



Torres Strait Fisheries Management Advisory Committee (TSFMAC)

TSFMAC NO. 11 CHAIR'S SUMMARY

11-12 NOVEMBER 2009

The 11th meeting of the Torres Strait Fisheries Management Advisory Committee was held at the Bowls Club, Victoria Parade, Thursday Island on the 11-12 November 2009.

In attendance were:

Members:

Name	Representative organisation	Declaration of Interest
Mr John Pollock	Chairperson	Consultant
Dr Annabel Jones	AFMA	Manager, Thursday Island
Mr Malcolm Southwell	AFMA	Senior Manager, Northern Fisheries
Ms Samantha Emerick	AFMA – Executive Officer	Senior Fisheries Officer
Mr Neville Nakata	TSRA	Fisheries Co-ordinator
Mr Shane Fava	QDPI&F	Senior Fisheries Management Officer
Mr Phil Hughes	Proxy - TVH TRL Industry Representative	TRL Licence Holder
Mr Tony Vass	Proxy - TVH Finfish Industry Representative	Ex Mackerel Licence Holder
Dr Ray Moore	Industry TRL Representative	TRL Licence Holder
Mr Daniel Takai	Fish Receiver Representative	TRL Licence Holder Processor
Mr Les Pitt	CFG representative	TIB Licence holder
Mr Dennis Passi	CFG representative	TIB Licence holder
Mr William Stephen	CFG representative	TIB Licence holder
Mr Gavin Mosby	CFG representative	TIB Licence holder
Mr Francis Pearson	CFG representative	TIB Licence holder
Mr Mika David	CFG representative	
Mr Pearson Wigness	CFG representative	
Mr Yen Loban	CFG representative	TIB Licence holder
Mr Graham Hirakawa	CFG representative	
Mr Mica Newie	CFG representative	TIB Licence holder
Mr Jerry Babia	CFG representative	TIB Licence holder
Mr Dimas Toby	CFG representative	

Observers:

Name	Role
Mr Brett Young ¹	DFAT Manager, Torres Strait Treaty Liaison Office
Ms Rebecca Williams	AFMA - supporting Executive Officer
Mr Adam Wade ²	AFMA – Senior Fisheries Management Officer
Mr Glenn Hurry ³	AFMA CEO - PZJA Standing Committee
Mr Wayne See Kee ⁸	TSRA General Manager - PZJA Standing Committee
Mr Jim Groves ⁸	QDPI&F Deputy Director General, Fisheries - PZJA Standing Committee
Mr Roland Pittar ⁸	DAFF General Manager, Domestic Fisheries and Aquaculture - PZJA Standing Committee
Mr Paul PakPoy ⁴	DAFF –Manager, Northern Fisheries
Mr Steve Hall	TSRA - Fisheries Policy Officer
Mr Damian Miley ⁸	TSRA Manager - Land and Sea Management Unit
Mr Kenny Bedford	TSRA Fisheries Portfolio Member
Ms Shalana Uta ⁵	Student – Tagai College
Ms Stephina McKeown ⁵	Student – Tagai College
Mr Lyndon Peddell	QB&FP
Mr John Marrington ¹	AFMA – Foreign Compliance

Apologies:

Name	Role
Mr Brett Arlidge	TVH TRL Industry representative
Mr Carl D'Aguiar	TVH Finfish Industry representative
Mr Shaun Hansen	TVH Finfish Industry representative
Mr Ian Cartwright	Scientific member –TSSAC Chair

¹ Present only on the afternoon of the 11/11/09

² Present for day 12/11/09 only

³ PZJA standing committee members only present on the afternoon of the 11/12/09 and part of the afternoon on the 12/1//09

⁴ Present on 11/12/09 only

⁵ Present only from 9-11 on the 12/11/09

Major outcomes from TSFMAC No. 11

The TSFMAC recommended:

