

**TORRES STRAIT TROPICAL ROCK LOBSTER
WORKING GROUP MEETING**

16 - 18 May, 2007

PEARLS BUILDING, THURSDAY ISLAND

RECOMMENDATIONS/KEY OUTCOMES FROM THE TRLWG

1	3.1	The working group tentatively supported a licence card system but an alternative system should also be in place in case of lost cards and for the people that live in remote areas and send their lobsters unattended to TI – it was proposed that a public register on the Web would meet this need.
2	3.3	The working group agreed that fishing trips should be single jurisdiction only
3	3.2	That the same boat replacement policy remain in place until the tender process is finalized and the makeup of the fishery is known. An out of session meeting may be required to resolve this issue in a timely manner.
4	3.6	The working group agreed remove the policy that allows the take of 20 kg of fin fish for sale but noted that each fisher would be allowed a recreational take under Queensland recreational fishing legislation
6	3.6	The working group agreed to set the start of season on 1 December (free diving only), keeping the hookah closures in place.
7	3.6	The working group agreed in principle to include the use of observers in the management plan.
8	1	The working group recommended investigating more information on the Tasmanian GPS tracking system and the possibility of carrying out a trial project using this tool in the TIB and TVH sector
9	4	There was in principle agreement that processor carrier boats would be permitted only if they purchased product, carrier boats only would not be permitted
10	4	The working group agreed that TIB fishers who transhipped product from other islands will need to weigh their product, give a transshipment notice and complete the paperwork regardless of the size of their vessel.
11	4	The working group agreed that for the TVH operators all product must be transhipped from Thursday or Horn Island.
12	4	The working group agreed that all product landed should go directly to/through a land based licensed fish receiver
13	3.5	There was in principle agreement for the TSRA to hold quota on behalf of the Torres Strait traditional inhabitants

ACTION ITEMS

Number	Action	Agency
1	Send record of the February working group meeting and action items for the members to ratify	Ana Lara (AFMA)
2	Investigate if community management plans could be determined by the Minister and implemented under the Act	DAFF
3	Ask QDPI&F licensing system about their card printing system and process	Shane Gaddes (QDPI&F)
4	Take the charter boats control issue to Queensland and investigate possible solutions – traditional inhabitants seeking to limit numbers of charter boat operators in Torres Strait before the number becomes excessive.	Shane Gaddes (QDPI&F)
5	Check with DAFF if PNG boat endorsement need to go through the Native Title owners after the management plan is in place	AFMA/QDPI&F
6	Investigate the possibility that the PZJA could delegate the setting of the preliminary TAC to the Standing Committee so the season could start on December	AFMA/QDPI&F
7	Ask the RAG to clarify which effort time needs to be recorded in logbooks, diving time or when the boats leave and return to the primary vessel.	AFMA
8	Find out more information on the Tasmanian GPS tracking device and the possibility to set a project to apply this tool into the Torres Strait TRL fishery	Ana Lara (AFMA)
9	Investigate if a group of TIB licence holders (community) could lease quota from the TVH sector	AFMA
10	DAFF to clarify adjustment to the PNG quota allocation based on the proportion of the stock in the Australian outside but near area.	DAFF

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PEARLS BUILDING, THURSDAY ISLAND

MEETING START TIMES: DAY 1 – 1.00PM; DAYS 2 & 3 – 8.30AM

AGENDA

OPENING

APOLOGIES

ADOPTION OF AGENDA

ACTION ITEMS FROM PREVIOUS MEETINGS

1. Outcomes of RAG meeting (May 07) FOR INFORMATION
2. Updated of Torres Strait Act amendments FOR INFORMATION
3. Management Plan DEVELOPEMENT FOR CONSULTATION AND
 - 3.1. Licensing issues (all including MFL's)
 - 3.2. Options for boat replacement
 - 3.3. Fishing trips
 - 3.4. Traditional fishing
 - 3.5. Management Instructions
 - 3.6. Other issues
4. Quota monitoring system – how the plan is reflected in the system
5. TIB and TVH data update
6. Tender process – update on timeline and process
7. Dates for future meetings (as far as known)
8. Other business
 - 8.1. issues for the RAG to consider
 - 8.2. where to find information: using the PZJA website (carry over from last meeting)
 - 8.3. fisheries management short course (carry over from last meeting)
 - 8.4. Lobster Congress (carry over from last meeting)

