



Australian Government  
Australian Fisheries Management Authority

# Torres Strait Prawn Management Advisory Committee

## Meeting No. 21

29 – 30 November 2022

### Record

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

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

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# 1 Preliminaries

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## 1.1 Acknowledgment of traditional owners, welcome and apologies

1. The Chair welcomed members and observers to the 21st meeting of the Torres Strait Prawn Management Advisory Committee (the MAC) meeting. The Chair acknowledge the traditional owners of the land on which the meeting was being held, as well as the lands and seas which the meeting was due to discuss, and paid respect to respect to Elders past, present and emerging.
2. The Chair invited an opening prayer by Rocky Stephen.
3. The Chair provided an overview of the meeting agenda, and noted the following apologies:
  - Mr John Abednego (Traditional Inhabitant Boat (TIB) Industry member)
  - Mr Yen Loban (Torres Strait Regional Authority (TSRA) Fisheries Portfolio member)
4. The Chair noted that the Papua New Guinea (PNG) National Fisheries Authority (NFA) permanent observer would need to depart after lunch today for other meetings.

## 1.2 Adoption of agenda

5. The MAC adopted the draft agenda with the addition of a discussion regarding research priorities for the 2024-25 funding round, which will be due to the Torres Strait Scientific Advisory Committee in July 2023, before the MAC meet next.

## 1.3 Declarations of interest

6. The Chair advised members and observers, that as required by the Protected Zone Joint Authority (PZJA) Fisheries Management Paper No. 1 (FMP1), they must declare, at the commencement of the meeting, all conflicts of interest, direct or potential, related to the Torres Strait Prawn Fishery (TSPF) and agenda items.
7. Where it is determined that a conflict of interest exists, the MAC may allow the member(s) to continue to participate in the discussions relating to the matter but may also determine that the member, following the discussions, should exit the meeting for the remainder of the discussions and decisions on that particular item.
8. Declared interests are in **Table 1** below. Members and observers with conflicts of interest were asked to leave the meeting to enable the remaining members to:
  - a. Freely comment on the declared conflicts of interest
  - b. Discuss if the declared conflicts of interest should preclude the members from participating in any discussions; and
  - c. Agree on actions to manage declared conflicts of interest.
9. The TIB Industry members including the TSRA observer removed themselves from the meeting while the remaining members discussed their participation in the meeting. The meeting noted that members are all now members of the Zenadth Kes Fisheries Limited company, which brings a new

declaration we haven't had to consider before. There were no direct concerns with any of the conflicts of interest declared by these members.

10. The Transferrable Vessel Holder (TVH) industry members left the meeting room and the remaining members discussed whether they should be present for the discussion and recommendation of items where they may have real or perceived conflicts of interest. There were no concerns with any declared conflicts by these members.
11. Government officials exited the room while the remaining members discussed their participation in the meeting. The Chair noted that all meeting participants attended the meeting in the interest of the fishery, in line with the objectives of the MAC, and all meeting participants were expected to declare if a direct conflict were to arise.
12. The MAC agreed to address any additional conflicts of interest should they arise throughout the discussion of agenda items.

**Table 1. Declared conflicts of interests from each attendee**

<b>Name</b>	<b>Position</b>	<b>Declaration of interest</b>
John Glaister	Chair	Chair NORMAC, Chair Torres Strait Rock Lobster (TRL) Working Group,  Member Parks North Management Advisory Group.
Lisa Cocking	Executive Officer (AFMA)	Australian Fisheries Management Authority (AFMA) employee. No specific conflicts of interest against this agenda
Jeremy Smith	AFMA member	AFMA employee. No specific conflicts of interest against this agenda.
Darren Roy	Queensland (Qld) Department of Agriculture and Fisheries (QDAF) member	Queensland fisheries Employee. No specific conflicts of interest against this agenda.
Edwin Morrison	Industry member	TSPF licence holder and operator. Carrier and fish receiver in Torres Strait.
Shawn McAtamney	Industry member	Owner of independent seafood producers. Marketing specialist in company. Attended first day only.
Clinton Farman	Industry member	Holder of TSPF licence.
Glen Duggan	Industry member	Licence holder in TSPF and Qld East Coast Otter Trawl Fishery (ECOTF)
Jim Newman	Industry member	Holds 1 Torres Strait licence. Sits on Great Barrier Reef Marine Park Authority (GBRMPA) local

		management advisory committee. ECOTF licence holder.
Clive Turnbull	Scientific member	Independent scientist employed to undertake TSPF annual data work. No perceived conflicts of interest are associated with this though.
Nicholas Richards	TSRA member	TSRA employee. No perceived conflicts of interest are associated with this though.
Gavin Mosby	TIB Industry member	Traditional inhabitant member for Masig. Traditional fisher for Beche de Mer, TRL and Finfish. Zenadth Kes Fisheries member. Member of finfish WG and RAG. No specific conflicts of interest against this agenda.
Horace Baira	TIB Industry member	TSRA deputy chair, TSRA Fishery Advisory Committee (FAC) member, Zenadth Kes fisheries member.
Rocky Stephen	TIB Industry member	TIB fisher. Zenadth Kes Fisheries member. Ugar Councillor. TSRA board member. TSRA FAC. Kos and Abob fisheries (association) and Brother Bear Fisheries (business)
James Akiba	TIB Industry member	TIB licence holder, Zenadth Kes Fisheries member.
<b>Apologies</b>		
Yen Loban	TSRA Fisheries Portfolio member	
John Abednego	TIB Industry member	
<b>Observers</b>		
Ian Butler	Australian Bureau of Agriculture and Resource Economics (ABARES)	ABARES employee. No specific conflicts of interest against this agenda.
Quinten Hirakawa	TSRA	Holds 2 TIB licences and co-investigator on Finfish biological sampling project. TSRA hold licences.
Ben Liddell	AFMA scientific observer	AFMA employee. No specific conflicts of interest against this agenda
Joseph Posu	PNG	PNG NFA employee. No specific conflicts of interest against this agenda. Attended first day until 12 lunch break and whole second day.

**1.3.1** That TSPMAC members and observers:

- a) **NOTED** the previously declared real or potential conflicts of members and update this list with current real or potential conflicts of interest (**Table 1**);
- b) **AGREED** that no members had a conflict of interest that would require any exclusion from discussion or recommendations.
- c) **ABIDED** by decisions of the TSPMAC regarding the management of conflicts of interest; and
- d) **NOTED** that the record of the meeting must record the fact of any disclosure, and the determination of the TSPMAC as to whether the member may or may not be present during discussion of, or decisions made, on the matter which is the subject of the conflict.

## 2.1 Action items from other meetings

13. The MAC went through the progress against actions arising from previous MAC meetings. Some agenda items are updated in specific agenda papers. Others have basic updates within agenda paper 2.1. Some specific agenda items led to more discussion which is detailed below.

**Update against action 20.9 - AFMA to further develop protocols for an indigenous community member (or crew member) to collect data on Threatened Endangered Protected (TEP) Species and species of interest, including deciding on target levels.**

- 14. The MAC noted that this action came from a desire to increase data collection on TEP species and species of interest to the traditional sector, beyond what is collected by the scientific observer program.
- 15. One TIB Industry member noted that Torres Strait communities are very interested in what is going on in the TSPF, and hearing about catches directly from other Torres Strait community members rather than someone they don't have a relationship with (i.e. second hand information from a scientific observer) is likely to provide more trust in what is being reported.
- 16. Torres Strait community member observers could also be another avenue for building an awareness of the fishery, how it works, and may further encourage Torres Strait Islander interest in being more involved in the fishery in the future, as crew or licence holders.
- 17. The MAC noted there are a lot of complexities that would need to be worked through if this project was to progress, including:
  - a. AFMA developing a proforma for the data collection process, which could be modified from the existing AFMA scientific observer protocols.
  - b. Training would be required for people undertaking this work, both in protocols for data collection, as well as safety inductions etc. Fisheries Research and Development Corporation (FRDC) have been developing an online safety induction (Seasafe program) that may be an existing tool that could provide some of this training.
  - c. Some boats would be subject to survey limitations that would prevent an additional crew member the boat, a similar issue the AFMA scientific observer program comes up against placing observer on vessels.
  - d. The ranger program could be another resource that could be explored as an option for Torres Strait community observers.
- 18. The MAC noted that this project could be put forward as a possible research project to TSSAC or another funding body, however there may also be funding available within TSRA, which was suggested at the previous meeting.

**ACTION:** TSRA to confirm whether funding could be available for Torres Strait community member observers if this project was to go ahead, and further explore options for this sort of work, with the support of AFMA as needed.

**ACTION:** AFMA to examine protocols used in the scientific observer program, and whether these can be adapted if a Torres Strait community member observer program was introduced.

