

**TORRES STRAIT FINFISH WORKING GROUP MEETING**  
**0830am, 19 - 20 April 2005**  
**PEARLS BUILDING, THURSDAY ISLAND**

**RECOMMENDATIONS FROM THE FFWG TO THE TSFMAC**

Number	Recommendation
1	<p><b><i>Agenda 8.1 Development of effective catch or effort controls</i></b></p> <p>Agreements arrived at the FWG. Proposal will be developed in full and circulated for comment. The FWG agreed to recommend:</p> <ul style="list-style-type: none"> <li>i) That a TAC be established for the fishery, with species specific quotas established for Coral trout, Red Emperor, Barra Cod, Maori Wrasse, and "other species". In the absence of stock assessments for each species, that the historical catches from the fishery be used to identify a stable period of production, the average of which would become the TAC ;</li> <li>ii) That the non-Islander sector should be allocated a share of the TAC that would be allocated as ITQs; <ul style="list-style-type: none"> <li>iii) That the qualifying period be a minimum of 3 years (1 April 1999 to 14 Feb 2002);</li> <li>iv) That in relation to ITQs, a system of 'unders and overs' be used (further development pending);</li> <li>v) This approach was supported by Islanders.</li> </ul> </li> <li>vi) That the Islander sector be managed under current arrangements but that a trigger for review be set at the point at which the community reported catch increases by 50% (pending further consultation). <ul style="list-style-type: none"> <li>vii) This approach was supported by industry.</li> </ul> </li> </ul>
2	<p><b><i>Agenda 8.2 Management arrangements</i></b></p> <p>The FWG noted the new information on barramundi cod from the east coast research and reaffirmed its decision to maintain a minimum size limit of 450mm, with a review on its status when new biological advice from the Torres Strait becomes available. The FWG also emphasised a high priority need for further research on this species and noted that additional funding would be required</p>
3	<p><b><i>Agenda 8.2.1 Red Bass</i></b></p> <p>The Finfish Working Group recommends to the TSFMAC that a minimum legal length for Red Bass be set at 450mm and a maximum</p>

	legal length at 550mm.
4	<p><b>Agenda 8.2.2                      Maori Wrasse</b></p> <p>The FWG recommends that the TSFMAC:</p> <ul style="list-style-type: none"> <li>i) note the recent CITES listing for Maori wrasse and that the views of Stakeholders groups in relation to its status in TS are: <ul style="list-style-type: none"> <li>➤ Industry – that Maori wrasse should remain a take species as per decisions of PZJA 17;</li> <li>➤ Islanders - Islanders; representatives were divided on the issue and will undertake further consultation; and</li> <li>➤ Management – in light of new information on slow growth rate, longevity, rarity, large size at maturity, national concerns per the CITES listing, public perception of the management of this species in TS, that the PZJA reassess its decision to make Maori wrasse a take species.</li> </ul> </li> <li>ii) Make a recommendation to the PZJA on the status of Maori wrasse in TS.</li> </ul>
5	<p><b>Agenda 8.2.3                      Live fish fishery - Industry</b></p> <p>The FWG recommends that the TSFMAC:</p> <ul style="list-style-type: none"> <li>i) note that the FWG considered the introduction of a live fish fishery, but because of concerns over inadequate control over catch/effort and the potential that a live fishery would more directly target the common coral trout, the FWG recommends that the prohibition on the take of live fish be continued.</li> <li>ii) Note that the FWG still sees potential advantages in a live fishery and that this issue should continue to be re-appraised as the management of the fishery evolves (recommendations under agenda 8.1).</li> </ul>
6	<p><b>Agenda 9.1 Bramble Cay daytime closure &amp; trolling only area</b></p> <p>The Finfish Working Group recommends that in waters surrounding Bramble Cay and Black Rocks that when fishing for Spanish mackerel:</p> <ul style="list-style-type: none"> <li>a) a daily fishing closure be implemented during the hours of 0930 hrs and 1500 hrs during the months of August to December; and</li> </ul>