Meeting ends 1700 – 21 February

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WORKING GROUP MEETING**

16 - 18 May, 2007

PEARLS BUILDING, THURSDAY ISLAND

DRAFT RECORD OF MEETING

DAY 1

Attendance

Kerrod Beatty	(Chairperson)
Jim Prescott	(AFMA)
Ana Lara-Lopez	(AFMA)
Shane Gaddes	(QDPI&F)
Ray Moore	(TRL Industry Representative)
Brett Arlidge	(TRL Industry Representative)
Phil Hughes	(TRL Industry Representative)
Toshio Nakata	(TSRA Fisheries Co-ordinator)
Lota Warri	(CFG – Yorke Community Fisher Representative)
Paul Amaht	(CFG – Replaced Graham Hirakawa)
Terrance Whap	(CFG – Mabuiag Community Fisher Representative)
Charles David	(CFG – Yam Community Fisher Representative)
Yen Loban	

Observers

Daniel Takai (Fish receiver from Yam Island)

DAY 2

Attendance

As per Day 1

Don Whap	(QDPI&F)
Marcus Finn	(TSRA)

Observers

Daniel Takai (Fish receiver from Yam Island)

DAY 3

Attendance

As per day 2

Observers

Thomas Fujii	(TRL Fisherman)
Daniel Takai	(Fish receiver from Yam Island)

DAY 1 – Wednesday, 16 May 2007

OPENING COMMENTS

The meeting of the Tropical Rock Lobster Working Group (TRLWG) was opened at 1:45 pm on Day 1 by the Chair, Mr Kerrod Beatty and commenced with a prayer lead by Mr Charles David. This was followed by the introduction of everyone attending the meeting.

APOLOGIES

Apologies were received from Solomon Nona from Badu, Terrance Whap who was running late and Marcus Finn who could not attend the whole meeting. Paul Ahmat was replacement for Graham Hirakawa

ADOPTION OF AGENDA

Toshio Nakata requested that agenda item 3.4 Traditional fishing be delayed until Thursday for Marcus Finn to be present.

The update of the RAG meeting was delayed until Thursday and some of the previous action items were revised during relevant discussions.

ACTION ITEMS FROM PREVIOUS MEETINGS

When reviewing the previous action items, Charles David mentioned that he had not received the minutes from the last working group and that he did not feel he could make decisions and needed to read them before these action items were discussed. It was suggested that a copy of the minutes be re distributed to all members for them to read before proceeding to go through the previous action items. Brett Alridge and Ray Moore noted that they did receive the Working Group minutes on time, but did not have time to comment on them. TSRA indicated that they had received and distributed the minutes to CFG members. This agenda item was delayed and was not revisited during this working group.

Action Item: Ana Lara to send record of the February working group meeting and action items for the members to ratify.

Agenda Item 2: Updated of Torres Strait Act amendments

Jim Prescott gave an update of the Torres Strait Act amendments and explained the reasons why these amendments were needed. He noted that these amendments were needed in order to operate quota management systems. Amendments included two new classes of licence and articulated new objectives in line with the Treaty.

Charles David asked which ones are the new objectives and added that if they include the importance of improvement in the economic development for traditional inhabitants. Jim Prescott responded that there are about six new objectives and among those objectives was the economic development of traditional inhabitants. Shane Gaddes added that the objectives included in the amendments must be consistent with the Treaty. Jim Prescott and Shane Gaddes noted that they were given very little time to comment on the amendments. Jim also explained that these amendments did not encompass all the changes that the different PZJA agencies wanted in the Act and there would be more amendments to that Act made in the future.

Charles David asked if there were provisions for community management plans in the amendments. Jim Prescott responded that he thought community management plans could probably be implemented and Shane Gaddes noted that no legislation is needed for community plans to take place as they were voluntary. Jim Prescott indicated that in his opinion there was nothing stopping the Minister/PZJA from determining a community plan provided the plan used powers provided for under the Act. Shane Gaddes noted that community management plans would not have powers unless it was a determined plan.

Charles David indicated that he wanted a community management plan to work in Yam, similar to the existing one in Murray Island and that this management plan applied to the TVH sector. Shane Gaddes and Jim Prescott responded that it is unlikely this was not going to be possible because the TVH sector is outside the community. They noted that the situation in Murray Island was different since the TIB sector may get 100% allocation of the finfish resource which they will lease back to the TVH sector under their own conditions (contract between the leasing parties). Jim Prescott added that the Act can provide for local management, however it is far more likely that this would be under a 'normal' management plan and not a community management plan.

Yen Loban asked if there were any consultations about the amendments. Shane Gaddes responded that DAFF sent a copy of the amendments to every TVH and TIB licence holder. Jim Prescott added that DAFF had been very cautious about only including in the amendments those issues which had been consulted on.

Toshio Nakata explained the difference between community and a normal management plan and that the TSRA was looking into that issue and that they were also making sure that the amendments accommodate all needs for traditional inhabitants.

