

TORRES STRAIT PRAWN MANAGEMENT ADVISORY COMMITTEE	Meeting No. 5 4-5 December, 2007
Meeting Administration: Disclosure of interests	Agenda Item No. 1.1

RECOMMENDATION

1.1 The TSPMAC **NOTES** the requirements for Disclosure of Interests by TSPMAC members as set out in Fisheries Management Paper No.1.

BACKGROUND

At PZJA 18, in July 2005, the PZJA agreed to the operation and administration of the Torres Strait Fisheries MAC and Working Groups as set out in Fisheries Management Paper No. 1. The following are the relevant sections taken directly from FMP No.1.

Disclosure of interests

Types of interests

TSPMAC and Working Group Members are appointed to provide input based on their knowledge and expertise and as a consequence, it is inevitable that Members may face potential or direct conflicts of interest. There may be a conflict of interest where a Member:

- (a) has a material personal interest, including a direct or indirect financial or economic interest, in a matter being considered, or about to be considered, by the MAC or Working Group, and
- (b) the interest could conflict with the proper performance of the Member's duties in relation to the consideration of the matter.

There may often be a level of general conflict simply because TSPMAC or Working Group Members come from areas of the industry that may be affected as a result of a recommendation. For example, Industry Members may be participants in the fishery, TS Regional Authority Members may represent the geographical region under discussion or Research Members may face a conflict related to a research proposal. To assist in identifying areas of potential conflict, the MAC or Working Group may consider it appropriate to maintain registers of Members' interests that could possibly lead to conflicts.

Of greater concern is the specific conflict created where a Member is in a position to derive direct benefit from a MAC or Working Group recommendation if it is subsequently implemented. In either case, members should recognise the potential for conflict to occur and its possible impact on the operations of the Committee.

Declaring an interest

When a TSPMAC or Working Group Member recognises that a real or potential conflict of interest exists, the conflict must be disclosed as soon as possible to other Members.

Where this relates to an issue on the agenda of a MAC or Working Group meeting this disclosure can normally wait until that meeting, but where the conflict relates to decisions already made, Members must be informed immediately. If there is any doubt, a specific conflict of interest and its nature should be declared and recognized in the discussions of the MAC or Working Group and recorded in the Minutes of the meeting.

Dealing with an interest

To facilitate the smooth operation of TSPMAC and Working Group meetings, it is suggested that conflicts of interest are dealt with at the start of each meeting. Members receive agenda and associated papers prior to the meeting and should be able to make disclosures of potential conflicts of interest and their nature (including, for example, the type and quantity of fishing concessions held by Industry Members) at the commencement of meetings.

Where it is determined that a direct conflict of interest exists, the MAC or Working Group may allow the Member to continue to participate in the discussions relating to the matter but not in any decision making process. The Member or the Committee may also determine that, having made his/her contribution to the discussions, the Member should retire from the meeting for the remainder of discussions on that issue.

As a guide, Members with a direct conflict of interest should only be excluded from decision making if the matter being considered only affects the individual Member rather than all persons involved in the fishery.

Finally, the Chair must ensure that the Minutes of the meeting show the disclosure of interest, reflect the MAC or Working Group's subsequent decision(s) and demonstrate that these are put into effect at the appropriate point in the meeting. If Members become aware of a potential conflict of interest during the course of the meeting, they must immediately disclose the conflict of interest and the MAC or Working Group must consider how best to deal with the disclosure at that point.

The practice of disclosing all interests in relation to MAC activities is standard practice in other Australian Fisheries Management Advisory Committee's.

DISCUSSION

TSPMAC Members who recognise that a real or potential conflict of interest exists both in general terms and also specifically to the TSPMAC#5 meeting agenda, the conflict must be disclosed at the start of the meeting. Where the conflict relates to decisions already made at previous TSPMAC meetings, members of the TSPMAC must be informed immediately. If there is any doubt, a specific conflict of interest and its nature should be declared and recognized in the discussions of the MAC and recorded in the Minutes of the meeting.

TORRES STRAIT PRAWN MANAGEMENT ADVISORY COMMITTEE	Meeting No. 5 4-5 December, 2007
Meeting Administration: Ratification of TSPMAC#4 meeting record	Agenda Item No. 1.2

RECOMMENDATIONS

1.2 The TSPMAC **AGREES** to adopt the minutes from the June 14-15, 2007 TSPMAC meeting.

BACKGROUND

Minutes of the June 14-15, 2007 TSPMAC meeting were distributed to members on the 16th of July, 2007, with comments sought by 14 August, 2007. An amended version was distributed to members on November 22, 2007.

DISCUSSION

Comments were received by a number of members on the draft minutes. Changes have been made as required and the revised version is set out at Attachment 1.2A for approval by the TSPMAC.

Torres Strait Prawn Management Advisory Committee, Meeting No. 4
14 June 2007
Joseph Conrad Room, the Pacific International Hotel, Cairns

Attendance

The following members and observers were in attendance at the Torres Strait Prawn Management Advisory Committee (TSPMAC) meeting:

Members

Chair	- Mr. Jim Gillespie (QDPI&F)
CFG	- Mr. Lota Warria (Yorke Island)
CFG	- Mr. Charles David (Yam Island)
Industry	- Mr. Mark Millward (TSPEHA)
Industry	- Mr. Rob Giddens (TSPEHA)
Industry	- Mr. Barry Wilson (TSPEHA)
QDPI&F	- Mr. Shane Gaddes
AFMA	- Dr. David Wilson
AFMA	- Mr. Andy Bodsworth
TSRA	- Dr. Marcus Finn
Research	- Mr. Clive Turnbull (QDPI&F)
Executive Officer	- Mr. Denis Snowdon (Executive Officer / AFMA)

Permanent Observers

DAFF	- Mr. Stan Lui
NFA	- Mr. Augustine Mobiha
NFA	- Mr Phillip Polon
NFA	- Mr Lester Baule

Observers

Mr. Bob Murphy (DAFF)
Mr. James Woodhams (BRS)
Mr. Andrew Thwaites (QDPI&F)
Ms. Carissa Fairweather (QDPI&F)
Mr. Barry Ehrke (QDPI&F)

Opening

The Chair opened the meeting at 08:40 hrs, welcoming all attendees.

Apologies

The Chair called for apologies. Apologies were received from Mr. Toshie Nakata (TSRA), Mr. Ken Bedford (CFG – Darnley Island), Ms. Rosemary Millward (TSPEHA) and Mr. Bob Robbins (Industry).

Adoption of meeting agenda

The agenda was adopted. The members were advised that item 12.2 from the draft agenda had been removed and replaced by item 12.3 of the draft agenda. The Chair

acknowledged that Mr. Murphy was only available until mid afternoon on the 14th of June and as such the order of the meeting would remain flexible to include Mr. Murphy in discussions that required high level input from DAFF.

1. Ratification of record of previous TSPMAC meeting (February 2007)

Dr. Wilson spoke to this item and advised that the draft minutes of the February 2007 TSPMAC meeting had been forwarded to attendees of the meeting for comment on the 22nd of March 2007. Comments received were incorporated into the finalised minutes included as Attachment 1A.

The Chair called for any further comments in regard to the minutes of the February 2007 meeting. The following additional comments were received:

- Mr. Giddins requested that industry's request for structural adjustment of the 31.8% reduction in effort at the end of the 2005 fishing season be added into the final paragraph of item 4.1 of the minutes from the previous meeting. Mr Giddins added that the industry members had requested the MAC's support for this adjustment.

The members agreed that once this comment was added, the minutes would be a true account of the February 2006 meeting.

2. Actions and/or business arising from previous TSPMAC meetings

Mr. Snowdon spoke to this item providing advice on the status of each item listed in Tables 2 and 3.

