

Torres Strait Fisheries Management Advisory Committee

**10 December 2003
TSRA Board Room**

Attendance List

Jim Gillespie
Trysh Stone
Jim Prescott
Railey Gibia
Jensen Warusam
Maria L Gebadi
Philip Bigie
John Wigness
Richard Newie
Solomon Nona
Mark Millward
Rosemary Millward
Ray Moore

Carl D'Aguiar
Jack Billy
Raina Martin
Donald Banu
Lota Warria
Peter Yorkston
Ken Bedford
Kila Odo
John Kung

Observers

Barre Kare
Augustine Mobiha
Simone Retif
Daniel Clifton
John Marrington
Sacha Taylor
Rob Giddins
Barry Wilson
Nick Schulz
Garry Christopher
Christian McDonald

Representing

Acting Chair (QFS)
AFMA
AFMA
Traditional Inhabitant Rep
Prawn Industry Rep
QSIA Rep (acting)
TRL Industry Rep

Finfish Industry Rep
Traditional Inhabitant Rep
Traditional Inhabitant Rep
Traditional Inhabitant Rep
Traditional Inhabitant Rep
TSRA
Traditional Inhabitant Rep
Traditional Inhabitant Rep
QFS

NFA (PNG)
NFA (PNG)
DEH
AFMA
AFMA
AFMA
Prawn entitlement holder
Prawn entitlement holder
Prawn entitlement holder
TRL Industry
DAFF

TSFMAC Recommendations

Number	Recommendation
Agenda Item 1: Record of 15th PZJA Meeting	
1	That the TSFMAC noted the record of the 15 th meeting of the PZJA
2	The TSFMAC noted QSIA, Industry and islanders concern about the ability of the PZJA to make decisions without going through the full consultative process and requested that this be amended to allow this to only happen in the event of an emergency. Management noted that Ministers could not be fettered in their ability to make decisions and there is always a possibility that this may happen
3	The TSFMAC noted QSIA and industry concern that some decisions taken on the prawn fishery were not recommended by the TSFMAC.
4	The TSFMAC noted the Prawn industry wanted the second point on <i>Responses of the prawn Working Group to the Independent Panel Report</i> removed, as this was not recommended by industry. Management noted that it was not the right or responsibility of the TSFMAC to change PZJA record of meeting.
Agenda Item 2: Report from the Australia/PNG bilateral Meeting of August 2003	
5	The TSFMAC noted the outcomes of the bilateral meeting between Australia and PNG, held in Port Moresby on 27-28 August 2003.
6	The TSFMAC recommended to the PZJA that they have concerns with the trawling of rock lobster in PNG waters and that DAFF and DFAT raise these issues with PNG at the bilateral and JAC forum.
Agenda Item 3.1 Prawn Management arrangements for 2004	
7	TSFMAC supported recommendations 1-11 from the 23 October 2003 Prawn Working Group (PWG) meeting
8	The TSFMAC recommended that in accordance with the June PZJA decision that effort in the fishery be capped at 11353 days noting that as new advice becomes available that the cap will be reviewed over time, and that the recommended cap did not constitute adoption of the surplus production model.
9	The TSFMAC recommended that the PZJA note the views of Industry, Islander and Management in relation to the use of supplementary and preferential days. Industry's position was that PNG's access should be reduced by 15.8% in line with ESD requirements. Management agencies' position was that in line with the June PZJA decision Australia should meet its bilateral agreement with PNG for access for 7 trawlers in 2004 but this number should be reviewed through future catch sharing agreements. TSRA did not specify a reduction to be applied to PNG access however they suggested that it be reduced to achieve

