

TORRES STRAIT
PRAWN WORKING GROUP MEETING
(3/02)
10-11 December 2002
Pearls Building
Thursday Island

Action Item	Para	Action	Action Agency
1	5	AFMA to advise on process for implementing a new fisheries management plan	AFMA
2	5	The Fisheries Coordinator undertook follow up with documenting traditional fisheries law with the TSRA Fisheries Committee	TSRA
3	5	Season opening and closure times/procedures to be finalised in Fisheries Management Notice	AFMA
4	5	AFMA to follow up with AFFA on next amendment Bill to include amendments to amount of fines and serious fisheries offences	AFMA
5	5	TSRA to provide costings for PWG on Masig for 20 participants.	TSRA
6	8	QFS/AFMA to confirm date of VMS Technical Workshop and notify Industry <5 February 2003 – Brisbane>	AFMA/QFS
7	13	AFMA to follow up with compliance section on conducting compliance risk assessment	AFMA
8	14	AFFA to raise the issue of PNG vessels to be monitored by Australian Authorities while fishing in AAJ)	AFFA
9	22	technical working group be formed to develop an observer program. The PWG agreed that this meeting be in March 2003 and be held in Brisbane to utilise the NPF Observer program expertise within the CSIRO Marine Research Organisation	AFMA/QFS
10	25	identify in the licence conditions how many of the allocated nights are the allowance for steaming and repair (10%)	QFS
11	26	Advise the PWG out of session what items of the Panel Report should be included in the draft discussion paper	TSRA/TSPEHA/QSIA
12	27	Stakeholders to prepare questions in advance for Dr Die to have adequate time to discuss	All members
13	29	Follow-up on verifying unloading dockets with logbook information	AFMA
14	30	BRD definitions to be discussed at the TSPEHA AGM on Friday 10 December 2002. Recommendation for BRD Definitions to be made to PWG out of session	QFS
15	32	AFMA to amend proposed dates for SAR Timetable	AFMA
16	34	PWG to be provided with clarification on whether licences in limbo can be levied	AFMA/QFS

17	37	AFMA to clarify whether a change of licence renewal date to May is possible to accommodate an extension of the levy payment date	AFMA
18	38	AFMA to provide breakdown/explanation of surplus and deficits in the 2002/03 budget	AFMA
19	45	Industry to write formally to Management to request a formal agreement between Industry and Management on a budget drafting process and level of consultation	TSPEHA+QSIA
20	55	AFMA to seek clarification from their legal section on whether Articles 21 to 26 of the Torres Strait Treaty can be interpreted according to Industry's proposal i.e PNG have to take their own catch first.	AFMA
21	56	AFMA to follow up on procuring catch statistics from PNG	AFMA
22	59	Management to circulate 2003 Prawn Handbook by start of 2003 season.	AFMA/QFS

List of Recommendations Arising from this Meeting.