- That the PZJA reconsider recommendation 22.1.1.2(b) regarding the requirement for Master Fishermen Licences under the proposed simpler licensing arrangements that would remove the need for tenders to be licensed, taking into account the following:
 - (i) that the TVH sector prefer to have a requirement for a Master Fisherman's Licence only for the primary vessel with no carrier boats licences or tender licences;
 - (ii) that if (i) is not possible, the TVH sector wish that the original requirements are implemented, requiring a carrier boat licence and each tender licensed, with a Master Fisherman's Licence required for all vessels (primary and tender), however, it was noted that this may not be the view of all TVH fishers⁶.
 - (iii) the TIB sector would like a Master Fisherman's Licence to be required for all vessels (primary and tender) regardless of licensing requirements to maximise employment and capacity building for Torres Strait Islanders.
- To endorse in principle the development of the community based harvest strategies for hand collectable fisheries.
- That winged pearl oyster (*Pteria*) is included in the Pearl Shell Fishery by amending Fisheries Management Notice no. 69.
- That a fisheries management instrument is developed for the Torres Strait Sponge fishery to prohibit the harvest of sponges, with the exception of the Torres Strait Island sponge farms.
- That a fisheries management instrument be developed for the Coral Collecting Fishery to prohibit harvest of coral (Cnidaria) and live rock in Torres Strait.
- To develop a relevant mechanism to monitor and manage the use of TRL holding cages in the TSPZ.
- In principle, to the draft management outline and objectives to be included in the draft Finfish Management Plan, subject to further collaboration and input from CFG representatives via TSRA.
- That a Fisheries Management Instrument be developed to implement net size restrictions for traditional finfish fishing to the dimensions of 4 inch mesh, 2.5m drop and 100m length.
- That the PZJA consider an approach to PZJA Agencies and Governments seeking a comprehensive program of further structural adjustment in the TRL fishery and provision of infrastructure and skills needs aimed at enhancing economic self sufficiency in Torres Strait communities.
- That the two TVH finfish positions on the TSFMAC be replaced by one non-islander fisher with interest in the Torres Strait Finfish Fishery.

⁶ This has been adopted as a draft recommendation contingent on further consultation with TVH stakeholders on (ii).

Hand Collectables Fisheries

Community Based Harvest Strategies for hand collectables

Recommendations made in the 2005 and 2008 Department of the Environment, Water, Heritage and the Arts (DEWHA) Strategic Assessments for the Torres Strait Trochus and Bêche de Mer fisheries resulted in a recommendation to the Protected Zone Joint Authority (PZJA) to develop community based harvest strategies (CBHS). CBHS will allow communities to manage these fisheries in accordance with their aspirations whilst also meeting DEWHA requirements. Development of CBHS will be informed by research carried out in 2009 by the Commonwealth Scientific and Industrial Research Organisation (CSIRO) and funded by the Australian Fisheries Management Authority (AFMA).

CBHS will initially be developed for the five communities who indicated their support. Future involvement of other communities in developing CBHS is encouraged due to the shared nature of fisheries resources. The TSFMAC supported further development of CBHS with willing Torres Strait communities and encourage others to consider the initiative for their communities.

Fisheries Declarations for sponge and coral collecting fisheries

There are currently no regulations in place for sponge and coral collecting in the Torres Strait. Some interest has been shown in developing fisheries for both these species. The Hand Collectables Working Group has requested the regulation of coral and live rock harvest and that they be closed to fishing at the current time. This was supported by the TSFMAC who have recommended to the PZJA that a fisheries management instrument be developed prohibiting harvest of coral (Cnidaria) and live rock in Torres Strait.

The PZJA had previously agreed to register sponge as a Torres Strait Fishery with restrictions to be introduced, however, the TSFMAC requested a further step be undertaken to close the fishery to all fishers except to collect for Torres Strait Sponge farms. This would allow operation of Torres Strait sponge farms such as the farm at Masig (Yorke Island).

Results from 2009 survey of Hand Collectables in Eastern Torres Strait

The TSFMAC members noted with interest the interim results from the research project '*Sustainable harvest strategies for the Torres Strait Hand Collectable fisheries*', carried out in 2009 by CSIRO. The initial report includes suggestions of changed Total Allowable Catch (TAC) for some high value species. It was noted that any changes to TAC for Bêche de Mer would need to be in conjunction with sustainable management arrangements included in CBHS.

Turtle and Dugong Fisheries (TSTDF)

Rangers are currently employed or being recruited to implement the eight community based management plans endorsed by communities to date. Community based management plans for Turtle and Dugong are now being extended to the remaining communities in the Torres Strait. Assessment of the outcomes achieved so far by the Turtle and Dugong management plans will provide a mechanism for reviewing the effectiveness of the plans.

Further consultation with Papua New Guinea (PNG) traditional inhabitants is required to gain support for the Turtle and Dugong arrangements and is being facilitated through the Torres Strait Regional Authority (TSRA). TSRA are also currently investigating development of Fishery Management Notices (FMN) or alternate arrangements for some of the strategies outlined in the plans such as area closures. The TSFMAC and AFMA agreed to support the process where possible.