	sustainability.
10	Noting that the TSPEHA do not support the use of supplementary or preferential days, the PWG recommended that any allocations of supplementary or preferential days should be allocated on a pro-rata basis according to the number of days held by the entitlement holder immediately before the allocation is made.
11	Industry believes that all three sectors of the fishery should receive the 15.8 per cent cut.
12	The working group asked that the PZJA clarify what the PZJA meant by the word 'activated' in its June 2003 decision in respect of supplementary days; and clarify what would be the status of supplementary days if the TSI licences were activated.
13	The TSFMAC recommended that the PZJA note that the PWG will be discussing conditions on TSI licences with appropriate legal advice during the 2004 year.
14	The TSPEHA and QSIA have asked for adjustment funds to be paid by Government for any reduction in Australian licensees' allocated fishing days to be used for the benefit of other interests in the fishery, i.e. in any "beneficial reallocation". Management did not agree that a beneficial reallocation was taking place. TSI abstained from comment on this
Agenda 3.2 Other Arrangements for the Prawn Fishery	
15	<p>Minimum days to operate</p> <ul style="list-style-type: none"> The TSFMAC recommends that the PZJA should retain its policy of a minimum of 50 days being required by a licensee to operate in the prawn fishery, noting however boats that fall below 50 days as a result of the proposed reduction in 2004 be allowed to continue to operate. However, once a licensee trades days or the licence is transferred then the 50 day minimum requirement will apply.
16	<p>Trading preferential and supplementary days</p> <ul style="list-style-type: none"> The TSFMAC noted the PWG recommendation that trading of days for supplementary and preferential days be restricted to a single season. Industry noted that they do not support the use of preferential and supplementary days being used. Islanders supported this recommendation. <p>Note: Commonwealth advice is that Australia cannot unilaterally allocate preferential access and must negotiate such access with PNG.</p>
17	<p>Net length</p> <ul style="list-style-type: none"> That the PZJA agree to revert the maximum net length from 80m back to 88m including the try gear.
18	<p>Boat replacement policy</p> <ul style="list-style-type: none"> The TSFMAC recommended to the PZJA, that the boat replacement policy be waived for the 2004 season and that it be

	reviewed again at the end of the year.	
19	<p>2004 work plan</p> <ul style="list-style-type: none"> The MAC recommends that the PZJA request DAFF to provide funding from FRRF in 2005 to address the high and medium priority projects, i.e. recommendations from the stock assessment review and industry workshop. 	
Agenda Item 3.3 – Territorial Seas around Deliverance Island, Turu Cay and Kerr Islet		
20	<p>The TSFMAC recommends that the PZJA support a trawl closure in the territorial seas surrounding Deliverance Island, Turu Cay and Kerr Islet. Noting that while Management and TSI support the proposal Industry does not at this stage. Industry clarified that they would like to await the outcome of further stock assessment work and finalisation of effort reduction prior to agreeing to the closure.</p>	
Agenda Item 4.1: Recommendations from the Tropical Rock Lobster Working Group: 2004 management arrangements		
21	<ul style="list-style-type: none"> The TSFMAC NOTED: <ul style="list-style-type: none"> i) The interim 30% reduction in tenders for 2003 will conclude at the end of December 2003; ii) The number of tenders in use with or without a further interim measure may increase in 2004; iii) That fishing mortality is directly related to fishing effort and increasing effort is increasing fishing mortality which will maintain the fishery in an ‘overfished’ classification – even if catch rates and catches remain high; iv) There has been ongoing consultation on a way to manage the fishery in 2004 but the mechanism has not been determined at the time of writing; and, v) There are compelling reasons to demonstrate that effort can be controlled across both sectors in order to ‘pass’ the strategic and export assessment. 	
22	<p>The TSFMAC recommends that the PZJA implement in 2004 a ceiling of 357 TIB licences with “CR” symbol (endorsement) (the current number at last database extract) and a reduction in tenders in line with the following table</p>	
	Number of Tenders before reduction	Number of Tenders 2004
	1	1
	2	2

	3	2
	4	3
	5	4
	6	4
	7	5
23	The TSFMAC recommends that the PZJA note the seriousness of the trawling for tropical rock lobsters in_PNG waters during their spawning migration.	

Agenda Item 4.2.2: Recommendations from the Tropical Rock Lobster Working Group: Longer term arrangements with specific reference to a TAC

24	<p>The TSFMAC NOTED:</p> <p>i) the TRL Working Group concluded that a TAC management approach is not recommended because:</p> <ul style="list-style-type: none"> • the research resources are insufficient to set the TAC reliably; • the difficulty of allocating the TAC (cultural and other issues); and • the lack of the necessary compliance resources. <p>ii) the working group will provide this advice to the PZJA Chair who sought advice from the working group.</p> <p>iii) The TSFMAC desired the PZJA to note that a number of extra management arrangements have been introduced into this fishery over the last several years including</p> <ul style="list-style-type: none"> - an increase in the size limit - a closed season in Oct-Nov - an extended hookah closure in Dec-Jan - the removal of latent effort that is currently in process - a 30% reduction in the number of tenders for 2003.
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Agenda Item No. 4.2.3: Recommendations from the Tropical Rock Lobster Working Group to the PZJA: Amended FMN for tail measurement

