assessment Groups (RAG)**

Members of RAGs may sometimes require access to confidential fishery catch and effort data and will have access to draft reports, materials or working papers that are unready or not intended for wider circulation.

The Chair should warn members when matters of a confidential nature are tabled, and ensure that discussion documents are not used for any purpose not related to the business of the RAG. Exceptions should only occur with the written consent of the RAG Chair. However, all members are obliged to maintain standards of confidentiality and non-disclosure relating to data. Note that industry members, non-government organisation personnel (NGO), and other fishery stakeholders may not be given access to confidential data.

Scientific members who are custodians of data for the purposes of analyses must apply best practice to ensure security, confidentiality, and non-disclosure of the data. This includes prevention of loss, theft, corruption and unapproved duplication. Data received from AFMA for the purposes analyses will be subject to the conditions set forth in the contract between the research provider and AFMA. Similar arrangements may exist between other data providers and research providers using data provided by the other party.

It is the responsibility of the Chair to ensure that data contained in all public documents, assessment reports or other publications is aggregated sufficiently to preserve commercial confidentiality and privacy.

## **10. Role and appointment procedures for Members**

On behalf of the PZJA, AFMA administers the overall appointment process. The PZJA or delegate, however, makes the appointments. Nominations for Members are sought from both individuals and associations.

### **10.1 The Chair**

#### **10.1.1 Role**

The Chair of a MAC, SAC, WG or RAG plays a key role in ensuring effective and thorough discussion of factors affecting the performance of a particular fishery (e.g. implementation of ecological sustainable development factors, and impacts of management strategies on, the particular fishery) and is the primary communication link between the MAC/SAC/WG/RAG and the PZJA. Accordingly, the Chair must:

- Be independent of commercial or other interests with the particular fishery/fisheries, including industry association(s);

- Have a demonstrated capacity to chair meetings, including a sound understanding of the meeting procedures and practices necessary for the efficient conduct of meetings (including the rules of debate);
- Have an ability to identify strategic goals and objectives and facilitate their achievement through the MAC, SAC, WG or RAG process;
- Have a demonstrated capacity to communicate clearly and concisely to a wide cross-section of people, particularly with respect to acting as the MAC, SAC, WG or RAG spokesperson and representing MAC, SAC, WG or RAG views to the PZJA, industry, Government, the media and the general community in a balanced and rational manner;
- have an understanding of industry and public policy;
- preferably, have some fisheries (or resource management) experience; and
- not be a staff member of the PZJA Agencies, although this is allowed for SACs, WGs and RAGs.

An explanation of the procedural matters relating to the conduct of MAC, SAC, WG and RAG meetings, including the requirement to give notice of a meeting and to circulate papers, is provided at Attachment C.

The roles and responsibilities of a Chair include:

- Ensuring members are aware of their responsibilities under this PZJA FMP No. 1;
- Ensuring members remain aware of and consider the PZJAs legislative objectives in the deliberations of the MAC, SAC, WG or RAG;
- Ensure the timely availability of agenda papers before meetings and the preparation and circulation of minutes and Chair's Summaries after meetings;
- Formally communicating meeting outcomes, recommendations and matters for information to the PZJA (in the case of a MAC, RAG or SAC Chair) or to a MAC (in the case of the WG Chairs) for consideration and to the industry for information. In undertaking this function, the Chair will be assisted by the Executive Officer;
- Summarising outcomes for each agenda item at the end of the discussion for each item and at the end of the meeting. This will assist in the reporting of the outcomes after each meeting;
- Ensuring that meeting minutes, letters and other correspondence to the PZJA Chair (in the case of a MAC, RAG or SAC) or a MAC Chair (in the case of a WG) clearly and accurately describe MAC, SAC, WG or RAG recommendations and alternative options when an agreed position has not been reached; and
- Ensuring that minutes and other material arising from meeting deliberations clearly and accurately describe MAC, SAC, WG or RAG recommendations, including dissenting views where they are expressed.

Chairs are not to allow members who are absent from meetings to have separate notes or views attached to minutes. Absentee members may convey views in writing to the MAC, SAC, WG or RAG prior to the meeting.

#### **10.1.2 Selection/Appointment Procedure**

Whenever there is a vacancy in the office of MAC, SAC, WG or RAG Chair, whether created by the resignation of an existing Chair or the expiration of the term of appointment of an existing Chair, a shortlist of nominees considered to have the necessary attributes to fill the vacant position may be drawn from applications for the position or from a *Register of Interest maintained by AFMA*. A selection panel including representatives from the PZJA Agencies will review the nominee's relevant skills and experience and may interview nominees before candidates are submitted to the PZJA or delegate for consideration and approval.

On behalf of the PZJA, AFMA maintains a *Register of Interest* of suitably qualified persons interested in being appointed to the position of Chair of a MAC, SAC, WG or RAG. From time to time AFMA may advertise nationally for nominations to this Register.

### **10.1.3 Acting Chair**

The PZJA or delegate may appoint a person to act as the Chair of a MAC, SAC, WG or RAG during:

- a vacancy in the office of Chair (whether or not an appointment has previously been made to the office); or
- any period, when the Chair is absent from duty or from Australia or is, for any other reason, unable to perform the duties of the office.

A person appointed to act during a vacancy must not continue to do so for more than 12 months.

## **10.2 Protected Zone Joint Authority (PZJA) Agency Members**

### **10.2.1 Roles**

The role of an AFMA and QDPI&F member of a MAC, SAC, WG or RAG is to:

- participate in general discussion;
- contribute fisheries management expertise to deliberations;
- provide advice on relevant Government policy and the process required for policy development and change;
- ensure that the MAC, SAC, WG or RAG is aware of, and fully understands, PZJA policy and obligations under its governing legislation; and
- seek and provide additional information on Government policy as necessary.

The views expressed and the policies advocated by AFMA and QDPI&F members are to be considered those of their relevant organisations.

The role of the TSRA member of a MAC, SAC, WG or RAG is to:

- assist and support the traditional inhabitant members and provide fisheries expertise.

### **10.2.2 Selection/Appointment Procedure**

AFMA, QDPI&F and TSRA will nominate officers to a MAC, SAC, RAG and WG at the organisations' discretion.

## **10.3 Industry Members**

### **10.3.1 Role**

The role of an industry member of a MAC, SAC, WG or RAG is to:

- contribute knowledge and experience relevant to the particular fishery and the fishing industry generally;
- contribute fisheries expertise to achieve the best management of the fishery; and
- regularly report to and liaise with other operators in the fishery on the MAC, SAC, WG or RAG activities, including the issues being dealt with and the possible solutions being considered.

### **10.3.2 Selection/Appointment Procedure**

The PZJA considers the selection of the industry members to a MAC, SAC, WG or RAG to be critical to the success of the Committee/Group. These individuals must have

the capacity to put views clearly and concisely and be prepared to negotiate to achieve acceptable compromises when necessary. Industry members should not have commercial interests in the same company as another member/s of the same committee or group. Above all, they must have credibility within the industry and the ability to address issues with the best interests of the fisheries in mind.

Industry members will normally be appointed through the following process:

- all operators in the fishery will be invited to nominate for consideration for appointment as a MAC, SAC, WG or RAG industry member. Relevant industry organisations will also be informed to allow them to canvass within their membership for nominations;
- interested operators will be required to complete a nomination form which is included with the invitation to nominate. This form sets out the nominee's personal details and provides space for nominees to outline the particular skills and expertise they can bring to the MAC, SAC, WG or RAG. Industry organisations can provide statements of support to individuals who nominate themselves; and
- an Assessment and Ranking Panel (the Panel) will be formed to consider nominations and make recommendations to the PZJA or delegate. The Panel will usually comprise the MAC, SAC, WG or RAG Chair, PZJA agency representatives and an industry member of standing in the fishery. The Executive Officer of the MAC, SAC, WG or RAG will act as secretariat to the Panel.

To facilitate the short listing process, the Panel may interview potential appointees, either in person or by telephone. Where candidates are well known to agencies and in the interests of cost-effectiveness, the requirement to conduct interviews may be waived.

The PZJA or delegate will determine industry member appointments on the advice of the Panel.

In considering each nomination, the Panel assesses whether the applicant is a fit and proper person for the purposes of MAC, SAC, WG or RAG membership. If the Panel identifies any issue that is likely to adversely effect:

- the applicant's ability to perform his/her role as an industry member;
- the PZJAs credibility; or
- the applicant's credibility with industry or other stakeholders.

The Panel may advise the PZJA or delegate that the applicant is unsuitable for appointment to the MAC, SAC, WG or RAG. The Panel may also consider that an applicant is not a fit and proper person if the applicant has been convicted of a fisheries offence and if the Panel believes that the conviction may compromise either the PZJA, or the applicant's credibility, or the applicant's ability to perform his/her duties as a member of a MAC, SAC, WG or RAG.

While the PZJA or delegate may consult with industry organisations in the selection of industry members, once appointed, industry members are required to act in accordance with the duties and obligations of MAC, SAC, WG and RAG members as set out in this paper. This means their contribution must be in the best interests of the fishery, rather than as an advocate of the industry sector that nominated them. Industry members are not representatives of particular sectors or interest groups.

## **10.4 Scientific Member**

### **10.4.1 Role**

A Scientific member of a MAC, SAC, WG or RAG should be independent of commercial interests in the fishery. The role of the scientific member is to:

- contribute impartial scientific and/or economic expertise to MAC, SAC, WG or RAG deliberations; and
- provide advice to the MAC, SAC, WG or RAG on the latest scientific or economic developments of relevance to the fishery.

### **10.4.2 Selection/Appointment Procedure**

The scientific member will be appointed on the basis of his/her scientific or economic qualifications, experience and expertise, knowledge of the fishery and the species being managed and therefore must:

- be a person of seniority and standing in the scientific community;
- have experience in liaising with the major Commonwealth and State fisheries research organisations at the highest level; and
- not have, or be employed by an entity with or representing entities with, commercial interests in the fishery.

Scientific members will normally be appointed through the following process:

- relevant research agencies will be invited to submit nominations for membership on a MAC, SAC, WG or RAG. Nominations may also be sought from appropriate individuals; or
- Calls for applications for the position as scientific members on the TSSAC will be advertise nationally by AFMA.

A selection panel that may include the MAC or Working Group Chair will review and may interview applicants from a shortlist of candidates prior to submission of a preferred candidate to the PZJA Board for consideration and approval.

The PZJA or delegate will determine scientific member appointments after considering nominations and any other information sought or obtained in relation to the nomination.

## **10.5 Traditional Inhabitant Members**

### **10.5.1 Role**

The role of the Traditional Inhabitant Members and traditional fishing representatives is to:

- contribute knowledge of fisheries and communities to a MAC, SAC, WG or RAG;
- contribute fisheries expertise to achieve the best management of the fishery;
- regularly report to and liaise with other traditional inhabitants in the community on MAC, SAC, WG or RAG activities, including the issues being dealt with and the possible solutions being considered; and
- consult with members of community through local associations and meetings as necessary.

### **10.5.2 Selection/Appointment Procedure**

The TSRA runs an open process to seek members for their community fishers group. Accordingly nomination traditional inhabitant members and the TSRA support member will be sought from the TSRA. AFMA as the agency administering the MACs, SACs, WGs and RAGs appointment process will liaise with the TSRA when member appointments are required.

## **10.6 Conservation Member - Optional**

The PZJA or delegate may appoint a conservation member to a MAC, SAC, WG or RAG if appropriate.

### **10.6.1 Role**

The role of the conservation member is to:

- Contribute ecological knowledge and expertise to MAC, SAC, WG or RAG deliberations;
- Advise the MAC, SAC, WG or RAG on environmental or conservation developments of relevance to the particular fishery; and
- Advise on any implications that MAC, SAC, WG or RAG deliberations and recommendations may have in relation to ecological considerations.

### **10.6.2 Selection/Appointment procedure**

Appointment of conservation members will be done by the PZJA or delegate. Conservation members will be selected on the basis of their ability to fulfill the role outlined above.

Conservation members are not appointed as representatives of a particular sector/s or interest group/s and, once appointed, must act in the best interest of the fishery.

## **10.7 Other Members**

According to the changing needs of the Torres Strait Fisheries, the PZJA or delegate may appoint other persons to a MAC, SAC, WG or RAG as a member, including persons from the general community. On appointment, these members will have the same rights, and be subject to the same obligations and responsibilities, as other members as set out in this FMP.

## **11. Termination or resignation – Chair and Members**

### **11.1 Termination of appointment**

The PZJA or delegate may terminate the appointment of the Chair or any other MAC, SAC, WG or RAG member for:

- misbehaviour or physical or mental incapacity;
- misconduct or non-performance; or
- inefficiency or incompetence.

Misconduct includes, non-observance of confidentiality (e.g. disclosure of data, results or other materials prior to an agreement to circulate, conflict of interest, misleading or misinforming, and making fraudulent travel or expense claims).

Non-performance includes excessive unexplained absences from meetings, repeated non-performance of assigned tasks or failure to participate in discussions in an objective, impartial and constructive manner.

The PZJA has determined that any action by a Chair or member that demonstrates unwillingness or inability to comply with their obligations and responsibilities may constitute misbehaviour and/or inefficiency. As such, non-compliance with the obligations and responsibilities as outlined in this FMP are grounds for termination of appointment.

In addition, any action by a member which results in his/her conviction for a fisheries or related offence during the term of his/her appointment may be considered as misbehaviour and could constitute grounds for termination of appointment.

Appointment may also be terminated if:

- the Chair or member becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his/her creditors or makes an assignment of his or her remuneration for their benefit; or
- the Chair or member has a direct or indirect pecuniary interest in a matter being considered, or about to be considered, and the interest could conflict with the proper performance of the member's duties in relation to consideration of the matter, and he/she fails to disclose the nature of the interest at a meeting of a MAC SAC, WG or RAG; or
- the Chair is absent, except with the leave of the PZJA, from two consecutive meetings of a MAC, SAC, WG or RAG; or
- a Member is absent, except with the leave of the Chair, from two consecutive meetings of a MAC, SAC, WG or RAG.

Termination of appointment under this section will take effect when:

- the member has been warned by the MAC, SAC, WG or RAG Chair, or the PZJA Chair in a case of MAC, SAC, WG or RAG Chair non-compliance, that:
  - they have not complied with one or more of their obligations or responsibilities, and
  - the non-compliance is unacceptable, and
- the PZJA Chair or delegate is satisfied the member has a case to answer of non-compliance with their obligations or responsibilities warranting termination of appointment; and
- the PZJA Chair or delegate has asked the member in writing to show cause why their appointment should not be terminated; and
- after at least 14 days have elapsed, the PZJA or delegate has considered the matter, including any response by the member, and made a decision on the member's continuation in their position.