The work of previous turtle and dugong officers was acknowledged and consultation for the remaining plans will continue.

Wildlife Trade Operation (WTO) Reassessment Outcomes and Ecological Risk Management

The Committee noted the information provided regarding WTO reassessment outcomes and DEWHA recommendations for the Torres Strait Bêche de Mer, Trochus and finfish fisheries. The TSFMAC noted the Ecological Risk Assessment (ERA) process carried out for the Torres Strait Tropical Rock Lobster (TRL) Fishery and that results indicate very low risk to other species from the fishery on the basis of the harvest method. This fishery is not required to conduct a further ERA at this time. The ERA report for the Torres Strait TRL fishery is publicly available on the AFMA website (afma.gov.au).

Compliance

Domestic

Queensland Boating and Fisheries Patrol (QB&FP) are reviewing the methods used to deliver the compliance program in response to a number of on-going issues. Firstly, there has been a change in the dynamics of Torres Strait fisheries as fishermen are now targeting several fisheries in a single trip. There are also recurrent difficulties in distinguishing commercial catch from traditional catch which hinders the enforcement of management regulations. Secondly, the Queensland Department of Primary Industries and Fisheries (QDPI&F) and QB&FP are investigating mechanisms to more efficiently manage compliance through Fishery Infringement Notices (FINs) for small scale offences (discussed further at Page 10).

Foreign

The Bêche de Mer closures imposed by PNG are a positive move by the National Fisheries Authority (NFA). AFMA foreign compliance will provide assistance to PNG where possible by providing monitoring information to PNG compliance staff.

Tropical Rock Lobster (TRL) Fishery

2009 Season summary (Jan-July): Australia and PNG

The TSFMAC noted the recorded catch up to June 30 2009 for the TRL fishery and the sector nominal allocation of the preliminary TRL TAC. General messages were that catch for 2009 will be low compared to previous years as was expected from the low TAC that was recommended for 2009.

PNG cross endorsement

The TSFMAC noted that this was the first year that PNG cross-endorsed vessels have accessed the Australian fishery for a number of years. Community Fisher Group (CFG) representatives raised concerns regarding compliance and monitoring of PNG cross-endorsed vessels.

PNG cross-endorsed TRL vessels were boarded on their arrival in Australian waters to inform them of their licence conditions and where possible at the end or during the trip. A pre-season information session with the skippers of PNG cross-endorsed vessels is being considered for 2010 as a way to ensure that all licence conditions are fully understood by those on the vessels before they enter the Australian jurisdiction. Discussion on conditions required of cross endorsed vessels identified some ambiguous areas that require further investigation. These include enforcement of Australian law if product is transported back to PNG (in which case prosecution must be conducted by PNG authorities) and the areas of the Torres Strait Protected Zone (TSPZ) that PNG cross-endorsed vessels can access, particularly regarding access to outside but near areas of the Australian jurisdiction.

Logbook records can also be checked against catch on-board the vessels. Consultation between Torres Strait Islanders and skippers of the cross-endorsed vessels will assist in communicating the request for respect of fishers in avoiding Torres Strait community reefs.

Concerns were also raised regarding monitoring of days of fishing rather than kilograms of product provide to PNG in the Australian fishery. Controlling effort (tender days) is considered the most effective method to monitor and enforce PNG access as counting a number of days a boat is in Australian waters is simpler and easier to enforce than monitoring catch caught. Estimates of catch per tender per day are used to convert kilograms of TRL to a number of tender days. Information provided by PNG vessels fishing in Australian waters in 2009 has resulted in updated catch rates for PNG and the subsequent allocation of tender days to PNG for 2010 is significantly less than 2009.

Use of cages

Cages for holding live TRL are currently being used by both Traditional Inhabitant (TIB) and non-traditional inhabitant (TVH) sectors. The use of cages to hold or transport live TRL is not regulated adequately under current legislation. TVH representatives stated that cages allow for smaller operators to move into the live fishery as the current boat replacement policy restricts the size of vessels they can use. Small vessels are unsuitable for holding live TRL in tanks on deck and therefore the use of a cage to transport the TRL overcomes this. Cages could be used in a similar fashion by TIB fishers allowing them to market more of their catch as live TRL with significant increased returns for their catch. Some CFG representatives consider the use of cages to transport and hold TRL as a potential method of increasing effort in the fishery and feel cages should be considered as equivalent to a tender and licensed as such.