Table 1: Progress on action items from TSPMAC meeting 3, 17 February 2007

	Action	Responsibility	Date item added	Status
1.	DAFF to provide advice on how 263 ("overbought") days will be distributed.	DAFF	TSPMAC 3 – 17 February 2007	Not complete – Mr. Murphy advised that he was not able to comment on this item at this point in time and that he would take the query on notice.
2.	AFMA to investigate whether there will be any closure problems, similar to the issue in regard to the Burke Island closure, in the fishery.	AFMA	TSPMAC 3 – 17 February 2007	Complete – Dr. Finn advised that the issue in respect to a closure at Burke Island (Item two), may have arisen as a result of a misunderstanding of a proposal from the CFG representatives at the last meeting. The CFG representatives and Industry discussed this later in the meeting and the misunderstanding was resolved.
3.	An additional column needs to be added to the action arising table, to show when the item was actioned.	AFMA	TSPMAC 3 – 17 February 2007	Complete – following TSPMAC 3 – ongoing action item.
4.	2007 Handbook to be completed by 21 February 2007. Once completed copies are to be sent to the Northern Fisheries Centre and industry will distribute them. A CD version is to be included with the hard copies.	AFMA	TSPMAC 3 – 17 February 2007	Complete – following TSPMAC 3 – ongoing action item; target date for handbooks to be distributed to industry will be the 21 st February each year.
5.	Compile, as time permits, a document detailing the relevant PZJA decisions in regard to the prawn fishery.	AFMA	TSPMAC 3 – 17 February 2007	Not complete/ongoing – This item has been started, but is not yet completed. Verbal presentation will be given at TSPMAC 5.
6.	Investigate the cost of	AFMA	TSPMAC 3 – 17	Complete – external drafter has been hired and is

	hiring an OLD approved drafter and the source of funding to draft the management plan.		February 2007	currently drafting the plan
7.	The management plan working group is to meet via teleconference to discuss the final draft of the proposed management plan before it is forwarded for legislative drafting.	AFMA / Management Plan Working Group	TSPMAC 3 – 17 February 2007	Complete – The PZJA agreed at its 20 th (25-26 October 2006) meeting that the draft management plan should be provided to OLDP subject to further revision in light of TSPEHA comments in relation to performance indicator/criteria. Changes to the performance indicator/criteria section of the Plan were made and forwarded to the working group on 5 June, 23 July and 23 August for comment.
8.	Mr. Clive Turnbull to review the fishing power analysis as soon as possible.	Clive Turnbull	TSPMAC 3 – 17 February 2007	Complete – Mr. Turnbull noted that the best effort was made to ensure that the power analysis was accurate and he commented that he wasn't exactly sure what the action was. The industry members advised that they were concerned that the power analysis did not totally reflect the history of vessels in the fishery. Industry's concerns were noted and will be considered in any future analysis.
9.	Ms. Huber to immediately contact DAFF and advise the Department of industry's position. DAFF to advise the US of industry's position in regard to the floatation requirements for TEDs.	Dorothea Huber & DAFF	TSPMAC 3 – 17 February 2007	Complete
10.	Government agencies to provide a history of the management costs and an explanation of the rising management costs with	AFMA / QDPI&F	TSPMAC 3 – 17 February 2007	Complete – presented at TSPMAC 4.

	respect to the fleet reduction of 25% by TSPMAC 4.			
11.	Industry to provide any further comments on the PNG conditions directly to DAFF.	Industry	TSPMAC 3 – 17 February 2007	<p>Ongoing – Industry to provide any further comments on the PNG conditions directly to DAFF.</p> <p>PNG conditions were sent to industry members for comments. DAFF considered industry comments and sent proposed changes to the conditions to PNG for consideration. PNG then responded to these comments. A record of this correspondence is shown below.</p> <p>Industry proposed changes to; <u>Condition 13 – 24 hour notice contact</u> Industry seeks to clarify the current individual contact person and request an additional satellite phone contact be included in the details in cases of emergency.</p> <p>Information was provided in response to this question in TSPMAC 4 paper 8.1.</p> <p><u>Condition 17 – PNG Observers</u></p> <p>Industry seeks clarification about whether exemptions could be provided to the 100% requirement for PNG observers.</p> <p>Information was provided in response to this question in TSPMAC 4 paper 8.1.</p> <p><u>Condition 20 – PNG jurisdiction prohibited trawl area's</u></p>

				<p>Industry have expressed concerns that the area's prohibited to trawl (within 3 miles of any land, island or declared reef) will only allow fishing in a very limited area.</p> <p>A response was provided to this question in paper 8.1 at TSPMAC 4.</p>
12.	The relevant Australian Government agencies are to specify the conditions of re-entry into Australian waters after fishing in PNG waters and the conditions of endorsement. This information is to be relayed to industry via the TSP Handbook – 2007 and a letter to the endorsed operators.	DAFF to co-ordinate conditions and letter / AFMA to amend Handbook.	TSPMAC 3 – 17 February 2007	<p>Complete – an update was provided at TSPMAC meeting 4, paper 8.2.</p> <p>As this is a first time event of this nature all the Acts that apply to the various Departments involved need to be cross referenced to clarify similarities and differences. We are making progress but at this stage it is very complicated. Once DAFF has all the information they intend to create a package that will be presented to Industry. At this stage it will be premature.</p>
13.	DAFF to clarify what happens to PNG nights if licenses are transferred and provide details of what happens if one of the seven nominated boats successful in the Expression of Interest process decides not to take up the PNG nights assigned to them.	DAFF	TSPMAC 3 – 17 February 2007	<p>Complete – A verbal update of this item was provided at TSPMAC 4.</p> <p>PNG nights are currently allocated annually. They cannot be traded or leased at this point as PNG are unable gain financially from the transaction. Consequently any nights that are not used by a cross endorsed vessel will be lost for that season.</p>
14.	AFMA and/or DAFF to	AFMA/DAFF	TSPMAC 3 – 17	Complete – A verbal update of this item was

	check if research funds for the genetic testing of PNG prawns for the scientific submission is available.		February 2007	provided at TSPMAC 4. DAFF and Industry have applied to Biosecurity Australia to consider the prawns the TSPZ one stock. All indications towards a single stock are positive and therefore it is possible that genetic testing will not be required.
15.	Ascertain if DAFF could co-ordinate the scientific submission that is to be put to AQIS.	DAFF	TSPMAC 3 – 17 February 2007	Complete – Mr. Turnbull commented that an initial submission had been made to Biosecurity Australia in regard to prawns caught in PNG waters of the TSPF and that QDPI&F and DAFF are waiting on a response to the initial submission.
16.	Jenny Ovenden to be contacted to find out what form the samples need to be in and how soon she could run the genetic tests.	QDPI&F	TSPMAC 3 – 17 February 2007	Complete – sample were collected by Mr. Clive Turnbull following meeting 3. Genetics have not yet been tested however the surveys may now progress without the genetic information.
17.	Clive Turnbull to be contacted to collect samples for the tests during his current survey.	QDPI&F	TSPMAC 3 – 17 February 2007	Complete – Mr. Turnbull advised that samples had been collected from the PNG area of the TSPF and that they were currently being held in storage awaiting a decision as to whether testing is required.
18.	Add Rob Giddens' contact details to the List of Contacts in the 2007 Prawn Handbook. Responsibility - AFMA	AFMA	TSPMAC 3 – 17 February 2007	Complete – following TSPMAC 3.
19.	AFMA to seek an explanation from the observer program as to why only 6 shots were observed during the first two trips of the 2006	AFMA	TSPMAC 3 – 17 February 2007	Complete – Dr. Wilson presented a response at TSPMAC 4, in paper 7.1.

	program.			
20.	Advise the observer program of the error in the heading in the last column of Table 2 in the 2006 report.	AFMA	TSPMAC 3 – 17 February 2007	Complete - following TSPMAC 3.
21.	Seek advice from the AFMA Observer and Environment Sections as to what level of coverage is required in the TSPF.	AFMA	TSPMAC 3 – 17 February 2007	Complete – no specific level of observer coverage is required under the Strategic Assessment or the Bycatch Action Plan for the TSPF. It was suggested that a set percentage level of Observer coverage could be included in the management plan. The TSPMAC agreed that the level of observer coverage for the 2008 season should be reviewed and that the level of observer coverage should also be reviewed as part of the 2008 Strategic Assessment review.
22.	Seek advice from the observer program as to whether different boats are being used each season.	AFMA	TSPMAC 3 – 17 February 2007	Complete – Dr. Wilson presented this information at TSPMAC 4 in paper 7.1 confirming that different boats are used each season for the observer program.
23.	AFMA to send the TSSAC revised Terms of Reference and proposed membership to TSPMAC members.	AFMA	TSPMAC 3 – 17 February 2007	Not Complete – The TOR were not yet available. A verbal response will be made regarding this action item at TSPMAC 4.
24.	Advise the PZJA that the prawn industry recommend that the industry position on TSSAC be filled by someone from the prawn industry and that if this is	AFMA	TSPMAC 3 – 17 February 2007	Pending – The PZJA agreed to an independent industry member being appointed to the SAC. A letter to the agency undertaking the recruitment process for the TSSAC has been drafted and will be sent once the TSSAC positions are advertised. The correspondence will be Cc'ed to the PZJA.

	not possible that the prawn industry request that a representative from the prawn industry be able to attend the TSSAC as an observer.			
25.	Seek advice from the AFMA Environment Section in regard to the items given a level 4 categorisation and to query what the effect is if items are given the wrong rating in the level 1 assessment.	AFMA	TSPMAC 3 – 17 February 2007	Complete – a verbal response to this item will be provided at item 6; TSPMAC should not be too concerned at this stage and that the TSPMAC should scrutinize the residual risk results once they have been completed.
26.	TSPEHA to advise the TSPMAC Executive Officer out-of-session of the timing and participation of the Spencer Gulf trip.	TSPEHA	TSPMAC 3 – 17 February 2007	Not complete – no information was provided to the TSPMAC executive officer.
27.	Approach FRDC to see if funding is available to fund another two BRD workshops in Brisbane and Cairns.	AFMA	TSPMAC 3 – 17 February 2007	Incomplete – To be applied for in the 2007/2008 financial year.