Cancellation of membership may be appealed. The PZJA or delegate will consider any appeals. These appeals must be addressed to the PZJA Chair and lodged, in writing, within 21 days after receiving notice to stand down.

## **11.2 Resignation**

### **11.2.1 Chair**

A Chair may resign from a MAC, SAC, WG or RAG before the term of his/her appointment has expired by forwarding a signed notice of resignation to the PZJA Chair or delegate with a copy to the relevant Executive Officer (EO).

### **11.2.2 Members**

A member may resign from the MAC, SAC, WG or RAG before the term of his/her appointment has expired by forwarding a signed notice of resignation to the MAC, SAC, WG or RAG Chair with a copy to the relevant EO.

## **12. Other participants**

### **12.1 Permanent Observers**

The PZJA or delegate may also appoint other persons who can be expected to make a meaningful contribution to a MAC, SAC, WG or RAG as a permanent observer. Permanent observers are required to participate in discussions in accordance with the obligations and responsibilities set out under this FMP.

Appointment of permanent observers is generally viewed as a transitional phase which might be prompted by a requirement for additional expertise and balance which cannot be accommodated within the existing MAC, SAC, WG or RAG due to limitations on the number of members. Accordingly, the PZJAs preferred approach is that there be a general move towards appointing permanent observers as full members where appropriate.

As with members, the contribution of permanent observers to the MAC, SAC, WG or RAG discussions and deliberations will be recorded in the minutes of the meeting. While permanent observer contributions will be recorded in the minutes, in the unlikely event that consensus in the MAC, SAC, WG or RAG cannot be reached, only members' views will be included in recommendations put before the PZJA.

The appointment processes for permanent observers will generally mirror those undertaken for MAC, SAC, WG or RAG members – nominations will be sought in the same way as for members and proposed permanent observers will be required to complete a declaration form before being appointed to the MAC, SAC, WG or RAG. There is nothing to prevent the appointment of a permanent observer covering an area of interest for which a member has been appointed.

As for MAC, SAC, WG and RAG members, a permanent observer may resign from the MAC, SAC, WG or RAG before the term of his/her appointment has expired. A resigning permanent observer must give signed notice of resignation to the PZJA Chair or delegate with a copy to the MAC, SAC, WG or RAG Chair. The appointment of a permanent observer may be terminated on the same grounds as any other member.

### **12.2 Casual Observers**

Casual observers are generally welcome to attend MAC, SAC, WG and RAG meetings. Individuals should seek the agreement of the MAC, SAC, WG or RAG Chair to attend a meeting as a casual observer for a particular agenda item or items – either to provide additional advice and expertise which may be required for that meeting or to observe the proceedings of the MAC, SAC, WG or RAG. This is done via contacting the MAC, SAC, WG or RAG Executive Officer.

Attendance by casual observers is to be on the basis that the presence of the casual observer does not inhibit or disrupt formal members from freely contributing to discussions and decisions. Casual observers must follow any directions made by the MAC, SAC, WG or RAG Chair.

Casual Observers are not formally appointed to a MAC, SAC, WG or RAG and do not participate in the decision-making processes.



Papua New Guinea representatives may be granted observer status on any Torres Strait MAC, SAC, WG or RAG. This is an important opportunity to engage PNG in the management of these stocks.

## **13. Executive Officers (EO)**

### **13.1 Role of Executive Officers**

The role of the Executive Officer (EO) is to provide all the necessary secretariat services to ensure smooth operation of a MAC, SAC, WG or RAG. In performing this role, the EO liaises with, and reports to the MAC, SAC, WG or RAG Chair.

### **13.2 Duties of Executive Officers**

While there may be some variation in the duties undertaken by external and internal Executive Officers (EO), in consultation with the Chair they are generally responsible for:

- making arrangements (including booking venues and catering) for meetings of the MAC, SAC, WG or RAG;
- preparing and circulating meeting notices, agendas and agenda papers to members, ensuring a final agenda and papers are provided to the Chair and members at least **10 working days** prior to all meetings of the MAC, SAC, WG or RAG;
- ensuring a Chair's Summary of the MAC, SAC, WG or RAG meeting is prepared and cleared within **five working days** following the meeting;
- ensuring the Chair's Summary is made available to all operators and others with an interest in Torres Strait fisheries (or in the case of a WG or RAG the relevant individual Torres Strait fishery) as soon as practicable following the MAC, SAC, WG or RAG meeting but no later than **10 working days** after the meeting;
- preparing the draft minutes and action sheets from each meeting and submitting them to the Chair for comment and approval within **14 working days** and distributing them to members within **21 working days** after the meeting;
- maintaining files, correspondence lists and follow-up action arising lists relating to the MAC, SAC, WG or RAG business; and
- ensuring that there is positive two way communication between the MAC, SAC, WG or RAG and the participants in the fishery/fisheries and that decisions or recommendations made by the MAC, SAC, WG or RAG and the reasons for them, are well publicised.

In addition, the EO is available to the MAC, SAC, WG or RAG as a resource to conduct research and investigations into matters affecting Torres Strait fisheries. These may, or may not, be directly related to the management of the fisheries. The EO may also be required to undertake surveys of operators in the fishery so that the MAC, SAC, WG or RAG has a better understanding of industry views on major issues under consideration.

The duties of the EO will be determined in consultation with the MAC, SAC, WG or RAG Chair and in the case of an external EO, will be specified in the relevant employment contract or letter of appointment.

### **13.3 Selection/Appointment Procedure**

The Executive Officer (EO) is appointed by AFMA on behalf of the PZJA, not by the MAC, SAC, WG or RAG. An EO may be either internal or external to the PZJA Agencies.

An EO will generally be a person who is involved in the management of the particular fishery and who will undertake the EO role as part of his/her normal duties as a PZJA Agency employee.

## **14. Meetings**

The procedures to be followed for MAC, SAC, WG and RAG meetings are set out in Attachment C.

## **15. Communication**

### **15.1 General Communication and Liaison Issues**

The Chair and members of a MAC, SAC, WG or RAG are expected to develop effective two way communication with the PZJA and any individuals or organisations that have an interest or are engaged in Torres Strait Fisheries, including PZJA Agencies.

The MAC, SAC, WG and RAG Chair and EO carry the major responsibility for communicating with industry and ensuring the flow of information between industry and the PZJA. However the PZJA and Agencies also have a role to play in the communication process.

### **15.2 Publication and distribution of MAC, SAC, WG and RAG papers**

All MAC, SAC, WG and RAG papers are considered to be public documents unless they contain items of specific commercial confidentiality. As such, the PZJA has agreed that MAC, SAC, WG and RAG agendas, agenda papers (other than commercial-in-confidence) and Chair's Summaries should be made available to all stakeholders to facilitate the flow of information between the PZJA, MACs, SACs, WGs and RAGs and those with an interest in Torres Strait Fisheries.

The preferred means for making such information available is via the PZJA website, rather than providing printed copies of papers to individual fishing concession holders or other stakeholders. In accordance with the Government's Online Strategy, it is the PZJAs intention to publish MAC, SAC, WG and RAG papers on the website at the same time they are printed and made available in hard copy. This will mean that papers will be available on the website before they are considered at the MAC, SAC, WG or RAG meeting.

### **15.3 Reporting**

All MAC, SAC, WG and RAG members are responsible for regularly reporting to their stakeholders on MAC, SAC, WG and RAG activities, the issues and possible solutions

under consideration. The MAC, SAC, WG and RAG Chair's Summary report of meetings is available to assist in this process.

The PZJA expects the MACs, SACs and RAGs to keep it informed about what is happening in Torres Strait fisheries, to develop views on issues affecting the fishery and to recommend changes to make management of the fishery more effective. In making recommendations directly to the PZJA, multiple recommendations from MACs, RAGs and SACs are acceptable for particular issues if considered necessary.

In turn, MACs, RAGs and SACs can expect the PZJA to communicate its decisions and the reasons for them to a MAC, RAG or SAC through the PZJA and MAC, RAG and SAC Chairs.

It is expected that each consultative committee or group report discussions through meeting reports, technical working papers and/or fishery assessment reports. The reporting process should not become onerous and should attempt to balance the reporting costs with the benefits achieved through the process.

- i. Meeting reports are minutes or the record of a meeting;
- ii. Technical working papers are reports tabled and considered during meetings. These are important resources that underpin an overall assessment of the fishery. Technical working papers may not become public documents, but do need to be retained and archived. These documents should be series numbered identifying the Committee or Assessment Group involved, the year produced and the meeting when they were considered. Copies must be provided to the relevant Committee Secretariat for lodgement in the AFMA research library; and
- iii. Assessment reports are PZJA publications that are produced annually or periodically, and provide an assessment of the fishery. These assessment reports should generally adopt a standard reporting format for fishery assessment reports. The reports should carry an AFMA and PZJA logo, be series numbered and be made available for public circulation to stakeholders. Copies must be provided to the relevant Committee Secretariat for lodgement in the AFMA research library.

### **15.3.1 Chair's summary**

The PZJA expects the Chair's of a MAC, RAG and SAC to provide it with a formal report (MAC, RAG or SAC Chair's Summary) after each MAC, RAG and SAC meeting. The Chairs of WGs are required to submit a similar report to the relevant MAC Chair.

It is important that the Chair summarises outcomes for each agenda item after the discussion on that item has concluded and at the end of the meeting to aid in reporting outcomes after meetings. The Chair is to be diligent in ensuring that meeting minutes, letters and other correspondence to the PZJA, MAC, RAG or SAC Chair, clearly and accurately describe MAC, SAC, WG or RAG recommendations and alternative options when an agreed position has not been reached.

### **15.3.2 Self Assessment**

All MACs, SACs, WGs and RAGs are to conduct a self-assessment of their performance at least once a year against the following performance indicators set by the PZJA, reporting the outcome to the PZJA:

1. The performance of the MAC, SAC, WG or RAG as a forum for the discussion of matters relevant to the management of the fishery;

2. Ability of the MAC, SAC, WG or RAG to provide advice and make recommendations to the PZJA (or MAC) as appropriate with respect to the management of the fishery;
3. Ability of the MAC, SAC, WG or RAG to provide advice and make recommendations to the PZJA (or MAC) as appropriate on research priorities and projects for Torres Strait fisheries;
4. Standard of liaison by MACs, RAGs or SACs with the PZJA, or by WGs with MACs to ensure that the range of management issues is given the proper attention;
5. Quality of meeting papers;
6. Quality of Chair's performance;
7. Quality of Executive Officer's support services;
8. Quality of PZJA Agency Members' performance;
9. Level of confidence that the MACs, RAGs or SACs views and recommendations are conveyed effectively to the PZJA, or that WGs views are conveyed to MACs; and
10. Rating the dynamics of the MAC, SAC, WG or RAG when in session over the last year.

## **16. Financial Management**

### **16.1 *Fishery Budgets***

All MACs and WGs will be asked to provide comment on the draft annual budget for the fishery for consideration by the PZJA.

The draft budget will show the cost of managing Torres Strait fisheries, including surveillance, logbook collection and processing and general administration costs. It will also include the cost of MAC meetings and other specific activities or projects that have been commissioned by MACs.

Comments received from MACs and WGs will be considered by the PZJA Agencies. Once approved by the Agencies, the budget will be used by the PZJA as the basis for determining levies payable by those in the fisheries.

### **16.2 *Annual work planning and budget preparation for RAGs***

RAG members may be required to assist in developing an annual, costed work plan for the RAG. The relevant WG and MAC should be consulted and provide comment on whether the budgeted work plan best meets the assessment needs for the fishery. The PZJA may be required to approve the annual work plans and accompanying budgets. The Chair of a RAG may obtain advice on this from the relevant line agency members and if required obtain an application proforma from AFMAs research administrator.

It is the responsibility of a RAG chair to ensure that annual work plans are developed and that applications for funding, where required, are submitted in an accurate and timely fashion.

### **16.3 *Travel Expenses of Members***

The policy concerning the travel allowances to MAC and SAC meetings for members and other participants, and to WG and RAG meetings for members is contained in Attachment D.

#### **16.4 Remuneration for inter-sessional work**

It is expected that a significant amount of MAC, SAC, WG or RAG work will be conducted between formal meetings. The PZJA will consider claims for reimbursement of such inter-sessional work where it can be demonstrated that a member's contribution to MAC, SAC, WG or RAG inter-sessional work is outside the normal business of the member's agency providing the services. This is a matter for consideration by the PZJA when determining budgets. Remuneration provision for inter-sessional work will be specified in member contracts at the time of appointment where appropriate.

Claims for inter-sessional work benefiting a MAC, SAC, WG or RAG should be budgeted, and reasonable. Remuneration can be claimed by lodgment of a tax invoice with AFMA and should be supported by a documentary record of the actual staff time inputs to MAC, SAC, WG or RAG work. AFMA, on behalf of the PZJA, reserves the right to inspect such records, before approving payment of claims for inter-sessional work.

#### **16.5 Remuneration for Chairs and SAC/RAG Scientific Members**

The PZJA accepts that the duties of Chairs and SAC/RAG scientific members require high-level skills and carry obligation and responsibility. In order to attract and retain suitable people, remuneration for these duties may be considered. The level of remuneration is not fixed, but may be negotiated between AFMA and the chairperson/scientific members. Approved Chair/scientific member remuneration will be specified in the relevant contract at the time of appointment.

#### **16.6 Consultancies**

In order to accomplish work plans MACs, SACs, WGs or RAGs may, from time to time, require the specialist skills or services of people not already members of the MAC, SAC, WG or RAG. In these instances and for specific defined tasks, the chairperson may engage consultants. Work plans must anticipate these needs and budgets need to provide for any consultancy fees to be paid.

Consultants should be engaged under an AFMA contract. Preparation of such a contract is the responsibility of the AFMA Research Manager in consultation with the MAC, SAC, WG or RAG chairperson. (For further information on contracts refer to the AFMA Research Manager).

### **17. Consultative Committees**

The PZJA may establish committees, other than a MAC, SAC, WG or RAG to assist it in the performance of its functions.

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## **Legislative Objectives and Functions**

Governing and guiding the PZJAs fisheries related activities are the legislative objectives contained under the provisions of sections 8 and 34 of the *Torres Strait Fisheries Act 1984*.

