

TORRES STRAIT FISHERIES MANAGEMENT ADVISORY COMMITTEE	Meeting No. 4 2-3 November 2004
Membership and Terms of Members on PZJA Consultative Bodies	Agenda Item No. 1

Purpose

To provide the TSFMAC with the relevant information on membership, terms of members and other issues associated with the new Torres Strait Consultative Structure.

Background

At the 14th meeting of the Protected Zone Joint Authority (PZJA) in November 2003 the PZJA approved a new Torres Strait consultative structure established by the Torres Strait Regional Authority (TSRA). The new consultative structure incorporates Australian Traditional Inhabitant commercial and traditional fishers, non-traditional inhabitant commercial fishers, Australian Government and Queensland officials, and technical experts (Figure 1).

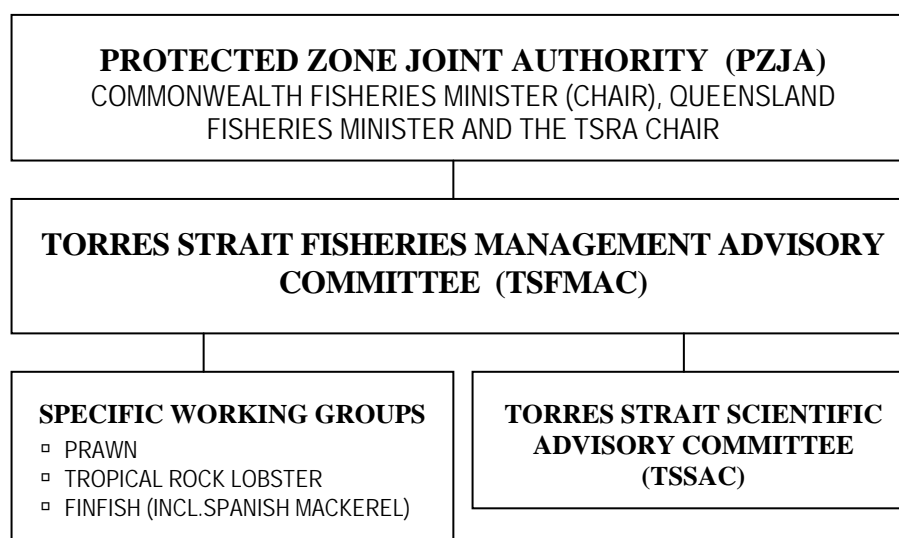


Figure 1. The new consultative structure of the Torres Strait Protected Zone Joint Authority and relevant advisory committees and working groups.

The PZJA is advised by a Torres Strait Fisheries Management Advisory Committee (TSFMAC). The Torres Strait Scientific Advisory Committee (TSSAC) comprises of representatives from research organisations, fisheries managers, Traditional Inhabitants and Industry. Its primary role is to provide advice to the TSFMAC and working groups on scientific issues associated with TSPZ fisheries. The TSSAC has a second role of advising the board of the Cooperative Research Centre (Torres Strait) Inc.

Membership

(**Source:** ‘*Review of the Torres Strait Consultative Structure*’ report prepared for AFMA by FERM 2002)

The existing approach towards membership is primarily based on a PZJA decision from the late 1980s to accept the nominations for indigenous and non-indigenous representatives as forwarded by the Island Co-ordinating Council (ICC) and the then Queensland Commercial Fishermen’s Organisation (QCFO), respectively.

Consequently, members have been appointed to the various advisory bodies because they represent different interest groups (such as the Torres Strait Regional Authority (TSRA), the (ICC), and individual fisheries associations such as the Waiben, Ngurapai and Muralag Fishermen’s Association (WNM), the Queensland Seafood Industry Association (QSIA) and the Torres Strait Prawn Entitlement Holder’s Association (TSPEHA)).

- This directly contrasts with the approach used in other Commonwealth fisheries where members are selected as individuals and selection is based on expertise. In other words, the member is selected not because he/she represents a particular interest group but because he/she has expertise in one or more areas and is willing to contribute to the success of the advisory body; and
- the current PZJA approach also contrasts with the findings of the ACIL report¹, which considered – but rejected – the view that industry members on MACs should be elected by licence holders. Instead, the ACIL report argued that the best available people should be appointed, based on their expertise, and that the sole consideration to selection should be an ability to contribute constructively to the debate.

Whilst an open, transparent selection process, coordinated by the PZJA, and with selection based on merit, is considered the most likely process to appoint attract the best available individuals - this suggestion has been strongly opposed by both indigenous and non-indigenous fisher representatives.

- non-indigenous representatives totally rejected the concept as they consider that their own selection processes are already open and transparent, and are concerned that this recommendation could ‘decimate’ the working groups;
- the TSRA Board considered that one representative should be appointed by the TSRA, one by indigenous fishers, and the remainder by the PZJA selection process.

These alternate views are recognised, but it is also considered that the current process has fallen short of what is required in terms of selecting members who can consistently contribute strongly to the consultative process:

- the PZJA needs to have confidence that the members of its advisory groups have the experience, the knowledge and the willingness to make a constructive contribution to the work of the advisory groups;
- past experience has demonstrated the problems with the current selection process in that there have been members on some advisory groups with little knowledge or interest on the fishery on which they were meant to be providing advice or little desire to contribute to working group discussions;

¹ The ACIL report is an independent report commissioned by AFMA in late 2000 to review the effectiveness of the consultative processes – more specifically, the Management Advisory Committees (MACs) – in place in other Commonwealth-managed fisheries.

- it is suggested a new, more formal, more transparent process, and with more active PZJA involvement, is required.

The PZJA can assist the process by providing guidance on the selection of members. The following “checklist” is suggested as a starting point that could be used as “selection criteria”:

Essential

- The person is an active participant in the Torres Strait fisheries (fishing, processing, or marketing of seafood from Torres Strait);
- The person has good communication skills and is recognised by his or her community/peers for communicating well with others;
- The person is has a working familiarity with the Torres Strait Treaty and Torres Strait Fisheries Act.

Preferable

- The person resides in the Torres Strait or adjacent coastal area;
- The person has undertaken a fisheries management course
- The person is supported by his or her community/industry

If selection by nomination then which bodies should nominate?

As noted above the ICC and QCFO were the original nominating bodies. The QCFO was replaced by the QSIA some years ago (essentially by change of name). Since then the TSRA has taken a strong lead in fisheries and should now be officially recognised as nominating body for traditional inhabitant members.

A coherent position from each sector is important to the consultation process. To achieve this each sector requires a well organised and widely representative membership. It is proposed that AFMA write to each licence holder asking them to complete a questionnaire about their representation. Information gathered could be useful for determining how much is known about the consultative body representation and what is felt about it. Information so obtained would be provided to the next meeting of the TSFMAC. Information presented would not single any individuals out for good or bad performance.

Terms of Members

Since the PZJA approved a new Torres Strait consultative structure there has been a complete oversight on the ‘*terms of members*’ on consultative bodies, i.e. no formal terms have been adopted by the PZJA.

It is proposed that the TSFMAC recommend to the PZJA that ‘*terms of members*’ on PZJA consultative bodies in Torres Strait should reflect those of other Management Advisory Committees (MACs) in place in other Commonwealth-managed fisheries where members are appointed for a three year term. These Management Advisory Committees (MACs) are established under Section 56 of the *Fisheries Administration Act 1991* and in relation to formal terms of members reads:

FISHERIES ADMINISTRATION ACT 1991

SECTION 63

Term of Office

1. A member of a management advisory committee holds office, subject to this Division, for such term (**not exceeding 3 years**) as is specified in the instrument of appointment but is eligible for reappointment in accordance with this Act.
2. If a member of a management advisory committee (other than the Chairperson) ceases to hold office before the end of the term of appointment, another person may, in accordance with this Act, be appointed in the member's place until the end of the term.

Attendance of meetings

There are no official guidelines for the requirement of members to attend meetings. In the TSSAC an informal rule exists that if a member fails to attend two consecutive meetings that the member should be replaced by a new member.

Attendance is important to maintain continuity and good communication. While it is accepted that some members cannot attend each meeting and can instead nominate a proxy this should be a solution of last resort.

It is proposed that the PZJA adopt a formal policy whereby a member must be replaced if he or she fails to attend two consecutive meetings – this should apply to all consultative bodies. It would be the responsibility of the chair of the committee to write to members after failing to attend one meeting to warn them of the consequences of failing to attend the next, and to formally write to the member and the PZJA to remove them from the relevant consultative body after the second consecutive meeting missed.

Review of Consultative Structure

When the new consultative structure as adopted by the PZJA in November 2002 it was to be reviewed again in 12 months. This period has lapsed (one year ago). A review is necessary as there are issues with the present structure that need to be resolved for improved operation. Given competing needs for fisheries management it is proposed that this review be further postponed until the next financial year but with a commitment to complete the final report on the review no later than September 2005.

Recommendations

- i) That the TSFMAC recommends that the PZJA replace the current process used to appoint members to its advisory groups with a more objective selection process leading to selection based on the applicants' ability to contribute constructively to the meeting and their expertise in either commercial, community or traditional fishing or indigenous lifestyle and livelihood; and
- ii) that the TSFMAC supports the distribution of a questionnaire to determine what is known about the representative process and how well it is working.
- iii) The TSFMAC recommend to the PZJA that '*terms of members*' on PZJA consultative bodies in Torres Strait should reflect those of other Management Advisory Committees

(MACs) in place in other Commonwealth-managed fisheries where members are appointed for a three year term.

- iv) That the TSFMAC recommend a formal policy of replacing members who do not attend two consecutive meetings. And that the PZJA authorise the chair of the relevant committee to write to the member advising them as required about their membership situation.
 - v) That the TSFMAC recommend to the PZJA that the term of appointment commence from the most recent confirmation of membership by the PZJA (or in the case of a new member yet to be formally appointed from the date of the first meeting attended by the new member).
 - vi) That the TSFMAC inform the PZJA that it intended to complete a review of the consultative structure no later than September 2005.
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TORRES STRAIT FISHERIES MANAGEMENT ADVISORY COMMITTEE	Meeting No. 4 2–3 November 2004
Torres Strait Bêche-de-mer (sea cucumber) Fishery	Agenda Item No. 2

Purpose

To inform the TSFMAC of progress on matters in the Torres Strait Bêche-de-mer (sea cucumber) fishery.

Background

- The Torres Strait Bêche-de-mer (sea cucumber) fishery is an important commercial fishery to traditional inhabitants;
- The fishery was based primarily on sandfish during the 1990s;
- Sandfish were severely depleted and harvesting of this species was stopped 1998 to allow stocks to recover;
- Fishing effort continued on black teatfish and surf redfish. In a 2002 fishery independent survey these two species were found to be over exploited and their harvest was prohibited in January 2003;
- Current fishing effort focuses on white teatfish, prickly redfish and to a lesser extent, several lower value species.
- There is a strong desire to open the fishery for black teatfish and surf redfish again because of the perception that these species are again abundant;
- There is concern among traditional inhabitants about the frequency of the surveys and the timeliness of management arrangements – that opportunities are being lost while management waits on survey results;
- There is general scepticism about the voracity of the survey results and there is a perceived conflict between the western science and local knowledge.

Management Arrangements

FOR INFORMATION ONLY

Regulations currently implemented in the Torres Strait Bêche-de-mer (sea cucumber) fishery include:

- a competitive *Total Allowable Catch* (TAC)(measured in wet-weight-gutted) for:

Sandfish	0 tonnes
Black teatfish	0 tonnes
Surf redfish	0 tonnes
White teatfishes	260 tonnes
Prickly redfish	260 tonnes
All other species of sea cucumbers (<i>collectively</i>)	80 tonnes;

- minimum size limits for the following species:

Sandfish (<i>Holothuria scabra</i>)	180 mm
Lollyfish (<i>Holothuria atra</i>)	150 mm
Black teatfish (<i>Holothuria nobilis</i>)	250 mm
White teatfish (<i>Holothuria fuscogilva</i>)	320 mm
Elephant's trunk fish (<i>Holothuria fuscopunctata</i>)	240 mm
Prickly redfish (<i>Thelenota ananas</i>)	300 mm
Surf redfish (<i>Actinopyga mauritiana</i>)	220 mm
Black fish (<i>Actinopyga miliaris</i>)	220 mm
Curry fish (<i>Stichopus variegatus</i>)	270 mm
Deepwater redfish (<i>Holothuria echinites</i>)	120 mm
- limiting the method of taking sea cucumbers to either hand or hand held non-mechanical implements;
- a ban on the use of hookah gear or SCUBA gear;
- a bag limit of 3 sea cucumber per person or 6 sea cucumber per dinghy applies to traditional fishing in the area of the fishery;
- restricting Islander dinghies to less than 7 metres in length; and
- limiting the activities of the one non-Islander licensed operator to primarily involve the participation of Islanders in those activities.

Recommendations from CSIRO

At the last meeting of TSFMAC (7-9 July, 2004) the adequacy of existing TACs to protect some of these species was questioned in light of the CSIRO report that was recently released¹. There were five recommendations made in the report, two of which have already been implemented, i.e. closure of the black teatfish and surf redfish fisheries, and the continuation of the closure of the sandfish fishery (see Attachment A). The remaining recommendations which will require further discussion are:

- 1) manage the fishery at a lower taxonomic level (for example by each species);
- 2) at least divide the total (TAC) into three categories (high, medium, and low valued species) and restrict the catch of each category as follows -
 - high value species at 35 tonnes
 - medium value species at 179 tonnes
 - low value species at 276 tonnes; and
- 3) educate fishers about the benefits on implementing and maintaining minimum size limits.

¹ **AFMA Final Report – R01/1345** *Stock survey and sustainable harvest strategies for Torres Strait beche-de-mer*. Copies of this report were distributed to each individual TSFMAC member during the last meeting to consider.

Proposed Workshops

To specifically address the recommendations from the CSIRO report, both AFMA and CSIRO are in the process of planning a two-day workshop to be held in three communities in east Torres Strait in early 2005, before the next scheduled bêche-de-mer survey within those waters. It is envisaged that the workshop titled '*Torres Strait Bêche-de-mer Sustainability Workshop 2005 – A Collaborative Approach*' will:

- outline the current management arrangements in the fishery;
- explain the principles of sustainable exploitation and illustrate sea cucumbers susceptibility to overharvesting using examples from the Torres Strait sandfish and Queensland East coast black teatfish; and
- explain and demonstrate the processes/methodologies (sample design, field sampling and calculating TACs) used to survey bêche-de-mer stocks and assess the status of the stocks.

The workshop will utilise summary material (*see handouts*) that can be left with the Islanders, and will involve hands-on use of sampling equipment to illustrate principles and techniques. Importantly, for each of the above themes, we are proposing to hold feedback sessions where Traditional Inhabitants can input into the current knowledge base techniques for sampling, and future management strategies – an important aspect that could have broader applications to marine resources in Torres Strait. To conclude the workshop we are planning a simple practical hands on exercise which will demonstrate field sampling methods and measuring techniques.

It is anticipated that the outcomes from the workshops will result in an improved understanding by Traditional Inhabitants of the nature of research on sea cucumbers and the reasons for the management advice offered to AFMA based on that research.

Management Alternatives – What might work in Torres Strait?

Several months ago, Mr Sascha Taylor (AFMA Management officer), consulted with traditional inhabitants from the following communities of Yam (Iama), Coconut (Poruma), Yorke (Masig), Murray (Mer), Darnley (Erub) and Stephens (Ugar) on future harvesting strategies for the Torres Strait Bêche-de-mer (sea cucumber) fishery.

There were several strong initiatives were put forward at these meetings which were shared with other Island communities, these included –

1. that an allocated *Total Allowable Catch* (TAC) for sea cucumber species be divided into individual quotas among Island communities. The proportion of the TAC allocated to communities may be decided on the basis of equal allocations, historical fishing of the resource, TIB licensed dinghies in each community, or according to point score system based on a combination of these.
2. that an allocated TAC be fished only during the winter months when the prevailing south-easterly winds were present. Thus, minimising the potential effort creep from TIB sea cucumber endorsed dinghies in the western Torres Strait moving to the central and eastern clusters.
3. that the two month closure (October and November) in the Tropical Rock Lobster Fishery be opened to fish the no-take species of sea cucumber (sandfish, black teatfish and surf redfish), this was however opposed in some communities. These

communities expressed concern on the number of TIB sea cucumber endorsed dinghies in the western Torres Strait moving to the central and eastern cluster during this closure.

4. that two days (Friday and Saturday) per month (one day for each neap tide) be set aside to fish the no-take species of sea cucumber (black teatfish and surf redfish). This would be only based on the scientific justification by research surveys undertaken by CSIRO - to conduct such fishing activities.

There are a number of factors which make conventional approaches to managing this fishery impractical and in many cases unworkable. Of particular note are the remote locations of the communities and the limited resources available for monitoring and enforcement. The TSFMAC, whilst noting the merit of these initiatives put forward by island communities, should, also be aware of the following issues.

Disadvantages

1. If the management mechanism is to **limit effort** the TSFMAC should be aware that maintaining optimum effort levels in the fishery should current prohibitions be lifted on no-take species would be nearly impossible.
 - a) There is no cap on the amount of fishing effort. There are currently 134 TIB licensed boats with 'BD' endorsements.
 - b) It could be expected that if the high value species were re-opened that there would be a rush on licences – the decision to re-open would be foreshadowed by the consultative process and there would be ample lead time to allow the issue of many more licences.
 - c) If each of the current boats took just 100 kilograms of high value species per day the recommended TAC for these species would be taken in less than 3 days ($100 \times 134 = 13.4$ tonnes; TAC = 35 tonnes).
 - d) Input management is likely to lead to the classic boom bust cycle seen in many other sea cucumber fisheries.
2. Managing the take through the use of **Total Allowable Catches** has many problems
 - a) Ensuring equitable shares of the TACs is difficult and potentially divisive.
 - i. For the island communities/fishers who have historically participated extensively in the fishery;
 - ii. for those Island communities that do not participate in the fishery as a consequence of more lucrative fisheries such as tropical rock lobster; and
 - iii. for the one non-islander operator who was granted a non-transferable licence in 1999 upon recommendation from the Island Coordinating Council (ICC).
 - b) Minimising the '*race to fish*' mentality that often exists unless there are individual quotas. Safety could be compromised as fishers may feel compelled to go to sea irrespective of weather conditions because they must compete for their share of the TAC;

- c) Whilst catches of sea cucumber are sold to registered processors (i.e. community freezers, processor/carrier boats), there could be a potential or temptation to sell to ‘*black market*’ buyers – which would under-report catches
 - i. Without individual quotas who would be responsible for exceeding the quota?
 - ii. Would fishers be committing an offence to take product or would buyers be committing an offence to buy product taken in excess of the TAC.

Advantages

1. The new *Torres Strait Seafood Buyers and Processors Docket Book* (TDB01) provides for buyers and processors to **voluntarily** provide to AFMA true and correct information on catch and effort thus enabling AFMA to maintain a record of landings for each island community and monitor TACs. Whilst this system is voluntarily, it may have to become legislated, thus compulsory, to ensure duplicate copies of docket sheets are forwarded to AFMA by processors on a fortnightly basis to ensure catch levels/records are maintained on the database.

Some of the advantages and disadvantages are summarised in Table 1.

THIS TABLE SHOULD BE USED TO STIMULATE DISCUSSION OF THE MANY POTENTIAL ADVANTAGES AND DISADVANTAGES OF THE TWO GENERAL MANAGEMENT ALTERNATIVES

Table 1. Potential advantages and disadvantages of the two general management alternatives.

Input Managed (Effort controlled)		Output Managed (TAC)	
Advantage	Disadvantage	Advantage	Disadvantage
In theory relatively simple to introduce: Very short seasons? Limited licences?	In practice very hard to control effort	Potentially keeps the catch at the optimal level	“Global TAC” (first in best dressed) can lead to: <ul style="list-style-type: none"> • Quota over-shoots • Unsafe fishing • Processing and marketing problems, eg Daru situation
Potentially easier for compliance		Could allow wider participation (no need to directly control participation)	If there is an allocation process there must be some tough decisions about who gets a share
		Can lead to an ‘orderly’ fishery where product is produced when processors are ready to receive and process it if there has been some form of allocation.	Compliance could be very difficult: who is held responsible?
			Costs of monitoring are probably higher because information is required more quickly – it is likely that a separate quota monitoring system would need to be implemented.

Other Issues

One problem faced by every fishery for animals like sea cucumbers (that stay close to one place for most of their life) is called serial depletion. This happens when fishers commence fishing in one place (usually close to home) and substantially reduce the population in one area before moving to the next. One of the issues for sea cucumbers left at low densities on reefs is that they cannot reproduce successfully. This problem is illustrated in Figures 1 and 2. These figures are provided purely to demonstrate a potential problem and based on any real data.