**Update on action item 20.1** - *TSRA to identify the best contact for TSPF licence holders to seek Torres Strait crew when needed.*

19. TSRA identified Frank Morseu from Gur A Baradharaw Kod (GBK) as a possible contact. However, it was noted that a single point of contact to provide a quick solution for crew on TSPF boats does not really exist, unless a group of people were trained in the basic marine safety requirements etc. to make them immediately ready to board a boat.
20. The MAC also noted advice from some of the TIB industry members that having a point of contact on Thursday Island isn't suitable, as they will not have the expertise to know who is available from the communities adjacent to prawn fishing waters including Ugar or Masig and cannot speak directly for these communities.
21. Zenadth Kes Fisheries were noted as another possible contact option, noting there is a member in each community; however, it was agreed that GBK and Zenadth Kes Fisheries need to discuss who the best point of contact is out of the two bodies, and provide advice to AFMA and TSRA.
22. The MAC noted there is a Facebook page "Australian fishing crew" which TSPF and ECOTF operators advertise for crew. Torres Strait community members interested in working in the industry could join this page to stay up to date or advertise their interest in work in the TSPF.
23. The Community Development Program CPD program administered by the National Indigenous Australians Agency are changing and looking for ideas regarding funding and work, so this could also be an option for work experience on boats.
24. Later in the meeting under the research item, the TSRA acknowledged a desire for a research project looking at barriers to further TIB participation in the TSPF. Actions relating to this discussion are detailed there (agenda item 6.1).

**Update on action item 20.12** - *Non-Traditional Inhabitant Industry members to provide fuel price and prawn beach price data to Clive Turnbull for use in the data summary and future harvest strategy monitoring*

25. The MAC had considerable discussion around possible methods to increase data collection from licence holders regarding prawn beach prices and fuel prices. The following points were discussed:
  - a) Only one TSPF concession holder has provided data over several years to date, which is included in the TSPF Handbook.
  - b) This data is important for the future. If we do not have economic data, and a trigger is reached in the new harvest strategy, then we will not have information to assess whether the changes to catch rates are due to economics or sustainability concerns, meaning more conservative management actions may need to be taken.
  - c) There are sensitivities around providing this data, as some fishers have specific deals with different buyers, which others are not privy too.
  - d) Prawn beach price needs to include the price per kilo by grade.
  - e) Fuel data needs the month of year and relevant price per litre.
  - f) Three additional Non-Traditional Inhabitant Industry members agreed they will be able to provide some of their data, to improve the data set.

- g) Clive Turnbull agreed to develop a simple form specifying exactly what data is required from fishers. AFMA will send this form to licence holders seeking data throughout the year and explaining the purpose of collecting this data and how personal information will be protected.
- h) Mr Turnbull also agreed to follow up with Seaswift regarding historic fuel prices in the Torres Strait.

**ACTION:** AFMA to write to TSPF licence holders seeking fuel and prawn grade and species data and explaining the purpose of collecting this data and how personal information will be protected.

**ACTION:** Mr Turnbull to seek historic fuel prices from Seaswift.

## 3 Reports

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### 3.1 Native Title update

- 26. TIB Industry member, Mr Horace Baira provided a native title update.
- 27. The MAC noted that the TSRA was the service provider for Native Title until 2019, which has now been passed to GBK, a non-Government Entity.
- 28. The member recommended that the Malu Lamar Corporation, Registered Native Title Body Corporate should be approached, as the Prescribed Body Corporate for Sea Country and the Torres Strait Native Title claim, for updates regarding native title. This is also noting Malu Lamar's membership includes a representative from each community .

### 3.2 a Industry update

- 29. The MAC noted the following updates from industry members:
  - a) TSPF catches are good, however economics are difficult with very high and varying fuel prices. The volatility in prices makes it difficult for industry to make economically informed decisions about their fishing patterns and plan for a season.
  - b) There are ongoing difficulties with crew, as a 3-month period of work is required to make it economically viable in such a remote fishery, and it is difficult to find workers willing to make this commitment.
  - c) Mr Morrison explained that their new mothership boat will be operating next year, as well as a newly acquired airline to support fishing operations. The crew on the mothership have trade qualifications so will be able to repair boats as well as provide mother ship services to the TSPF. They are also hoping to conduct tourism activities from the vessel. They are trying to recruit crew from both Masig Island and PNG to work on the mothership.
  - d) Prawn aquaculture is a continual competitive threat to the wild caught prawn fisheries, even though production costs are high.
  - e) Marketing the natural production of wild caught over farmed prawns may be the only way compete, given aquaculture prawns can be produced more cheaply.
  - f) Third party accreditation may also be important (such as Marine Stewardship Council (MSC)), as this is becoming increasingly important to consumers. There is also a range of third-party sustainability accreditors in addition to MSC.
- 30. The MAC discussed the benefits that could come from having a port or mooring available for both TSPF Fishers and local communities around Masig or Ugar, for support of fuelling and shelter during bad weather. These services could also provide an additional income source for communities.
- 31. The MAC noted that getting council support for these services can be difficult because of cost, and Zenadth Kes Fisheries has a mandate to investigate the viability of such infrastructure projects.



32. Many fishers are trying to reduce their use of Seaswift through changing their fleets (such as Mr Morrison's mothership and others buying boats with larger storage capacity) in order to reduce costs. There is a view that competition with Seaswift could reduce local costs .

### 3.2 b PNG Update

33. The MAC noted the following updates from the PNG NFA:
- a. PNG are interested in discussing possibilities for catch sharing arrangements for the TSPF, and what would be required to allow catch sharing to commence in the TSPF.
  - b. PNG fishers have expressed interest in prawn fishing or other fisheries (including Spanish mackerel) that could allow entry by them via catch sharing arrangements, as currently occurs with the TRL fishery.
  - c. PNG fishers are hopeful out of session discussions with AFMA can progress catch sharing in these other fisheries.
  - d. Prawn trawling in PNG only occurs in the Gulf of Papua, not from the shared stock with Australia. Catch sharing arrangements could include options for fishing in PNG waters as well.
34. The MAC discussed options of allowing PNG fishers to learn to fish on Australian boats. PNG fishers would be open to this option, however in the past there may have been difficulties regarding AFMA and Australian Government rules for this.
35. The MAC discussed catches of TRL by prawn trawling boats in the Gulf of Papua. PNG confirmed that in past years there has been some incidental catches of TRL due to the migration of TRL to PNG. The fishers know they are not allowed to retain this product if they are caught.

### 3.3a AFMA update

36. The MAC noted the following updates from AFMA:
- a. The *Torres Strait Fisheries Act 1984* (TSF Act) amendments should be introduced to Parliament in 2023.
  - b. The ABARES Fisheries Status report has been released, and the endeavour prawns are still listed as uncertain due to decline in catch rates, and a lack of data being available to support the reason for the decline. The MAC noted again that endeavours tend to become more abundant when being fished, as they aggregate to feed when the ground is disturbed. The ABARES observer noted that if data could be provided that demonstrates this behaviour of endeavour prawns, that information could be an important input in reassessing the stock status for the annual report.
  - c. A new Commonwealth Fisheries Minister, Senator the Hon Murray Watt has been sworn in.
37. The MAC noted a presentation from AFMA observer, Ben Liddell, on the purpose and history of the observer program in the TSPF. The following main points were noted:
- a. Observer coverage is required to maintain export approval, and to collect data on species of interest to the traditional sector, and TEP species.
  - b. Observer effort in the fishery has been around 20 days during the covid period, which is expected to increase in 2023, towards the target 2.6% coverage of TSPF effort.
  - c. The MAC noted the procedures followed by observers during a trip.
38. The MAC noted an update on compliance operations in the TSPF during 2020-2022.
- a. 1 at sea inspection was conducted during 2021 and 5 in 2022.

- b. 5 TSPF vessels committed offences during 2021, four related to fishing just inside of PNG waters, and another offence related to Vessel Monitoring System (VMS) tracking. All offences were managed through cautions and education.
39. The MAC received a presentation from the AFMA Compliance Operations Senior Manager, Tod Spencer, relating to the AFMA risk assessment process undertaken every 2 years. This risk assessment is currently underway and is seeking input from the MAC members in identifying key risks in the fishery. The MAC noted the following points regarding the risk assessment:
- a. The assessment has three components: 1. identify risks of non-compliance in each fishery, 2. For the risks identified, which provide the greatest likelihood of non-compliance, 3. Which risks have the highest impacts if non-compliance occurs.
  - b. Any risk identified as being a high likelihood of non-compliance and high impact if not complied with are the key risks that will be targeted for compliance monitoring.
  - c. An operational management committee made up of senior managers, the operations general manager and himself, assess the highest risks across AFMA which will be addressed, and these are published in the annual compliance and enforcement program report.
  - d. The MAC noted that a document will be sent around seeking MAC member views on the high risks in the TSPF following the meeting. Responses are due in January 2022.

### **3.3b Queensland Department of Agriculture and Fisheries (QDAF) management update**

40. The MAC noted the following updates from QDAF:
- a. Management of effort units has changed to an area based management approach consisting of 5 regional areas.
  - b. They are looking to adopt new BRDs such as the Tom's Fisheye due to the promising results in the Gulf Fishery.