### **8 Objectives to be pursued**

In the administration of this Act, regard shall be had to the rights and obligations conferred on Australia by the Torres Strait Treaty and in particular to the following management priorities:

- (a) to acknowledge and protect the traditional way of life and livelihood of traditional inhabitants, including their rights in relation to traditional fishing;
- (b) to protect and preserve the marine environment and indigenous fauna and flora in and in the vicinity of the Protected Zone;
- (c) to adopt conservation measures necessary for the conservation of a species in such a way as to minimise any restrictive effects of the measures on traditional fishing;
- (d) to administer the provisions of Part 5 of the Torres Strait Treaty (relating to commercial fisheries) so as not to prejudice the achievement of the purposes of Part 4 of the Torres Strait Treaty in regard to traditional fishing;
- (e) to manage commercial fisheries for optimum utilisation;
- (f) to share the allowable catch of relevant Protected Zone commercial fisheries with Papua New Guinea in accordance with the Torres Strait Treaty;
- (g) to have regard, in developing and implementing licensing policy, to the desirability of promoting economic development in the Torres Strait area and employment opportunities for traditional inhabitants.

### **34 Functions of Joint Authority under this Act**

Where there is in force an arrangement under this Part under which the Protected Zone Joint Authority has the management of a fishery and the fishery is to be managed in accordance with the law of the Commonwealth, the Protected Zone Joint Authority has the functions of:

- (a) keeping constantly under consideration the condition of the fishery;
- (b) formulating policies and plans for the good management of the fishery; and
- (c) for the purposes of the management of the fishery:
  - (i) exercising the powers conferred on it by this Part; and
  - (ii) co-operating and consulting with other authorities (including Joint Authorities established under the *Fisheries Act 1952* or the *Fisheries Management Act 1991*) in matters of common concern.

**EXAMPLE ONLY – NOT FOR USE**

Chair  
Protected Zone Joint Authority  
C/- Communications and Planning Section  
Australian Fisheries Management Authority  
PO Box 7051  
Canberra Business Centre ACT 2610

Dear Chair

I refer to my proposed appointment as the ..... Member/Permanent Observer on the .....MAC/SAC/WG/RAG.

In compliance with the PZJAs requirements prior to appointment to this position, I advise that:

- (i) I have read, and understand, PZJAs Fisheries Management Paper covering MACs, SAC, WGs and RAGs; and
- (ii) I understand that, if my appointment is confirmed, I must disclose any relevant conflict of interest during the course of all MAC/SAC/WG/RAG meetings at which I am present.

I also give my assurance that I will endeavour to participate in discussion in an objective and impartial manner and that I will serve the best interests of the above mentioned MAC/SAC/WG/RAG and of the fisheries, and hold up the PZJAs legislative objective.

Yours sincerely

Signature .....  
Name (please print) .....  
Mailing Address .....  
Daytime Telephone No.....  
Mobile Telephone No. ....  
Daytime Fax No. ....  
Email Address .....  
Date .....

## **Procedural Matters**

The Torres Strait MACs, SACs, WGs and RAGs will operate in accordance with the following procedures:

### **1. Notice of a meeting**

Except in exceptional circumstances, notice of a meeting shall be forwarded by the Executive Officer to all members no less than **20 working days** prior to a meeting being held. The notice shall call for agenda items and stipulate:

- the date of the meeting
- the time the meeting will commence
- the venue for the meeting
- the proposed business to be dealt.

The notice shall be sent to every member of the MAC, SAC, WG or RAG whether they are able to attend the meeting or not. The issue of a notice of the meeting to all members before the meeting is held is necessary for the meeting to be correctly constituted.

Full use of the PZJA web page should be made to assist in the communication of papers and other relevant information concerning the MAC, SAC, WG or RAG.

### **2. Quorum**

A quorum is the minimum number of persons who need to be present to constitute a valid meeting. If a meeting is not properly constituted, it cannot conduct business in a valid manner. For resolutions of a meeting to be valid the number of Members necessary to form the quorum must be present throughout the meeting.

A sensible size for a quorum is a sufficient number of members to conduct business with an adequate spread of responsibility, experience and representation. In the case of MACs, SACs, WGs and RAGs, the number shall be two-thirds of the members.

### **3. Agenda**

An agenda is more than a list of items or a guide to matters to be dealt with at a meeting. It provides a program to aid consideration of each item and allow the business of the MAC, SAC, WG or RAG to proceed in a logical, orderly and timely manner. It also provides a basis on which to write the minutes of the meeting.

Members are encouraged to provide input to the development of the draft agenda. Where significant business is proposed by a member, the agenda item supporting papers must be submitted to the EO by the member no less than **15 working days** before the meeting and be accompanied by a brief explanatory note setting out the main points to be considered. Otherwise, special items can only be submitted with the concurrence of the Chair.



All MAC, SAC, WG and RAG papers are to be considered public documents unless they contain items of specific commercial confidentiality.

Irrespective of the time frames specified in this section, it is the responsibility of the MAC, SAC, WG or RAG Chair to ensure the timely availability of agenda and other papers to all members prior to meetings.

The EO shall prepare the agenda in consultation with the Chair which is to be sent out to MAC, SAC, WG or RAG members, with papers and other information **10 working days** prior to the meeting. Papers are also to be sent to the AFMA Web Administrator ([webadmin@afma.gov.au](mailto:webadmin@afma.gov.au)) at least 10 working days prior to the meeting to allow posting on the PZJA website.

*The agenda should have items listed in the following order:*

- **Chair's Opening Remarks**

Provides the Chair with an opportunity to make any opening remarks to set the tone of the meeting, welcome any visitors etc.

- **Review and adoption of the agenda**

Provides an opportunity for members to review the agenda and either confirm its adoption or make any necessary adjustments.

- **Declaration of Interests**

This gives members an opportunity to declare any interest/s they may have in relation to the matters being considered by the MAC, SAC, WG or RAG. Interests may be declared in relation to a specific agenda item or items or be of a standing nature.

- **Apologies**

- **Minutes of the Previous Meeting on (date)**

This gives those present the opportunity to be satisfied about the correctness of those minutes as a record of the proceedings of that meeting. It also serves as a reminder of decisions made by, and progress reported at, the last meeting and thus of matters which remain pending, decisions still to be made and developments about which reports should be forthcoming.

- **Outcomes of the meeting of the PZJA on (date)**

The outcomes of the most recent meeting of the PZJA will be reported.

- **Business Arising from the Minutes**

While the immediate consideration of any business that arises from the minutes of the previous meeting is normal, it may be appropriate for some issues to be

dealt with as individual items later in the agenda.

- **Routine Items**

Regular business which comes before the MAC, SAC, WG or RAG (such as correspondence etc.) should be dealt with at an early stage in the meeting to enable such items to be dealt with expeditiously, but without undue haste. Reports of the SACs, WGs and RAGs and of each individual fishery will be discussed at this point during a MAC meeting.

- **Business Items to be Dealt With**

The order in which business is dealt with at a meeting needs to take account of business items arising from the previous meeting and the possible effects on later agenda items. Business items should be structured logically and the sequence of items should not be changed unless to achieve some worthwhile benefit and then only after adequate consideration.

- **Other Business**

This item provides for the consideration, if only in a preliminary way, of any unexpected or fresh and important business; it also enables up-to-date information on matters of passing interest to be reported and noted at the time rather than wait for the next meeting. As a general rule, items under this agenda heading should not go beyond the scope of the notice for the meeting. At this point the date of the next meeting is discussed.

#### **4. Attendance of Casual Observers**

Casual observers are welcome to attend MAC, SAC, WG and RAG meetings. Casual observers may participate at the discretion of the Chair where he or she deems it consistent with the efficient and effective operations of the MAC, SAC, WG or RAG. Casual observers must respect the need for orderly management of the business before the MAC/SAC/WG/RAG and the rights of others in the meeting. Casual observers must follow any directions made by the Chair.

#### **5. Rules of Debate**

Rules of debate have no legal authority and it is not necessary to apply such rules at a meeting. However, adherence to conventional rules of debate provides a Chair and others with confidence that a meeting will be conducted in an orderly fashion, with good manners and common decency.

In the case of MAC, SAC, WG and RAG meetings, it is unlikely that the rules of debate will need to be enforced. Rather, issues should be discussed in a co-operative, informal and consultative manner with resolutions being normally arrived at through consensus. At the same time, it is important for members to appreciate that the business of a meeting will be expedited by their personal observance of the general rules of debate and their support for the maintenance of order.

## 6. The Minutes

Once a MAC, SAC, WG or RAG meeting is completed, the Chair is responsible for formally communicating the outcomes of the meeting, including recommendations and matters for information, to the PZJA Chair (in the case of a MAC or SAC) or to the MAC Chair (in the case of WGs or RAGs) for consideration and to the industry for information. It is a function of the EO to assist the Chair in preparing the minutes of the meeting as well as the Chair's Summary.

Minutes may be defined as the official, permanent, written record of the business transacted at a meeting. They should be accurate, concise and articulate, being free from ambiguity or uncertainty. Where there is, by necessity, substantial and significant detail covered in the MAC, SAC, WG or RAG meeting, the minutes need to reflect this level of detail.

As a general rule, minutes should be expressed in words, phrases and sentences which are free from errors of grammar and syntax. They should preferably be without clichés, jargon, fashionable words or unnecessary detail.

The minutes need to include:

- day and date of meeting
- place of meeting
- names of those present
- apologies
- reference to the minutes of the previous meeting and the signing of them as a correct record of the proceedings of that meeting by the Chair
- record of agenda items discussed, including agreements reached, action required, and the MACs, SACs, WGs or RAGs decision/s in regard to any declared conflict/s of interest
- date and time for the next meeting
- time the meeting closed

Draft minutes are to be written up and submitted to the Chair for comment and approval within **14 working days**, and distributed to members within **21 working days** after the meeting. Minutes are also to be sent electronically to the AFMA Web Administrator ([webadmin@afma.gov.au](mailto:webadmin@afma.gov.au)) for posting on the PZJA website.

MAC, SAC, WG or RAG Chairs must not allow members who are absent from meetings to have separate notes or views attached to minutes, however absentee members may convey views in writing to the MAC, SAC, WG or RAG prior to the meeting.

**TRAVEL EXPENSES**

Members of travelling on MAC, SAC, WG or RAG business will be paid travel expenses reasonably incurred in connection with RAG business. Normally, this is reimbursement of airfares at the economy class rate, reimbursement of receipted expenditure for accommodation costs, meals and incidental expenses in accordance with AFMAs (as a PZJA Agency) staff travel policy.

To claim reimbursement for expenses incurred while on MAC, SAC, WG or RAG business, members must provide AFMA with a tax invoice with any relevant supporting documentation such as airline tickets, receipts for accommodation, meals, taxis and parking vouchers etc.

No allowance is payable if there is not an overnight stay. However, members may claim reimbursement of any meal expenses incurred by them during the day of a MAC, SAC, WG or RAG meeting not involving an overnight stay. Claims for reimbursement must be accompanied by a valid receipt or tax invoice and approval is at the discretion of PZJA Agency staff.

If a Member would like payment of travel costs to be made to their employer or business, then they must either submit a tax invoice from their employer or business or enter into a signed Recipient Created Tax Invoice (RCTI) agreement with AFMA. An RCTI agreement form can be obtained from AFMAs Finance Manager.

All flights to MAC, SAC, WG and RAG meetings should be booked through AFMAs travel provider. The cost of the flight will be charged directly to AFMA.

Members of a MAC, SAC, WG or RAG who are employed by a Commonwealth or State organisation that has their own discounted travel arrangements, may book flights through their own system. AFMA will reimburse their employer on submission of a valid tax invoice.

The claim form for travel expenses is attached.



**CLAIM FOR EXPENSES AND ALLOWANCES FOR OFFICIAL ATTENDANCE  
AT A COMMITTEE (MAC, SAC) OR GROUP (WG or RAG) MEETING**

**DETAILS OF MEMBER**

Name.....	ABN*.....	Phone No.....
Address.....		Fax No.....

**DETAILS OF MEETING**

Name of Committee/Group.....	Meeting place.....
Meeting date.....	Meeting time.....

**DETAILS OF TRAVEL**

Start: Place.....	Time.....	Date.....
End: Place.....	Time.....	Date.....
Was this travel by the most direct route?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If no, please provide comments .....		
.....		
Method of travel:	<input type="checkbox"/> Plane (go to section A)	
	<input type="checkbox"/> Vehicle (go to section B)	

**(AFMA use only)**

	No.	\$
Complete days		
Less meals provided		
Travel allowance payable (6410)		
Cost of ticket *		\$
Deductions		
Net cost (6420)		
Rate.....c/km (6430)		\$
Expenses *	\$	
<b>TOTAL PAYABLE \$</b>		
<b>THE TOTAL PAYABLE INCLUDES GST</b>		

**Section A - DETAILS OF FLIGHT (attach tax invoice\*)**

Outward: Date.....	Depart.....	Arrive.....
Return: Date.....	Depart.....	Arrive.....
Are you claiming reimbursement for total cost of the airline ticket?		
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Comments .....
.....		

**Section B - DETAILS OF VEHICLE**

Distance travelled by direct route .....	km	Engine size.....cc
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**Section C - DETAILS OF EXPENSES (attach tax invoices\*)**

Taxi \$.....	Parking \$.....	Other \$.....
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SIGNED .....INVOICE DATE.....

ATTENDANCE VERIFIED .....

COST CENTRE .....TOTAL PAYABLE APPROVED BY.....

\*Official MAC/WG/RAG/SAC members do not need to provide an ABN. Costs should be entered including GST, where applicable. AFMA can recover GST on reimbursements where an original tax invoice is attached. If the member's business is paid then the member must provide the business' ABN. AFMA can recover the GST from payments to those members only if they have signed an RCTI agreement or provide their own tax invoice

**Kos & Abob Fisheries (TSIC)**  
**Discussion Paper**  
**Hand Collectable Working Group**

**Issue:**

The topic is on the discussion paper of *Amending Hookah Band for White Teat fish*.

**Justification:**

The Eastern Island in the Torres Strait always had a banned on Hookah diving for any species. The banned of using hookah has always been supported by fishermen of Ugar.

**Outcome:**

Kos & Abob Fisheries (TSIC) representing the interest and rights on Fisheries Management on Ugar doesn't support Hookah diving for White Teat Fish or any species at this time.

**Recommendation:**

Kos & Abob Fisheries (TSIC) recommend that prior before hookah diving is considered on white teat fish or any species especially in the Eastern Island. The following plan must be implemented first and foremost to manage and control the Industry properly so that it can be sustainable for the future.

1. Beche de mer Management Plan

Inside the Management Plan it should have policies, procedures and guidelines to manage the beach de mer industry in the Torres Strait Region.

1. Total Allowable Catch Report
2. Monitoring Process
3. Cultural Aspect
4. Zones Boundaries (10 Nautical Miles) and etc....