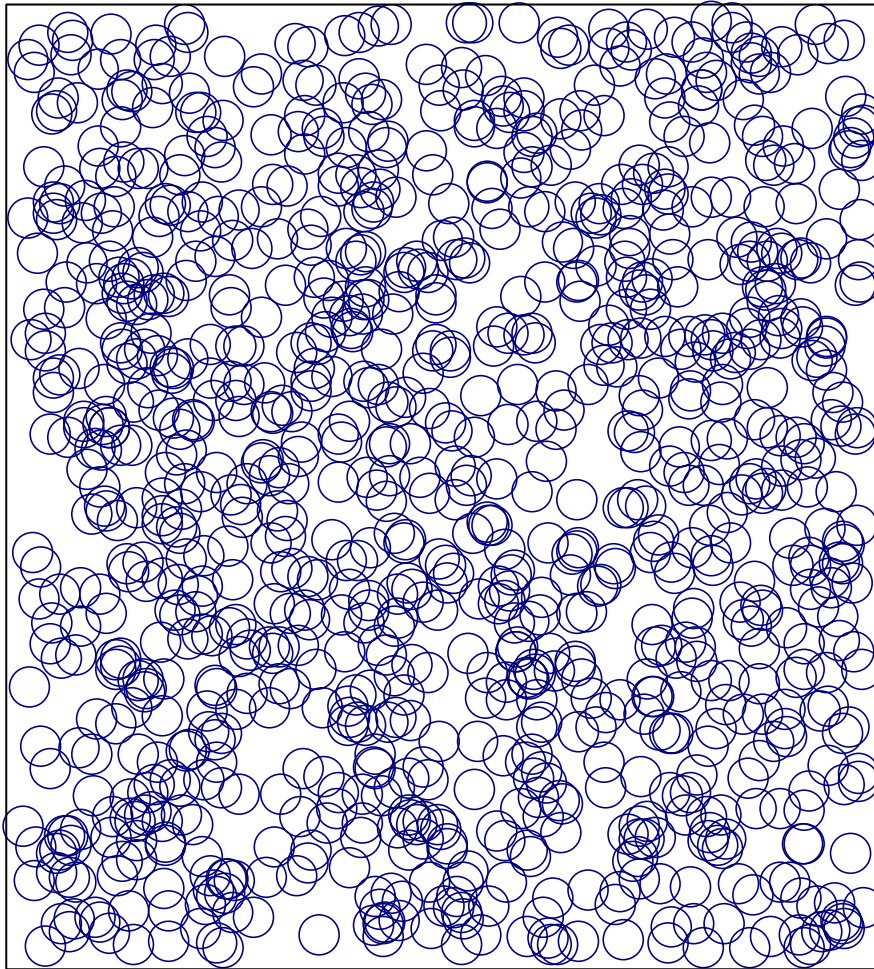


Figure 1. This is a hypothetical population of sedentary organisms with their corresponding effective reproductive ranges represented by circles. Where the circles are overlapping two individuals could conceivably reproduce successfully (the males sperm might encounter and fertilise the females eggs). Most but not all individuals have overlapping reproductive ranges.

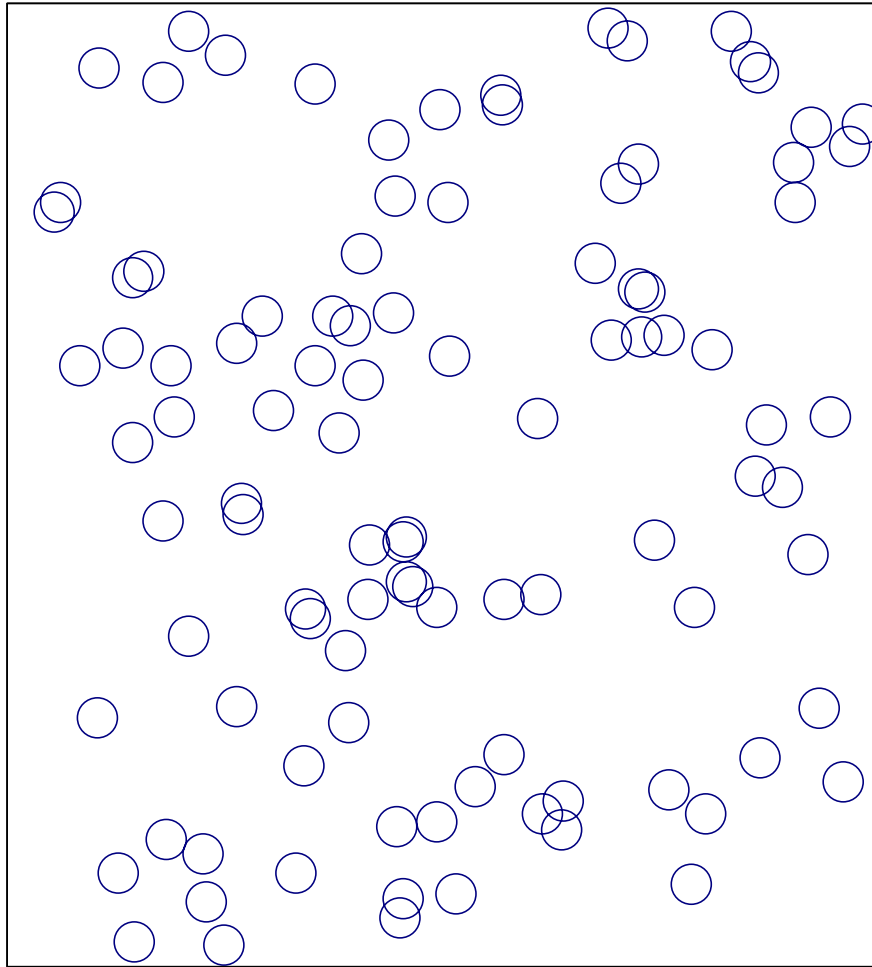


Figure 2. Like the previous figure (Figure 1), this figure is intended to represent a much smaller population of 100 sedentary animals with their corresponding reproductive ranges. This example shows that many of the animals would no longer be close enough to another to reproduce successfully.

AFMA's Coral Sea fishery has tried to avoid this problem by implementing "*move on*" provisions whereby a vessel cannot stay in one place for too long. Similar arrangements have been made in the Queensland fishery. Resolving this issue in Torres Strait is potentially more difficult because people cannot easily "*move on*". Nevertheless a good management regime will have given consideration to this serious issue.

Recommendations

That the TSFMAC support:

- i) the initiatives (i.e. proposed workshop) undertaken by AFMA, CSIRO and TSRA Community Fisher Representatives from respective Islands to address research recommendations.

That the TSFMAC agree in principle:

- i) to accept the TAC recommendations from CSIRO.

That the TSFMAC note:

- i) the need for extensive consultation to take place at the Community and Regional levels to develop a workable system to implement the recommendations on a TAC;
 - ii) it would be desirable to be in a position to implement the system within 12 months.
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Torres Strait Fisheries Act 1984

Fisheries Management Notice No. 64

TORRES STRAIT SEA CUCUMBER FISHERY

PROHIBITION ON TAKING SEA CUCUMBERS (GEAR AND SIZE RESTRICTIONS)

The Protected Zone Joint Authority, acting in accordance with the powers conferred on the Authority by paragraph 35(1)(a) of the *Torres Strait Fisheries Act 1984*, and in accordance with the decisions made by the Authority, make the following Notice under section 16 of the *Torres Strait Fisheries Act 1984*.

Dated this *24th* day of *December* 2002


IAN MACDONALD
Chairman
Protected Zone Joint Authority

CITATION

1. This Notice may be cited as Torres Strait Fisheries Management Notice No. 64.

COMMENCEMENT

2. This Notice commences on *Gazettal*.

THIS NOTICE TO APPLY WITH OTHER NOTICES

3. This Notice applies in conjunction with any other Notice in force in the area of the Torres Strait Sea Cucumber Fishery.

REVOCATION OF FISHERIES NOTICE NO. 53

4. Fisheries Management Notice No. 53 dated 25 March 1999 is revoked.

INTERPRETATION

5. (a) In this Notice, unless the contrary intention appears:
- “the Act” means the *Torres Strait Fisheries Act 1984*;
- “sea cucumber” means fish of the families *Holothuria* and *Stichopodidae*; and
- “underwater breathing apparatus” means any apparatus that delivers air or other breathing gas to a person.
- (b) Terms used but not defined in this Notice have the same meaning as in the Act and the Torres Strait Fisheries Regulations.

PROHIBITION ON THE TAKING, PROCESSING OR CARRYING

- 6.1 Pursuant to paragraph 16(1)(a) of the Act, the taking, processing or carrying of sea cucumbers in the area of the Torres Strait Sea Cucumber Fishery is prohibited.
- 6.2 Pursuant to paragraph 16(1A)(d) of the Act, a person is exempt from the prohibition in paragraph 6.1 if:
- (a) where the person takes or carries sea cucumbers without the use of a boat – the number of sea cucumbers in that person’s possession does not exceed three; or
- (b) where the person takes or carries sea cucumbers with the use of a boat, or by diving from a boat, and no other person is in the boat – the number of sea cucumbers in the boat does not exceed three; or
- (c) where the person takes or carries sea cucumbers with the use of a boat, or by diving from a boat, and there is at least one other person in the boat – the number of sea cucumbers in the boat does not exceed six.

SIZE LIMITS

7. Pursuant to paragraph 16(1)(b) of the Act, it is prohibited to take in the area of the Torres Strait Sea Cucumber Fishery species of the kind referred to in the Schedule that, when measured in their original living form at their longest point, are less than the lengths specified in respect of each species in the Schedule.

SCHEDULE

SPECIES	LENGTH IN MILLIMETRES
Sandfish (<i>Holothuria scabra</i>)	180
Lollyfish (<i>Holothuria atra</i>)	150
Black teatfish (<i>Holothuria nobilis</i>)	250
White teatfish (<i>Holothuria fuscogilva</i>)	320
Deepwater redfish (<i>Holothuria echinites</i>)	120
Prickly redfish (<i>Thelenota ananas</i>)	300
Elephant's trunk fish (<i>Holothuria fuscopunctata</i>)	240
Surf redfish (<i>Actinopyga mauritiana</i>)	220
Black fish (<i>Actinopyga miliaris</i>)	220
Curry fish (<i>Stichopus variegatus</i>)	270

GEAR RESTRICTIONS

8. Pursuant to paragraph 16(1)(c) of the Act, the taking of sea cucumbers in the area of the Torres Strait Sea Cucumber Fishery with the use of any underwater breathing apparatus or by any method other than collection by hand, is prohibited.

EXEMPTIONS FROM PROHIBITIONS

- 9.1 Pursuant to paragraph 16(1A)(d) of the Act, a person is exempt from the prohibition in paragraph 6.1 if the person holds a licence granted under subsections 19(2) or 19(3) of the Act that entitles that person to take, process or carry sea cucumbers or beche de mer.
- 9.2 Pursuant to paragraph 16(1A)(d) of the Act, a person is exempt from the prohibition in paragraph 7 if the person takes, processes or carries sea cucumbers or beche de mer in the course of traditional fishing.

Recommendations from CSIRO

At the last meeting of TSFMAC (7-9 July, 2004) the adequacy of existing TACs to protect some of these species was questioned in light of the CSIRO report that was recently released. There were five recommendations made in the report, two of which have already been implemented, i.e. closure of the black teatfish and surf redfish fisheries, and the continuation of the closure of the sandfish fishery. The remaining recommendations which will require further discussion are:

- 1) manage the fishery at a lower taxonomic level (for example by each species);
- 2) at least divide the total (TAC) into three categories (high, medium, and low valued species) and restrict the catch of each category as follows -
 - high value species at 35 tonnes
 - medium value species at 179 tonnes
 - low value species at 276 tonnes; and

CSIRO suggest that the current fishing pressure on the remaining higher value species is a cause for concern. Lower taxonomic level TACs would be the most advantageous way to protect these species and to encourage the spread of effort onto the lower value, and often very abundant, sea cucumber species. While CSIRO encourage *by species* TACs in the long term, a move to value categories would be a first step to implementing sustainable catch limits - especially given the doubt over the composition of the catch (see following taxonomic section). Using the suggested value category TACs, would result in substantially lower effort on currently targeted species.

Following is a copy of the latest table illustrating the commercial value of sea cucumber species based on the advice from the Queensland Sea Cucumber Association Industry (QSCAI) - essentially the two biggest *bêche-de-mer* processors in Australia (Table 1). CSIRO's advice suggests that it would be beneficial for the TSBDMF to adopt these categories in order to maintain continuity among other fisheries and markets.

Taxonomy

The composition of the catch in the Torres Strait, and the taxonomy of the populations of sea cucumbers species in the Torres Strait, has emerged as a big gap in the current knowledge. For example, there are several "*varieties*" of redfish that the fishers combine into one or two categories (surf redfish or deepwater redfish). This information gap should be a top priority for research into the sustainable use of *bêche-de-mer* in Torres Strait.

Sven Uthicke (Australian Institute of Marine Science), Maria Byrne (Sydney University), with others, have developed techniques for sorting this out using a combination of genetics and classical taxonomy which they have applied to teatfish. They estimate a cost of approximately \$15,000 per species complex (plus any costs for collection etc). CSIRO could collaborate in the collection of specimens, observations on the biology and ecology to produce definitive identifications – even new species. There are two species groups that require urgent attention; the *Stichopus* group and the *Actinopygas*.

Table 1. Commercial value of sea cucumber species based on the advice from the Queensland Sea Cucumber Association Industry (QSCAI), and recommended TAC.

VALUE	COMMON NAME	SCIENTIFIC NAME
High 35 ton TAC <i>(Wet-weight gutted)</i> Approx. \$ value \$157,500 (\$4.50/kg)	Sandfish Golden sandfish White teatfish Black teatfish	<i>Holothuria scabra</i> <i>Holothuria scabra</i> var. <i>versicolor</i> <i>Holothuria nobilis</i> <i>Holothuria whitmaei</i>
Medium 179 ton TAC <i>(Wet-weight gutted)</i> Approx. \$ value \$537,000 (\$3.00/kg)	Surf redfish Deepwater redfish Blackfish Prickly redfish Stonefish Tigerfish (Leopardfish) Greenfish Curryfish Brown sandfish	<i>Actinopyga mauritiana</i> <i>Actinopyga echinites</i> <i>Actinopyga miliaris</i> <i>Thelenota ananas</i> <i>Actinopyga lecanora</i> <i>Bohadschia argus</i> <i>Stichopus chloronatus</i> <i>Stichopus hermanni</i> <i>Bohadschia vitiensis</i>
Low 276 ton TAC <i>(Wet-weight gutted)</i> Approx. \$ value \$414,000 (\$1.50/kg)	Lollyfish Elephant's trunkfish Amberfish Pinkfish Flowerfish Snakefish	<i>Holothuria atra</i> <i>Holothuria fuscopunctata</i> <i>Thelenota anax</i> <i>Holothuria edulis</i> <i>Pearsonothuria graeffei</i> <i>Holothuria (Acanthotrapeza) coluber</i>

TORRES STRAIT FISHERIES MANAGEMENT ADVISORY COMMITTEE	Meeting No. 4 2–3 November 2004
Management of Dugong and Turtle in Torres Strait	Agenda Item No. 3

Purpose

To provide the TSFMAC a management update for the Torres Strait Dugong and Turtle Traditional fisheries.

Background

Hunting for dugong (*dangal and deger*) and turtle (*waru and nam* in the traditional languages) is important in Torres Strait traditional inhabitant culture as well as being a major source of protein in Islanders' diets. Regulations currently implemented in the Traditional Torres Strait dugong and turtle fisheries include:

- dugong and turtle may only be taken in the course of traditional fishing and used for traditional purposes (eg. subsistence food or for special occasions such as weddings, funerals and tombstone openings);
- dugongs may only be taken using the traditional spear (*wap*) thrown by hand. Nets, firearms etc. are banned when taking dugongs or turtles;
- the sale of meat or products from these animals is prohibited;
- a large area in south-western Torres Strait is set aside as a dugong sanctuary and dugong hunting is totally banned in this area; and
- the taking or carrying of dugong or turtle on a commercial fishing boat is strictly prohibited. A person is exempt from this prohibition if a current Traditional Inhabitant Boat (TIB) licence is held where the nominated boat is less than or equal to 6 metres in length.

Progress to Date

The jurisdictional activities of AFMA on the Indigenous take of dugong and turtles in the Torres Strait have somewhat been reduced in 2005 due to an increase in issues arising in other Torres Strait fisheries namely prawn, tropical rock lobster and finfish fisheries.

However, during this time AFMA has been collaborating with the TSRA to source external funding through the Regional Competitive Component of the Natural Heritage Trust for the national '*Dugong and Marine Turtle Project*'. The tender bid run through NAILSMA (North Australian Indigenous Land & Sea Management Alliance) is still to be signed off in the next month however, this project is summarised in Agenda Item 3.3.

Recommendation

1. That the TSFMAC note progress in the Torres Strait Traditional dugong and turtle fisheries.

TORRES STRAIT FISHERIES MANAGEMENT ADVISORY COMMITTEE	Meeting No. 4 2–3 November 2004
Dugong – AFMA Research Report (4th Dugong Aerial Survey Results)	Agenda Item No. 3.1

Purpose

To provide the TSFMAC the latest results of the forth aerial survey and estimates of the sustainable harvest of dugongs in the Torres Strait.

Background

The Torres Strait region was surveyed for dugongs in November 2001 using the same aerial survey technique used for similar surveys in 1987, 1991 and 1996. The aim of these surveys is to provide assessments of the distribution and abundance of the dugong in Torres Strait.

The 2001 survey was conducted in November 2001. The survey was preceded by community visits by some members of the survey team to Horn Island, Kubin, Mabuiag, Saibai, and Boigu. The purpose of these visits was to explain the details of the survey technique to the Islanders and to demonstrate the set up of the aircraft.

The aerial surveys confirm that the size of the Torres Strait dugong population is variable ranging from a low value of about 13,000 dugongs in 1987 to a high of nearly 28,000 in 1996 and back down to about 14,000 in 2001.

The results of the 2001 survey add to a growing body of evidence from other aerial surveys in Queensland and Western Australia and satellite tracking, that dugongs undertake large-scale movements, which seem likely to be associated with changes in their seagrass food. These results indicate that dugongs should be managed across jurisdictions in northern Australia. A very important find is that the population trends are not a reliable index of the status of dugong stocks.

The population estimate obtained from the aerial survey was used to estimate an annual sustainable harvest for dugongs in the Torres Strait region as a whole. The results suggest that the following total harvest should be sustainable and allow the population to recover:

- Based on the 1996 population estimate: about 190 dugongs
- Based on the 2001 population estimate: about 80-90 dugongs
- In our opinion, the 2001 estimate would be a more prudent total allowable catch and lead to a greater likelihood that the dugong stocks will increase.

Both of these estimates are far below the current estimates of the annual dugong harvest in the Torres Strait region (which does not include data from the Northern Peninsula Area, the Inner Islands or Papua New Guinea). Therefore, we consider that it is almost certain that the present level of dugong harvest is unsustainable and that the annual catch needs to be reduced as a matter of urgency if the traditional way of life of Islanders of Torres Strait is to be maintained. It is conceivable that the harvest is as much as 10 times the sustainable catch but more likely to be somewhat less, perhaps 5 times.

Opportunities for change

Bringing about the change in hunting required to put this activity on a sustainable basis is going to be one of the biggest natural resource management challenges likely to face the hunting communities. Fortunately there are new opportunities to find the resources that are needed to facilitate the necessary changes through various NHT funding channels. Failing to capitalise on this opportunity to help bring hunting to sustainable levels will put the future of the hunting/fishery in jeopardy.

Recommendation

- i) That the TSFMAC note the latest results of the forth aerial survey to estimate the sustainable harvest rate of dugongs in the Torres Strait.
-

TORRES STRAIT FISHERIES MANAGEMENT ADVISORY COMMITTEE	Meeting No. 4 2–3 November 2004
Dugong and Turtle – Cross jurisdictional Project	Agenda Item No. 3.2

Purpose

For the TSFMAC to support the strategic assessments of the Torres Strait Dugong and Turtle fisheries in 2005.

Background

Dugong and marine Turtles are considered to have a high conservation value throughout the world and are internationally recognised as being vulnerable to extinction. In Queensland, both Dugong and marine Turtles are protected species under the *Queensland Nature Conservation Act 1992* and the Australian Government *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*, which bans the commercial sale of Dugong and marine Turtle products.

In the Torres Strait, Dugong and marine Turtles has been declared as an Article 22 traditional fishery under the *Torres Strait Treaty*, which is managed by the PZJA in the Australian jurisdiction of the Torres Strait Protected Zone. Dugong and marine Turtles in the Torres Strait are taken for traditional and customary purposes only and are not for commercial sale.

Dugong and Turtle management has emerged as a priority in the Torres Strait. In support of this, the Community Fisher Group, TSRA Board, TSFMAC, TSNRM Ltd and PZJA strongly support the need to manage Dugong and marine Turtles in an ecological sustainable manner.

To begin this process, the TSRA applied for NHT cross-jurisdictional funding through the *Northern Australian Indigenous Land and Sea Management Alliance (NAILSMA)* to trial community-based management of Dugong and marine Turtles in the Torres Strait. As funding is limited and is to be used across five regions, the TSRA application was successful but only for \$569,300 of the \$1,300,000 it was seeking.

