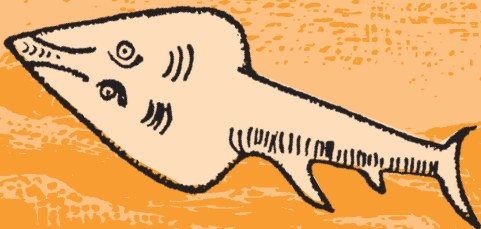




TORRES STRAIT PROTECTED ZONE JOINT AUTHORITY



Annual Report 2008-09



Torres Strait Fisheries Act 1984 (Commonwealth)



ANNUAL REPORT
1 JULY 2008 TO 30 JUNE 2009
PRESENTED TO PARLIAMENT PURSUANT TO SECTION 41 OF THE ACT

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ACRONYMS AND ABBREVIATIONS

AFMA	Australian Fisheries Management Authority
AQIS	Australian Quarantine and Inspection Service
BAP	Bycatch Action Plan
CRC	Cooperative Research Centre
CSA	Cost Sharing Agreement
CSIRO	Commonwealth Scientific and Industrial Research Organisation
DAFF	Department of Agriculture, Fisheries and Forestry
DEWHA	Department of the Environment, Water, Heritage and the Arts
EPBC Act	Environmental Protection and Biodiversity Conservation Act
MAC	Management Advisory Committee
MSY	Maximum Sustainable Yield
PNG	Papua New Guinea
PZJA	Protected Zone Joint Authority
QBFP	Queensland Boating and Fisheries Patrol (a division of QPI&F)
QPI&F	Queensland Primary Industries & Fisheries
QSIA	Queensland Seafood Industry Association (formerly QCFO)
RAG	Resource Assessment Group
SAC	Scientific Advisory Committee
TAC	Total Allowable Catch
TAE	Total Allowable Effort
The Act	The <i>Torres Strait Fisheries Act 1984</i>
The Treaty	The <i>Torres Strait Treaty</i>
TIB	Traditional Inhabitant Fishing Boat Licence



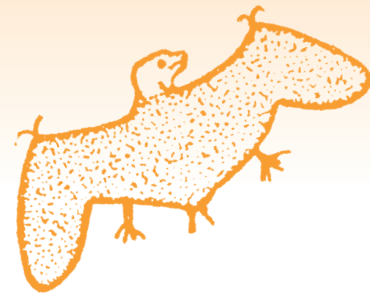


TRL	Tropical Rock Lobster
TSBDMF	Torres Strait Bêche-de-mer Fishery
TSFMAC	Torres Strait Fisheries Management Advisory Committee
TSPF	Torres Strait Prawn Fishery
TSPMAC	Torres Strait Prawn Management Advisory Committee
TSSAC	Torres Strait Scientific Advisory Committee
TSTRLF	Torres Strait Tropical Rock Lobster Fishery
TSPZ	Torres Strait Protected Zone
TSRA	Torres Strait Regional Authority
TVH	Torres Strait Fishing Boat Licence
WG	Working Group
WTO	Wildlife Trade Operation



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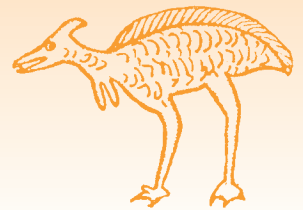


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The Protected Zone Joint Authority gratefully acknowledges the late Lindsay Wilson for permission to use drawings of traditional Torres Strait artefacts and other objects in this Annual Report series from the publications “*Thalilgaw emeret lu, a handbook of traditional Torres Strait Islands material culture*” and “*Kerkar lu: contemporary artefacts of the Torres Strait Islanders*”.





1 INTRODUCTION

This, the twenty-third Annual Report of the Protected Zone Joint Authority (PZJA), describes PZJA activities during the year ended 30 June 2009 and the condition of the fisheries in the Torres Strait Protected Zone (TSPZ) (Fig. 1). The PZJA is responsible for management of commercial and traditional fishing in the Australian area of the TSPZ and designated adjacent Torres Strait waters.

2 BACKGROUND

THE TORRES STRAIT

The Torres Strait is located between the tip of Cape York Peninsula and Papua New Guinea (PNG). It consists of over a hundred islands and reefs which have evolved from four major origins: volcanic, alluvial, coral cays, and flooded land bridges which were once part of the Great Dividing Range. Geographically, the islands are divided into inner, eastern, central, western, and top-western island groups; 18 of which are currently inhabited.

THE TORRES STRAIT TREATY

Australia ratified the Torres Strait Treaty (the Treaty) on 15 February 1985. The Treaty is concerned with sovereignty and maritime boundaries in the area between Australia and PNG. The Treaty establishes the TSPZ which aims to protect the traditional way of life and livelihood of the Traditional Inhabitants of the Torres Strait and adjacent coastal areas of the two countries. Australia and PNG have an obligation to cooperate in the conservation, management and utilisation of the TSPZ fisheries and both countries enjoy sovereign rights within the TSPZ. This includes the right to a share of the commercial harvest of swimming fish and sedentary species on the respective sides of the agreed fisheries and seabed jurisdiction lines (see Fig. 1).



THE TORRES STRAIT FISHERIES ACT 1984

The Australian Parliament passed the *Torres Strait Fisheries Act* in 1984 and it came into force on 15 February 1985. The purpose of the *Torres Strait Fisheries Act 1984* (the Act) is to give effect, in Australian law, to the fisheries elements of the Treaty.

Section 8 of the Act specifies the objectives to be pursued in the management of Torres Strait fisheries. Section 8 states:

“In the administration of this Act, regard shall be had to the rights and obligations conferred on Australia by the Torres Strait Treaty.”

In October 1988 the PZJA adopted fishery specific objectives for the fisheries under its jurisdiction. These objectives are specified in Section 5 of this report.

In October 2001 the PZJA accepted a recommendation that the Chair of the Torres Strait Regional Authority (TSRA) should be made a full member of the PZJA. The legislation detailing this change to the Act received royal assent on 10 November 2002.

In April 2005, the PZJA agreed to significant changes in the management of the Australian share of the commercial fisheries in the TSPZ (including the outside but near area) and to resolve resource allocation between Traditional Inhabitants and non-Traditional Inhabitants in the Tropical Rock Lobster (TRL) and Finfish Fisheries. To facilitate these decisions, the PZJA agreed that changes to the Act were required to:

- (a) ensure that Torres Strait fisheries can be managed sustainably under appropriate output controls; and
- (b) improve the operational and administrative efficiency of Torres Strait fishery management arrangements.

Amendments to the Act were passed by the Australian Parliament on 28 June 2007.





3 THE PROTECTED ZONE JOINT AUTHORITY

The PZJA, established under the Act, is responsible for the management of PZJA fisheries. Its members comprise the Commonwealth and Queensland Ministers responsible for fisheries, and the Chair of the TSRA. During 2008–09, the members of the PZJA were:

- The Hon. Tony Burke, MP, Commonwealth Minister for Agriculture, Fisheries and Forestry;
- The Hon. Tim Mulherin, MP, Queensland Minister for Primary Industries, Fisheries and Rural and Regional Queensland; and
- Mr John T. Kris, Chair of the Torres Strait Regional Authority.

The Commonwealth Minister is the Chair of the Authority.

ROLES AND RESPONSIBILITIES

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 Treaty, in particular the protection of the traditional way of life and livelihood of the Traditional Inhabitants, including the capacity to engage in traditional fishing.

Prior to 1999, the PZJA managed the following designated fisheries in accordance with Commonwealth law in the Australian component of the TSPZ:

- traditional fishing;
- those fisheries which Australia and PNG have agreed to jointly manage in the TSPZ under Article 22 of the Treaty including prawns, Spanish Mackerel, pearl shell, Tropical Rock Lobster, dugong and turtle; and
- the barramundi fishery in the territorial waters adjacent to the six Australian islands near the PNG coastline: Saibai, Boigu, Moimi, Kaumag, Aubusi and Dauan.

In October 1996 the PZJA agreed that all fishing in Torres Strait would come under PZJA management. Arrangements





were introduced on 1 April 1999 to include the former Queensland managed commercial fisheries. This included the following fisheries:

- finfish (incorporating barramundi);
- crab;
- trochus; and
- bêche-de-mer (sea cucumber).

Details on the management arrangements for each of these fisheries are provided in Section 5 of the report. Commercial fishing for any other species not incorporated in the above fisheries is treated as developmental fishing by the PZJA.

In December 2005, the Commonwealth Minister for Fisheries, Forestry and Conservation, set a new direction in Commonwealth fisheries management policy, issuing a formal direction to the Australian Fisheries Management Authority (AFMA) stating that:

“The Australian government considers that decisive action is needed immediately to halt overfishing and to create the conditions that will give overfished stocks a chance to recover to an acceptable level in the near future.”

A key element in implementing the Minister’s directive will be the development and application of a harvest strategy framework which will set ‘goalposts’ for managing catches by setting agreed target and limit reference points and clear decision rules for each species.

While the Minister’s direction does not directly apply to PZJA fisheries, which are jointly managed with Queensland; AFMA is obliged to pursue the objectives set in the December 2005 directive in joint authority fisheries to which the Commonwealth is a party.

In light of this, the PZJA agreed to the development of a long term harvest strategy for the Torres Strait Prawn Fishery (TSPF) with a range of rules that control the intensity of fishing activity according to the biological and economic conditions of the fishery. A formal harvest strategy for the fishery, including biological reference points for key species, will be developed in two stages. Under stage one (proposed



to be finalised late 2009) key harvest strategy tools setting out Total Allowable Effort (TAE) based on stock assessment and scientific modelling will be put in place. Stage two (developed during the 2010 season) aims to progress and develop the harvest strategy further. Possible avenues of development to be looked at as part of the harvest strategy includes within season adjustment tools, the setting of multiple year TAE and the individual consideration of target species.

The Torres Strait Tropical Rock Lobster Resource Assessment Group (RAG) has developed a Harvest Strategy for the Torres Strait Tropical Rock Lobster Fishery (TSTRLF). A harvest control rule recommended setting total allowable catches to maintain escape close to 1.5 times the equilibrium spawning stock biomass associated with maximum sustainable yield (MSY). This is in line with the Commonwealth Harvest Strategy Policy and provides for a precautionary management framework in the TSTRLF. Target and limit reference points for the TSTRLF have been set, however these reference points are under review by the RAG in response to development of a new stock assessment model by the Commonwealth Scientific and Industrial Research Organisation (CSIRO) in 2009.

Recreational fishing, including charter fishing, is managed by Queensland under Queensland law. Queensland also retains responsibility for aquaculture and fisheries marketing in the TSPZ. Information on these activities can be obtained from the Queensland Primary Industries and Fisheries (QPI&F).

MEETINGS

The PZJA made a number of out of session decisions during the 2008–09 financial year. These decisions are detailed in Annex A.

CONSULTATIVE STRUCTURE

To assist in the management of the PZJA fisheries, the PZJA has established a consultative process including a structure of advisory bodies (Fig. 2). The consultative structure 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 the Standing Committee, Management Advisory Committees (MAC), Scientific Advisory Committee (SAC), and Resource Assessment Groups (RAG) on issues associated with TSPZ fisheries.

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 fishers in communities around the Torres Strait. These meetings are occasionally supplemented by fisheries programs broadcast on radio and articles/advertisements in newspapers.

While the committees and groups outlined in Figure 2 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 (Department of Agriculture, Fisheries and Forestry, Queensland Primary Industries and Fisheries, Australian Fisheries Management Authority and Torres Strait Regional Authority), other government agencies, independent consultants, operators in fisheries more broadly and representatives of the broader community.

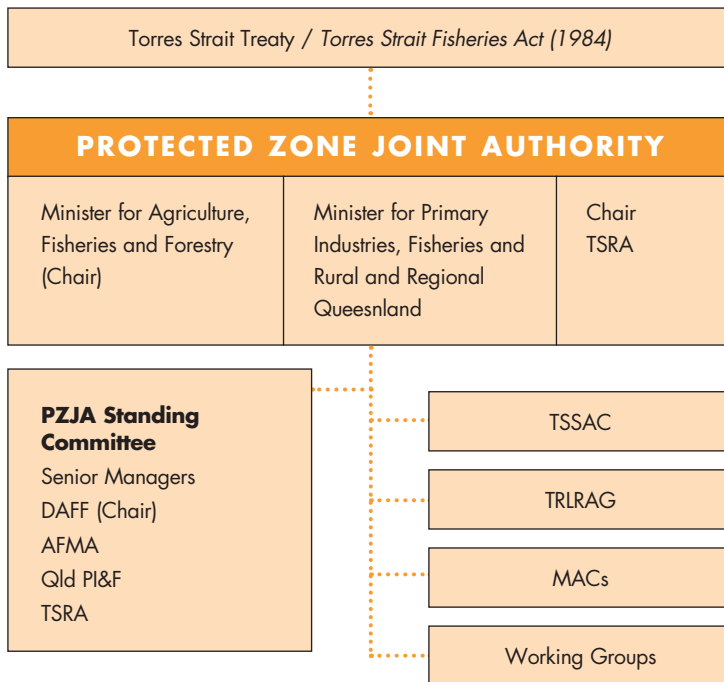


Fig. 2. The consultative structure of the Torres Strait Protected Zone Joint Authority (PZJA).

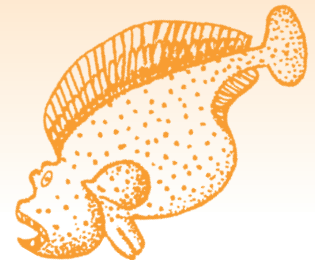
The full membership of the committees/groups and the dates on which they met during the year are set out in Annex B.

ROLE AND FUNCTIONS OF THE PZJA STANDING COMMITTEE

The PZJA Standing Committee’s role and function is to provide strategic advice to the PZJA on the management of the fisheries in accordance with the PZJA’s statutory obligations and to oversee the implementation of the PZJA’s agreed policy commitments.

ROLE AND FUNCTIONS OF A MANAGEMENT ADVISORY COMMITTEE (MAC)

MACs 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 (WG) 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.

Two MACs exist under the PZJA structure; the Torres Strait Prawn Management Advisory Committee (TSPMAC) and the Torres Strait Fisheries Management Advisory Committee (TSFMAC) (for all fisheries other than prawn).

ROLE AND FUNCTIONS OF A SCIENTIFIC ADVISORY COMMITTEE (SAC)

The main role of the SAC is to advise the PZJA on the strategic direction, priorities and funding for research relevant to meeting information needs and objectives of the PZJA and its relevant consultative bodies.

The SAC 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 SAC may also be called upon to make its own assessments of fisheries data and comment on stock assessment advice. The SAC may also solicit external review if questions asked fall outside the SACs area of expertise.

The SAC may also provide advice to the MACs, working groups and Resource Assessment Groups (RAG) on scientific and research issues in the TSPZ.





ROLE AND FUNCTIONS OF A WORKING GROUP

To assist in the operations of a MAC, working groups have been established to provide advice on particular matters relevant to individual fisheries. In order to be manageable and cost effective, working groups 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 working groups 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 WG deal with a range of ad hoc issues. These are reported to a MAC and/or SAC as appropriate.

