

TORRES STRAIT FINFISH WORKING GROUP MEETING

20-21 MAY 2004

PEARLS BUILDING - THURSDAY ISLAND

Draft Record of Meeting

Present

DAYS 1 and 2

Mr Jim Prescott	(Chairperson)
Mr John Marrington	(AFMA)
Dr John Kung	(QFS)
Mr Peter Yorkston	(TSRA Fisheries Coordinator)
Mr Lota Warria	(TSRA Community Fish Representative)
Mr Kila Odo	(TSRA Community Fish Representative)
Mr Samuel Tamu	(TSRA Community Fish Representative)
Mr Thomas Kanak	(Standing in for Mr Ken Bedford)
Mr Carl D'Aguiar	(Industry Representative – Reefline)
Mr Barry Erkhe	(QSIA)

Observers

Mr Sascha Taylor	(AFMA)
Ms Selina Stoute	(AFMA)
Mr Toshio Nakata	(CRC Torres Strait)
Mr Cameron Murchie	(CRC Torres Strait)
Michele Ivanitz-Fulcher	(TSRA – External Consultant)

Apologies

Mr Ken Bedford	(TSRA Community Fish Representative)
Mr Jack Billy	(TSRA Community Fish Representative)
Mr Tony Vass	(Industry Representative – Mackerel)

Summary of Recommendations

Number	Recommendation
1	The Finfish Working Group recommends that a high priority be placed on investigating the reproductive biology of barramundi cod as part of the CRC Torres Strait Finfish task and that effort and other biological data on red emperor should also be collected as part of the CRC Torres Strait Finfish task – but collated and analysed later when resources become available.
2	The Finfish Working Group recommends that a high priority be placed on compliance or management officers visiting communities to demonstrate the correct method for measuring fish.
3	The Finfish Working Group recommends that a high priority should be placed on the collection of historical freezer data from the Island communities of Warraber, Poruma and Iama, so that the compilation of historical records from all community freezers is more comprehensive and complete.
4	That the FWG consider the merit that the FWG recommend to the TSFMAC that the attached agreed fishery objectives be adopted for the finfish fishery.
5	That the TSFMAC note the FWG comments on the draft management principles and suggested improvements.
6	<i>(From 11-12 November 2003 FWG Recommendations)</i> The Finfish Work Group recommends that spawning closures be introduced into the Torres Strait reefline fishery with the 2004 season being left open to fishing to allow researchers to determine the most appropriate times and the closures introduced into the fishery from the commencement of the 2005 season.
7	The Finfish Working Group recommends that the following species be no take in Torres Strait: Red bass, Potato cod, Queensland grouper, Chinaman fish, Paddletail
8	The Fishing Working Group recommends that for barramundi cod, the current size limit be maintained until a new conservative minimum size limit is advised by scientists for the further protection of this species. The take of this species should be closely monitored and reviewed when new information becomes available.
9	<i>(From 11-12 November 2003 FWG Recommendations)</i> The Finfish Working Group recommends that a possession limit of one (1) Maori Wrasse per licence held in a licence package be implemented. This would prevent any increase in targeting of this species should market forces make this species more attractive. Further protection should be afforded to this species by implementing a minimum size limit of 750mm and a maximum size limit of 1200mm

10	<i>(From 11-12 November 2003 FWG Recommendations)</i> The Finfish Working Group recommends that all other species taken in Torres Strait waters, the size limit should replicate the arrangements in the Queensland finfish fishery.
11	That the FWG consider the merit that the TSFMAC recommend recreational fishing including charter boat fishing should be transferred from Queensland jurisdiction to the PZJA as soon as possible..

Action Items

Number	Action	Responsibility
1	Out of session – TSRA to consult with the traditional inhabitant sector from the western, inner Islands and NPA on line fishing closures and report at the next TSFMAC in July 2004.	TSRA
2	Out of session - TSRA to consult with the traditional inhabitant sector on the issue of the prohibition on commercial net fishing in Torres Strait and report at the next TSFMAC in July 2004.	TSRA
3	AFMA to write to each operator in the mackerel fishery and request they provide weight data from landing dockets to calibrate catches recorded in the logbooks.	AFMA
4	AFMA to write to each operator in the finfish fishery (line and mackerel) and request they indicate if they enter in their logbooks fish that have been discarded. The letter should also include what management and researchers would like operators to do in the future.	AFMA
5	QFS to confirm previous PZJA Approval for the Boat Replacement Policy for the line fishery.	QFS
6	QFS member to confirm whether this issue has been addressed through the Queensland quota monitoring arrangements. Management to respond to the RIS highlighting the concern of the FWG	QFS
7	QFS member to investigate the extent of Queensland sea jurisdiction in Eastern Torres Strait.	QFS
8	Cameron Murchie to pursue identification avenues (cards, posters etc) for trout species, which are to be distributed to Island freezers	CRC Torres Strait
9	Management to write to CRC Torres Strait advising of research priorities. AFMA to amend current scientific permit to incorporate barramundi cod.	AFMA
10	Management to advise QBFP Compliance officers on this task and the QFS to make available extension material including measuring stickers and rulers to fishers.	AFMA

11	TSRA and Warraber Community Fisher Representative to locate and advise of the extent of historical freezer records on Warraber, Poruma and Iama. CRC-Torres Strait (Cameron Murchie) to tender proposal and a budget estimate to collect data and enter historical records from remaining freezers into database.	TSRA & Warraber Community Fisher Rep.
12	Management to write to QFS and inform them of the Working Group's decision to allow the take of Barramundi cod and limited take of Maori wrasse. Letter should also highlights the Working Group's concern that species under quota in Queensland but caught in Torres Strait could potentially erode the integrity of the Queensland no take and quota system. Industry feels that the Queensland documentation system is adequate to protect the Queensland quota system. Management and industry will endeavour to implement the necessary means such as the enhanced use of documentation in Torres Strait.	AFMA
13	CRC Torres Strait to review their data and provide any additional advice on suitable size limits.	CRC Torres Strait
14	QFS to confirm previous PZJA approval for Boat Replacement Policy for Line fishery. Industry/Islanders to consult on Boat Replacement Policy prior to the next meeting of the working group.	QFS
15	AFMA to circulate the Finfish Strategic Assessment Report (SAR) and the Finfish fishery Bycatch Action Plan (BAP) to FWG members for comments.	AFMA
16	Action Item: Management agencies to discuss jurisdictional transfer and progress <i>Torres Strait Fisheries Act</i> amendments.	AFMA