### **3.3c TSRA update**

41. The MAC noted the following updates from TSRA:
- a. A series of climate workshops were undertaken, sponsored by TSRA and the Department of Climate change, Energy, Environment and water, and were addressing capacity building for people on Torres Strait communities to support sustainable seafood stock in fisheries.
  - b. The WAPIL project, funding through TSRA, was introduced through the recognition for a need to address building skills and enterprises related to the seafood industry. The project has been delayed but has recently been transferred to Zenadth Kes Fisheries to manage.
  - c. TSRA have provided \$1.6 million in grants since 2021 and this funding is continuing.
  - d. There is an aspiration to transfer assets (finfish TVH leasing income) to Zenadth Kes fisheries to support their business operations. There are legal issues to be resolved if this is to occur.
  - e. TSRA are still waiting to finalise funding with FRDC for a proposed climate modelling project in the Torres Strait. TSRA consider this a very high priority.

## **3.4 Data report**

42. The following main points were noted during the data report from the scientific member:
- a. The 2021 fishing effort of 1288 days was higher than in 2020 (1033 days) and close to the average for 2009-2021 (1889 days); the 2017 season (934 days) was the lowest.

- b. The 2001 tiger prawn catch of 233 tonne was about 2/3rd of the 333 tonne average for the years 2009-2021. The lowest catch of 111 tonnes occurred in the 2017 season.
- c. The 2021 annual tiger prawn CPUE of 181 kg/d) was above the 2009-2021 average of 177 kg/d and the 2021 monthly tiger prawn CPUE trajectory was close to the mean of the years 2016-2021 indicating average tiger prawn recruitment during the 2021 season.
- d. The endeavour prawn catches of 2020 and 2021 were 60 tonnes and 62 tonnes respectively and were the lowest since the 25 tonne catch of 2017. The lower 2021 catch appears to be mainly a result of the low effort rather than reduced stock size because the monthly endeavour prawn CPUE trajectory was close to the mean of the 2016-2021 fishing seasons.
- e. Comments from industry members suggest the lack of fishing effort during the 2021 season was due to the ongoing COVID pandemic, good prawn catch rates on the Queensland east coast, and less frequent mothership operations into the Torres Strait. These factors encouraged many of the TSPF endorsed fishers to operate closer to their home port where fuel, travel and transport costs are lower.
- f. In conclusion, the low fishing effort in the TSPF during the 2020 to 2022 fishing seasons, despite high tiger prawn CPUE and average endeavour prawn CPUE can be attributed to the ongoing COVID pandemic combined with the higher cost and difficulty of operating in a remote fishery.

#### SUMMARY OF THE 2022 FISHING SEASON

- g. All vessels had left the fishery by late October and there is only about 6 weeks of fishing data that remains to be entered.
  - h. Therefore the 2022 summary information presented in Tables 1 and 2 below can be confidently used to review the current fishing season.
  - i. Although the 2022 fishing effort (1258 days) was slightly lower than in 2021 (1288 days), the number of vessels that fished (20) was higher than for the previous two seasons (2020:15 & 2021:17 vessels).
  - j. The 2022 catches of tiger prawns (258 t) and endeavour prawns (85 t) were higher than for 2021 (203 t) and 2020 (233 t).
  - k. The higher catches with less effort are due to higher CPUE for both tiger (256 kg/d) and endeavour prawns (70 kg/d) during 2020.
  - l. The 2022 monthly CPUE for both tiger and endeavour prawns compared to the mean values for 2016-2021 suggest there are currently no issues regarding the recruitment of tiger and endeavour prawn stocks in the TSPF.
43. The MAC noted that there appears to be an error in the 2022 catch data, and this would be reviewed. This was a result of changes to the way data is accessed from the AFMA system. This will be reviewed and updated for the next data summary for 2023.

**ACTION:** Mr Turnbull to review the 2022 data and rectify any issues for publishing in the 2023 data summary.

- 44. The MAC noted a shift in the tiger prices in 2019 due to an issue with the export market to China, which resulted in targeting endeavours for a few months in that period.
- 45. The MAC noted that higher fuel prices this year resulted in reduced fishing effort.

## 4.1 Bycatch Reduction Device Review

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- 46. The MAC noted the history of the bycatch reduction device (BRD) trials and review, including that 3 trials have now been completed using three different boats in the TSPF. The following main points were discussed:

- a. Industry tested 4 BRDs that have been approved for the Northern Prawn Fishery (NPF) tiger prawn fishing season (August-December). These include Kon's Covered Fisheyes (KCF), FishEX 70, Popeye Fishbox (located within 70 meshes of the cod-end drawstrings) and Tom's Fisheye (TFE).
- b. The MAC agreed to a trial of the TFE in the TSPF, to see if similar results are achieved, before considering introduction to the TSPF.
- c. Combined results from the three trials in the TSPF demonstrated bycatch reduction of 18.98% when using the TFE compared to the standard Fisheye or Square Mesh Panel, a prawn differential of -2.83% together with a reduction in sea snake numbers.
- d. There was some variation between prawn catches between trials (both increase and decrease), but variation in prawn catches between the port and starboard nets are common even without accounting for BRD use. That is, the variation observed between nets on different side of the vessel during the trial (TFE compared to existing BRD's) is consistent with variations observed between nets on different side of the vessel under normal operations. The increased catches of prawns on the Maggie Jo trial may have been due to using louvre boards instead of bison boards, which spread the nets differently.
- e. The MAC agreed that the TFE should be introduced as another BRD option in the TSPF. However, industry members had some concerns about removing other BRDs that may still be functioning well. They also noted the need to align any changes in the TSPF with the Qld ECOTF, given boats are cross endorsed and need to be able to move between fisheries without changing BRDs. Changing nets when moving between the two fisheries is not feasible.
- f. AFMA noted that there is a long-term objective to remove as many of the older less effective BRDs as possible, so that only the most effective BRDs are used. However, AFMA wants to transition over a time period that is reasonable for TSPF licence holders. Continually improving BRD effectiveness in the fishery is a requirement of WTO approvals, fisheries legislation and to meet community expectations.
- g. QDAF noted a similar intention to bring in more effective BRDs and remove those known to be less effective. QDAF noted a plan to trial the TFE and KCF in 2023 with the standard fisheye and bigeye BRDs allowed in Qld. Trials are also needed in Qld given there are different bottom types in the different fisheries.
- h. The MAC discussed the existing BRDs in the TSPF, and which ones could be removed now (due to minimal or no use). It was agreed that the v-cut flap, square mesh codend, square mesh panel and radial escape panel could be removed as allowable BRDs from the 2023 season, and that an exemption can be sought for the 2023 season if required by any fishers that are still using these BRDs.
- i. There are some differences between the Fisheye and Bigeye BRDs described in the TSPF and Qld ECOTF legislation. Based on the discussion, BRD requirements in the TSPF may be based on older technical specification applied to BRD's in Qld. A recommendation was made to amend the TSPF legislation to align these BRDs with the specifications under Queensland legislation, noting these BRDs were reviewed and refined many years ago to improve their functioning.
- j. The FishEX 70, Popeye Fishbox (when within 70 meshes of the cod-end drawstrings) are unlikely to be very popular or effective in the Torres Strait, due to differences in net design. The MAC agreed that they should still be allowed as an optional BRD for use, so dual endorsed NPF fishers using this gear can use it when fishing in the TSPF.
- k. The MAC noted that following a comparison of the TSPF TFE and KCF with the Qld ECOTF Fisheye and Bigeye, the MAC may reconsider removal of the Fisheye and Bigeye.
- l. The MAC also agreed that the KCF should be added as an allowable BRD.
- m. The MAC agreed that if fishers use the KCF, FishEX 70 or Popeye Fishbox (within 70 meshes of the cod-end drawstrings), fishers would be required to collect data on commercial

catches and bycatch during use, given formal TSPF trials have not been completed for these BRDs.

- n. AFMA agreed to work on the requirements around data collection, including the period data is required for following the meeting, and this would be discussed again at the next MAC meeting.
- o. AFMA also noted the need to contact NPF dual endorsed fishers letting them know the requirement to provide data if using one of these three devices.
- p. The MAC noted that funding is available through the Department of Agriculture for bycatch reduction devices focusing on improve bycatch reduction for protected species, so if links can be made between this BRD and sea snake reductions, funding could be applied for. They noted that the cost of purchasing 4 BRDs for around 30 active boats in the fishery would only be around \$70 000 - \$80 000. Applications must come from industry rather than AFMA. A funding application is already being developed for the Qld ECOTF for projects improving bycatch reduction, and industry could speak to them about involving TSPF trials, or gear purchases in that application. Funding for BRDs in the TSPF may increase the uptake of these new devices more quickly.

**ACTION:** Industry to liaise with Darren Roy or Annie Jarret from NPFI regarding the existing application for funding for bycatch reduction measures or consider a separate TSPF application.

- q. One TIB industry member noted that the small finfish bycatch which are discarded from the TSPF would be useful for TIB fishers, that use similar fish bait for coral trout. They asked that this be considered and could be discussed in the future.