ROLE AND FUNCTIONS OF A RESOURCE ASSESSMENT GROUP (RAG)

The main role of the 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.

A RAG should also evaluate alternative harvest options proposed by the relevant fishery working group 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 the SAC, relevant MACs or working groups 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 working groups) 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.





4 COOPERATION WITH PAPUA NEW GUINEA

The Treaty requires Australia and PNG to cooperate in the conservation, management and optimum utilisation of all of the Article 22 commercial fisheries of the TSPZ.

CATCH SHARING

Articles 22 and 23 of the Treaty allow for the sharing of catch within the TSPZ. The catch-sharing arrangements with PNG for 2009 were agreed to at the Australian Papua New Guinea Fisheries Bilateral meeting held in Cairns, Queensland on 6–7 November 2008. The key outcomes from this meeting were:

- Torres Strait Prawn Fishery – PNG will allow Australia to use its 25 per cent share of the fishery in 2009 – consistent with 2008 arrangements;
- Torres Strait Tropical Rock Lobster Fishery – the 2008 arrangements will be rolled over to 2009 with a small reduction in the number of tender days allocated to PNG due to the inclusion of extra data that was not available in 2007. In 2009 PNG may seek cross-endorsement for up to 1518 days, to be shared evenly by seven primary vessels with a maximum of seven tenders each.
- Torres Strait Spanish Mackerel Fishery – PNG advised that it would make its 40 per cent Spanish Mackerel entitlement in 2009 available to Australia.

OUTSIDE BUT NEAR AREAS

When part of a fisheries stock in the TSPZ extends outside but near to the TSPZ, the Act and its PNG equivalent allow Australia and PNG to extend TSPZ management arrangements into these areas. These are referred to as the “outside but near areas”. The Treaty also provides for the two countries to agree to management and conservation measures in areas extending beyond the TSPZ. One of the management and conservation measures in place is a prohibition on the incidental taking and carrying of Tropical Rock Lobster by prawn trawlers in the Torres Strait Prawn Fishery and in certain waters outside but near the TSPZ. This measure has been in place since 1988.



5 FISHERIES

Torres Strait fisheries can be subdivided into two broad categories, Article 22 fisheries and non-Article 22 fisheries, both of which include traditional and/or commercial fisheries.

Article 22 fisheries are those fisheries where the mechanism identified in Article 22 of the Treaty has been exercised by Australia and PNG, whereby common conservation and management arrangements have been negotiated and applied to specified fisheries. Article 22 fisheries are primarily those with commercial sectors as well as the turtle and dugong fisheries.

Non-Article 22 fisheries are those that are not managed in conjunction with PNG.

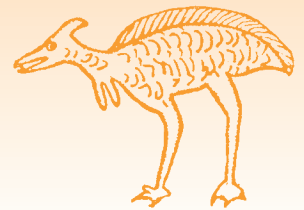
COMMERCIAL FISHERIES

Commercial fishing is one of the most important economic activities in the TSPZ and provides a significant opportunity for financial independence for Traditional Inhabitant fishers (holders of Traditional Inhabitant Fishing Boat Licences (TIB)). The PZJA has a policy of enhancing the opportunities for Traditional Inhabitant participation in all sectors of the fishing industry.

A limited number of non-Traditional Inhabitants participate in the TSPZ commercial fisheries. The PZJA has prevented expansion of this group as required by the Treaty. This means that non-Traditional Inhabitants must purchase an existing Torres Strait Fishing Boat Licence (TVH) to gain access to a fishery. Where there is scope for expansion in Torres Strait fisheries, the PZJA has attempted to reserve growth for Torres Strait Traditional Inhabitants.

TRADITIONAL FISHERIES

Torres Strait Traditional Inhabitants have always exploited a diverse range of marine animals for subsistence and use in cultural activities (unlicensed non-commercial fishing) including dugong, turtle, Tropical Rock Lobster (TRL), finfish, shellfish, crabs, and octopus. As such, sea-based resources are of significant importance to Traditional Inhabitants of the Torres Strait.





The most important resources for Traditional Inhabitants are dugong, Green turtle and a variety of finfish and shell fish, although the relative importance of each group varies between island communities and throughout the year. With respect to commercial and artisanal fishing activities, sea-based resources such as TRL, Spanish Mackerel, reef fish and pearl fisheries remain of significant importance to these communities.

The most common fishing activities undertaken by Traditional Inhabitants for subsistence include hand lining for finfish and diving for many species including TRL. Other means of gathering seafood include spearing, reef gleaning, cast-netting, traditional hunting for dugong and turtle, gill netting, trolling from dinghies, crabbing, seining, jigging for squid, hand collection for species such as trochus, and by trading with other Traditional inhabitants. In general, men fish from boats away from the home island and the women and children fish on fringing reefs around the island.

It is difficult to assess all species separately because of the diverse range of marine animals taken in the course of traditional fishing. However, studies undertaken during the 1980s and more recently in 2007 (*Evaluation of the Eastern Torres Strait Reef Line Fishery* by Williams *et al*, 2007), indicated that reef fish species were lightly exploited. While rates of exploitation may have increased during the intervening period, it is unlikely that they are now excessive; except for dugong and turtles for which the Department of the Environment, Water, Heritage and the Arts (DEWHA) strategic assessment of the fishery raised concern about the harvest rates.

The only management restrictions placed on traditional fishing activities in the 2008–09 period relate to dugong and turtle, and a bag limit on TRL and bêche-de-mer (sea cucumber).

ARTICLE 22 FISHERIES

A summary of each of the Article 22 fisheries during 2008–09 are detailed below. Note that landing data in this report is presented by calendar year due to the fact that most fisheries data is collected and presented to industry by calendar year.

PRAWN

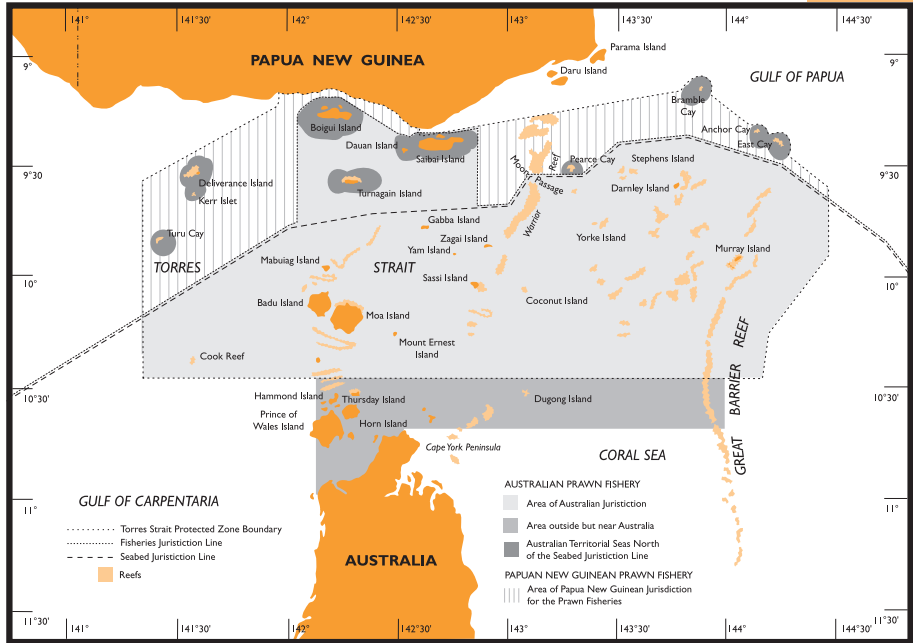


Fig. 3. Torres Strait Prawn Fishery.

Description of the fishery: The Torres Strait Prawn Fishery (TSPF) (Fig. 3) is the most valuable commercial fishery in the Torres Strait, with 907 tonnes of product valued at over \$10.4 million taken in the 2008 fishing season (Wilson *et al.*, 2009). The TSPF is a multi-species prawn fishery which operates in the eastern part of the Torres Strait. Brown Tiger Prawn (*Penaeus esculentus*) and the Blue Endeavour Prawn (*Metapenaeus endeavouri*) are the key target species, with the Red Spot King Prawn (*Penaeus longistylus*) taken as by-product.

Fishing is permitted in the TSPF from 1 March to 1 December each year and is limited by a Total Allowable Effort (TAE) in the form of fishing days. Prawn harvesting occurs at night, primarily using the otter trawl (quad) method which involves towing up to four trawl nets behind a vessel. The TSPF has restrictions on the type of gear and vessel that can be used during harvesting.

The following information for the TSPF including the data presented in Table 1 is based on the 2008 fishing season (1 March



to 1 December 2008). A more detailed account of the TSPF can be found in the *Torres Strait Prawn Fishery Handbook 2008* (Cocking *et al.* 2008).

Management objectives: For the 2008 fishing season the TSPF operated in accordance with the following objectives:

- to control effort in the fishery and provide for catch sharing to occur with PNG;
- to achieve a level of fishing effort which is consistent with conservation and optimum use of the Torres Strait prawn resource; and
- to encourage Traditional Inhabitants to participate in the TSPF.

These objectives were to be achieved in a manner that minimised negative impacts to other fisheries and the marine environment.

On 6 February 2009 a formal management plan was determined and implemented in the fishery; the *Torres Strait Prawn Fishery Management Plan 2008*. Management of fishing activity under the plan came into effect from 1 March 2009 and the following objectives were adopted:

- to ensure the optimum utilisation of the fishery resources within the TSPF is consistent with the principles of ecologically sustainable development and the exercise of the precautionary principle;
- to promote economic efficiency in the utilisation of the fisheries resources within the TSPF;
- to ensure cooperative, efficient and cost effective management of the fishery; and
- to manage the fishery's interactions with the marine environment including the incidental capture of non-target species and impacts on demersal habitats.

Management arrangements (pre-management plan): The fishery was managed using allocated fishing days as the primary effort restriction measure. The current sustainable level of effort to be allocated has been set by the PZJA as 9,200 days. Accordingly, of the 9,200 fishing days:

- 6,867 fishing days were available to Australian operators;
- 2,070 fishing days were available to PNG operators; and
- 263 days were held in trust by the Australian Government.





Access days can be transferred between operators in the fishery under conditions that facilitate the amalgamation of days and allow restructuring of the fleet.

Management arrangements (under management plan): With the introduction of the management plan in February 2009 the fishery was managed using allocated fishing units. In converting from fishing days to fishing units, the PZJA initially allocated one unit of fishing capacity for each fishing day previously held. During the 2009 fishing season, fishing units were equivalent to 1.3 fishing days. This figure will change between seasons dependant on the TAE for the season. Under the new management arrangements the maximum number of boat licences in the fishery is capped at 61 and the number of units of fishing capacity is capped at 9,200.

The prawn fishery is a cost recovered fishery through levy fees. The levies consist of fixed costs (licence fees) and variable costs (units of fishing capacity fees). The levies are implemented prior to each season through the *Fisheries Levy (Torres Strait Prawn Fishery) Amendment Regulations*.

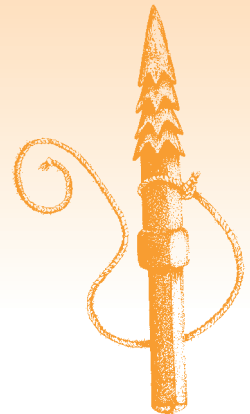
A bycatch action plan (BAP) is in place for the prawn fishery, and is subject to periodic review. The primary aims of the TSPF BAP are to:

- eliminate, to the greatest extent feasible, the catch of large animals such as turtles and stingrays; and
- substantially reduce the ratio of bycatch to prawns.

To achieve these aims, the BAP has adopted the following strategies:

- to modify fishing gear to minimise turtle and other bycatch;
- to ensure bycatch is monitored in the TSPF; and
- to continue to make information available to fishers and the community regarding bycatch.

A harvest strategy for the TSPF is also under development by the PZJA agencies. The harvest strategy will provide a framework for the setting of effort levels within the fishery together with control rules so that management is more transparent and logical and the fishery meets pre-defined ecological and economic goals.





Condition of the fishery: If all of the allocated effort of 9,200 days in the fishery were utilised, the fishery would be considered fully exploited. However, the fishery has historically operated at much less than the maximum effort allocated. In 2008 only 3,453 of the available 6,867 days in the Australian jurisdiction were used by Australian operators (2008 logbook data). The status of the stocks, as reported by the Bureau of Rural Sciences is not overfished with respect to Brown Tiger Prawns and uncertain due to limited data with respect to Blue Endeavour and Red Spot King Prawns.

Figure 4 illustrates prawn catches for all species fished in the Torres Strait Prawn Fishery since 1989 and indicates that catch has steadily declined from 2,200 tonnes in 1999 to 907 tonnes in 2008 as a result of reduced effort. Species composition for the 2008 fishing season are shown in Table 1.

In 2008, PNG were allocated 2,070 of the 9,200 days to fish in the fishery (as per the Treaty catch sharing arrangements). PNG did not utilise their allocation and agreed to allow Australia to use their share. The 2,070 days were subsequently offered to Australian operators with 1,098 days accepted and the remainder distributed pro-rata to licence holders.

Table 1. Prawn catches in the TSPZ for the 2008 season (1 March to 1 December 2008).

<i>Species</i>	<i>Catch (tonnes)</i>
Blue Endeavour Prawns (<i>Metapenaeus endeavouri</i>)	418
Brown Tiger Prawns (<i>Penaeus esculentus</i>)	439
Red Spot King Prawn (<i>Penaeus longistylus</i>)	48
Other	2
Total	907

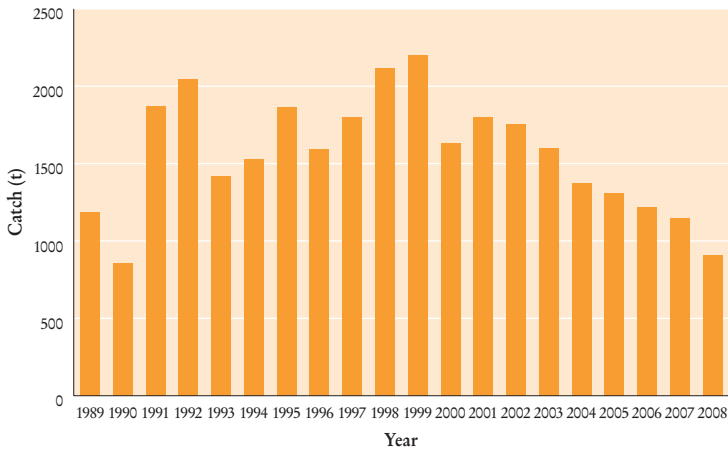


Fig. 4. Annual catches of all prawn species in the Torres Strait Prawn Fishery 1989–2008. Data presented is for the fishing season ending in December 2008 but considered part of the financial year 2008–09 (Source: Logbook data 1989–2008).

Strategic Assessment: With the implementation of the management plan in 2009, the TSPF was re-assessed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) to be re-accredited as a Wildlife Trade Operation (WTO). On 27 February 2009 the TSPF was formally declared a WTO for three years to 25 February 2012.