Para	Recommendation
5	The PWG recommended to the TSFMAC a general review of the <i>Torres Strait Fisheries Act 1984</i> and also specifically on the fine for taking of TRL by trawling. Industry suggested fines should be increased from a maximum of \$5,000 (currently) to a maximum of \$25,000 (upper limit of serious offences).
7	The PWG recommends QFS monitor VMS.
8	The PWG recommends a small technical group be formed ASAP to establish the protocols for monitoring VMS. The group to be comprised of John Marrington (AFMA), Mike Yates (AFMA), Industry (Greg Anderson + 2), QFS VMS Section (Industry requested Cameron Baker and Kyle Hurst). Meeting set for 5th February 2003 in Brisbane.
9	The PWG noted that any requests for VMS information by external agencies would be referred to the PWG.
10.	The PWG noted that Industry agreed to the implementation of VMS in the fishery provided that there was a consideration of days fished versus days in the zone.
12.	The PWG agreed to a standing agenda item for enforcement priorities to feed into the compliance program.
22	The PWG recommended that a technical working group be formed to develop an observer program. The PWG agreed that this meeting be in March 2003 and be held in Brisbane to utilise the NPF Observer program expertise within the CSIRO Marine Research Organisation.
26	The PWG recommended that the relevant suggestions from the independent panel report be incorporated in the draft discussion paper.
31	Process for trialling and evaluating new BRD designs. The PWG recommended: <ul style="list-style-type: none">• A pro-forma application form be developed (with respect to Step 2);• A simplified explanation be added to the flow chart on why these steps are required i.e these are established processes for ensuring scientific rigour and defence of results. Also the sequential steps are design ensure that costs are not incurred for subsequent steps if device is not warranted;• Costs for Step 6 – the benefits of bycatch reduction are not only to the operator but to the community generally:<ul style="list-style-type: none">○ Operator to pay fuel, provisions, crew wages;○ Scientists to pay for charter costs, scientists time;○ Proceeds from the catch to defray part of the costs of testing;○ Step 6 – testing to be carried out under a Scientific Permit issued by the PZJA. Allocated days will be not be deducted.
34	Industry recommended that all boats in the fishery, regardless of whether they are active licences or inactive licences (i.e licence in limbo), should be charged a levy.
44	The PWG agreed to advertise this position (independent Chair) in conjunction with the advert for the TSFMAC chair.

57 Mr Barry Ehrke's recommendation, that catch sharing be halted until reliable catch statistics for the entire prawn fisheries within the TSPZ be obtained, be conveyed to the TSFMAC.

58 The PWG supported the inclusion of the TSPF in negotiations to have this fishery accredited for the US market.

1. **Meeting opened 0910 hours by the Chair**

2. Present

10 December

Members Present

Kim Parkinson (Chair)	Jim Prescott (AFMA)
Quentin Hirakawa (Acting DO - QBFP)	John Kung (QFS)
Clive Turnbull (Scientist - QFS)	Greg Anderson (EO – TSPEHA)
Barry Ehrke (VP - QSIA)	Peter Yorkston (TSRA – Fisheries Coordinator)
Lota Warria (Masig Community rep)	Joey Sailor (Darnley Is Community rep)
Donald Banu (Boigu Rep)	

Observers

John Marrington (AFMA)

Apologies

Mark Elmer (QFS), Ryan Murphy (AFMA), Barry Wilson (TSPEHA), Bob Robbins (TSPEHA), Don Mosby (TSRA TFC) – 10 December only

Agenda Adoption

3. Agenda adopted with no changes, presentation on catch effort by Clive Turnbull between agenda items 4 and 5.
4. Record of previous PWG minutes accepted without any changes:
- 1-2 May 2002 (Moved Greg Anderson, Seconded John Kung); and
 - 8 August 2002 (Moved Lota Warria, Seconded Greg Anderson)

Business Arising

5. 1-2 May 2002 Meeting
- Action Item 4 to be discussed under Agenda Item 6 and considered redundant
 - Action Item 7 picked up in Agenda 7
 - Action Item 8 – TSPEHA advised this has been put aside and picked up under Agenda 7.3
 - Action Item 10 – redundant with new TSRA Consultative Arrangements
 - Action Item 14 – Correspondence between and Industry and QBFP have occurred but the issue is not progressing. Picked up under Agenda 5.3
 - Action Item 17 – Information from AFMA compliance and Industry sources not yet received
 - Action Item 18 – Not progressed
 - Action Item 19 – Chair advised that if procedures for developing a Management Plan are not specified under the TSFA, but will likely follow procedures under the Fisheries Management Act 1997. **ACTION ITEM 1**
 - Action Item 21 – QSIA advised that an award agreement is close to being finalised (rural industry training) and will be in place by the start of the 2003 school term.
 - Action Item 25 – no follow up from the Fisheries Taskforce Chair. The Fisheries Coordinator undertook to follow up with documenting traditional fisheries law with the TSRA Fisheries Committee. **ACTION ITEM 2**
 - Action Item 26 – Season opening and closure times/procedures. AFMA to follow up – **ACTION ITEM 3**
 - Action Item 28 – Fines. Industry wanted this (Trawl-TRL bycatch offences) to be classed as a serious fisheries offence. Current fines for individuals are a max of \$5000 and not considered adequate. AFMA advised that changes to the amount of a fine would require amendment to the legislation. AFMA advised that the introduction of infringement notices are being considered and that increases in the amount of fines could be considered in this package. **ACTION ITEM 4** – AFMA to follow up with AFFA on next amendment Bill.