TORRES STRAIT FINFISH WORKING GROUP MEETING
20-21 MAY 2004
PEARLS BUILDING - THURSDAY ISLAND

AGENDA

- A) *OPENING*
- B) *APOLOGIES*
- C) *ADOPTION OF AGENDA*
- A) Review record of previous meeting (11-12 November 2003)
- B) Business arising from the previous meeting
- C) Report on the December 2003 PZJA meeting
- D) Update on the latent effort reduction process
- E) Update on the Queensland Reef Line Management Plan
- F) Research
 - Research update
 - Research priorities
- G) Fisheries Objectives
 - Finfish Fishery Objectives
 - Reef line principles
- H) Future management of the reef line fishery
 - Reefline fishery
 - Spawning closures
 - No take species
 - Size limits
 - Area closures
 - Live fish fishery
 - Shark
 - Boat replacement policy
 - Net fishery

Permanent closure

I) Strategic Assessment and By-catch Action Plan update

J) Logbook Report

K) Fisheries Management Notices / Licensing

L) Compliance

M) Other business

Spanish mackerel - troll fishery only

Spanish mackerel long term monitoring program Bramble Cay

Charter fishing

D) *NEXT MEETING*

A) *OPENING*

Meeting opened 9:00 by the chair

D) B) *ADOPTION OF AGENDA*

The meeting agenda was adopted by the Finfish WG with the following amendments

1. Reef-line principles be discussed under Agenda Item No.7
2. Inclusion of shark under Agenda Item No. 8.1.6
3. Boat replacement policy for the Torres Strait Finfish fishery be included under Agenda Item No. 8.1.8
4. Agenda Item No. 13.3 – Licence amalgamation policy be removed from the Draft Agenda

The draft agenda for the 21-22 May 2004 Finfish WG meeting was adopted by the working group. Mr Peter Yorkston moved this motion and it was seconded by Mr Barry Ehrke.

Agenda Item 1 – Review Record of Previous Meeting (11–12 November 2004)

Mr Carl D’Aguiar questioned why he was not listed on the record of minutes of the 16th meeting of the PZJA as the reefline industry representative. Mr D’Aguiar was informed that the list read out to the committee represented the names endorsed by the PZJA and since that time a number of membership changes have taken place which will also have to be endorsed by the PZJA. Management informed Mr D’Aguiar that his membership on the Torres Strait Finfish WG needs to be resolved before it can be approved by the PZJA.

Mr Barry Ehrke requested that the words “..... AFMA believes that this implies” be inserted to the official record in Agenda item 2 under the heading “Legal Interpretations”, 2nd sentence, so it now reads “It was noted that this had not yet been done in the finfish fishery but AFMA believes that this implies that the Chair of the PZJA, in proposing a TAC system for the TRL fishery, had implied the PZJA accepted that the community fishing had a higher priority than commercial fishing in that fishery.”

Mr D’Aguiar also expressed concern with what he was quoted as saying in regard to Agenda Item 2 of the previous meeting (under “General discussion” in the meeting record). Mr D’Aguiar believed that the paragraph was not a true reflection of what he said during the discussion. It was pointed out to the Working Group that the draft minutes were circulated in December 2003 and that was the time to raise these sorts of issues.

It was agreed that in future if comments are not received when the minutes are circulated, they would be taken to be a true and accurate record of the meeting.

Under Agenda Item 8.1 of the previous meeting, Dr John Kung informed the Working Group of further information additional to those discussed at the meeting on the rationale for the no take species implemented in Queensland. Dr Kung was satisfied with this information being picked up in discussions under Agenda H of this meeting.

Mr Carl D'Aguiar moved that the minutes are true and accurate record of the meeting. This motion was seconded by Mr Kila Odo. The minutes of the 11-12 November 2003 meeting were adopted by the working group

Agenda Item 2 – Business arising from the previous meeting

Mr John Marrington presented business arising from the previous meeting to the working group. An update was given to working group members on the Action Items from the 11-12 November 2003 Working Group. Most of the items had been addressed or were to be further progressed in later agenda items.

Action Item 1 – Completed

Action Item 2 – Not completed – ‘work in progress’.

Action Item 3 – To be discussed in Agenda Item No.8 of the present Finfish WG meeting

Action Item 4 – Not completed – Mr Peter Yorkston did not present this Action Item to the TSFMAC in December 2003.

Action Item: Out of session - TSRA to consult with the traditional inhabitant sector from the western, inner Islands and NPA on line fishing closures and report at the next TSFMAC in July 2004.

Action Item 5 – Not completed – ‘work in progress’. Again, Mr Peter Yorkston did not present this Action Item to the TSFMAC in December 2003. Mr Yorkston noted that the outcomes of the consultation with traditional inhabitant representatives would be available for the next TSFMAC in July 2004. Mr Barry Ehrke expressed to Mr Yorkston that the traditional inhabitant sector should also be very descriptive on the types of nets used in the fishery should it proceed. Mr Jim Prescott suggested that the basis for any changes should be put forward to the TSFMAC and not come back to the Finfish WG to make a decision

Action Item: Out of session - TSRA to consult with the traditional inhabitant sector on the issue of the prohibition on commercial net fishing in Torres Strait and report at the next TSFMAC in July 2004.