25	<p>That the TSFMAC APPROVED the re-wording of FMN 58, paragraph 5.2a, as detailed below:</p> <p style="padding-left: 40px;">that the FMN be amended by changing the wording of paragraph 5.2a from “the length of a tropical rock lobster shall be measured in a straight line along the dorsal surface from the anterior margin of the first abdominal somite to the posterior margin of the sixth abdominal somite when the tail is laid flat on a horizontal surface”</p> <p style="padding-left: 40px;">to</p>
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	<p>“the length of a tropical rock lobster shall be measured in a straight line along the dorsal surface from the anterior margin of the first abdominal somite to the posterior margin of the sixth abdominal somite when the tail is laid flat on a horizontal surface and firm downward pressure is placed on the dorsal surface of the second abdominal somite”.</p> <p>The TSFMAC recommends to the PZJA that FMN 58 be amended as agreed when the PZJA meets next in 2004.</p>
<p>Agenda Item No. 4.2.4: Other recommendations from the Tropical Rock Lobster Working Group</p>	
<p>26</p>	<p><i>That the TSFMAC noted:</i></p> <ul style="list-style-type: none"> i) the TRL Working Group’s support for the recommendation from the finfish working group for a 20 kg finfish take and carry allowance; and ii) the TRL working group’s recommendation to extend the moratorium on licence amalgamations until the latent effort process has been completed; and iii) Management’s advice to the working group to not become involved in day to day decision making but to ensure that the consultative process contributes to the development of appropriate policies which can then be efficiently implemented by the licensing delegate.
<p>Agenda Item 4.3: Bycatch Action Plans and EPBC Act accreditation for Torres Strait Fisheries</p>	
<p>27</p>	<p>The TSFMAC:</p> <ul style="list-style-type: none"> i) endorsed the proposed process for the finalisation of bycatch action plans and EPBC Act assessment reports for the Torres Strait fisheries ii) noted progress on the finalisation of bycatch action plans for the Torres Strait Prawn Fishery and Torres Strait Line and Net Fishery iii) considered and endorsed the Statement of Management Arrangements for the Torres Strait Rock Lobster Fishery for submission to PZJA subject to minor corrections. iv) supported submission of the Torres Strait Rock Lobster Fishery Assessment Report to the PZJA, on the basis that the TRLWG and AFMA Board Environment Committee have both supported the document. v) noted that AFMA is working with the Department of the Environment and Heritage to address an EPBC Act anomaly relating to fishery interactions with protected species. Industry

	request that the PZJA ensure that they are not disadvantaged by the drafting omission in the EPBC Act.
Agenda Item No. 5: Recommendations Finfish: Conflict	
28	That TSFMAC noted the Finfish Fishery Working Group's comments on the resolution of the conflict between sectors within Finfish Fishery and the Working Groups statement to the PZJA.
29	TSFMAC request the PZJA provide the management principles that were foreshadowed at PZJA 15 as soon as possible.
Agenda Item 5.1: 30% REDUCTION IN TENDERS FOR 2004 FISHING SEASON - FOR RECOMMENDATION	
30	The TSFMAC recommends that the PZJA set aside its decision to implement a 30% reduction in the number of tenders in the line fishery because it is not believed that the rationalisation of the East Coast reef line fishery will actually displace effort to the Torres Strait because of the small number of vessels that a) do not qualify for reef quota and b) hold a Torres Strait line endorsement. However, TSFMAC is of the view that the amount of effort in the fishery should be closely monitored.
Agenda Item 5.2: finfish take and possession allowance - for recommendation	
31	The TSFMAC supports the Finfish Working Group recommendation that the take and possession limits for Spanish mackerel for holders of Section 19 licences, and reef fish for holders of Torres Strait prawn licences, be reduced to a maximum combined allowance of 20kgs. The TSFMAC notes that the QSIA and Prawn industry have an opposing view that the FMNs be modified to be 50kg combined for Prawn licences and reviewed at the end of 12 months.
Agenda Item 6: Licence Amalgamations	
32	TSFMAC recommend that the PZJA AGREE to extend the moratorium on licence amalgamations until the latent effort process is complete and consultation on the amalgamation policy goes through the normal cycle, which ever is later.