However, there are other funding providers such as the TSNRM Ltd that the TSRA could approach for funding. This still needs to be worked out by the stakeholders. NAILSMA has advised that they need the TSRA list of activities by the end of the calendar year to begin the cross-jurisdictional project after the monsoon rains in late February or early March 2005.

As the PZJA has legislative responsibility for the management of Dugong and marine Turtles under the *Torres Strait Treaty* and *Torres Strait Fisheries Act 1984* the Dugong and Turtle fishery need to commence a strategic assessment under the *EPBC Act* before July 2005.

The strategic assessment process would expose the Dugong and Turtle management issues in the Torres Strait and would almost certainly lead to recommendations from Department of Environment and Heritage (DEH) on what management arrangements would have to be in place to allow continued harvest of these species. The benefit of this approach is that it enables the collective impacts of the fishery to be considered by all stakeholders and provides a level of certainty about what activities are permitted.

Recommendations

- i) That the TSFMAC note the information provided on the cross jurisdictional project.
 - ii) That the TSFMAC discuss the merits of conducting strategic assessment of the Torres Strait Dugong and Turtle fisheries, pursuant to the *Environment Protection and Biodiversity Conservation Act* 1999, early in 2005.
-

Evidence that the dugong harvest in Torres Strait is too high to be sustainable

Helene Marsh
School of Tropical Environment
Studies & Geography



Torres Strait region is the dugong capital of the world



- Dugongs integral to *Ailan Kastom*: a symbol of socio-political aspirations for Islander self-determination
- Sustainable hunting rights international obligation enshrined in Torres Strait Treaty
- ‘Dugongs for our children’ –Islander imperative



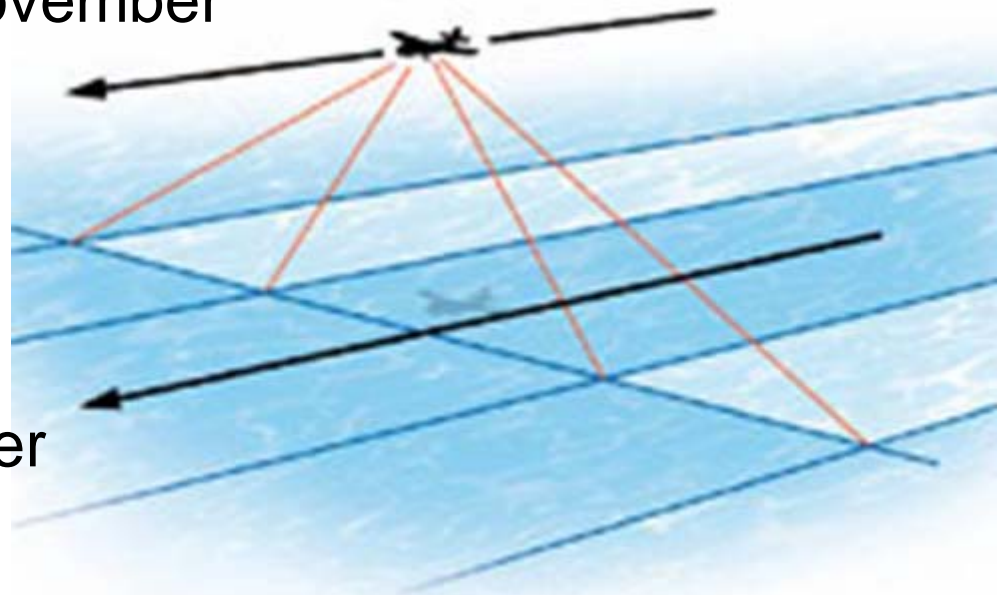
How can we tell if human impacts are unsustainable ?

- Determine if population is declining
 - Slow – takes many years to prove
 - Insensitive – decline may not be able to be proved statistically until numbers are really low
 - Showing that there is a decline does not determine the cause
 - Calculate a safe harvest and compare this number with the actual harvest*
 - Faster
 - More reliable
 - Can identify cause
- * **better method**

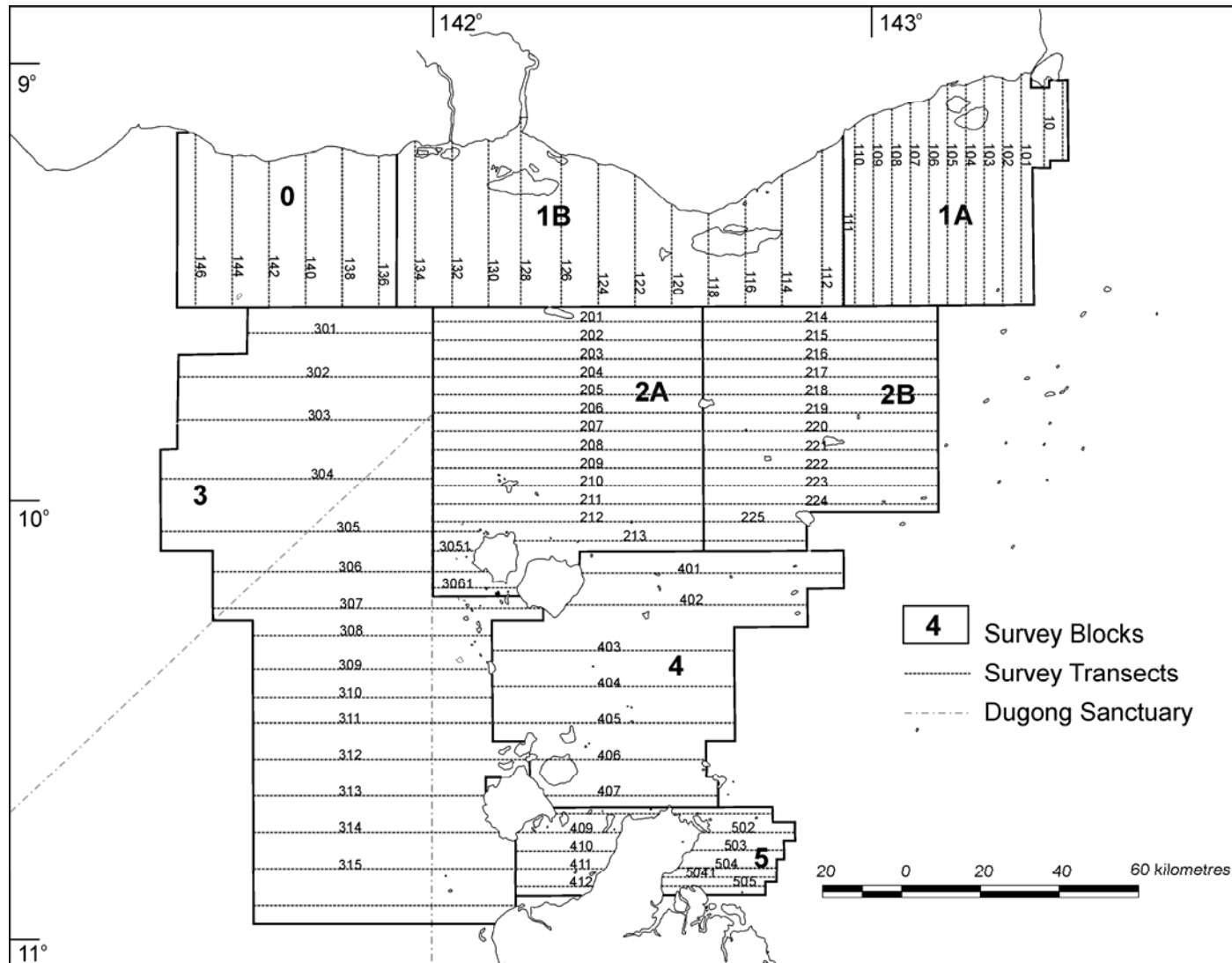
Aerial surveys:

Used to monitor dugong distribution & abundance over large areas

- Two aircraft – to complete survey quickly in good weather
- Conducted over Torres Strait region (30,000 km²) in November every 5 years since 1987
- Same design used for each survey
- Only survey when weather is good – no whitecaps



Aerial survey design



The probability of detecting a group of dugongs during a survey is made up of 3 components

$$P[\text{animal detected}] = \\ P[\text{area sampled}] * \\ P[\text{animal visible}] *$$



$P[\text{animal detected given it is visible}]$

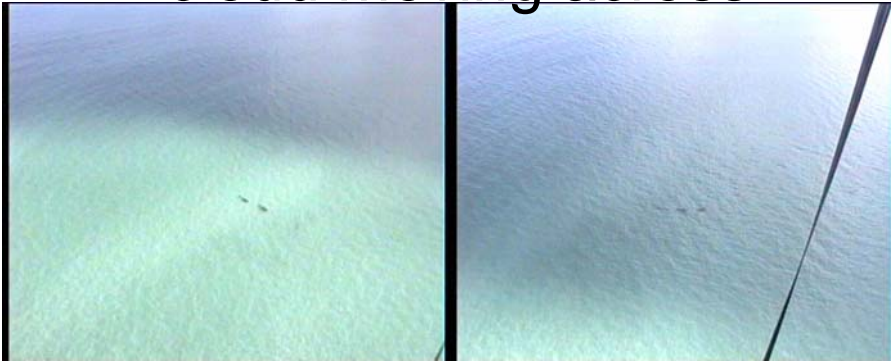
clear

>turbid



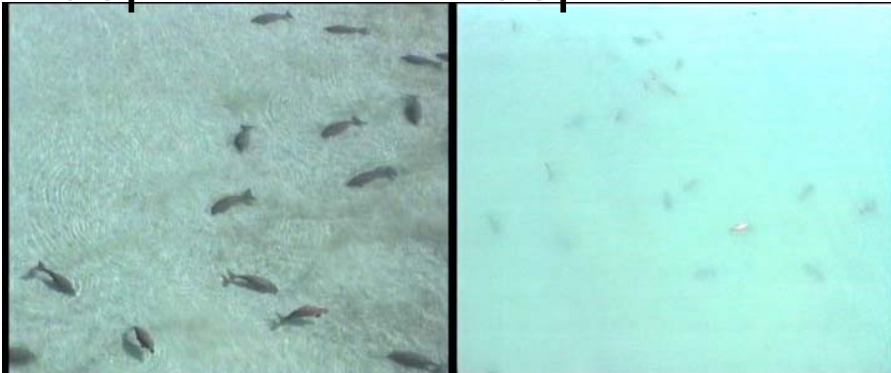
Variation in water
turbidity affects
 $P[\text{animal visible}]$

cloud moving across



depth 1.2m

depth 2.4m



deep \rightarrow shallow \rightarrow glare

Results using Program MARK

Probability of a small group of visible dugongs being detected by one observer

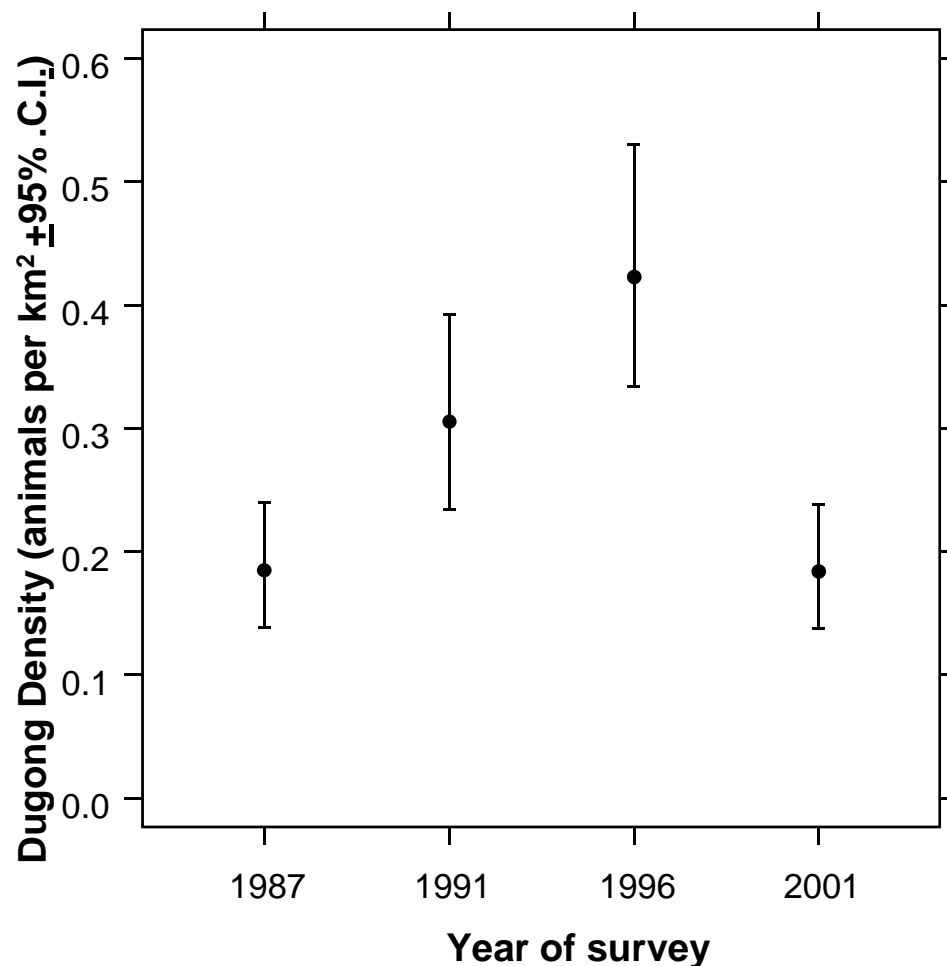
= 0.72

Probability of a small group of visible dugongs being detected by at least one observer

= 0.92

Fluctuations in dugong numbers over time in Torres Strait

Reflects changes in population size and movement in and out of survey area



**Basis for estimating sustainable
catch from all human causes (hunting
= netting +...)**

Potential biological removal (PBR) =

maximum number of animals not including deaths that
may be removed sustainably from a marine
mammal population

**PBR = minimum population estimate X
half maximum rate of increase X
recovery factor (safety factor to allow
population to recover)**

This method is required by law in US Fisheries

PBR safe catch for Torres Strait based on 2001 aerial survey

- Range: 27-137 dugongs
- Best estimate: **82** dugongs per year for whole region including NPA and PNG

Assumes Recovery Factor of 0.5
(recommended by international
reviewer)

Catch Estimates

- Mabuiag census 9 months in each of 1998-1999 (Kwan)
 - 1998 145 dugongs
 - 1999 170 dugongs
- CSIRO survey Protected Zone only (Skewes et al.)
 - 1999 692 ± 250
 - 2000/1 619 ± 134

Comparison of catch estimates and estimates of sustainable harvest indicates serious over-harvest

PVA Modelling

- Method to model time to extinction
- Applied to Torres Strait dugong population using:
 - 1996 Aerial survey data (higher population estimate than 2001)
 - Life history data collected by Kwan and Marsh
 - Various estimates of catch

Estimated Times to Extinction

Annual catch level for whole region	No seagrass dieback	Prolonged seagrass dieback
100 dugongs		86 years
250 dugongs		59 years
1000 dugongs	68 years	34 years

Conclusions

- Two modelling techniques provide strong evidence that dugong harvest in Torres Strait is far too high to be sustainable
- Both results have been reviewed by overseas experts and will be published in international scientific journal on November 8, 2004



Recommendations to TSFMAC

- Develop public education program- posters have been sent to communities
- Discuss ways to reduce catches to safe level and to allocated TACs to communities
- Develop community-based management
- Monitor catch (Jillian Grayson's project)
- Consider press release

A sustainable dugong fishery is dependent on:

(1) Factors affecting the susceptibility to overharvesting:

- basic social, cultural & economic needs of Islanders
- environmental factors that determine hunting pressure

(2) The capacity of the dugong population to recover after depletion:

- the major factors that affect the population dynamics of dugongs

All these factors must be considered if the Torres Strait dugong fishery is to be sustainable

ACKNOWLEDGEMENTS

Funded by Australian Fisheries Management Authority

Supported by:

Island Coordinating Council
Torres Strait Regional
Authority

Mabuiag, Badu & Boigu
Island Councils



Hospitality, cooperation and support of:
Mabuiag, Badu and Boigu Island Communities
Hunters at Mabuiag, Badu and Boigu Islands

TORRES STRAIT FISHERIES MANAGEMENT ADVISORY COMMITTEE	Meeting No. 4 2–3 November 2004
Sponges – Declaration of a Fishery	Agenda Item No. 4

Purpose

For the TSFMAC to:

- a) note the work being undertaken in relation to bath sponge aquaculture in the Torres Strait;
- b) support determining the Sponge fishery as a Torres Strait fishery by adding it to “Schedule 2 - Short methods of reference to certain areas of Australian jurisdiction” of the Torres Strait *Fisheries Regulations* 1985; and
- c) support the implementation a fisheries management notice prohibiting the harvesting of sponges unless an appropriate authorisation is held.

Background

A survey has recently been undertaken to determine the distribution and abundance of sea sponges of potential commercial interest in the Torres Strait. This survey was the beginning of a two-year collaborative project between the Australian Institute of Marine Science (AIMS), CRC Torres Strait, and the Torres Strait Regional Authority (TSRA) to investigate the potential for the development of a bath sponge aquaculture industry in the region.

During the survey over 30 species of sponge were recorded with one particular variety being identified as suitable for the bath sponge market. This variety was found at many of the survey sites in Torres Strait and were particularly large and abundant around Masig and other islands in the central region of the Torres Strait.

Information provided by AIMS indicate that the world sponge market is currently worth around US\$40M with most of the natural bath sponge coming from the Mediterranean and Caribbean Seas.

The next stage of the project is to look at ways to farm the bath sponge species off Masig where the sponge is most abundant. This will include trialing various farming techniques and experimenting with low-technology sea culture that are compatible with the customs of Torres Strait inlanders. At the conclusion of the project, its potential as a new industry for the Torres Strait will be assessed.

Currently, anyone who holds a Torres Strait fishing boat licence issued under Section 19(2) of the *Act* could harvest sponge for sale. Fisheries managers are concerned that the recent publicity about this project and sponge farming generally, e.g. world market value of US\$40M, could lead to opportunistic harvesting of sponge.

This potential problem can be addressed through the introduction of a fisheries management notice prohibiting the take of sponge unless an appropriate endorsement is held. This notice would apply to waters in the Torres Strait Protected Zone only with adjacent waters falling under Queensland jurisdiction.

The process that would be undertaken to achieve this is to first add the area of the fishery to Schedule 2 (titled “Short methods of reference to certain areas of Australian jurisdiction”) of the Torres Strait *Fisheries Regulations* 1985. Following this a Fisheries Management Notice (FMN) would be implemented restricting access to the fishery.

Because this would be a new fishery participation in it would be limited Australian traditional inhabitants.

Traditional inhabitants are encouraged to begin to consider now how they would wish to control any future effort in the fishery. Advice on this can be provided at a later date. During the interim period sponges can be collected for the sponge culture project under scientific permit. Therefore there is no need to allocate anyone with a sponge endorsement until a plan has been developed.

Recommendations

That TSFMAC:

- i) notes the work being undertaken in relation to bath sponge aquaculture in the Torres Strait; and
 - ii) supports determining the Sponge fishery as a Torres Strait fishery by adding it to “Schedule 2 - Short methods of reference to certain areas of Australian jurisdiction” of the Torres Strait *Fisheries Regulations* 1985; and
 - iii) supports the implementation a Fisheries Management Notice prohibiting the harvesting of sponges unless an appropriate authorisation is held.
-

TORRES STRAIT FISHERIES MANAGEMENT ADVISORY COMMITTEE	Meeting No. 4 2–3 November 2004
Torres Strait Pearl Shell Fishery – Options for Future Management	Agenda Item No. 5

Purpose

To inform the TSFMAC of the current management arrangements of the Torres Strait Pearl Shell Fishery, the commencement of the draft strategic assessment, and to discuss future management options for the fishery.

Background

The gold-lipped pearl shell (*Pinctada maxima*) and to a lesser extent the black-lipped pearl shell (*Pinctada margaritifera*) are the main species targeted in the Torres Strait. The majority of the catch is taken by a small number of dedicated vessels, particularly between the months of October and March. Pearl farming is regulated by the Queensland Department of Primary Industries and Fisheries (QDPI&F).

Management Arrangements

Current restrictions in the Torres Strait Pearl Shell Fishery are aimed at promoting the taking of live pearl shell for farming purposes and currently include:

- a prohibition on the taking of dead gold-lipped pearl shell, black lipped pearl shell or any other pearl shell species;
- minimum and maximum size limits for gold and pearl shells (not less than 130 mm or greater than 230 mm length; and greater than 90 mm length, respectively), which are aimed at ensuring the most suitable shells are taken for farming while protecting young shell and spawning stocks; and
- banning the taking of shell by any method other than diving or collecting by hand.

Strategic Assessment

Under the strategic assessment provisions of the EPBC Act, the Australian Fisheries Management Authority (AFMA) must commence all assessments for Commonwealth fisheries by July 2005; this includes the PZJA managed fisheries. AFMA has commenced work on drafting the strategic assessment report for the Torres Strait Pearl Shell Fishery.

Current Status

In reality the Torres Strait Pearl shell fishery has been little managed.