Action Item 6 – To be discussed in Agenda Item No.9 of the present Finfish WG meeting. The Torres Strait Finfish Strategic Assessment Report (SAR) has not been distributed to WG members for comments. Similarly, the Finfish Bycatch Action Plan (BAP) has not yet been distributed as it is in the final stages of drafting the working draft.

Action Item 7 – This action item had yet not been undertaken - however it had not been forgotten. It was agreed that AFMA would complete this action item.

Action Item: AFMA to write to each operator in the mackerel fishery and request they provide weight data from landing dockets to calibrate catches recorded in the logbooks.

Action Item 8 – This action item had yet not been undertaken - however it had also not been forgotten. It was agreed that AFMA would complete this action item as soon as possible.

Action Item: AFMA to write to each operator in the finfish fishery (line and mackerel) and request they indicate if they enter in their logbooks fish that have been discarded. The letter should also include what management and researchers would like operators to do in the future.

Action Item 9 – To be discussed under Agenda item No.8.1.6 of the present Finfish WG meeting.

Action Item 10 – Dr Kung informed the FWG that there were two vessels over 14 metres in the Spanish mackerel fishery. One of these vessels being a prawn trawler. Under current catch sharing arrangements, PNG vessels are subject to the same management arrangements applying to Australian (PZJA licensed vessels. Any proposals to limit PNG to vessels under 14 metres would need to be addressed with PNG.

Action Item: QFS to confirm previous PZJA Approval for the Boat Replacement Policy for the line fishery.

Action Item 11 – Not completed. Delayed to the next finfish WG meeting. Mr Carl D’Aguiar did state that he had no problem with making the Spanish mackerel fishery a troll fishery only, but did emphasise that this was his personal opinion and would not like to speak on behalf of Mr Tony Vass who was absent. He also mentioned that if the Spanish mackerel fishery were a troll fishery only, both Tony and himself believed there would be serious concerns if persons in the area of the fishery remained stationary – the risks of collisions would be higher. Mr Peter Yorkston did question this issue as this fishing activity may have impacts on traditional fishing activities in the area of the fishery.

Agenda Item 3 – Report on the December PZJA Meeting

The working group was presented with all decisions relevant to the TRL fishery from the December 2003 PZJA meeting. Mr John Marrington presented this agenda item.

Important outcomes for the Torres Strait Finfish fishery included:

- The PZJA decision to implement a 30% reduction in commercial tenders in the line fishery to operate as an interim measure until the latent effort process is implemented;
- The PZJA agreed to provide a set of principles to the Finfish WG to guide the development of long term management arrangements, guided by the ‘Skehill report’;
- Take and possession limits for Spanish mackerel and reef fish be reduced to a maximum combined allowance of 20kg fillets in possession; and
- Extension on the moratorium on licence amalgamations until the latent effort process is completed.

Mr Barry Ehrke sought clarification on whether or not the PZJA decision to implement a 30% reduction in commercial tenders in the line fishery to operate as an interim measure until the latent effort process is completed was recommended by the TSFMAC. John Marrington responded to this concern and clarified that the recommendation that went through the TSFMAC was as recommended by the Working Group.

The Working Group noted that the recommendations that did not get to the December TSFMAC and PZJA will be put up to the upcoming TSFMAC.

Agenda Item 4 – Update on the Latent Effort Reduction Process

Mr John Marrington provided an update of the latent effort reduction process to the Working Group.

The Working Group was informed that the latent effort review panel is to consist of a QFS representative, a traditional inhabitant nominated by the Torres Strait Regional Authority (TSRA), and a member from the commercial fishing industry with no affiliations with any Torres Strait fisheries.

Jim Prescott advised the group that the PZJA delegates will be making a decision on whether each affected licence has passed the criteria or not and notifying the licensed holders. Licence holders can then pursue further legal action should they wish.

John Marrington concluded by stating that the majority of submissions should be finalised by the end of May 2004. Mr Carl D’Aguiar again questioned management when the 30% reduction in tenders would be lifted – management could not be specific but indicated as soon as possible.

Mr Carl D’Aguiar and Mr Peter Yorkston were interested in the possible increase of the number of tenders or effort in the fishery and expressed interest that management provide a summary of information that showed the number of licences that met the criteria and the number that did not. They also asked for the number of licence holders who had supplied supplemental information or a submission stating their exceptional circumstances.

On Day 2 the following information was presented to the working group on the various licence combinations that make up the submissions, the supplementary information or that qualified.

Submissions	Supplementary information	Qualified
5 Primaries with 13 tenders	4 Primaries with 10 tenders	4 Primaries with 8 tenders

Agenda Item 5 – Update on Queensland Reef Line Management Plan

Dr John Kung presented this agenda paper to the working group. Following on from the information provided at the last FWG meeting, the implementation of the management plan is on track. Quota provisions in the plan are due to commence on 1 July 2004.

In April 2004, DPI Fisheries released a RIS/PBT seeking public comment on a number of amendments to the plan following on from the development of more comprehensive documentation and reporting requirements for quota provisions and a number of other matters. The proposals affecting commercial fishers include special circumstances for fishers operating south of the GBRMP, late applications for fishery symbols, limited quota reduction for long-term operators, tagging, documentation, logbook container labelling requirements, filleting restriction on non-quota species, and quota use notification. Proposals affecting all fishers including recreational fishers include closed water area amendment (southern boundary of the spawning area closure moved north by 15 nm), use of coral reef fish for bait (proposal to allow a fisher one coral reef fish for bait while fishing), and pectoral fin clipping amendment to dissuade black marketing of those fish.

Comments are to be received by 5pm on 31 May 2004

The working Group discussed the issue of dual endorsed boats, or other boats, transshipping East Coast caught reef fish into Torres Strait. The Working Group considered there may be merit in writing to QFS raising the concern that fish caught in Queensland waters could potentially be landed in Torres Strait and misreported as Torres Strait caught product therefore inflating Torres Strait catch figures as well as eroding the integrity of the Queensland CRFF quota system.