Table 2: Summary of ongoing and incomplete actions carried forward from previous minutes

No.	Action	Action Officer / Agency	Date item was added	Status
1.	Mr Turnbull to provide words on setting reference points to go into the draft	Clive Turnbull	TSPMAC 2 – 19&20	Complete – a verbal presentation will be given at item 4.2 of TSPMAC 4.

	management plan.		September 2006	
2.	AFMA to discuss with the OLDP the wording of Section 29(6), to ensure that the period of TAE amendment can be longer than two months in the event of an emergency situation that requires a longer period of amendment.	AFMA	TSPMAC 2 – 19&20 September 2006	Ongoing – as part of management plan drafting.
3.	<ul style="list-style-type: none"> AFMA to advise in the 2007 handbook that recreational fishing is allowed on vessels. AFMA is to advise/clarify this with compliance officers. 	AFMA	TSPMAC 2 – 19&20 September 2006	Ongoing – This will be clarified in the 2008 handbook.
4.	DAFF to co-ordinate trip to Spencer Gulf and provide details of costings and funding available.	DAFF	TSPMAC 2 – 19&20 September 2006	Ongoing.
5.	Draft a summary of the historic management arrangements in the Torres Prawn fishery.	QDPI&F / AFMA / DAFF	TSPMAC 1 – 13&14 June 2006	Ongoing – Commenced by AFMA but not yet completed.
6.	Undertake an audit of Fishery Management Notices and PZJA decisions for consideration during the drafting of the Management Plan.	DAFF / AFMA	TSPMAC 1 – 13&14 June 2006	Ongoing – Commenced by AFMA but not yet completed.
7.	That the working group formed to progress the management plan models certain scenarios for the rounding up or down of days and reports back to the MAC.	Shane Gaddes & Working Group	TSPMAC 1 – 13&14 June 2006	Ongoing – Commenced, but awaiting finalization of draft plan.
8.	That the consideration of a spatial management system be considered at a future MAC meeting. Consideration will be given to the revised stock assessment with a view to increasing the Total Allowable Effort	MAC	TSPMAC 1 – 13&14 June 2006	Ongoing.

	in the fishery.			
9.	Quarterly updates on the progress of the research plan are provided to the MAC.	Stephen Colquitt	TSPMAC 1 – 13&14 June 2006	Ongoing.
10.	a) AFMA and DPI&F to liase and jointly provide future budget information for comment prior to the budget being finalized. b) DPI&F managers to discuss QDPIF budget issues with Industry members	AFMA / DPI&F Shane Gaddes, Dan Currey, Jim Gillespie	TSPMAC 1 – 13&14 June 2006	Ongoing.

DRAFT

In regard to item one, Mr Murphy advised that he was not able to comment on this item at this point in time and that he would take the query on notice.

Dr Finn advised that the issue in respect to a closure at Burke Island (Item two), may have arisen as a result of a misunderstanding of a proposal from the CFG representatives at the last meeting. The CFG representatives and Industry discussed this later in the meeting and the misunderstanding was resolved.

Mr Turnbull advised that in regard to item 8, the best effort was made to ensure that the power analysis was accurate and he commented that he wasn't exactly sure what the action was. The industry members advised that they were concerned that the power analysis did not totally reflect the history of vessels in the fishery.

Mr Turnbull then spoke in regard to items 15, 16 and 17. Mr Turnbull advised that samples had been collected from the PNG area of the TSPF and that they were currently being held in storage awaiting a decision as to whether testing is required. Mr Turnbull added that an initial submission had been made to Biosecurity Australia in regard to prawns caught in PNG waters of the TSPF and that QDPI&F and DAFF are waiting on a response to the initial submission.

Mr Giddins advised that his surname had been incorrectly spelt in the 2007 Prawn Handbook. Mr Snowden undertook to rectify this error in the 2008 Prawn Handbook.

In regard to item 27, Mr Snowden advised that the dates for making submissions to the FRDC for 2006/2007 had passed prior to the 3rd meeting of the TSPMAC and AFMA will endeavour to prepare a submission for a bycatch workshop for 2007/2008. Mr Snowden also advised that a one day workshop is planned to be held in Darwin in July 2007 and that the outcomes of the workshop held in Cairns in November 2006 would be available soon.

Mr Snowden advised that a section of the Prawn Handbook that was meant to discuss recreational fishing had not been deliberately omitted and asked whether it was appropriate to write a letter to all entitlement holders outlining the rules for recreational fishing. It was agreed that this omission could be rectified in the 2008 Prawn Handbook.

The TSPMAC noted the information provided regarding the action items from previous TSPMAC meetings.

3. 2007 season update

Dr Wilson spoke to this item asking members to provide an update on how the 2007 season is going. As a guideline Dr Wilson requested that members provide details of the catch rates, product quality, bycatch rates and economic variables within the fishery.

Mr Giddins commented that in terms of catch rates it has been one of the best seasons; however the quality of prawn is not as good as in previous seasons. For periods of up to a month there seems to be predominantly 'loose headed' prawns in the catch, and then after a month the quality will change. It is something that Mr Giddins has not experienced before. Mr Giddins added that there are a number of economic issues affecting the fishery. These include high fuel prices, low prawn prices, competition from imported

vannamei prawns and competition in export markets from vannamei producing countries and the aquaculture industry in Argentina. Mr Giddins mentioned that he has had one of his best seasons in many years, however he is keeping a large proportion of his catch in storage in the hope that prawn prices will improve. It was also mentioned by Mr Giddins and the CFG representatives that the predominant South Easterly winds had arrived later than usual this year.

Mr Giddins then spoke about issues in regard to infrastructure in the fishery. Due to the economic pressures of the fishery, vessels have been leaving the fishery earlier than usual. This has resulted in a decrease in the number of flights to and from Yorke Island. This affects fishers as they are not able to offload catch in a quick manner and that they have longer waits for parts in the event of breakdowns or gear loss. There is also a risk that one of the two motherships operating in the fishery will soon stop its services to the Torres Straits, which would give the other operator a monopoly and it is thought the prices of the motherships services will then increase.

The question was then raised as to what contribution the other fisheries have in respect to the maintaining the viability of these services. The industry members advised that 95% of the mothership and flight services would be related to the prawn fishery.

The TSPMAC noted the update provided in respect to the 2007 season for the prawn fishery.

4. Management plan

4.1 Update on progress

Dr Wilson spoke to this item, advising that AFMA had contacted the Office of Legislative Drafting and Publishing (OLDP) to get an estimate of the cost and time frame for the legislative drafting of the management plan. OLDP advised that their cost would be approximately \$50,000 and it would take up to six months for OLDP to complete the legislative drafting of the management plan. After receiving this advice AFMA contacted a number of external legal drafters and identified a drafter that can complete the legislative draft for between \$24,000 and \$30,000 within a timeframe of approximately four to six weeks and could begin the drafting of the management plan in July 2007.

Mr Giddins then queried who usually pays for these costs. Mr Bodsworth advised that it is usually industry. Mr Bodsworth added that it is AFMA's view that it is cheaper and more efficient to use the external drafter identified. Mr Giddins asked whether there is an avenue for Government to pay the costs of drafting, as industries costs have been constantly increasing. Mr Bodsworth advised that it is AFMA's policy that the drafting costs are recovered from industry; however Mr Bodsworth agreed to investigate other avenues for paying the costs for the drafting of the management plan.