TROPICAL ROCK LOBSTER

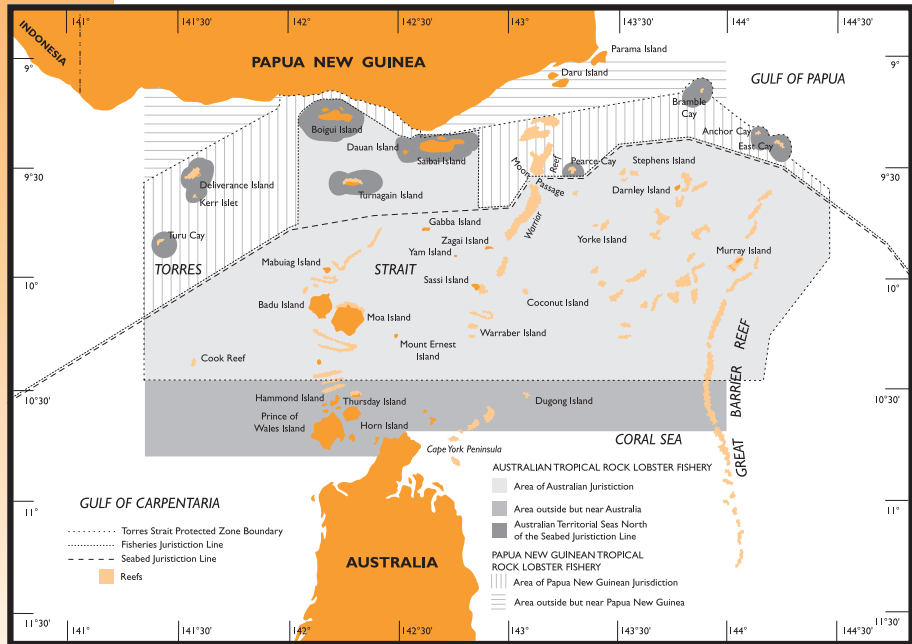


Fig. 5. Tropical Rock Lobster Fishery.

Description of the fishery: The Torres Strait Tropical Rock Lobster Fishery (TSTRLF) (Fig. 5) is the second most valuable commercial fishery in the Torres Strait with 285 tonnes of product taken in 2008 valued at approximately \$7.2 million (Fig. 6) (Wilson *et al.*, 2009). It is a single species fishery targeting the Ornate Tropical Rock Lobster (*Panulirus ornatus*) and is an important commodity to both Traditional Inhabitants and non-Traditional Inhabitants.

Tropical Rock Lobsters (TRL) are collected by hand, short hand spear or loops by divers working from dinghies. Divers free dive on shallow reef tops or use hookah (surface supplied air) to dive the large areas of “open bottom” in the Torres Strait. Most fishing occurs during neap tides when currents ease and underwater visibility improves.

The commercial fishing season for TRL is from 1 December through to 30 September the following year (inclusive), with use of Hookah gear prohibited from 1 October to 31 January (inclusive). The peak effort period for the TSTRLF occurs from



March to August. In comparison, Traditional Inhabitants fishing for subsistence (traditional catch) can catch TRL at any time of the year but some restrictions apply:

- up to three lobsters per person without the use of a boat, or where there is only one person aboard the boat; or
- up to six per boat where there is more than one person aboard the boat.

Management objectives: Management objectives for the TSTRLF adopted at PZJA 19 are:

- to maintain the spawning stock at levels that meet or exceed the level required to produce MSY;
- in accordance with the Treaty, to protect the traditional way of life and livelihood of Traditional Inhabitants, in particular in relation to their traditional fishing for TRL;
- to provide for the optimal utilisation, cooperative management with Queensland and PNG and for catch sharing to occur with PNG;
- to monitor interactions between the prawn and TRL fisheries;
- to maintain appropriate controls on fishing gear allowed in the fishery so as to minimise impacts on the environment;
- to promote economic development in the Torres Strait area with an emphasis on providing the framework for commercial opportunities for Traditional Inhabitants and to ensure that the opportunities available to all stakeholders are socially and culturally appropriate for the Torres Strait and the wider Queensland and Australian community; and
- to optimise the value of the fishery.

Management arrangements: The PZJA imposed licensing provisions to prevent the growth of the Torres Strait Fishing Boat Licence (TVH) sector during the 1980s. This initiative was built upon in 2004 when a small number of TVH licences were removed from the TSTRLF through a review of latent effort. In 2007, the number of TVH licences was further reduced through a voluntary tender process run by the Australian Government. This resulted in halving the number of TVH licences operating in the TSTRLF from 26 to 13 and reduced the total number of associated tender licences from 63 to 34.





Of notable importance, provisions preventing the growth of the TVH sector do not apply to the Traditional Inhabitant Fishing Boat Licence (TIB) sector. This, for the most part, is to help Traditional Inhabitants maximise their opportunities in the fishery.

With respect to other management arrangements in the fishery, a boat replacement policy aims to control fishing capacity by preventing the introduction of larger more efficient boats. There has also been a ban on trawlers taking TRL since the early 1980s to prevent pressure on the lobster resource from the prawn trawling fleet. In addition to these arrangements, interim measures have been introduced annually since 2003. During 2008–09 interim measures included:

- 1) a 30 per cent reduction in the number of months that tenders were allowed to operate for licence holders that have two or more tenders associated with a primary vessel. In practice, this meant that licence holders could work some of their tenders for the entire season but others ceased operation at various times to effect the reduction.
- 2) a prohibition on the use of hookah three days before, on, and three days after either the full or new moon each month from February to September.

Condition of the fishery: During 2008–09 a new stock assessment model was developed by CSIRO using the 2008 mid-year survey abundance indices and the latest commercial catch data as well as previous years' data. The stock assessment model suggested that the spawning biomass of the stock was at 4226 tonnes or 56 per cent of unfished levels. Maximum sustainable yield (MSY) was estimated to be 680 tonnes which is in line with the 20 year average MSY.

A total allowable catch (TAC) for the 2008 fishing season was estimated based on the 2007 pre-season survey data and the harvest control rule that was recommended by the TRL RAG. If a TAC was set for 2008 it would have been set at 749 tonnes (whole weight) for the whole of the Torres Strait. 506 tonnes of this TAC would have been allocated to the Australian fishers and 243 tonnes to PNG fishers.



During the 2008 fishing season 285 tonnes of product was taken accounting for only 56 per cent of the predicted Australian TAC for the 2008 fishing season.

At 30 June 2009 there were 316 TIB licences with lobster endorsements and 13 TVH licence holders.

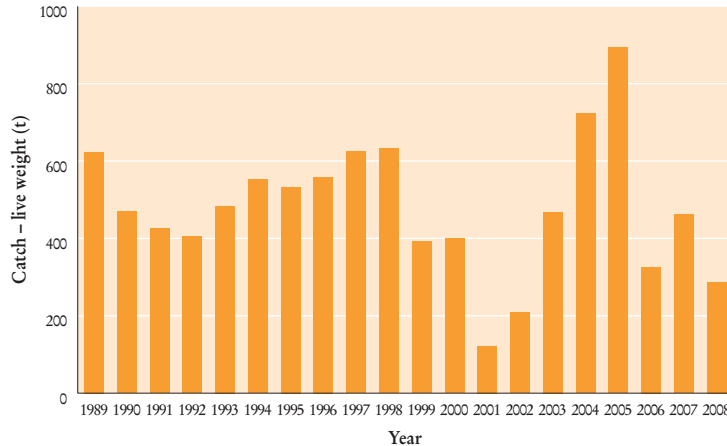


Fig. 6. Annual catch of the Torres Strait Tropical Rock Lobster Fishery 1989–2008 in the Australian Jurisdiction (Source: Logbook data 1989–2008).

Strategic Assessment: The TRL fishery was strategically assessed under the EPBC Act on 23 November 2007 and accredited as a WTO for three years, until 23 November 2010. This WTO declaration is subject to the conditions and recommendations developed by DEWHA.





FINFISH (SPANISH MACKEREL)

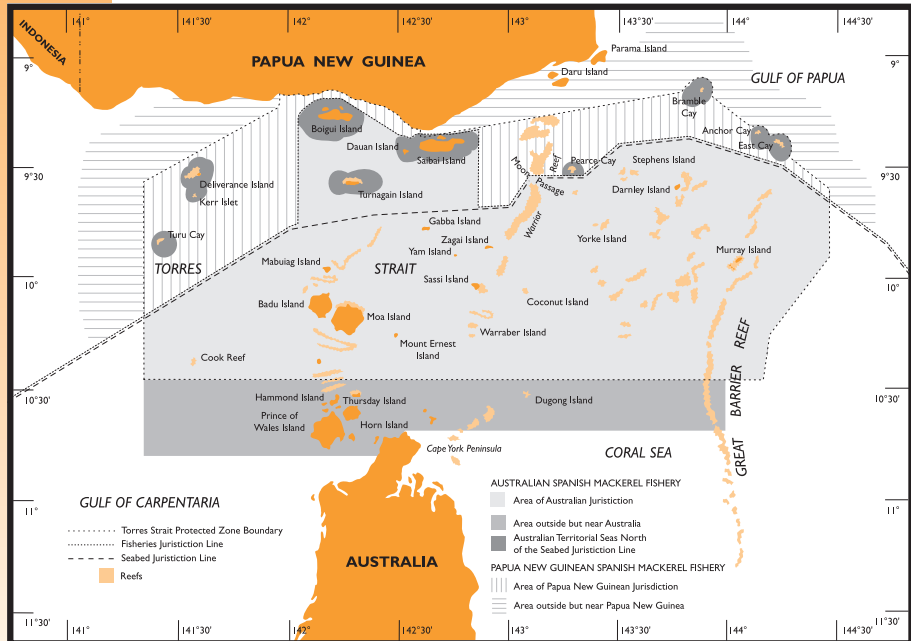


Fig. 7. Spanish Mackerel Fishery.

Description of the fishery: The Torres Strait Spanish Mackerel Fishery (Fig.7) operates predominantly in the eastern Torres Strait, targeting the Narrow-barred Spanish Mackerel (*Scomberomorus commerson*). In 1999, other species were added to the list of permitted species including School Mackerel (*Scomberomorus queenslandicus*), Grey Mackerel (*Scomberomorus semifasciatus*), Spotted Mackerel (*Scomberomorus munroi*), and Shark Mackerel (*Grammatorcynus bicarinatus*). Spanish Mackerel are fished by trolling, generally from dories/dinghies operating either to a primary vessel or by themselves.

The majority of the catch is taken by a small number of commercial operators. In 2007-08, a voluntary buy-back of all 17 TVH licences endorsed to fish in the Torres Strait Finfish Fishery (Reef Line and Spanish Mackerel) was undertaken and completed in June 2008. The surrendered fishing catch entitlements were transferred to Traditional Inhabitants and held in trust by the TSRA or held for PNG in accordance with the Treaty. Three non-Traditional Inhabitant fishers leased



“sunset licences” from TSRA to continue fishing in the Spanish Mackerel Fishery during 2008–09.

While Spanish Mackerel is not generally targeted by Traditional Inhabitants, a large number of TIB licence holders take the species opportunistically. Information on the quantity of Spanish Mackerel taken by Traditional Inhabitants was collected through docket books during the 2008 season. As docket books are not compulsory, the information presented here are only estimates as a complete set of the data is not available. The quantity of Spanish Mackerel taken for traditional purposes is unknown.

Management objectives: Objectives adopted for the Torres Strait Spanish Mackerel Fishery during 2008–09 were:

- to manage the mackerel resource to achieve its optimal utilisation;
- to maximise the opportunities for Traditional Inhabitants of both Australia and PNG to participate in the commercial fishery;
- to promote the fishery as a line fishery; and
- to continue monitoring of the fishery and enter into a catch sharing agreement with PNG.

The management objectives for this fishery will be reviewed as part of the development of the Torres Strait Finfish Fishery Management Plan.

Management arrangements: A management plan for the Finfish (Reef Line and Spanish Mackerel) Fishery is under development. The management objectives and arrangements for the Torres Strait Spanish Mackerel Fishery will be reviewed as a part of this process. In the interim, the existing management arrangements continue to apply as per Fisheries Management Notice No. 79 and include certain gear restrictions and size limits.

Condition of the fishery: Available information for the Torres Strait Spanish Mackerel Fishery indicates that the Spanish Mackerel stock was fully exploited prior to 2007; however a reduction in catch and effort in 2007 and 2008 has reduced





the pressure on the fishery. The catch of Spanish Mackerel in 2008 was approximately 90.5¹ tonnes (whole weight) (Fig. 8) which is comparable to 2007. The value of the 2008 catch was approximately \$0.8 million.

Although the Spanish Mackerel stocks in the Torres Strait were once thought to be migratory and to move between jurisdictions, more recent genetic evidence suggests that there is limited exchange between the Torres Strait and the Gulf of Carpentaria or Queensland east coast stocks.

At 30 June 2009 there were 173 TIB licences with Spanish Mackerel endorsements.

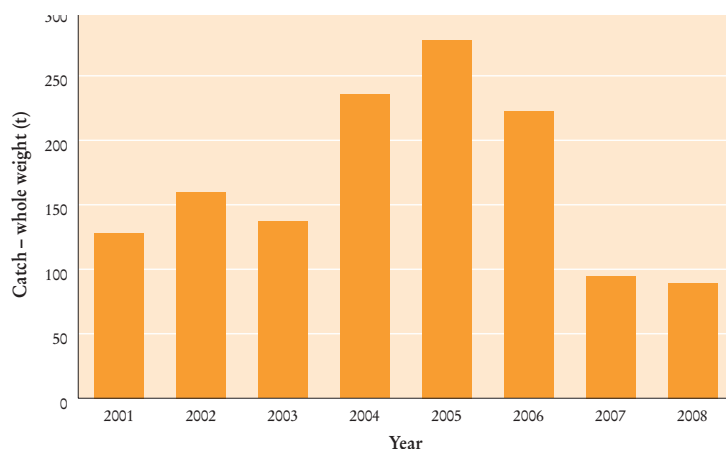


Fig. 8. Catches of the Torres Strait Spanish Mackerel Fishery (*Scomberomorus commerson*) 2001–08 (Source: Logbook data 2001–2008).

Strategic Assessment: The fishery was strategically assessed under the EPBC Act during 2008 and was formally accredited as a WTO in late November 2008. DEWHA also provided a number of draft accreditation recommendations to improve the sustainability of the fishery. The export accreditation is valid until 25 November 2011 at which time the fishery will be re-assessed.

1 Collection of catch data from Traditional Inhabitant fishers is voluntary therefore catch records for 2008 are provisional.