Action Item: QFS member to confirm whether this issue has been addressed through the Queensland quota monitoring arrangements. Management to respond to the RIS highlighting the concern of the FWG

Mr Carl D'Aguiar questioned management on the extent of Queensland jurisdiction and whether or not it extends up to and around Ashmore Reef.

Action Item: QFS member to investigate the extent of Queensland sea jurisdiction in Eastern Torres Strait.

Agenda Item 6 – Research

6.1 Research Update

Mr Cameron Murchie from CRC Torres Strait gave a presentation providing an update on fisheries research in the Torres Strait Finfish fishery. Cameron first spoke on the research

project currently under way titled - ‘An evaluation of the eastern Torres Strait Reef line fishery’ which is due for completion in mid 2006.

Cameron explained in detail the processes involved in recording fish length and also gaining biological samples from fish specimens to gain important life history parameters. He noted that there has been strong support from Island freezers since his visits in early 2004 in participating in the research.

Cameron identified the lack of information on specific trout species as an issue and would like to see Islander catches split up into individual species.

Mr Carl D’Aguiar stated that the completion of logsheets was a licence condition and fishers onboard those vessels complete the sheets in detail – however, he did question the traditional inhabitant sector and stated that this sector too also needs to take a proactive role in identifying trout species correctly. Mr D’Aguiar also suggested that the WG discuss future education and extension tools.

Action Item: Cameron Murchie to pursue identification avenues (cards, posters etc) for trout species, which are to be distributed to Island freezers

Cameron also spoke on research being undertaken Ms Sara Busilacchi titled “Modelling the impact of multiple harvest strategies in the Eastern Torres Strait (ETS)”. This project is due for completion in mid 2006.

Mr Jim Prescott stated that both these research projects were specific to eastern Torres Strait fishery and future funding of other proposed studies was limited. However, he put to the Working Group the possibility of establishing a voluntary program from collecting length-frequency data in the Spanish mackerel fishery. This was raised at the last Working Group meeting and was supported by industry.

6.2 Research Priorities

6.2.1 By-product finfish species

Dr John Kung facilitated this agenda item. The FWG discussed the importance of investigating the biology of by-product species as part of the CRC Torres Strait Finfish task. Mr Carl D’Aguiar stated that that a high priority should be placed on investigating the reproductive biology of barramundi cod and passionfruit trout In regard to Maori Wrasse, he stated that this species was not caught in great numbers per trip to be of importance. Mr Thomas Kanak agreed with Mr D’Aguiar’s comments on the importance of Barramundi cod. Mr Cameron Murchie advised that passionfruit trout is already being addressed under the current research task.

Also, catch, effort and other biological data on red emperor should be collected as part of the CRC Torres Strait Finfish task – but collated and analysed later when resources become available. This was supported by the Working Group.

Recommendation: The Finfish Working Group recommends that a high priority be placed on investigating the reproductive biology of barramundi cod as part of the CRC Torres Strait Finfish task and that effort and other biological data on red emperor should also be collected
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as part of the CRC Torres Strait Finfish task – but collated and analysed later when resources become available.

Action Item: Management to write to CRC Torres Strait advising of research priorities. AFMA to amend current scientific permit to incorporate barramundi cod.

6.2.2 Extension task – method of measuring fish

Mr Jim Prescott discussed that the FWG had set size limits for finfish species however, did not provide a follow up on the correct methods of measurement. Consequently, the following recommendations was put forward from the FWG.

Recommendation: The Finfish Working Group recommends that a high priority be placed on compliance or management officers visiting communities to demonstrate the correct method for measuring fish.

Action Item: Management to advise QBFP Compliance officers on this task and the QFS to make available extension material including measuring stickers and rulers to fishers.

6.2.3 Collection of historical freezer data

Dr John Kung discussed the availability of historical freezer data from the communities of Murray, Darnley and Yorke and the need to collect other historical freezer data from Warraber (Sue), Poruma (Coconut) and Iama (Yam) for a more comprehensive dataset.

Recommendation: The Finfish Working Group recommends that a high priority should be placed on the collection of historical freezer data from the Island communities of Warraber, Poruma and Iama, so that the compilation of historical records from all community freezers is more comprehensive and complete.

Action Item: Peter Yorkston (TSRA) and Samuel Tamu (Warraber Community Fisher Representative) to locate and advise of the extent of historical freezer records on Warraber, Poruma and Iama. CRC-Torres Strait (Cameron Murchie) to tender proposal and a budget estimate to collect data and enter historical records from remaining freezers into database.

Agenda Item 7 – Finfish Fishery Objectives

7.1 Finfish Fishery Objectives

The Working Group discussed and reviewed the fishery objectives. Following discussion the following fisheries management objectives were agreed too:

Fisheries Management Objectives determined by the Finfish Working Group

Preamble

The Torres Strait Fishing Fishery comprises of Traditional fishing (as defined in the Treaty), Community fishing (which is defined as commercial fishing carried on by traditional inhabitants) and Commercial fishing (carried on by non-traditional inhabitants). Papua New Guinea also has an interest in the fishery because of the catch sharing provisions of the Torres Strait Treaty. In addition there are recreational fishing interests in the fishery (including charter operations). These interests, however, are managed under Queensland legislation.

The over-arching objective is to maintain a sustainable fishery and a healthy ecosystem. The management strategies for the fishery are designed to give effect to this objective as well as other obligations conferred upon Australia by the Treaty and *Torres Strait Fisheries Act (1984)*.

All parties recognise that mutual respect is essential to achieve the following objectives.