ACTION 1: AFMA to identify whether Government can pay the total cost or subsidise the cost for hiring an external drafter for the drafting of the management plan.

Mr Bodsworth added that the TSPMAC has to know what it wants the management plan to achieve.

The question was raised as to whether OLDP do a quality assurance of the draft produced by the external drafter.

Mr Bodsworth advised that if an external drafter is contracted for the prawn management plan, the final plan produced by the drafter does not need to be reviewed by OLDP. Once the external drafter has finished the management plan it can be submitted to Parliament.

Mr David then queried whether a one off draft would be produced for the management plan for the Tropical Rock Lobster (TRL) fishery. Mr Bodsworth advised that the process for the TRL management plan would be as efficient as possible.

The discussion then focused on the objectives, strategies and performance measures for the management plan included as Attachment 4.1A. Dr Wilson advised that AFMA were still awaiting comments on the objectives, strategies and performance measures from the Management Plan Working Group. Mr Gaddes added that he had asked the QDPI&F Assessment and Monitoring group to review attachment 4.1A, as they have considerable experience in drafting management plan objectives of this nature.

Dr Wilson added that the objectives, strategies and performance measures have been drawn from similar plans and requested conceptual comments. Mr Bodsworth thought they could perhaps be cut back a little to more targeted outcomes.

The TSPMAC noted the update provided in respect to the progress of the Management Plan.

The TSPMAC agreed to contract the OLDP approved external drafter identified by AFMA legal, to draft the TSPF management plan.

The TSPMAC agreed to pursue all avenues to subsidise the cost of drafting the management plan.

4.2 Reference points for inclusion in the management plan

Mr Gaddes spoke to this item, discussing the harvest strategies for Australian Commonwealth fisheries which will be designed to produce maximum economic yield (MEY). He added that while the MAC was not bound by the actions of the other Commonwealth fisheries, it was appropriate that a harvest strategy be developed for this fishery. The reference points for the fishery could have two trigger/reference points. The first of the reference points would be developed with the aim of reducing fishing effort to improve the biomass before it gets to a critically low level. The second trigger point would be set lower than the first and if the second trigger (limit) point were reached then fishing could/would be totally restricted until the biomass of the fishery had recovered. The trigger points that had previously been briefly discussed at TSPMAC2 were 40% of biomass (trigger point one) and 20% of biomass (trigger point two).

Mr Giddins felt that the Total Fishing Costs line in Figure 2 of agenda item 4.2 was incorrect, as this line would vary between fishing operators.

Mr Gaddes added that fishing at maximum sustainable yield (as would be currently the case for the TSPF if all available nights were used) means that fishers catch more but

profitability would be reduced. However if management is done based on MEY catch would be less but profitability higher. The members discussed the ability, under a strict harvest strategy, to increase the TAE if the stock size is above the target biomass and allow fishing of the available stock down to the target levels. Under this type of model stock assessments would need to be done regularly or the fishery would be spatially managed. Once the stock has been depleted to the limit reference point then fishing is stopped.

Mr Millward felt that the limit reference point would not be necessary as industry would not fish between the biomass levels of 0.2 and 0.4 as it would not be economically viable to do so.

Mr Gaddes then discussed Figure 3. Whilst the biomass is in the green portion there is a lot of flexibility in terms of how the stock is fished. As the biomass shifts from the green portion to the red portion the risks increase and the options for how the stock is fished decreases. The F_{Target} is achievable when all elements of the fishery are equal.

The current harvest strategy policy is to set biomass level at 1.2 which sets the first reference point at 50% of virgin biomass.

Based on the science currently available the level of effort to reach F_{Target} would be approximately 6,000 nights. Mr Gaddes advised that this would need to be checked with Mick O'Neill.

Mr Gaddes suggested that B_{LIM} be set at 20% virgin biomass, that B_{TARG} be set at 1.2 B_{MSY} and that F_{LIM} be set at 9,200 nights.

Mr Giddins queried whether agreeing that F_{LIM} be set at 9,200 nights would lock it into the management plan. Mr Gaddes suggested that the methods for setting the reference points could possibly sit outside of the management plan.

Mr Bodsworth suggested that for this fishery biological reference points could be used rather than bioeconomic points. Industry advised that they would like the opportunity to talk through the setting of reference points based on the methods presented with Mr Turnbull out-of-session.

Mr Bodsworth felt that a harvest strategy was a very important issue and that the MAC should not agree to these proposals today, but rather use these discussions as the basis for further consideration on the issue.

The TSPMAC agreed that the setting of reference points should be discussed further and recommended that the PZJA notes that the TSPMAC have discussed the setting of reference points based on the harvest strategies policy and will be further evaluating it.

ACTION 2: DPI&F and AFMA to further identify options for the setting of reference points in the TSP as part of an overall harvest strategy.

5. Research – Torres Strait prawn research program: Progress report

Mr Turnbull spoke to this item advising that the research surveys had begun in May 2007 and that there is currently \$29,000 of the research funds for the 2006/2007 financial year

that is yet to be committed. Mr Murphy advised that DAFF is happy to commit these funds; however a proposal needs to be put to DAFF prior to the end of the current financial year.

Mr Turnbull then advised that the modeler position that is part of the research program had been advertised and that there is still an opportunity for industry to be involved in the recruitment process for this position. Mr Turnbull also advised that surveys in PNG waters were being conducted as part of the research program on a fee for service basis.

Mr Turnbull then made a presentation on the surveys conducted in May 2007 and opened the floor to questions.

Mr Giddins questioned whether there is scope to conduct surveys in some areas within the fishery that were blank and in areas east of Warrior reef. Mr Turnbull advised that these areas didn't look as though they would be productive areas, however he can review the sites surveyed as part of the process. Mr Turnbull added that some of the areas discussed were part of the Long Term Monitoring Program and that this research work was primarily focusing resources on the alternative management plan proposals.

Mr Turnbull advised that there was also some bycatch monitoring being done as part of this program, such as monitoring of interactions with Threatened, Endangered and Protected bycatch and of incidental capture of Tropical Rock Lobster.

Mr Mobiha commented that this work was valuable and that PNG will provide funding where possible.

Mr David asked whether there was scope for islanders to participate in these research surveys. Mr Turnbull advised that islanders could accompany the QDPI&F staff as appropriate. The chair also advised that there may be an opportunity for some public relations work with some of the islands, by the QDPI&F staff giving talks at schools.

6. Environment – Ecological Risk Assessment

Mr Bodsworth spoke to this item providing a brief background on the Ecological Risk Assessment (ERA) process. Mr Bodsworth advised that following the Level 1 assessment a number of fisheries had found that some impact scores had been higher than expected as the management strategies used to mitigate the risk of an event occurring had not been incorporated. Mr Bodsworth added that the management strategies will be applied as part of the process to determine what the residual risk will be. There is currently three case studies being undertaken on applying management strategies to determine the residual risk of an event occurring. One of these case studies is being conducted on the Northern Prawn Fishery. Mr Bodsworth advised that the TSPMAC should not be too concerned at this stage and that the TSPMAC should scrutinize the residual risk results once they have been completed.

The TSPMAC noted the update provided on the ERA project and the status and timeframe for the TSPF ERA.

7. Observer program

7.1 2007 program update

Dr Wilson spoke to this item and provided an update of the activities of the Observer Program to date. Dr Wilson then asked for comments on how the program was working this season.

Mr Millward suggested that Attachment 7.1A should also show the percentage of coverage of the actual nights fished to date.

Mr Giddins commented that he had had an observer on his vessel this season and that he had quite a number of problems. Mr Giddins provided the following comments in regard to the observer that had been aboard his vessel:

- He was not given enough notice that the observer was going to be aboard his vessel (Mr Giddins was given approximately one hours notice);
- As a result of insufficient notice, he did not have enough stores on board for the observer and as a result the observer was eating stores that the crew had purchased;
- The observer had flown from Ceduna to Yorke Island over three days and seven flights and the observer had flown through Canberra to pick up a sampling kit. Mr Giddins believes that more local observers should be used and that a sampling kit could be kept at the Northern Fisheries Centre in Cairns;
- Instead of flying directly from Cairns to Yorke Island the observer had flown Cairns-Horn Island-Yorke Island. Mr Giddins advised that by flying Cairns – Yorke Island there is a potential cost saving of approximately \$500;
- The observer had wanted to stay on board Mr Giddins' boat for in excess of four weeks. The observer had said that he wanted to stay on the one vessel to reduce the number of reports they were required to write once their time in the TSPF was over;
- The observer didn't independently estimate the catch rates, instead he obtained this information directly from Mr Giddins;
- The observer was very good at measurements of Threatened, Endangered and Protected species and recording TEP interactions;
- The observer was sick when he boarded the vessel and as a result the entire crew was sick for a period.