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Action Items

Number	Action Item	Action Agency
1	Obtain legal advice on Australia's legal entitlement to access preferential entitlements in PNG. Also do the catch sharing arrangements apply to only Article 22 fisheries or all fisheries irrespective of whether complementary management arrangements are requested?	AFMA
2	Management to investigate arrangements for preventing operators taking more tenders with them	AFMA / QFS

	than they would use in their fishing operations.	
3	Industry representatives to review the statement of management arrangements in the tropical rock lobster fishery and provide comments to AFMA for submission to the Environment Section by 17 December 2003	Industry / AFMA

The meeting was opened in Prayer at 9:00 by Philip Bigie

Agenda Item 1 – Report from the PZJA meeting – Background Information Paper
(not read at meeting)

Rosemary Millward (QSIA) had concerns that “the PZJA may choose to make a decision without the full consultative cycle being followed where a member of the PZJA believes such a process is not necessary or would unnecessarily delay decisions important to managing Torres Strait Fisheries”. The QSIA wanted this changed so that this ability could only be used in emergency situation only. Prawn industry supported the QSIA in this – Trysh Stone explained that management could not agree to fetter the ability of the minister to make decisions with or without a consultative process. TSRA supported industry’s recommendation.

Recommendation: The TSFMAC noted QSIA, Industry and islanders concern about the ability of the PZJA to make decisions without going through the full consultative process and requested that this be amended to allow this to only happen in the event of an emergency. Management noted that Ministers could not be fettered in their ability to make decisions and there is always a possibility that this may happen

The report on the decisions of PZJA 15 was presented by John Kung (prawn), Jim Prescott (TRL), and John Marrington (finfish). PRAWN

The QSIA representative expressed concern that that some of these decisions did not go through the consultation process. Mark Millward requested the removal of point ii- that nights should be reduced as this did not reflect industries opinion. Trysh Stone explained that the paper is a record of the PZJA meeting and that the TSFMAC does not have the authority to change that record. However, TSFMAC can make a recommendation that the PZJA change the record of one of their meetings.

Recommendation: The TSFMAC noted the Prawn industry wanted the second point on *Responses of the prawn Working Group to the Independent Panel Report* removed, as this was not recommended by industry. Management noted that it was not the right or responsibility of the TSFMAC to change PZJA record of meeting.

TROPICAL ROCK LOBSTER

The meeting discussed the implementation of a voluntary buyback scheme for licences and how there was a need for PNG to better manage effort in their TRL fishery. Prawn representatives questioned the use of TED’s in PNG. Management explained that at present TED’s were not required by PNG trawlers in PNG waters but were required by PNG trawlers in Australian waters under catch sharing arrangements. Mark Millward explained how TED’s were effective in removing catch of TRL as well as larger animals like turtles. Both Industry and Islander representatives wanted to increase pressure on PNG to have compulsory TED’s in all their prawn fisheries.

Recommendation: The TSFMAC recommend to the PZJA that they have concerns with the trawling of rock lobster and that DAFF and DFAT raise these issues with PNG at the bilateral and JAC forum.

FINFISH

Carl D'Aguiar mentioned the latent effort issue of 1000 kg of whole finfish when it was presented to the PZJA it was gutted and gilled. John Marrington noted that no form was specified in the final recommendations from the latent effort subcommittee. Jim Prescott explained that the amounts used in the criteria were based on economic dependency and was meant to be equal for mackerel, finfish and TRL and that on the basis the intent of the committee was gilled and gutted for trout. Management assured that This issue will be taken into consideration when assessing the catch histories of licences against the approved criteria.

The TSFMAC resolved that in the future we need to be clear in papers and include all details and that members of consultative bodies need to read the minutes accurately to raise issues such as this before they progress. QSIA raise the point of the papers not getting to members in time.

Agenda Item 2 – Report from the Bilateral Meeting - Background Information Paper (not read at meeting)

Christian McDonald presented the paper on the Bilateral meetings.

Mark Millward expressed the seriousness of TED's in terms of excluding turtles and lobsters. The TSFMAC considers that there is a need to reaffirm our position that PNG need to have TED's in their trawl fishery. Australia needs to be more supportive of PNG but it is difficult to get it happening.