**ACTION:** Future discussions to be had around whether some discarded finfish could be provided to TIB fishers for use as bait, instead of all being discarded.

**4.1.1** The TSPMAC **RECOMMENDED** the following changes to allowable BRDs in the TSPF:

- a. The Tom's Fisheye be introduced as an allowable device from the 2023 Fishing season.
- b. The FishX, Kon's Covered Fisheye and Popeye Fishbox at 70 meshes be introduced as allowable BRDs providing that basic data on their effectiveness in the TSPF is recorded.
- c. That the v-cut flap, square mesh codend, square mesh panel and radial escape panel be removed as allowable BRDs from the 2023 season, noting an exemption can be sought for the 2023 season if needed.
- d. That the Fisheye BRD and Bigeye BRD legislative description be amended to match the requirements under the Queensland East Coast Otter Trawl Fishery legislation for the 2023 or 2024 season.

**4.1.2 NOTES** that the Queensland Government will issue permits to any Queensland ECOTF dual endorsed boats wishing to use either one of the Tom's fish eye and Kon's fish eye BRDs while a trial of these is undertaken in the Queensland ECOTF.

**4.1.3. NOTES** the Queensland ECOTF also intends to remove more of the less effective BRDs in the future following testing of the new BRDs against the standard Fisheye and Bigeye BRDs.

**ACTION:** AFMA to progress amendments to the legislative instrument for BRDs as per the recommendation, following a consultation period with licence holders, including informing them how to apply for exemptions for using older BRDs for one season during transition.

**ACTION:** AFMA to notify NPF dual endorsed boats of need to apply for an exemption if using the FishEX or Popeye Fishbox BRDs during the 2023 season.

## 4.2 Harvest Strategy review

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47. The MAC agreed on changes to the TSPF Harvest Strategy at its last meeting and recommended that AFMA include these draft changes in the harvest strategy document, ready for consultation with licence holders and communities.
48. These changes were made, and consultation on the changes has been completed through community visits with the Masig, Warraber, Poruma and Iama communities. Consultation has not been able to be undertaken with Ugar to date due to inability to find a suitable date for Ugar community leaders.
49. Licence holders will be informed of the proposed changes via a letter and draft document.
50. The MAC discussed possible ways of completing consultation with the Ugar community, noting the difficulties with being able to find a time that suits all parties. They noted that the TIB member from Ugar recommended that consultation occur in person, and that other forms of consultation are not suitable for this issue, particularly given Ugar is one of the two key communities in the TSPF fishing grounds. The TIB member from Ugar is supportive of the changes, but stressed they consider consultation at the community level needs to be undertaken.
51. The TSRA noted they may be able to assist through manpower and funding for the Ugar consultation to occur.

4.2.1 The TSPMAC **NOTED** the consultation that has occurred with the Masig, Poruma, Iama and Warraber communities, in 2023.

4.2.2 TSPMAC **RECOMMENDED** the TSPF Harvest Strategy be presented to the PZJA for consideration and endorsement, subject to Ugar consultation that would include the TSRA, AFMA and the Ugar PBC and Councillor.

4.2.3 The TSPMAC **NOTED** that any significant changes suggested by stakeholders during the Ugar and TSPF TVH licence holder consultation, will be presented to the TSPMAC out of session via teleconference for consideration of any changes required to the Harvest Strategy.

**ACTION:** AFMA to work with the TSRA to identify opportunities to conduct consultation with the Ugar community to discuss proposed changes to the TSPF harvest strategy and undertake consultation with TSPF licence holders via a letter, before seeking PZJA endorsement.

## 4.3 Total Allowable Effort

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52. The MAC noted the current requirement within the *TSPF management plan 2009* (the Management Plan), that the TAE can be set for a maximum of 3 years at a time.
53. The MAC discussed options for extending the time period for setting the TAE that aligns with the periodic review of the Management Plan, harvest strategy triggers and stock assessment cycle.
54. Setting the TAE for a longer period is consistent with the new proposal under the harvest strategy of using catch rate triggers as the main management tool, rather than the TAE limit. The harvest

strategy review also recommend the TSPF should be subject to a continual TAE. It also reduces administrative burden associated with more frequent TAE setting requirements.

55. The MAC discussed whether the TAE was required at all under the new harvest strategy, but noted it is still the mechanism for limiting effort as required (if harvest strategy triggers are reached) and the mechanism with which the use entitlements are allocated to fishers. The MAC agreed it was still required.
56. The MAC noted operating at or below the harvest strategy triggers (90kg per boat per night), is uneconomic, providing some protection from overfishing, under current environmental conditions
57. The MAC agreed that it would make sense to change the maximum TAE setting period to 5 years, noting this aligns with the other review processes, and that the TAE can still be amended within a 5-year period if required.
58. They also discussed whether the 5-year TAE setting could be rolled over if the triggers within the harvest strategy have not been reached, and no changes to the TAE are required. The MAC would be consulted at any time if it is proposed to change the TAE from the current setting of 9,200 days.
59. The MAC noted that a large shift in fishing power in the fishery is the factor most likely to change the TAE and agreed that AFMA could undertake the administrative process to set the TAE every 5 years, unless a new TAE is required which would require MAC consideration.
60. The MAC will also continue to review catch rates at each meeting as a part of the data summary update from the scientific member.
61. The Chair invited question from TIB industry members, who noted they need to understand these topics more. AFMA reiterated a standing offer to attend the TSRA pre-meeting briefings to provide background information on agenda items, noting this offer was extended to the TSRA before this meeting. One TIB member asked the TSRA members to note this offer and that it would be useful to have AFMA present.

**ACTION:** TSRA to note the TIB member request to have AFMA participate in pre meeting briefings to clarify technical issues related to agenda papers.

- 4.3.1 The TSPMAC **RECOMMENDED** that the maximum period in which the TAE is set under the management plan is changed from 3 to 5 years.
- 4.3.2 The TSPMAC **RECOMMENDED** that AFMA undertake the setting of the TAE at 9,200 days every five years unless a new TAE is required by the TSPF harvest strategy. If a new TAE is needed, the TSPMAC will be consulted to make a recommendation on a new TAE.

## 4.4 Management strategy evaluation of season dates

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62. The MAC received a presentation from AFMA and the scientific member regarding the management strategy evaluation of the season dates for the fishery. The following issues were raised:
  - a. The MAC noted the existing fishing season of 1 March to 1 December, and discussed alternative season dates, aimed at increasing profitability of the fishery.
  - b. In 2016, a 1 February season opening was introduced. This was suggested as a possible way to increase profits by allowing fishers more time to catch product before the Easter market each year, particularly in years when Easter is early.
  - c. Other fishers were interested in trialling a later season opening (April) to allow prawns to grow, increasing grade size and potentially profits.
  - d. The MAC recommended a management strategy evaluation be completed to see whether different season dates were likely to have an impact on prawn grade, quantity and thus profitability.
  - e. 10 scenarios were tested which included February (x3), March or April season openings, across low or high effort year simulations.

- f. Results indicated that the differences between the 5 scenarios in terms of fishery economics (total harvest, total value and vessel income/day) are minimal.
  - g. season length and season opening date alone do not have a measurable impact on the catch and stock biomass throughout the season.
  - h. effects of different season start date appears to be impacted more by the response of the TSPF fleet, the timing of prawn recruitment and the total annual fishing effort.
63. The Chair closed the meeting for the day at 5:15pm following the presentation, noting the discussion and recommendations around season dates would be continued.
64. A closing prayer was provided by Mr Rocky Stephen.



## Day 2

65. The Chair opened the meeting at 8:45am. Mr Shawn McAtamney provided his apologies for the second meeting day.
66. Mr Joseph Posu returned to the meeting for day 2.

### 4.4 Management strategy evaluation of season dates continued

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67. The MAC discussed the following points regarding the management strategy evaluation assessment:
  - a. The MAC noted that those originally interested in trialling a later season opening were now supportive of a 1 February season opening.
  - b. Shortening the season is likely to create a pulse of fishing at the start date, which will put more pressure on the stock. The current start date means boats are spread out more across the season.
  - c. One industry member commented that when there are less boats fishing, and different people fishing at different times of year, people spread across the fishery and the fishing grounds get a break. So, if the season was shortened, it would be useful to reduce the number of licences first.
  - d. The MAC noted that if less boats were licenced, this would increase management costs to remaining licence holders, which has been a concern of the MAC in the past.
  - e. One TIB Industry member noted that when the number of boats fishing in the TSPF decreased many years ago, communities were happy, and there would be concerns if the number of boats increased again.
  - f. The MAC noted that the February season opening is the scenario least likely to create a pulse fishing effect and more boats in the region at the same time.
  - g. The MAC agreed that the season should continue to be 1 February to 1 December each year.