PEARL SHELL

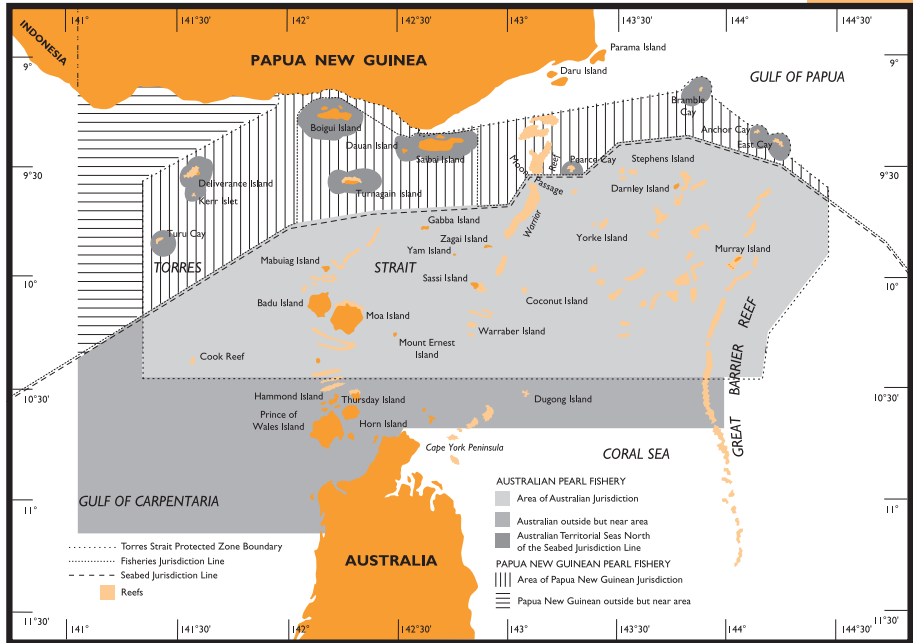


Fig. 9. Pearl Shell Fishery.

Description of the fishery: The PZJA is responsible for the management of wild pearl shell collection in the Torres Strait (Fig. 9). Aquaculture farming of pearl shell is regulated and managed by the QPI&F.

The Gold-lipped Pearl Shell (*Pinctada maxima*) is the main species targeted in the Torres Strait, although another six species, including the Black-lipped Pearl Shell (*Pinctada margaritifera*) also occur. Pearl shell is collected live for pearl culture farms, principally by divers using hookah equipment. Only a few boats specialise in collecting pearl shell, primarily through the months of October to March, although a number of licences also have TRL endorsements allowing divers to collect pearl shell whilst fishing for TRL.

Management objectives: Objectives adopted for the Torres Strait Pearl Shell Fishery are:

- to conserve the stock of pearl shell to achieve its optimal utilisation; and



- to maximise the opportunities for the Traditional Inhabitants of Australia and PNG to participate in the Torres Strait Pearl Shell Fishery.

Management arrangements: Expansion of licence numbers in the Torres Strait Pearl Shell Fishery is limited to Traditional Inhabitants in order to maximise their opportunities.

Provisions applying to the non-Traditional Inhabitant sector of the fishery include a prohibition on the issue of boat and master licences, strict boat replacement policies, and the linking of tender boats with specific primary boats.

Current management regulations require divers to harvest only live shells, and adhere to size limits of 130 mm minimum and 230 mm maximum for Gold-lip Pearl Oyster, and 90 mm minimum for Black-lip Pearl Oyster. There is a ban on the taking of shell by any method other than collecting by hand.

Condition of the fishery: Based on past surveys, the abundance of pearl shell on the main fishing grounds is low, and the stock status remains uncertain.

In 2006 and 2008 there was no commercial activity in the Torres Strait Pearl Shell Fishery. In 2007, a low number of shells was collected by a small number of operators. The publication of the number of shells collected in 2007 is restricted due to commercial confidentiality reasons associated with the small number of active operators in the fishery.

At 30 June 2009 there were 60 TIB licenses with Pearl Shell endorsements.

Strategic Assessment: The Pearl Shell Fishery has not undergone strategic assessment. It may in the future, depending on activity in the fishery.

DUGONG AND TURTLE

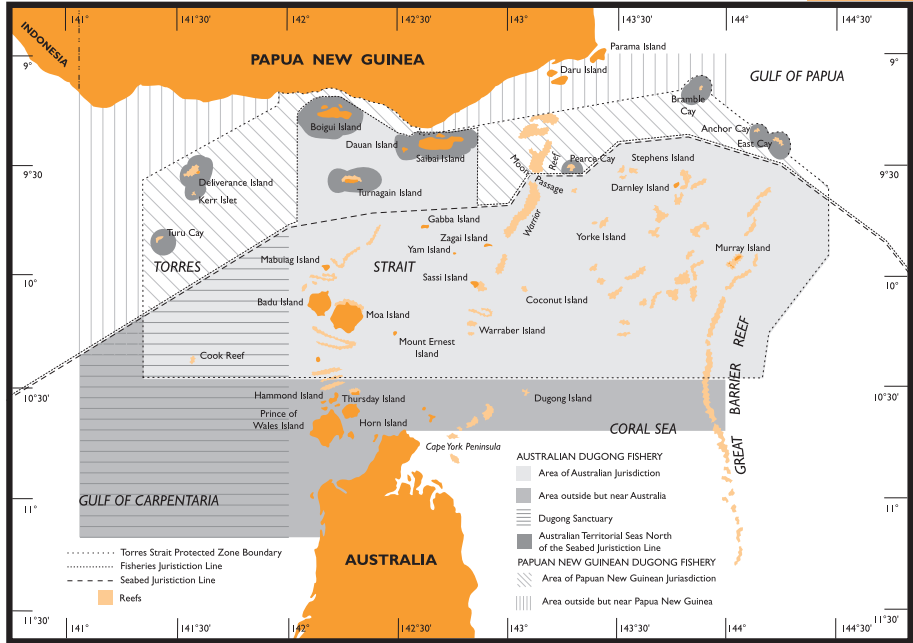


Fig. 10. Dugong Fishery.

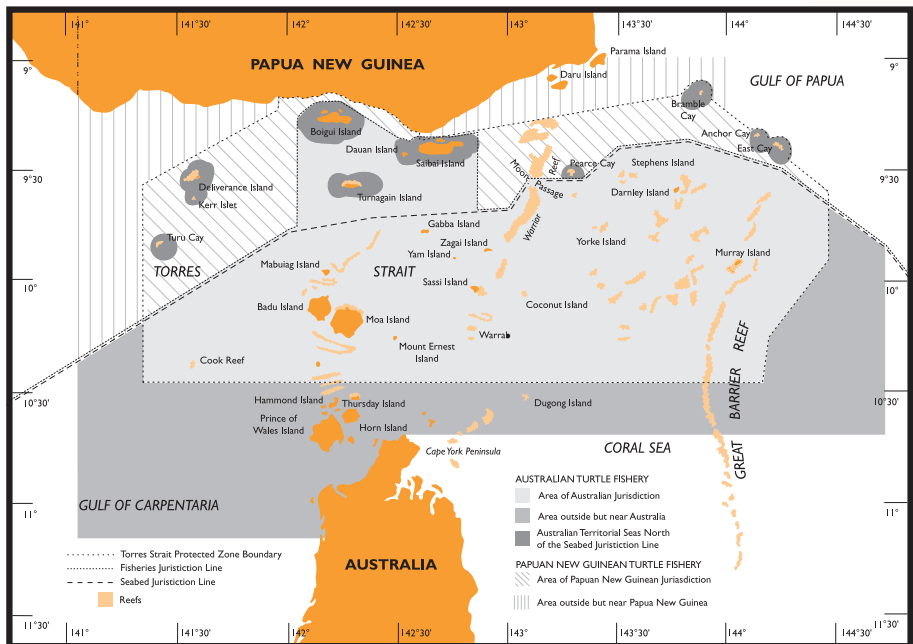


Fig. 11. Turtle Fishery.



Description of the fisheries: The Torres Strait Dugong and Turtle Fisheries (Figs. 10 and 11) are traditional subsistence fisheries limited to Traditional Inhabitants of the Torres Strait. Hunting for dugong and turtle is an important part of the traditional way of life and livelihood of the Traditional Inhabitants of the Torres Strait and is also a major source of protein in their diet. Dugong (*Dugong dugon*) and turtles are hunted using a traditional spear (*wap*) thrown by hand from a dinghy. Turtles are also caught by hand from jumping out of a dinghy. In some areas of the Torres Strait, nesting turtles are taken off the beach before or after nesting. Turtle eggs are also harvested.

Turtles are taken in all areas of the Torres Strait, while dugongs are caught mainly in the western region.

Management objectives: Objectives adopted for the Torres Strait Dugong and Turtle Fisheries are:

- to promote the conservation of dugong and turtle stocks;
- to restrict the take of dugongs and turtles to Traditional Inhabitants fishing for traditional purposes; and

Management arrangements: Participation in the Torres Strait Dugong and Turtle Fisheries is restricted to Traditional Inhabitants of the Torres Strait and PNG Treaty villages for traditional purposes.

A dugong sanctuary in the south-western areas of the Torres Strait has been established where dugong hunting is not permitted. Outside this area dugongs may only be taken using a *wap*.

In addition, dugongs and turtles cannot be taken or carried in a commercially licensed fishing boat greater than 6m in length. TIB licensed boats less than 6m in length are permitted to take and carry dugong and turtle.

In 2008 eight dugong and turtle community-based management plans were completed and the PZJA supported TSRA's proposal to seek further funding to establish the *Torres Strait Indigenous Ranger Program* as a means of implementing these plans. In December 2008 the Australian Government, through the Caring for Our Country Program, granted \$11.3 million to TSRA to fund the ranger program.





The Mabuiag ranger group was established during 2008–09. It is expected that seven more ranger groups will be established during 2009–10.

Condition of the fisheries:

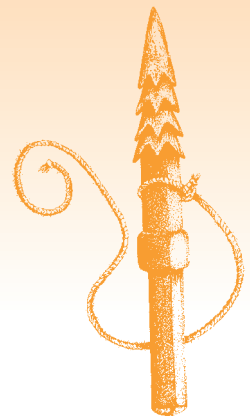
Dugong: The Torres Strait dugong population was estimated through aerial surveys in 1987, 1991, 1996, 2001 and 2006. These surveys covered the western and central waters of the Torres Strait and adjacent coastal waters of Cape York and PNG. The most recent population estimate is $14,747 \pm \text{s.e. } 2,292$. No current estimate exists for the harvest of dugong.

The Bureau of Rural Sciences reported in its *Fishery Status Reports 2006* that the population estimate obtained from the 1996 survey did not differ statistically from the 1991 estimate, which could suggest that the dugong population in the Torres Strait was stable during 1991–96. However, the surveyed population of dugongs decreased by nearly 50 per cent between 1996 and 2001. A similar estimate to that obtained for 2001 was made in 1987. This variability may result from the movement of dugongs in and out of the survey area, perhaps driven by changes in the availability of food (sea grass).

Estimated annual catches have ranged from 240 to more than 800 individuals since 1976. Current harvest rates are unknown, but the implementation of community-based management plans will seek to address this through the introduction of catch monitoring programs.

Turtle: There are no population estimates for turtle stocks in the Torres Strait however the monitoring of key turtle nesting sites in north Queensland has raised concerns with respect to the Green turtle (*Chelonia mydas*) and Hawksbill turtle (*Eretmochelys imbricata*) stocks. As a result, there is a growing awareness of the need to manage the traditional take of Green turtles and the harvest of Hawksbill turtle eggs to ensure the long term viability of these populations. No current estimate exists for the harvest of turtles however the implementation of the community-based management plans will address this through catch monitoring.

Other turtle species are not generally taken for food however the eggs of the Hawksbill, Flatback (*Natator depressus*), and Green turtles are regularly harvested by Traditional Inhabitants. The level of annual egg harvest is unknown.





Strategic Assessment: The *Strategic Assessment Report of the Torres Strait Turtle and Dugong Fisheries* was submitted to DEWHA in 2007 after consideration by the Torres Strait Fisheries Management Advisory Committee (TSFMAC), the AFMA Environment Committee and the PZJA. DEWHA has made several recommendations in consultation with Torres Strait communities and relevant Government agencies. This report is being finalised by DEWHA before it is provided to the PZJA. The management plans were endorsed by the respective Elders of the eight represented communities. Progress is underway in the remaining communities to develop community-based management plans.

NON-ARTICLE 22 FISHERIES

A summary of the fisheries not managed in conjunction with PNG (non-Article 22 fisheries) for 2008–09 are detailed below. Landing data is presented by calendar year.

FINFISH (REEF LINE)

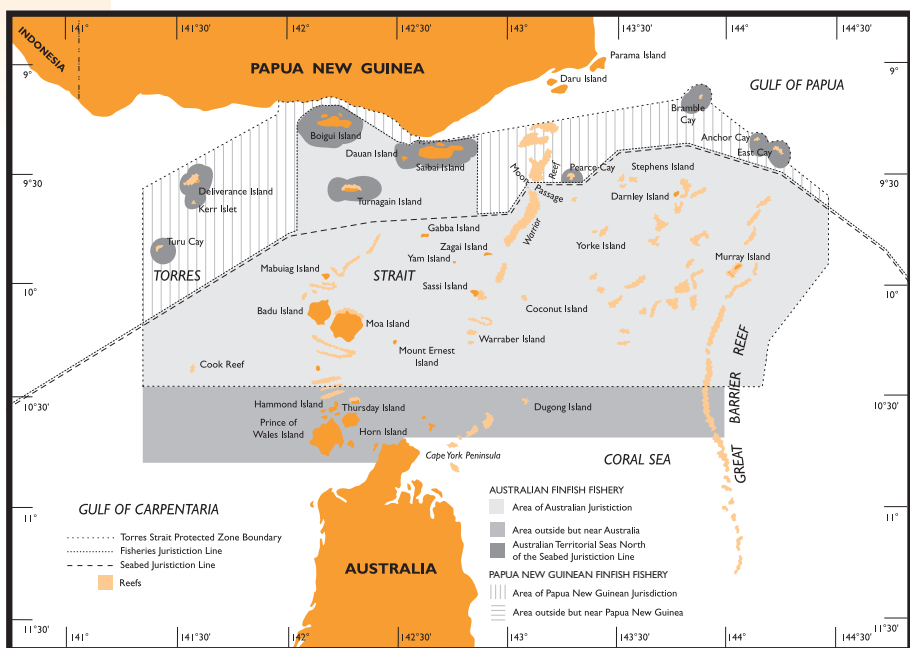


Fig. 12. Reef Line Fishery.



Description of the fishery: The Torres Strait Finfish (Reef Line) Fishery (Fig. 12) is a multi-species fishery targeting a range of reef fish species. The fishery focuses primarily on the highly valued Coral Trout species (*Plectropomus* spp.), Barramundi Cod (*Cromileptes altivelis*), mixed reef fish (*Lutjanus* spp. and *Lethrinus* spp.), and numerous species of Rock Cod (*Epinephelus* spp.).

A Barramundi Fishery (*Lates calcarifer*) is provided for within the Torres Strait Finfish Fishery but is limited to the territorial waters adjacent to the six Australian islands in the north-west of the Torres Strait near the PNG coast: Saibai, Boigu, Moimi, Kaumag, Aubusi and Dauan. The Barramundi Fishery is only available for Traditional Inhabitant participation. Most of the fish taken in the communities are for subsistence and there are no records of commercial sales of this species.