Recommendation – The TSFMAC recommend to the PZJA that they have concerns with the trawling of rock lobster and that DAFF and DFAT raise these issues with PNG at the bilateral and JAC forum.

Rosemary Millward expressed concern that the article 23 catch sharing entitlements should be based on a better estimation of the TAC. Rosemary also queried article 25 preferential entitlement – how come Australia does not go into PNG to take the 75% of fisheries in PNG waters if PNG are not accessing this fishery? The QSIA would like these negotiations to begin at the next Bilateral. Trysh Stone stated that we would need to get legal advice that we have this entitlement.

Action Item – To gain legal advice on Australia's legal entitlement to access preferential entitlements to catch in the PNG area of jurisdiction

Agenda Item 3 – Recommendations from the Prawn Working Group

Ryan Murphy took minutes for this section of the TSFMAC

Agenda Item 4 – Recommendations from the Tropical Rock Lobster Fishery

4.1 Recommendations from the Tropical Rock Lobster Working Group: 2004 management arrangements

Jim Prescott presented this agenda paper.

The potential fishing effort in the TRL fishery is more than 130,000 days, or more than 45,000 days per season (with all licences fishing 1/3 days in the season). The target level of effort is roughly 6,000-8,000 dinghy days. The large difference between the potential effort and the target level of effort is a concern for management and the fishery.

Peter Yorkston was invited to give the outcomes of the consultation with traditional inhabitants regarding reducing effort in the TRL fishery. Peter explained that Traditional Inhabitant fisher representatives had met and agreed to put a ceiling on the number of TIB licences with CR endorsements for 2004 at 357 (the number of current cray endorsed licences at the time of the last data extract).

Industry agreed that if the TIB sector was to have a ceiling then the TVH licence sector would reduce effort. Industry was willing to give up one tender per licence on the condition that vessels with 1 and 2 tenders would remain the same. Peter Yorkston stated that when traditional inhabitants consulted they consulted a 30% reduction not the 1 tender option.

The MAC prepared a table to show the effects of the various scenarios of reducing effort in the TVH sector

Tenders	Boat numbers	True 30%	2003 reduction	Industry Proposal 2004	TSFMAC proposed for 2004
1	7	.7	1	1	1
2	5	1.4	1	2	2
3	7	2.1	2	2	2
4	5	2.8	3	3	3
5	2	3.5	4	4	4
6	1	4.2	4	5	4
7	1	4.9	5	6	5
Tenders after reduction	28	56.7	58	65	63
Percent reduction		30%	28%	20%	22%

This means the net effect of Industry's proposal is a potential increase in tender effort from 58 - 65 from the current number of 81. If a 30% reduction is implemented according to the TSFMAC proposed 2004 column potential effort in 2004 will be 63 tenders. Both industry and traditional inhabitants noted that the agreed arrangements would only be interim for 2004.

It was suggested that the one vessel that was alleged (observed by numbers of fishers) not take its reduction in 2003 should take that extra penalty for this year. Although the sentiment of this proposal was agreed with, Management explained that people are innocent until proven guilty in Australia and so this would not be possible until a court proved that the operator operated illegally in 2003.

Yen Loban was concerned about vessels towing an extra tender even if it is not to be used in the fishing operation. Trysh Stone indicated that Management would look at ways of controlling this practice as it was known to complicate compliance in the fishery.

Action Item: Management to investigate techniques for preventing vessels taking more tenders with them than they would be using in their fishing operations.

Recommendation: That the PZJA implement in 2004 a ceiling of 357 TIB licences with “CR” symbol and a reduction in tenders in line with the following table.

Number of Tenders before reduction	Number of Tenders 2004
1	1
2	2
3	2
4	3
5	4
6	4
7	5

Recommendation: The TSFMAC recommends that the PZJA’s note the seriousness of the trawling for tropical rock lobsters in PNG waters during their spawning migration.

Agenda Item 4.2.1 – Recommendations for the TRLWG: Management objectives for the fishery

Due to time constraints this issue will not be raised at the December 2003 PZJA and so was put off to the next TSFMAC meeting.