4.4.1 The TSPMAC **AGREED** that the season dates should remain 1 February to 1 December each year.

### 4.5 Management Plan amendments

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68. The MAC noted that several amendments are being proposed to the Management Plan, most of which are minor administrative changes, and one which is a more significant change relating to who is allowed to hold a licence in the TSPF.
69. The MAC discussed the main proposed change relating to who is allowed to hold a licence. The following main points were discussed:
  - a. The Torres Strait Treaty 1984 places constraints on who can participate in fishing in the Torres Strait. If anyone other than Australian Citizen participates in the fishery, the PZJA must consult with the PNG Government as the other treaty party.
  - b. The management plan currently requires a licence to be held by an Australian Citizen, which is defined as an individual (not an Australian company). This is an issue for several licence holders in the fishery.
  - c. The wording was originally put in place to enact the requirements under the treaty; however, this is already covered under the TSF Act.
  - d. AFMA is proposing an amendment to remove the requirement to be an Australian Citizen, so that a licence can be issued to an Australian company. This is noting the protection

- remains under the Treaty to require approval from all parties to the treaty when a third nation party has control over the operations of a vessel.
- e. The TRL management plan has a requirement for only Australian boats to be used, which is registered in Australia, so the boats are Australian owned and controlled.
  - f. The TIB industry members and TSRA requested a recess to discuss the Management Plan amendments before continuing the MAC's discussion.

**A 20-minute recess was taken to allow this discussion.**

70. When the meeting reconvened the TSRA member provided a summary of the discussion. The following points were noted:
  - a. The TIB members and TSRA agreed to proceed with the discussion on the Management Plan amendments, however noted that consultation will need to occur with communities, as well as within TSRA as there is a limited understanding of the regulations associated with the Management Plan.
  - b. TIB members and TSRA would also like to have further planning internally and through the TSRA FAC around adding the TSPF to the roadmap to 100% ownership of Torres Strait fisheries. Any updates on this would be provided through the PZJA Standing Committee.
71. The MAC continued discussion around the proposed amendments:
  - a. AFMA acknowledged that the proposed change, to allow Australian companies to hold licences in the TSPF, is likely to be more consistent with the aspirations for 100% ownership, as it would allow companies including Zenadth Kes Fisheries to hold TSPF licences.
  - b. The MAC discussed what constitutes an Australian Entity and noted that Australian companies (ie. Companies registered in Australia) can still be subject to foreign ownership. The MAC noted that while, under the proposed amendments, it may be possible for foreign persons to be involved in Torres Strait fisheries, the provisions of the Torres Strait Treaty and TSF Act have separate PZJA administrative requirements.
  - c. The MAC noted that there may be a need for further safeguards against foreign investment in the fishery. AFMA noted that a way of meeting the PZJA's Treaty obligations could be through the licence transfer and renewal process.

**ACTION:** AFMA to consider the requirements around licence renewals, and update licence renewal and transfer forms as required, in order to seek information regarding foreign interest the proposed operations to ensure the PZJA can meet its obligations under the TSF Act and Torres Strait Treaty. This should be completed alongside the Management Plan amendments.

72. The MAC went through each proposed changes as detailed in [Attachment A](#) and recommended that all changes be progressed pending consultation.
73. The MAC discussed consultation requirements and noted this would include TSPF licence holders .
74. The MAC agreed that Masig and Ugar are the main communities that need engaging relating to TSPF matters and asked whether Erub or Poruma also needed to be consulted, given the recent consultation with Poruma showed they had little interest in the TSPF matters. TIB Industry members agreed Poruma should still be consulted but that Erub is outside the area of the fishery.
75. It was recommended that information sheets be developed and distributed to communities ahead of consultation. It was also recommended that a cluster group representative from the MAC be present at each consultation to assist.
76. AFMA outlined the process for management plan amendments, including drafting and PZJA approval to undertaken public consultation. Public consultation will follow, and MAC members provided with comments, before they are requested to endorse the amendment.

77. One of the industry members asked if an amendment can be made to remove the provisions around licence expiry and renewal which can result in licences being cancelled if they are not paid on time. AFMA noted that this provision is contained within the TSF Act.

**ACTION:** AFMA to check whether provisions around licence expiry and renewal which result in licences being cancelled if they are not paid on time are changing within the suite of TSF Act amendments. AFMA to inform the MAC out-of-session.

78. Industry members asked whether the license renewal and application fee can be put together instead of being issued through two separate invoices, as its more complex for industry.

**ACTION:** AFMA to speak to the licensing section about whether the licence renewal and application fee can be issued on the same invoice.

4.5.1 The TSPMAC RECOMMENDED that the amendments, as presented, be progressed to the next stages, through drafting amendments and seeking PZJA approval for public comment.

4.5.2 The TSPMAC RECOMMENDED community consultation occur with Ugar, Masig and Poruma communities.

## 4.6 Remaking of fisheries logbook Instrument

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79. The MAC discussed the process for remaking the Fisheries Logbook instrument for the TSPF (NP16).
80. The logbook instrument requires remaking by mid-2023, and AFMA is recommending adding a new provision to allow fishers to use e-logs as in the NPF.
81. AFMA is generally trying to move all fisheries towards e-logs because it allows real time data collection, and result in savings once participants have become familiar with the new system.
82. In fisheries where e-logs are mandatory, there are exemptions available in exceptional circumstances for fishers that are unable to use e-logs for certain reasons, including not having suitable computer skills. However even with these exemptions, AFMA's intention is to move these fishers to e-logs over time once the identified limitations have been addressed.
83. The MAC noted that the same data is required in e-logs as in the paper logbook system, and spent some time discussing the schema, which contains details within the e-log system.
84. One industry member noted that it is important to mirror arrangements between the Qld ECOTF and TSPF, more so than with NPF, as boats cross endorsed between the Qld ECOTF and TSPF comprise the majority of the TSPF fleet. The challenge is Qld logbook requirements differ to TSPF and NPF, and have different legislation, making it difficult to implement. Noting that different logbook requirements already exist between the two fisheries.
85. AFMA Observer, Ben Liddell, noted the feedback about using e-logs in the NPF has been positive, after a transitional period in the first few years.
86. The MAC noted it would be useful for both the Qld ECOTF and TSPF e-logs to be available through the same provider companies, to reduce costs in the different fisheries. AFMA noted some fishers have worked with provider companies to negotiate deals across fisheries for provider licensing arrangements for many operators, and a negotiated outcome could be sought in the TSPF or Qld ECOTF as well.

87. The MAC noted AFMA's desire to move the TSPF to mandatory e-logs in the future but agreed they should be introduced as an option now, and that consideration of timeframes to make them mandatory should be discussed further at the next MAC meeting.
88. The MAC industry members had some concerns with some of the specifications in the e-log schema, which appeared to require more detail than the paper logs, such as measuring the weight and numbers of discards.
89. The AFMA licencing team confirmed that the generalised, comprehensive schema included fields which would not necessarily apply to each fishery but could be made mandatory as required for a particular fishery. An example was the shot-by-shot data requirement.
90. The MAC agreed that AFMA should go through the schema with some of the MAC industry members following the close of the meeting, regarding schema specifications which seem unnecessary and provide advice to the licensing team regarding a schema appropriate to the TSPF.

4.6.1 The TSPMAC **RECOMMENDED** that e-logs be introduced as an option in the TSPF, and that AFMA work with MAC industry members regarding the details to be included in the e-log system.

## 4.7 Review of bycatch and discard workplan

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91. The MAC noted the need to review the TSPF bycatch and discard workplan, and the priorities that should be included in the new plan. The following were noted and discussed:
  - a. The MAC reviewed the existing objectives within the current workplan, and also the NPF workplan, to consider those which are worth rolling into a new workplan in the TSPF and those which have been completed or are no longer required.
  - b. Progress has been made with the BRD review, and this will be finalised over the next few years as the new BRDs are introduced and old ones removed. This should remain in the new plan as this transition occurs.
  - c. The MAC discussed an objective from the previous plan "to provide protection for areas that provide important habitat for vulnerable species". The MAC noted that there are already several closures in place protecting seagrass beds and turtle and dugong feeding and breeding grounds, and pearl shell bed areas. Further protection is provided since the adoption of technology has allowed fishers to trawl known areas, and avoid substrate to protect their gear, and do not risk damage developing or explore new grounds.
  - d. Qld is attempting to monitor the fishery footprint using VMS, which is verifying the trawled area is not expanding. The MAC agreed this could be useful to incorporate into the plan to provide evidence that the TSPF trawled area is not expanding.
  - e. The MAC discussed whether Sygnathids are retained in the trawl catch, as they are a TEP species that may require improved reporting. The industry members, AFMA scientific observer and scientific member noted that Sygnathids are not present in high numbers across the TSPF. The Qld member also mentioned that the only time they have seen high numbers on the east coast was during a scientific trial outside of the normal trawl grounds.
  - f. Following this advice, the MAC agreed we did not need to include specific objectives around Sygnathids, and that focus should continue to be on sea snakes as the main TEP species in the TSPF. The ABARES observer highlighted it may be useful to continue monitoring even low numbers of Sygnathids, to demonstrate the TSPF is still aware of the species status as a TEP.