Finfish are generally taken by hand lines and since December 2005 the use of nets has been banned throughout the TSPZ and the outside but near area. This ban may be amended in future to allow for a small net fishery around the communities of Boigu, Dauan and Saibai for the purposes of a Barramundi Fishery only. Development of a Barramundi Fishery will occur in consultation with stakeholders.

Management objectives: The objectives for the Torres Strait Finfish (Reef Line) Fishery were developed in conjunction with the objectives of the Act and the Treaty. These objectives reflect the status of the fishery following the change in jurisdiction from a fishery managed solely under Queensland law to one managed by the Commonwealth in 1999. The objectives adopted include:

- to manage the resource to achieve its optimum utilisation;
- to maximise opportunities for Traditional Inhabitants of Australia and PNG to participate in the commercial fishery; and with respect to the barramundi fishery; and
- to reserve barramundi stocks for the exclusive use of Islanders.

Management arrangements: A management plan for the Finfish (Reef Line and Spanish Mackerel) Fishery is currently under development. The management plan will include arrangements for the Torres Strait Spanish Mackerel (Article 22) Fishery as well as the reef fish species (non-Article 22 fisheries). The management objectives and arrangements for the Torres Strait





Reef Line Fishery will be reviewed and amended where required as a part of this process. In the interim, the existing management arrangements apply as per Fisheries Management Notice No. 78 and include:

- gear restrictions;
- minimum and maximum size limits;
- no-take species;
- restriction on retaining live fish;
- restriction on shark finning and discarding the torso;
- permanent closure west of latitude 142°31'49"; and
- a seasonal closure for Barramundi.

Condition of the fishery: The status of finfish stocks in the TSPZ is considered to not be subject to overfishing, but uncertain with respect to being overfished.

In 2007–08, a voluntary buy-back of all TVH licences resulted in the TVH fishery being reduced from 9 licences in January 2008 to zero licences in July 2008. One non-Traditional Inhabitant fisher subsequently leased a “sunset licence” to fish in the fishery in 2008–09.

Based on data collected from the non-compulsory docket books, it is estimated that of the 151 licensed TIB fishers, few participated in the Reef Line Fishery in 2008. It is important to note though, that Traditional Inhabitants are not required to complete individual catch returns. Therefore, the quantity of finfish taken by Traditional Inhabitants with TIB licences may have been underestimated.

The Torres Strait Finfish (Reef Line) Fishery is considered to be under exploited at the 2008 level of harvest with landed species totalling 30 tonnes². Coral Trout (*Plectropomus* sp.) makes up the majority of the catch (Table 2). Between 2001 and 2004 catches of Coral Trout were relatively stable however from 2004 catches declined substantially (Fig. 13) which reflects the number of operations in the fishery. The 2008 season catch of Coral Trout (29.8 tonnes) had an estimated value of \$0.5 million.

The level of Traditional Inhabitant commercial fishing in this fishery may increase in future due to the high value of the target

2 Collection of catch data from Traditional Inhabitant fishers is voluntary therefore catch records for 2008 are provisional.



species and the fact that this fishery provides an important economic development opportunity for Traditional Inhabitants in the eastern Torres Strait. An unknown quantity of finfish is also taken during the course of traditional fishing.

Table 2. Logbook catch data from the Torres Strait Finfish (Reef Line) Fishery (including catches from both TIB-licensed boats and TVH-licensed boats) received during 2008.

Species	Catch (kg)
Coral Trout	29,757
Red Emperor	34
Barramundi Cod	298
Other	0
Total	30,089

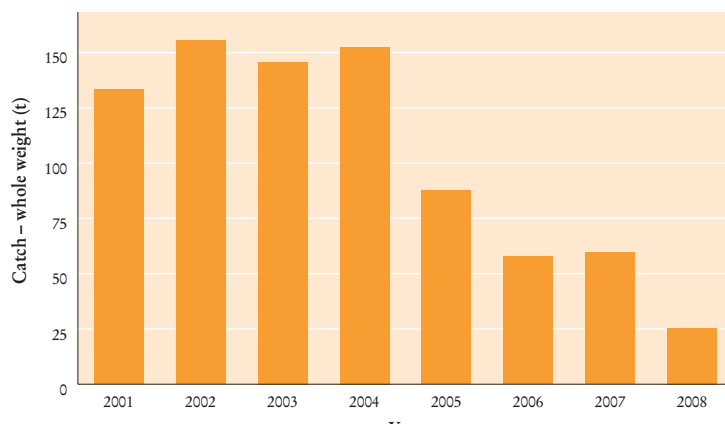


Fig. 13. Catches of Coral Trout (*Plectropomus* sp.) in the Torres Strait Finfish (Reef Line) Fishery (Source: Logbook data 2001–2008).

Strategic Assessment: The fishery was strategically assessed under the EPBC Act during 2008 and was formally accredited as a WTO in late November 2008. DEWHA also provided a number of draft accreditation recommendations to improve the sustainability of the fishery. The export accreditation is valid until 25 November 2011 at which time the fishery will be re-assessed.





CRAB

Description of the fishery: The Torres Strait Crab Fishery primarily targets Mud Crab (*Scylla* spp.), however smaller quantities of Blue Swimmer Crab (*Portunus pelagicus*) have been retained in the past. The level of participation in the commercial fishery is low and restricted mainly to Saibai and Boigu where there is a large area of crab habitat.

All fishery participants are Australian Traditional Inhabitants. Mud crabs are generally captured by hand or using scoop nets.

Management objectives: The objectives for the Torres Strait Crab Fishery have been developed in conjunction with the objectives of the Act and the Treaty. These objectives reflect the status of the fishery following the change in jurisdiction in 1999, from a fishery managed solely under Queensland law to one managed by the Commonwealth. The objectives adopted include:

- to manage the resource to achieve its optimum utilisation; and
- to maximise opportunities for Traditional Inhabitants of Australia and PNG to participate in the commercial fishery.

Management arrangements: Participation in the Torres Strait Crab Fishery is limited to Traditional Inhabitants. A number of management arrangements apply including:

- a prohibition on the take or possession of female crabs and Spanner Crabs (*Ranina ranina*);
- a limit of 50 prescribed crab apparatus per operator;
- no vessels greater than 14m in length; and
- a minimum carapace length of 15cm.

Condition of the fishery: At 30 June 2009 there were 86 TIB fishers licensed to operate in the Torres Strait Crab Fishery however no commercial activity was recorded in 2008.

An unknown quantity of Mud Crab was taken in the course of traditional fishing. The quantity of crab taken for traditional use would likely exceed that taken for commercial purposes. The status of crab stocks in the TSPZ is uncertain.

Strategic Assessment: The crab fishery has not been strategically assessed under the EPBC Act. It may in the future, depending on activity in the fishery.



TROCHUS

Description of the fishery: The Torres Strait Trochus Fishery (*Trochus niloticus*) is a small, single-species commercial and traditional fishery reserved for Australian Traditional Inhabitants. The fishery has been an important source of income for some Traditional Inhabitants, especially in the central and eastern Torres Strait communities; particularly between 1920 and 1950 and more recently during the 1980s. The fishery is characterised, like trochus fisheries elsewhere, by fluctuating fishing activity when the price paid for shell is economically attractive. The level of participation in the fishery has continued to decrease since 2006 in response to a fall in the price paid for the shell.

Trochus is usually taken by free diving with fishers generally operating from dinghies with a crew of two or three. Reef top collection of trochus is also possible at low tide. In December 2005 the use of underwater breathing apparatus was formally banned.

Management objectives: The objectives adopted for the Torres Strait Trochus Fishery during 2008–09 were:

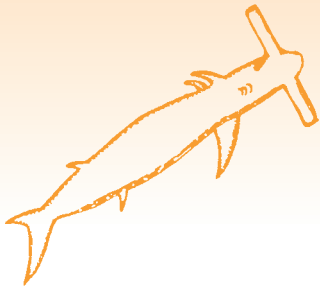
- to manage the resource to achieve its optimum utilisation;
- to maximise opportunities for Australian Traditional Inhabitants of Australia; and
- to encourage Traditional Inhabitants of the Torres Strait to participate in the Torres Strait Trochus Fishery.

Management arrangements: Participation in the Torres Strait Trochus Fisheries is limited to Australian Traditional Inhabitants.

The taking of trochus is restricted to hand collection or by hand-held non-mechanical implements. The use of underwater breathing apparatus is not permitted. A minimum size limit of 80mm and maximum size limit of 125mm applies to all fishing (except traditional) and there is a total TAC of 150 tonnes for the TSPZ.

Condition of the fishery: As at 30 June 2009 there were 88 TIB licenses with Trochus endorsements. Because of its small size, low value and lack of fishery data, a stock assessment of the fishery has not been possible.





The catch in the fishery during 2008 was approximately 8 tonnes cleaned weight (Fig. 14). Trochus meat is often consumed by fishers' families or other members of the community and there is interest to find a market for the valuable by-product of the fishery, trochus shells. The status of trochus stocks in the TSPZ is uncertain at present.

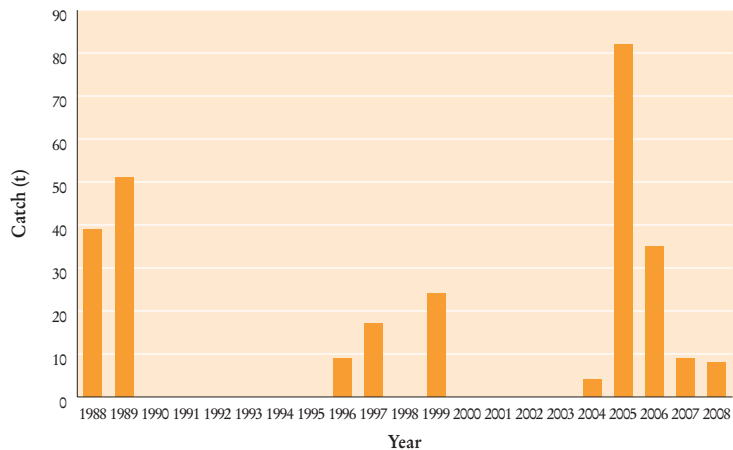


Fig. 14. Torres Strait Trochus Fishery catch between 1988 and 2008. Data not available between 1990–1995 and 2000–2003 inclusive (Source: Torres Strait Trochus and Bêche-de-mer Fishery Data Summary 2005 and 2008. AFMA 2008).

Strategic Assessment: The fishery was strategically assessed under the EPBC Act in 2005 and formally accredited a WTO on 28 November 2005. Export approval for the fishery was re-assessed for continued export on 25 November 2008 and declared a WTO for a further three years, until 25 November 2011. This WTO declaration is subject to the conditions and recommendations developed by DEWHA.



BÊCHE-DE-MER (SEA CUCUMBER)

Description of the fishery: The Torres Strait Bêche-de-mer Fishery (TSBDMF) is an important commercial fishery to some Torres Strait Traditional Inhabitants. The fishery dates back to the 19th century or earlier. During its history there have been several “booms and busts” which have been a feature of these fisheries in most places.

Fishing for bêche-de-mer in the Torres Strait is mainly by free diving from dinghies crewed by two or three fishers or by hand collection along reefs at low tide. Once collected, the animal is gutted, graded, cleaned, boiled, smoked and dried. This is a labour-intensive process usually carried out on processing vessels or at shore-based facilities.

Management objectives: Objectives adopted for the TSBDMF during 2008–09 were:

- to provide for the sustainable use of all bêche-de-mer stocks in Torres Strait;
- develop bêche-de-mer stocks for the benefit of Australian Traditional Inhabitants (as defined by the Torres Strait Treaty); and
- develop an appropriate long term management strategy for sandfish.

Management arrangements: Participation in the TSBDMF is limited to Traditional Inhabitants only, with the exception of one long-term non-Traditional Inhabitant who was active in the fishery prior to the introduction of licence limitation in the fishery in late 1995.

Bêche-de-mer can only be taken by hand collection or hand-held non-mechanical implements and the use of hookah or scuba diving gear is not permitted.

A bag limit of three per person or six per boat applies to traditional fishing. A competitive TAC (measured in wet weight gutted) and size limits apply to commercial fishing and three species are currently closed to fishing (Table 3). Boat sizes are also limited to a maximum of seven metres in length.





Table 3: Total Allowable Catches (TACs) and size limits of commercially harvested species in the Torres Strait Bêche-de-mer Fishery. All species listed as ‘Combined TAC’ in the TAC column have a combined TAC of 80 tonnes (Source: Fisheries Management Notice No. 64).

Commercial value	Common name	Scientific name	TAC (Tonnes)	Size Limits (mm)
High	Sandfish	<i>Holothuria scabra</i>	0	180
	White Teatfish	<i>Holothuria fuscogilva</i>	15	320
	Black Teatfish*	<i>Holothuria whitmaei</i>	0	250
Medium	Surf Redfish	<i>Actinopyga mauritiana</i>	0	220
	Deepwater Redfish	<i>Actinopyga echinites</i>	Combined TAC	120
	Blackfish	<i>Actinopyga miliaris</i>	Combined TAC	220
	Prickly Redfish	<i>Thelenota ananas</i>	20	300
Low	Stonefish	<i>Actinopyga lecanora</i>	Combined TAC	NA
	Lollyfish	<i>Holothuria atra</i>	Combined TAC	150
	Elephant’s Trunkfish	<i>Holothuria fuscopunctata</i>	Combined TAC	240
	Greenfish	<i>Stichopus chloronotus</i>	Combined TAC	NA
	Curryfish**	<i>Stichopus hermanni</i>	Combined TAC	270
	Amberfish	<i>Thelenota anax</i>	Combined TAC	NA
	Brown Sandfish	<i>Bohadschia vitiensis</i>	Combined TAC	NA
	Leopardfish***	<i>Bohadschia argus</i>	Combined TAC	NA
	Pinkfish	<i>Holothuria edulis</i>	Combined TAC	NA

* previously *H. nobilis*

** previously *S. variegatus*

***also known as Tigerfish

Condition of the fishery: Bêche-de-mer is especially susceptible to overfishing because they are large, easily seen, easily collected, and do not require sophisticated fishing techniques. During the 1990s, the fishery was based primarily on Sandfish (*Holothuria scabra*), a high-value species occurring in relatively shallow waters, and as a result vulnerable to over-harvesting. Following concerns of serious resource depletion and overexploitation of Sandfish stocks on Warrior Reef, five fishery-independent surveys were commissioned to assess the level of reduction in sandfish abundance in 1995–1996, 1998, 2000, 2002, 2004 and 2005.



Following the 1998 CSIRO survey the harvest of Sandfish was prohibited as results indicated the remaining stock on Warrior Reef was approximately 80 per cent less than three years earlier. Subsequent surveys did not record any substantial increase in stock. The 2004 survey indicated a decline in stock abundance that may have been the result of illegal harvesting.