	<p>b) the method be restricted to trolling only.</p>
6	<p><b>Agenda 9.2 Long term monitoring program Bramble Cay</b></p> <p>The FWG recommends that the TSFMAC:</p> <ul style="list-style-type: none"> <li>i) note that the Qld long-term monitoring program for SM in TS ceased in 2003 and that a voluntary program commenced in 2004 with 3 commercial fishers participating.</li> <li>ii) That the voluntary sampling was commendable but that additional sampling must be undertaken to support a stock assessment for this fishery. An action item will be to cost the additional research work required.</li> </ul>
7	<p><b>Agenda 10.1 Barramundi Fishery – Boigu Is proposal</b></p> <p>The FWG recommends that the TSFMAC note that the FWG supports the Boigu Island proposal in-principle provided the issues of fishing capacity and bycatch are addressed. The working group encourages the completion of the report on the proposed net fishery and that this report should guide the development of the fishery.</p>
8	<p><b>Agenda 11 Strategic Assessment and Bycatch Action Plan Update</b></p> <p>The FWG recommends that the TSFMAC:</p> <ul style="list-style-type: none"> <li>i) note that the SAR will be submitted to the PZJA out of session before it is submitted to the Minister for EH;</li> <li>ii) note that the BAP has been released for a public comment period of 28 days and will then be circulated to members of the working group for their consideration before being finalised and sent to the PZJA and the Minister for EH.</li> </ul>
9	<p><b>Agenda 12 National Shark Plan</b></p> <p>The FWG recommends to the TSFMAC that:</p> <ul style="list-style-type: none"> <li>1. the practice of ‘shark finning’ be prohibited; and</li> <li>2. a prohibition on the take be implemented on: <ul style="list-style-type: none"> <li>a. all species of sharks greater than two metres in length;</li> <li>b. Hammerhead sharks (<i>Sphyrnidae</i>);</li> <li>c. Tiger sharks (<i>Galeocerdo cuvier</i>); and</li> <li>d. ‘Grey nurse’ sharks (<i>Carcharias taurus</i>).</li> </ul> </li> </ul>

3. it notes that these arrangements will also be referred to the Prawn Working Group for consideration.

### **ACTION ITEMS**

Number	Action Item	Action Agency
1	Management to obtain a copy of the East Coast line fishery monitoring program and relevant documentation	QDPI
2	That Industry and Traditional Inhabitants be consulted on the future of Maori wrasse as a take species. Results of this consultation are to be provided to AFMA by 13 May 2005	TSRA
3	TSRA to consult on nets used for traditional fishing including length, drop and mesh size and report the results of that consultation to AFMA by 13 May.	TSRA
4	AFMA to prepare response to letter from Mr Donald Banu, Chairman of Boigu Island	AFMA
5	Chair of the Finfish Fishery Working Group to write to the Chair of the Prawn Working Group and request they consider implementing complementary restrictions on the take of sharks in the prawn fishery	AFMA
6	John Kung to look at what can be done to streamline the existing process for obtaining MFLs.	QDPI
7	CRC-TS to write to AFMA requesting an amendment of the Scientific Permit to take undersize Barramundi cod	CRC TS
8	Follow up Warraber freezer records with Sammy Tamu	TSRA
9	Management to investigate defining "Trolling" under the FMN (Spanish mackerel Bramble Cay closure)	AFMA

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**AGENDA**

- A) *OPENING*
- B) *APOLOGIES*
- C) *AGENDA*
  - 1. Review record of previous meeting (20-21 May 2004)**
  - 2. Business arising from the previous meeting**
  - 3. Outcomes from the July and November 2004 TSFMAC meetings**
  - 4. Outcomes from of the February 2005 PZJA**
  - 5. Update on the latent effort reduction process**
  - 6. Research update**
  - 7. Fishery objectives**
  - 8. Reef line fishery**
    - 8.1** Development of effective catch or effort controls
    - 8.2** Management arrangements
      - 8.2.1 Red bass*
      - 8.2.2 Maori Wrasse*
      - 8.2.3 Live fish fishery - Industry*
  - 9. Mackerel fishery management arrangements**
    - 9.1** Bramble Cay day time closure
    - 9.2** Long term monitoring program Bramble Cay
  - 10. Net fishery management arrangements (gear restrictions)**
    - 10.1** Barramundi Fishery – Boigu Island proposal
  - 11. Strategic Assessment and Bycatch Action Plan Update**
  - 12. National Shark Plan**
  - 13. Logbooks**
  - 14. Compliance**

15. **Other business**

**15.1** Charter fishing

**15.2** Licence amalgamation policy

**15.3** Master Fisherman's Licences – Industry

D) *NEXT MEETING*

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**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 **15 JUNE 2005**, THIS WILL REMAIN A TRUE COPY OF MINUTES TAKEN AT THIS MEETING.

**DAY 1**

**Attendance**

Mr Jim Prescott	(Chairperson)
Mr John Marrington	(AFMA)
Dr John Kung	(QDPI&F)
Mr Lota Warria	(TSRA Community Fish Representative – Yorke Island)
Mr Kila Odo	(TSRA Community Fish Representative – Murray Island)
Mr Ken Bedford	(TSRA Community Fish Representative – Darnley Island)
Mr Jack Billy	(TSRA Community Fish Representative – Coconut Island)
Mr Carl D’Aguiar	(Industry Representative – Reefline)
Mr Greg McBeth	(Standing in for QSIA member)
Mr Gavin Begg	(CRC Torres Strait)
Lyndon Peddell	(QBFP TI)

**Observers**

Don Whap  
Tony Vass  
Henry Christensen

**DAY 2**

**Attendance**

As per day 1.