**ACTION:** AFMA to remove objectives relating specifically to Sygnathids from the bycatch and discard workplan, but consider having information within the plan that allows the recording the low rates of interaction.

- g. Some Industry members noted the reluctance to report catches of incidental sea snakes, because of concerns of fishing being limited due to TEP interactions. There is also the challenge of the skipper and crew needing to report interactions, but the licence holders being legally responsible for ensuring reporting is occurring.
- h. AFMA noted that if discrepancies occur between logbook data and logbook reporting it will be discovered during the WTO processes and could put export approvals at risk.
- i. The MAC noted that the Qld ECOTF is trying to organise a workshop for early February 2023 in Cairns to try and encourage people to improve TEP reporting in logbooks.
- j. Industry members noted that the workshop being organised is also hoping to address safe sea snake handling to improve TEP survivability while managing risk to crew.
- k. AFMA agreed to review the content on safe sea snake and turtle handling in the TSPF prawn handbook and ensure it is up to date.

**ACTION:** AFMA to review the content on safe sea snake and turtle handling in the TSPF prawn handbook and ensure it is current.

- l. The MAC noted it may be useful to identify the number of boats using hoppers in the TSPF, and encourage their uptake, as they improve the survivability of bycatch and can also improve prawn product quality.

**ACTION:** AFMA to identify the number of TSPF licence holders using hoppers and promoting their use for TEP protection and improving prawn catch quality.

- m. The MAC noted advice from the ABARES observer that reef and other shark species are currently being added to the Convention on the International Trade of Endangered Species list and that how to manage shark bycatch is important.
- n. Industry members noted that bycatch of sharks in the TSPF is negligible or nil and the main issue are sharks attacking trawl net cod ends and resultant damage to gear.
- o. The MAC also discussed the incidental take of TRL in the TSPF, and noted that these catches are currently not reported, aside from on scientific observer trips. AFMA agreed to write to licence holders asking them to begin reporting these incidental catches (noting all TRL are discarded as they may not be retained) to allow more data to be used for the TRL assessments.

**ACTION:** AFMA draft the new bycatch and discard workplan based on the MAC's discussion and circulate for discussion out-of-session.

**ACTION:** AFMA to write to TSPF licence holders requesting voluntary reporting of TRL catches in the logbooks.

## 6 Other business

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The MAC agreed to add a standing agenda item for future meetings regarding climate change.

**ACTION:** the MAC Executive Officer to add climate change as a standing agenda item for future meetings.

## 6.1 Research priorities for the 2024-25 funding round

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The MAC discussed research priorities for the TSPF in 2024-25:

92. The main research priority for the TSPF is updating the stock assessment.
93. The MAC discussed updating the stock assessment with or without a new fishing power analysis. Other fisheries have noted that even though there may not be an apparent increase in fishing power, there is an “automatic” improvement in fishing power of around 1% each year through improved skill or technology advances. The AFMA member cautioned against arbitrary increases as continual increases in fishing power has been identified as an area of concern in the stock assessment model for the NPF, and that this will be part of a broader NPF stock assessment review workshop in early 2023. The MAC agreed the outcomes of the NPF workshop could be useful in estimating fishing power changes in the TSPF.
94. The MAC also agreed there may be value in seeking input from Andrew Penny, who reviewed the harvest strategy, as the CPUE triggers may warrant more frequent reviews of fishing power.

**ACTION:** AFMA to provide the MAC with outcomes from the NPF discussion regarding the fishing power model for its possible application in the TSPF.

**ACTION:** AFMA to consult with Andrew Penny on estimation of fishing power changes under the new harvest strategy, and ways of addressing this.

95. The MAC agreed it would be useful to understand the sensitivity of the model to fishing power, before undertaking a full fishing power analysis, and that the cost of updating the stock assessment through a fishing power analysis should be included in the scope and cost estimate.
96. The MAC discussed a potential research project on fuel and prawn prices (perhaps using a web-based form) should be considered.
97. The MAC agreed an app or form are not required, and that if more industry participants could provide information, the scientific member would develop a questionnaire to send to licence holders to provide data.

**ACTION:** Clive Turnbull to develop a questionnaire on fuel and prawn prices and provide to AFMA to circulate to licence holders.

98. The MAC discussed the ongoing work regarding BRD trials and implementation and noted the Australian Council of Prawn Fishers are applying for funding for BRD trials, as well as bycatch handling and species identification guides.
99. The MAC noted it would be useful for the TSPF licence holders to get in touch with the Australian Council of Prawn Fishers to see whether they could expand their grant application to include the TSPF. Alternatively, that the TSPF industry could develop a separate application.
100. The TSRA asked the TSPF to consider a priority relating to a scoping study exploring prawn fishery entry and development for Traditional Owners including the constraints and opportunities to engage in the TSPF. This would include optimising fisheries resources for economic development in the Torres Strait, and could have linkages to the observer program, and other areas of work that may be available in the fishery aside from working specifically as prawn fishers.
101. The MAC noted such a funding application could be more appropriately made from the TSRA through the TSSAC, noting any TSPF specific research is funded through industry levies. Economic development research is generally not funded by AFMA.

102. The MAC noted the barriers that have been discussed in the past, regarding the extended work hours required on prawn trawlers, but noted that education of young community members in Torres Strait would be a first step around building more interest in working in the fishery.

103. The TSRA agreed to liaise with the TSRA FAC to discuss whether this is a priority, and if a proposal could be developed.

**ACTION:** TSRA to discuss with their FAC whether a scoping study looking at possibilities for Traditional Owner involvement in the TSPF is a priority. If so, TSRA to develop a scope in time for the 2024-25 funding round, which is due in July 2023.

## 6.2 Finance

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104. The MAC noted the cost recovered budget, which has had a slight increase when compared to 2021-22. The levy invoices will be coming out soon relating to these levies.

105. The MAC noted that AFMA will be sending around the next draft budget in early 2023 for comment.

## 6.3 AFMA's Reconciliation Action Plan

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106. The MAC noted that AFMA have had a Reflect Reconciliation Action Plan in place for just over a year, and welcome anyone interested to be on the committee to get in touch, as external stakeholders are welcome.

## 6.4 date for next meeting

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107. The MAC noted that there is no specific date for the next meeting but will likely be within 12-18 months.

## Summary of actions arising from TSPMAC 21

Item number	Action	Responsibility	progress
21.1	TSRA to confirm whether funding could be available for Torres Strait community member observers if this project was to go ahead, and further explore options for this sort of work, with the support of AFMA as needed.	TSRA	
21.2	AFMA to examine protocols used in the scientific observer program, and whether these can be adapted if a Torres Strait community member observer program was introduced.	AFMA	
21.3	AFMA to write to TSPF licence holders seeking fuel and prawn grade and species data and explaining the purpose of collecting this data and how personal information will be protected.	AFMA	
21.4	Mr Turnbull to seek historic fuel prices from Seaswift.	Clive Turnbull	
21.5	Mr Turnbull to review the 2022 data and rectify any issues for publishing in the 2023 data summary.	Clive Turnbull	
21.6	Industry to liaise with Darren Roy or Annie Jarret from NPFI regarding the existing application for funding for bycatch reduction measures or consider a separate TSPF application.	TSPF Industry members	
21.7	Future discussions to be had around whether some discarded finfish could be provided to TIB fishers for use as bait, instead of all being discarded.	AFMA	
21.8	AFMA to progress amendments to the legislative instrument for BRDs as per the recommendation, following a consultation period with licence holders, including informing them how to apply for exemptions for using older BRDs for one season during transition.		
21.9	AFMA to notify NPF dual endorsed boats of need to apply for an exemption if using the FishEX or Popeye Fishbox BRDs during the 2023 season.		
21.10	TSRA to note the TIB member request to have AFMA participate in pre meeting briefings to clarify technical issues related to agenda papers.	TSRA	
21.11	AFMA to consider the requirements around licence renewals, and update licence renewal and transfer forms as required, in order to seek information regarding foreign interest the proposed operations to ensure the PZJA can meet its obligations under the TSF	AFMA	