- The number of fully transferable pearl shell endorsements was capped in the 1980s;
- The number of TIB PL endorsements is unlimited;
- When shell beds have been found to recover they have attracted effort from as far away as the Northern Territory and have been fished without any limit on the catch;
- Collection of data from the fishery has been neglected; and

- The fishery has not been formally assessed for a decade or more;

It can only be concluded that the stocks of pearl shells is severely depleted if one does nothing more than study any of the numerous photographs of the pearling days which show the luggers' decks covered in shell – a far cry from today's catches.

Management Options

Taking on a much more active role in the management of yet another fishery in the Torres Strait is not within the current program's limits. Therefore any improved management of the pearl shell fishery must come at a low cost in terms of human and financial resources.

One option would be to close the fishery, however this could not be done before there was consultation with licence holders and pearl farmers.

Another more complicated option would be to set a short season during which pearl shell could be harvested. This might reduce the incidental catch taken by divers principally diving for TRL. Consultation would be required before limiting the season.

More complicated again would be a quota system. This would be preferable perhaps to other systems but probably comes at a cost that the management agencies can not afford (directly or indirectly) right now.

Recommendations

That the TSFMAC note:

- i) that the current management arrangements fall well short of ensuring the sustainable management of this resource;
 - ii) the commencement of the draft Department of Environment and Heritage (DEH) strategic assessment for the Torres Strait Pearl Shell fishery;
 - iii) future management options for the fishery; and
 - iv) that one management option be picked as the preferred option on which to consult with a view to recommending new management measures to be adopted at the next TSFMAC meeting.
-

TORRES STRAIT FISHERIES MANAGEMENT ADVISORY COMMITTEE	Meeting No. 4 2–3 November 2004
Torres Strait Trochus Fishery – Current Situation	Agenda Item No. 6

Purpose

To inform the TSFMAC of the current management arrangements of the Torres Strait Trochus fishery and to provide an update on the current situation for the fishery.

Background

- The Torres Strait Trochus (*Trochus niloticus*) fishery is a small, single-species commercial and subsistence fishery.
- The fishery is sometimes an important source of income for some traditional inhabitants.
- The level of participation in the fishery is relatively low at present, largely due to a recent decline in overseas market demand for shells in button manufacture.
- There is no non-traditional involvement in the commercial take of trochus in the Torres Strait.
- Trochus is usually taken by free-diving, although SCUBA and hookah may also be used. Reef top collection of trochus is also possible at low tide.

Management Arrangements

Current regulations currently implemented in the Torres Strait Trochus fishery include:

- limiting the method of taking of trochus to hand collection or by hand held non-mechanical implements;
- the use of underwater breathing apparatus is permitted;
- a minimum size limit of 80 millimetres and maximum size limit of 125 millimetres (when measured in their original form as fished, at the widest part of the base of the shell) applies to all fishing, except traditional fishing; and
- a competitive *Total Allowable Catch* (measured in tonnes with animal in shell) of 150 tonnes.

Data Collection

- The collection of data from this fishery has not been a high priority.
- Some data were collected through the Queensland buyers logbook however; the completeness of these data is unknown.
- Currently, it would be anticipated that catch data would be collected through the *Torres Strait Seafood Buyers and Processors Docket Book* (TDB01) system. However, if people ship pearl shell to buyers who have not been provided with docket books, then the catch of the fishery is likely to go completely unrecorded.
- The TSFMAC needs to encourage a data collection system (probably through the docket book above) appropriate to the scale of the fishery.

Strategic Assessment

The Trochus fishery will have to go through a strategic assessment process. AFMA has agreed with the Department of Environment and Heritage (DEH) that the assessment must be commenced by June 2005.

Like each of the other fisheries this one is likely to attract some recommendations from DEH for management. It would be beneficial if the data collection program was operating well for the fishery and there was some system to give effect to the quota provisions for the fishery.

Current Situation

There are anecdotal reports of small amounts of trochus being harvested.

Near-term improvements to management arrangements

The use of hookah and or SCUBA diving apparatus in this fishery extends the operating depth of the divers to the full range of the depth distribution of the trochus. This may improve the efficiency of the divers but may also put additional stress on the population if the TAC is set too high or not enforced well enough. Currently, this is not an issue because fishery is not intensively exploited however this situation could change.

Perhaps more importantly the use of hookah or SCUBA gear for sea cucumbers which are found in the same area could be explained by fishers saying that they are diving for trochus. From this perspective, it would be preferable if these apparatus were prohibited in the trochus fishery. There is also the issue that many traditional inhabitants wish to keep hookah out of the waters they fish.

Recommendations

That the TSFMAC note:

- i) the current management arrangements in the Torres Strait Trochus fishery;
- ii) the need to establish a reliable data collection system for the fishery;
- iii) the need for the fishery to commence the strategic assessment process within the next 9 months; and
- iv) the current situation in the fishery.

That the TSFMAC recommend:

- i) that the use of underwater breathing apparatus (hookah and SCUBA) be prohibited in this fishery.

TORRES STRAIT FISHERIES MANAGEMENT ADVISORY COMMITTEE	Meeting No. 4 2–3 November 2004
Finfish Fishery	Agenda Item No. 7

NO PAPER HAS BEEN DRAFTED FOR THIS AGENDA ITEM

TORRES STRAIT FISHERIES MANAGEMENT ADVISORY COMMITTEE	Meeting No. 4 2–3 November 2004
Torres Strait Finfish Fishery – Management of Barramundi	Agenda Item No. 7.1

Purpose

For the TSFMAC to note the work been undertaken to investigate the potential for a commercial barramundi fishery in the area of the top western cluster.

Background

The Torres Strait Barramundi fishery is limited to the territorial waters adjacent to the six Australian islands in the north west of Torres Strait near the Papua New Guinea coast - Saibai, Boigu, Moimi, Kaumag, Aubusi and Dauan. Barramundi are fished from the inland swamps and shorelines of these islands. The catch is taken through the use of hand spears and hand set monofilament gill nets.

Condition of the fishery

The shoreline fishery is currently exploited almost entirely at a subsistence level on both Boigu and Saibai but it has had a small commercial sector in the past. Residents have recently expressed interest in increasing involvement in the commercial fishery.

It is unknown how many barramundi are harvested in a season from the swamps on Boigu and Saibai, although the numbers are thought to have remained low over recent years. All harvested swamp barramundi are under legal commercial size limits and are consumed locally.

Management Objectives

Management objectives adopted by the PZJA for management of the Torres Strait Barramundi fishery are to:

1. manage the resource so as to achieve optimal utilisation; and
2. reserve barramundi stocks for the exclusive use of traditional inhabitants.

Management Regulations

- Stocks are retained for the sole benefit of traditional inhabitants undertaking community fishing with a current Traditional Inhabitant Boat (TIB) licence with a barramundi endorsement.
- A minimum size limit of 580 millimetres and maximum of 1200 millimetres in length applies to the commercial take of barramundi.
- In July 1999, the PZJA introduced an annual ban on the taking of barramundi from 1 November to 1 February the following year.
- The current net closure encompasses the area of the fishery (and a line fishing closure exists around Boigu), which limit the methods available to legally take barramundi commercially.

Development of the fishery

A discussion paper is currently being finalised by AFMA that outlines considerations for the future development of the fishery. Upon completion the paper will be distributed to other agencies involved in the development of commercial fishing ventures in the Torres Strait (eg. TSRA and local Island Councils) to help form the basis of a Development Plan for the fishery.

The draft paper also proposes changes to regulations to assist the development of the fishery including:

- removal of the current net and line ban from the area of the fishery;
- limiting access to the area of the fishery to individuals who hold a TIB licence with a barramundi endorsement; and
- allowing only set mesh nets with a maximum length of 100 metres and a maximum mesh size of 150mm in line with recent research by CSIRO on the sustainable management of barramundi in PNG.

Upon completion this discussion paper will be presented to the Finfish Working Group for their consideration.

Recommendation

- i) That the TSFMAC note the work being undertaken to investigate the potential for a commercial barramundi fishery in the area of the top western cluster.

TORRES STRAIT FISHERIES MANAGEMENT ADVISORY COMMITTEE	Meeting No. 4 2–3 November 2004
Torres Strait Finfish Fishery – Net Sector	Agenda Item No. 7.2

Purpose

For the TSFMAC to:

- a) note the outcomes of the consultation with Traditional Inhabitants; and
- b) support the Finfish Working Group recommendation that the area east of 142°09' and south of 10°28' be closed to commercial net fishing.

Background

An area closure exists for all net fishing methods west of 142°09' and north of 10°28'. This means that commercial net fishing can only be carried out within an area inside the '*outside but near*' area. Traditional fishing is exempt from this prohibition.

In the past traditional inhabitant representatives have indicated that they do not wish to have any increase in commercial netting in the TSPZ, including by Traditional Inhabitants. Currently net fishing is restricted to Traditional Inhabitants only and is effectively prohibited around all Island communities except in the '*outside but near*' area. The concern in regard to netting has arisen from concerns about the undesirable impacts of net fishing, particularly in terms of bycatch, including turtle and dugongs.

The Working Group considered this issue at their November 2003 meeting and agreed that, subject to further consultation between traditional Inhabitants, it would support a total prohibition on commercial net fishing in the area of the finfish fishery.

At the May Finfish Working Group and July TSFMAC meetings, it was reported that the consultation had not yet been completed.

TSRA has since reported that consultation on this matter has been completed and the result of that consultation is that: "the Community Fisher Group supports the proposal to close down the Torres Strait Commercial Finfish Net Fisheries on the provision that it does not affect traditional fishing and customary trading."

It should be noted that this recommendation is not intended to inhibit the development of a barramundi fishery in the top western area should it be desired by those communities.

Recommendations

That the TSFMAC:

- i) note the outcome of the consultation with Traditional Inhabitants; and
- ii) support the Finfish Working Group recommendation that the area east of 142°09' and south of 10°28' be closed to commercial net fishing.

TORRES STRAIT FISHERIES MANAGEMENT ADVISORY COMMITTEE	Meeting No. 4 2–3 November 2004
Research Issues	Agenda Item No. 8

NO PAPERS HAVE BEEN DRAFTED FOR THE FOLLOWING AGENDA ITEMS –

- 8.1 Report from the TSSAC
- 8.2 Departure of the TSSAC Chair (AFMA)
- 8.3 Torres Strait Natural Resource Management Presentation (TSNRM Ltd.)

TORRES STRAIT FISHERIES MANAGEMENT ADVISORY COMMITTEE	Meeting No. 4 2–3 November 2004
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8.1 Report from the TSSAC

The TSSAC last met on Thursday Island on September 6th-8th, 2004.

The primary focus of the meeting was to continue development of the 5 Year Strategic Plan for Research in the Torres Strait. The work on the Strategic Plan built on progress at the previous 2 TSSAC meetings, at which a ‘top down’ approach had been taken, first identifying four major thematic areas in which issues for which research might be useful could be considered and then identifying the major types of issues that were likely to arise in each thematic area. A summary of those areas and major issues is attached at the end of the briefing (ATTACHMENT 1).

At the most recent TSSAC meeting, specific issues for which research information would be useful were identified within each of the major issues and broad levels of importance of research (High, Medium, Low) attached to each of these specific issues. Research priorities recommended from Fishery Working Groups were included in this process. The process was completed for the ‘*Ecological Sustainable Fisheries*’ area and part complete for the remaining areas. The TSSAC resolved not to undertake a formal quantitative priority setting process for the specific issues at this stage, nor to specify specific research projects to address particular issues. The issues needing research will be resolved to a level of detail, however, that allows for clear framing of research proposals by interested research providers and transparent assessment of the worth of that research for the issues purported to be addressed. The strategic planning for research will be completed in 2005.

A number of other matters were also considered by the TSSAC and the outcomes are summarised below.

The TSSAC recommended that the collation of catch records from island freezers should be extended to islands not already covered by research project R02/1183 or by AFMA staff. Funding for the work is clearly an issue, but it was recommended that the work be considered for contributory funding by the AFMA Research Committee and the CRC Torres Strait. It was also noted that the work might be done economically as a project under the AFMA graduate trainee program. The TSSAC also recommended that all such data should be collated together in AFMA held data bases, subject to satisfying any ethics considerations stipulated when the data were gathered by researchers (e.g., confidentiality and anonymity of fishers’ financial information).

The TSSAC approved guidelines for the release of preliminary information from research, prior to review and acceptance of final reports, and recommended that the guidelines (ATTACHMENT 2) be adopted by the TSMAC and CRC Torres Strait Board.

The TSSAC considered a number of AFMA funded research reports, reviewed progress on the CRC Torres Strait research program and considered proposals for which support was requested for funding applications for new or continuing research. The following recommendations arose.

- Final reports for the projects '*R02/1194 - Relative abundance and assessment of the Torres Strait lobster stock*' and '*R01/0895 Dugong distribution & abundance in Torres Strait*' be accepted with very minor editorial corrections to be completed by the authors.
- Draft final reports for the projects '*R02/1183 Collation & review of Islander commercial catch history*' and '*R02/1195 - Conversion ratios for commercial BDM species in Torres Strait*' needed further revision, with the authors of R02/1183 also awaiting feedback from TSRA on their report.
- Supporting letters be written to the FRDC, via ComFRAB, for the proposal '*Sea cage aquaculture of wild caught *Panulirus ornatus* juveniles in Torres Strait*' and to DEH for the proposal '*Raising Indigenous community awareness and promoting on-ground recovery activities for marine turtles and dugongs in Torres Strait*' (both of which letters have been sent).
- A letter be sent to DEH requesting consideration of the extended lead times required in gaining support for research with TS Islander and Aboriginal peoples, because of the remoteness and cultural requirements of many communities, when calling for research proposals, rather than asking for proposals with very short notice (letter sent).
- The CRC Torres Strait project on assessment of Torres Strait Spanish mackerel stocks, which has been delayed considerably because of data quality issues and is running out of money, be continued rather than halted because of the importance of the issue for Torres Strait and catch sharing arrangements with PNG. The CRC Torres Strait program leader was asked to discuss potential funding options with the chief investigator.

There was discussion of the increased responsibilities and workload of the TSSAC now that it serviced both AFMA and the CRC Torres Strait and the difficulty in dealing adequately with SAC matters and fishery assessment issues. It was resolved that the TSSAC devise, via the formation of small working groups, strategies for a) seeking additional secretariats support for TSSAC meetings; b) better structuring meetings to deal with the diverse responsibilities; and c) implementing specific Fishery Assessment Groups to do formal assessments of key fisheries, in some cases annually.

The TSSAC recommended that a workshop be convened with PNG on Torres Strait research to celebrate the '20 year anniversary' of the original Torres Strait Research Workshop held in Port Moresby in 1985. The Program Leader of the CRC Torres Strait undertook to convene a working group to convene such a workshop, which the TSSAC recommended be held in PNG if possible.

The TSSAC chair noted that all TSSAC appointments were for 3 years and so were due to expire in December 2004. The chair advised that he would not be seeking re-appointment to the TSSAC in any capacity, primarily because of his move to a new position that made it more difficult to keep abreast of TS issues.

8.2 Departure of the TSSAC Chair (AFMA)

All TSSAC memberships, including the Independent Chair, fall vacant at the end of 2004. The chair has advised that he will not be seeking re-appointment. A recommendation to the AFMA Board is required about a) appointment of TSSAC ordinary members, and b) appointment of an Independent Chair, for which public advertisements have been made in previous instances.

8.3 Torres Strait Natural Resource Management Presentation (TSNRM Ltd.)

Development of a Strategic Plan for Research in the Torres Strait

At its meeting on September 2nd and 3rd, 2003, the Torres Strait Scientific Advisory Committee began a process to draft a strategic plan for research in the Torres Strait over the next 5-10 years.

The approach favoured by the TSSAC, given its revised mandate to advise both the Torres Strait Fisheries Management Advisory Committee and the CRC Torres Strait Board on research, was to consider research needs from the 'top down' in a comprehensive manner and then distil from the comprehensive plan specific strategic plans for research to address particular needs, such as informing fisheries management. In this way the broader context of specific research directions is made clear and the links between research for different needs are made explicit.

Reported below is the result of the initial 'brainstorming' session from which we will derive increasingly more specific needs and objectives and, ultimately, a recommended research program or set of programs.

Scope

The geographic, environmental and social scope within which research strategic planning will be progressed was defined as:

The Torres Strait system, including marine and island environments and Torres Strait peoples, including adjacent land masses (Northern Australia and Papua New Guinea) in so far as they influence directly the waters, islands and communities in the Torres Strait.

Guiding Principles

Research needs will be considered under four thematic guiding principles, each comprising a number of broad issues that are likely to benefit from future research.

1. Ecologically Sustainable Fisheries

Preamble

Sustaining ecologically, socially, culturally and economically viable fisheries requires knowledge of a complex and dynamic systems. The fishery systems are driven by several processes, including human activities, markets, management, and a wide spectrum of environmental processes. An understanding of these systems is gained through a coordinated program of multidisciplinary research to provide the information base and the tools to reveal the many link between these processes.

Broad Issues

- a. Status of wild and cultured stocks (depleted stocks a subcomponent of this)
- b. Social, cultural and economic importance to fisheries to fishers.
- c. Ecological impacts of fishing.
- d. Fisheries interactions
- e. External impacts on fisheries (eg introduced species, SARS, illegal fishing - Indonesia)
- f. New Fisheries and technology

- g. Management Effectiveness (and compliance as a subset of this heading. Also covers MSE etc)
- h. Catch sharing, PNG and among groups

2. The environmental systems are understood and protected

Preamble

Understanding the Torres Strait marine environmental system includes the description of the environment, its dynamics, natural variability and the interconnections and interactions between components of the system. Integrated numerical or conceptual models can then be used to make predictions about natural variations and the effects of external influences to generate recommendations of actions to protect the environment from the effects of human activities.

Broad Issues

- a. Knowledge of biodiversity and interactions
- b. Impacts of environmental change
- c. Human threats to environment
- d. Land/ sea interactions
- e. Threatened species
- f. Diseases and introduced pests
- g. Conservation management effectiveness

3. The needs and aspirations including social, economic and traditional of TS islander people and Opportunities for social and economic development.

Preamble

In the spirit of the Torres Strait Treaty and Torres Strait Fisheries Act 1984, the research will identify the participation of traditional inhabitants in the region's economy and opportunities to enhance this participation. The opportunities identified have to be relevant to the traditional and contemporary way of life. The research will explore the structural changes that might influence the take up of these opportunities.

Broad Issues

- a. Access and ownership
- b. Health needs
- c. Determining needs and aspirations
- d. Education and training needs (capacity building)
- e. Participation at all levels, including research
- f. Maintenance of the traditional way of life.
- g. Development of economically viable new industries
- h. Understanding the impediments to development
- i. Appropriate models for socio-economic development
- j. Demography of TS islanders

4. Consideration of PNG needs and rights under the TS Treaty. (Preamble – that the issues under this heading relate to many of the headings under the other principles)

Preamble

The Torres Strait Treaty established a framework for the management of activities in and around the Protected Zone including fisheries, and the protection of the environment. Australia and Papua New Guinea have shared responsibilities to give effect to the Treaty. Successful fulfilment of these joint responsibilities requires research that is inclusive of both Australian and PNG issues relevant to fisheries (a), the environment (b) and the peoples of the Torres Strait and adjacent coastal regions (c).

Broad Issues

- a. Catch sharing and bilateral regulatory arrangements
- b. Involvement of PNG people in R & D
- c. Coastal stability of PNG Western Province
- d. Participation of PNG nationals in TS activities (In the preamble include – the need for food security)

Governing Legislation and Administration

It was considered important to refer during the strategic planning to relevant legislative and administrative constraints or requirements that might impinge on the topics or implementation of research. Accordingly, a preliminary list of potentially relevant legislation or administrative protocols was noted for future reference.

Legislation

- e. TS Treaty (Legislative)
- f. TS Fisheries Act (Legislative)
- g. Qld Fisheries Act (Legislative)
- h. Native Title Act (Legislative)
- i. EPBC Act
- j. Qld Biodiversity Bill?
- k. TSRA Act
- l. Qld Commonwealth Service Act
- m. Qld Marine Protection Act
- n. Qld Health and Safety Act
- o. Qld Coastal Protection Act
- p. Qld Integrated Planning Act

Administration

- q. AFMA Strategic Plan (administrative)
- r. Oceans Policy
- s. TS Marine Strategy
- t. Qld Strategic Plans
- u. TS Development Plan – link to (g)
- v. Australian Diving Standard
- w. Qld Coastal Protection Plan(s)

- x. TSRA document outlining protocols for researchers in Torres Strait (Added after the meeting. This document was circulated to SAC members several years ago)

Caveat

Whilst the above demarcates a very broad ambit for strategic planning of research, it should be considered as a starting point for future discussion and refinement. Accordingly, it is to be expected that the above general framework may change as the details are fleshed out and their relevance to core issues in the Torres Strait are assessed. It should be noted also that further development of the strategic plan will necessarily involve the engagement of stakeholders outside the membership of the TSSAC.

Release of Preliminary Information from CRC Torres Strait Research in Progress

BACKGROUND

Much of the research funded historically by AFMA and in future through the CRC Torres Strait Research Program is issue-driven and tactical in nature.