The PWG recommended to the TSFMAC a general review of the TSFA and also specifically on the fine for taking of TRL by trawling. Industry suggested fines should be increased from a maximum of \$5,000 (currently) to a maximum of \$25,000 (upper limit of serious offences).

- Action Item 29 TSRA advised that their community fisheries meetings cost \$500/person/day on TI. For a PWG on Masig, probably \$750/person/day. On accommodation, Lota Warriia advised that a guesthouse will be completed in a month's time. **ACTION ITEM 5** – TSRA to provide costings for PWG on Masig for 20 participants.

VMS

6. Intent of VMS – .
 - Monitor Days
 - Anchoring Havens (days not counted – two random polls)
 - Access to Data – GBRMPA no, AMSA for the purposes of sea safety
7. ***The PWG recommends QFS monitor VMS.***
8. ***The PWG recommends a small technical group be formed ASAP to establish the protocols for monitoring VMS. The group to be comprised of John Marrington (AFMA), Mike Yates (AFMA), Industry (Greg Anderson + 2), QFS VMS Section (Industry requested Cameron Baker and Kyle Hurst). Meeting set for 5th February 2003 in Brisbane. ACTION ITEM 6 – QFS/AFMA to confirm date and notify Industry.***
9. ***The PWG noted that any requests for VMS information by external agencies would be referred to the PWG.***
10. ***The PWG noted that Industry agreed to the implementation of VMS in the fishery provided that there was a consideration of days fished versus days in the zone.***

Industry Enforcement Concerns

11. Industry requested net size and activity of PNG vessels be priorities for the fisheries.
12. ***The PWG agreed to a standing agenda item for enforcement priorities to feed into the compliance program.***
13. The PWG noted that AFMA compliance has expressed an intention to conduct a risk assessment of the compliance program for all fisheries in Torres Strait. The risk assessment will then be provided to the PWG for comment or further input. As part of the process, AFMA compliance will survey all stakeholders for feedback on priorities. **ACTION ITEM 7** – AFMA to follow up with compliance section.
14. The PWG noted that PNG endorsed trawlers fishing in Australia are subject to regulations applying to Australian trawlers. The issue of who will monitor VMS once this becomes implemented was discussed. PNG boats are already monitored by PNG NFA. Industry was of the opinion that VMS for PNG vessels while in the Australian AAJ should be monitored by QFS as recommended. AFFA was suggested as the lead agency to discuss this issue with PNG (**ACTION ITEM 8** – AFFA to raise the issue of PNG vessels to be monitored by Australian Authorities while fishing in AAJ).
15. Industry requested that under Article 26(2) of the Torres Strait Treaty, VMS for PNG boats while in Australian waters should be monitored by Australian authorities (following the recommendation from the VMS recommendations, the appropriate agency being QFS).