Management Objective	Strategies to achieve objective
<p>Objective: To protect the “traditional way of life and livelihood of the traditional inhabitants” in respect to this fishery, as per Article 1 of the Treaty and section 8 of the Act.</p> <p>Performance Measure: The fishery is performing well against the cultural/traditional/livelihood indicators as defined by traditional inhabitants</p>	<ul style="list-style-type: none"> • Commission research to identify cultural social and economic indicators • List fish species of high traditional importance • Maintain a high abundance of fishes of traditional importance
<p>Objective: Ensure that all stakeholders retain their right of access to the fishery in accordance with the Treaty and the Act.</p> <p>Performance Measure:</p>	

Management Objective	Strategies to achieve objective
<p>Objective: Ensure that there is an adequate and effective compliance program for the fishery</p> <p>Performance Measure: Levels of non-compliance are minimised; the other managements objectives are met</p>	<ul style="list-style-type: none"> • Compliance risks are identified • Adequate compliance resources are made available • Compliance awareness program is developed and implemented
<p>Objective: Minimise the impacts of fishing operations on the fishery habitat</p> <p>Performance Measure: responsible fishing practices are widely adopted</p>	<ul style="list-style-type: none"> • Limit the type and quantity of fishing gear • Limit bycatch • Code of practices and extension
<p>Objective: Encourage Islander participation in the full range of fishery occupations, through promoting responsible economic development in the Torres Strait and creating employment opportunities for the traditional inhabitants</p> <p>Performance Measure: Successful programs or policies in place, and viable Islander participation grows</p>	<ul style="list-style-type: none"> • Evaluating current and past policies and programs • Commission research on the social, cultural, economic and infrastructure determinants of Islander participation • Implement policies and programs that facilitate participation in the fishery in a culturally appropriate way
<p>Objective: Identify and manage all species taken by the fishery</p> <p>Performance Measure: Species composition well documented for target and byproduct, and bycatch species; species specific management targets where necessary</p>	<ul style="list-style-type: none"> • Commission research and monitoring to identify target, byproduct and bycatch species • Collect catch and effort data at the appropriate fish classification (eg. “Islander trout” instead of “coral trout”), area, and time scales • Collect biological data at the appropriate area and time scales

Management Objective	Strategies to achieve objective
<p>Objective: Maintain the population of each species at target levels (that are determined to meet traditional fishing, social, economic or other objectives) and prevent the population falling below its most productive size for any individual species. Maintaining the target levels of populations for each species implies that the ecosystem and environment function will be maintained.</p> <p>Performance Measure: The population(s) is always higher than its most productive size</p>	<ul style="list-style-type: none"> • Commission research to provide stock assessment advice • Consult widely about appropriate biological, social and cultural targets • Establish appropriate population targets • Set appropriate size limits • Establish a process whereby management actions are triggered (decision rules) • Cooperate with other jurisdictions if there are shared stocks
<p>Objective: Avoid localised depletion</p> <p>Performance Measure : All fishing areas have healthy populations and acceptable catch rates</p>	<ul style="list-style-type: none"> • Manage effort or catch (at a scale that is effective for this purpose)
<p>Protect vulnerable species</p> <p>Performance Measure: The population(s) is always higher than its most productive size</p>	<ul style="list-style-type: none"> • Identify species at risk • Closely monitor abundance of vulnerable species • Introduce targeted measures to give extra protection to vulnerable species, eg boat or trip limits, closed seasons or closed areas
<p>Objective: Match the harvesting capacity to the sustainable harvest</p> <p>Performance Measure: Over capacity controlled</p>	<ul style="list-style-type: none"> • Control the level of participation, and scale of fishing operations (boat sizes etc) • While encouraging economic development, ensure that it is appropriate for the scale of the fishery

Management Objective	Strategies to achieve objective
<p>Objective: Provide for catch sharing in Mackerel Fishery to occur with PNG and promote good bilateral relations</p> <p>Performance Measure: Catch sharing arrangements are soundly based and effort or catches are controlled to allow PNG to harvest its entitlement</p>	<ul style="list-style-type: none"> • Commission research so allowable catches can be determined and divided per Treaty formulae (article 23) • Meet with PNG authorities on a regular basis
<p>Objective: Maximise the value of the catch</p> <p>Performance Measure: Prices paid for product</p>	<ul style="list-style-type: none"> • Develop capacity to ensure high product standards • If appropriate promote a live fishery
<p>Objective: Promote quality catching, handling, and carrying of finfish products from producer to consumer</p> <p>Performance Measure: Product quality is of the highest standard</p>	<ul style="list-style-type: none"> • Codes of practice • education and training • Investment in infrastructure
<p>Objective: Reduce conflict between fisher groups</p> <p>Performance Measure: Level of conflict</p>	<ul style="list-style-type: none"> • Implement management arrangements that are acceptable to all fisher groups • Resolve issues through the consultative process

Recommendation: That the FWG consider the merit that the FWG recommend to the TSFMAC that the attached agreed fishery objectives be adopted for the finfish fishery.

a. Reef line principles

All Working Group members were provided with a copy of the draft management principles and accompanying handling notes prepared by senior agency officials (DAFF, QFS, & TSRA) (See Attachment 1). Mr John Marrington read out the handling notes and principles.

Industry sort clarification of who specifically was involved in preparing the draft and when will industry have an opportunity to provide input into the drafting the principles. They further stated that they were disappointed in the fact that they were not consulted or given the opportunity to participate in the drafting process.

In response Mr Jim Prescott presented the June and December 2003 PZJA summary of outcomes to the Working Group. The December 2003 summary record stated that the PZJA agreed to provide a set of principles to the FWG to guide the development of long term management arrangements and these should be guided by the “Skehill” report’. Dr John Kung explained that the current Working Group meeting was the appropriate forum in which comments from stakeholders could be made and therefore considered in the finalisation of the principles

The Working Group went through and discussed each of the principles. From these discussions the Working Group made a number of changes which it believed were more practical and workable. Where consensus could not be reached by working group members, the views of each party were stated. The numbering of the principles has changed as a result of the addition of a new first principle which relates to compliance in the fishery.

The working group hopes that the officials will consider the rewording of the some principles and actions and notes the stakeholders concerns and will adopt the suggested changes.

Principle 1

That the management arrangements for the finfish fishery be underpinned by a compliance program commensurate with the scale of the fishery.