Information from such research usually are eagerly sought by community and management stakeholders in relation to current, often public, issues for which information is required urgently.

Usual research practice involves the completion of research, careful and complete analyses of data and some form of peer review prior to publication or release of research results in the public domain.

The Issues

The urgency for release of relevant information about such issues means that the usual time taken for completion and peer-review of research reports is an unacceptable period for information to be embargoed.

Release of preliminary, un-reviewed information, however, means that the usual quality control processes are side-stepped, possibly meaning that early-released information contains errors, is misleading or is prone to misinterpretation.

An important issue also exists in relation to whom, if anyone, should release preliminary information and what rights of approval or veto for such release should be recognised.

Draft Procedures for Release of Research Information

These procedures for the release of preliminary information from research in the Torres Strait are based on the following premises:

- i. Most research is being done to address current issues for which information is sought urgently by stakeholders;
- ii. There is an agreed desire to have research information relevant to current issues available as soon as possible and procedures for the release of research information should not unduly impede the provision of such information to stakeholders;
- iii. The usual time taken for completion of research tasks and peer review of final reports places undesirable constraints on the availability of research information;
- iv. Whilst some research is more strategic than tactical, and the early release of information may have less immediate interest, it is important that all research be managed consistently;
- v. Intellectual Property in research done under the aegis of the CRC Torres Strait Research Program vest partially or wholly with the CRC Torres Strait Research Program;

- vi. The accepted procedures will, therefore, apply to all research done in the Torres Strait under the aegis of the CRC Torres Strait Research Program.

Planned Release of Research Information

The following steps should be taken to secure release of preliminary information from research, prior to the completion, peer review and publication of any final reports, whether such release is in response to a formal request or at the instigation of the researcher:

- A. The person seeking the release of information will provide to the Task Leader a written request to provide preliminary information, including a briefing covering the information requested and a proposed strategy for its release;
- B. The task leader will consider carefully the information intended for release, any issues surrounding the research and potential risks associated with early release of information and make a recommendation about release to the relevant Project Leader, Project Associate(s) and the CEO;
- C. The draft briefing will be reviewed and, where necessary, amended by the relevant Project Leader in consultation the Project Associate(s) and CRC TS Communications Project Leader and then provided to CRC Partners with direct interests in the research for comment and to the CEO for approval;
- D. Where research is funded directly by a third party under specific contract with the CRC Torres Strait Program, an authoritative representative of the contracting party will be included in steps B-D and the contracting party also will be required to approve or refuse the release of information in which they have significant Intellectual Property.

If release of preliminary information is approved by the CEO, and where relevant a contracting party, the preliminary information will be released according to the approved strategy. Unless specifically directed otherwise, such release of preliminary information will be in writing to all CRC partners and to the public. Verbal presentation of preliminary information should be accompanied by the written brief.

Release of preliminary information from research should be edited carefully to ensure that it does not purport to make statements of policy or principle on behalf of the CRC Reef, the CRC Torres Strait or their partners, such policy statements being the responsibility of the respective CEO or Chair.

If release of preliminary information is not approved by the CEO or a contracting party or a CRC Partner requests that the information be withheld, the requesting person may ask of the CEO that the request be referred to the CRC Torres Strait Board for reconsideration or, where appropriate, negotiation with the contracting party. The Board's decision will be final.

Ad-hoc Release of Research Information

In some circumstances preliminary information from research is requested at times or places that will preclude application of the above procedures. Such circumstances include, but are not limited to, unsolicited requests from journalists for interviews or questions to researchers in the field.

When dealing with an unsolicited media approach (that is, a call from a journalist that is not in response to a media release), and acting under the auspices of the CRC TS, researchers should consider the following guidelines before agreeing to an interview:

- Ask the journalist if you can call back in 15-30 minutes and take the time to collect your thoughts. You can use this time to consider whether you should do the interview, what approach to take, and also to contact the CRC TS Communications Officer and / or the relevant Project Leader to find out more about the story (*e.g.*, what is currently in the media, what the journalist is like, what approach you might use if you proceed with the interview).
- Consider the guidelines your employing organisation may have relating to media enquiries. You should always follow your employer's policies relating to media contact.
- Contact your Project Leader, the CEO or the Communications Officer to verify whether you should take the interview or it would be preferable for someone else to call the journalist back.
- After an interview, you may ask the journalist if you could check the copy for scientific accuracy before publication. Some journalists will agree; others will not. If you do obtain pre-print copy, you should check only the facts; journalists will almost certainly object to any suggested changes to style or emphasis.
- If you do conduct an interview about CRC TS research, brief the Communications Officer and Project Leader as soon as possible, with details about the date, topic and publication, and ensure that all CRC TS Partner agencies are advised of the interview and likely publication details.

In general, the preferred action is to grant interviews unless there are sound reasons not to. If the contacted researcher is not familiar with media interviews, however, the interview should be taken by the relevant Task or Project Leader.

When asked for research information during field work or casual conversations with stakeholders, all researchers should exercise caution in relaying preliminary information. It is important to convey known information that is well understood and to avoid obfuscation or avoidance. It is equally important, however, to avoid speculating, providing personal impressions of unanalysed data or making statements of principle or policy on behalf of the CRC or its partners, except where such statements are reporting known, established positions. Project Leaders and Project Associates should be briefed about such discussions when possible so that they are aware of the sources of information about which they might later receive enquiries.

TORRES STRAIT FISHERIES MANAGEMENT ADVISORY COMMITTEE	Meeting No. 4 2–3 November 2004
Torres Strait Natural Resource Management	Agenda Item No. 8.3

Purpose

To brief the TSFMAC on the new regional arrangements for the delivery of Natural Heritage Trust extension funds, and progress in developing a regional Natural Resource Management (NRM) plan.

Background

The NRM planning process for the Torres Strait is funded under the Australian Government's Natural Heritage Trust initiative. The Trust is based on the principle of partnerships between the community, industry, and all levels of government to achieve improved and sustainable NRM outcomes. Under the Trust, \$3 billion has been made available nationally for 57 regions across Australia to undertake NRM activities. The Queensland Government will match the Australian Government investment in each of the 15 regions in Queensland with cash or in-kind contributions. The principal mechanism for delivery of Trust funds is through regional investments in accordance with an accredited NRM plan. A Regional Body must be established to facilitate the development and implementation of a NRM plan for each of the regions.

The Regional Body for the Torres Strait, Torres Strait Natural Resource Management (TSNRM) Ltd, has recently been incorporated, and has a Board of Directors comprised of 5 interest group representatives (Women, Local Government, Education & Youth, Conservation and Fishing) and 6 community representatives from the various island clusters throughout the Torres Strait. The Board of TSNRM Ltd is establishing an expanded membership base to enable interested stakeholder groups in the region to have their say in decisions affecting land and sea management.

The Island Coordinating Council (ICC) has been contracted to develop the NRM plan on behalf of TSNRM Ltd. The planning team consists of the Science Coordinator, Dr Donna Kwan, Planning Coordinator, Shannon Burns, and Indigenous Liaison Officer, Vic McGrath.

The Regional Facilitator, Miya Isherwood, is hosted by the Torres Strait Regional Authority (TSRA). Her role is to provide linkages between the Australian Government and TSNRM Ltd. She is also able to support community organisations to access Natural Heritage Trust funding to undertake local environmental projects.

The National Oceans Office (NOO) is also supporting the regional NRM planning process in the Torres Strait. The Torres Strait forms part of the Northern Planning Area, for which the NOO is implementing Australia's Ocean Policy through coordinating the development of a regional marine plan across northern Australia. Marine-based aspects of the Torres Strait NRM plan may be appended to the Northern Regional Marine Plan.

What is an NRM Plan?

A regional NRM plan provides a strategic framework through which Regional Bodies can:-

- identify NRM issues in their region;
- identify their aspirations for NRM;
- assess the social, economic and biophysical drivers of NRM issues;
- develop targets that reflect their NRM aspirations;
- identify actions to achieve these targets;
- develop processes to monitor and evaluate actions and report on outcomes;
- achieve ownership of the solutions; and
- convince potential investors that proposed results will be achieved.

NRM Planning Requirements

In order for the regional NRM plan to be accredited, it must be demonstrated that the planning process meets the following requirements:-

- ❖ effective involvement of all key stakeholders in plan development and implementation;
- ❖ covers the full range of NRM issues;
- ❖ underpinned by scientific analysis of natural resource conditions, problems and priorities;
- ❖ focuses on addressing the underlying causes rather than the symptoms of problems;
- ❖ includes strategies to implement agreed NRM policies to protect the natural resource base; and
- ❖ demonstrates consistency with other planning processes and legislative requirements applicable to the region.

Planning Stages

The proposed timeframes for the various stages and outputs of the NRM planning process, including formal consultation periods, are set out below:-

- | | |
|--|-------------------------------|
| - awareness raising and information provision | (September – October 2004) |
| - plan scoping and regional overview | (October – December 2004) |
| - consultation on scoping and regional overview | (November – December 2004) |
| - sub-regional community information papers | (November 2004–February 2005) |
| - consultation on community information papers | (November 2004 – March 2005) |
| - draft regional plan & investment strategy | (June – July 2005) |
| - consultation on draft plan & investment strategy | (July – August 2005) |
| - revised plan & investment strategy | (December 2005) |

Engagement with the TSFMAC

The regional NRM plan will recognise existing fisheries management arrangements under PZJA mechanisms. There is no intention to duplicate fisheries management or consultative arrangements under the regional planning process. Rather, the focus will be on integrating existing strategies and priorities for sustainable management of Torres Strait natural resources, and complementing them.

The TSFMAC, as the most widely representative organisation to address the issues and interests of the fishing industry, island community fishers and fisheries managers, is a critical group to be informed of, and engaged in, the process for developing the regional NRM plan for the Torres Strait. Comprehensive and effective involvement of all stakeholders is necessary to ensure the NRM plan is accurate, comprehensive, well coordinated and capable of being implemented. Stakeholders, including those represented on the TSFMAC, will be asked to help us to identify:-

- all natural resources of value or concern;
- the current condition of these natural resources;
- any perceived threats to, or pressures affecting, these resources;
- the condition or state these resources should be in; and
- the immediate and long-term management actions necessary to protect or restore these natural resources.

TSNRM Ltd and staff are available on request to attend future TSFMAC meetings to provide regular updates and briefings on the regional planning process. Members of the Committee will also be given the opportunity to provide formal comments on the sub-regional community information papers, draft plan and regional investment strategy.

TSFMAC will be invited to nominate delegates to attend a technical workshop to be held on Thursday Island in the near future to discuss fisheries related issues. The information from this workshop will be incorporated in the draft NRM plan.

There may also be the opportunity for a limited TSFMAC delegation to attend a facilitated consultative workshop on Thursday Island prior to the release of the draft plan.

Recommendations

- (i) That the TSFMAC notes this brief on the new regional arrangements for the delivery of Natural Heritage Trust extension funds, and progress in developing a regional Natural Resource Management (NRM) plan.
- (ii) That the TSFMAC considers the most preferable arrangements for remaining informed of, and continuing to provide input into, the Torres Strait regional NRM planning process.



Torres Strait Regional Natural Resource Management (NRM) Arrangements

*“Sustainable Torres Strait **Region**
Through **Partnerships** Between
Community, Industry And
Government”*

Josephine David-Petero, Chair, TSNRM Ltd
Miya Isherwood, Regional NRM Facilitator



Natural Heritage Trust initiative

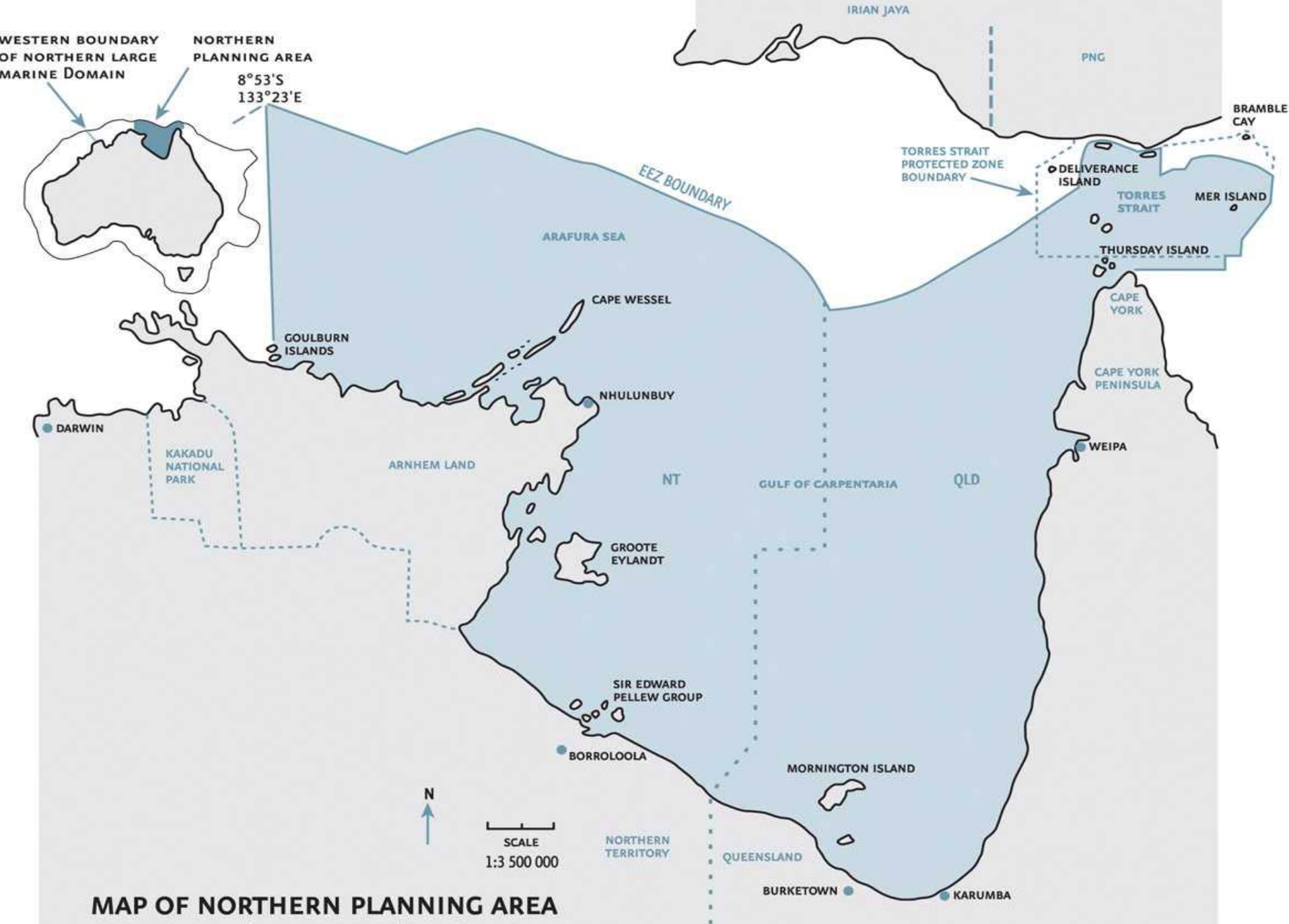
- Australian Government's major environmental initiative
- Fostering partnerships between community, industry and all levels of government to achieve sustainable natural resource management outcomes
- \$3 billion available nationally for 57 regions across Australia





Queensland

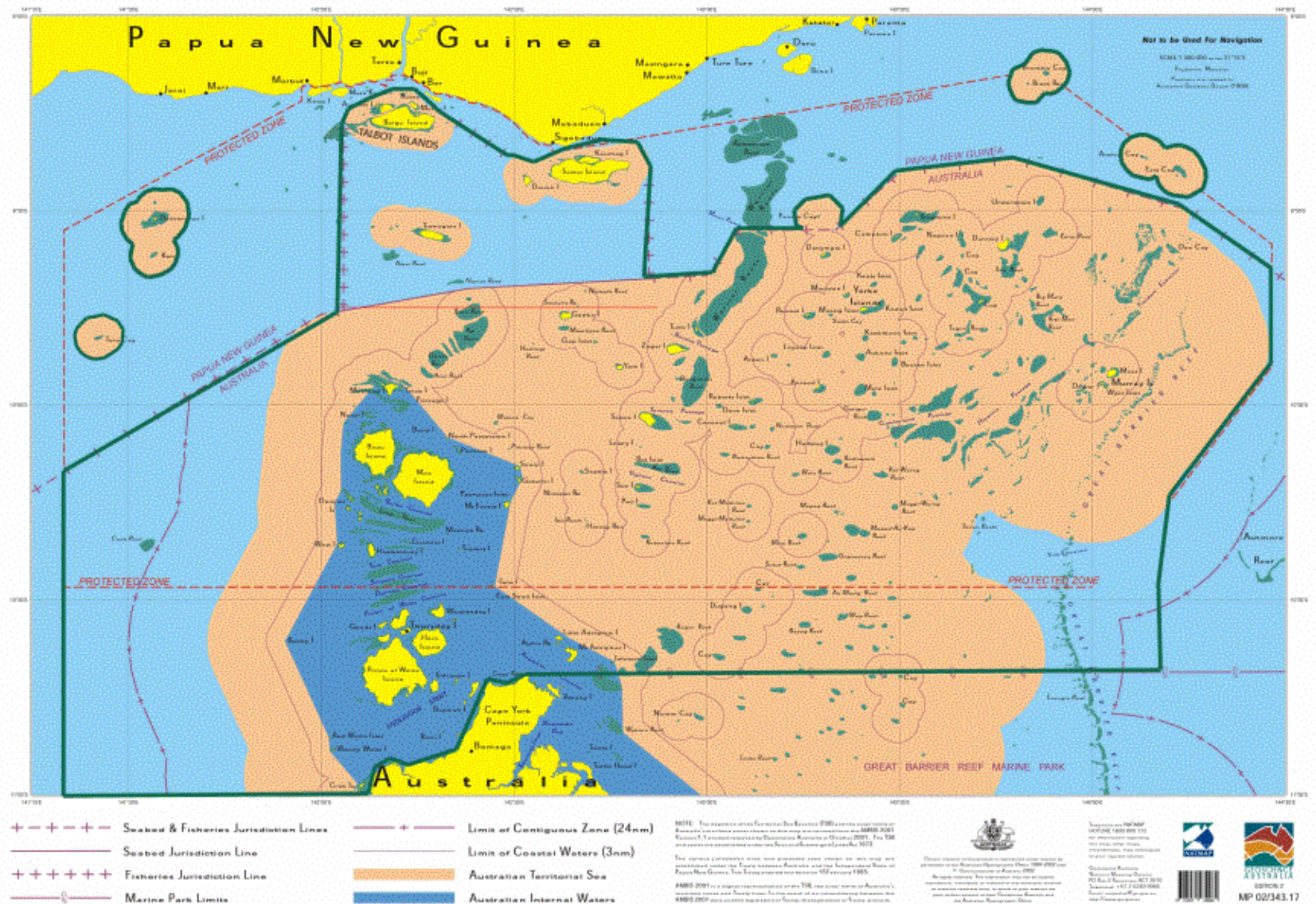




MAP OF NORTHERN PLANNING AREA
(INDICATIVE ONLY)



Australia's Maritime Zones in the Torres Strait





Torres Strait Regional NRM Body – TSNRM Ltd

- One regional NRM body in each region is responsible for developing and implementing a regional NRM plan in partnership with the community, regional stakeholders and government.
- TSNRM Ltd has now been incorporated. The Board consists of 11 directors, and an expanded membership will be formed to include interested stakeholders.