The PZJA have previously considered the use of cages and intended the issues associated with their use to be addressed under a TRL fishery management plan. The TSFMAC agreed that a clear description of a cage used to hold or transport TRL is needed and possible restrictions agreed to in order to better monitor the impact of the use of cages and mitigate effort creep in the fishery resulting from their use. Registration of cages will also allow compliance officers to clearly link the cage to a licence holder, enhancing compliance of relevant legislation.

Outcomes and recommendations from the Tropical Rock Lobster Resource Assessment Group (TRLRAG)

The TSFMAC noted the major outcomes of the TRLRAG including the higher than 2009 preliminary TAC for 2010 indicating that next season will be a good year for TRL. The TSFMAC also noted that there will be no pre-season surveys this year as the fishery will not be managed under quota in 2010.

Results from the tail-clipping and conversion factor project

The TSFMAC noted the major outcomes from research on tail-clipping, tail-to-whole weight conversion factors and size frequency distribution carried out by CSIRO and AFMA in 2008 being:

- Tail clipping does not impact TRL survival, tail fan state or quality.
- The tail-to-whole weight conversion factor of 2.677 is recommended and has been endorsed by the TRLRAG.

CFG representatives were concerned with how mortalities will be dealt with under the quota monitoring system and whether mortalities would be included as part of the allocated quota. The issue of mortality of product and higher grading will need to be discussed as part of a quota monitoring system in development of the TRL management Plan.

TRL handbook

AFMA is developing a handbook for the Torres Strait Tropical Rock Lobster fishery. The handbook is designed to be a resource for stakeholders and the wider public, detailing legislative and management information relating to the fishery as well as presenting biological and scientific information about the species. When complete, the handbook will be published and distributed to all Torres Strait TIB and TVH TRL licence holders and an electronic copy will be available via the PZJA website. It is expected that the TRL handbook will be available to fishers for the 2010 season.

Finfish Fisheries (Spanish Mackerel and Reef Line)

Outcomes from Finfish Working group (FFWG)

The TSFMAC noted the major outcomes from the recent FFWG meeting including in principal agreement to the Finfish Management Plan outline, objectives, performance indicators and timeline for implementation. As effort in the fishery is not high at the moment, TAC or Total Allowable Effort (TAE) will only be considered as a management mechanism if effort in the fishery increases.

Outline of finfish management plan

The TSFMAC discussed the outline of the Finfish Management Plan as discussed with the FFWG. There were some concerns raised by the CFG representatives regarding clauses in the plan relevant to transferring of licenses and units of fishing capacity. The TSFMAC agreed in principle to the management plan outline, subject to further consultations with CFG representatives to gain a consensus of the disputed clauses prior to release of the draft plan for further comment. TSRA will facilitate the consultation with the CFG, assisted by AFMA.

Update of finfish leasing arrangements for 2009-10

Low interest in leasing coral trout quota in 2009/2010 has prompted investigation of options to stimulate the fishery. Communities have requested assistance from the TSRA economic development unit to explore the logistic and business options in establishing a live coral trout fishery in the Torres Strait. A research proposal will also be developed for consideration by the Torres Strait Scientific Advisory Committee (TSSAC) to investigate the feasibility of a fresh (whole fish on ice) and/or live market.

Net restrictions

Restrictions on the sizes of nets used for traditional harvest of finfish (eg mullet) have been discussed for some time as a way to protect turtle and dugong from entanglement in nets. The TSFMAC recommended that net sizes for the traditional harvest of finfish fishery be restricted to nets less than 4 inch mesh, 2.5m drop and 100m length, to be implemented by amending current Fishery Management Notices.

Outcomes from other meetings

TSSAC

The TSFMAC noted the outcomes of recent TSSAC meetings, in particular; development of a Strategic Research Plan; Operational Plan and suggested amendments to the Terms of Reference.

Discussions were held regarding PNG nationals being able to work on Torres Strait Islander vessels. The MAC was advised that PNG Nationals would need to meet standard Department of Immigration requirements for foreigners working in Australia.

Fisheries Bilateral with PNG

The TSFMAC noted the information provided on the recent bilateral meeting held with PNG. The meeting record is still being finalised and will then be made publicly available. Torres Strait Islanders expressed concerned about the lack of a formal agreement regarding access

of PNG cross endorsed fishers to community reefs. They would like PNG cross-endorsed vessels to respect these areas. CFG representatives will be discussing this issue with PNG treaty village leaders to increase awareness of these areas.