Principle 2

There should be no increase in the overall fishing effort until a sustainable effort level can be determined from scientific advice

Recognising the requirement for precautionary management of fish stocks, and concerns regarding stock levels, the PZJA believes that it would be irresponsible to allow fishing effort in the fishery to grow.

Possible actions to address this include:

- a. capping effort at the level during the 12 months prior to the investment warning issued on February 14 2002, and developing an effort management scheme for the fisheries; and/or
- b. investigating the use of seasonal, spawning or area closures (as appropriate) as a measure to control total effective fishing effort.

Principle 3

That localised depletion is avoided. The precautionary approach should be applied until sufficient data is available to determine the level of fishing effort that would be acceptable in particular areas or on individual reefs/reef systems.

Possible actions to address this include:

- a. defining interim management measures to reduce effort on selected areas in the fishery until appropriate long-term decisions are made about the allocation of effort throughout the fishery.
 - i. *Traditional inhabitant members were concerned that they are dependent on their local waters and might be disadvantaged if the same principles were applied to them.*
 - ii. *The non-traditional inhabitant industry members maintained that it could support this action provided that it was applied to both commercial sectors.*
- a. considering seasonal and/or area closures for all commercial fishing, excluding TIB licences where possible, to ensure that economic development of Islander Communities.
 - i. *The non-traditional inhabitant industry members could not agree with this action because they do not believe that it is in the spirit of the attached document (paragraph 4 - functions and principles states that it is not intended to provide a definitive answer on priority of access, and in the first sentence of action b of principle 3 (this document) TIB licences are to be excluded where possible).*
 - ii. *Traditional inhabitant members agreed with action b because it has regard for the traditional livelihood of the traditional inhabitants and enhances economic development for Torres Strait Islander communities.*
- a. identifying projects that could assist the PZJA to determine the feasibility of a voluntary reduction of effort from areas considered sensitive through, but not limited to, appropriate market based measures.
 - i. *The non-traditional inhabitant industry members stated that they were unsure of the meaning of action item c, but noted that they would support a voluntary buyback in the fishery if it was sufficiently funded (and not by Industry).*
 - ii. *The traditional inhabitant industry members, and Management were also unclear about the meaning. Traditional inhabitant members also reaffirmed their support for a buyback scheme, noting that they did not want to see anyone forced out of the industry without compensation.*

Principle 4

Management measures should account for the obligations conferred by the Torres Strait Treaty and the Act on Australia with respect to Traditional Inhabitants.

Possible actions to address this include:

- a. preparing a description of the traditional inhabitant fishery, outlining the contribution of the fishery to maintaining the traditional livelihood of traditional inhabitants;

- b. detailing potential development of the fishery that might assist in the future economic development of traditional inhabitant communities, for example, moving to a live take fishery.

The working group supported the principle and the actions and notes that a project under the CRC Torres Strait will address the action detailed in (a) to some extent.

Recommendation: That the TSFMAC note the FWG comments on the draft management principles and suggested improvements.

Agenda Item 8 – Future Management of the Reef Line Fishery

a. Reef line fishery

Dr John Kung presented this agenda item to determine if the Working Group had any new concerns with the proposed spawning closures, no take species lists and size limits discussed in last FWG meeting held on the 11/12 November 2003. Dr Kung noted that the FWG in the last meeting discussed certain no take species declared in QLD on the basis that these species were selected due their iconic status. However Dr Kung had since sort clarification from Queensland fisheries managers and advised the FWG that in addition to iconic status, some species such as Maori wrasse and barramundi cod also had significant market pressure placed on them with resultant sustainability concerns. In light of this new information, Dr Kung sought discussion from the FWG in relation to potential no take species in Torres Strait.

The FWG discussed management arrangements in relation to Torres Strait and made one change from agreements reached at the previous FWG. This change being that red bass should also be a no take species as there was relatively high variability between size at maturity and age of the fish (in relation to accumulated ciguatoxin). There was agreement in the Working Group that these issues could now be progressed through the MAC to the PZJA.

i. *Spawning closures*

Recommendation: (From 11-12 November 2003 FWG Recommendations) The Finfish Work Group recommends that spawning closures be introduced into the Torres Strait reefline fishery with the 2004 season being left open to fishing to allow researchers to determine the most appropriate times and the closures introduced into the fishery from the commencement of the 2005 season.

i. *No take species*

Recommendation: The Finfish Working Group recommends that the following species be no take in Torres Strait:

- Red bass
- Potato cod
- Queensland grouper
- Chinaman fish
- Paddletail

Action Item: Management to write to QFS and inform them of the Working Group's decision to allow the take of Barramundi cod and limited take of Maori wrasse. Letter should also highlight the Working Group's concern that species under quota in Queensland but caught in Torres Strait could potentially erode the integrity of the Queensland no take and quota system. Industry feels that the Queensland documentation system is adequate to protect the Queensland quota system. Management and industry will endeavour to implement the necessary means such as the enhanced use of documentation in Torres Strait.

i. Size limits

(a) Barramundi cod

Mr Carl D'Aguiar personally expressed the following issues:

1. Raised concerns with impacts on species composition through disproportionate removal of the species;
2. The minimum legal size for barramundi cod is possibly too small. He would support a slight increase in the minimum size limit as a precautionary approach. Noting Dr Gavin Begg's advice that a 40cm minimum size limit would allow some spawning, Mr D'Aguiar would support an increase to 42 cm. (Note: Mr Carl D'Aguiar's latter proposal to increase to 45cm);
3. The Torres Strait might be the only area privileged to take barramundi cod and therefore need to adopt a responsible harvest strategy;
4. Highlighted the difficulties of making management decisions without basic stock abundance estimates; and
5. Barramundi cod catch accounts for a significant portion of income and would not support that banning of its take but would support an increase in the minimum size to 45 cm until research outcomes indicate alternative management strategies.