Since 1998 fishing switched to other high value species and until January 2003, focused on Surf Redfish (*Actinopyga mauritiana*), Black Teatfish (*Holothuria whitmaei*), White Teatfish (*Holothuria fuscogilva*) and some lower-value species. The 2002 CSIRO survey on the eastern reefs of Torres Strait indicated that the Black Teatfish and Surf Redfish had experienced significant declines in abundance, and as a result the PZJA set the Total Allowable Catch (TAC) for Surf Redfish and Black Teatfish at zero tonnes for both species, effectively closing the fishery for these two species. Another survey in 2005 showed no increase in abundance and the TAC of these two species remains set at zero.

The 2005 survey of the eastern Torres Strait reefs also resulted in the PZJA agreeing to set far more precautionary TACs for the White Teatfish and Prickly Redfish (*Thelenota ananus*) of 15 and 20 tonnes respectively. Setting single species quotas for both species was recommended by the then Minister for the Environment and Heritage.

The Cooperative Research Centre (CRC) Torres Strait project *Sustainability Assessment of the Torres Strait Sea Cucumber Fishery* was finalised during July 2006. Surveys conducted as part of the project showed that the three species currently closed to fishing, Sandfish, Black Teatfish and Surf Redfish, had not recovered from their low densities observed in previous surveys. Although there is zero recorded harvest of these species in docket books for 2008, the extent of illegal, unregulated or unreported harvest of these stocks is unknown and so the stocks are classified uncertain with regard to overfishing. Of the remaining fished species, Prickly Redfish and White Teatfish showed decreases in average density and/or average size. While the report did not propose any changes to the recommended TACs of these species as catches have remained low since 2002, it led to the recommendation that they should be closely monitored through regular population surveys. The status of these two species remains uncertain, pending ongoing monitoring.

In February and March 2009, CSIRO conducted a stock abundance survey of the fishery at selected sites. This survey





included the training of twelve Torres Strait Traditional Inhabitants in survey techniques. Several of the Torres Strait Traditional Inhabitants accompanied the CSIRO scientists in the field to provide expert knowledge and gain further training in survey techniques. The results of the CSIRO survey are due to be released in August 2009.

A boost in compliance efforts to address illegal foreign fishing in the fishery resulted in the apprehension of ten foreign fishing vessels that were deemed to be illegally commercially fishing for bêche-de-mer in the TSPZ in the 2008 calendar year.

There has been no reported catch from docket book returns since 2005 which is attributed to a lack of activity in the fishery due to the poor market price obtained for the remaining bêche-de-mer species open to fishing. There was no reported commercial catch in the TSBDMF in 2008 (Fig. 15). At 30 June 2009 there were 53 TIB licenses with bêche-de-mer endorsements.

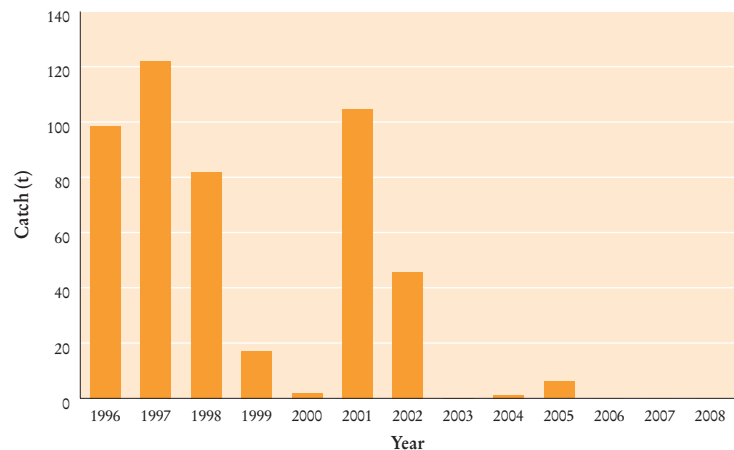


Fig. 15. Total Torres Strait Bêche-de-mer catch between 1996 and 2008 (Source: Torres Strait Trochus and Bêche-de-mer Fishery Data Summary 2005 and 2008, AFMA 2008).

Strategic Assessment: The TSBDMF was strategically assessed under the EPBC Act during 2005 and was formally accredited a WTO in late June 2005. The fishery has since been re-assessed and on 18 June 2008 it was accredited as a WTO for a further three years, until 18 June 2011. This WTO declaration is subject to conditions and recommendations developed by DEWHA.



6 LICENSING

Fishing boat licences are required to fish commercially in all PZJA fisheries. Three types of fishing boat licences exist:

- Traditional Inhabitant Fishing Boat Licences (TIB);
- Torres Strait Fishing Boat Licences (TVH); and
- Torres Strait Sunset Fishing Boat Licences.

TIB licences are exclusively for Australian Traditional Inhabitants living in the TSPZ or in the outside but near areas. This includes Torres Strait Islanders, Aboriginal people from the five Northern Peninsula Area communities (Bamaga, Injinoo, New Mapoon, Seisia, and Umagico), certain former Papua New Guineans who are now Australian citizens and their descendants who are resident in the TSPZ or the outside but near area. TIB licences must be fully owned and operated by Australian Traditional Inhabitants. Certain fisheries are restricted to Australian Traditional Inhabitants only, and therefore the endorsements for these fisheries are only found on TIB licences.

A Torres Strait Master Fisherman's Licence with an appropriate endorsement is required to operate any type of boat used to fish under a TVH licence. This applies to whether the boat is a primary boat or a tender attached to a primary boat. Conditions for granting Master fisherman's licences to non-Traditional Inhabitants vary between fisheries. Traditional Inhabitants are entitled to apply for and be granted a Master Fisherman's Licence endorsed for any fishery (Table 4).

In the 2008–09 financial year a number of Sunset Fishing Boat Licences were issued to the TSRA, the intent being to facilitate leasing of effort in the Finfish Fisheries (Reef Line and Spanish Mackerel). A Torres Strait Master Fisherman's Licence is also required to operate this type of licensed boat.

The numbers of licences issued or renewed by the PZJA during 2008–09 which were current as at 30 June 2009 are provided in Tables 5 to 7. Numbers provided for boat licences exclude those held in "No Boat" status.

Under catch sharing arrangements set out in the Treaty, PNG is entitled to 25 per cent of the fishing catch or effort in the Australian fisheries jurisdiction of the TSPZ. The PZJA have





been working towards introducing a TAC in the TRL, Reef Line, and Spanish Mackerel fisheries.

During 2007–08, the Australian government successfully negotiated a voluntary surrender of all Reef Line and Spanish Mackerel fishery endorsements within the TVH sector (or the whole licence if no other endorsements appeared on the licence). The surrender process was finalised on 30 June 2008. Whilst access to both the Reef Line and Spanish Mackerel fisheries is now fully restricted to Australian Traditional Inhabitants and PNG nationals, a ‘quota leasing system’ has been introduced to allow the temporary transfer of effort to non-Traditional Inhabitants. The intent of this system is to maintain the market for these fisheries by ensuring ongoing supply of product from the TSPZ until a point were the Traditional Inhabitant effort increases to an appropriate level. This process is administered via the issuing of sunset licences.

Table 4. Number of Master Fisherman’s licences by combinations of Torres Strait fisheries (as at 30 June 2009).

<i>Fishery</i>	<i>Licences</i>
Tropical Rock Lobster	30
Tropical Rock Lobster, Reef Line, Spanish Mackerel, and Pearl	7
Tropical Rock Lobster, Reef Line, and Prawn	1
Tropical Rock Lobster, Reef Line, Spanish Mackerel, Pearl, and Prawn	4
Tropical Rock Lobster and Spanish Mackerel	1
Tropical Rock Lobster, Spanish Mackerel, and Pearl	48
Tropical Rock Lobster and Pearl	4
Reef Line	11
Reef Line and Spanish Mackerel	4
Reef Line, Spanish Mackerel, and Prawn	4
Reef Line and Prawn	77
Spanish Mackerel	7
Pearl	3
Prawn	50
Total	251



Table 5. Number of TIB licences in each Torres Strait fishery (as at 30 June 2009).

<i>Fishery</i>	<i>Licences</i>
Bêche-de-mer	53
Crab	86
Tropical Rock Lobster	316
Reef Line	151
Spanish Mackerel	173
Pearl Shell	60
Trochus	88

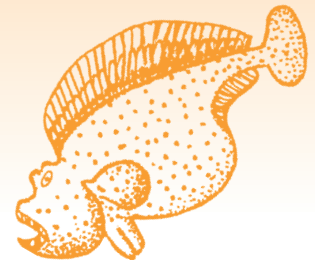
Table 6. Number of TVH Licences in each Torres Strait fishery (as at 30 June 2009). Numbers provided for boat licences exclude those held in “No Boat” status.

<i>Fishery</i>	<i>Primary</i>	<i>Tenders</i>	<i>Total</i>
Bêche-de-mer	1	0	1
Tropical Rock Lobster	13	35	48
Pearl Shell	10	21	31
Prawn	46	0	46
Torres Strait fisheries which are not covered by a Fisheries Management Notice*	3	13	16

* In 2004–05, the PZJA implemented a process to remove latent (unused) effort from the Torres Strait Tropical Rock Lobster and Finfish Fisheries. This has resulted in a number of licences that no longer have any specific fishery entries. These “non-endorsed” licences still allow the operators to catch fish species that are not subject to specific management arrangements under a Fishery Management Notice (such as squid).

Table 7. Number of Torres Strait Sunset Fishing Boat Licences in each Torres Strait fishery (as at 30 June 2009). Numbers provided for boat licences exclude those held in “No Boat” status.

<i>Fishery</i>	<i>Primary</i>	<i>Tenders</i>	<i>Total</i>
Reef Line	1	4	5
Spanish Mackerel	4	6	10





7 SURVEILLANCE AND ENFORCEMENT

BACKGROUND

The purpose of the surveillance and enforcement program is to:

- carry out surveillance and enforcement duties to support the legislation and the policies of the PZJA;
- provide an education and extension service for both traditional and commercial fishers to enhance the development and management of the fisheries within the TSPZ; and
- undertake such duties as required by the PZJA to protect TSPZ resources and to enhance their exploitation by persons permitted to utilise these resources in keeping with the spirit of the Treaty between Australia and PNG.

The program is run by the Queensland Boating and Fisheries Patrol (QBFP) out of its office on Thursday Island. The office is staffed by: Z

- One District Officer;
- One Field Officer; and
- One Administrative Assistant.

In addition, two Field Officers are made available from the Cairns QBFP office to supplement resources on Thursday Island during charter periods.

The program is planned as an at-sea surveillance program made up of a mix of surface platforms including:

- Private charter vessels;
- Royal Australian Navy;
- Queensland Police Service; and
- Locally based QBFP.

The program is also supported by aerial surveillance provided by Coastwatch.





PROGRAM OUTCOMES

PRIVATE CHARTER VESSELS

Private charter vessels are utilised as the primary platform for TSPZ patrols. A private charter boat was utilised for 77 days during the program year.

Following a PZJA decision in July 2005, funds were made available for greater use of private vessel charter in 2008–09. Utilising a private charter to conduct patrols has improved the patrol presence in the TSPZ. All patrols are forecast up to three months in advance to ensure vessel availability. The use of private charter vessels also enables the QBFP to conduct covert patrols, allowing officers to observe and detect offences that would not be possible in marked patrol vessels.

The potential for the QBFP to respond to issues is however dependant on the availability of charter vessels. To facilitate a response capability the QBFP utilises alternative platforms. These platforms include those of the Queensland Police Service (Thursday Island) and the Royal Australian Navy.

ROYAL AUSTRALIAN NAVY

During 2008–09 the QBFP did not engage naval vessels for sea patrolling in the TSPZ.

QUEENSLAND POLICE SERVICE

QBFP continues to conduct joint patrols with Queensland Police Service using various vessels. Having access to other platforms allows the QBFP to service client groups throughout the TSPZ while being cost effective and maintaining staff levels.

LOCALLY BASED QBFP

The QBFP has two QPI&F vessels that are used to address local fisheries and marine safety complaints.

1) Patrol Vessel *Pelagic* 6.7 metre

Pelagic is a 2C survey and is based on Thursday Island. The vessel is used to patrol the Prince of Wales group of islands and some of the closer islands.





2) Patrol Vessel *Sea Jay* 4.3 metre

Sea Jay has a 2D survey and is also based on Thursday Island. This vessel is used to patrol local areas and respond to local complaints.

COMMUNITY VISITS

In addition to carrying out inspections within the various fisheries, QBFP also has a responsibility to perform extension services such as community visits. These visits are imperative for achieving voluntary compliance. During 2008–09 the QBFP visited the following communities:

- Badu Island
- Boigu Island
- Coconut Island
- Darnley Island
- Dauan Island
- Mabuiag Island
- Kubin Village, Moa Island
- St Pauls Village, Moa Island
- Murray Island
- Saibai Island
- Stephen Island
- Warraber Island
- Yam Island
- Yorke Island

Community visits are also used to gain intelligence which provides useful information for forecasting TSPZ patrols. These visits also allow stakeholders to liaise with officers and access information on issues pertaining to commercial, traditional and recreational fishing as well as boating safety issues.

Issues arising from community visits include licensing procedures and unlicensed fishing. Confusion as to the licensing requirements for Traditional Inhabitants who wish to exercise their traditional rights in regards to traditional fishing remains. This is showcased when a Traditional Inhabitant applies for a TIB licence without intending to fish commercially.

Patrols have focused on the following fisheries:

- Bêche-de-mer
- Crab
- Pearl Shell
- Prawn
- Reef Line/Spanish Mackerel



- Trochus
- Tropical Rock Lobster
- Turtle and Dugong

Education and non-compliance issues within these fisheries are summarised as follows:

Bêche-de-mer

- Take of no take species (Sandfish, Black Teatfish, Surf Redfish); and
- Unlicensed fishing.

Crab

- Nil

Pearl Shell

- Nil

Prawn

- Failure to produce documentation (vessel’s fishing authority, vessel’s fishing and safety manuals including manning certificates); and
- Failure to carry safety equipment in accordance with registration requirements.

Reef Line/Spanish Mackerel

- Low knowledge of current fishery legislation (take/no take species); and
- Failure to carry safety equipment in accordance with registration requirements.

Trochus

- Lack of knowledge of size limit requirements.

Tropical Rock Lobster

- Continued use of tenders that have been suspended under the 30 per cent reduction;
- Failure to hold a Torres Strait Master Fisherman’s Licence;
- Towing/usage of extra unlicensed boats as tenders;
- Failure to comply with conditions of a licence;
- Lack of knowledge of relevant licensing conditions;
- Taking undersized lobster;





- Failure to produce documentation (manning certificates); and
- Failure to carry safety equipment in accordance with registration requirements.

Turtle and Dugong

- Lack of knowledge of the fishery sanctuary; and
- Failure to carry safety equipment in accordance with registration requirements.

OVERALL PROGRAM OUTCOMES

During 2008–09 QBFP achieved 77 patrol days (using a private charter vessel) within the TSPZ. These patrols included 201 commercial vessel inspections and 466 person inspections.

DISTRICT OPERATIONAL ACHIEVEMENTS

TSPZ field duties were primarily conducted by the two authorised Thursday Island based QBFP Officers during 2008–09, achieving 143 days at sea.

