

TORRES STRAIT PRAWN MANAGEMENT ADVSIORY COMMITTEE	Meeting No. 2 19-20 September 2006
MANAGEMENT PLAN	Agenda Item No. 5

THE TSPMAC RECOMMENDS

That the PZJA **AGREES** that the draft Management Plan be provided to the Office of Legislative Drafting (OLD) as drafting instructions in order to produce a draft Management Plan that can be used for wider consultation and provide the basis of a Regulatory Impact Statement (RIS).

BACKGROUND

At the June 2006 TSPMAC meeting members were presented with a preliminary draft of the proposed TSP Management Plan. Members discussed the draft document at length and made several suggestions for recommended changes. The Committee also agreed that a small working group be set up to progress the draft Management Plan out-of-session. The working group was tasked with expanding the “measures by which objectives are to be attained” and the “performance criteria/indicators to assess measures taken” sections of the draft plan. The aim was to complete the work via email/phone conference as much as possible with a second draft of the Management Plan considered by the MAC out-of-session.

DISCUSSION

The working group conducted two teleconferences to discuss the draft management plan, on 24 July and 31 August 2006. The working group progressed the following sections of the draft Management Plan:

Section 5 – “Objectives”: The objectives for management of the fishery that were developed and discussed at the TSPMAC 1 meeting were further refined by the working group. The wording of a number of the objectives was modified to better reflect what the working group believed to be the intent of the objectives. There were no issues that the working group felt needed to be referred back to the TSPMAC for resolution.

Section 6 – “Measures by which objectives are to be obtained”: The working group discussed and refined this section to reflect the objectives for the plan. There were no issues that the working group felt needed to be referred back to the TSPMAC for resolution.

Section 7 – “Performance criteria/indicators to assess measures taken”: The working group further discussed and refined this section in terms of the discussions held on objectives and measures. There were no issues that the working group felt needed to be referred back to the TSPMAC for resolution.

Section 11 – “Who may fish in the fishery”: the working group discussed minimum holding of units for the right to fish in the fishery, as is currently the case with holding a minimum number of days. The working group could see benefits in maintaining a requirement for minimum holding of units under the plan, and referred the matter to the TSPMAC for consideration. It was the view of the working group that by retaining the

minimum holding requirement the size of the fleet may in time reduce and the fishery would as a whole become more profitable, in line with objective (7) of the Management Plan. Consideration by the TSPMAC on this issue is required.

Section 13 – “Fishing Methods”: The working group agreed that all issues relating to method of fishing (such as restrictions on size of boats and gear) and requirements for the use of BRDs and TEDs that are currently set out in Fisheries Management Notices (FMNs) should be detailed in this section of the Management Plan. A review of FMNs, PZJA decisions and policies will be conducted to ensure that all issues are included. Agreement from the TSPMAC is required on this.

Section 15 – “Grant of Licences”: Under the *Torres Strait Fisheries Act 1984*, licences may be granted for a five year period. The working group discussed if there was any benefit in having licences issued on a longer term basis, noting that levies need to be calculated annually and the current system of annual licensing has worked well in the fishery. Some further advice will be provided to the TSPMAC about this issue from an operational (licensing) and industry point of view.

Section 17 – “Other obligations of licence holders”: The working group recommended that an additional subsection be included discussing the species listed in schedule 2 (target and bycatch species) and specifying any limits that apply to these species (such as bugs - FMN 56). The limits that apply would be specified in an additional schedule to the Management Plan.

Section 24 – “Reference Points”: The TSPMAC will need to discuss the reference points for the fishery that are appropriate for ecological sustainability of the fishery and maximise the sustainable harvest of the target species. Consideration of limit and target reference points by the TSPMAC needs to be done with the objectives of the Management Plan in mind.

Section 25 – “Determination of total allowable effort (TAE)”: the working group considered that annual setting of the TAE is not necessary, and that a review of the TAE through the stock assessment process every second year would be adequate. The TAE would then be set at the level recommended for the next two seasons (ie: a TAE of 9,200 days for 2007 & 2008). The timing of the setting of the TAE would need to be considered to take into consideration bilateral negotiations with PNG, and the levy and licensing process.

Section 26 – “Amendment of total allowable effort”: the working group discussed this and while we could not see there being any likelihood of requiring a change in the TAE after the start of a fishing season, that a clause should be included in the plan to allow a change in the event of an emergency situation. The TSPMAC should consider if the wording of this section is adequate to allow the PZJA to amend the TAE if required.

Section 28 – “Allocation of units”: the working group recommended that the formula for determining the fishing days associated with units. This will be $\text{Fishing capacity} = \text{TAE/Units (9200)}$.

Section 29 – “Consultation”: Consultation is not mandatory under the TSF Act. However, in accordance with Section 13 of the Act, the Minister may seek the views of the traditional inhabitants on the Joint Advisory Council established under Article 19 of the Torres Strait Treaty on any matter relating to the administration of this Act that may affect the interests of traditional inhabitants. The TSPMAC needs to consider if this should be made more definitive under the Management Plan.

PNG Access/Trust Units – the working group discussed how PNG operators would be issued units to operate in the fishery if endorsed to fish in the Australian part of the Treaty area following the bilateral meetings each year. As leasing of units will not be allowed at this stage under the plan, it was decided that a separate section would be required specifying that the PNG trust units could be temporarily transferred to endorsed PNG operators for a single season, with those units returned to the Australian Government at the end of that season. This section of the plan will also need to specify the requirements of PNG operators accessing the fishery (i.e. they will have to comply with all requirements set out in the Management Plan). Preferential entitlement will also be discussed in this section, and will need to be updated as a result of discussions at this meeting and the following bilateral talks with PNG.