Mr Jim Prescott stated that given the potential longevity of barramundi cod (~20 years), nominating size limits that aim to allow a single spawning opportunity may not be a sound management approach. Mr Cameron Murchie confirmed that the maximum barramundi cod length sampled in their current survey was 80 cm. He suggested it is likely that barramundi cod are annual spawners but it is presently not possible to assume their growth rates. He further noted that management would need to consider the effect of sex change on the efficacy of management measures.

Jim Prescott stated the need for a stock assessment to provide estimates of sustainable exploitation rates and fecundity relationships to determine meaningful size limits. Dr John Kung suggested that given that size limits are enforced under legislation and any amendments would take some time to effect, the Working Group should ensure all available biological evidence is reviewed prior to recommending size limit changes to the TSFMAC.

Recommendation: The Fishing Working Group recommends that for barramundi cod, the current size limit be maintained until a new conservative minimum size limit is advised by scientists for the further protection of this species. The take of this species should be closely monitored and reviewed when new information becomes available.

Action Item: CRC Torres Strait to review their data and provide any additional advice on suitable size limits.

(b) Maori Wrasse

Recommendation: (From 11-12 November 2003 FWG Recommendations) The Finfish Working Group recommends that a possession limit of one (1) Maori Wrasse per licence held in a licence package be implemented. This would prevent any increase in targeting of this species should market forces make this species more attractive. Further protection should be afforded to this species by implementing a minimum size limit of 750mm and a maximum size limit of 1200mm.

(c) All other applicable species

Recommendation: (From 11-12 November 2003 FWG Recommendations) The Finfish Working Group recommends that all other species taken in Torres Strait waters, the size limit should replicate the arrangements in the Queensland finfish fishery.

i. Area closures

Not discussed – carried over.

i. Live fish fishery

Not discussed – carried over.

i. Shark

Not discussed – carried over.

i. Boat replacement policy

This agenda item was presented by Dr John Kung. The FWG discussed the boat replacement policy (BRP) for the Spanish mackerel fishery and the reef line fishery. Officials are checking whether a BRP for the reef line fishery was adopted by the PZJA following single jurisdiction. In the event that this was not done, Dr Kung proposed that the policy mirror the Spanish mackerel fishery. Mr Carl D'Aguiar stated he could not support the policy until further discussions were held. Mr D'Aguiar noted that compliance with the policy is restricted by boat availability on the market. Barry Ehrke also would not support the policy, as it was not discussed as an agenda item. The FWG agreed to make it an action item for members to consult with their constituents prior to the next meeting.

Action Item: QFS to confirm previous PZJA approval for Boat Replacement Policy for Line fishery. Industry/Islanders to consult on Boat Replacement Policy prior to the next meeting of the working group.

8.2 Net fishery

i. Permanent closure

Not discussed – carried over.

Agenda Item 9 – Strategic Assessment and By-catch Action Plan

Mr John Marrington confirmed AFMA would circulate the Finfish Strategic Assessment Report (SAR) and the Finfish fishery Bycatch Action Plan (BAP) following reformatting of the document to incorporate a background paper as requested by AFMA's Environment Section, Canberra.

Action Item: AFMA to circulate the Finfish Strategic Assessment Report (SAR) and the Finfish fishery Bycatch Action Plan (BAP) to FWG members for comments.

Agenda Item 10 – Logbook Report

Not discussed – carried over to next meeting.

Agenda Item 11 – Fisheries Management Notices / Licensing

Not discussed – carried over to next meeting.

Agenda Item 12 – Compliance

The Working Group were briefly informed on the compliance risk assessment currently being undertaken.

Agenda Item 13 – Other business

a. **Spanish mackerel – troll fishery only**

Not discussed – carried over to next meeting.

a. **Spanish mackerel long term monitoring program Bramble Cay**

Not discussed – carried over to next meeting.

a. **Charter fishing**

The FWG was advised by officials that it is already a decision of the PZJA (1997) that all fisheries in Torres Strait, including recreational fishing, should be management under the *Torres Strait Fisheries Act 1984*. This is to be done when the opportunity is available. Officials advised that this would need to be incorporated into proposals for the next Act amendment and that charter fishing is considered as recreational fishing.

Mr Carl D'Aguiar requested the recommendation referencing charter boat fishing - to make it explicit that recreational fishing also includes charter boat operations.

Transfer of Recreational Fishing from Queensland to PZJA jurisdiction

Recommendation: That the FWG consider the merit that the TSFMAC recommend recreational fishing including charter boat fishing should be transferred from Queensland jurisdiction to the PZJA as soon as possible.

Action Item: Management agencies to discuss jurisdictional transfer and progress *Torres Strait Fisheries Act* amendments.

E) C) *Next Meeting*

Mr Jim Prescott suggested the next meeting should include an additional half-day to ensure the entire agenda can be addressed. It was proposed that the next scheduled meeting of the FWG should be the week of the 6th September 2004.

Handling Note: Principles for managing fishing activity in the Torres Strait Reef Line Fishery

Consultative Process:

The draft principles have been developed by senior officials in all PZJA member agencies. It is intended that these principles be considered by the Finfish Working Group and the Torres Strait Fisheries Management Advisory Committee (TSFMAC) before final consideration and approval by the Protected Zone Joint Authority (PZJA).

The draft text of the principles will not be re-opened at the FWG or the TSFMAC, however the working group and TSFMAC may provide comments on the text, which will be considered by the PZJA before agreeing to a final text at its meeting on 27 and 28 July.

Functions of the Principles:

It is intended that the Working Group (WG) will use these principles as a basis for its work over the coming year(s). These principles set out the various elements which the PZJA must give regard to when making long-term decisions in this fishery and the associated information these principles are seeking will be essential to allow the PZJA to make long-term decisions on access in the Reef Line Fishery.

In the absence of robust scientific advice on the status of these stocks and the sustainability of the current level of fishing, precautionary measures should be implemented for an interim period until more robust scientific advice on the fishery becomes available. Such measures may be applied to all commercial fishing operations (Islander and Non-Islander).