Mr Bodsworth commented that the observer program needs to be tailored to meet the requirements of the fishery and encouraged industry members to liaise with the AFMA observer program to resolve some of the issues raised.

ACTION 3: AFMA and Mr Giddins to liaise with the AFMA Observer program to discuss the logistics of how the program operates and develop a dialogue between the industry and the observer program to improve the program.

The Chair questioned what the co-operation was like between the Observer Program and the fisher's. Mr Bodsworth advised that participation is a condition of licence and that the level of coverage is normally risk based and targets events such as TEP species interactions. Furthermore the Observer Program is a process that evolves based on the objectives of the fishery.

The industry members advised that the TSPMAC should be concerned if the Observer Program is not operating at its optimum capacity and that Mr Giddins is the appropriate industry person to contact in regard to any Observer Program related issues.

The TSPMAC noted the activity of the Observer Program in the Torres Strait Prawn Fishery for 2007 to date.

7.2 Level of coverage for 2008 program

Mr Snowdon spoke to this item advising that there was not a specific level of observer coverage required under the Strategic Assessment or the Bycatch Action Plan for the TSPF. However it would be more appropriate to review the level of coverage of the Observer Program as part of the Strategic Assessment review that is due to be conducted in 2008.

Mr Bodsworth advised that AFMA can be flexible and that the level of coverage can be reviewed as the season progresses.

Dr Wilson suggested that a set percentage level of Observer coverage could be included in the management plan. Mr Gaddes agreed and commented that some sort of reference point could be formulated for the observer program coverage.

Dr Finn commented that the TSRA would not like to see the level of observer coverage reduced purely for financial reasons. However the TSRA would support a proportional reduction based on effort in the fishery as one way of achieving a balance between reasonable coverage and cost.

The TSPMAC agreed that the level of observer coverage for the 2008 season should be reviewed and that the level of observer coverage should also be reviewed as part of the 2008 Strategic Assessment review.

8. PNG update

8.1 Update on Australian industry access to the PNG jurisdiction of the Torres Strait Protected Zone

Mr Lui spoke to this item and provided the background to the issues surrounding Australian vessels fishing in PNG waters.

Mr Lui posed the question to the industry members, that given the complicated nature of bringing product back to Australia from PNG waters did they still want to pursue access to PNG waters. Mr Millward responded asking the question as to whether the issues surrounding access are likely to be resolved this year. If they are not, Mr Millward advised that it is ok to progress this issue for the 2008 season and that it is important to have the issues sorted out. Mr Millward advised that industry appreciates the efforts of the Government agencies in regard to this issue.

Mr Mobiha advised that PNG have been happy to negotiate on the conditions of entry into the PNG Torres Strait prawn fishery, however due to the complex nature of the issue it may take longer than originally anticipated.

Mr Giddins commented that given the quarantine hurdles that are being faced it may be pre-emptive at this time to speculate on whether access is achievable.

Mr Murphy advised that he has continued to raise the issue of access to the PNG fishery with Biosecurity Australia (BA), that BA are well aware of the issue and that BA have advised that they will make resources available to hopefully reach a resolution.

The TSPMAC noted that there have been many regulations put in place by Australian and PNG authorities to regulate illegal cross-border activity and address potential biosecurity issues between Australia and PNG. These regulations also apply to Australian operators wishing to conduct legal cross-border activities, such as commercial fishing.

The TSPMAC noted that negotiations to enable Australian operators to access fishing entitlements within the PNG jurisdiction of the TSPZ have been slow but that revised PNG conditions have now been provided.

The TSPMAC recommended that DAFF continue to pursue access to the PNG jurisdiction of the TSPZ for the 2008 fishing season.

8.2 Update on AQIS issues in regard to Australian vessels fishing in Papua New Guinea waters

Mr Lui spoke to this item advising that a submission to Biosecurity Australia had been made in an effort to have prawns caught in the PNG waters of the TSPZ subjected to different import restrictions than that of prawns imported from other countries, based on the belief that the prawns in both PNG and Australian waters of the TSPZ are the same stock.

Industry raised the question as to how PNG and Australian product will need to be separated. Mr Murphy advised that this issue should be looked at a later date, as it the requirements for bringing product from PNG waters of the TSPZ into Australia need to be defined first.

Dr Wilson advised that Customs had been invited to attend the TSPMAC meeting to provide advice on their border security issues; however they were not able to attend. There was then a brief discussion on Customs requirements and it was identified that there boats making landfall in PNG waters will need to meet Customs requirements. The industry members advised that they did not believe that the vessels would make landfall as the closest safe anchorages were in Australian waters.

Mr Murphy advised that fishers will need to be prepared for scrutiny from Customs and that they will be required to meet Customs expectations.

Mr Lui asked for the industry position on how the prawns caught in the PNG area of the TSPZ would be disposed of – on the domestic market or in export markets? The industry members advised that they would want to be able to dispose of prawns in both domestic and export markets.

Mr Murphy advised that the prawns may require export certification from PNG and that prawns caught in the PNG area of the TSPZ will need to meet any imported food requirements. Mr Millward commented that it is possible that the overheads will be too high to make fishing in the PNG waters of the TSPZ profitable, as it seems industry will have to pay additional storage and transportation costs. Mr Murphy added that the process to export prawns caught in the PNG area of the TSPZ is likely to be complicated and it was queried whether a different testing regime could be applied to vessels that already meet the AQIS requirements for exporting Australian prawns by the AQIS Imported Foods program and Food Standards Australia New Zealand (FSANZ). Mr Murphy agreed to meet with the AQIS Imported Foods program in regard to this issue.

ACTION 4: DAFF to meet with the AQIS imported foods program to determine if the testing regime for prawns from PNG waters can be reduced for vessels that have already obtained approval from AQIS to export prawns caught in Australian waters.

Mr David asked why the import restrictions are different for Tropical Rock Lobster. Mr Murphy advised that it was because prawns pose a higher disease risk than lobsters do.

There was then a brief discussion in regard to the offsetting of the PNG nights, by buying the days out and using the money raised for further research. It was agreed that this issue should be discussed at the bilateral discussions between PNG and Australia.

The TSPMAC noted that AQIS has advised that prawns caught in the PNG jurisdiction of the TSPZ will have to be separately documented and be physically identifiable from all other product caught in the Australian jurisdiction and labelled "Product of PNG", regardless of disposal method.

The TSPMAC noted the advice from AQIS and Biosecurity Australia that the disposal (domestic or export market) of the prawns caught in the PNG jurisdiction of the TSPZ may be the critical factor affecting economic feasibility of the proposal for Australian fishers to harvest prawns in the PNG jurisdiction of the TSPZ.

The TSPMAC agreed that access to the PNG jurisdiction of the TSPZ should still be pursued for the 2008 fishing season and that this position should be incorporated into the bilateral discussions with PNG in October 2007.

The TSPMAC noted and agreed with the decision of the industry members that they wish to dispose of prawns caught in the PNG jurisdiction of the TSPZ in both domestic and export markets.

9. Turtle Excluder Devices and Bycatch Reduction Devices

9.1 Update on US export accreditation and US accreditation visit

Mr Lui spoke to this item advising that the US accreditation trip scheduled for March 2007 had not proceeded due to US budget constraints. The US accreditation team subsequently advised that they would be conducting the audits of the Australian prawn fisheries in October 2007.

Mr Millward queried whether the US representatives will want to go on to the boats. If so Mr Millward believes that this will be difficult as it is unlikely that any boats will still be in the Torres Strait's in October.

The industry members confirmed that their position on the US accreditation had not changed from the previous TSPMAC meeting, which was that industry are happy to meet with US representatives on their proposed trip provided the US representatives were willing to reconsider the issue of floatation.