Observer Program

16. Funding for the observer programme was discussed. Information on what was required for an observer programme to operate was discussed (Programme management, scientific management, steering committee, operating costs, data management and reporting).
17. Management advised that current Torres Strait fisheries management staff are currently fully committed and would not have the time and resources to manage an observer programme.
18. AFMA advised that the costing of AFMA observers would include the AFMA Observer Programme Manager's time and overheads.
19. The PWG discussed the NPF observer program and its project funding from FRDC. It was noted that the NPF was successful in achieving 81% of the total funds from FRDC. It was also noted that the NPF was contributing an extra amount based on the Torres Strait Prawn Fishery's GVP to increase the amount contributed by the NPF and thereby increase the funding from FRDC. Industry advised that at their last December meeting, industry members did not support industry contributions to FRDC.
20. Industry noted that the use of industry and Islander trained observers would significantly reduce corporate overheads.
21. Clive Turnbull noted that Quintin Dell (AFFS and former NPF Observer) would be coming off contract January 2003 but is seeking employment as a NPF observer. Quintin was suggested as a potential observer for a pilot observer programme. Jo Atfield, a former NPF observer employed by AFFS would also be available from June 2003.
22. The PWG :-
 - Noted the importance of the observer programme for the Torres Strait Prawn Fishery, with regard to meeting the requirements of the EPBC Act;
 - Endorsed the proposed preliminary objectives for the observer program as outlined;
 - Noted that establishing an observer program is a significant undertaking requiring trained observers as well as programme and scientific management;
 - Noted that a full costing will be provided for comment and consideration at a future date.
 - The PWG recommended that a technical working group be formed to develop an observer program. The PWG agreed that this meeting be in March 2003 and be held in Brisbane to utilise the NPF Observer program expertise within the CSIRO Marine Research Organisation **ACTION ITEM 9** AFMA/QFS to organise.

Clive Turnbull's presentation

23. Bycatch of lobsters from Quintin Dell's hopper project in TSPF and ECTF (Clive has graph) – Conclusions: on average 0.5 lobsters per trawl (or 2 lobsters per night). Corroborates Clive's Gwendoline May research data of 1.45 lobsters per night (scaled up from 4 fathom/20 minute shot as per research to 5 fathom net/2 hour shot).
24. Logbook catch & effort data- Tigers higher than last year, endeavours are down last year but (Red Spot) kings have shot up- Proportion of the kings in the total catch has also increased. This is a similar trend for all boats.

Independent Panel Report

25. **ACTION ITEM 10** – In the granting of the 2003 prawn licences, identify in the licence conditions how many of the allocated nights are the allowance for steaming and repair (10%). Action by QFS
26. **ACTION ITEM 11** – Advise the PWG out of session what items of the Panel Report should be included in the draft discussion paper. Agreement has been reached previously with the reduction of the 10% allowance for steaming and repairs, where industry agreed to surrender 10% of nights following the implementation of VMS (provision for nights fished and not nights in the zone). (TSRA/TSPEHA/QSIA)

The PWG noted the recommendations of the independent panel report.

The PWG recommended that the relevant suggestions from the independent panel report be incorporated in the draft discussion paper.

Stock Assessment Review

27. The PWG was advised that Dr David Die would conduct the review over about a 10-day period in March 2003. During this time, he would be available to meet stakeholders to address questions. Stakeholders are advised to prepare questions in advance for Dr Die to have adequate time to discuss **ACTION ITEM 12** (All Members)
28. A PWG will need to be convened at the conclusion of the review by Dr Die so that he can make his report directly to stakeholders. This meeting will be firmed up once the review period is finalised. Members will be advised of the likely dates and venues of the next PWG.
29. QSIA advised that there is an approximate 15-20% difference between catch weights reported in the logbook data and the transfer docketts i.e the indication is that logbook data is possibly being consistently underestimated by operators. Fishers in the GOC must reconcile their logbook data with their transfer certificates every few months. **ACTION ITEM 13** – AFMA (John Marrington) to check whether this system can be used in the Torres Strait.

Nets and season Opening

30. QBFP advised that at the opening of the 2002 season, 80% of the fleet were visited with 32 boats having their gear measured. Gear was also randomly checked throughout the year with good compliance levels. Industry and Islanders commended this effort.