**Observers**

Nil

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**DAY 1 – 19 October 2004**

A) *OPENING*

The meeting was opened by the Chair at 8.45 am.

*B) APOLOGIES*

Mr Peter Yorkston	(TSRA Fisheries Coordinator)
Mr Samuel Tamu	(TSRA Community Fish Representative – Warraber)
Mr Jerry Stephen	(TSRA Community Fish Representative – Stephens Island)
Mr Shaun Hansen	(Industry Representative – Mackerel)
Ms Rosemary Millward	(QSIA)

*C) AGENDA*

The meeting agenda was adopted as presented.

**Agenda Item 1: Confirmation of the record of the previous meeting (13 – 14 May 2004)**

The minutes were accepted as a true and accurate record of the last meeting of the Finfish Working Group (13-14 May 2004). Moved by Carl D'Aguiar, seconded by John Kung.

**Agenda Item 2: Business arising from the previous meeting**

John Marrington provided an update on the progress of Action Items from the May 2004 Working Group meeting. The report is as follows:

Action Item 1 – Completed.

Action Item 2 – Completed.

Action Item 3 – Still to be undertaken.

Action Item 4 – Completed.

Action Item 5 – John Kung reported that the Spanish mackerel boat replacement policy has been adopted for the Reefline fishery as both fisheries are finfish fisheries

Action Item 6 – QDPI&F Quota Monitoring unit have been made aware of the issue and have taken onboard the FWG concerns.

Action Item 7 – John Kung confirmed that Ashmore Reef is within Queensland jurisdiction.

Action Item 8 – Completed.

Action Item 9 – Completed. Action Item – CRC-TS to write to AFMA to request amendment to Scientific Permit to take undersize Barramundi Cod

Action Item 10 – Still to be undertaken/Ongoing.

Action Item 11 - Still to be undertaken. Action John Marrington to follow up with Sami Tamu.

Action Item 12 – Completed.

Action Item 13 – Still to be undertaken.

Action Item 14 – See Action Item 5

Action Item 15 – Completed.

Action Item 16 – Charter issue referred back to the Working Group by the TSFMAC. Legislative amendments being progressed by DAFF.

In respect of Action Item 4, Carl D'Aguiar questioned Vanessa Moore's letter outlining how the TSF01 should be completed. Carl indicated that his tenders always have a floating bait out whilst fishing the bottom. He believed that this is a case of fishing both fisheries, ie. Spanish mackerel and reefline, at the same time.

Also whilst discussing this issue Greg McBeth raised his concern that the take allowance of 20 kgs is too low for the amount of incidental caught mackerel. Carl supported this view and suggested a higher allowance be implemented where there is a genuine bycatch of mackerel. Management reviewed background to the decision to reduce the limit to 20 kg citing that every licence in the Torres Strait had (has until the new notice is implemented) a 50 kg allowance and collectively this becomes a large amount of permitted catch.

Gavin Begg raised the issue of recording discards. In response to this Carl stated that discard species may have no value in today's market, but this could change in the future should a market develop for one or more of these species. If this occurs there will be a record of captures for those species.

- Gavin responded by saying that discard information would be better collected by observers / researchers. This would result in better quality and more accurate data.

### **Agenda Item 3: Outcomes from the July and November 2004 TSFMAC meetings**

John Marrington presented this agenda paper to the Working Group. The Working Group was reminded that no Finfish Working Group meeting was held prior to the November 2004 TSFMAC meeting and therefore few finfish issues were considered by the TSFMAC.

### **Agenda Item 4: Outcomes from the February 2005 PZJA meeting.**

John Marrington presented this agenda paper to the Working Group. In respect of the resource allocation issue, Jim Prescott provided additional information on the "specialist group". Its membership included Daryl Quinlivan - DAFF, Peter Neville/John Pollock – QDPI&F, Richard McLoughlin – AFMA, and Wayne Seekee – TSRA, Peter Gooday – Economist from ABARE, and William Arthur –sociologist and Indigenous expert from ANU. The Working Group was informed that the specialist group had already had their first meeting and that it was likely another one or two meetings would take place where necessary. The Working Group was also informed that a draft report would be provided to the Minister and his view sought on how consultation should proceed. It is expected that stakeholders will be consulted prior to a decision being made by the PZJA. Letters advising of this process were also sent out stakeholder representatives on PZJA committees by Richard McLoughlin who chaired the first meeting