Board of Directors – TSNRM Ltd

Interest Groups:-

Women	Josephine David-Petero (Chair)
Local Government	Cr. Pedro Stephen
Education & Youth	Cr. Ned David
Fishing	Toshio Nakata
Conservation	TBA



Board of Directors – TSNRM Ltd

Community Representatives:-

Central Islands

Walter Mackie

Eastern Islands

Ron Day

Inner Islands

Robert Sagigi

Western Islands

Toshie Kris

Top Western Islands

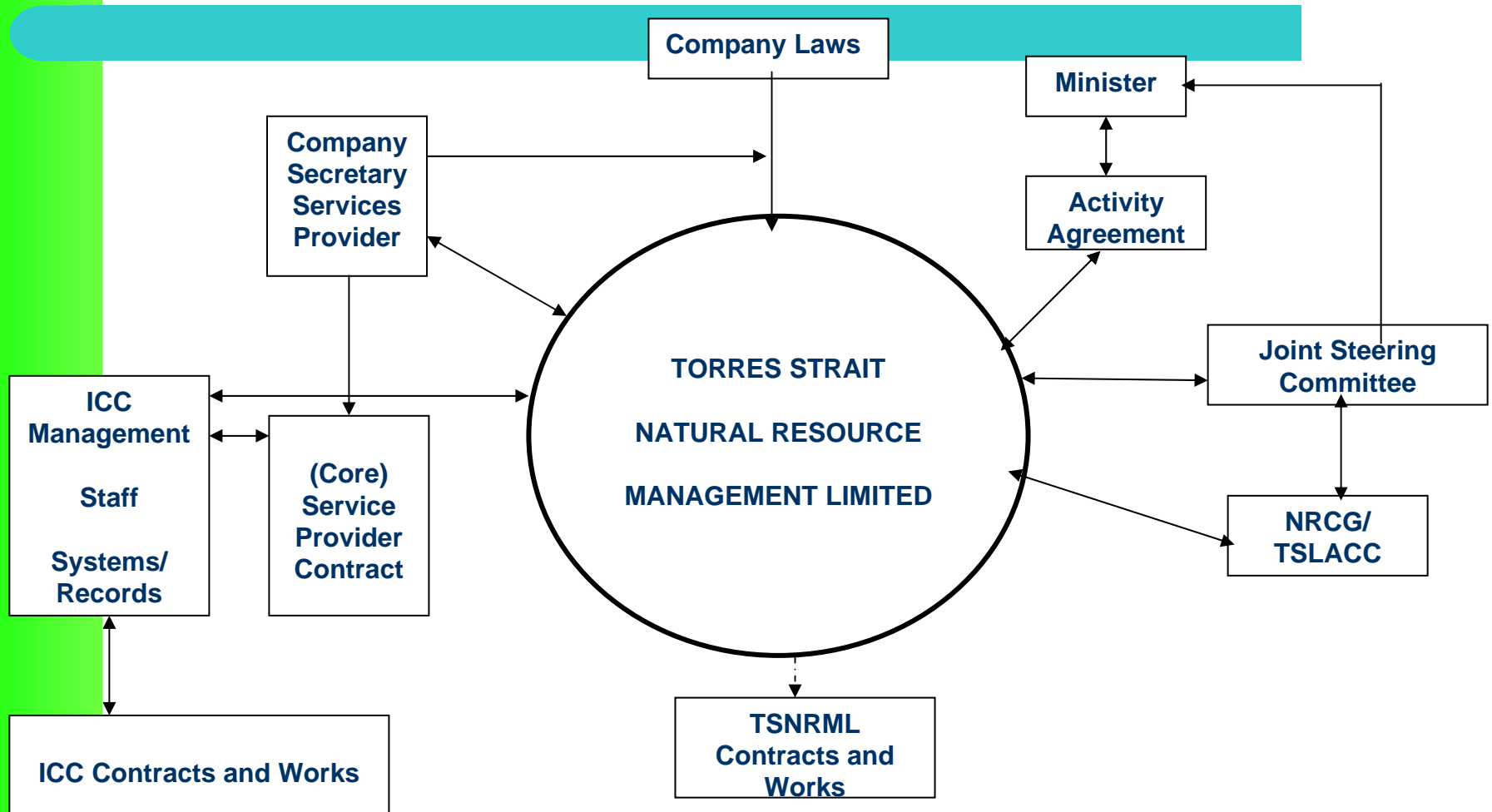
Terry Waia

Horn & POW Islands

Maluwap Nona



NRM Relationships in Torres Strait





Agency Coordination & Support

Government agencies provide coordinated support and assistance to the regional body through the:

**North Regions
Coordination Group**

**NRM&E, DPI&F, EPA, DLGP, DPC,
DSD, GBRMPA, CYIAG, DEH**

**Torres Strait Local
Agencies Coordination
Committee**

**NOO, AFMA, AQIS,
DFAT, DPI-F,
CRC-TS, ICC, TSRA, TSC**



Regional NRM Planning Objectives

- 3 overarching objectives for NHT
 - Biodiversity conservation
 - Sustainable use of natural resources
 - Community capacity building and institutional change
- Regional delivery of NHT funds in accordance with priorities identified in NRM plans and investment strategies



New Regional Arrangements – Stages

Stage 1 – Interim Arrangements

1. **Foundation Funding** to:
 - a) establish Regional Body; and
 - b) develop NRM plan and Regional Investment Strategy
2. **Priority Funding** – for regions to continue to address pressing NRM issues by undertaking priority projects



New Regional Arrangements – Stages

Stage 2 – Implementation

- Partnerships
- Joint ventures
- Government and non-government funds



Regional NRM Plan

- **Cover the full range** of natural resource management issues (land, water, vegetation and ocean)
- Based on **scientific analysis** of natural resource conditions, problems and priorities
- Have effective **involvement of all key stakeholders** in plan development and implementation
- Focus on **addressing the underlying causes** rather than the symptoms of the problems
- Demonstrate **consistency with other planning processes** and policies for the region



Regional NRM Plan

- Set targets at the regional scale
- Identify **prioritised and achievable actions** to address the range of NRM issues and achieve the regional targets, including the **wider social, economic, cultural and environmental impacts** of such actions
- Provide for **monitoring, review** and improvement of the plan



Planning Phases & Outputs

Establishment & foundation funding



Plan scoping, regional overview & communications strategy



Community Information Papers



Draft NRM Plan & Regional Investment Strategy (RIS)





Planning Phases & Outputs





Some key NRM issues

- Coastal erosion
- Waste management
- Weeds and feral animals
- Land clearing
- Infrastructure development
- Climate change and rising sea levels
- Conservation of migratory marine species
- Sustainable marine industries



Integration with other plans, policies and processes

- Australian and Queensland Government legislation, policies and programs
- Torres Strait Treaty & PZJA Mechanisms
- Northern Regional Marine Plan
- TSRA/ICC Marine Strategy
- TSRA Development Plan
- Torres Shire Planning Scheme
- Regional Coastal Management Plan
- Pest Management Plan



Where we're at?

- TSNRM Ltd staff have commenced, hosted within the ICC
- Regional Facilitator, hosted within the TSRA, has also commenced
- Torres Strait Natural Resource Management Ltd incorporated and working towards an expanded membership base
- Draft plan framework developed
- About to commence community and stakeholder consultations



Where we're going?

- Communication and engagement strategy under development
- Workshop for technical/science needs
- Implement priority projects:
 - Resourcing for PNG counterpart for NRM
 - Ugar Island water quality/hydrological survey
 - Regional coastal erosion study
 - Badu Island Land & Sea Management Program
- Draft Plan and Regional Investment Strategy anticipated by July 2005



How we can work with the MAC?

- Reference to existing PZJA mechanisms in plan
- No intention to duplicate fisheries management and consultative arrangements
- Complementary approach ~ integration and coordination of existing strategies for managing Torres Strait resources sustainably



How we can work with the MAC?

- NRM updates and briefings at MAC meetings
- Opportunity for MAC members to provide comments on sub-regional community information papers and draft plan
- Community consultative workshops intended to be held throughout Torres Strait island clusters prior to draft plan
- Technical workshop with a fisheries focus to be held on Thursday Island in the near future
- Possibility of having a limited MAC delegation attend major facilitated planning workshop on Thursday Island



Further information...

For any further information on the NRM arrangements for the Torres Strait, please contact:-

- **Toshi Nakata** – Deputy Chair, TSNRM Ltd
Ph. (07) 4069 0700
- **Vic McGrath** – Indigenous Liaison Officer
Ph. (07) 4069 1446
- **Miya Isherwood** – Regional Facilitator
Ph. (07) 4069 0700



Many Thanks!



TORRES STRAIT FISHERIES MANAGEMENT ADVISORY COMMITTEE	Meeting No. 4 2-3 November 2004
Update on Latent Effort Reduction Process	Agenda Item No. 9

Purpose

To inform the TSFMAC of the status of the latent effort reduction process being undertaken in the Torres Strait tropical rock lobster, reefline, and Spanish mackerel fisheries.

Background

Licence holders have previously been notified whether their licence met the approved criteria in the respective fisheries as indicated by logbook records. Those that did not were given the opportunity to provide supplementary information documenting catches or lodge a submission outlining exceptional circumstances.

Submissions received outlining exceptional circumstances were assessed by the Latent Effort Independent Advisory Panel on 23 September 2004. Licence holders involved in this step have also been given the opportunity to comment on the Panel's assessment on their licence.

Except for licences that are being investigated further, a decision will be made on each licence and notification letters sent by 31 October 2004. Therefore, by the time the TSFMAC meets, the decision making process will have been completed. Licence holders who are dissatisfied with the decision on their licence have the right to appeal the decision.

The tables below outline how each licence in a fishery compare with the criteria:

Tropical Rock Lobster

Logbook		Supplementary		Panel	
Yes	No	Yes	No	Yes	No
17	5	7	3	2	3

Reef Line

Logbook		Supplementary		Panel		Pending
Yes	No	Yes	No	Yes	No	
4	79	2	2	3	4	1

Spanish Mackerel

Logbook		Supplementary		Panel		Pending
Yes	No	Yes	No	Yes	No	
11	15	2	5	3	2	1

Recommendation

- i) That the TSFMAC note the status of the latent effort reduction process in the Torres Strait tropical rock lobster, reef line, and Spanish mackerel fisheries.

TORRES STRAIT FISHERIES MANAGEMENT ADVISORY COMMITTEE	Meeting No. 4 2 – 3 November 2004
Status of Strategic Assessments of Torres Strait Fisheries	Agenda Item No. 10

Purpose

To provide the TSFMAC an update of the status of strategic assessments of Torres Strait fisheries.

Background

Strategic Assessment Reports

Commonwealth managed fisheries are subject to the strategic assessment provisions of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Strategic assessment involves assessing all fishing activity under a Management Plan or policy rather than assessing each individual action or permit. The benefit of this approach is that it enables the cumulative impacts of a fishery to be considered and provides a level of certainty about what activities are permitted.

Once the assessment is complete, the Minister for the Environment and Heritage may then “accredit” the Management Plan or policy. He must then make a declaration under the EPBC Act that actions under the accredited Plan/policy do not require further impact assessment approval. In deciding whether to accredit a Plan, the Minister must be satisfied that the assessment report adequately addresses the Terms of Reference, and any modifications the Minister has recommended to the policy, Plan or program have been made.

Under the strategic assessment provisions of the EPBC Act, the Australian Fisheries Management Authority (AFMA) have all assessments commenced by July 2005, this includes the PZJA managed fisheries. Where an export component exists, the native wildlife export provisions require the fishery to be assessed against the *Guidelines for the Ecologically Sustainable Management of Fisheries* by 1 December 2004, to enable exports to continue. This was extended from 1 December 2003 primarily to ensure that assessments are completed properly and not rushed to meet the deadline.

The strategic assessment process is quite extensive. The draft assessment will be reviewed by the Department of Environment and Heritage and the AFMA Environment Committee prior to being released for public comment. Submissions received on the draft assessment will then be taken into account by the previously mentioned groups. The report will then be finalised and submitted to the Minister for the Environment and Heritage. Department of Environment and Heritage will then consider the report and make draft recommendations to their Minister.

Status of Strategic Assessments of Torres Strait Fisheries

The following graph illustrates the progress of current strategic assessments of relevant fisheries in Torres Strait.

AFMA Torres Strait Fisheries	Pre-sub Consultation	Working Draft	Public Comment	Formal Assessment	Ministerial Decision
Torres Strait Prawn					
Torres Strait Tropical Rock Lobster					
Torres Strait Finfish					
Torres Strait Bêche-de-mer					
Torres Strait Pearl Shell					
Torres Strait Trochus					
Torres Strait Crab					
Torres Strait Dugong ?					
Torres Strait Turtle ?					

Recommendation

1. That the TSFMAC note the progress and status of individual strategic assessments of relevant fisheries in the Torres Strait

TORRES STRAIT FISHERIES MANAGEMENT ADVISORY COMMITTEE	Meeting No. 4 2 – 3 November 2004
Torres Strait Bêche-de-mer (sea cucumber) Strategic Assessment – Approval of responses to public comments	Agenda Item No. 10.1

Purpose

To provide the TSFMAC management responses to comments received during the public-comment period and to seek approval.

Background

The report was released for public comment on the 17 September 2004 for a period of 28 days (15 October 2004). Overall a total of two submissions were received. Comments received thereafter and management responses have been incorporated into the attached table (*handout to be distributed on the day of the TSFMAC*).

On approval of management responses to public comments received, the TSFMAC shall be given one last opportunity to go through the final assessment report with those comments incorporated. Upon approval by the TSFMAC the report will then be provided to the AFMA Environment Committee for one final look before being sent to the PZJA for final endorsement. Following endorsement from the PZJA they will go to the Department of Environment and Heritage (DEH) for formal assessment.

Recommendation

1. That the TSFMAC approve management responses to comments received during the 28-day public comment period.

TORRES STRAIT FISHERIES MANAGEMENT ADVISORY COMMITTEE	Meeting No. 4 2 – 3 November 2004
Torres Strait Finfish Strategic Assessment – Approval of responses to public comments	Agenda Item No. 10.2

NO PAPER HAS BEEN DRAFTED FOR THIS AGENDA ITEM

WILL BE PRESENTED ON THE DAY

TORRES STRAIT FISHERIES MANAGEMENT ADVISORY COMMITTEE	Meeting No. 4 2 – 3 November 2004
Compliance Update	Agenda Item No. 11

NO PAPER HAS BEEN DRAFTED FOR THIS AGENDA ITEM

WILL BE PRESENTED ON THE DAY

TORRES STRAIT FISHERIES MANAGEMENT ADVISORY COMMITTEE	Meeting No. 4 2–3 November 2004
Other Business	Agenda Item No. 12

NO PAPERS HAVE BEEN DRAFTED FOR THIS AGENDA ITEM

**TORRES STRAIT FISHERIES MANAGEMENT ADVISORY
COMMITTEE MEETING – No. 4
2 – 3 November 2004
TSRA BOARD ROOM, THURSDAY ISLAND**

RECOMMENDATIONS FROM THE TSFMAC

Number	Recommendation
1	<p><i>Record of previous of TSFMAC meetings</i></p> <p>The TSFMAC ratified the record of the previous two TSFMAC meetings.</p>
2	<p><i>Agenda Item 1 - Membership and terms of members on PZJA consultative bodies</i></p> <p>The TSFMAC recommends that the PZJA improve the current process used to appoint members to its advisory groups, through a review of the consultative structure to occur no later than September 2005.</p> <ul style="list-style-type: none"> - The review should address issues including a more objective selection process leading to selection based on the applicant's ability to contribute constructively to the meeting and their expertise in either commercial, community or traditional fishing or indigenous lifestyle and livelihood.
3	<p><i>Agenda Item 1 cont.</i></p> <p>The TSFMAC supported a process to gather more information about the representative process and how well it is working.</p>
4	<p><i>Agenda Item 1 cont.</i></p> <p>The TSFMAC recommends to the PZJA that 'terms of members' on PZJA consultative bodies in Torres Strait should normally be for a period of three years commencing from the date of appointment by the PZJA.</p>
5	<p><i>Agenda Item 1 cont.</i></p> <p>The TSFMAC recommends that the PZJA approve a policy of replacing members who do not attend two consecutive meetings without consulting the Chair of the relevant committee and that should a member be replaced, the Chair notify the member in writing of their membership status.</p>
6	<p><i>Agenda Item 2 - Torres Strait Sea Cucumber Fishery</i></p>

	<p>That the PZJA note that the TSFMAC accepts in principle the recommendations from CSIRO relating to Total Allowable Catches (TAC).</p>
7	<p><i>Agenda Item 2 cont.</i></p> <p>That the PZJA note that the TSFMAC supported the principles of the area management approach, as proposed by Mer (Murray Island), however subject to further issues to be considered:</p> <ul style="list-style-type: none"> ▪ resolving research/assessment and management with community / traditional boundaries; ▪ appropriate TACs with respect to identified boundaries; ▪ Rotational closures and periods; ▪ Reference/closed areas; ▪ Allocation and equity issues amongst communities and non-Islander licence.
8	<p><i>Agenda Item 2 cont.</i></p> <p>The TSFMAC recommends to the PZJA that these principles be developed generally for the Torres Strait Protected Zone where the biology of the species is amenable to this approach.</p>
9	<p><i>Agenda Item 4 - Torres Strait Sponge Fishery – declaration of a fishery</i></p> <p>The TSFMAC</p> <ul style="list-style-type: none"> i) noted the work being undertaken in relation to bath sponge aquaculture in the Torres Strait; ii) supported determining the Sponge fishery as a Torres Strait fishery by adding it to “Schedule 2 - Short methods of reference to certain areas of Australian jurisdiction” of the <i>Torres Strait Fisheries Regulations 1985</i>; iii) supported the implementation of a Fisheries Management Notice prohibiting the harvesting of sponges unless an appropriate authorisation is held; iv) noted the compliance concerns arising from an industry proposal to have a minimal in-possession limit of sponges for the prawn industry; and v) noted that a finalised plan of management will be referred to the TSFMAC for PZJA approval.
10	<p><i>Agenda Item 5 - Torres Strait Pearl Shell Fishery</i></p> <p>The TSFMAC noted:</p> <ul style="list-style-type: none"> i) that although there is currently very little fishing taking place, the

	<p>current management arrangements need to be refined to ensure the sustainable management of this resource; and</p> <p>ii) the commencement of the draft Department of Environment and Heritage (DEH) strategic assessment for the Torres Strait Pearl Shell fishery by July 2005;</p>
11	<p><i>Agenda Item 5 cont.</i></p> <p>The TSFMAC supported further consultation with licence holders and pearl farmers on information gathering and potential management options.</p>
12	<p><i>Agenda Item 6 - Torres Strait Trochus Fishery</i></p> <p>That the TSFMAC noted:</p> <p>i) the current management arrangements in the Torres Strait trochus fishery;</p> <p>ii) the lack of a reliable data collection system for the fishery; and</p> <p>iii) the need for the fishery to commence the strategic assessment process within the next 9 months;</p>
13	<p><i>Agenda Item 6 cont.</i></p> <p>The TSFMAC supported further consultation with community fishers on information gathering and potential management options.</p>
14	<p><i>Agenda Item 6 cont.</i></p> <p>The TSFMAC recommends to the PZJA that the use of underwater breathing apparatus (hookah and SCUBA) be prohibited in this fishery.</p>
15	<p><i>Agenda Item 7.2 - Torres Strait finfish fishery – net sector</i></p> <p>The TSFMAC:</p> <p>i) noted the outcome of consultations with Traditional Inhabitants and the Finfish Working Group recommendation for the TSPZ to be closed to commercial netting; and</p> <p>ii) recommends to the PZJA that the area east of 142°09' and south of 10°28' be closed to commercial net fishing.</p>
16	<p><i>Agenda Item 3 - Turtle and dugong management</i></p> <p>The TSFMAC noted the progress in management for the Torres Strait traditional dugong and turtle fisheries.</p>

17	<p><i>Agenda Item 3 cont.</i></p> <p>The TSFMAC noted the limited distribution of the dugong video and agreed that the video should be widely distributed.</p>
18	<p><i>Agenda Item 3.2 - Dugong and turtle – Cross-jurisdictional project</i></p> <p>The TSFMAC noted the information provided on the cross jurisdictional project.</p>
19	<p><i>Agenda Item 3.2 cont.</i></p> <p>The TSFMAC agreed that the Strategic Assessment Report should be driven forward by TSFMAC members with traditional fishing interests, with leadership of the process provided by AFMA in conjunction with TSRA.</p>
20	<p><i>Agenda Item 3.2 cont.</i></p> <p>The TSFMAC:</p> <ul style="list-style-type: none"> i) noted that the cross-jurisdictional project was funded \$569 300 out of the \$1 300 000 applied for through the NHT-2 process; ii) raised concern that the funds approved would not be sufficient to achieve the outcomes sought by the project; iii) agreed that the shortfall in funding should be explored through other avenues; and iv) noted the synergy between this project and the Strategic Assessment process for dugong and turtle.
21	<p><i>Agenda 3.1 - Dugong research report (4th Dugong Aerial Survey Results)</i></p> <p>The TSFMAC acknowledged the implications of recent dugong research being published in an international scientific journal (on 8 November 2004), in particular the fact that present catch levels are far in excess of those sustainable in the long term, and agreed that dugong and turtle traditional harvest management issues would be addressed most effectively through a community based approach.</p>
22	<p><i>Agenda Item 3.1 cont.</i></p> <p>The TSFMAC discussed the benefits of a community based approach in line with traditional laws and customs.</p>
23	<p><i>Agenda Item 3.1 cont.</i></p> <p>The TSFMAC noted the proactive approach being taken in addressing dugong and turtle issues by the Kaurareg community and was supportive of a community based approach to reducing catch levels being applied to other communities.</p>