Charter vessels have proven to be advantageous to the program and, throughout the reporting period these vessels have been chartered *ad hoc*, as formal arrangements were not yet in place with charter operators. This sometimes meant that vessels were not available when forecast, due to weather, breakdown or other tasks. The ability of staff to forecast patrols three months in advance and achieve 77 days at sea compares well with other QBFP offshore platforms. Formal contractual arrangements to charter private vessels may enhance the TSPZ program.

DISTRICT COMPLIANCE PRIORITIES

Key priorities in the TSPZ have been determined through a Compliance Risk Assessment process (Table 8).





Table 8. Key compliance priorities in the TSPZ. (NOTE: the enforcement strategy for each of the fisheries includes patrols at sea, in port and via Coastwatch aircraft/helicopter).

<i>Fishery</i>	<i>Enforcement Priorities</i>	<i>Targeted Days</i>	<i>Achieved Days</i>
Bêche-de-mer	Unlicensed (PNG nationals taking BDM within TSPZ) Take of no take species	4	0
Crab	Unlicensed	1	1
Pearl Shell	Unlicensed	2	5
Prawn	Vessel Monitoring System Bycatch Reduction Device/ Turtle Exclusion Device Gear restriction Shark finning Bycatch (TRL)	26	34
Reef Line/ Spanish Mackerel	Unlicensed Excess tenders	10	13.5
Trochus	Unlicensed	0	1
Tropical Rock Lobster	Unlicensed tenders Size restriction Closures	77	81.5
Turtle and Dugong	Non-Traditional Inhabitant take Gear restriction	2	1

To achieve targeted days, Coastwatch aircraft, Queensland Police Service and Royal Australian Navy vessels can be utilised as a response platform to gain access to communities. Officers may also access other government resources such as Australian Customs' ready response vessels or Immigration vessels, as have previously been utilised. Australian Customs and Immigration vessels have been rarely utilised, as the priorities of these other agencies have received precedence.

The QPI&F is committed to protecting the resources of the TSPZ by ensuring that PZJA policies and legislation are adhered to. Targeted days at sea during 2008–09 were not fully met due to a lack of vessel availability. The addition of dedicated patrols



would assist but not totally resolve this issue. Table 9 outlines offences detected for the period.

Table 9. Offences detected during 2008–09.

<i>Number of offences</i>	<i>Description of offence</i>
11	Unregistered commercial fishing ship Marine Infringement Notices under the Transport Operations Act 1994 were issued for these offences.
2	Offences against the Torres Strait Fisheries Act 1984.
13	Total offences reported





8 RESEARCH PROGRAMS

The re-formed Torres Strait Scientific Advisory Committee (TSSAC) in 2008–09 developed a number of transparent operating procedures to facilitate its tasks. A five-year strategic research plan for Torres Strait Fisheries was developed and evaluation processes for assessing research projects and proposals were formalised. The TSSAC is continuing to focus on supporting strategic, efficient and coordinated fisheries research in Torres Strait.

The TSSAC has continued to provide independent advice on strategic direction for fisheries research in Torres Strait to the PZJA and recommended research projects for funding to AFMA or, where appropriate, to other funding providers.

In 2008–09 a number of research initiatives recommended by the TSSAC were funded by AFMA including:

<i>Research project</i>	<i>Research provider</i>	<i>Principal Investigator</i>
2008 Tropical Rock Lobster stock assessment	CSIRO	Dr Eva Plaganyi-Lloyd
Sustainable harvest strategies for the Torres Strait Hand Collectable Fisheries	CSIRO	Mr Tim Skewes
Overcoming impediments of incorporating Torres Strait Islanders in research	AFMA	Mr Shaun Ossinger
Development of cultural protocols for researchers working in Torres Strait	Prof NM Nakata	Prof NM Nakata
Development of strategic research plan for Torres Strait Fisheries	FERM	Mr Tony Kingston





In 2008–09 a number of Torres Strait research projects were completed including:

<i>Research project</i>	<i>Research provider</i>	<i>Principal Investigator</i>
2007 Tropical Rock Lobster stock assessment	CSIRO	Dr Yimin Ye
Tropical Rock Lobster tail to whole weight conversion ratio	CSIRO	Dr Darren Dennis
Tropical Rock Lobster length frequency distribution	CSIRO/AFMA	Dr Darren Dennis





9 FINANCIAL ARRANGEMENTS

COST SHARING

The financial basis for management of PZJA fisheries is the Cost Sharing Agreement (CSA) that the Commonwealth (AFMA) and Queensland governments initially entered into on 17 January 1986. This agreement was updated in July 1999 following negotiations between Commonwealth and Queensland government officials.

The Agreement states that:

- the Commonwealth government funds the full cost of a program of initial capital items approved by Ministers;
- the Commonwealth and Queensland governments share equally the recurrent costs of managing PZJA fisheries; and
- the Commonwealth and Queensland governments share equally the cost of replacement of initial capital items and any subsequent capital items approved.

The PZJA at its 22nd meeting agreed to the CSA continuing in its current form for the 2008–09 financial year with a review to be undertaken during the 2008–09 financial year to consider options on fisheries management administrative arrangements for the Torres Strait. The review will be completed during the 2009–10 financial year.

CAPITAL ITEMS

Implementation of the initial capital items program, fully funded by the Commonwealth, began in 1985–86 and was completed in the first half of the financial year 1991–92. The capital items purchased as at 30 June 1999 and still held include:

- a joint fisheries/quarantine administrative centre on Thursday Island; and
- the regional fisheries manager's and QPI&F District Officer's residences on Thursday Island.

The acquisition costs of replacement capital items purchased since then are shared equally between the Commonwealth and Queensland governments.





During 2008–09 the housing in Cairns, originally used to accommodate Queensland officers engaged in the management of PZJA fisheries, was sold for a net total of \$1,286,213. The distribution of revenue from the sale of the houses, as per the CSA, was \$1,129,295 to the Commonwealth (87.8 per cent) and \$156,918 to the Queensland government (12.2 per cent).

In addition to this, extensive remedial works to the Thursday Island administrative centre were undertaken at a cost of \$478,982. These expenses were cost shared between the Australian and Queensland government agencies that occupy the building (AFMA 29.5 per cent; AQIS 41 per cent; Queensland government 29.5 per cent). \$272,310 of these costs were capital expenditure.

RECURRENT COSTS

Recurrent expenditure includes the salaries and related expenses of Commonwealth (AFMA) and Queensland government officers performing duties for the management and enforcement/surveillance program for the PZJA fisheries, together with the costs of operating and maintaining capital items. The recurrent cost figure comprises the funds spent by the Commonwealth and Queensland governments in accordance with the CSA. The Commonwealth and Queensland governments share the costs related to management of the Torres Strait fisheries but not those related to research and monitoring. Recurrent costs are reconciled quarterly and annually to ensure they are equally shared. Recurrent costs are shown in Table 10.

Table 10. Recurrent costs incurred in managing Torres Strait fisheries during the 2008–09 financial year as per the CSA.

<i>Government</i>	<i>Costs</i>
Commonwealth (AFMA)	\$ 2,151,930
Queensland	\$ 1,659,994
Total Recurrent Costs	\$ 3,811,924



RESEARCH COSTS

Research costs are not subject to the CSA. The Commonwealth and Queensland governments separately fund fisheries research in the TSPZ in accordance with the overall State and Commonwealth research programs approved by Ministers. The research costs are shown in the Table 11.

Table 11. Research costs incurred during 2008–09.

<i>Government</i>	<i>Costs</i>
Commonwealth	
Tropical Rock Lobster Stock Assessment and TAC Setting	\$506,704
Tropical Rock Lobster Commercial Age Composition and Conversion Ratios	\$47,762
Development of Strategic Research Plan	\$15,730
Overcoming Impediments to Islanders Involved in Research Forum	\$12,025
Training for Torres Strait Islanders in Hand Collectable Survey Methods	\$26,358
Development of Cultural Protocols for Torres Strait	\$10,876
Sustainable Harvest Strategies for the Torres Strait Hand Collectable Fisheries	\$32,705
Development of a Proposal for an International Indigenous Commercial Fisheries Forum	\$1,830
Queensland	
Torres Strait Prawn Fishery Research Project	\$ 502,914 ³
Total Torres Strait Research	\$1,156,904



3 This research project was funded and administered by the Commonwealth, with Queensland contracted to undertake this research



BUDGETED COSTS

Whilst AFMA's and QPI&F's direct fisheries management costs are subject to the CSA, the costs of the other agencies that contribute to the management of the PZJA fisheries are not. The overall budget for managing the PZJA fisheries during 2008–09 is outlined in Table 12.

Table 12: 2008–09 Overall PZJA Budget

Description	AFMA	QPI&F	DAFF	TSRA	Total
Direct Costs					
Salaries & On-costs	\$818,527	\$692,995	\$384,262	\$219,000	\$2,114,784
Consultants and Contractors	\$119,156	\$280,000	–	\$189,000	\$588,156
Travel & Subsistence	\$285,614	\$80,000	\$79,600	\$147,000	\$592,214
Other Administrative Costs	\$336,386	\$99,000	\$32,000	\$227,600	\$694,986
Total Direct Costs	\$1,559,683	\$1,151,995	\$495,862	\$782,600	\$3,990,140
Overheads	\$620,276	\$546,779	\$27,786	–	\$1,194,841
Research	\$706,600				\$706,600
Research Administration			\$200,000		\$200,000
Indirect Costs					
Logbook program	\$34,526				\$34,526
Data Management	\$16,377				\$16,377
Compliance	\$79,985				\$79,985
Observers	\$147,841				\$147,841
Vehicle lease/operating costs		\$20,000			\$20,000
Information Services (VMS polling)		\$18,000			\$18,000
Leased asset costs		\$20,000			\$20,000
Total Indirect Costs	\$278,729	\$58,000			\$336,729
Total Costs	\$3,165,288	\$1,756,774	\$723,648	\$782,600	\$6,428,310



ANNEX A: PZJA OUTCOMES 2008–09

The following decisions were made by the PZJA by correspondence on 9 December 2008.

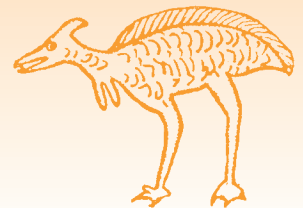
With respect to the Torres Strait Prawn Fishery Management Plan:

- 1) The PZJA:
 - (a) **AGREED** that the Torres Strait Prawn Fishery Management Plan should be determined in accordance with section 15A of the *Torres Strait Fisheries Act 1984* before 30 January 2009 by the Chair of the PZJA on behalf of the PZJA.
 - (b) **NOTED** that a total allowable effort for the fishery is required to be set by 10 January 2009.
 - (c) **NOTED** the need to gain accreditation for the fishery under the *Environment Protection and Biodiversity Conservation Act 1999*.

The following decisions were made by the PZJA by correspondence on 23 January 2009.

With respect to the Torres Strait Tropical Rock Lobster Fishery: Agreement to Develop a Five-Year Tropical Rock Lobster Fishery Business Plan and a Ten Year Torres Strait Strategic Plan

- 1) The PZJA **AGREED**:
 - (a) to the development of a five-year Tropical Rock Lobster Fishery business plan that will describe an agreed approach to the future operating environment and describe each sector's aspirations for allocation and management of the Tropical Rock Lobster Fishery. The five-year business plan will recommend practical measures to transition towards that future, including addressing training and infrastructure needs and business partnering opportunities; and
 - (b) to the development of a ten-year strategic plan for Torres Strait fisheries that will describe the PZJA vision for the Torres Strait and broad strategies to achieve that vision.





Agreement to Management Arrangements

1) The PZJA NOTED:

- (a) that in the absence of a Tropical Rock Lobster Management Plan, which would give effect to a new output management system, interim arrangements are required to manage effort in the fishery in 2009; and
- (b) that there is a process underway to consult with the Management Advisory Committee and stakeholders and further recommendations may be forthcoming once this process is finalised.

2) The PZJA AGREED:

- (a) that in the event that stakeholder submissions in relation to interim management arrangements for the 2009 season cannot be considered before the season commences the 2008 interim management arrangements will be extended for the 2009 season only, or until such time that other arrangements are agreed. These arrangements will:
 - i. reduce by 30 per cent the number of tenders each non-community licence holder may use; and
 - ii. maintain “moon/tide hookah closures” three days before, on, and three days after, either the full or new moon each month.

The following decisions were made by the PZJA by correspondence on 28 January 2009.

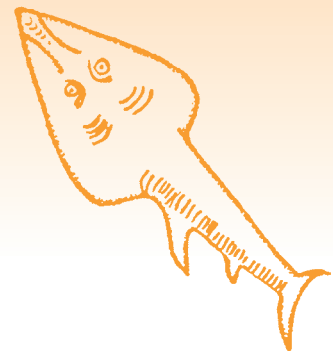
With respect to the Torres Strait Prawn Fishery levies for the 2009 fishing season:

1) The PZJA AGREED:

- (a) that the levy for the Torres Strait Prawn Fishery in 2009 continues to be calculated using the current formula for fixed and variable components noting that the variable component of the levies will be charged on a per unit basis under the new Management Plan or on days issued if the Management Plan does not operate during the 2009 season;
- (b) to the setting of levies for the Torres Strait Prawn Fishery for the 2009 fishing season at \$5,833.39 per licence and \$32.35 per unit or day, whichever is applicable for the 2009 season;



- (c) to the draft *Fisheries Levy (Torres Strait Prawn Fishery) Amendment Regulations 2009 (No.1)*, Explanatory Memorandum and Explanatory Statement; and
 - (d) to the PZJA Chair finalising the Explanatory Statement, along with the proposed *Fisheries Levy (Torres Strait Prawn Fishery) Amendment Regulations 2009*, and to the PZJA Chair recommending these to the Federal Executive Council at their 5 February 2009 meeting, or subsequent Executive Council meeting, so as to ensure that these will have effect before the fishing season commences on 1 March 2009.
- 2) The PZJA **NOTED**:
- (a) that the Torres Strait Prawn Management Advisory Committee (TSPMAC) considered the proposed budget for the 2009 season and agreed to it at their 6th meeting on 10–11 July 2008 and at an out-of-session meeting in August 2008;
 - (b) that the levy amounts have been set in accordance with cost sharing arrangements previously agreed by the PZJA and that individual licence holders will be notified of these proposed levy amounts following the TSPMAC meeting on 2 December 2008 at which they will be tabled; and
 - (c) that the levy relief of \$250,000 per season provided by the Australian Government in 2006–07 and 2007–08 has now finished and accordingly this is the first year that operators remaining after the 2005 restructure have been fully levied.





The following decisions were made by the PZJA by correspondence on 19 February 2009.

With respect to the Torres Strait Prawn Fishery:

Torres Strait Prawn Fishery Total Allowable Effort 2009:

- 1) The PZJA:
 - (a) **AGREED** that the preferential entitlements in the Torres Strait Prawn Fishery held by Papua New Guinea and the Australian Government will be held in trust by the Australian Government for 2009 and not otherwise utilised, capping the effective effort in the fishery at 9,200 days;
 - (b) **NOTED** that in order to allocate the full 9,200 days of effort to Australian operators it is necessary to set a TAE of 12,325 to achieve 9,200 fishing days as the effective effort; and
 - (c) **AGREED** to set the TAE for 2009 at 12,325 days on the basis that:
 - i. the Prawn Fishery Management Plan is determined and implemented;
 - ii. the PNG and Australian Government held units are used as outlined above; and
 - iii. that this decision is reviewable if the conditions do not come into effect.