- Carl D'Aguiar expressed concern that Industry was not represented on the "specialist Group". He said this was of particular concern as it was a known fact that the TSRA has an objective to remove all non-indigenous fishers from the reef line fishery. However, his concerns have been allayed since speaking with Richard McLoughlin,

In respect of item 14 under the heading Finfish Fishery, Carl pointed out to the Working Group that boats are now coming up to the Straits earlier and leaving later. The past practice was to leave the Torres Strait in November and return to fishing grounds the next February in line with the mother-ship services. Boats are now working three additional months in comparison to previous practice. He said that the remaining latent effort is already being taken up and therefore there is an urgent need to put in place controls to prevent the situation getting worst.

In respect of item 17, the Working Group was informed of the new process adopted by the PZJA for recruiting members to the Working Group.

In respect of the issue of cost recovery, Jim Prescott provided examples of how cost recovery is applied in other Commonwealth fisheries. He also informed the group that the Commonwealth currently has a policy that exempts indigenous fisheries from having to contribute to the costs of management. While the policy that would be applied in the Torres Strait was not clear at the time, it was also pointed out that non-indigenous fishers would not have to cover the costs of indigenous fishers if their costs were not recovered from that sector. The Working Group was informed that this issue was very much in its early stages and much work was still required in its development.

- Greg McBeth expressed concern that the introduction of cost recovery into the reefline fishery will further divide the fishery (assuming that the traditional inhabitants would be exempt from covering the sector's share of the costs).

In respect of the issue of the TSRA Co-ordinators role and the allocation of TIB licence fees to CFG capacity building (point 6), Kila Odo reported that a meeting was recently held on Mer where it was agreed that the freezer would not buy fish unless the fisher was licensed, had the appropriate safety gear, and was a member of MDW. Kila added that this was part of Mer's Fishing Plan which had the full support of the Council and the community.

**Agenda Item 5: Update on the Latent Effort Reduction Process.**

John Kung presented this agenda item. John distributed to the Working Group members a table (see below) outlining the current status of licences in the reefline and Spanish mackerel fisheries. Tony Vass and Carl D'Aguiar both questioned the number of boats that met the latent effort criteria for the Spanish mackerel fishery. They were of the belief that there were not that many boats operating in the fishery during the qualifying period.

<i>Fishery(Endorsements Held)</i>	<i>Primaries</i>	<i>Tenders</i>
Line	4	11
Mackerel	12	19
Line & Mackerel	5	12
DECISION PENDING		
Line + Mackerel	1	2
Line	1	4

**Agenda Item 6: Research.**

Gavin Begg presented this agenda item. Gavin put on a power point presentation updating the status of the three projects currently underway in the finfish fishery, ie.

- Status assessment of the eastern Torres Strait Spanish mackerel fishery

The assessment to date has identified that the catches are localised in area (Bramble Cay and Eastern Torres Strait) and by time (most recorded catches between July to November).

With respect to total catch and effort, Islander catches recorded an average of 4 tonnes, fishing 204 days per year and catching approximately 20kg per day. Non-islanders averaged 103 tonnes, fishing 1053 days per year and catching 103 kg per day.

- Sara Busillachi's project on traditional fishing

A change in the species composition of the subsistence catch was noted:

- Proportionately more catch of cods/groupers, coral trout, snapper, trevally, emperors/sweetlips; and
  - Proportionately less mackerels, tuskfish, mullets, spinefoots, and gars/longtoms, and parrotfish.
- Evaluation of the eastern Torres Strait Reef Line fishery

5 surveys on freezer boats have been carried out to date in conjunction with information collected from Island freezer records and the Islander commercial fishery.

- Modelling the impact of multiple harvest strategies in the Eastern Torres Strait.

Gavin's power point presentation also included an overview of the concept of Management Strategies Evaluation (MSE). The models are geared to address fishing effort. If there is a need to consider ITQs, then the models can examine these indirectly.

### **Agenda Item 7: Objectives**

Due to time constraints this agenda item was not considered by the Working Group and has been deferred until the next meeting.

### **Agenda Item 8.1: Development of effective catch or effort controls**

John Marrington presented this agenda item. Discussion amongst the group was generally focused on a quota system. Industry members voiced support for the introduction of individual transferable quotas (ITQs) into the non-indigenous sector. However this was on the basis that the outcomes of the PZJA decision on resource allocation resulted in a sufficient allocation for the non-indigenous sector to enable operators to remain viable.

There was also discussion on the concept of transferring and leasing of quota between sectors and within sectors. Kila Odo was opposed to the transferring/leasing of quota saying that it was a good thing if the fish are not caught. Carl D'Aguiar said he believed that trading between communities will likely lead to tension and possible conflict between those communities.