	Act and Torres Strait Treaty. This should be completed alongside the Management Plan amendments.		
<b>21.12</b>	AFMA to check whether provisions around licence expiry and renewal which result in licences being cancelled if they are not paid on time are changing within the suite of TSF Act amendments. AFMA to inform the MAC out-of-session.	<b>AFMA</b>	
<b>21.13</b>	AFMA to speak to the licensing section about whether the licence renewal and application fee can be issued on the same invoice.	<b>AFMA</b>	
<b>21.14</b>	AFMA to remove objectives relating specifically to Sygnathids from the bycatch and discard workplan, but consider having information within the plan that allows the recording the low rates of interaction.	<b>AFMA</b>	
<b>21.15</b>	AFMA to review the content on safe sea snake and turtle handling in the TSPF prawn handbook and ensure it is current.	<b>AFMA</b>	
<b>21.16</b>	AFMA to identify the number of TSPF licence holders using hoppers and promoting their use for TEP protection and improving prawn catch quality.	<b>AFMA</b>	
<b>21.17</b>	AFMA draft the new bycatch and discard workplan based on the MAC's discussion and circulate for discussion out-of-session.	<b>AFMA</b>	
<b>21.18</b>	AFMA to write to TSPF licence holders requesting voluntary reporting of TRL catches in the logbooks.		
<b>21.19</b>	the MAC Executive Officer to add climate change as a standing agenda item for future meetings.	<b>AFMA</b>	
<b>21.20</b>	AFMA to provide the MAC with outcomes from the NPF discussion regarding the fishing power model to consider in the TSPF.	<b>AFMA</b>	
<b>21.21</b>	AFMA to consult with Andrew Penny on estimation of fishing power changes under the new harvest strategy, and ways of addressing this.	<b>AFMA</b>	
<b>21.22</b>	Clive Turnbull to develop a questionnaire on fuel and prawn prices and provide to AFMA to circulate to licence holders.	<b>Clive Turnbull</b>	
<b>21.23</b>	TSRA to discuss with their FAC whether a scoping study for Traditional Owner involvement in the TSPF is a priority. If so, TSRA to develop a scope in time for the 2024-25 funding round, which is due in July 2023.	<b>TSRA</b>	
<b>21.24</b>	AFMA to work with the TSRA to identify opportunities to conduct consultation with the Ugar community to	<b>AFMA</b>	

	discuss proposed changes to the TSPF harvest strategy and undertake consultation with TSPF licence holders via a letter, before seeking PZJA endorsement.		
<b>ACTIONS FROM PAST MEETINGS</b>			
<b>ACTION 20.3</b>	Present results of Bycatch Reduction Devices (BRD) trials to communities, following the second trial. This may be best done during TSRA or AFMA community visits.	AFMA and TSRA	<b>Ongoing.</b> The results of the second and third trial will be presented at this meeting, and this action item will be progressed following. The TSPMAC should discuss the best avenues for communicating these results to communities.
<b>ACTION 20.12</b>	TSPF industry members to provide fuel and beach product price data to Clive Turnbull for use in the data summary and future harvest strategy monitoring	Industry and AFMA to follow up	<b>Ongoing.</b> One TSPMAC industry member provided fuel and beach product prices for the 2020 data summary. TSPMAC should discuss how we can encourage more licence holders to provide data, to create a more robust data set.

## Summary of TSPMAC 21 recommendations

Agenda Item #	Recommendations
1.3	<p><b>1.3.1</b> That TSPMAC members and observers:</p> <p>a) <b>NOTED</b> the previously declared real or potential conflicts of members and update this list with current real or potential conflicts of interest (<b>Table 1</b>);</p>

Agenda Item #	Recommendations
	<p>b) <b>AGREED</b> that no members had a conflict of interest against the agenda that would require any exclusion from discussion or recommendations.</p> <p>c) <b>ABIDED</b> by decisions of the TSPMAC regarding the management of conflicts of interest; and</p> <p>d) <b>NOTED</b> that the record of the meeting must record the fact of any disclosure, and the determination of the TSPMAC as to whether the member may or may not be present during discussion of, or decisions made, on the matter which is the subject of the conflict.</p>
4.1	<p><b>4.1.1</b> The TSPMAC <b>RECOMMENDED</b> the following changes to allowable BRDs in the TSPF:</p> <p>The Tom’s Fisheye be introduced as an allowable device from the 2023 Fishing season.</p> <p>The FishX, Kon’s Covered Fisheye and Popeye Fishbox at 70 meshes be introduced as allowable BRDs that require reporting of basic data on their effectiveness in the TSPF.</p> <p>That the v-cut flap, square mesh codend, square mesh panel and radial escape panel be removed as allowable BRDs from the 2023 season, noting an exemption can be sought for the 2023 season if required.</p> <p>That the Fisheye BRD and Bigeye BRD be amended to match the requirements under the Queensland East Coast Otter Trawl Fishery legislation for the 2023 or 2024 season?</p> <p><b>4.1.2 NOTES</b> that the Queensland Government will issue permits to any Queensland ECOTF dual endorsed boats wishing to use one of the Tom’s fish eye and Kon’s fish eye while a trial of these BRDs is undertaken in the Queensland ECOTF.</p> <p><b>4.1.3. NOTES</b> the Queensland ECOTF also intends to remove more of the less effective BRDs in the future following testing of the new BRDs against the standard Fisheye and Bigeye BRDs.</p>
4.2	<p><b>4.2.1</b> The TSPMAC <b>NOTED</b> the consultation that has occurred with the Masig, Poruma, lama and Warraber communities, in 2023.</p> <p><b>4.2.2</b> TSPMAC <b>RECOMMENDED</b> the TSPF Harvest Strategy be presented to the PZJA for consideration and endorsement, subject to Ugar consultation that would include the TSRA, AFMA and the Ugar PBC and Councillor.</p> <p><b>4.2.3</b> The TSPMAC <b>NOTED</b> that any significant changes suggested by stakeholders during the Ugar and TSPF TVH licence holder consultation, will be presented to the TSPMAC out of session via teleconference for consideration of any changes required to the Harvest Strategy.</p>
4.3	<p><b>4.3.1</b> The TSPMAC <b>RECOMMENDED</b> that the maximum period in which the TAE is set under the management plan is changed from three years to five years.</p> <p><b>4.3.2</b> The TSPMAC <b>RECOMMENDED</b> that AFMA facilitate the setting of the TAE at 9,200 days as required every five years, unless a new TAE level is required as</p>

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	indicated by the TSPF Harvest Strategy. If a new TAE may be required, then the TSPMAC will be consulted to make a recommendation on a new TAE.
4.4	The TSPMAC <b>AGREED</b> that the season dates should remain at 1 February to 1 December each year.
4.5	<p>4.5.1 The TSPMAC <b>RECOMMENDED</b> that the amendments, as presented, be progressed to the next stages, through drafting amendments and seeking PZJA approval for public comment.</p> <p>4.5.2 The TSPMAC <b>RECOMMENDED</b> community consultation occur with Ugar, Masig and Poruma communities.</p>
4.6	4.6.1 The TSPMAC <b>RECOMMENDED</b> that e-logs be introduced as optional in the TSPF, and that AFMA work with MAC industry member regarding the details to be included in the e-log system.

## Attachment A – proposed management plan amendments

### Principal amendment

Amendment number	Management Plan Section	Suggested change	Rationale
1	3.2 (5) Torres Strait Prawn Fishery (TSPF) boat licences 3.3 (2) Transfer of TSPF boat licence	<del>[delete]</del> section 3.2 (5) <i>A TSPF boat licence may only be granted to an Australian citizen.</i>  <del>[delete]</del> section 3.3 (2) <i>A licence may only be transferred to a person who is an Australian citizen.</i>  Re-number sections 3.3 (3)-(5) to 3.3 (2)-(4) respectively, to account for deletion of section 3.3 (2)	Currently TSPF licences can only be issued or transferred to Australian citizens which, by definition, is an individual. Licences in Torres Strait and more broadly Commonwealth fisheries are often owned by incorporated companies. These amendments will allow a TSPF boat licences to be issued to Australian residents (individuals) or Australian companies. In addition, TSPF boat licences are issued under s. 19(2) of the <i>Torres Strait Fisheries Act</i> (TSF Act) and as such these licenses are subject to s. 19(4) of the TSF Act which includes obligations for the PSJA regarding article 27 of the Torres Strait Treaty. Additional amendments proposed below to Section 1.3 (1) <i>Interpretation</i> will require that TSPF Licences authorise the use of an Australian boat as defined in the TSF Act <sup>1</sup> . Licensing processes have been established to ensure that the

<sup>1</sup> Under the section 3 of the TSF Act an Australian boat is a boat "...which is wholly owned by a natural person who is a resident of, or by a company incorporated in, Australia..."

			granting and transfer of licenses across all TS fisheries comply with the Torres Strait Treaty and more specifically s. 19 of the TSF Act
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## Additional amendments

Amendment number	Section of the Act	Suggested change	Rationale
2	1.3 (1) Interpretation <sup>2</sup>	<p>Change several definitions to reflect other amendments including:</p> <p><i>[delete] TSPF Master Fisherman’s Licence means a licence granted under section 19(1) of the Act that has a prawn fishery entry that allows the holder to be in charge of the commercial fishing activities aboard a boat referred to on a TSPF boat licence.</i></p> <p><b>TSPF boat licence</b> means a licence granted under section 19(2) of the Act that has a prawn fishery entry that allows the <i>[insert] Australian</i> boat identified in the licence to be used for commercial fishing for prawn in the fishery.</p> <p><b>Insert new definition</b> <b>Protected species</b> means:</p> <p>a) <i>a listed threatened species within the meaning of the Environment Protection and Biodiversity Conservation Act 1999 (other than a conservation dependent species within the meaning of that Act); or</i></p>	<p><b>Master Fishermans Licence</b> is defined in the TSF Act and not required in the TSPF MP.</p> <p><b>TSPF boat licence</b> will be amended to make the requirement for a boat in the TSPF to be an <u>Australian Boat</u>.</p> <p>Protected species definition will be moved from section 5.7 (2)(a) into interpretation section, consistent with other legislation, for example, see Section 5. <i>Fisheries Management Regulations 2019</i> (refer to amendment number 13).</p>