Regards,

Rocky Stephen  
President  
Kos & Abob Fisheries  
(Torres Strait Islander Corporation)  
Ugar Island

<b>TORRES STRAIT HAND COLLECTABLES WORKING GROUP</b>	<b>Meeting 12 24 October 2017</b>
<b>PRELIMINARIES Out of session correspondence</b>	<b>Agenda Item 1.5 For NOTING</b>

## RECOMMENDATIONS

1. That the Working Group **NOTE** the correspondence circulated out of session since the last meeting.

## BACKGROUND

2. The following correspondence was circulated out of session since HCWG 11 held on 27 June 2017.

<b>Date</b>	<b>Item</b>
11 August 2017	AFMA circulated an invitation to HCWG members for a workshop and subsequent community visits concerning the implementation of a Torres Strait Fish Receiver System (FRS)
15 August 2017	AFMA circulated the draft HCWG 11 record, to Members for comment. Also provided was a Chair's summary and information on how to access Queensland east coast quota usage reports
5 September 2017	AFMA circulated the final HCWG 11 record and a report from the Harvest Strategy Workshop held on 28-29 June 2017, to Members for information
22 September 2017	AFMA circulated a community notice concerning a call for funding applications from fishing industry related associations or organisations to support the implementation of the Torres Strait FRS, to Members for information and broader circulation as appropriate
22 September 2017	AFMA circulated the draft HCWG 12 agenda and request to provide outstanding catch reports, to Members for comment and action as appropriate
27 September 2017	AFMA circulated further information on industry proposed voluntary closures for Prickly Redfish, to Industry Members for further consideration and advice
27 September 2017	AFMA circulated a request for advice on tactical research projects for Torres Strait Scientific Advisory Committee (TSSAC) funding in 2018/19, to Members

<b>TORRES STRAIT HAND COLLECTABLES WORKING GROUP</b>	<b>Meeting 12 24 October 2017</b>
<b>FISHERY UPDATES Industry update</b>	<b>Agenda Item 2.1 For DISCUSSION</b>

## RECOMMENDATIONS

1. That the Working Group:
  - a. **NOTE** updates provided by industry members;
  - b. **DISCUSS** strategic issues, including economic trends, affecting the management and development of Torres Strait fisheries.

## BACKGROUND

2. Verbal reports will be provided by industry members under this item.
3. It is important that the Working Group develops a common understanding of any relevant matters within adjacent jurisdictions and what issues if any, are having the greatest impact on industry and the management of fisheries. Such understanding will ensure proceedings of the Working Group are focused and may more effectively address each issue.
4. Working group members are asked to provide any updates on trends and opportunities in global markets, processing and value adding. Industry is also asked to contribute advice on economic and market trends where possible. Scientific members are asked to contribute advice on any broader strategic research projects or issues that may be of interest to the Torres Strait in future.
5. At previous meetings of the Working Group, members have discussed a range of strategic issues affecting the management and development of Torres Strait fisheries.

### *Improving the integrity of the management framework and basic fishery data*

6. There is a need for more effective management arrangements and supporting monitoring and enforcement tools to allow informed management decisions to be made with greater certainty that objectives under the *Torres Strait Fisheries Act 1984*, in particular that relating to sustainability, will be met. As such any move to further develop hand collection fisheries under current arrangements is difficult to justify.
7. Recognising this, AFMA with the endorsement of working groups and the PZJA has or is currently looking to implement the following measures, which will establish the management framework required to support the future development of the Torres Strait hand collection fisheries:
  - a. development of a beche-de-mer harvest strategy due for completion in 2018. The harvest strategy will describe a comprehensive management framework for the Fishery, providing the guidance necessary to manage and further develop the fishery;
  - b. introduction of a mandatory vessel monitoring system (VMS) on 1 July 2017, for all commercially licenced primary and carrier vessels to strengthen monitoring;
  - c. introduction of a mandatory Fish Receiver System (FRS) by 1 December 2018 to strengthen catch reporting;
  - d. publication of register of Torres Strait licences to complement the introduction of the FRS;
  - e. legislative amendments to make improvements to the efficiency and effectiveness of fisheries administration in the Torres Strait, including the capacity to require catch



reporting across all licence holders and implementation of Fisheries Infringement Notices to strengthen compliance activities.

#### *Uncertainty around the status of stocks*

8. The Working Group has previously noted advice from industry members that:
  - a. since the two Black Teatfish openings (in 2014 and 2015) there remains a keen, ongoing interest in the fishery which was historically limited;
  - b. some fishers are now focusing on fishing beche-de-mer rather than working in other sectors such as TRL;
  - c. that once a species had becomes the target of large amounts of commercial fishing it has generally led to a depleted stock status (e.g. Sandfish, Surf Redfish, Black Teatfish and concerns recently raised by industry over Prickly Redfish);
  - d. due to reductions in traditional target species biomass, and no-take TACs for some species, there has been increased focus on fishing species that were traditionally byproduct species such as Prickly Redfish which has now become a key commercial species;
  - e. they are concerned about the potential damage being done to reefs and ecosystems from fishers removing byproduct species that traditionally were not worth collecting and left alone would continue to provide ecosystem services i.e. cleaning the reefs. Industry identified a strong need for communities to understand the science of these impacts;
9. The Working Group has also noted the general uncertainty around growth, breeding grounds and reproductive rates and environmental factors that may affect this, including climate change.
10. To manage the risks of overfishing, some industry members and observers have suggested/discussed:
  - a. spatial management arrangements and whether separate sectors could be established e.g. create a 'fence' to divide the eastern and western sections of the fishery to limit access;
  - b. investigating a contingency plan should more stocks collapse e.g. investigating ranching/ aquaculture.

#### *Limited fishery capacity*

11. The Working Group has previously noted advice from the research member, that when considering investment in the Torres Strait Beche-de-mer Fishery, the overall value of the fishery needs to be considered. Whilst some beche-de-mer species have a high value it is unlikely the Torres Strait fishery (stocks) is large enough to sustain many full-time operations (businesses). Rather a more sound approach may be to consider beche-de-mer as just one part of a diversified fishing business (i.e. inclusive of other interests, for example TRL and finfish).
12. Based on a crude beach price average across species of \$5/kilo, the combined 130 tonne TAC for beche-de-mer would be worth approximately \$650,000, equating to 10 operators earning about \$65,000 per year.
13. Diversification may minimise the risk of over investment/over capitalisation. Over capitalisation of a fishery (i.e. too many operators/fishing effort from over investment in boats) can increase the risk of overfishing and result in poor fishing practices by fishers (e.g. through increased incentive to underreport catches).

#### *Development of new processing methods*

14. With the targeting of new species and to better meet market demands, comes the need to develop new or improved processing techniques.

15. Industry have been investigating or further refining the processing and drying product within their communities, noting the associated difficulties in perfecting techniques given the high humidity and the need to acquire the correct equipment.
16. Curryfish is one such species that is in an 'experimental' phase with fishers reportedly discarding tonnes of product due to spoilage as the best handling and processing practices are being established.
17. New processing techniques for some medium and low value species such as burrowing blackfish have been developed by Australian processors which may increase the value and demand on these species.

*Development of new markets and getting fair value for product*

18. The Working Group has previously noted advice from industry members that:
  - a. at the moment the industry is made up of several independent operations all negotiating different prices amongst many buyers. A co-operative/centralised model for setting/negotiating prices may be beneficial in increasing the return for product;
  - b. there is also a need to develop new markets for lower value species.
19. The TSRA have commissioned projects and activities in support of developing the beche-de-mer industry with projects such as examining branding Torres Strait product, industry development and exporting product from the Torres Strait with an initial workshop held. Investigation has also been undertaken into BDM ranching with a visit to a Darwin aquaculture facility. Initial findings are that ranching BDM may not be commercially viable in Torres Strait.

<b>TORRES STRAIT HAND COLLECTABLES WORKING GROUP</b>	<b>Meeting 12 24 October 2017</b>
<b>FISHERY UPDATES Government agencies update</b>	<b>Agenda Item 2.2 For NOTING</b>

## RECOMMENDATIONS

1. That the Working Group:
  - a. **NOTE** the written and verbal update provided by AFMA;
  - b. **NOTE** a verbal update will be provided by TSRA;
  - c. **NOTE** the written update provided by the QDAF.

## BACKGROUND

### *Fisheries Activity*

2. Fishing activity in both the pearl shell and trochus fisheries remain negligible. There have been no reports through logbooks or docket books of either pearl shell or trochus being harvested in the 2015 and 2016 fishing seasons or the 2017 fishing season to date. However, in undertaking a review of developmental permits issued for the taking of undersized pearl shell in 2015 and 2016, AFMA received verbal reports that approximately 800 pearl shell was collected during the permit period. The low level of catch and effort is thought to be due to low market demand rather than a decline in stock availability.
3. Fishing activity in the beche-de-mer fishery has increased and is largely attributed to increased fisher interest associated with two trial openings for a limited amount of fishing for Black Teatfish.
4. Further details on fishing activities and catch reporting is provided in the paper for Agenda Item 3.1.

### *AFMA Management*

5. AFMA are continuing to progress a number of management initiatives, including:
  - a. Torres Strait legislative amendments – Following PZJA and further Ministerial approval, AFMA is progressing draft amendments to the *Torres Strait Fisheries Act 1984* and *Torres Strait Fisheries Regulations 1985*. The amendments will provide immediate improvements to the efficiency and effectiveness of fisheries administration in the Torres Strait. Most recently AFMA has been able to dedicate resources to progress this important piece of work.
  - b. Public licence register – at its June 2016 meeting, the Working Group supported the proposal to establish a publically available register of fishing licences for Torres Strait fisheries. The register will support the implementation of the fish receiver system. Further details on the implementation of the public licence register is provided at **Attachment 2.2a**.
  - c. Fish receiver system (FRS) – at its June 2016 meeting, the Working Group supported the proposal to replace the current Torres Strait Seafood Buyers and Processors Docket Book system with a mandatory FRS for all the Torres Strait Fisheries (excluding the Torres Strait Prawn Fishery) by 1 December 2017. Further details on the implementation of the FRS is provided in the paper for Agenda Item 3.4.

### *AFMA Foreign Compliance*

6. Illegal foreign fishing in Australian waters is considered a serious threat to Australia's marine resources and preventing such activity is a very high priority of the Commonwealth Government. The Australian Fisheries Management Authority and the Australian Border Force are the leading agencies in protecting Australia's maritime borders against illegal foreign fishers.
7. Fifteen foreign fishing boats were apprehended in the 2016/17 financial year: eight Vietnamese; six Indonesian; and one from Papua New Guinea. All Vietnamese boats were apprehended in the Coral Sea and had beche-de-mer onboard and hookah breathing apparatus. All matters were successfully prosecuted and the boats seized. None of these apprehensions occurred in the Torres Strait, however we remain vigilant with daily aerial surveillance and surface platforms patrolling the Torres Strait. There have been no foreign fishing boats apprehended in the 2017/18 financial year to date.
8. AFMA continues to work closely with our regional partners, particularly Papua New Guinea, in the fight against illegal foreign fishing.

### *QDAF*

9. The Sustainable Fisheries Strategy 2017-2027 was released in June this year, investing an additional \$20 million to help shape Queensland fisheries over the next 10 years. The strategy outlines 33 actions to be delivered across 10 reform areas and sets targets to be achieved by 2020 and 2027.
10. Some of the actions include the development of a harvest strategy for each fishery, set sustainable catch limits based on achieving MEY, satellite tracking on all commercial fishing boats (including tenders) and using new technologies more effectively.
11. Fisheries Queensland are currently in the process of forming a working group for the East Coast sea cucumber fishery to provide advice on the operational aspects of the management of the fishery as a priority actions under the Sustainable Fisheries Strategy. The EOI closes 14 October with the first meeting planned for late November 2017.

### Implementation of a public register of licence holders

1. AFMA will shortly release a publically available licence register for all Torres Strait fisheries, with the exception of the Torres Strait Prawn Fishery. Consultation on a public register of licences for the Torres Strait Prawn Fishery is being undertaken, with the intention to include it in making registers for all Torres Strait fisheries.
2. The purpose of the register is to:
  - a. improve accountability to stakeholders in the management of Torres Strait fisheries; and
  - b. assist industry to comply with fisheries regulations such as maintaining active licences and meeting the requirements of the fish receiver system to be implemented on 1 December 2017.
3. The register makes information readily available to fishers, fish receivers and the public more generally, on the number of licences active in a fishery, and the following basic details:
  - a. the licence holder's name;
  - b. licence type by sector where applicable (for example Transferable Vessel Holder licence, Traditional Inhabitant Boat licence, Finfish Sunset licence, Torres Strait Processor-Carrier Class A, Class B or Class C licence);
  - c. licence number;
  - d. licence expiry date;
  - e. vessel identifying mark;
  - f. each fishery entry and Treaty endorsements that apply to the licence; and
  - g. the allocation of units of fishing capacity (for example catch allocation Finfish Sunset licences or quota units under a plan of management).
4. The register does not make public any personal information of licence holders such as contact details.
5. AFMA has consulted with all PZJA Working Groups and licence holders (excluding Torres Strait Prawn Fishery) on a proposal to establish a publically available licence register. All advice received was in support of the proposal.
  - a. The Finfish Working Group and Hand Collectables Working Group considered and supported the proposal at meetings held on 16-17 March and 27 June 2017, respectively. The Tropical Rock Lobster Working Group (TRLWG) considered the matter out of session. Five TRLWG members responded with all in support of the proposal; and
  - b. AFMA wrote to all Torres Strait fishing licence holders on 14 July 2017 and again on 10 August 2017 seeking comment. Six responses were received via email and telephone with all in support of the proposal.
6. The Minister has authority under section 10 of the *Torres Strait Fisheries Act 1984* to cause registers to be kept and made public. This power has been delegated to AFMA, as the agency responsible for administering the Torres Strait licencing system. The registers must show particulars of:
  - a. licences and Treaty endorsements in force from time to time under the Act; and
  - b. the allocation of units of fishing capacity (for example quota units of effort units) from time to time under the Act.

<b>TORRES STRAIT HAND COLLECTABLES WORKING GROUP</b>	<b>Meeting 12 24 October 2017</b>
<b>FISHERY UPDATES Native Title update</b>	<b>Agenda Item 2.3 For NOTING</b>

## RECOMMENDATIONS

1. That the Working Group **NOTE** any updates on Native Title matters from members, including the representative from Malu Lamar (Torres Strait Islanders) Corporation RNTBC (Malu Lamar).