24	<p><i>Agenda Item 12.2 - Torres Strait prawn fishery</i></p> <p>The TSFMAC noted the views of the prawn industry regarding Federal Cabinet's decision of August 2004 and their concern over the lack of information provided and involvement of industry over the past few months in any way in the process.</p>
25	<p><i>Agenda Item 12.2 cont.</i></p> <p>The TSFMAC noted the update in the progress on the Federal Cabinet decision provided by the Australian Department of Agriculture Fisheries and Forestry and Department of Foreign Affairs and Trade.</p>
26	<p><i>Agenda Item 12.2 cont.</i></p> <p>The TSFMAC noted the prawn industry intention to discuss with management out of session the prawn observer programme, given their concerns about the costs of the programme generally and in relation to current economic circumstances in the fishery.</p>
27	<p><i>Agenda Item 7 - Torres Strait finfish fishery</i></p> <p>The TSFMAC</p> <ul style="list-style-type: none"> i) noted that the Finfish Working Group planned for October 2004 was postponed in the best interests of maintaining an effective fisheries consultative structure; ii) noted industry willingness to progress the development of a management plan for the finfish fishery and industry disappointment in the postponement of the Finfish Working Group; iii) noted industry concern that the fishery will increase to eight or nine boats fishing for reef fish in 2005 following the latent effort process; and iv) noted community fisher concerns that any increase in boats in the finfish fishery will affect the livelihood of traditional inhabitants, that there are limited resources available to traditional habitants in the eastern Torres Strait, and concerns over the lack of progress in addressing management issues.
28	<p><i>Agenda Item 7.1 - Torres Strait barramundi fishery</i></p> <p>The TSFMAC noted the work being undertaken to investigate the potential for a commercial barramundi fishery in the area of the top western cluster.</p>
29	<p><i>Agenda Item 8.1 – Research Issues</i></p> <p>The TSFMAC noted the report from the TSSAC.</p>

30	<p><i>Agenda Item 8.1 cont.</i></p> <p>The TSFMAC</p> <ul style="list-style-type: none"> i) noted the guidelines for release of information recommended by the TSSAC and guidelines relating to traditional knowledge; and ii) agreed to review the two documents and combine into a single comprehensive document.
31	<p><i>Agenda Item 8.2 – Departure of the TSSAC Chair</i></p> <p>The TSFMAC</p> <ul style="list-style-type: none"> i) noted that the Chair of the TSSAC will not be seeking reappointment at the end of his term of appointment; and ii) agreed that the TSFMAC Chair write to Professor Mapstone, thanking him for his contribution and services to the TSSAC.
32	<p><i>Agenda Item 8.3 - Torres Strait Natural Resource Management Process</i></p> <p>The TSFMAC noted the update on the Torres Strait Natural Resource Management process provided by the Regional Coordinator.</p>
33	<p><i>Agenda Item 9 - Latent effort reduction process</i></p> <p>The TSFMAC noted that decision letters relating to licences under the latent effort process have recently been sent and that management implications arising from this process will be addressed by the relevant Working Groups.</p>
34	<p><i>Agenda Item 10 - Strategic Assessments</i></p> <p>The TSFMAC:</p> <ul style="list-style-type: none"> i) noted the update provided on the strategic assessment of the sea cucumber fishery; and ii) noted that AFMA have submitted to DEH a request for a 12 month extension for the strategic assessment for the prawn fishery.
35	<p><i>Agenda Item 11 - Compliance update</i></p> <p>The TSFMAC:</p> <ul style="list-style-type: none"> i) noted the compliance report provided by the District Officer – Thursday Island (QB&FP) and that compliance activities have been dominated by Foreign Fishing Vessel activity; and ii) noted the concerns raised by community fishers about quarantine and environmental health issues arising from disposing apprehended foreign

	fishing vessels in waters near communities and near the Dugong sanctuary.
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ACTION ITEMS

Number	Action Item	Action Agency
1	Letter to be sent to Bruce Mapstone thanking him for his assistance whilst on the TSSAC. To be signed by Russell Reichelt (TSFMAC Chair)	

**TORRES STRAIT FISHERIES MANAGEMENT ADVISORY
COMMITTEE MEETING – No. 4
2 – 3 November 2004
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**TORRES STRAIT FISHERIES MANAGEMENT ADVISORY
COMMITTEE MEETING – No. 4
2 – 3 November 2004
TSRA BOARD ROOM, THURSDAY ISLAND**

AGENDA

A) OPENING COMMENTS

B) APOLOGIES

C) ADOPTION OF MINUTES FROM PREVIOUS MEETING OF THE TSFMAC

D) ADOPTION OF AGENDA

- | | |
|--|--------------------------|
| 1. Membership and Terms of Members on
PZJA Consultative Bodies (AFMA) | FOR INFORMATION/DECISION |
| 2. Bêche-de-mer (sea cucumber) Fishery
(AFMA) | FOR INFORMATION/DECISION |
| 3. Management of Dugong and Turtle
(AFMA/TSRA) | FOR INFORMATION/DECISION |
| 3.1 AFMA Research Report – 4 th Dugong
Aerial Survey Results | |
| 3.2 Cross-jurisdictional Project | |
| 4. Sponges - Declaration of a fishery
(AFMA/TSRA) | FOR INFORMATION/DECISION |
| 5. Pearl Shell Fishery - Options for future
management (AFMA) | FOR DISCUSSION |
| 6. Trochus Fishery - Current situation
(AFMA) | FOR DISCUSSION |
| 7. Finfish Fishery | FOR INFORMATION/DECISION |
| 7.1 Management of Barramundi (AFMA) | |
| 7.2 Net Sector (AFMA/TSRA) | |

8. Research Issues

FOR INFORMATION

8.1 Report from the TSSAC

8.2 Departure of the TSSAC Chair
(AFMA)

8.3 Torres Strait Natural Resource
Management Presentation (TSNRM
Ltd.)

9. Update on the Latent Effort Reduction
Process (QDPI&F)

FOR INFORMATION

10. Status of Strategic Assessments of
Torres Strait fisheries (AFMA)

FOR INFORMATION

10.1 Bêche-de-mer - Approval of
responses to public comments

10.2 Finfish - Approval of responses to
public comments

11. Compliance Update (AFMA)

FOR INFORMATION

12. Other Business

12.1 Melbourne Cup Tips

12.2 Update on the Torres Strait Prawn
Fishery

E) NEXT MEETING

**TORRES STRAIT FISHERIES MANAGEMENT ADVISORY
COMMITTEE MEETING – No. 4
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TSRA BOARD ROOM, THURSDAY ISLAND**

DRAFT MINUTES of MEETING

THESE ARE **DRAFT** MINUTES WHICH HAVE BEEN DISTRIBUTED TO WORKING GROUP MEMBERS AND WILL BE RATIFIED AT THE NEXT MEETING OF THE WORKING GROUP. IF **NO** COMMENTS ARE RECEIVED BY **24 DECEMBER 2004**, THIS WILL REMAIN A TRUE COPY OF MINUTES TAKEN AT THIS MEETING.

DAY 1

Attendance

Russell Reichelt	(Chairperson)
Jim Prescott	(AFMA)
Jim Gillespie	(QDPI&F)
John Kung	(QDPI&F)
Rosemary Millward	(Proxy for Barry Ehrke – QSIA and Mark Millward Industry Representative – after 1300pm)
Ray Moore	(TRL Industry Representative)
Carl D’Aguiar	(Finfish Industry Representative)
Peter Yorkston	(TSRA Fisheries Co-ordinator - Supporting)
Ken Bedford	(TSRA – Darnley Community Fisher Representative)
Railey Gibia	(TSRA – TRAWQ Community Fisher Representative)
Keri Akiba	(TSRA – Proxy for Saibai Community Fisher Representative)
John Gibuma	(TSRA – Boigu Community Fisher Representative)
Phillip Bigie	(TSRA – Dauan Community Fisher Representative)
Richard Newie	(TSRA – Kubin Community Fisher Representative)
Terrence Whap	(TSRA – Mabuiag Community Fisher Representative)
Kila Odo	(TSRA – Murray Community Fisher Representative)
Willie Wigness	(TSRA – Kaurareg Community Fisher Representative)
John Wigness	(TSRA – St. Pauls Community Fisher Representative)
Lota Warri	(TSRA – Yorke Community Fisher Representative)
Yen Loban	(TSRA – Muralag WMN Community Fisher Representative)
Graham Hirakawa	(TSRA – Port Kennedy Community Fisher Representative)
Thomas Reuben	(TSRA – Seisia Community Fisher Representative)

Observers

John Marrington	(AFMA)
Sascha Taylor	(AFMA)
Dave Johnson	(AFMA)
Dan Sweeney	(QB&FP)
Suzy Wilson	(DFAT)
Simone Retif	(DEH)

Don Mosby (TSRA - Torres Fisheries Committee Representative)
Stan Lui (QB&FP)

DAY 2

Attendance

Same as Previous (Rosemary Millward required to leave meeting at 1 pm).

Observers

Same as Previous (without Stan Lui)

Victoria Anderson (DAFF)

Miya Isherwood (TSRA – TSNRM Regional Facilitator)

DAY 1 –

A) OPENING

The meeting was opened at 0900hrs by the independent Chair, Mr Russell Reichelt, followed by a traditional prayer spoken by Mr Phillip Bigie.

B) APOLOGIES

Apologies were accepted for the following persons -

Mr Barry Ehrke (QSIA Representative)

Mr Samuel Tamu (TSRA – Warraber Community Fisher Representative)

Mr Mark David (TSRA – Yam Island Community Fisher Representative)

Mr Jack Billy (TSRA – Poruma Community Fisher Representative)

Mr Fred Gela (TSRA – Hammond Island Community Fisher Representative)

Mr Mark Millward (Industry Representative)

C) ADOPTION OF MINUTES FROM PREVIOUS MEETING OF THE TSFMAC

The TSFMAC ratified the previous minutes of the last two TSFMAC meetings.

D) ADOPTION OF AGENDA

Ms Rosemary Millward wished to discuss and provide an update on progress in the Torres Strait Prawn Fishery. It was agreed that this would be discussed under Agenda Item 12 – Other Business.

Agenda Item 1: Membership and Terms of Members on PZJA Consultative Bodies

Presented by Jim Gillespie. The TSFMAC heard a brief history of the new consultative structure and how members have been selected in the past for the various advisory bodies.

Members discussed the issue of missing meetings and how many a member could miss before being removed from an advisory body.

- Dave Johnson pointed out to the committee that in other Commonwealth MACs a policy exists where if you miss three meetings you'll be removed from that MAC.

Carl D'Aguiar spoke of the importance of getting the views of both industry and Traditional inhabitants on the table. Suggested that workshops would be of great value in helping members understand and meet their responsibilities.

Don Mosby added the importance of TSRA's support and commitment to the process on the condition that traditional inhabitant representation remains intact and not reduced. Mr Mosby also questioned whether this issue was directed at particular Community Fisher Reps.

- The Chair responded by saying that this issue was about improving the skills of the members.
- Jim Gillespie added that this will improve the effectiveness of the advisory bodies.

Carl D'Aguiar put forward the view that while he would always be available to attend meetings, Tradition Inhabitants may find it difficult if conditions for fishing are good. He said that Traditional Inhabitants should not have to forfeit opportunities to make money.

- This point was refuted by Kila Odo saying that Community Fisher Reps must be committed to the process and it is the responsibility of all Community Fisher Reps to attend all meetings and only in exceptional circumstances that a proxy should attend.

Keri Akiba expressed the need to be properly informed and some of the language barriers that make this difficult.

- The Chair said he hoped that when the consultative structure review takes place that appropriate communications strategies are developed that will address these types of concerns.

Sascha Taylor made the point that the purpose of this agenda item was to tie up "loose ends" and made reference to other existing Commonwealth legislation regarding MAC administration.

On the issue of a questionnaire, Carl D'Aguiar indicated he would prefer to be consulted over the phone rather than in written form.

Kenny Bedford also expressed concern with the questionnaire proposed in the paper. He believed few Traditional Inhabitants would likely respond to a written questionnaire. He indicated he would prefer to see this information obtained through future community visits.

John Kung pointed out to the MAC the tradeoffs between various survey methods such as using either a written questionnaire, telephone interview or someone visiting fishers and conducting the interviews in person.

In respect of the "selection criteria, Don Mosby suggested that the criteria that applies to working group memberships may have to differ from that used for MAC membership.

- there was general agreement with this point amongst the MAC members.

John Wigness questioned his status on the MAC.

- Jim Prescott informed the MAC that Community Fisher Reps were nominated by the TSRA and subsequently become members of the MAC.

- Peter Yorkston followed this up by describing the process by which Community Fisher Reps are elected.

Recommendations:

- The TSFMAC recommends that the PZJA improve the current process used to appoint members to its advisory groups, through a review of the consultative structure to occur no later than September 2005.
 - The review should address issues including a more objective selection process leading to selection based on the applicant's ability to contribute constructively to the meeting and their expertise in either commercial, community or traditional fishing or indigenous lifestyle and livelihood.
- The TSFMAC supported a process to gather more information about the representative process and how well it is working.
- The TSFMAC recommends to the PZJA that 'terms of members' on PZJA consultative bodies in Torres Strait should normally be for a period of three years commencing from the date of appointment by the PZJA.
- The TSFMAC recommends that the PZJA approve a policy of replacing members who do not attend two consecutive meetings without consulting the Chair of the relevant committee and that should a member be replaced, the Chair notify the member in writing of their membership status.

Agenda Item 2: Bêche-de-mer (sea cucumber) Fishery

Presented by Sascha Taylor. The MAC were provided with an update on work done to date in the sea cucumber fishery and an overview of the recommendations from the CSIRO report "*Stock survey and sustainable harvest strategies for the Torres Strait BDM*".

Discussion took place amongst members on the appropriateness of the TAC levels and the grouping of the species based on their respective values.

Kila Odo reminded the members that BDM only affects communities in eastern Torres Strait.

John Kung informed the MAC that the sandfish fishery was closed in 1998 as a result of the high unsustainable catches and CSIRO survey results.

Kila Odo questioned the methods being used for the surveys and that they were not being conducted over sea cucumber habitat.

- Jim Prescott explained to the MAC how the survey is undertaken and the rationale for that approach.

During the discussion the following points were made:

- the survey encompassed over 400 sites

- density has to be of a sufficient level to enable successful fertilisation to occur
- adult and juvenile sea cucumbers generally rarely move more than a few hundred metres.

Kila Odo tabled a paper containing a management plan proposal for the Mer community. Kila informed the MAC of his community's reliance on finfish, trochus and sea cucumbers. He indicated that the recommended high value species TAC of 35 tonnes was not enough for Mer let alone all of the eastern group communities. Kila said it was important that the sea cucumber fishery, other than sandfish, be left for the eastern group communities.

- John Wigness spoke in support of Kila's views

Rosemary Millward suggested that separate areas could be established with the TAC then being split over each of the areas. Rosemary said she believed the fishery will still require a range of input and output controls, and a good monitoring system.

Jim Prescott raised the issue of who should have access to the resource. He said that this is a fishery that needs to be managed at community level but many questions will need to be asked and issues resolved.

Kenny Bedford supported these comments and stated that these discussions need to take place between the eastern group communities. He suggested that some form of working group may be necessary to assist this process.

The Chair also supported the approach of the fishery being managed at community level. Suggested the need to incorporate local knowledge with the science to allow for a more reactive TAC. Also suggested that a process needed to be established to resolve allocation issues (between communities).

Don Mosby asked the MAC if "management" would accept any boundaries suggested by the communities for use in other fisheries.

- Rosemary Millward responded by saying these sorts of issues are addressed on a fishery by fishery basis.
- Dave Johnson supported this and added that there are broader management issues that need to be considered in line with available science.

Jim Prescott stated that there is sufficient data available from the survey to allow for a TAC to be divided up between communities if agreement can be found on areas.

The Chair believed that more discussion needed to take place before this matter could be progressed. He suggested this could be done through the establishment of a small working group.

Jim Prescott requested that more detail be provided on Kila Odo's proposal which could then be tacked onto the planned workshops where it could be discussed in more detail.

Rosemary Millward asked if the existing TACs were adequate for protecting the BDM stocks whilst management arrangements were being developed.

- Jim Prescott responded with 'NO'.

Carl D'Aguiar expressed concern about the impact future arrangements may have on the sole non indigenous BDM licence holder.

- The Chair acknowledged this and stated that this holder must be dealt with in an equitable way and must be brought into the consultation process.

The Chair was of the view that more work needed to be done before the TSFMAC could consider the matter further.

Recommendations

That the PZJA note that the TSFMAC accepts in principle the recommendations from CSIRO relating to Total Allowable Catches (TAC).

That the PZJA note that the TSFMAC supported the principles of the area management approach, as proposed by Mer (Murray Island), however subject to further issues to be considered:

- resolving research/assessment and management with community/traditional boundaries;
- appropriate TACs with respect to identified boundaries;
- Rotational closures and periods;
- Reference/closed areas;
- Allocation and equity issues amongst communities and non-Islander licence.

The TSFMAC recommends to the PZJA that these principles be developed generally for the Torres Strait Protected Zone where the biology of the species is amenable to this approach.

Agenda Item 3: Management of Dugong and Turtle

Presented by Jim Prescott. This agenda item commenced with the showing of a video produced by JCU titled "Dugong for Our Children".

- Sascha Taylor informed the TSFMAC that most communities had not seen the video.
- The Chair thought that the TSFMAC should be used to push its wider distribution.

Keri Akiba expressed concern with the increasing use of spot lights particularly by PNG villagers.

John Wigness stated the importance of showing the video in the communities and for the conservation message to be pushed by the community fisher reps.

This point of view was supported by Kenny Bedford who added that it was a good starting point to prompt further discussion and to gauge peoples views.

Thomas Reuben stated that the message and resolution has to be done at grass roots in their own language.

Terrence Whap felt that the video did not contain the cultural depth and that it would be more effective to sit and discuss these issues around the table.

Willie Wigness spoke in support of the video. He also informed the TSFMAC that his community had developed a management plan which he would be presenting at the next Community Fisher Group meeting.

There seemed to be agreement amongst the TSFMAC members that modern equipment being used for hunting needs to be controlled and traditional practise encouraged.

Recommendations

The TSFMAC noted the progress in management for the Torres Strait traditional dugong and turtle fisheries.

The TSFMAC noted the limited distribution of the dugong video and agreed that the video should be widely distributed.

3.1 AFMA Research Report – 4th Dugong Aerial Survey Results

Presented by Jim Prescott. A power point presentation prepared by Prof. Helene Marsh was presented to the TSFMAC. Included in the presentation was how the aerial surveys were conducted and how the data obtained from the survey flights was extrapolated into the results being presented.

Keri Akiba stated that Treaty rights were being abused by PNG villagers.

Jim Prescott reported to the TSFMAC that he had sighted on consecutive days dugong for sale at Daru markets. He also said that the issue of selling dugong had been raised with PNG on numerous occasions but nothing seems to have changed.

- Suzy Wilson explained to the TSFMAC the Treaty liaison meeting cycle (TIM-TLM-JAC)

Yen Loban suggested it may be more effective to have Torres Strait Islanders push the message in the PNG villages.

Jim Prescott added that it was important for Traditional Inhabitants to lead by example. He also agreed that this issue could only be resolved at community level.

Keri Akiba again raised the concern that PNG villagers were using spotlights and nets for hunting dugong and turtle in the top-western areas.

The TSFMAC discussed a draft media release prepared by Helene Marsh.

- The Chair thought it would be more appropriate for the media release to come from the TSRA rather than the CRC as the release deals with management rather than research issues.
- There was general support amongst members for the media release to come from community leaders through the TSRA.

Kenny Bedford expressed concern with the potential backlash after the release of the report from people who do not understand islander culture or the context. Kenny said he would like consideration given to how to deal with the media and other interested parties going out into the communities.

- The Chair agreed this was a significant issue and that strategy needs be developed for dealing with this concern.

Suzy Wilson spoke of the importance of handling the situation carefully. Could compromise Australia's relationship with PNG hindering future co-operation.

Jim Prescott also pointed out that there could be serious consequences for turtles as dugong catches reduce.

Kila Odo talked about turtle farming as an idea to populate wild stocks.

Recommendations

The TSFMAC acknowledged the implications of recent dugong research being published in an international scientific journal (on 8 November 2004), in particular the fact that present catch levels are far in excess of those sustainable in the long term, and agreed that dugong and turtle traditional harvest management issues would be addressed most effectively through a community based approach. The TSFMAC discussed the benefits of a community based approach in line with traditional laws and customs.

The TSFMAC noted the proactive approach being taken in addressing dugong and turtle issues by the Kaurareg community and was supportive of a community based approach to reducing catch levels being applied to other communities.

3.2 Cross-jurisdictional Project

Presented by Peter Yorkston. The TSFMAC were provided with an update on the outcomes of the application for funding through the Northern Australian Indigenous Land and Sea Management Alliance (NAILSMA) for NHT2 cross jurisdictional funding. It was pointed out that some success was had with \$569,300 being approval but this was well short of the \$1,300,000 applied for.

Peter Yorkston also provided a description of the arrangements for implementation. The purpose of the project is to build up an inventory of catch and effort that will ultimately lead to effective management of the dugong and turtle resources at community level, probably through a total allowable catch managed by a quota system. It is important for hunters and communities to have full ownership of the process. Peter Yorkston also stated that a strategic assessment of the Dugong and Turtle fishery will identify the shortcomings in management arrangements, identify the collective impacts that will lead to a level of certainty about what activities are permitted. Peter Yorkston also noted that funding is only for 2 ½ years and there is a need for ongoing resources to enable effective management to continue. Also pointed out was a need to for additional resources for communities to enforce their community based management plans.

Simone Retif explained to the TSFMAC that a strategic assessment will be required for the dugong and turtle fisheries.

- the Chair stated that this may be an avenue for obtaining additional funding
- Simone Retif stated that DEH would prefer to see the management agencies develop the management strategies rather than waiting for DEH to make recommendations.