Torres Strait Prawn Management Advisory Committee (TSPMAC)

The TSPMAC noted the information provided on the last TSPMAC including the low level of effort in the fishery in 2009 (2530 days), with decreased endeavour prawn catch but steady catch of tiger prawn. A harvest strategy for the fishery is being developed.

CFG representatives expressed concerns regarding marine debris from Torres Strait prawn vessels, trawling in the vicinity of the sponge farm and operators abandoning dropped nets and defunct trawlers. This was further addressed in a subsequent agenda item.

CFG

The change in the TSRA structure has improved the CFG process with meetings held more regularly and improved communication between constituents. A review of the CFG structure is currently underway.

Other business

Kailag Sponge farm

The sponge farm is progressing well with a total of 7444 sponges now stocked on the farm. Farming techniques continue to be refined and are now more efficient. The community would like to express their thanks for support from TSRA and assistance from other CFGs.

Concerns related to marine incidents in the vicinity of the farm and fishing vessel debris have prompted the community to erect navigational buoys around the farm and a notice to mariners has been issued. The TSPMAC was informed that a written allegation of intentional damage to farm equipment has been referred to QB&FP.

QDPI&F have written to all Torres Prawn licence holders alerting them to the location of the farm. An alternative anchorage site for vessels in the area has been offered by the community, however, more discussions need to be held on this matter. The TSPMAC requested to be updated on the progress of the sponge farm.

PZJA Budget

The TSPMAC noted the changes in cost sharing arrangements between the Commonwealth and Queensland for the PZJA fisheries for the 2009-10 financial year. Approximately \$6 million has been allocated to manage PZJA fisheries during 2009-10. The 09-10 budget is down 2% from 08-09.

PZJA decisions

The TSPMAC noted the PZJA decisions since the last TSPMAC meeting. The TSPMAC recommend to the PZJA that the PZJA reconsider recommendation 22.1.1.2(b) regarding the requirement for Master Fishermen Licences under the proposed simpler licensing arrangements that would remove the need for tenders to be licensed, taking into account the following:

- (i) that the TVH sector prefer to have a requirement for a Master Fisherman's Licence only for the primary vessel with no carrier boats licences or tender licences;
- (ii) that if (i) is not possible, the TVH sector wish that the original requirements are implemented, requiring a carrier boat licence and each tender licensed, with a Master Fisherman's Licence required for all vessels (primary and tender), however, it was noted that this may not be the view of all TVH fishers⁷.

⁷ This has been adopted as a draft recommendation contingent on further consultation with TVH stakeholders on (ii).

(iii) the TIB sector would like a Master Fisherman's Licence to be required for all vessels (primary and tender) regardless of licensing requirements to maximise employment and capacity building for Torres Strait Islanders.

Fishery Infringement Notices

There are no Fishery Infringement Notices (FINs) in the Torres Strait. Compliance officers currently refer all offences to the Department of Public Prosecution but there is no avenue at present to issue smaller on the spot fines for minor offences which is inefficient. FINs, similar to traffic tickets, would allow for efficient processing of minor offences. The introduction of FINs in the Torres Strait is being investigated by QDPI&F and QB&FP.

TSFMAC membership

Following restructure of the Finfish fishery which effectively removed all TVH licences, the TSFMAC discussed the appropriateness of the current TSFMAC membership. It was felt that the two TVH Finfish positions were no longer necessary and that one position for a lessee (holder of a sunset licence) or a similarly involved person would better represent the fishery.

PZJA Standing Committee Public Forum

The PZJA Standing Committee (SC) held a public forum on the afternoon on the 11th November in conjunction with the TSFMAC. This provided an opportunity for members of the public and TSFMAC members to ask questions of the PZJA SC and discuss the TRL 5-year Business Plan and Administrative Review of the PZJA.

The PZJA SC also addressed some confusion regarding the role of the Standing Committee and the process of decision making within the PZJA consultative structure. The SC members' role is to provide advice to the PZJA based on the considerations from all of the Torres Strait working groups, resource assessment groups and management advisory committees. As such, they are not a decision making body.

The forum prompted the TSFMAC to recommend the PZJA consider the outcomes of the TRL Business Plan regarding Torres Strait Islander aspirations for the TRL fishery and possible action to address these aspirations.

Next Meeting

TBC.



Mr John Pollock
Chairman
Torres Strait Management Advisory Committee