Greg McBeth stated that transferring/leasing was important for the non-indigenous sector as it will enable operators who get a small allocation to obtain additional quota to ensure they remain viable.

Following discussion on this issue it was agreed amongst the Working Group members that ITQs would work in the non-indigenous sector, but would not be an appropriate mechanism for controlling effort in the TIB sector.

- Carl D'Aguiar did add that operators should still be given the opportunity to leave the fishery should they desire, ie. funds should still be made available to enable fishers to leave with dignity. Carl said that this could be an attractive proposition to those licence holders who are no longer viable.

There was a discussion about what level of adjustment the non-indigenous sector could tolerate as part of entering into a quota system. Carl and Greg reluctantly agreed that the sector could give up

about 10% of their historical catches. This would make room for Islander catch to grow substantially above its current level (because the non-islander sector catches the largest proportion of the catch).

Discussion then went to identifying the key species to be covered by species specific quotas. Key target species were identified as coral trout and red emperor. In addition, barramundi cod and Maori wrasse were identified as high risk species and therefore also warranted being covered by specific quotas. All other species would then come under the classification of “other” for which a quota would also apply. These include sweetlips, cods, stripy bass, trevally, red bass, parrot / tusk fish, and sharks.

Carl D’Aguiar raised the concern of over-catches. Carl stated that a mechanism would be needed to accommodate over-catches which may occur at the end of the fishing season. He said there will be times when boats will unload catch onto a mothership but will not have a confirmed weight until the product is received by the buyer. This could result in boats having to guesstimate the size of the unload so they can catch there remaining quota.

- this particular issue was not resolved but it was acknowledged as an issue that needed further work.

In regard to monitoring it was agreed that the Torres Strait fishery had some unique aspects to it which will need to be accommodated for in any monitoring program. The main one being the fact that vessels unload to motherships opposed to unloading in a port. This raises issues for both a monitoring system and a compliance program.

- No specific arrangements were agreed to but it was suggested that a copy of the east coast monitoring program be obtained with an aim of minimising the need to create a whole new system for monitoring catch coming out of the fishery.

In the TIB sector it was agreed that ITQs was not appropriate, however the catch of the sector would still be included in the TAC for the fishery. The Working Group was not able to identify at this stage an alternative mechanism to control effort or catch in this sector. It was therefore agreed that rather than leaving the arrangements as they were, that a trigger or decision rule be established which would introduce measures to control the catch when it reached that point. The Working Group agreed that this trigger will be the point where Islander catches in the reefline fishery increase by 50% (this corresponds to an increase in the total fishery of approximately 20%).

#### ***ACTION ITEM***

Management to obtain a copy of the East Coast line fishery monitoring program and relevant documentation.

#### ***RECOMMENDATION***

Agreements arrived at the FWG. Proposal will be developed in full and circulated for comment. The FWG agreed to recommend:

- i) That a TAC be established for the fishery, with species specific quotas established for Coral trout, Red Emperor, Barra Cod, MWR, and “Other species”. In the absence of stock assessments for each species, that the historical catches from the fishery be used to identify a stable period of production, the average of which would become

the TAC ;

- ii) That the non-Islander sector should be allocated a share of the TAC that would be allocated as ITQs;
  - a. That the qualifying period be a minimum of 3 years (1 April 1999 to 14 Feb 2002);
  - b. That in relation to ITQs, a system of 'unders and overs' be used (further development pending);
  - c. This approach was supported by Islanders.
- iii) That the Islander sector be managed under current arrangements but that a trigger for review be set at the point at which the community reported catch increases by 50% (pending further consultation).
- iv) This approach was supported by industry.

### **Agenda Item 8.2: Management Arrangements – Barramundi Cod**

Barramundi Cod was not on the agenda to be discussed but as Gavin Begg was able to provide additional information on this species that was not available at the last Working Group meeting, further discussion on the future of this species took place.

Gavin provided biological information obtained from work done in the east coast fishery. This showed growth rates (length at age), proportions of mature fish by length, and lengths at which the fish changed sex. The summary for Barramundi Cod is that it is comparatively rare on the east coast, changes sex from female to male at about 8-10 years old, and is slow growing and relatively long lived. Gavin advised the group that based on the figures in his presentation, 55 cm may be a more appropriate minimum size limit for barramundi cod. The previous minimum size of 45 cm previously considered protects virtually no males. Gavin was questioned in respect to the numbers of fish from which this data was based on. Upon this information being provided by Gavin and concerns from industry that an increase in size limit would eliminate at least 30% of their catch, it was agreed that more barramundi cod would need to be sampled in Torres Strait before a new recommendation on minimum length is made.