The PZJA recognises that this fishery serves as a basis for Islander livelihood in the eastern Torres Strait. However, to ensure this livelihood is upheld and given opportunities to be enhanced and developed, relevant information on exactly how islanders use and depend on this fishery is required.

These principles are not intended to provide a definitive answer on a priority of access to the Reef Line Fishery. They serve to provide a basis from which such decision may be made.

Draft Management Principles in the Torres Strait Reef Line Fishery

In the administration of obligations under the Torres Strait Treaty and the Torres Strait Fisheries Act 1984 (the Act):

Taking due regard for:

- a. the traditional livelihood of Traditional Inhabitants; and
- b. the desirability of promoting economic development in the Torres Strait; and employment opportunities for Traditional Inhabitants.

The following principles were used to guide management and distributed to the Finfish Working Group (FWG) and Management Advisory Committee (MAC) for consideration and discussion and to assist in developing recommendations to the PZJA.

Principle 1

There should be no increase in overall fishing effort until a sustainable effort level can be determined from scientific advice.

Recognising the requirement for precautionary management of fish stocks, and concerns regarding stock levels, the PZJA believes that it would be irresponsible to allow fishing effort in the fishery to grow. Possible actions to address this include:

- a. investigating the use of seasonal, spawning or area closures (as appropriate) as measure to control total effective effort.

Whilst not rejecting Principle #1, Mr Carl D'Aguiar queried its relevance given the probability of effort increase through the latent effort scheme. Management indicated that the latent effort process will remove approximately 75-80% of latent effort licenses. Management further reiterated that although there was no certainty that the latent effort process would facilitate an increase in effort it would tangibly reduce the present potential of effort increase.

Mr Jim Prescott recommended 'the possible actions' to address the principle could be amended to reflect the latent effort sub-committee recommendations. The recommendation was to develop respective effort management schemes for the TRL and Finfish fisheries including an effort cap. John Kung quoted PZJA comments (June 03) regarding effort management in the TRL and finfish fishery. Mr Carl D'Aguiar suggested the WG nominates a specific time at which effort would be capped – the WG agreed to cap effort at the level 12 months prior to the investment warning issued on the 14th February 2002.

Principle 2

The incidence of localised depletion in heavily fished parts of the fishery must be reduced to an acceptable level. The precautionary approach should be applied to heavily fished areas until sufficient data is available to allocate the level of fishing effort that would be acceptable on areas or individual reefs.

Possible actions to address this include:

- a. defining interim management measures to reduce effort on selected areas in the fishery until appropriate long-term decisions are made about the allocation of effort throughout the fishery;
- b. considering seasonal and/or area closures for all commercial fishing, excluding Traditional Inhabitant Boat licences where possible, to ensure the economic development of Islander Communities;
- c. identifying projects that could assist the PZJA to determine the feasibility of a voluntary reduction of effort from areas considered sensitive through, but not limited to, appropriate market-based measures.

The WG agreed to amend principle #2 to reflect the newly developed objective to ... 'avoid localised depletion'. Industry questioned what constituted 'localised depletion'. Jim Prescott explained that a localised area generally refers to a particular area or sensitive area. Mr Carl D'Aguiar agreed a localised area could mean an area of traditional fishing or around and inhabited island but wanted clarification of how, in definition, localised depletion may reduce access to his constituents. He stated that if there was to be any reduction in effort to address localised depletion it should be applied to both sectors.

Action A - Comments

- Industry stated that it should be made explicit that Action A applies to both sectors (ie community and non-indigenous commercial operators).
- Traditional inhabitants raised concerns that they are dependent on their local waters and might be disadvantaged if the same principles were applied to them.
- Mr John Kung noted that in accordance with the '*Functions of the Principles*' (Handling note), measures may be applied to all commercial operations.
- The FWG agreed to acknowledge the different positions held within the group on each Action where applicable.

Action B - Comments

- Mr Barry Ehrke in his opinion Action B was not consistent with the '*Functions of the Principles*' (Handling note). The last paragraph of states ... 'These principles are not intended to provide a definitive answer on a priority of access to the Reef Line Fishery. Barry noted that Action B actually implied to priority of access.
- This view was supported by Mr Carl D'Aguiar
- Traditional inhabitants supported the action as it considers Traditional livelihood and economic development of Traditional Inhabitants.
- The FWG agreed to acknowledge the different positions held within the group.

Action C - Comments

- The FWG were unsure on the meaning of Action C and could not provide detailed appraisal of its merits.

Principle 3

Management measures should account for the obligations conferred by the *Torres Strait Treaty and the Act on Australia with respect to Traditional Inhabitants.*

Possible actions to address this include:

- a. preparing a description of the Traditional Inhabitant fishery, outlining the contribution of the fishery to maintaining the traditional livelihood of Traditional Inhabitants;
- b. detailing potential development of the fishery that might assist in the future economic development of Traditional Inhabitant Communities, for example, moving to a live take fishery.

Mr Dan Sweeny emphasised the enormous difficulties faced in trying to enforce fishery regulations with the available resources. According to Dan the compliance program for the Torres Strait has been steadily degenerating for the last 5-7 years. The FWG agreed that in

order to give effect to the principles, compliance capacity must be substantially improved and the WG considers the current compliance program is inadequate.

Mr Barry Ehrke stated he was reluctant to proceed with the review process (of the principles) given the present deficiencies in compliance enforcement and monitoring operations. He noted that management measures might become 'out of date' before compliance develops into a capable operation. Management proposed an additional principle stating the need to implement a compliance program commensurate with the scale of the fishery. They further raised concerns with adopting a compliance orientated management principle given that the WG had no direct control over the development of compliance programs.

Jim Prescott confirmed that compliance is an important factor considered by DEH in the Strategic Assessment process (question raised by Dan). Mr Peter Yorkston stated that despite deficiencies in compliance, management must progress to develop management arrangements. The FWG agreed to support Principle #3 and noted that work towards Action A was in progress under through a CRC Torres Strait project.