John Kung pointed out the importance of management being driven by the communities in order to retain control of the process. If recommendations on management were dictated by

the strategic assessment, then there is a risk of subsequent management measures not being compatible with community aspirations, unless the recommendation arising from the assessment process were negotiated and part of the community planning developments.

The TSFMAC discussed the way forward with progressing the strategic assessment. There was general agreement that the assessment may have implications for other fisheries in which case they need to be consulted. There was also agreement that AFMA should be the lead agency but in partnership with the TSRA.

The TSFMAC acknowledged the shortfall in funding and the need to obtain additional funding to complete the project successfully.

- The Chair stressed the importance of this issue and that all members of the TSFMAC will be drawn upon to see this through.
- Peter Yorkston reiterated this point and added that much work has already been undertaken including community visits and meetings, education through the schools, through CRC traditional Catch monitoring project, and the development of management plans by some communities.

Recommendations

The TSFMAC noted the information provided on the cross jurisdictional project.

The TSFMAC agreed that the Strategic Assessment Report should be driven forward by TSFMAC members with traditional fishing interests, with leadership of the process provided by AFMA in conjunction with TSRA.

The TSFMAC:

1. noted that the cross-jurisdictional project was funded \$569 300 out of the \$1 300 000 applied for through the NHT-2 process;
2. raised concern that the funds approved would not be sufficient to achieve the outcomes sought by the project;
3. agreed that the shortfall in funding should be explored through other avenues; and
4. noted the synergy between this project and the Strategic Assessment process for dugong and turtle.

Agenda Item 4: Sponges – Declaration of a Fishery

Presented by John Marrington. The TSFMAC were provided with an overview of the work undertaken done to date with respect to bath sponge aquaculture. The TSFMAC were informed that there are currently no controls in place for this fishery and anyone holding a Torres Strait fishing boat licence could participate in the harvesting of sponges.

Stan Lui, a participant of the survey, also provided a summary of how the survey was undertaken and some of their findings. He also gave brief description of what is involved in a sponge aquaculture.

Rosemary Millward expressed concern that a prohibition on the take of sponge will have implications for the prawn vessels and the overlap for sponge harvest areas with the prawn fishing grounds. Rosemary suggested a small possession limit would be appropriate to address any incidental catch that may be on board the boat and to avoid any potential compliance concerns. Also suggested that perhaps the prohibition could be species specific, i.e. apply only to the species of bathe sponge required for the aquiculture project.

- Management were of the view that at this point in time the prohibition should apply to all sponges. Management were also of the view that the compliance issues raised by Rosemary were not significant enough to warrant complicating the proposed arrangements and that common sense should prevail when fisheries officers are undertaking their duties on board prawn vessels. Dave Johnson suggested that details of this “common sense” approach could be discussed and agreed as part of the compliance risk assessment and compliance strategy for the Torres Strait Fisheries.

Rosemary Millward questioned the process for discussing management issues in the sponge fishery. Also expressed concern that as sponge aquaculture develops there may be increased interactions with the prawn fleet, eg. designated anchorages.

- It was pointed out that as no specific working group existed for sponge, the TSFMAC was the appropriate forum for discussing any issues that arise in the fishery. This would allow for the prawn industry to partake in any discussion that arises on this fishery.

Recommendations

The TSFMAC

- i. noted the work being undertaken in relation to bath sponge aquaculture in the Torres Strait;
- ii. supported determining the Sponge fishery as a Torres Strait fishery by adding it to “Schedule 2 - Short methods of reference to certain areas of Australian jurisdiction” of the *Torres Strait Fisheries Regulations 1985*;
- iii. supported the implementation of a Fisheries Management Notice prohibiting the harvesting of sponges unless an appropriate authorisation is held;
- iv. noted the compliance concerns arising from an industry proposal to have a minimal in-possession limit of sponges for the prawn industry; and
- v. noted that a finalised plan of management will be referred to the TSFMAC for PZJA approval.

Agenda Item 5: Pearl Shell Fishery – Options for Future Management

Presented by Jim Prescott. The TSFMAC were provided with a brief history of the fishery and informed of the current management arrangements that apply. The TSFMAC were also informed that a strategic assessment report for the Pearl Fishery has to be commenced by July 2005.

The TSFMAC were advised that there were well over 100 endorsements in existence for the fishery but there was no system in place to record who was taking pearl shell. It is believed

that only a small quantity of wild stock was required by the pearl farms each year. Ray Moore indicated that perhaps only around 1,000 shell were required each year.

The Chair expressed concern that much of the information about this fishery was held by many people and that it would be desirable to have it packaged up so it could be used in future decision making. He also stressed the importance of collecting catch and effort data for the fishery.

The Chair indicated that there wasn't much the TSFMAC could do at this point of time given the available level of resourcing and the existing priorities.

Simone Retif made the point that DEH would prefer to see the Management agencies develop management strategies for the fishery rather than waiting for DEH to make recommendations.

Recommendations

The TSFMAC noted:

- i) that although there is currently very little fishing taking place, the current management arrangements need to be refined to ensure the sustainable management of this resource; and
- ii) the commencement of the draft Department of Environment and Heritage (DEH) strategic assessment for the Torres Strait Pearl Shell fishery by July 2005;

The TSFMAC supported further consultation with licence holders and pearl farmers on information gathering and potential management options.

Agenda Item 6: Trochus Fishery – Current Situation

Presented by Jim Prescott. The TSFMAC were provided with an overview of the fishery including current management arrangements.

The Chair stressed the importance of setting up a reliable data collection system. He said this could only be done successfully by working closely with the communities.

Simone Retif reminded the TSFMAC that this was another fishery where a strategic assessment report will have to have commenced by July 2005. Simone reaffirmed DEH's position on preferring to see the Management agencies take the lead on developing management strategies rather than waiting for DEH to make recommendations.

Recommendations

That the TSFMAC noted:

- i) the current management arrangements in the Torres Strait trochus fishery;
- ii) the lack of a reliable data collection system for the fishery; and
- iii) the need for the fishery to commence the strategic assessment process within the next 9 months;

The TSFMAC supported further consultation with community fishers on information gathering and potential management options.

The TSFMAC recommends to the PZJA that the use of underwater breathing apparatus (hookah and SCUBA) be prohibited in this fishery.

Agenda Item 7: Finfish Fishery

7.1 Management of Barramundi

Presented by Ben Pye. The TSFMAC were provided with an update on the work being undertaken exploring the potential for the development of a commercial barramundi fishery in area of the top western group.

Keri Akiba informed the TSFMAC that the Saibai community were keen to see the net restrictions removed from around the top western islands so a commercial barramundi fishery could be developed in addition to commercial crab and leader prawn industries. Keri informed the TSFMAC they had already been talking to a prawn farmer on the mainland and were keen to have a feasibility study undertaken to see if leader prawns could be viable.

- Jim Prescott informed the TSFMAC that strict quarantine restrictions have been established to prevent the introduction of disease onto the east coast, eg. white spot.
- John Kung advised that, in relation to previous proposals to harvest leader prawns in this area and transport them to the east coast, the Queensland Department of Primary Industries and Fisheries have developed a set of protocols.
 - Peter Yorkston confirmed the need to seek DPI approval due to concerns largely with potential for introduced disease. .
 - Phillip Bigie asked that the feasibility study should incorporate a stock assessment of barramundi stocks in the top western part of the Torres Strait.

Recommendations

The TSFMAC noted the work being undertaken to investigate the potential for a commercial barramundi fishery in the area of the top western cluster.

7.2 Net sector

Presented by John Marrington. The TSFMAC were provided with the history of this issue. The TSFMAC were informed that the issue of closing the net fishery had not been progressed due to consultation amongst traditional inhabitants being undertaken.

Peter Yorkston restated the traditional inhabitant position of wishing to see the fishery closed to commercial net fishing largely due to the desirable impacts of dugong and turtle bycatch and historically and currently, there has been no commercial finfish netting in that area.

Recommendations

The TSFMAC:

- i) noted the outcome of consultations with Traditional Inhabitants and the Finfish Working Group recommendation for the TSPZ to be closed to commercial netting; and

- ii) recommends to the PZJA that the area east of 142°09' and south of 10°28' be closed to commercial net fishing.

Agenda Item 8: Research Issues

8.1 Report from the TSSAC

Presented by Jim Prescott. The TSFMAC were provided with a report prepared by Bruce Mapstone, TSSAC Chair, on the outcomes of the TSSAC meeting held in September 2004 including the draft strategic plan for research in the Torres Strait.

Peter Yorkston tabled a paper on intellectual property (IP).

- The Chair suggested that the IP advice be amalgamated with the paper developed by the TSSAC on the release of information arising from CRC Torres Strait projects

Recommendation

The TSFMAC noted the report from the TSSAC.

The TSFMAC

- iii) noted the guidelines for release of information recommended by the TSSAC and guidelines relating to traditional knowledge; and
- iv) agreed to review the two documents and combine into a single comprehensive document.

8.2 Departure of the TSSAC Chair

The TSFMAC noted the recent resignation of Bruce Mapstone from the position of Chair of the TSSAC.

The Chair suggested a letter of appreciation be sent to Bruce thanking him for all the assistance he has provided whilst on the TSSAC.

Recommendations

The TSFMAC

- iii) noted that the Chair of the TSSAC will not be seeking reappointment at the end of his term of appointment; and
- iv) agreed that the TSFMAC Chair write to Professor Mapstone, thanking him for his contribution and services to the TSSAC.

Action Item

Letter to be sent to Bruce Mapstone thanking him for his assistance whilst on the TSSAC. To be signed by Russell Reichelt (TSFMAC Chair)

8.3 Torres Strait Natural Resource Management Presentation

Presented by Miya Isherwood, TSNRM Pty Ltd. The TSFMAC went through a power point presentation outlining the NRM planning process. It was stressed that the NRM process was not intended to duplicate fisheries management or consultative arrangements but rather compliment existing strategies and priorities.

Miya indicated that NRM staff are willing to attend future TSFMAC meetings to ensure members are kept informed on the current status of the regional planning process. TSFMAC members will also be given the opportunity to provide feedback on information papers, the draft plan, and regional investment strategy.

The TSFMAC were informed that TSNRM will be looking for membership in the near future. Advice will be sent out when membership arrangements have been finalised.

In addition a questionnaire has been developed to seek comments and suggestions to assist in the development of a stakeholder engagement strategy to help with NRMs approach to communicating and engaging the community and stakeholders.

Don Mosby requested details on the Badu ranger project be distributed to TSFMAC members. This was agreed to and will be done through Peter Yorkston, TSRA.

Miya was asked how NRM could be used to pursue more funding to assist with the dugong concerns.

- Miya advised that the TSFMAC can feed the issues into the NRM process identifying dugong as a high priority. She did remind the TSFMAC that funding was limited.
- The Chair requested Miya take the message back to the NRM Board of the priority of dugong.

Recommendation

The TSFMAC noted the update on the Torres Strait Natural Resource Management process provided by the Regional Coordinator.

Agenda Item 9: Update on the Latent Effort Reduction Process

Presented by John Kung. The TSFMAC were provided with an update of the Latent Effort Reduction Process. A positive aspect of the process were licences in the tropical rock lobster fishery likely being reduced by around 30%, in the reef line fishery 80 – 85%, and Spanish mackerel fishery 50-55%.

Recommendations

The TSFMAC noted that decision letters relating to licences under the latent effort process have recently been sent and that management implications arising from this process will be addressed by the relevant Working Groups.

Agenda Item 10: Status of Strategic Assessments of Torres Strait Fisheries

Presented by Sascha Taylor. The TSFMAC were provided with an update of SARs for the Finfish and Bêche-de-mer fisheries.

Simone Retif informed the TSFMAC that the Prawn SAR is not going to meet the deadline of December 2004. She said that DEH have been approached for an extension to this.

Recommendation

The TSFMAC:

- i. noted the update provided on the strategic assessment of the sea cucumber fishery; and
- ii. noted that AFMA have submitted to DEH a request for a 12 month extension for the strategic assessment for the prawn fishery.

Agenda Item 11: Compliance Update

Dan Sweeney (QBFP) presented this item. The TSFMAC were provided with a run down of compliance activities undertaken this financial year. Points made were:

- compliance resources have been consumed by FFVs.
- TI office has dealt with 49 FFVs this year.
- new quarantine arrangements have been introduced resulting in boats having to be inspected before entering TI harbour.
- 2 vessels didn't meet inspection standards and had to be destroyed at sea.
- Have had difficulties dealing with PNG offences due to conflicting legislation, i.e. Immigration Act.

Ray Moore raised concern for the future with the likely complicated management controls to be implemented.

- Dan informed the TSFMAC that new staff had been recruited but were yet to be trained. The new staff could not be authorised until training had been completed.

Willie Wigness questioned the location chosen for destroying the vessels at sea in relation to the dugong sanctuary.

- Dan went through the events/process that led up to the issue of an emergency permit being issued to destroy the vessels.

John Wigness expressed concern with vessels being brought in from the outside into the heart of the Torres Strait. He suggested that these boats should be destroyed to the north west away from any inhabited islands.

- Dan indicated that it was just not practical to achieve this.

Recommendations

The TSFMAC:

1. noted the compliance report provided by the District Officer – Thursday Island (QBFP) and that compliance activities have been dominated by Foreign Fishing Vessel activity; and
2. noted the concerns raised by community fishers about quarantine and environmental health issues arising from disposing apprehended foreign fishing vessels in waters near communities and near the dugong sanctuary.

Agenda Item 12: Other Business

Prawn

Rosemary Millward tabled a paper on behalf of the Torres Strait Prawn Entitlement Holders Association (TSPEHA). The paper (see Attachment 1) outlines concerns held by the TSPEHA over the lack of information from the relevant agencies on the outcomes of the Federal Cabinet decision.

Victoria Anderson in response to the TSPEHA's concerns made the following comments:

The key elements of the cabinet decision are:

- to explore the possibility of removing PNG and TSI potential effort
- no decisions on effort in the fishery until outcomes of PNG and TSI access known
- report back to Government in early 2005
- committed to sustainable effort level in the fishery in the long term

This is an Australian Government decision. Adjustments to the effort levels would have to be ultimately agreed by the PZJA.

Minister for Foreign Affairs has responsibility for implementing part of the decision involving discussions with PNG in consultation with the Fisheries Minister

- issue has been raised at Ministerial level
- DFAT will be progressing talks with PNG officials

Minister for Fisheries has responsibility for implementing part of the decision involving discussions with TSI

- letter to Chair of TSRA was sent shortly after decision
- DAFF officers meeting with ICC and TSRA on Thursday (4/11/04)

DAFF and DFAT will prepare a report back to Government in early 2005. It will be at that point that a final decision on whether appropriate \$ will be made.

Rosemary also expressed Industry concerns over several statements made by Senator Macdonald in his press release and asked that the following be recorded: That Industry already believed that it had had strong property rights in the Fishery with its tradable licence and tradable allocated fishing days and did not support the statement made by Sen Macdonald that inferred that we had no legal on-going rights at this time. Additionally, the Association did not support Sen Macdonald's proposal to introduce units of effort other than allocated fishing days. Industry reminded the MAC that this proposal had been raised by several management officers previously and not been supported by the MAC at various times over the last few years because of its legal difficulties - Industry noted that it in no way supported

this proposal and saw it as a way that Government would try to attempt to diminish their rights in the Fishery.

Recommendations

The TSFMAC noted the views of the prawn industry regarding Federal Cabinet's decision of August 2004 and their concern over the lack of information provided and involvement of industry over the past few months in any way in the process.

The TSFMAC noted the update in the progress on the Federal Cabinet decision provided by the Australian Department of Agriculture Fisheries and Forestry and Department of Foreign Affairs and Trade.

The TSFMAC noted the prawn industry intention to discuss with management out of session the prawn observer programme, given their concerns about the costs of the programme generally and in relation to current economic circumstances in the fishery.

Finfish

Carl D'Aguiar questioned the cancellation of the Finfish Working Group meeting

- Jim Prescott in his capacity as Chair responded by explaining how discussions at the TRL Working Group meeting had broken down resulting in no formal recommendations being made to the TSFMAC in relation to 2005 management arrangements. He indicated that Government officials were concerned that something similar may occur at the Finfish Working Group meeting so it was agreed amongst those Government officials that in the interest of maintaining the integrity of the consultative process the meeting would be postponed.

Carl D'Aguiar expressed concern that the latent effort process was now complete, the number of boats remaining was known, but there were no recommendations going to the TSFMAC or PZJA addressing the effort issue. He also expressed concern with how the Islanders will react to the extra boats in the fishery. He said it was important to keep the dialogue going to ensure progress is maintained with developing management arrangements. Carl stated that Industry wished to continue discussing future management of the fishery.

Rosemary Millward made the point that the PZJA had only noted the Skehill legal advice and that if further legal advice was required, Government should be seeking that advice now.

Kila Odo stated that it is the Traditional Inhabitants who will suffer as a result of the freezer boats. He said resources are very limited around the communities and asked how are these communities are going to be protected in terms of their livelihood.

Jim Prescott informed the TSFMAC that the latent effort process was unlikely to take out any significant active effort from the fishery.

Recommendations

The TSFMAC

1. noted that the Finfish Working Group planned for October 2004 was postponed in the best interests of maintaining an effective fisheries consultative structure;

2. noted industry willingness to progress the development of a management plan for the finfish fishery and industry disappointment in the postponement of the Finfish Working Group;
3. noted industry concern that the fishery will increase to eight or nine boats fishing for reef fish in 2005 following the latent effort process; and
4. noted community fisher concerns that any increase in boats in the finfish fishery will affect the livelihood of traditional inhabitants, that there are limited resources available to traditional habitants in the eastern Torres Strait, and concerns over the lack of progress in addressing management issues.

E) NEXT MEETING

Torres Strait Prawn Entitlement Holders Association

Comment to TSMAC 3 November 2004 Re Progress with TS Prawn Fishery Management matters

At the last TSMAC, the Association representative advised members that the matter of effort reduction, reallocation of fishing effort and Industry's request to be paid for any reallocation of interests from them to other users through the Government funding of a buyout arrangement through a tender process was in the process of being considered by the Prime Minister and the Federal Cabinet. Industry asked that any recommendations from the TSMAC on progressing this matter be held over until the outcomes of this Cabinet Decision were known.

Since the July 2004 TSMAC, the TSPEHA has had no advice from either AFMA, AFFA, QFS or any of the PZJA members to date on the outcomes of the Cabinet process but did manage to obtain a copy of a press release put out by Senator Macdonald, PZJA Chair, through the Internet.

The Association would like to record its concern over the lack of any advice to Industry and initially, to the TSMAC, from the relevant agencies on this important issue.

Given this lack of advice, the Association requested a paper for noting to this TSMAC meeting providing at least a summary of outcomes from the Federal Cabinet Decision.

As no other information has been available to date, the Association has asked that I table copies of three press releases to the Committee for their information:

- Release from Senator Macdonald;
- Release from Senator Boswell; and
- Release from President of the TSPEHA.

It is the Association's understanding that this matter was tabled in Federal Cabinet four times for consideration in the period from early July to 8 August 2004. Our understanding of the Cabinet outcomes is as follows:

1. The PNG and TS Islander interests in the Australian TS Prawn Fishery are to be approached with a proposal to buy-out their current interests in this Fishery.
 - * TSPEHA Qt: How is this happening and in what time frame?
 - Comment from the TSPEHA: (i) the Association seek to have some input into the process where it may be able to offer advice on the Fishery, licence values, timing etc and suggest that, rather than the Government re-negotiating the TS Treaty, that instead the Prawn Fishery Arrangements are set in place as a Management Agreement under the Treaty using the Prawn Fishery Schedule – ie record that PNG have agreed to waive their entitlement to 25% of the Australian Fishery for prawns in exchange for buy-back funds. This approach would be consistent with the previous mechanisms historically used to negotiate a variation to the 25% access right to the fishery using the "Formula" negotiated at each Bi-Lateral meeting. This mechanism would also allow a

more timely delivery of outcomes, whereas a Treaty re-negotiation would not, we presume;

(ii) The Association request that any negotiations arising from the Cabinet Decision be completed by the end of December 2004 so that, if this process is unsuccessful, then the “fallback” position we believe exists (see Point 2 below) can be implemented prior to the start of the 2005 licensing year (1 March).

2. Should either PNG or TS Islander interests not take up the offer to buy out their current interests in the TS Prawn Fishery, then Government will move to buy out fishing effort in Allocated fishing Days from the existing licensees equivalent to the interests being targeted for the PNG and TS Islander sectors under the Cabinet decision of 8/8/04.
3. Levels of fishing effort will be reduced only to the 15.8% from the current total effort cap of 13,454 AFDs, as proposed by Industry, and further investigations of the science (including alternative scientific measures to manage the impact on tiger prawns eg peak spawning closures) will be undertaken over the next two years before further reductions, if any, are made.

As a final comment, the association notes its concerns over the continued delay in this management process and would also like to note that it has continued to place on the table its preparedness to accept a 15.8% cut in AFDs from the 13,454 total effort cap, combined with other management tools, as previously documented, to ensure the on-going ecological sustainability of the Fishery.

R Millward
EO, TSPEHA
3 November 2004