## BACKGROUND

2. On 7 August 2013 the High Court of Australia confirmed coexisting Native Title rights, including commercial fishing, in the claimed area (covering most of the Torres Strait Protected Zone). This decision gives judicial authority for Traditional Owners to access and take the resources of the sea for all purposes. Native Title rights in relation to commercial fishing must be exercisable in accordance with the *Torres Strait Fisheries Act 1984*.
3. Traditional Owners and Native Title representative bodies have an important role in managing Torres Strait fisheries. It is important therefore that the Working Group keep informed on any relevant Native Title issues arising.
4. At the 8<sup>th</sup> meeting of the Hand Collectables Working Group (30 April 2015) it was agreed for a standing agenda item to be included in future meetings to allow a representative from Malu Lamar to provide a Native Title update.
5. AFMA has extended an invitation to Malu Lamar to attend this meeting as an observer and is investigating longer term arrangements for representation in consultation with PZJA agencies.

<b>TORRES STRAIT HAND COLLECTABLES WORKING GROUP</b>	<b>Meeting 12 24 October 2017</b>
<b>FISHERY UPDATES PNG National Fisheries Authority update</b>	<b>Agenda Item 2.4 For NOTING</b>

## **RECOMMENDATIONS**

1. That the Working Group **NOTE** the update provided by the PNG National Fisheries Authority.

## **BACKGROUND**

2. A verbal report will be provided under this item.

<b>TORRES STRAIT HAND COLLECTABLES WORKING GROUP</b>	<b>Meeting 12 24 October 2017</b>
<b>MANAGEMENT Research update</b>	<b>Agenda Item 3.1 For DISCUSSION</b>

## RECOMMENDATIONS

1. That the Working Group:
  - a. **NOTE** the research update provided by the scientific member;
  - b. **DISCUSS** and **ADVISE** on any changes to research priorities.

## BACKGROUND

2. A verbal report will be provided by the research member under this item.

### *Research priorities*

3. This is a standing item for the HCWG. Having agreed research priorities aims to achieve a more efficient management process.
4. Generally, the Torres Strait Scientific Advisory Committee (TSSAC) makes an annual public call for funding applications to conduct research to support fisheries management decisions. The call for research identifies research priorities to be addressed. AFMA seeks advice from the PZJA fishery consultative forums on fishery specific research priorities.
5. At its June 2016 meeting the Working Group agreed that future research priorities would be guided by the Harvest Strategy to be developed over the coming 18 months.
6. At its June 2017 meeting the Working Group noted advice from the AFMA member that most of AFMA's available research budget (~\$400,000 per year) is committed for the next few years and that the current research funding commitment for hand collectable fisheries is the beche-de-mer harvest strategy project.
7. The Working Group is asked to note the table outlining budget commitments for the next financial years (**Attachment 3.1a**) and note that due to research funding being almost fully committed for the next two financial years, the next public call for funding applications for research will be for the 2019/20 financial year.
8. Throughout the year, the TSSAC may also make a call for small tactical research projects, where funding is available (usually unspent research funds). On 27 September 2017, AFMA wrote to the Working Group regarding a call for small tactical research projects given an \$88,000 underspend in the 2018-19 financial year budget.
9. Given the small amount of money, it is more cost-effective and efficient to consider tactical research needs for using this money. Tactical needs are generally low cost, of immediate need and are sometimes projects that wouldn't get funded due to larger scale multi-year projects getting priority. AFMA in consultation with the Working Group is currently considering whether there is a tactical research need relating to the development of the beche-de-mer harvest strategy that could be funded with this money.



## Research budget for Torres Strait fisheries

Funding Years	Project code	Torres Strait Research	Project Budget	2016/17 FY Total Research	2017/18 FY Total	2018/19 FY Total
				(Budget \$410,716)	(Budget \$410,716)	(Budget \$410,716)
13/14 - 14/15 15/16	RR2012/0803	Smartphone - data collection (PI Haartmann) - <i>COMPLETED</i>	\$186,000.00			
13/14 - 14/15	RR2013/0803	2014 TRL Stock Assessment and TAC (PI Plaganyi- Lloyd)	\$627,615.97 (13/14 & 14/15 FY)	\$16,000 final payment ended up out of 16/17 FY		
			Additional \$336,881 - 15/16 FY			
14/15 - 15/16	RR2014/0823	Defining the aggregating and movement behaviour of Spanish Mackerel to inform future fisheries allocation and sustainable fishing - <i>COMPLETED</i>	\$245,590.00	\$40,853*		
15/16	No project number	Production of a Sea Cucumber product processing training video for Torres Strait Communities <i>COMPLETED</i>	\$17,000			
15/16	RR2015/0824	Consultative and administrative processes for scientific research in the Torres Strait Islands (Dr Nakata)	\$16,500 (TSRA funding, not TS research funding)			
15/16 16/17	RR2015/0823	Monitoring the traditional take of finfish in the Torres Strait Protected Zone	\$199,802 (TSRA funding, not TS research funding)			
15/16 16/17	RR2016/0823	Bêche De Mer Fishery Harvest Strategy	\$52,710	\$37,224	\$15,486	
16/17 17/18 18/19	RR2016/0822	TRL fishery surveys, stock assessment, HCR and RBC	\$759,855	\$239,030	\$243,348	\$277,476
16/17 17/18	RR2016/0824	Finfish Fishery Harvest Strategy	\$200,961	\$32,580	\$123,662	\$44,719
16/17 17/18	RR2017/0816	TRL environmental influences	\$49,292	\$21,332	\$27,960	
		<b>Total costs of proposed projects per financial year</b>		<b>\$365,687</b>	<b>\$382,496</b>	<b>\$322,195</b>
		<b>Remaining un allocated funding</b>		<b>\$45,029</b>	<b>\$28,220</b>	<b>\$88,521</b>

<b>TORRES STRAIT HAND COLLECTABLES WORKING GROUP</b>	<b>Meeting 12 24 October 2017</b>
<b>MANAGEMENT Catch data summary</b>	<b>Agenda Item 3.2 For NOTING</b>

## RECOMMENDATIONS

### 1. That the Working Group:

- NOTE** the summary of catch and effort data for hand collection fisheries, as recorded in logbooks, docket books and from other sources; and
- NOTE** the beche-de-mer catch data reported to AFMA is currently under review and the figures presented here may be subject to change.

## BACKGROUND

### *Fisheries activity*

- Fishing activity in both the Pearl Shell and Trochus Fisheries remains negligible. The low level of catch and effort in the Pearl Shell and Trochus Fisheries is thought to be due to low market demand rather than a decline in stock availability.
  - There have been no reports through logbooks or docket books of trochus being harvested in the 2015 and 2016 fishing seasons or the 2017 fishing season to date (Table 1 of **Attachment 3.1a**).
  - There have been no reports through logbooks or docket books of pearl shell being harvested in the 2015 and 2016 fishing seasons or the 2017 fishing season to date. However, in undertaking a review of developmental permits issued for the taking of undersized pearl shell in 2015 and 2016, AFMA received verbal reports that approximately 800 pearl shell was collected during the permit period, with roughly 15-20% comprised of shell between 100-130 mm. It was also reported that this low level of take has continued with pearl shell collected on an opportunistic basis largely by TIB licence holders whilst targeting TRL or in TRL closure periods.
- Fishing activity in the Beche-de-mer Fishery has increased and is largely attributable to increased interest associated with two trial Black Teatfish openings in 2015 and 2016 (Tables 2, 3 and Figures 2, 3 of **Attachment 3.1a**).

### *Active licences*

- As at 28 September 2017, there were the following Torres Strait licenses issued providing access to hand collectable fisheries.

	<b>TIB licences</b>	<b>TVH licences</b>	<b>Carrier Boat licences</b>
<b>Beche-de-mer</b>	95	1 package (held in trust by TSRA)	14 (B and C)
<b>Pearl shell</b>	60	11 packages (2 held in trust by TSRA)	13 (A, B and C)
<b>Trochus</b>	54	-	5 (B and C)

### *Catch reporting*

5. AFMA follows up on a regular basis with buyers and fishers to obtain catch and effort data for management purposes. However, as catch reporting by TIB licence holders and buyers is voluntary, returns to date have been sporadic and of low volume.
6. Beche-de-mer catches reported through logbooks and docket books remains low. Only two buyers returned docket books to AFMA in 2016 and one fisher in 2017 (Figure 1 of **Attachment 3.1a**). No logbooks were returned.
7. AFMA is aware that fishing for beche-de-mer and pearl shell has been ongoing however due to the lack of catch reports the scale and extent of fishing is unknown. The implementation of the fish receiver system will go some ways towards improving catch reporting in the hand collection fisheries, upon which informed management decisions can be made.
8. It should also be noted that AFMA is currently reviewing its catch data holdings, in particular for Prickly Redfish, White Teatfish, Sandfish and Black Teatfish. With regards to Prickly Redfish, AFMA is assessing additional logbook returns received which contain 2015 Prickly Redfish catches. If the catches from these logbooks are not duplicated by docket books received, the amount of the overcatch may further increase.

### Catch data and effort trends for hand collection fisheries in the Torres Strait

Table 1: Torres Strait Trochus Fishery historical catch and effort records (source: AFMA docket book (TDB01) database).

Year	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Trochus catch (kg)	8,046	1,526	650	0	0	0	0	0	0	0
Number of fishers	16	7	5	0	0	0	0	0	0	0

Table 2: Torres Strait Beche-de-mer Fishery historical catch records from 2005 to 2017 (source: AFMA docket book (TDB01) database and verbal reports obtained from industry during the 2015 Black Teatfish opening).<sup>1</sup>

Common Name	TAC (t)	Recorded catch (kg) <sup>2</sup>									
		2005	2007	2010	2011	2012	2013	2014	2015	2016	2017 <sup>3</sup>
Black Teatfish	0 (15)				75	2001 <sup>4</sup>	138	16624 <sup>4</sup>	23303 <sup>4</sup>		
Prickly Redfish	20	5564	128	146	11056	1255	5888	9173	28110 <sup>4</sup>	11211	
Sandfish	0			5	31	2152	26	6			
Surf Redfish	0						52	1			
White Teatfish	15	734			3179	13294	12633	16341 <sup>4</sup>	4200	990	
Blackfish	80 t 'basket'	186	128		507	73	216	1960	3596	1098	
Curryfish					1118				6099	1085	
Deepwater Redfish				7			5024	4229	5546		
Elephant Trunkfish					4	28	2		133		
Golden Sandfish							52	351	55		
Greenfish							1	1	14		
Stonefish				459							
'Basket' total		186	128	466	1629	101	5295	6541	15443	2183	
Grand Total	115	6484	256	617	15970	18803	24032	48686	71056	14384	

<sup>1</sup> Catch data reported to AFMA is under review and the figures presented here may be subject to change. With regards to Prickly Redfish, AFMA is assessing additional logbook returns received which contain 2015 Prickly Redfish catches. If the catches from these logbooks are not duplicated by docket books received, the amount of the overcatch may further increase.

<sup>2</sup> There was no catch reported in 2006, 2008, 2009.

<sup>3</sup> Catch data for 2017 unable to be provided as data is from less than five boats.

<sup>4</sup> Yellow cells represent TAC over-catches.

Table 3: Torres Strait Beche-de-mer Fishery historical catch records from 1993 to 2004 (source: Tim Skewes who sourced the data QDPI logbook database, AFMA docket book (TDB01) database and industry sources).

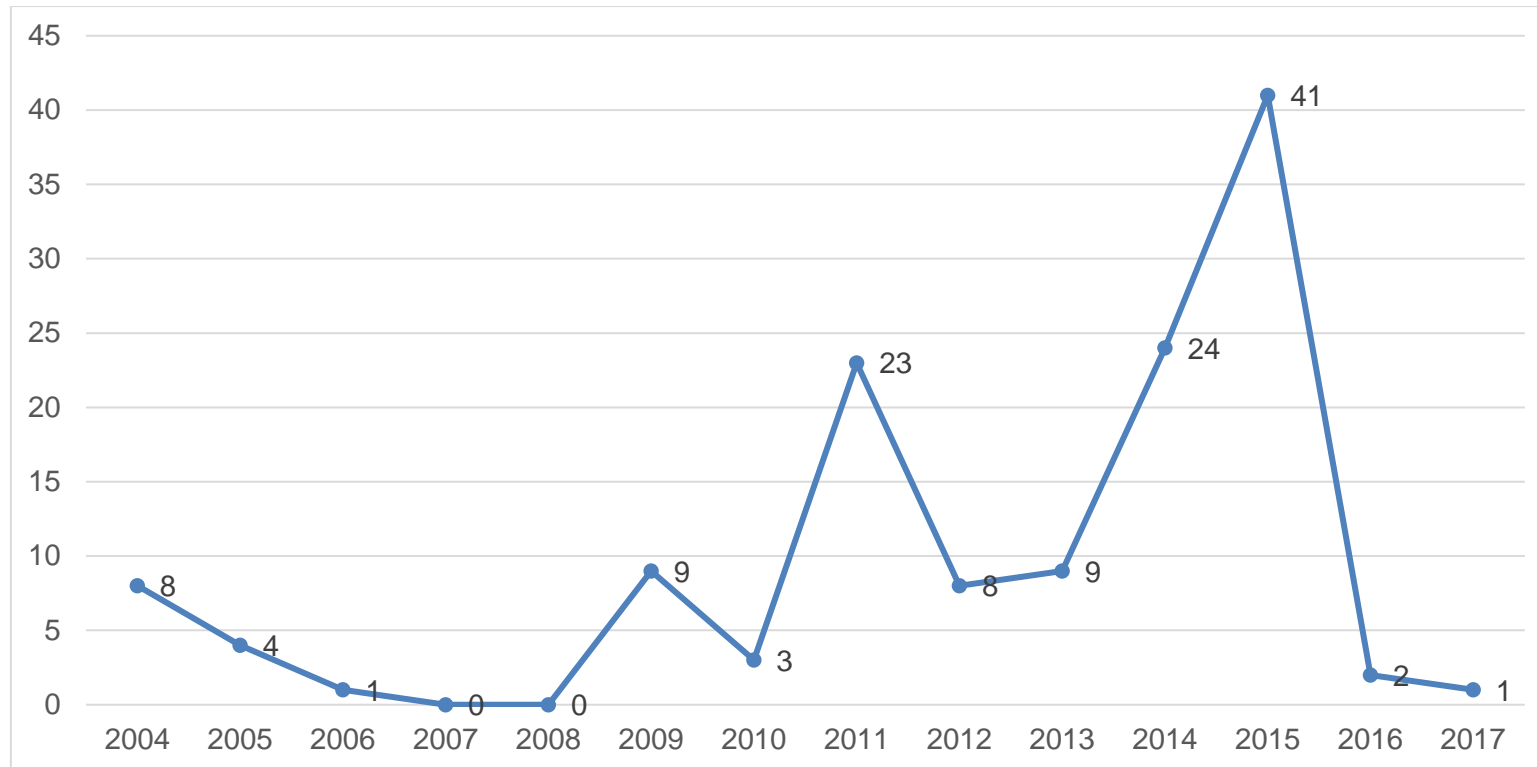
Common Name	Recorded catch (kg) <sup>5</sup>										
	1993 <sup>6</sup>	1994 <sup>6</sup>	1995 <sup>7</sup>	1996	1997	1998	1999	2000	2001	2002	2004
Black Teatfish		20000	50000	52777	40190	18462	9196		11820	3392	
Prickly Redfish				7	41	620	3332	347	160	10451	1188
Sandfish	40000	200000	1200000	30000	29955	48	39				
Surf Redfish	20000			34990	51658	60289	1497		59655	6487	
White Teatfish					123	855	1064	1207	3023	147	25
Blackfish					65	1211	1675		28502	10663	
Curryfish											
Deepwater Redfish					12		38	252			
Elephant Trunkfish									374	389	
Golden Sandfish											
Greenfish						440			88	1166	
Stonefish											
Leopardfish									30	9643	
Brown sandfish							30		382	3378	
Deepwater Blackfish							223	160	470		
Amberfish									192		
<b>Grand Total</b>	<b>60000</b>	<b>220000</b>	<b>1250000</b>	<b>117774</b>	<b>122044</b>	<b>81925</b>	<b>17094</b>	<b>1966</b>	<b>104696</b>	<b>45716</b>	<b>1213</b>

<sup>5</sup> There was no catch reported in 2003.