Agenda Item 4.2.2 – Recommendations for the TRLWG: Longer term arrangements with specific reference to a TAC

The MAC wanted the recommendations amended to state that a number of extra management arrangements have been introduced into this fishery over the last several years including

- an increase in the size limit

- a closed season in Oct-Nov
- an extended hookah closure in Dec-Jan
- the removal of latent effort that is currently in process
- a 30% reduction in the number of tenders for 2003

All other recommendations were approved as highlighted in the agenda paper.

Recommendation: The TSFMAC NOTED:

- i) the TRL Working Group, after significant consultation, concluded that a TAC management approach is not recommended because:
 - the research resources are insufficient to set the TAC reliably;
 - the difficulty of allocating the TAC (cultural and other issues); and
 - the lack of the necessary compliance resources.
- ii) the working group will provide this advice to the PZJA Chair who sought advice from the working group.
- iii) The TSFMAC desired the PZJA to note that a number of extra management arrangements have been introduced into this fishery over the last several years including
 - an increase in the size limit
 - a closed season in Oct-Nov
 - an extended hookah closure in Dec-Jan
 - the removal of latent effort that is currently in process
 - a 30% reduction in the number of tenders for 2003

4.2.3 Recommendations for the TRLWG: Amendment to FMN for tail measurements

Quentin Hirakawa from QBFP demonstrated with a thawed lobster tail how the current legislation that describes how to measure a lobster tail allows substantial differences in the length of the tail to be measured depending on the technique of measurement. The importance of getting consistency in measurement was highlighted.

The wording in the paper needs to be changed to pressure placed on the **dorsal surface** of the **second** abdominal somite.

Recommendation: That the TSFMAC APPROVED the re-wording of FMN 58, paragraph 5.2a, as detailed below:

that the FMN be amended by changing the wording of paragraph 5.2a from “the length of a tropical rock lobster shall be measured in a straight line along the dorsal surface from the anterior margin of the first abdominal somite to the posterior margin of the sixth abdominal somite when the tail is laid flat on a horizontal surface”

to

“the length of a tropical rock lobster shall be measured in a straight line along the dorsal surface from the anterior margin of the first abdominal somite to the posterior margin of the sixth abdominal somite when the tail is laid flat on a horizontal surface and firm downward pressure is placed on the dorsal surface of the second abdominal somite”.

4.2.4 Recommendations from the TRLWG: Other recommendations from the Tropical Rock Lobster Working Group

Recommendation: The TSFMAC noted:

- i) the TRL Working Group’s support for the recommendation from the finfish working group for a 20 kg finfish take and carry allowance; and
- ii) the TRL working groups recommendation to extend the moratorium on licence amalgamations until the latent effort process has been completed; and
- iii) Management’s advice to the working group to not become involved in day to day decision making but to ensure that the policies were what was progressed through the consultative process.

Agenda Item 4.3 – Bycatch Action Plans and EPBC Act accreditation for Torres Strait Fisheries

Garry Christopher and Ray Moore commented on the statement of management – there are a few errors and they need to be changed before the PZJA so the PZJA can sign off on it for submission to the Minister for the Department of Environment and Heritage.

Management and Simone Retif (DEH sustainable fisheries) explained that the statement of management arrangements is in for fisheries that don’t have formal management plans. It enables DEH to make decisions regarding export exemption for fisheries that do not have management plans. It was also explained how the EPBC Act 1999 omitted a necessary reference to the Torres Strait Fisheries Act regarding the blanket exemption for protected species interaction (part 13), however the Minister is looking for administrative solution to this potentially administratively difficult situation.

Action Item: Industry representatives to review the statement of management and provide comments to AFMA for submission to the Environment Section by 17 December 2003

Management explained that Strategic Assessment reports and by-catch action plans will be developed for other TS fisheries and will go the various working groups and TSFMAC in 2004.

Recommendation: The TSFMAC:

- i) endorsed the proposed process for the finalisation of by-catch action plans and EPBC Act assessment reports for the Torres Strait fisheries
- ii) noted progress on the finalisation of by-catch action plans for the Torres Strait Prawn Fishery and Torres Strait Line and Net Fishery
- iii) considered and endorsed the Statement of Management Arrangements for the Torres Strait Rock Lobster Fishery for submission to PZJA subject to minor corrections.
- iv) supported submission of the Torres Strait Rock Lobster Fishery Assessment Report to the PZJA, on the basis that the TRLWG and AFMA Board Environment Committee have both supported the document.
- v) noted that AFMA is working with the Department of the Environment and Heritage to address an EPBC Act anomaly relating to fishery interactions with protected species. Industry request that the PZJA ensure that they are not disadvantaged by the drafting omission in the EPBC Act.