9.2 "Popeye" fish box BRD

Mr Gaddes spoke to this item. Testing of the 'Popeye' fishbox BRD has shown reduction of bycatch by up to 29% in the East Coast Otter Trawl fishery and testing in the Northern Prawn Fishery showed even higher reduction rates of up to 48% when the device was located at 70 meshes from the cod end. Mr Gaddes advised that the 'Popeye' fishbox is an approved BRD in the East Coast Otter Trawl fishery and by approving it for use in the Torres Strait Prawn Fishery it would provide operators that fish in both fisheries another option. The use of the 'Popeye' fishbox would not be compulsory.

The TSPMAC recommended that the PZJA agree to add the 'Popeye Fish Excluder' to the list of approved Bycatch Reduction Devices in the fishery.

The TSPMAC recommended that the PZJA agrees to the 'Popeye Fish Excluder' being defined as it is in the East Coast Otter Trawl Fishery in recognition of the overlap of operators between the two fisheries.

10. Finances

10.1 2006/2007 Budget update

Mr Snowdon spoke to this item advising that most of the AFMA budget items are currently underspent for the 2006/2007 financial year. Mr Snowdon then went on to provide an explanation of the items that were overspent.

The 'Staff related costs' item is overspent due to a portion of an AFMA staff members salary being inappropriately assigned to the prawn fishery. The Finance section has been notified of this and will re-do the staff splits more appropriately. This should lead to the 'Staff related costs' item being underspent.

The 'Meetings and conferences' items is overspent due to there being limited meeting venues in Cairns when the three TSPMAC meetings have been held throughout the course of the 2006/2007 financial year.

The 'Other administrative costs' is overspent due to additional printing costs for the NP15 logbook which had not been budgeted for and for the printing of the 2007 Prawn Handbook where a professional printing service had been used to print the document in a more timely manner than had been budgeted for.

Mr Gaddes advised that the QDPI&F expenditure for the TSPF is currently tracking to the budget.

The TSPMAC noted the 2006/2007 financial year to date expenditure for the Torres Strait Prawn Fishery.

10.2 2007/2008 Budget

Mr Snowdon spoke to this item advising that the amendments to the draft 2007/2008 budget discussed at the 3rd TSPMAC meeting had been made. Mr Snowdon then called for comments on the 2007/2008 draft budget and the draft Explanatory Statement for the setting of levies in the 2008 season.

Mr Giddins queried why the costs of the observer program had gone up. Mr Snowdon advised that this topic had been discussed at the 3rd TSPMAC meeting; however he would be happy to check why this cost had increased.

ACTION 5: AFMA to identify why there has been an increase in the costs of the observer program for the 2007/2008 financial year.

Mr Snowdon then went on to discuss the draft Explanatory Statement, which is a document that is used to explain how the levies for the fishery are calculated and discuss any significant increases or decreases in the budgeted costs. Mr Snowdon then explained that based on the figures available for the 2007/2008 budget it look as though there would be a slight increase in the license levy and a decrease in the per day levy. Mr Snowdon added that the figures would likely change once QDPI&F has provided their budget for the 2007/2008 financial year and the current financial year had ended so as it can be determined whether there was a surplus or deficit from the 2006/2007 year.

Mr Gaddes advised that the only increases to QDPI&F's costs would be due to a 4% increase as per the QDPI&F certified agreement.

Mr Wilson asked if there would be a surplus of funds from the 2006/2007 financial year and if so how much. Mr Snowdon advised that at this point in time a surplus was likely and that he felt that it would be a maximum of \$30,000.

The chair then reflected on the recommendations of agenda item 10.2 and asked what the consultation process had been to finalise the 2007/2008 budget. Mr Snowdon advised that it was the process of presenting the draft budget at the 3rd TSPMAC meeting, then making the amendments discussed at that meeting, then presenting the draft budget at the 4th TSPMAC meeting along with the draft Explanatory Statement for comment by the members.

The chair requested that members provide comment on the draft Explanatory Statement out-of-session.

ACTION 6: Members to provide comments to AFMA in regard to the draft Explanatory Statement as appropriate.

The TSPMAC recommended that the PZJA notes the consultation process undertaken to finalise the 2007/2008 Torres Strait Prawn Fishery budget.

The TSPMAC recommended that following comments from the TSPMAC member's out-of-session, the PZJA approve the draft Explanatory Statement for the setting of levies in the prawn fishery for 2008.

10.3 History of management costs

Mr Snowdon spoke to this item advising that the costs of management had shown large fluctuations since 2000 and as such there was no clear trends in terms of cost increases, other than that the costs had increased by an average of 3% per year between 2000 and 2006. This average cost increase was lower than the Consumer Price Inflation figures for the same period.

Mr Giddins asked why there had been a large cost increase in the Administration item between the 2006 and 2007 seasons. Mr Snowdon advised that he could not remember the all of the reasons for the cost increase as it had been dealt with at the previous TSPMAC meeting. However the cost increases included additional staffing costs and the costs associated with the observer program. Mr Bodsworth agreed that AFMA would check the reasons for the cost increase.

ACTION 7: AFMA to identify why there was a large increase in costs for the administration item of the 2006/2007 budget.

11. Compliance – 2007 season update on activities

Dr Wilson spoke to this item advising that the issues in regard to the Torres Strait Prawn Fishery are reported on page 4 of Attachment 11A.

Mr Bodsworth asked whether the TSPMAC is confident that all the compliance issues have been addressed. A question was raised as to why all of the allocated days hadn't been achieved. Dr Wilson advised that this was because charter vessels had not been available.

Mr Gaddes advised that there had been no fisheries breaches, which was good to see and added that a compliance risk assessment will probably be conducted early next year.

Mr Millward advised that there had been some logistical issues in the compliance program. Mr Millward highlighted an example where operators nets were being checked for compliance with the fisheries requirements at 5:10PM on the opening night of the season, which is not a desirable situation.

Mr Millward also asked what datum the QB&FP are using to determine the closure areas. Mr Gaddes agreed to check this and advise out-of-session.

ACTION 8: DPI&F to determine what datum the QB&FP use to determine the closure areas in the TSPF.

12. Other business

12.1 Torres Strait fisheries ACT 1984 Legislative amendments

Mr Lui was asked to speak to this item; however he advised that he was not up to date with this issue. Therefore Mr Bodsworth offered to speak to this item.

Mr Bodsworth advised that the legislation had been introduced into parliament and upon the second reading in the House of Representatives the Labour party had raised some questions in regard to it and requested that the legislation be reviewed by a Senate standing committee. The Senate standing committee was due to meet the week of 18 to 22 June to discuss the amendments.

Mr Bodsworth advised that if any of the members had any questions they should raise them with DAFF.

The TSPMAC recommended that the PZJA notes that the TSPMAC has been advised of the new legislative changes affecting the Torres Strait fisheries.

12.2 TSPEHA notes for TSPMAC consideration

Mr Millward spoke to this item stating that the 31.8% cut to the Total Allowable Effort at the end of the 2005 fishing season had taken away fishers asset value and the profitability of the fishery. Industry feels that the fishing season is divided into three portions. Money made in the first portion enables fishers to pay variable costs such as re-fitting vessels and maintenance costs (these costs vary from year to year). The money made in the second portion pays for the fixed costs such as insurance and crew costs (these costs are known and usually occur annually). Finally the money made in the third portion is profit and since 31.8% of the TAE was removed from the fishery this third portion has been removed and as a result TSPF fishing operations are not profitable. To add to this lack of profit opportunity, low prawn prices and high fuel prices are having a significant impact on operations.

Mr Millward then discussed leasing and why industry does not want to introduce leasing. Industry believes that leasing will have a significant impact on the asset value, as it has done in the East Coast Otter Trawl Fishery. In the ECOTF the days cost less to lease than they do to buy, so why would fishers buy nights when they can lease them much cheaper. The result is that the asset loses its value. Industry feels that it is a fix forward solution that is unreasonable as fishers will be borrowing money to lease days that they had previously owned prior to the 31.8% reduction. Industry added that they are willing to look at leasing once the management plan is in place.

Industry is of the understanding that the Government agencies are pursuing access to the PNG share of the Australian side of the TSPF, in an effort to make more nights available for the 2007 season. Industry advised that they are grateful for the efforts that have been made, however they feel this is a short term fix.

Mr Millward commented that he has been advised by Government officials that the 31.8% reduction was for sustainability, however he questions why the effort removed from the TSPF was not reimbursed to fishers (via buybacks) as has been done in other sustainability buybacks such as in the ECOTF, the Gulf of Carpentaria and the South East Tuna fishery.