<sup>6</sup> Estimates obtained from industry sources.

<sup>7</sup> Estimates from Williams et al, 2000.

Figure 1: Number of fishers selling catch to buyers and recorded in docket books by year (source: AFMA docket book (TDB01) database).<sup>8</sup>



<sup>8</sup> These data do not include additional fishers reporting catch by other means (e.g. verbal reports) for the two Black Teatfish openings in 2014 and 2015.

Figure 2: Reported catches (kg) of key target species (species not subject to closures) from 2005 to 2017 (source: AFMA docket book (TDB01) database).<sup>2</sup>**Error! Bookmark not defined.**<sup>3</sup>

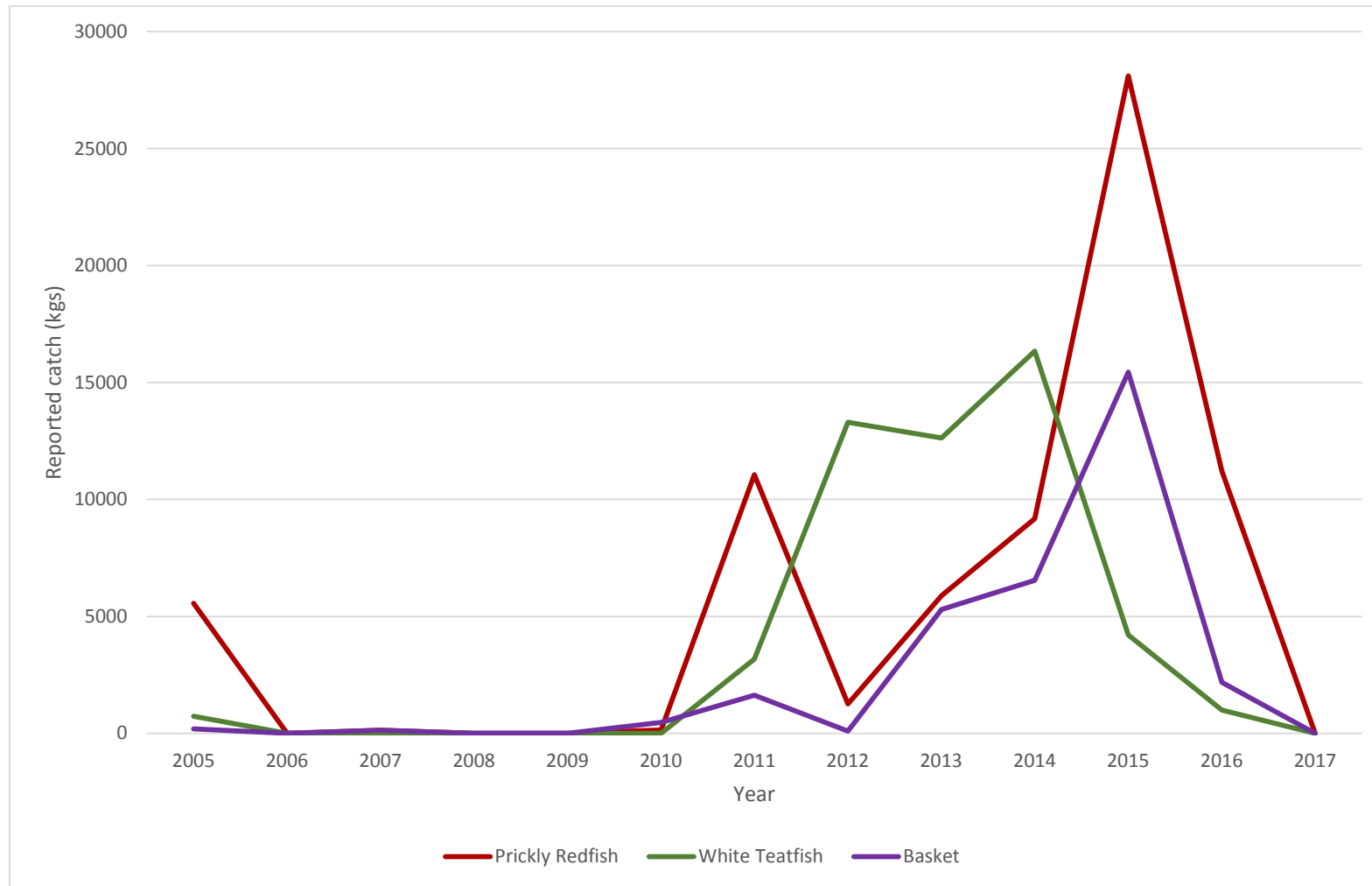
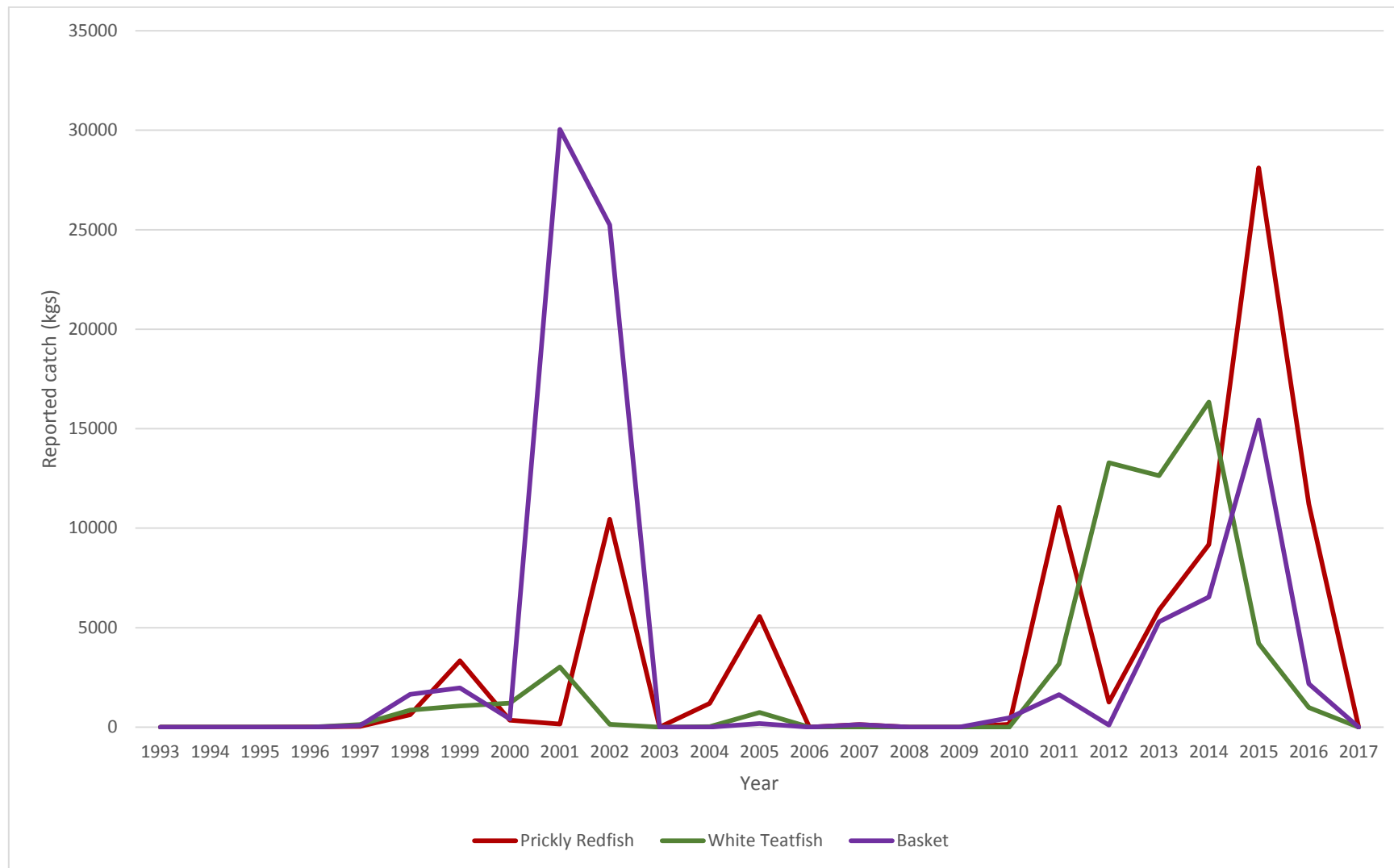




Figure 3: Reported catches (kg) of key target species (species not subject to closures) from 1993 to 2017 (source: AFMA docket book (TDB01) database).<sup>2,3,5</sup>



**Placeholder**

**Paper for Agenda Item 3.3 still to be provided.**

<b>TORRES STRAIT HAND COLLECTABLES WORKING GROUP</b>	<b>Meeting 12 24 October 2017</b>
<b>MANAGEMENT Implementation of a fish receiver system</b>	<b>Agenda Item 3.4 For NOTING</b>

## RECOMMENDATIONS

1. That the Working Group **NOTE** the update provided regarding the implementation of a Torres Strait fish receiver system (FRS), in particular:
  - a. the FRS will become mandatory for all Torres Strait Fisheries, excluding the Torres Strait Prawn Fishery, on 1 December 2017;
    - i. catch and effort information obtained through the FRS will be used to inform the management of hand collection fisheries;
    - ii. the FRS will be a mandatory requirement for any future opening of fishing for Black Teatfish. However, to provide for effective monitoring, it will likely require modification to require daily reporting at a minimum;
  - b. community visits currently being conducted with all Torres Strait Island and Northern Peninsula Area (NPA) communities, to discuss and receive feedback on the FRS; and
  - c. \$40,000 in funding support that is available to help fishing industry associations and organisations support their local fishers and fish receivers in meeting the new FRS requirements. Applications for this funding are due by **30 October 2017**.

## BACKGROUND

2. In March 2017, the PZJA agreed to replace the current voluntary Torres Strait Seafood Buyers and Processors Docket Book system with a mandatory FRS for all Torres Strait Fisheries, excluding Torres Strait Prawn Fishery, by 1 December 2017.
3. The system will require:
  - a. all licence holders (including Traditional Inhabitants) to only dispose of commercially caught fish in fisheries, other than prawn, to a holder of a Fish Receiver licence (this does not apply to fish caught for personal consumption); and
  - b. it will be mandatory for holders of Fish Receiver licences to report (to AFMA) specific details of all fish received (landed) for each fisher.
4. Accurate reporting and catch monitoring against TACs and individual catch allocations is not only important to ensure the sustainability of fisheries but also to maintain general compliance and integrity of management arrangements. The latter is very important for maintaining the value and security of fishing entitlements.
5. Effective catch monitoring through an FRS will be central to:
  - a. the effectiveness of a quota management system in the Tropical Rock Lobster Fishery;
  - b. guiding expansion in currently underutilised fisheries including certain bêche-de-mer species and Finfish Fishery;
  - c. rebuilding the Black Teatfish fishery. Competition for the resource is increasing however the TAC is likely to remain small (15 tonnes) in the short to medium term or until such time new information is gathered to justify an increase in harvest levels; and
  - d. ensuring the integrity of the finfish leasing arrangements which are based on individual catch allocations.

6. AFMA sought advice at the meetings of the Tropical Rock Lobster Working Group (4-5 April 2016), Hand Collectable Working Group (20-21 June 2016) and Finfish Working Group (12-13 July 2016). The three working groups supported the proposal to implement a FRS by 1 December 2017. Relevant Native Title representative bodies were also notified and responses considered.

*Stakeholder consultation including community visits*

7. AFMA have been working closely with industry stakeholders to finalise the operational details of the FRS. AFMA is planning to convene meetings with all Torres Strait Island and Northern Peninsula Area (NPA) communities, with a number already undertaken. As part of this community consultation, letters have been sent to Prescribed Body Corporates and local Councils seeking permission to present the FRS to fishers and community members.
8. AFMA will continue to work with industry stakeholders following the introduction of the FRS on 1 December 2017, including:
  - a. ongoing support in understanding how the system works and the individual obligations of fishers and fish receivers;
  - b. ensure any operational issues are addressed;
  - c. any other support as required.

*Funding support for associations and organisations*

9. AFMA recognises that effective management of Torres Strait fisheries requires cooperation between industry and government both broadly and on specific initiatives. To ensure that a FRS can be implemented and function correctly AFMA acknowledges that there is a strong need for effective capacity building and communication with fishing industry associations and organisations.
10. Fishing industry related associations and organisations play an important role in providing expertise based input to support management of Torres Strait fisheries.
11. AFMA has committed to make up to \$40,000 in funding available to Torres Strait fishing industry related associations and organisations to support the implementation of the FRS. A maximum of \$4 000 will be available for each successful application.
12. Funding is available to help associations support their local fishers and fish receivers in meeting the new FRS requirements. Support activities that could be funded under this initiative could include (for example but are not limited to):
  - a. conducting information sessions with your association's fishers;
  - b. training your own officers available to liaise with industry; and
  - c. buying equipment to support data collection such as measuring scales, printers, stationery etc.
13. Applications are due by **30 October 2017**.