<sup>2</sup> Legal advice may recommend additional amendments to the definitions to align with other changes in the suite of amendments

		<p>b) a listed marine species within the meaning of that Act; or</p> <p>c) a listed migratory species within the meaning of that Act; or</p> <p>d) a whale.</p>	
3	2.1 (1) (a) Who may fish in the fishery	<p><b>2.1 (1)</b> A person may fish commercially for prawn in the area of the fishery during a fishing season if, at the time the prawn are taken:</p> <p>(a) holds a <del>TSPF master fisherman's licence</del> <b>[insert] TSPF boat licence</b>; and</p> <p>i. The person is fishing from an Australian boat nominated on a TSPF boat Licence; and</p> <p>ii. the holder of the TSPF boat licence holds unused units; or</p>	under the TSF Act a Master fisherman's licence is required to undertake commercial fishing (other than community fishing) in an area of Australian jurisdiction so reference to and requirement for a master fisherman's licence is unnecessary in the TSPF MP. It is a duplication of a rule across multiple legislation, which isn't recommended.
4	2.3 (2) and (3)	Numbering of sub sections is incorrect sections 2.4(2) and 2.4(3) will be renumbered to 2.3 (1) and 2.4 (2) respectively	To fix an error with the TSPF MP numbering
5	2.4 (2) Determination of reference points	2.4 (2) The PZJA will review the reference points at least every <del>two</del> <b>[insert] 5</b> years to ensure that they remain appropriate.	To reflect the current arrangements for the fishery and to align with other assessment cycles in the fishery
6	2.5 (1) Determination of total allowable effort (TAE)	At least every <del>3</del> <b>[insert] 5</b> years the PZJA will determine the TAE for the fishery, based on the reference points determined under section 2.4, or other management strategy.	To reduce the administrative burden of determining the TAE every 3 years despite not changing since the commencement of the plan. 5 years is considered sufficient to allow for periodic review while providing operational certainty to the fishery
7	3.1 (1) Grant of Licences	<p><b>Delete Section 3.1 Grant of licences</b></p> <p>1) As set out in section 19 of the Act, licences may be granted for commercial fishing from a boat in</p>	This section duplicates a power provided by the TSF Act and it is not required in the TSPF MP

		<p>the fishery and for carrying, or for carrying and processing product in the fishery.</p> <p>[NOTE: by section 36 of the Act, the Minister's powers concerning licences are exercisable by the PZJA.]</p>	
8	3.4 (1) TSPF TPC licence	A TSPF TPC licence remains in force for a period of <del>one year</del> <b>[insert] for the period specified in the licence</b>	Current 1 year restriction on TPC licences is an administrative burden and this change will make the TSPF MP consistent with proposed amendments to the TSF Act and Regs
9	3.6 Scientific and developmental permits	<p><del>Section 3.6</del> <b>Scientific and developmental permits</b></p> <ol style="list-style-type: none"> <li>1) As set out in section 12 of the Act, permits for scientific or developmental purposes may be granted for an area of the fishery.</li> <li>2) Developmental permits will only be granted to holders of TSPF boat licences.</li> <li>3) The PZJA may determine guidelines for: <ol style="list-style-type: none"> <li>a) the grant of and revocation of scientific and developmental permits; and</li> <li>b) the imposition, variation and revocation of conditions of those permits.</li> </ol> </li> </ol> <p>[NOTE: For scientific and developmental permits generally, see s.12 of the Act.]</p>	This section duplicates a power included in the <i>Torres Strait Fisheries Act 1985</i> and is not required in the TSPF MP
10	3.7 (6) Variation of TSPF boat licence – nominated boat	<p><del>In spite of subsection (5), a boat may be nominated for a TSPF boat licence if on the commencement date, and at all times since that date, that boat has been recorded on that TSPF boat licence, and the length of that boat has not been increased.</del></p>	delete, as this section is no longer required
11	4.4 Initial allocation of	<p><del>section 4.4</del> <b>Initial allocation of Australian units</b></p> <ol style="list-style-type: none"> <li>1) The PZJA must allocate Australian units to TSPF boat licence holders.</li> </ol>	Initial allocation is now complete, and section is no longer required



	Australian units	<p>2) The PZJA will make an initial allocation of Australian units to each TSPF boat licence holder after the commencement date on the following basis:</p> <ul style="list-style-type: none"> <li>a. the PZJA will ascertain the number of fishing days allocated to each TSPF boat licence holder: <ul style="list-style-type: none"> <li>i. at the end of the fishing season in which this Plan commences; or</li> <li>ii. if this Plan commences after the end of a fishing season – at the end of the previous fishing season; and</li> <li>iii. the PZJA will then allocate each TSPF boat licence holder a number of</li> </ul> </li> <li>b. Australian units equivalent to the number of fishing days (that is to say, 1 fishing day equals 1 unit).</li> </ul> <p>3) The reference in subsection (2) to fishing days allocated to a TSPF boat licence holder does not include temporarily allocated days.</p>	
12	5.1 (1)(c) Licence and endorsement conditions - general	5.1 (1)(c) keep a logbook of the type specified in the current logbook instrument <i>[insert] and ensure that relevant information about fish taken with the TSPF licence is accurately and fully recorded and submitted in the logbook, in accordance with the instructions for completing the Logbook; and</i>	Additional wording included to improve logbook regulation and be consistent with the paper licence condition wording.
13	5.7 Licence and endorsement conditions – obligations about	5.7 (2) In particular, the holder must take all reasonable steps to <del>[delete]</del> : <ul style="list-style-type: none"> <li>a) <del>avoid interaction with the following:</del> <ul style="list-style-type: none"> <li>i. <del>cetaceans;</del></li> <li>ii. <del>marine species listed for section 248 of the EPBC Act;</del></li> </ul> </li> </ul>	5.7 (2) will be included in section 1.3 (1) interpretation as a definition  5.7 (3) (a) not required as TSF Regs (s.11) and logbook instruments includes requirements

	<p>interactions with certain species and communities.</p>	<p>iii. <del>migratory species listed for section 209 of the EPBC Act;</del>  iv. <del>threatened ecological communities listed for section 181 of the EPBC Act;</del>  v. <del>threatened species listed for section 178 of the EPBC Act; and</del>  b) <del>ensure that anything that may harm the marine environment is not disposed of at sea.</del></p> <p>[insert] to avoid interactions with protected species</p> <p>5.7 (3) If the fishing activities undertaken on the boat result in an interaction with a [delete] species or community mentioned in subsection (2) [insert] <b>protected species</b> the licence holder must:</p> <p>5.7 (3)(c) if the interaction results in an injury to a [delete] member of the species or Community [insert] <b>protected species</b>, do everything that can practicably be done to give aid to it; and</p> <p>5.7(3)(d) if the interaction results in the death of a [delete] member of the species or Community [insert] <b>protected species</b>]:</p> <p>5.7(3)(e) if the interaction results in the death of, or an injury to, a [delete] member of the species or community [insert] <b>protected species</b>, report the interaction in accordance with any requirement imposed by regulations made for the purposes of this section.</p>	<p>to fill out logbooks including protected species interactions.</p> <p>Other changes to reflect the new definition <b>Protected species</b> in 1.3</p>
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14	6.4 Transitional	<p><b>Delete</b> Section 6.4 <b>Transitional</b></p> <ol style="list-style-type: none"> <li>1) A TSPF licence in force immediately before the commencement date remains in force until the following 25 February.</li> <li>2) If the PZJA exercises its powers under Part 4 before 25 February, nothing done in exercise of those powers has effect until after that 25 February.</li> <li>3) The holder of a unit is not entitled to transfer a unit temporarily until after 25 February.</li> </ol> <p>In this section, 25 February means the first 25 February that occurs after the commencement date.</p>	This section is no longer required as it provides for transitional arrangements associated with effort allocation across the TSPF
15	Schedule 4- Size Limits	<p><b>Delete</b> Schedule 4 – <b>Size Limits</b></p> <ol style="list-style-type: none"> <li>1) In this Schedule: <b>Moreton Bay Bug</b> means fish of the genus <i>Thenus</i>.</li> <li>2) The size limit for taking, processing or carrying of Moreton Bay Bugs is a carapace width of at least 75 millimetres when measured at the widest point of the carapace.</li> </ol>	Currently only includes a size limit for Moreton Bay Bugs 75mm Carapace width. Bug size limits and other requirements (e.g. berried females) will be implemented in a legislative instrument issued under Section 16 of the <i>Torres Strait Fisheries Act 1985</i> . This will allow size limits to be updated if required as new science becomes available.