BRD

30. ***BRD definitions*** to be discussed at the TSPEHA AGM on Friday 10 December 2002. Recommendation for BRD Definitions to be made to PWG out of session **ACTION ITEM 14**. (JK)
31. ***Process for trialling and evaluating new BRD designs.***

The PWG recommended:

- A pro-forma application form be developed (with respect to Step 2);
- A simplified explanation be added to the flow chart on why these steps are required i.e these are established processes for ensuring scientific rigour and defence of results. Also the sequential steps are design ensure that costs are not incurred for subsequent steps if device is not warranted;
- Costs for Step 6 – the benefits of bycatch reduction are not only to the operator but to the community generally:
 - Operator to pay fuel, provisions, crew wages;
 - Scientists to pay for charter costs, scientists time;

- Proceeds from the catch to defray part of the costs of testing;
- Step 6 – testing to be carried out under a Scientific Permit issued by the PZJA. Allocated days will be not be deducted.

Strategic Assessment Report (SAR)

Deferment of SAR

32. At the 28-29 November 2002 meeting of the PZJA, the Chair of the PZJA indicated that, given the delays in appointing an independent reviewer for the Torres strait prawn stock assessment, he would liaise with the Environment Minister, the Hon Dr David Kemp, for a 6 month deferment in submitting the TSPF Strategic Assessment Report (SAR). **ACTION ITEM 15** - AFMA to follow up to amend the proposed dates of the SAR timetable.

The Chair adjourned the meeting at 1700 hours.

Meeting recommenced 0855 hours on 11 December 2002

33. Present

11 December

Members Present

Kim Parkinson (Chair)	Jim Prescott (AFMA)
Quentin Hirakawa (Acting DO - QBFP)	John Kung (QFS)
Clive Turnbull (Scientist - QFS)	Greg Anderson (EO – TSPEHA)
Barry Ehrke (VP - QSIA)	Peter Yorkston (TSRA – Fisheries Coordinator)
Lota Warria (Masig Community rep)	Joey Sailor (Darnley Is Community rep)

Observers

John Marrington (AFMA)

Apologies

Mark Elmer (QFS), Ryan Murphy (AFMA), Barry Wilson (TSPEHA), Bob Robbins (TSPEHA), Don Mosby (TSRA TFC)

Levies and Budgets

33. Industry queried the differences in budget component values compared to last year. The Chair explained that increases in overheads and time allocated to the prawn fishery have resulted in increases in cost.
34. Industry recommended that all boats in the fishery, regardless of whether they are active licences or inactive licences (i.e licence in limbo), should be charged a levy. **ACTION ITEM 16**– PWG to be provided with clarification on whether licences in limbo can be levied. (AFMA/QFS).
35. Industry agreed to a 60:40 split between the fixed and variable component. This is in response to the combining the management and licensing line items where management used to be 60:40 and licensing 50:50.
36. The PWG was advised that the levy costs to industry is <1.5% of the TSPF's GVP. The only Commonwealth fishery with lower costs is the NPF.
37. In response to Industry's request for a deferment of the levy payment date, The TSPEHA was advised by AFFA that this would not be possible. AFMA undertook to clarify whether this is possible i.e corresponding change of licence renewal date to May. **ACTION ITEM 17.**

38. AFMA advised the PWG of where the surplus in the Logbook component occurred (Surplus \$41,679) (Canberra vacancies and positions not filled) and the deficits in Administration/Other (\$53,607) (Salaries, Travel, Overheads, Other). **ACTION ITEM 18** – AFMA to provide breakdown of deficits and surplus.