<b>TORRES STRAIT HAND COLLECTABLES WORKING GROUP</b>	<b>Meeting 12 24 October 2017</b>
<b>MANAGEMENT Black Teatfish</b>	<b>Agenda Item 3.5 For DISCUSSION</b>

## RECOMMENDATIONS

### 1. That the Working Group:

- a. **NOTE** that the PZJA has agreed (out of session, February 2017) that fishing for Black Teatfish (*Holothuria whitmaei*) will remain closed until the risk of exceeding the total allowable catch (TAC) set for the species is substantially reduced through cost-effective management tools;
- b. **DISCUSS** and **ADVISE** on management arrangements needed to support any future opening of fishing for Black Teatfish, noting:
  - i. the Working Group will further consider arrangements for a Black Teatfish opening following the implementation of the fish receiver system (FRS) on 1 December 2017;
  - ii. the FRS will be a mandatory requirement for any future opening of fishing for Black Teatfish. However, to provide for effective monitoring, it will likely require modification to require daily reporting at a minimum;
  - i. the arrangements AFMA have implemented to date to support any future opening, including VMS, FRS and public licencing register;
  - ii. the work still underway on the beche-de-mer harvest strategy and legislative amendments which will support the future development of the Beche-de-mer Fishery;
  - iii. arrangements that have been considered to date by the Industry Workshop, Working Group and AFMA – for further discussion at this meeting.

## KEY ISSUES

2. The PZJA has agreed that fishing for Black Teatfish will remain closed until the risk of exceeding the TAC set for the species is substantially reduced through cost-effective management tools.
3. Any recommendations to reopen the Black Teatfish fishery will need to clearly explain how the risk of exceeding the TAC will be reduced compared to the arrangements from the previous trial openings. In particular, the Working Group is asked to discuss and advise on what strategies will need to be implemented to effectively control, monitor and enforce any future opening.
4. Recommendations to reopen the Black Teatfish fishery will need to be supported by the Working Group, consulted on more broadly with fishers and other stakeholders and ultimately approved by the PZJA. The Working Group is asked at this meeting to discuss and provide initial advice on the management arrangements needed to support any future opening.
5. A range of arrangements have been discussed previously, including at the Industry Workshop on Improving Black Teatfish Catch Reporting held on Erub on 19 October 2016 and past Working Group meetings. AFMA has also given further consideration to necessary arrangements to manage any future opening and the considerations that go along with these. A compilation of these arrangements is provided below for further discussion.

Management tool	Details
<b>Control – the rules under which an opening will be conducted</b>	
Precautionary TAC	<p>In setting a TAC, consideration should be given to:</p> <ul style="list-style-type: none"> <li>- seeking further scientific advice on the sustainable harvest. Advice in 2015 suggested that 25 tonnes of Black Teatfish could be sustainably harvested in 2015. However, given the high risks of overfishing due to poor catch reporting, the TAC was set at 15 tonnes.</li> <li>- whether a stock survey is needed to give a more accurate estimate of stock status, to inform TAC setting;</li> <li>- deducting any over-catches from future TACs.</li> </ul>
Closure trigger	Set a TAC trigger at which point the fishery will be declared closed. During the 2015 trial opening, there was a lag in catch reports being received by AFMA, as many fishers reported previous days' catches a number of days after they were caught.
Limited opening period	Instead of opening the fishery for 1 month or until the TAC is reached, set the opening for 3-4 days. The maximum daily recorded catch during the 2015 trial opening was 4.341 tonnes. Allowing for a 10% increase in fishers participating in the trial opening, the total catch expected over a 3 day period would be approximately 14 tonnes.
Limited entry	Access to the opening is provided through developmental permits.
Timing of opening	<p>Any future trial opening should not be:</p> <ul style="list-style-type: none"> <li>- in November. December has been suggested as a better time;</li> <li>- during the Tropical Rock Lobster (TRL) Fishery closure (1 October-30 November). Having any future trial opening coincide with when the TRL Fishery is also open may reduce effort, as some fishers will prefer to target TRL over Black Teatfish;</li> <li>- during a known spawning time for relevant species.</li> </ul>
Prohibition on carrier boats	Carrier boats should not be permitted to receive Black Teatfish.
Landing restrictions	Restrict landings to specified communities (e.g. to the four eastern communities: Erub, Masig, Mer and Ugar) and/or specified fish receivers within a community.
Closure of Beche-de-mer Fishery post trial opening	Close the entire Torres Strait Beche-de-mer Fishery (i.e. all species) for one month once fishing for Black Teatfish is closed. This would assist compliance but not necessarily address catch reporting issues.
<b>Monitoring – how catch and effort will be monitored</b>	
Mandatory Fish Receiver System	<p>The FRS will require:</p> <ul style="list-style-type: none"> <li>- fishers to land all fish to a licenced fish receiver;</li> </ul>

	<ul style="list-style-type: none"> <li>- fish receivers to weigh the catch, complete a catch disposal record and send it to AFMA;</li> </ul> <p>Additional considerations:</p> <ul style="list-style-type: none"> <li>- the frequency of reporting will need to be increased from within three days to daily at a minimum;</li> <li>- verbal reports may be needed, followed up by the paperwork;</li> <li>- development of an informal register of fish receivers who will be receiving Black Teatfish, to allow AFMA to target the collection of real time data on catches.</li> </ul> <p>Some of these additional considerations could be facilitated under Voluntary Community Monitoring Plans.</p>
Voluntary Community Monitoring Plans - to complement the FRS	<p>Three communities have submitted Community Monitoring Plans - Erub, Mer and Ugar. These plans include strategies such as:</p> <ul style="list-style-type: none"> <li>- centralised catch reporting system (catch to be recorded at a single location);</li> <li>- restrictions on who may fish in the fishery (fishing to only be carried out by the five eastern islands (Erub, Masig, Mer, Poruma and Ugar), catch to be allocated between the five eastern islands only (5 tonnes each), traditional boundaries to be applied, PBC approval required for fishers to fish and registration of fishers who will fish.</li> </ul> <p>Community Monitoring Plans have yet to be provided by Masig or Poruma.</p> <p>Existing plans will need to be updated in preparation for any future trial opening to reflect the introduction of the FRS and complement the management arrangements to be applied during the opening.</p> <p>Community Monitoring Plans by themselves will not be sufficient to address the high risks of overfishing. Many of the strategies outlined in the plans will also take some time to implement. However, they are an important tool in the toolbox and will allow communities to demonstrate stewardship and readiness to move towards greater community-based management in the long term.</p>
Vessel monitoring system (VMS)	VMS was implemented on primary and carrier boats on 1 July 2017.
Public licence register	AFMA is in the process of implementing a public register of Torres Strait licences to complement the introduction of the FRS. This will allow fishers and fish receivers to identify when licences expire, who else is licenced and assist with compliance.
<b>Enforcement – how compliance with the rules will be enforced</b>	
Communication strategy	<p>A clear communication strategy will need to be developed in consultation with communities. The strategy should look to:</p> <ul style="list-style-type: none"> <li>- provide information for fishers, fish receivers and communities more broadly on the management arrangements for any trial opening, including catch reporting requirements;</li> <li>- describe the process for closing the fishery including how this is to be communicated;</li> </ul>

	<ul style="list-style-type: none"> <li>- provide key contacts in both AFMA and communities to facilitate any trial opening;</li> <li>- provide all the materials necessary to support any trial opening – community notices/fact sheets, catch disposal records, reply paid envelopes, logbooks.</li> </ul>
Aerial surveillance, at sea inspections, port inspections, fish receiver inspection	A compliance presence at sea and on the islands will be needed before, during and after the opening, to prevent illegal stockpiling of Black Teatfish prior to any trial opening, illegal harvesting after the closure of the fishery and failure to comply with the rules during the opening.

6. In the longer term, AFMA with the endorsement of working groups and the PZJA has or is currently looking to implement the following measures, which will establish the management framework required to support future trial openings for Black Teatfish:
  - a. development of a beche-de-mer harvest strategy due for completion in 2018. The harvest strategy will describe a comprehensive management framework for the Fishery, providing the guidance necessary to manage and further develop the fishery;
  - b. legislative amendments to make improvements to the efficiency and effectiveness of fisheries administration in the Torres Strait, including the capacity to require catch reporting across all licence holders and implementation of Fisheries Infringement Notices to strengthen compliance activities.
7. Further to this, at past Working Group meetings and the Industry Workshop held on Erub, industry have expressed the desire to move towards greater community-based management arrangements underpinned by community catch share allocations and community economic zones. Community control would be sought over:
  - a. catch share allocations (e.g. between the five main island (Erub, Masig, Mer, Ugar and Poruma) as well as the area of waters outside these islands);
  - b. where fishers may fish (based on community economic zones);
  - c. who may fish in the fishery (proposals varied from having a public register of fishers, a register managed by the PBC and with fishers living on the island having priority of access (Erub) to no big boats (e.g. primary and carrier boats) and access to be limited to the current active operators with any new fishers having to work with them (Mer, noting there a four active fishing businesses recognised in the community);
  - d. catch monitoring approaches (“full time” fishers to use logbooks, centralised reporting system or combination of the two approaches); and
  - e. cultural protocols to access areas.
8. Given community-based management arrangements will involve negotiation between government authorities and communities around access and allocation, this will take some time to negotiate and need to take into account broader policy developments concerning fisheries access and allocation in the Torres Strait. This does not mean that these arrangements should not be investigated, only that it will take more time to resolve.

## BACKGROUND

### *2014 trial opening*

9. In 2014, the PZJA reopened fishing for black teatfish for the first time since the closure in 2003 (PZJA out of session decision, November 2002). Fishing was limited to a one month period (November) or until the TAC of 15 tonnes was caught. Key results of the trial were:
  - a. the TAC was exceeded within two weeks of the one month trial. The total catch was estimated to be 16.624 tonnes;



- b. it was necessary for AFMA to make daily contact with fishers, buyers, processors and freight companies to properly monitor catches; and
- c. although there appeared to be good support from industry for the use of catch data forms prior to the season opening, only 17.3% of reported catch was reported by individual fishers. AFMA consulted widely with fishers, buyers and processors to determine the total catch. This was an inefficient use and drain on resources.

#### *2015 trial opening*

10. In 2015, the PZJA again reopened fishing for Black Teatfish. Fishing was again limited to a one month period (November) or until the TAC of 15 tonnes was caught. Key results of the trial were:
  - a. catch was not kept within the 15 tonne TAC limit. The fishery was closed after only eight days of fishing and fishers reported a total catch of 23.303 tonnes, 8.303 tonnes over the TAC;
  - b. interest by fishers in participating in the fishery increased. AFMA estimates that 64 fishers participated in the fishery in 2015 compared to 29 in 2014;
  - c. catch reporting rates by fishers and local community-based shore managers improved significantly from the 2014 trial opening. However, a significant lag between reporting and capture undermined the ability to manage the fishery within the TAC limit;
  - d. Approximately 68% of the product was collected by fishers working cooperatively with a central person reporting catch on behalf of a fishing operation;
  - e. There is a strong industry-held perception that significant levels of illegal fishing occurred. Allegations included fishing before the season commenced, using illegal fishing gear, and breaching both boat length limits and carrier vessel operating conditions.

#### *Recent Working Group recommendations and PZJA decisions*

11. Since the 2015 trial opening the Working Group has been working to develop advice on the future management arrangements for Black Teatfish – this process is ongoing.
12. At its meeting in November 2016, the Working Group recommended the following minimum requirements for allowing further fishing for Black Teatfish:
  - a. development and implementation of community-based catch monitoring arrangements (noting that in the short term these systems would be voluntary), starting with Community Monitoring Plans to be submitted to AFMA by 30 November 2016; and
  - b. implementation of a regulatory-based catch monitoring/reporting tool. The preferred tool being a mandatory FRS.
13. In February 2017, the PZJA agreed out of session that fishing for Black Teatfish will remain closed until the risk of exceeding the TAC set for the species is substantially reduced through cost-effective management tools.
14. At the last meeting of the Working Group in June 2017, it was:
  - a. noted that industry and AFMA need to work in strong partnership to successfully implement the FRS by 1 December 2017 and recommended that Working Group industry members be included in any consultation on the FRS with communities noting that their support and expertise will be key to the program being a success;
  - b. noted that once the FRS is implemented, the Working Group would recommend the PZJA reopen the fishery for a limited level of fishing;
  - c. noted the industry would meet to discuss preferred management arrangements for a future opening.

<b>TORRES STRAIT HAND COLLECTABLES WORKING GROUP</b>	<b>Meeting 12 24 October 2017</b>
<b>MANAGEMENT Prickly Redfish – update on management actions</b>	<b>Agenda Item 3.6 For DISCUSSION</b>

## RECOMMENDATIONS

### 1. That the Working Group:

- a. **NOTE** the PZJA will be asked to consider the Working Group recommendation (June 2017) out of session to reduce the total allowable catch (TAC) for Prickly Redfish (*Thelenota ananas*) from 20 tonnes to 15 tonnes, for the 2018 fishing season.
- b. **NOTE** on 27 September 2017 AFMA sought further comment from industry on the voluntary closures for Prickly Redfish proposed by Mer and Erub industry members and observers at the last Working Group meeting (June 2017) (**Attachment 3.6a**). No responses have been received to date (6 October 2017).
- c. **DISCUSS** and **ADVISE** on any issues concerning the industry proposed voluntary closures for Prickly Redfish and, if closures are agreed, arrangements to implement these closures for the 2018 fishing season.

## KEY ISSUES

### *Prickly Redfish TAC*

2. At the Working Group meeting held on 27 June 2017, members noted that with regards to Prickly Redfish:
  - a. the TAC was over caught by 8 tonne in 2015. Total harvest may be in the range of ~40-50 tonnes;
  - b. industry have observed declines in abundance of Prickly Redfish across many key fishing grounds and with fishers having to fish further afield and/or for a longer time to maintain good catch rates. Industry remains concerned over the amount of unreported catch;
  - c. the nominal TAC was set after the 2009 survey and were set at a level of harvest representing 6% of the lower confidence interval of the biomass estimate. Scientific advice is harvest rates should ideally be less than 10% of biomass to ensure sustainability;
  - d. setting TACs at the current levels was reliant on regular checks of the amount of beche-de-mer being harvested and collecting data such as size composition. This has not happened in a reliable or rigorous manner.
  - e. three future biomass scenarios based on different harvest levels presented by CSIRO, simulating depletion of the stock at harvest levels greater than 20 tonne.
3. The Working Group recommended a reduction in the TAC Prickly Redfish from 20 tonnes to 15 tonnes, for the 2018 fishing season, on the basis that:
  - a. likely overcatch is well above reported catches. Total harvest may be in the range of ~40-50 tonnes;
  - b. available science and industry advice on stock availability across the fishing grounds, indicates the stock is likely being depleted; and
  - c. immediate action is required to mitigate the risk to this stock, noting a harvest strategy will provide a longer-term management strategy.