Torres Strait Prawn Fishery Fisheries Management Instruments:

- 1) The PZJA **AGREED** to the following pursuant to section 16 and paragraph 35(1) (a) of the *Torres Strait Fisheries Act 1984*:
 - (a) Fisheries Management Instrument No.1 – *Prohibition on Taking Prawns (Time Allocation, Transit Zones and Designated Anchorages)*;
 - (b) Fisheries Management Instruments No.2 – *Prohibition on taking Prawns and Carrying Equipment (Exclusion Zones)*;
 - (c) Fisheries Management Instrument No.3 – *Prohibition on Taking Prawns and Carrying Equipment (Seasonal Area Closures)*;





- (d) Fisheries Management Instrument No. 4 – *Prohibition on Taking of Prawns by Papua New Guinea Boats*; and,
- (e) Fisheries Management Instrument No. 5 – *Revocation of Fisheries Management Notices 19 and 61*.

Torres Strait Prawn Fishery Licence Transfer Fee Regulations:

2) The PZJA:

- (a) **AGREED** that a fee associated with the internal transfer of effort units (units of fishing capacity under the Torres Strait Prawn Management Plan) in the Torres Strait Prawn Fishery not be imposed for the 2009 season;
- (b) **NOTED** that a fee associated with the internal transfer of effort units has to date been unnecessary due to the absence of a Torres Strait Prawn Fishery Management Plan allowing for such transfers; and
- (c) **NOTED** the need for a total fee review for the Torres Strait fisheries during 2009, as part of which an internal transfer for effort unit transfers will be established and included as an amendment to the *Torres Strait Fisheries Regulations 1985*.





ANNEX B: PROTECTED ZONE JOINT AUTHORITY ADVISORY COMMITTEE AND TORRES STRAIT CONSULTATIVE STRUCTURE: MEMBERSHIP AND MEETING FREQUENCY

PROTECTED ZONE JOINT AUTHORITY (PZJA)

- The Hon. Tony Burke, MP Commonwealth Minister for Agriculture, Fisheries and Forestry (Chair);
- The Hon. Tim Mulherin, MP, Queensland Minister for Primary Industries, Fisheries and Rural and Regional Queensland; and
- Mr. John T. Kris, Chair of the Torres Strait Regional Authority.

MEMBERSHIP OF TORRES STRAIT CONSULTATIVE BODIES

PROTECTED ZONE JOINT AUTHORITY STANDING COMMITTEE:

<i>REPRESENTATION</i>	<i>MEMBER</i>
DAFF	Executive Manager Fisheries (Chair)
AFMA	Chief Executive Officer
QPI&F	Deputy Director General Fisheries
TSRA	General Manager

TORRES STRAIT FISHERIES MANAGEMENT ADVISORY COMMITTEE (TSFMAC):

<i>REPRESENTATION</i>	<i>MEMBER</i>
Chair	Mr John Pollock
Executive Officer	AFMA
CFG – Badu Island	VACANT – TBD
CFG – Bamaga	Mr Clifford Waisu
CFG – Boigu Island	Mr Dimas Toby



<i>REPRESENTATION</i>	<i>MEMBER</i>
CFG – Coconut (Poruma) Island	Mr Francis Pearson
CFG – Darnley (Erub) Island	Mr Kenny Bedford
CFG – Dauan Island	VACANT – TBD
CFG – Hammond Island	Mr Seriako Dorante
CFG – Horn	Mr Willy Wigness
CFG – Injinoo	Mr Robert Bagie
CFG – Kubin	VACANT – TBD
CFG – Mabuig Island	Mr Terrence Whap
CFG – Murray (Mer) Island	Mr Kila Odo/Mr James Bon
CFG – New Mapoon	Mr Trevor Lifu
CFG – Port Kennedy	Mr Graham Hirakawa
CFG – Saibai Island	Mr Jerry Babia
CFG – Seisia	Mr Harold Townsend
CFG – Stephens Island	Mr William Stephen
CFG – St Pauls	VACANT – TBD
CFG – TRAWQ	Mr Railey Gibia
CFG – Umagico	Mr Connie Young
CFG – Warraber	Mr Willie Lui
CFG – Waiben, Ngurapai and Muralag	Mr Yen Loban
CFG – Yam (Iama) Island	Mr Charles David
CFG – Yorke (Massig) Island	Mr Gavin Mosby
Fish Receiver representative	Mr Daniel Takai
Tropical Rock Lobster – non-Traditional Inhabitant	Dr Ray Moore
Tropical Rock Lobster – non-Traditional Inhabitant	Mr Brett Arlidge
Finfish (Reef Line) – non-Traditional Inhabitant	Mr Carl D’Aguiar
Finfish (Spanish Mackerel) – non-Traditional Inhabitant	Mr Shaun Hansen





<i>REPRESENTATION</i>	<i>MEMBER</i>
Scientific Member (TSSAC Chair)	Mr Ian Cartwright
TSRA	TSRA Fisheries Coordinator
QPI&F*	Manager (Fisheries Resources)
QPI&F	Senior Fisheries Management Officer
AFMA	Senior Manager (TS Fisheries)
AFMA	Torres Strait Fisheries Manager (TI)
DEWHA*	Sustainable Fisheries Officer

* Denotes Permanent Observer Status

TORRES STRAIT PRAWN MANAGEMENT ADVISORY COMMITTEE (TSPMAC):

<i>REPRESENTATION</i>	<i>MEMBER</i>
Chair	Mr Jim Gillespie (QPI&F)
Executive Officer	AFMA
CFG – Coconut (Poruma) Island	Mr Francis Pearson
CFG – Yam (Iama) Island	Mr Charles David
CFG – Yorke (Massig) Island	Mr Gavin Mosby
Prawn, non-Traditional Inhabitant	Mr Danny Bell
Prawn, non-Traditional Inhabitant	Mr Marshall Betzel
Prawn, non-Traditional Inhabitant	Mr Chris Bourke
Prawn, non-Traditional Inhabitant	Mr Ron Earle
Prawn, non-Traditional Inhabitant	VACANT – TBD
TSRA	Fisheries Policy Officer
AFMA	Senior Manager (TS Fisheries)
AFMA	TS Fisheries Manager
QPI&F	Scientific Member



REPRESENTATION	MEMBER
QPI&F	Manager (Fisheries Resources)
QPI&F	Senior Fisheries Management Officer
QBFP	Compliance Member
Papua New Guinea*	NFA Fisheries Officer
Papua New Guinea*	NFA Fisheries Officer
DFAT *	Treaty Liaison Officer
DAFF*	Policy Officer
DEWHA*	Environment Officer
ABARE*	Economist

* Denotes permanent observer status

TORRES STRAIT SCIENTIFIC ADVISORY COMMITTEE (TSSAC):

REPRESENTATION	MEMBER
Chair	Mr Ian Cartwright
Executive Officer	AFMA
Scientific Member – Social/ Economic Scientist	Ms Sevaly Sen
Scientific Member	Dr Michael O’Neill
Scientific Member	Dr Roland Pitcher
Scientific Member	Dr Stephen Newman
Industry Member	Mr Tony Vass
Community Fisher Representative	Mr Charles David
AFMA Member	Dr Annabel Jones
QPI&F Member	Mr Shane Fava

TORRES STRAIT FINFISH WORKING GROUP (TSFFWG):

REPRESENTATION	MEMBER
Chair	VACANT – TBD
Executive Officer	AFMA
CFG – Murray (Mer) Island	Mr Kila Odo/Mr James Bon





<i>REPRESENTATION</i>	<i>MEMBER</i>
CFG – Yorke (Massig) Island	Mr Lota Warriia
CFG – Warraber Island	Mr Willie Lui
CFG – Darnley (Erub) Island	Mr Ken Bedford
CFG – Coconut (Poruma) Island	Mr Francis Pearson
CFG – Stephens (Ugar) Island	Mr William Stephen
Finfish (Reef Line) – non-Traditional Inhabitant	Mr Carl D’Aguiar (QSIA)
Finfish (Spanish Mackerel) – non-Traditional Inhabitant	Mr Shaun Hanson (QSIA)
Finfish – non-Traditional Inhabitant	Mr Neil Green (QSIA)
Scientific Member	VACANT – TBD
TSRA Fisheries Officer	TSRA Fisheries Coordinator
AFMA	TS Fisheries Manager (TI)
QPI&F	Senior Fisheries Management Officer
QBFP (Compliance)	District Officer

TORRES STRAIT TROPICAL ROCK LOBSTER (TRL) WORKING GROUP (TSTRLWG):

<i>REPRESENTATION</i>	<i>MEMBER</i>
Chair	Mr Kerrod Beattie
Executive Officer	AFMA
CFG – Badu Island	VACANT – TBD
CFG – Yam (Iama) Island	Mr Charles David
CFG – Port Kennedy	Mr Graham Hirakawa
CFG – Yorke (Massig) Island	Mr Lota Warriia
CFG – Mabuig Island	Mr Terrance Whap

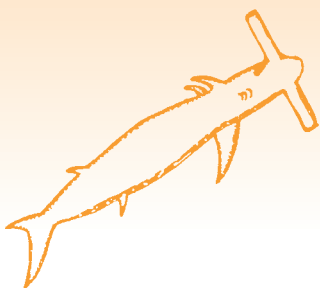


CFG – Waiben, Ngurapai, Muralag Islands	Mr Yen Loban
TRL – non-Traditional Inhabitant	Dr Ray Moore
TRL – non-Traditional Inhabitant	Mr Phillip Hughes
TRL – non-Traditional Inhabitant	Mr Brett Arlidge
QPI&F	Senior Fisheries Management Officer
AFMA	TS Fisheries Manager (TI)
TSRA	Fisheries Coordinator & Policy Officer
CSIRO	Scientific Member
QBFP (Compliance)	District Officer

TORRES STRAIT HAND COLLECTABLES WORKING GROUP (TSHCWG):

REPRESENTATION	MEMBER
Chair	VACANT – TBD TSRA
Executive Officer	AFMA
Traditional Inhabitant Member	VACANT – TBD
Traditional Inhabitant Member	Mr Willie Wigness
Traditional Inhabitant Member	Mr Kila Odo/Mr James Bon
Traditional Inhabitant Member	Mr Willie Lui
Traditional Inhabitant Member	Mr Francis Pearson
Traditional Inhabitant Member	Mr Charles David
TVH Industry Member	VACANT – TBD (Pearl Shell licensee)
TVH Industry Member	VACANT – TBD (Pearl Industry operator)





Industry Member	VACANT – TBD (Processor / Buyer)
Scientific Member	Tim Skewes (CSIRO)
TSRA	Fisheries Coordinator
AFMA	TS Fisheries Manager (TI)
QPI&F	Senior Fisheries Management Officer

TORRES STRAIT TROPICAL ROCK LOBSTER RESEARCH ADVISORY GROUP (TSTRLAG):

<i>REPRESENTATION</i>	<i>MEMBER</i>
Chair	Mr John Pollock
Executive Officer	AFMA
Queensland Industry	Mr Brett Arlidge
QPI&F Scientist	Senior Fisheries Biologist
Torres Strait Fishery (PNG)	NFA Manager PNG-Torres Strait Fisheries
Torres Strait Industry (PNG Indigenous rep)	Mr Meremi Maina
Torres Strait Industry (Australian Indigenous rep)	Community Fisher Group representative
Torres Strait Industry (Australian TVH rep)	TVH representative (vacant)
Scientist	Dr Eva Plaganyi-Lloyd (CSIRO)
Independent Fisheries Scientist	Mr Nokome Bentley
Bureau of Rural Sciences	Fisheries Scientist
TSRA	Fisheries Coordinator
AFMA	TS Fisheries Manager (TI)
QPI&F	Senior Fisheries Management Officer
GBRMPA*	Senior Project Manager
PNG*	NFA Fisheries Officer

* *Denotes Permanent Observer Status*



MEETINGS

- **Protected Zone Joint Authority**
No meetings
- **Torres Strait Fisheries Management Advisory Committee**
No meetings
- **Torres Strait Scientific Advisory Committee**
Meeting No. 46: 27 August 2008
Meeting No. 47: 26–27 November 2008
Meeting No. 48: 17–18 March 2009
Meeting No. 49: 25 June 2009
- **Torres Strait Prawn Management Advisory Committee**
Meeting No. 6: 10–11 July 2008
Meeting No. 7: 11 December 2008
Meeting No. 8: 16–17 June 2009
- **Torres Strait Finfish Working Group**
No meetings
- **Torres Strait Tropical Rock Lobster Working Group**
No meetings
- **Torres Strait Hand Collectables Working Group**
Meeting No. 2: 17–18 July 2008
- **Torres Strait Tropical Rock Lobster Resource Assessment Group**
Meeting No. 6: 8 October 2008
Meeting No. 7: 10–11 March 2009





ANNEX C: TORRES STRAIT FISHERIES RELATED REPORTS 2008–09

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Cocking, L., Turnbull, C., Gaddes, S. and Wilson, D. (2008). *Torres Strait Prawn Fishery Handbook 2008*, Australian Fisheries Management Authority, Canberra, Australia.

Williams, A.J., Begg, G.A., Little, L.R., Currey, L.M., Ballagh, A.C. and Murchie, C.D. (2007). *Evaluation of the eastern Torres Strait reef line fishery*. Fishing and Fisheries Research Centre Technical Report No. 1

Wilson, D., Curtotti, R., Begg, G. and Phillips, K. (eds). (2009). *Fishery status reports 2008: status of fish stocks and fisheries managed by the Australian Government*. Bureau of Rural Sciences & Australian Bureau of Agricultural and Resource Economics, Canberra.

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Hand, T. (2008). *Economic assessment of the Torres Strait Island commercial fishing sector's ability to increase their share of the Kaiar and Finfish fisheries*. Marsden Jacob Associates 2008.

Torres Strait Scientific Advisory Committee. (2009). *Strategic Research Plan for Torres Strait Fisheries*. Australian Fisheries Management Authority. Canberra.

Ye, Y., Dennis, D.M., Skewes, T.D., Taranto, T.J., Haywood, M. D. E., Brewer, D. T., Wassenberg, T. J., Chetwynd, D., McLeod, I. M. and Donovan, A.G. (2006). *Sustainability Assessment of the Torres Strait Rock Lobster Fishery*. CSIRO Cleveland. CRC-TS Project Task Number: 1.3.





ANNEX D: FREEDOM OF INFORMATION ACT AND OCCUPATIONAL HEALTH AND SAFETY ACT STATEMENTS

Information relating to the *Freedom of Information Act 1982* and *Occupational Health and Safety (Commonwealth Employment) Act 1991* with respect to Torres Strait fisheries is contained within the annual report issued by the Australian Fisheries Management Authority.



PROTECTED ZONE
JOINT AUTHORITY

Annual Report 2008-09