Logbook Program Costs and 2003/04 Budget Issues

39. The issue of overheads was discussed. AFMA overheads for the logbook program were considered excessive by Industry. Industry was seeking a more efficient program and considered that overheads by QFS were considerably less than AFMA. QFS advised that while Queensland currently does not cost recover, it was looking to implement a service fees policy.
40. AFMA advised that the logbook port visits for Torres Strait would not be undertaken this year as no new logbooks have been implemented. This would result in costs savings and subsequent reductions in overheads. Industry indicated that this is the type of efficiencies they were looking for.
41. AFMA advised that the port visits were considered by skippers as a positive step and comprised their point of contact with fisheries managers. While consultation in Torres Strait is extensive e.g PWG and management invitation to the TSPEHA AGM, this brings the lead agencies into contact with the licence holders rather than skippers. Industry indicated that they would have no problem if this was considered as extension rather than data collection.
42. Industry requested more timely input into the budget drafting process. The cost formula for the NPF was discussed where there is a Management cost subcommittee with industry input into what the management costs should be. The NPF industry incurs the extra costs of this committee. The chair advised that the level of industry input into management costs were similar between the NPF and TSPF. The Chair advised that Industry was welcome to form a delegation to travel to Canberra to discuss TSPF budgeting with AFMA's financial section.
43. Management undertook to advise the PWG of developments in drafting of future budgets out of session.
44. The issue of an independent chair for the PWG was discussed. Industry reiterated that it was willing to contribute \$7000 towards the costs of having an independent chair. This would also be a separate line item in future budgets. Industry agreed that the \$7000 be a flat fee (lump sum payment) paid towards this costs regardless of the actual costs incurred. The PWG agreed to advertise this position in conjunction with the advert for the TSFMAC chair. Management indicated that the cost of the independent chair would be built into the levy base.

Industry Concerns with the Budget Process

45. In response to a request for a formal agreement between Industry and Management for determining future budget processes and the level of consultation, the Chair advised that there are no such agreements in other Commonwealth MACs. Industry would write formally to Management to request this development – **ACTION ITEM 19**.

Update on Three Islander Licences

46. TSRA advised that applications have been received from the TRAWQ Community and Masig Fishing Corporation.
47. The TSRA's TFC have been tasked to develop a set of criteria to assess applications. This is expected to be completed by end of January 2003.
48. Industry advised a standing offer to assist the TFC in any technical advice on prawn operations

Catch Sharing Issues

49. Management clarified that PNG participation as observer status on PZJA committees would be at PNG's own costs.
50. TSRA acknowledged that while they would prefer no PNG fishing in the Australian area, under international obligation PNG is entitled to fish in the Australian area of jurisdiction.
51. On the discussions of formerly Australian owned prawn trawlers fishing under PNG licences, AFMA advised that with AFMA assistance, PNG NFA will be proposing complementary season and area closures in their area of jurisdiction of the TSPZ. NFA's General Manager has approved these proposals and will be submitted to the NFA Board for approval on 12 December 2002.
52. The issue of Australian trawlers fishing near Bramble Cay was raised. Whether this small area (3 nm radius) around the cay is viable for trawlers to operate in was questioned. Industry advised that for some operators, this is a viable area for tiger prawns for some operators and offered to obtain unloading dockets for this area.

Industry Proposal to Review Catch Sharing

53. The PWG gave consideration to Industry's recommendation to review catch sharing with PNG in the prawn fishery.
54. Management advised the PWG that current relations between Australian and PNG officials are good and that bilateral discussions will commence in the New Year on a new catch sharing formula and arrangement. The above issue in (para 53) would be raised in this discussions.
55. AFMA would seek clarification from their legal section on whether Articles 21 to 26 of the Torres Strait Treaty can be interpreted according to Industry's proposal. **ACTION ITEM 20**
56. **ACTION ITEM 21** – AFMA to follow up on procuring catch statistics from PNG (in reference to Mr Darryl Quinlivan's (AFFA) task at the last PZJA meeting to liaise with PNG on obtaining catch statistics for catch sharing calculations).
57. Mr Barry Ehrke's recommendation, that no new licences be endorsed for cross border fishing until reliable catch statistics for the entire prawn fisheries within the TSPZ is obtained, be conveyed to the TSFMAC.

Market Access Proposal

58. The PWG supported the inclusion of the TSPF in negotiations to have this fishery accredited for the US market.

Other Business – Torres Prawn Handbook 2003

59. Industry requested the 2003 handbook be circulated prior to the start of the 2003 season. Management undertook to circulate the handbook by this time but was not able to guarantee this **ACTION ITEM 22**.
60. On the utility of producing a complete handbook (as opposed to updated sections) annually, Industry requested that handbooks be produced annually as Industry members considered this a useful (stand alone) document.

Meeting closed 1230 hours.