4. The Working Group further recommended:
  - a. continued (ongoing) fishing be contingent on having reliable catch data; and
  - b. if in two years' time catch data is still unreliable (at the cessation of the 2018 season) and, in the absence of any new information on the status of the stock, closure of commercial fishing for the stock should be considered.
5. At the meeting, industry members and meeting observers agreed to submit any outstanding catch reports to AFMA as a matter of priority. A reminder regarding this action was sent to members on 22 September 2017. No catch reports have been received in response to date.
6. Unfortunately very few catch reports have been submitted since 2015 (**Agenda Item 3.1**). This is despite industry advice that fishing is occurring. Without timely catch reporting it is difficult to determine the actual amount of stock being harvested or to undertake a basic fishery assessment.
7. The Working Group has previously raised strong concerns over poor catch reporting from fishers from recent seasons. Based on recent reporting rates (**Agenda Item 3.1**) there is no evidence that industry has made any tangible changes to improve catch reporting for the fishery. It is increasingly difficult therefore to have confidence in any voluntary catch reporting system for the fishery.
8. Further to this, beche-de-mer catch data that has been reported to AFMA is currently under review including additional logbook returns received which contain 2015 Prickly Redfish catches. If the catches from this log are not duplicated by docket books received the amount of over catch in the 2015 fishing season may further increase.

*Industry proposed voluntary closures for Prickly Redfish*

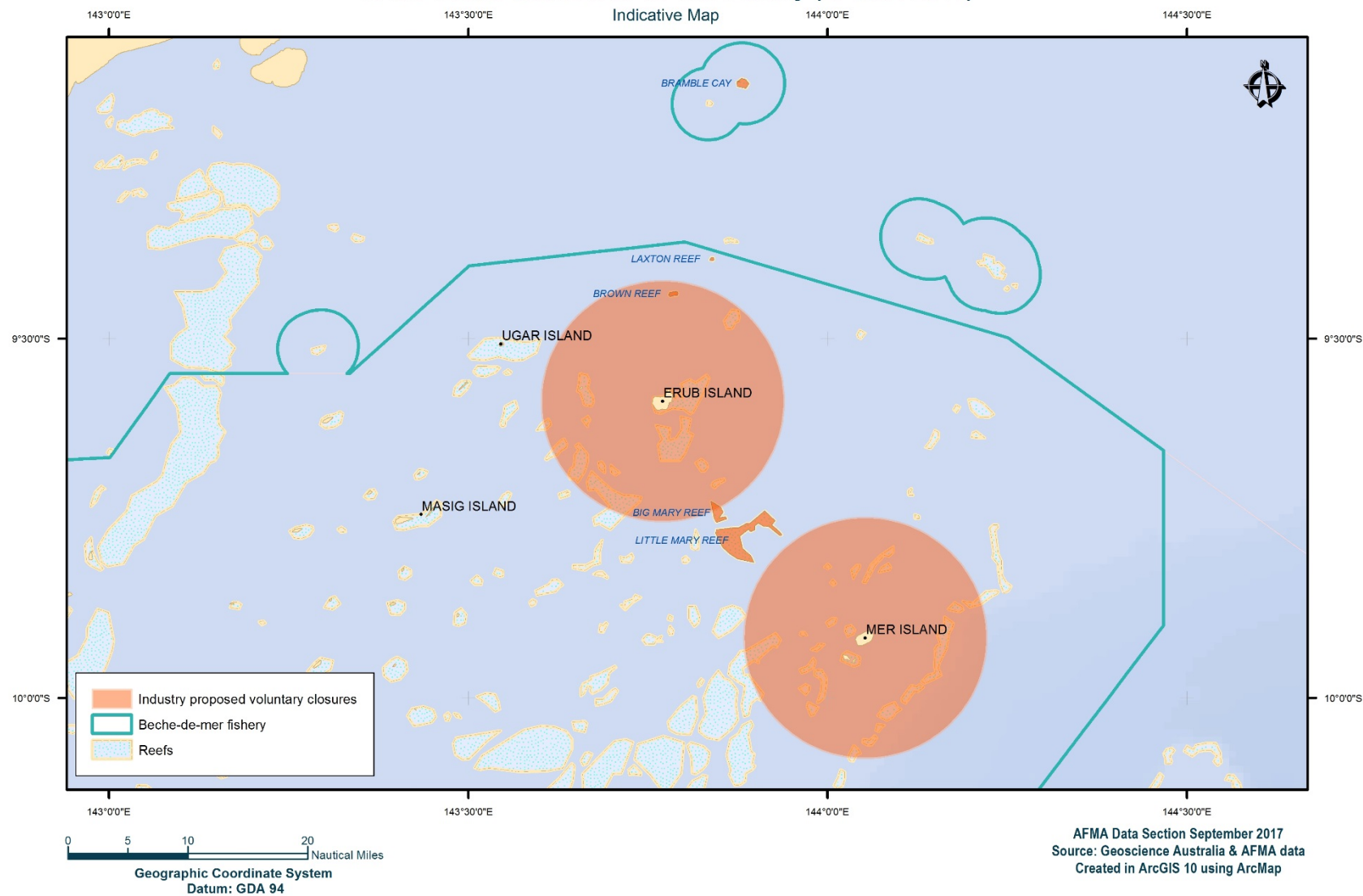
9. At the Working Group meeting held on 27 June 2017, Mer and Erub industry members and observers proposed voluntary spatial closures for Prickly Redfish, noting that further consultation with Ugar and Masig communities was required before such closures could be finalised and implemented. The proposed closures include:
  - a. 10 nautical mile radial closures from Mer and Erub communities
  - b. area closures on the following reefs: Big Mary Reef; Small Mary Reef; Bramble Cay; Brown Reef; Laxton Reef.
10. A map of these closures is provided at **Attachment 3.6a**.
11. At the meeting, AFMA agreed to confirm out-of-session the commitment from Masig and Ugar communities to the industry proposed voluntary closures for Prickly Redfish. On 27 September 2017 AFMA sought further comment from industry on this matter. No responses have been received to date (6 October 2017).
12. AFMA will look to facilitate the implementation of voluntary closures where appropriate. Once the closures have been agreed between communities, the following will need to be considered in order to implement them effectively:
  - a. how the closures will be coordinated – for example central points of contact (such as AFMA, fishing associations, Prescribed Bodies Corporate, Registered Native Title Bodies Corporate, local councils) where information can be sought and compliance issues reported;
  - b. how the closures will be communicated to fishers – for example maps, community notices, community meetings, letters to licence holders, PZJA website, SMS, factsheets);
  - c. how the closures will be monitored – fish receivers could have an important role in monitoring the closures. It should be noted that the closures will be voluntary and AFMA will have no power to enforce them under law. AFMA could look to provide a periodic report on industry compliance with the closures drawing on FRS returns and any reports received on non-compliance, noting privacy provisions in AFMA's legislation will prohibit the release of an individual's information.;

- d. effectiveness assessed and reported on – for example reports from industry and AFMA to be considered at meetings of the Working Group.



# Industry Proposed Closures for Prickly Redfish (*Thelenota ananas*) in the Torres Strait Beche-de-Mer Fishery (27 June 2017)

JN: 66,663



<b>TORRES STRAIT HAND COLLECTABLES WORKING GROUP</b>	<b>Meeting 12 24 October 2017</b>
<b>MANAGEMENT White Teatfish – update on management actions</b>	<b>Agenda Item 3.7 For NOTING</b>

## RECOMMENDATIONS

### 1. That the Working Group:

- a. **NOTE** the PZJA will be asked to consider the request to commence formal consultation on the proposal from Mer industry to use hookah in Mer waters to fish for White Teatfish (*Holothuria fuscogilva*) – to be submitted shortly for PZJA consideration.

## BACKGROUND

2. The Working Group and PZJA has previously considered proposals to lift the hookah ban to allow targeting of deeper water beche-de-mer species, in particular White Teatfish. The potential risks and benefits of lifting the hookah ban have been previously considered and a trial was run in 2011. Since that time, the desire for a further trial has been consistently raised by industry, but effective strategies to manage the risks associated with the activity have yet to be implemented.
3. Consistent with previous proposals, the objective of the proposal from Mer industry to use hookah in Mer waters to fish for White Teatfish is to provide an economic opportunity for fishers. Before this proposal can be operationalised, the following will need to be considered, consulted and agreed on:
  - a. the area of waters to which the proposal will apply (delimitation of boundaries);
  - b. the period for which the proposal will apply;
  - c. who will have access under the proposed arrangements;
  - d. how the 15 tonne White Teatfish TAC is to be allocated between hookah and non-hookah areas and possibly individual fishers;
  - e. how the arrangement will be effectively monitored, noting logbook reporting is voluntary and Vessel Monitoring System (VMS) requirements do not apply to beche-de-mer fishers (only primary and carrier boats);
  - f. how the arrangement will be effectively enforced, noting heightened risks posed to the sustainability of beche-de-mer stocks through the employment of hookah (a more effective fishing method), past history of overfishing in the fishery, limited compliance capacity in the Torres Strait and a lack of monitoring tools on which to base a targeted risk based compliance program;
  - g. how the potential impacts of increased effort on other species (both deep and shallow water) will be managed;
  - h. given the driver for the proposal is economic opportunity, whether size limits need to be revised to maximise economic returns;
  - i. any cultural protocols that will apply to the activity (for example Malo's law of other communities – if a Mer fisher was to fish in Erub waters they would remove hookah gear and free dive – and must ultimately be approved by Mer elders).
4. Consideration of the Mer proposal will also need to take account of broader policy developments concerning fisheries access and allocation in the Torres Strait currently being

progressed by the TSRA in line with the draft *Road Map to 100% Ownership of the Torres Strait Commercial Fisheries by Torres Strait Communities*.

## BACKGROUND

5. In 2011, two developmental permits allowing the use of hookah for harvesting White Teatfish were issued. The 15 tonne TAC was harvested in first month by one non-Traditional Inhabitant fisher.
6. Since that time, the desire for a further trial has been raised by industry. The use of hookah would allow fishers to target higher value species at depths where they occur in greater concentrations, thus providing an important economic opportunity for industry. It has been suggested that this may also alleviate some fishing pressure on other species.
7. However, strategies to manage the risks associated with the activity have yet to be implemented. Identified risks include:
  - a. given the susceptibility of beche-de-mer species to overfishing, if appropriate management measures are not implemented overfishing is likely to occur under a further trial. Such measures include catch reporting and enforcement, noting:
    - i. that the 2011 White Teatfish trial saw the 15 tonne TAC being reached in a very short period of time (within one month);
    - ii. recent poor catch reporting performance by fishers during the 2014 and 2015 Black Teatfish trials and resulting over catch of the TAC in both trials.
  - b. allowing hookah for White Teatfish may lead to increased effort on other species (both deep and shallow water) and the potential impacts of this are unknown;
  - c. under a competitive TAC, the use of hookah would potentially result in the TAC being taken by fewer fishers. The impacts of such a catch redistribution would need to be assessed against the objectives of the *Torres Strait Fisheries Act 1984*;
  - d. there is no harvest strategy for the Fishery to guide expansion;
  - e. general safety concerns associated inexperienced or untrained divers sustaining diving injuries;
  - f. current initiatives to improve management effectiveness are in progress but not yet implemented.
8. Most recently, on 31 March 2017, AFMA sent a letter to all beche-de-mer licence holders seeking their views as to how important the proposed trial of hookah to take White Teatfish is compared to other management priorities for the fishery. AFMA has received two responses, neither of which supported the proposal at the current time.
9. At its meeting on 27 June 2017 meeting, the Working Group considered these responses and noted:
  - a. general support from industry members and observers for Mer fishers to pursue flexibility to use hookah in their waters to fish White Teatfish;
  - b. that the Mer proposal includes the observation of cultural protocols according to Malo's law of other communities (e.g. if a Mer fisher was to fish in Erub waters they would remove hookah gear and free dive) and must ultimately be approved by Mer elders;
  - c. that broader stakeholder consultation would be required for the PZJA to consider options to formally support the proposal with management regulation. In particular, defining areas of waters and catch shares; and
  - d. that AFMA would seek PZJA approval to commence formal consultation on the Mer proposal.

<b>TORRES STRAIT HAND COLLECTABLES WORKING GROUP</b>	<b>Meeting 12 24 October 2017</b>
<b>MANAGEMENT Future management priorities</b>	<b>Agenda Item 3.8 For DISCUSSION</b>

## RECOMMENDATIONS

1. That the Working Group **DISCUSS** and **ADVISE** on future management priorities for the fishery.

## BACKGROUND

2. This is a standing item for the HCWG. Having agreed management priorities (management issues to focus on) and a work plan aims to achieve a more efficient management process.
3. At its meeting in June 2016 the HCWG recommended a list of management priorities (detailed below).
4. Based on discussions convened in the meeting and / or advice from individual members the Working Group is asked to review the standing management priorities and provide advice on any changes.
5. Where necessary, the Working Group should aim to assign an order of priority to items and a desired timeline.
6. Importantly the Working Group will need to have regard for resourcing.
7. At its July 2016 meeting, the Working Group identified the following future management priorities:
  - a. development of a harvest strategy and recovery plans for overfished species;
  - b. future management arrangements for Black Teatfish and White Teatfish;
  - c. review the size limits set for the Torres Strait Beche-de-mer Fishery taking into consideration the size limits in place for the Queensland and the Commonwealth Coral Sea Fishery;
  - d. review weight conversion ratios for gutted and dried beche-de-mer species; and
  - e. develop communication materials to assist industry members.
8. These actions have been progressed since that time, and were revisited at the June 2017 Working Group meeting.



<b>TORRES STRAIT HAND COLLECTABLES WORKING GROUP</b>	<b>Meeting 12 24 October 2017</b>
<b>OTHER BUSINESS</b>	<b>Agenda Item 4 For DISCUSSION</b>

## **RECOMMENDATIONS**

1. That the Working Group **NOMINATE** any further business for discussion.

<b>TORRES STRAIT HAND COLLECTABLES WORKING GROUP</b>	<b>Meeting 12 24 October 2017</b>
<b>DATE AND VENUE FOR NEXT MEETING</b>	<b>Agenda Item 5 For DISCUSSION</b>

## **RECOMMENDATIONS**

1. That the Working Group **NOMINATES** a date and a venue for the next meeting.

## **BACKGROUND**

2. AFMA proposes the next meeting be held in conjunction with the next harvest strategy workshop tentatively scheduled for the first half of 2018.