As a result of this, and the fact the data was based on work done in the east coast fishery, the working group reaffirmed their previous recommendation for a minimum size limit of 45 cm. They also agreed that this size limit will need to be reviewed as new information on the species becomes available.

The Working Group also agreed that further research on barramundi cod is needed as a priority and that additional funding will be required to achieve this.

#### ***Recommendation***

The FWG noted the new information on barramundi cod from the east coast research and reaffirmed its decision to maintain a minimum size limit of 450mm, with a review on its status when new biological advice from the Torres Strait becomes available. The FWG also emphasised a high priority need for further research on this species and noted that additional funding would be required.

### **Agenda Item 8.2.1: Red Bass**

John Marrington informed members that this was an issue that has been referred back to the Working Group by the PZJA to further consider red bass being placed on the no take list.

Gavin Begg provided some biological information on red bass including that maturity is reached around 45 cm or about 10 year old, and that spawning generally occurs over an eight month period. Maximum age is around 54 years and due to its late maturity, there is a slow turnover in population structure. In summary, red bass are extremely slow growing and long lived. Gavin also indicated that allowing fish to be taken that fall within the 45 to 55 cm range will protect spawners, allow fish of a marketable size to be taken, and minimize the risk of ciguatera poisoning. Gavin added that buyers on the east coast usually buy fish up to 3 kg in weight. At this size, fish are 55cm and approximately 20 years old.

Carl D'Aguiar said he takes fish up to around 600 mm. Anything over that goes back into the water.

Based on the advice provided by Gavin it was agreed to maintain red bass as an allowable take species but with a minimum size limit of 450 mm and a maximum size limit of 550 mm. It was also agreed by the Working Group that this arrangement will be reviewed as new information on the species becomes available. The Working Group also acknowledged the urgent need for further research to be undertaken on this species and that additional funding will be required to achieve this.

#### ***RECOMMENDATION***

The Finfish Working Group recommends to the TSFMAC that a minimum legal length for Red Bass be set at 450 mm and a maximum legal length at 550 mm.

### **Agenda Item 8.2.2: Maori Wrasse**

John Marrington presented this item. The Working Group were informed that Hump head Maori wrasse had been recently list on CITES appendix II. Appendix II lists species that are not necessarily now threatened with extinction but may become so unless trade is closely monitored.

Carl D'Aguiar stated that the Working Group had already made a responsible decision at their last meeting with recommending the introduction of a possession limit and size limit. Carl went onto say that the Minister has since made a decision in respect to Maori wrasse and that's what should be implemented.

Kila Odo also spoke in support of being able to take Maori wrasse.

Greg McBeth stated that he as the QSIA representative, would be opposed to including Maori wrasse as a no take species.

Kenny Bedford was of the view that Maori wrasse should be a no take species. Kenny said that species like Maori wrasse could be a major draw card for future economic development in the form of tourism and diving expeditions.

Gavin Begg stated that these are very rare in abundance on the east coast. They are extremely slow growing and long lived. It is a species that can be very easily over fished. This species changes sex from female to male t around 62.5 cm. All Maori Wrasse are males by 82.5 cm. Therefore, the

75cm minimum length agreed to by the PZJA previously doesn't protect much of the male portion of the stock.

Management's position was that Maori wrasse should be declared a no take species. Management tried to emphasize to the Working Group the significance of CITES and how it will look to other member countries a listed species still being commercially harvested in Australia.

Following discussion it was agreed that this was an issue that required further consultation. It was agreed that responses to this consultation would be provided to AFMA by 13 May.

The Working Group was unable to resolve this matter and agreed it will be something the PZJA will have to adjudicate on. It was also agreed that the various views on this matter will also be provided to the PZJA.

#### ***ACTION ITEM***

That Industry and Traditional Inhabitants be consulted on the future of Maori wrasse as a take species. Results of this consultation are to be provided to AFMA by 13 May 2005.

#### ***RECOMMENDATION***

The FWG recommends that the TSFMAC:

1. note the recent CITES listing for Maori wrasse and that the views of Stakeholders groups in relation to its status in TS are:
  - a. Industry – that Maori wrasse should remain a take species as per decisions of PZJA 17;
  - b. Islanders; representatives were divided on the issue and will undertake further consultation.
  - c. Management – in light of new information on slow growth rate, longevity, rarity, large size at maturity, national concerns per the CITES listing, public perception of the management of this species in TS, that the PZJA reassess its decision to make Maori wrasse a take species.
2. Make a recommendation to the PZJA on the status of Maori wrasse in the TS.

#### **Agenda Item 8.2.3: Live Fish Fishery**

This agenda item was requested by industry.