Mr Gaddes advised that the ECOTF had a sustainability cut of approximately 15% that was not paid for. A buyback occurred to remove approximately 100 vessels; however individual operators that had their effort reduced were not compensated.

Mr Millward advised the TSPMAC that industry want their days to be given back and then a tender process conducted to reduce the effort to the sustainable level.

Mr Giddins added that his turnover was down \$250,000 from last year, which he believes is directly attributed to the effort reduction. Fishers are required to keep asking financial institutions for increases to their overdrafts; however the institutions are less inclined to provide this as there is no collateral value. The situation is very serious.

Mr Gaddes disagreed that the days in the ECOTF had lost their asset value as a sole result of leasing. Mr Gaddes commented that the values of ECOTF days started to drop after a couple of years of vigorous trading after the management plan and that leasing did have an effect on this, as did other factors such as the Representative Areas Program (RAP), high fuel prices and low prawn prices. Mr Gaddes added that he regularly receives requests from operators that leasing be allowed in the TSPF.

Mr Bodsworth commented that one of the problems in the fishery at present is that all of the available nights are not being used and a solution to making all of the night's available needs to be found. In theory leasing is a good thing and Mr Bodsworth is confused as to why industry is reluctant to employ leasing in the fishery.

Mr Gaddes advised that there are currently nights being exchanged between licence holders under pseudo leasing arrangements by one of two methods. Mr Gaddes described the following two methods:

- A boat owner puts their boat on another licence holders licence; or
- One licence holder transfers their nights to the second licence holder under a "sale" and then at the end of the season the second licence holder transfers the nights back to the other licence holder under a second "sale".

Mr Bodsworth added that once all the available effort in the fishery is utilized, there is an opportunity to fish economically. And raised the question as to how do we get to that situation. It could perhaps be done through an equitable market issue. Mr Bodsworth agreed that we don't want to establish leasing now, but do it strategically through the management plan.

Mr Millward commented that he felt we are only dealing with half of the problem in the discussion about the access to unused days and industry want the issue of the 31.8% reduction dealt with either through the return of days or the payment of the days that were removed as has been done in other fisheries. Mr Millward advised that industry would only support internal leasing. Mr Giddins supported Mr Millward's comments.

Mr Bodsworth feels that there is a strong case for internal leasing and commented that the information provided by TSPEHA is very useful.

The Chair then asked what the MAC can do to help progress the issue of the 31.8% cut, as the MAC can't provide remuneration.

It was agreed that AFMA and DAFF would look into some of the issues raised in the paper provided by TSPEHA.

ACTION 9: AFMA and DAFF to reply to some of the concerns raised by industry in paper 12.2.

Mr Murphy felt that the issue of the 31.8% reduction was an issue for another forum and questioned whether some of the issues raised by TSPEHA could be dealt with in isolation.

Mr Giddins advised that industry will not look at leasing until the issue surrounding the 31.8% reduction has been dealt with, as there was no reason for the cut in effort. Mr Giddins asked whether the endeavour and king prawn stocks can be modeled as the 9,200 day effort cap is based on tiger prawns only. Mr Giddins added that industry had previously put effort onto a model, as part of the alternative management strategies workshop, which set the Total Allowable Effort at 9,200 days, but with a total allocation of 12,000 days and it did not get approved.

Mr Murphy asked Mr Turnbull whether the data collected so far as part of the research program could provide any insights in regard to the targeting of endeavour and king prawns, for next season, rather than wait until 2010 to implement the findings of the program.

Mr Turnbull advised that he would have to look at the data and that he was not in a position to provide comment at this point in time.

Mr Bodsworth felt that one of the problems the fishery faces is that the fishery isn't being fully utilized. Mr Bodsworth added that there is an opportunity to develop a harvest strategy that incorporates the management methods currently being used in the fishery and the outcomes of the alternative management workshop.

Mr Murphy asked whether the current effort of 9,200 days can be tested. Mr Turnbull advised that he is comfortable with the current effort cap.

Mr Bodsworth commented that in theory the fishery could raise the Total Allowable Effort by the 31.8% that was previously removed and then operate under a competitive TAE. Mr Gaddes advised that the PZJA Standing Committee is concerned that under such a system the rights of individuals may be taken by other operators.

The Chair suggested that this discussion be reconvened after looking at the information from the current surveys provide and develop a strategy from there. Mr Millward believes that we must tackle the issue now; otherwise the fishery will collapse economically as operators are not able to work as they had done previously.

In response to a detailed request for a definitive answer on the appropriate fishing strategy from Mr Turnbull, Mr Gaddes advised that he did not want Mr Turnbull to be put on the spot to provide advice today. Mr Bodsworth agreed and supported Mr Turnbull being given time to consider the data collected as part of the current research program.

Mr Gaddes then discussed some logistical issues of adding extra days into the fishery or permitting a competitive TAE. Mr Gaddes advised that it is often difficult to contact

fishers and it will be hard to notify all fishers of changes within the fishery. Mr Gaddes believes that the entire industry would need to be consulted if any change was to be implemented this season.

The chair then invited Mr Ehrke to the table to speak. Mr Ehrke believed that the MAC can make a recommendation to the decision makers and should make the recommendation to add days into the fishery for traditional fishermen (i.e. those fishermen that traditionally fished the entire season).

It was agreed that the Government agencies would work towards identifying options to make nights available for the 2007 season.

ACTION 10: Government agencies to work towards identifying solutions in regard to increased access for the 2007 season.

The industry members reiterated that their preferred position is to have the days associated with the 31.8% reduction paid out to the licence holders or to have it structurally adjusted.

Mr Gaddes recommended that a detailed paper outlining the issues discussed here be put to PZJA 21.

Mr Bodsworth advised that the option of gaining access to PNG's share of the Australian jurisdiction is the best short term solution to make more days available and that there is an opportunity of developing a harvest strategy in the mid to longer term.

Mr Giddins advised that the PNG option is not a solution as it will only benefit a small portion of the fishery.

It was agreed that industry should be afforded the opportunity of commenting on the paper that is to be put to PZJA 21.

ACTION 11: AFMA/DAFF to forward the draft PZJA paper in regard to access for the 2007 season to industry prior to it being finalised.

Mr Giddins thanked the members for the discussion.

13. Dates for future meetings

It was agreed that TSPMAC 5 will be held? on the 6th and 7th of December 2007.

Closing Comments

The Chair closed the meeting at 1720hrs, and thanked all participants for attending.

Summary of Actions Arising from TSPMAC meeting 4

Table 3: Summary of actions arising from the TSPMAC meeting of 14 June 2007

	TSPMAC meeting of 14 June, 2007			
	Action	Date item was added	Responsibility	Status
1.	AFMA to identify whether Government can pay the total costs or subsidise the cost for hiring an external drafter for the drafting of the management plan.	TSPMAC 4 – 14 June 2007	AFMA	
2.	DAFF to meet with the AQIS imported foods program to determine if the testing regime for prawns from PNG waters can be reduced for vessels that have already obtained approval from AQIS to export prawns caught in Australian waters.	TSPMAC 4 – 14 June 2007	DAFF	
3.	AFMA and Mr Giddins to liaise with the AFMA Observer program to discuss the logistics of how the program operates and develop a dialogue between the industry and the observer program to improve the program.	TSPMAC 4 – 14 June 2007	AFMA & Mr Giddins.	
4.	AFMA and DAFF to reply to some of the concerns raised by industry in paper 12.2.	TSPMAC 4 – 14 June 2007	AFMA & DAFF	
5.	Government agencies to work towards identifying solutions in regard to increased access for the 2007 season.	TSPMAC 4 – 14 June 2007		
6.	AFMA/DAFF to forward the draft PZJA paper in regard to access for the 2007 season to industry prior to it being finalised.	TSPMAC 4 – 14 June 2007	AFMA/DAFF	
7.	AFMA to identify why there has been an increase in the costs of the observer program for the 2007/2008 financial year.	TSPMAC 4 – 14 June 2007	AFMA	
8.	AFMA to identify why there was a large increase in costs for the administration item of the 2006/2007 budget.	TSPMAC 4 – 14 June 2007	AFMA	
9.	Members to provide comments to AFMA in regard to the draft	TSPMAC 4 – 14 June 2007	AFMA to invite all members to	