Agenda Item 5 – Recommendations from the Finfish Working Group for Noting

Conflict between Sectors of the finfish Fishery

The TSFMAC discussed the ongoing issue of conflict in the finfish fishery between traditional fishers of the Eastern Islands cluster and non-Indigenous commercial fishers. This has been an ongoing dispute and the Finfish working group was unable to find a way of resolving the conflict at its last meeting.

The meeting agreed that the real issue in this fishery is the impact that the boats may have on the economics of fishing for Islanders. It was noted that this was not sustainability issue but a socio-economic issue that needs to be resolved.

The MAC requested that the PZJA produce a set of management principles for the finfish fishery but clarified this by stating that they were not asking the PZJA for a final answer but a broad policy direction on how this fishery should be managed, because the working group wanted another opportunity to find the solutions. The MAC agreed to not leave the decision up to the PZJA but to ask them for guidance in the form of a set of management principles for the fishery.

Recommendation: TSFMAC request the PZJA provide management principles as soon as possible.

5.1 30% reduction in tenders for 2004 Fishing season – for recommendation

The meeting discussed the PZJA's decision to reduce tenders in the finfish fishery during an interim period between the Queensland East Coast Coral Reef Finfish rationalisation and the completion of the latent effort reduction in the Torres Strait Linefish sector. The meeting noted that the finfish working group had undertaken an analysis of the potential for fishing effort to be displaced from the east coast to Torres Strait. The working group's analysis indicated that because there was an acceptably low probability of any significant displacement of effort to occur that it had decided that the 30% reduction in tenders would not be necessary and recommended that it should not be invoked. (Note that it became known after the TSFMAC that some of the working group members did not fully understand the implications of this agenda item when it was discussed at the working group)

Recommendation: The TSFMAC recommends that the PZJA set aside its decision to implement a 30% reduction in the number of tenders in the line fishery; TSFMAC is of the view that the amount of effort in the fishery should be closely monitored.

5.2 Finfish fishery take and possession allowance – for recommendation

John Marrington presented this agenda paper.

Industry members of the prawn working group objected to the recommendation of the finfish fishery. Prawn members would like a 50kg limit for 12 months, after which it would be reviewed if it was deemed to still be an issue. Prawn members and the QSIA noted that the 50kg limit would still be a reduction of 50% on what they are currently entitled to.

Some industry participants inquired how the allowable quantity recommended went from 20kg of mackerel plus 20kg of finfish to a combined limit of 20 kg. John Marrington explained that this was a recommendation from the finfish working group.

Traditional Inhabitant representatives supported the 20kg limit.

Recommendation: The TSFMAC supports the Finfish Working Group recommendation that the take and possession limits for Spanish mackerel for holders of Section 19 licences, and reef fish for holders of Torres Strait prawn licences, be reduced to a maximum combined allowance of 20kgs. The TSFMAC notes that the QSIA and Prawn industry's view that the FMNs be modified to be 50kg combined for Prawn licences and reviewed at the end of 12 months.

Agenda Item 6 – Licence amalgamations for consideration

John Kung presented this agenda paper.

The draft policy paper was presented at the TRLWG but to date has not yet gone to the other working groups. Management noted that the policy was still a draft and needed further work including input from stakeholders. At this stage Management was hoping to seek support from the TSFMAC for an extension of the moratorium on licence amalgamations until the latent effort process has been completed. There was

some concern about the length of time to finalise the policy and have it implemented but John Kung indicated that it would be done within 12 months.

Discussion arose regarding the purpose of the policy. Was the policy to be used to remove active effort from the fishery or was it intended to be an economic efficiency measure? Some members indicated that an amalgamation should result in a reduction of active effort. All members of the TSFMAC agreed that a consistent policy was required.

<p>Recommendation: TSFMAC recommend that the PZJA AGREE to extend the moratorium on licence amalgamations until the latent effort process is complete and consultation on the amalgamation policy goes through the normal cycle, which ever is later.</p>
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No date was set for the next meeting of the TSFMAC however participants would be advised with plenty of notice once a timetable was established.

The meeting was closed at 6:00 pm by the chair.