Carl D'Aguiar opened by saying that some operators are opposed to the fishery going live but he was of the view that it was important for the development of the fishery. Carl also said that if the fishery went live now, there would be an increase in effort unless some form of effort control was in place.

Greg McBeth also spoke in support of going live. He also made the point that in a live fishery, leopard and islander trout are regarded as second grade fish.

Kila Odo was opposed to the fishery going live saying that Community fishers were not in a position to operate in a live fishery due to the small vessels they use.

Jack Billy also raised the concern of local depletion should Islanders get involved in live fishing. He said that big dollars will attract many fishers.

Carl also mentioned that high grading is a major issue in the east coast fishery.

The Working Group agreed that it was probably premature to open the fishery up to live fishing. It was agreed that controls need to be in place before live fishing is allowed. Concern was also held by the Working Group on the effects that live fishing may have on the common coral trout because more effort will be targeted at this more valuable species in a live form whereas in fillet form this species is no more valuable than the others.

### ***RECOMMENDATION***

The Finfish Working Group recommends that the TSFMAC:

1. note that the FWG considered the introduction of a live fish fishery, but because of concerns over inadequate control over catch/effort and the potential that a live fishery would more directly target the common coral trout, the FWG recommends that the prohibition on the take of live fish be continued.
2. Note that the FWG still sees potential advantages in a live fishery and that this issue should continue to be re-appraised as the management of the fishery evolves (recommendations under agenda 8.1).

### **Agenda Item 9.1: Spanish Mackerel – Bramble Cay day time closure**

John Marrington presented this agenda item. The Working Group was informed that this proposal has existed as a gentlemen's agreement for many years. Industry members reaffirmed their support for formalising this arrangement.

Carl D'Aguiar also added that he would like to see the Bramble Cay area of the fishery made a troll only area. This was primary to avoid gear conflict.

Kenny Bedford supported the proposal but indicated that he would need to consult on the issue first. He said that although this proposal was targeted toward non-indigenous fishers only, it may get support for the proposal to apply to all fishers.

The Working Group agreed to support both proposals subject to support being given by Traditional Inhabitants following consultation.

### ***ACTION ITEM***

TSRA to consult with Traditional Inhabitants on the introduction of a daytime fishing closure and a troll only restriction in waters around Bramble Cay. Results from this consultation to be provided to AFMA by 13 May.

**RECOMMENDATION**

The Finfish Working Group recommends, subject to the results of consultation with Traditional Inhabitants, that in waters surrounding Bramble Cay and Black Rocks that when fishing for Spanish mackerel:

- a) a daily fishing closure be implemented during the hours of 0930 hrs and 1500 hrs during the months of August to December; and
- b) the method be restricted to trolling only.

It should be noted that this proposal is to apply to TVH licences only unless following consultation it is agreed to apply these arrangements to all licence holders, ie including TIB.

**Agenda Item 9.2: Bramble Cay Long term monitoring program**

Gavin Begg commended the work done by several of the Bramble Cay fishers in 2004. However he did add that the monitoring program needs to be more robust for it to be of any real benefit to the stock assessment for the fishery. Gavin indicated that there may be several ways in which the data could be collected. He suggested that perhaps an interim program could be implemented whilst a more comprehensive program be developed for the longer term. Gavin thought the east coast monitoring program could be helpful in a longer term program for the Torres Strait.

It was agreed by the Working Group that as there was very limited time to prepare something for this season that similar monitoring arrangements to 2004 be used in 2005.

**RECOMMENDATION**

The FWG recommends that the TSFMAC:

- a) note that the Qld long-term monitoring program for SM in TS ceased in 2003 and that a voluntary program commenced in 2004 with 3 commercial fishers participating.
- b) That the voluntary sampling was commendable but that additional sampling must be undertaken to support a stock assessment for this fishery. An action item will be to cost the additional research work required.

**Agenda Item 10: Net Fishery – gear restrictions**

John Marrington presented this agenda item. It was pointed out to the group that following the closure of the commercial net fishery, there were not restrictions in place on nets used for traditional fishing.

Kenny Bedford agreed that some form of limitation on nets used is required and agreed to consult on this matter and report back to AFMA by 13 May with information on nets used for traditional fishing including length, drop and mesh size.

***ACTION ITEM***

TSRA to consult on nets used for traditional fishing including length, drop and mesh size and report the results of that consultation to AFMA by 13 May.

**Agenda Item 10.1: Barramundi Fishery – Boigu Is Proposal**

A letter (copy attached) from the Chairman of Boigu Island Council, Mr Donald Banu, outlining the community's interest in developing a barramundi fishery in the top western area of the Torres Strait was read aloud. Mr Banu also raised the issue of the legislative impediments which currently exist preventing both net and line methods from being used in waters around Boigu Island. He requested the Working Group consider removing these legislative constraints so development of the fishery could commence.