	Explanatory Statement as appropriate.		provide comments.	
10.	DPI&F to determine what maps the QB&FP use to determine the closure areas in the TSPF	TSPMAC 4 – 14 June 2007	DPI&F	
11.	DPI&F and AFMA to further identify options for the setting of reference points in the TSP as part of an overall harvest strategy.	TSPMAC 4 – 14 June 2007	DPI&F and AFMA	
	ongoing and incomplete actions carried forward from previous minutes			
	Approach FRDC to see if funding is available to fund another two BRD workshops in Brisbane and Cairns.	TSPMAC 3 – 17 February 2007	AFMA	Not complete – Is there interest to apply for this for the 2008/2009 financial year?
	AFMA to send the TSSAC revised Terms of Reference and proposed membership to TSPMAC members.	TSPMAC 3 – 17 February 2007	AFMA	Not Complete/ongoing – The TOR were not yet available. A verbal response will be made regarding this action item at TSPMAC 5.
	AFMA to discuss with the OLDP the wording of Section 29(6), to ensure that the period of TAE amendment can be longer than two months in the event of an emergency situation that requires a longer period of amendment.	TSPMAC 2 – 19&20 September 2006	AFMA	Complete – Verbal report
	DAFF to co-ordinate trip to Spencer Gulf and provide details of costings and funding available.	TSPMAC 2 – 19&20 September 2006	DAFF	Ongoing – See agenda item 12.1 of these minutes
	Draft a summary of the historic management arrangements in the Torres Prawn fishery.	TSPMAC 1 – 13&14 June 2006	QDPI&F / AFMA / DAFF	Ongoing – Commenced by AFMA but not yet completed.

	Undertake an audit of Fishery Management Notices and PZJA decisions for consideration during the drafting of the Management Plan.	TSPMAC 1 – 13&14 June 2006	DAFF / AFMA	Ongoing – as part of the Mgt Plan.
	That the working group formed to progress the management plan models certain scenarios for the rounding up or down of days and reports back to the MAC.	TSPMAC 1 – 13&14 June 2006	Shane Gaddes & Working Group	Ongoing – Commenced, but awaiting finalization of draft plan.
	That the consideration of a spatial management system be considered at a future MAC meeting. Consideration will be given to the revised stock assessment with a view to increasing the Total Allowable Effort in the fishery.	TSPMAC 1 – 13&14 June 2006	MAC	Ongoing –
	Quarterly updates on the progress of the research plan are provided to the MAC.	TSPMAC 1 – 13&14 June 2006	Stephen Colquitt	Ongoing.

DRAFT

TORRES STRAIT PRAWN MANAGEMENT ADVISORY COMMITTEE	Meeting No. 5 4-5 December, 2007
Meeting Administration: Actions and/or business arising from previous TSPMAC meetings	Agenda Item No. 1.3

RECOMMENDATION

1.3 That the TSPMAC **NOTES** the information updates provided regarding the action items from previous TSPMAC meetings.

BACKGROUND

The action items and a brief summary of the progress made for each item is contained in Table 1.3A.

Table 1.3A: Actions and/or business arising from previous TSPMAC meetings.

TSPMAC meeting of 14 June, 2007				
	Action	Date item was added	Responsibility	Status
1.	AFMA to identify whether Government can pay the total costs or subsidise the cost for hiring an external drafter for the drafting of the management plan.	TSPMAC 4 – 14 June 2007	AFMA	Complete – Response provided in TSPMAC5 paper 3.2
2.	DAFF to meet with the AQIS imported foods program to determine if the testing regime for prawns from PNG waters can be reduced for vessels that have already obtained approval from AQIS to export prawns caught in Australian waters.	TSPMAC 4 – 14 June 2007	DAFF	Ongoing – Verbal update at TSPMAC 5
3.	AFMA and Mr Giddins to liaise with the AFMA Observer program to discuss the logistics of how the program operates and develop a dialogue between the industry and the observer program to improve the program.	TSPMAC 4 – 14 June 2007	AFMA & Mr Giddins.	Ongoing – Verbal update at TSPMAC 5
4.	AFMA and DAFF to reply to some of the concerns raised by industry in paper TSPMAC 4, 12.2.	TSPMAC 4 – 14 June 2007	AFMA & DAFF	Complete – Verbal report at TSPMAC 5
5.	Government agencies to work towards identifying solutions in regard to increased access for the 2007 season.	TSPMAC 4 – 14 June 2007	QDPI&F	Complete – PNG access secured for 2007. Additional info. provided in TSPMAC 5 paper 3.6

6.	AFMA/DAFF to forward the draft PZJA paper in regard to access for the 2007 season to industry prior to it being finalised.	TSPMAC 4 – 14 June 2007	AFMA/DAFF	Complete – PZJA 21 papers were emailed to TSPMAC industry members on August 23, 2007 for comment. No comment was received by AFMA.
7.	AFMA to identify why there has been an increase in the costs of the observer program for the 2007/2008 financial year.	TSPMAC 4 – 14 June 2007	AFMA	Complete – Verbal report at TSPMAC 5. - \$7000 increase in overheads - \$4000 increase in administrative costs (wages) - \$6000 increase in observer salary - \$5500 increase in travel.
8.	AFMA to identify why there was a large increase in costs for the administration item of the 2006/2007 budget.	TSPMAC 4 – 14 June 2007	AFMA	Complete – verbal report at TSPMAC 5 and budget surplus indicted in TSPMAC 5 paper 4.1
9.	Members to provide comments to AFMA in regard to the draft TSPF levy Explanatory Statement as appropriate.	TSPMAC 4 – 14 June 2007	AFMA to invite all members to provide comments.	Complete – No comments received.
10.	QDPI&F to determine what maps the QB&FP use to determine the closure areas in the TSPF.	TSPMAC 4 – 14 June 2007	DPI&F	Incomplete/Ongoing – verbal report at TSPMAC 5.
11.	QDPI&F and AFMA to further identify options for the setting of reference points in the TSP as part of an overall harvest strategy.	TSPMAC 4 – 14 June 2007	DPI&F and AFMA	Ongoing – update provided in TSPMAC 5 paper 3.6.
ongoing and incomplete actions carried forward from previous minutes				
	Approach FRDC to see if funding is available to fund another two BRD workshops in Brisbane and Cairns.	TSPMAC 3 – 17 February 2007	AFMA	Incomplete – Is there interest to apply for this for the 2008/2009 financial year?

	AFMA to send the TSSAC revised Terms of Reference and proposed membership to TSPMAC members.	TSPMAC 3 – 17 February 2007	AFMA	Complete – provided in TSPMAC 5 paper 3.8.
	AFMA to discuss with the OLDP the wording of Section 29(6), to ensure that the period of TAE amendment can be longer than two months in the event of an emergency situation that requires a longer period of amendment.	TSPMAC 2 – 19&20 September 2006	AFMA	Complete – update in TSPMAC 5 paper 3.2.
	DAFF to co-ordinate trip to Spencer Gulf and provide details of costings and funding available.	TSPMAC 2 – 19&20 September 2006	DAFF	Incomplete – Clarification requested at TSPMAC 5.
	Draft a summary of the historic management arrangements in the Torres Prawn fishery.	TSPMAC 1 – 13&14 June 2006	QDPI&F / AFMA / DAFF	Incomplete – verbal response at TSPMAC 5.
	Undertake an audit of Fishery Management Notices and PZJA decisions for consideration during the drafting of the Management Plan.	TSPMAC 1 – 13&14 June 2006	DAFF / AFMA	Ongoing – as part of the Mgt Plan. Additional information provided in TSPMAC 5 paper 3.3.
	That the working group formed to progress the management plan models certain scenarios for the rounding up or down of days and reports back to the MAC.	TSPMAC 1 – 13&14 June 2006	Shane Gaddes & Working Group	Complete – Verbal report at TSPMAC 5 and in paper 3.2.
	That the consideration of a spatial management system be considered at a future MAC meeting. Consideration will be given to the revised stock assessment with a view to increasing the Total Allowable Effort in the fishery.	TSPMAC 1 – 13&14 June 2006	MAC	Ongoing – update provided in TSPMAC 5 paper 3.6.
	Quarterly updates on the progress of the research plan are provided to the MAC.	TSPMAC 1 – 13&14 June 2006	Stephen Colquitt	Ongoing – update provided in TSPMAC 5 paper 3.2.

DISCUSSION

Updates will be provided on each Action item at TSPMAC 5.