John Marrington informed the Working Group that the report being prepared by Ben Pye, AFMA Canberra, is near completion and should be available in the coming weeks. John also pointed out that this report will contain a number of recommendations including what should be done in respect to the legislation.

***ACTION ITEM***

AFMA to prepare response to letter from Mr Donald Banu, Chairman of Boigu Island Council.

***RECOMMENDATION***

The FWG recommends that the TSFMAC note that the FWG supports the Boigu Island proposal in-principle provided the issues of fishing capacity and bycatch are addressed. The working group encourages the completion of the report on the proposed net fishery and that this report should guide the development of the fishery.

**Agenda Item 11: Strategic Assessment and By-catch Action Plan Update.**

John Marrington provided an update to the Working Group on the status of the Finfish Fishery Strategic Assessment Report and By-catch Action Plan.

The FWG recommends that the TSFMAC:

1. note that the SAR will be submitted to the PZJA out of session before it is submitted to the Minister for EH;
2. note that the BAP has been released for a public comment period of 28 days and will then be circulated to members of the working group for their consideration before being finalised and sent to the PZJA and the Minister for EH.

## **Agenda Item 12: National Shark Plan**

John Marrington informed the Working Group on the background to and obligations under the National Plan of Action for the Conservation and Management of Sharks.

Carl D'Aguiar indicated that shark is taken by one of his vessels. These were generally trunked and fins removed. Carl added that the fins remain with the trunks.

The Working Group was informed that the Torres Strait Finfish Fishery was probably the only Commonwealth fishery in Australia in which sharks are taken that does not have any requirements in relation to "shark finning".

Industry members indicated that implementing finning requirements would not negatively impact on operators in the fishery.

Greg McBeth indicated that there were some very large sharks in the TS including hammerheads and tigers. He also mentioned the presence of grey nurse sharks which he said remained in some of the reef lagoons for long periods and were sometimes taken which he considered a needless loss. This led the discussion onto the protection of those larger shark species.

Industry members indicated that large sharks are rarely taken. Following further discussion on this it was agreed that by limiting the take to sharks to those that were less than two (2) meters it would offer adequate protection to larger species.

Jim Prescott suggested in addition to the 2 meter, to prohibit the take of specific species, ie. hammerhead species, tiger and grey nurse sharks, regardless of their size. This proposal was accepted by the Working Group members.

It was also agreed that these arrangements should also be implemented into the TS prawn fishery.

### ***ACTION ITEM***

Chair of the Finfish Fishery Working Group to write to the Chair of the Prawn Working Group and request they consider implementing similar arrangements into the prawn fishery.

### ***RECOMMENDATION***

The FWG recommends to the TSFMAC that:

1. the practice of 'shark finning' be prohibited; and
2. a prohibition on the take be implemented on:
  - a. sharks greater than two metres in length;
  - b. Hammerhead sharks;
  - c. Tiger sharks; and
  - d. 'Grey nurse' sharks.
3. it notes that these arrangements will also be referred to the Prawn Working Group for consideration.

### **Agenda Item 13: Logbooks**

Due to time constraints no discussion took place on this agenda item.

### **Agenda Item 14: Compliance**

Due to time constraints no discussion took place on this agenda item.

### **Agenda Item 15.1: Charter Fishing**

Due to time constraints no discussion took place on this agenda item.

### **Agenda Item 15.2: Licence Amalgamation**

John Kung recommended that a licence amalgamation policy be developed by the FWG at a later date when the long term management arrangements have been developed further. The FWG agreed that it would be more logical to develop these licensing arrangements when the details of future management arrangements are known.

### **Agenda Item 15.3: Master Fisherman's Licences**

Carl D'Aguiar raised concern with the current arrangements for changing a MFL over. He said the existing process is cumbersome and can often lead fishermen to having to break the law whilst a new licence is being arranged.

John Kung replied that the revised licensing procedures in place will address Carl's concerns. However, for the process to work, this would require diligent written advice from the fishing licence owner (e.g by fax) whenever a change in MFL is to be made, so that licensing can follow up. Carl agreed that these procedure should work

Kenny Bedford also expressed concern with the process associated with the renewal and issue of new TIB licences. These concerns are centred on TIB fishers finding difficulty in making payment for the renewal or issue of new TIB licences in outlying communities. John Kung and Kenny Bedford agreed to address this issue separately as part of the TIB Review.

### ***ACTION ITEM***

John Kung to remind licensing staff of the procedures for MFLs in the reef line fishery.

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