Action Item: Investigate if community management plans could be determined by the Minister and implemented under the Act

Agenda Item 3.1: Licensing Issues
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Master Fisherman Licence policy

Ana Lara-Lopez talked about the issues regarding the existing policy in issuing Master Fisherman Licences only to traditional inhabitants and all the problems that the TVH sector has been facing in finding people with a MFL that would work for them.

Members of the CFG stated that the problem was that many people are unwilling to work because of the conditions and payment within the TVH sector.

Jim Prescott gave an overview on the problems that the TVH have been facing since that policy came into place. Paul Ahmat stated that if the working conditions and payment were good traditional inhabitants would work but that they were not prepared to work if the money offered was not enough. He added that they would earn more if they fish by themselves than if they work for the TVH sector in that situation.

The CFG's representatives wanted to defer further discussion of this issue until the tender process was finalized but Shane Gaddes noted that this issue should be resolved as soon as possible to be able to develop the management plan. Charles David indicated that they were not going to be able to make a decision until they know who is left after the tender process.

Jim Prescott talked about the idea to use the MFLs as a way to identify all people participating in the fishery and improve the data collection. He also said that it was an opportunity to have each licence holder achieve basic competencies. Ray Moore indicated that the idea of this policy was to give a different focus to the MFL and that changing that focus with the idea Jim was suggesting was reasonable.

Yen Loban noted that they want to keep the current policy mainly because they are worry that MFL holders working in the TVH sector would jump into the TIB quota if the current MFL policy is discarded.

Jim Prescott read the minutes of the last PZJA meeting and added that current MFL holders working for the TVH could jump into the TIB quota at any point regardless of any policy changes. So he suggested that maintaining the current policy in the hope that there were be no migration from one sector to the other offered no security.

Brett Arlidge added that the problem with the MFLs has been going on for years and gave a summary of the different ways the TVH sector has been trying to solve this problem

Shane Gaddes noted that the last PZJA minutes stated that the management plan and the tender process should run parallel and that if no agreement was reached then it would be left to the MAC and finally the PZJA to decide. Jim Prescott said that every decision the Working Group couldn't make itself undermines the groups influence.

The chairman noted that the working group could not reach an agreement in this issue and that the meeting should continue.

Linking quota to licences

Ana Lara-Lopez talked about the issue of how to link several boat licences in order for them to draw from the same quota. She suggested that a unique quota number could be used and that boats could quote that unique number when fishing.

Shane Gaddes indicated that there was no point to have an additional number since there will be a register with the quota allocated and the boats nominated to use that quota. He noted that in Queensland they use a PIN number for each boat licence that they will need to quote when giving prior or unload notices.

The TVH sector agreed that the Queensland system is the best way to go and there was no need to add an extra number.

Licence ID card

Jim Prescott talked about the introduction of a fishing licence card that fishers will need to use when selling product and showed a sample of the card and how it could be used to imprint the information in the docket books.

The working group supported the introduction of the ID card but had concerns about how to verify if the person using the card was the licence holder, they suggested that a photo ID card could be better.

Shane Gaddes indicated that would be harder to do and that if the buyer wanted to confirm the identity of a fisher they could ask for a photo ID such as their drivers licence.

Jim Prescott explained how the fishing licence card could be used and the information it will contain, he noted that this card would not have the boat symbol because there could be TIB licence holders who might work from a TVH boat and then a TIB boat, therefore the buyer should insert the distinguishing symbol by hand.

Charles David was concerned about people who hold both a TVH and a TIB licence. He indicated that these people could be double dipping and claiming to be using a TIB quota when they are using their TVH quota. Jim Prescott responded that that was not possible, since one boat could not hold two different licences, ie a boat could be either a TVH or a TIB but not both.

Daniel Takai was concerned about having to ask for a fishing ID card because people could lose it and also because there are some fishers who may transfer their catch via air to him and therefore would not be able to show their ID. He suggested that a database or software should be introduced for the buyers to know who is and who is not a licence holder. He also added that there should be a tolerance period where the fisher can continue to sell product if the licence is lost. Jim Prescott responded that in case of a lost card, the Thursday Island office should have the capacity to make a licence card on site so it could be replaced as soon as possible and agreed that remote areas could have an interim card system. Ana Lara-Lopez showed some of the costs that this new system will involve.

The working group tentatively supported the card system and noted that details should be worked out at a later date. However, during the course of the meeting it was suggested that the public register listed on the web would meet this need.

Action Item: Shane Gaddes to ask QDPI&F licensing department about their card printing system and process

Agenda Item 3.2: Options for boat replacement policy

Ana Lara-Lopez started discussions about the current boat replacement policy and the need to replace the existing policy because it is unnecessarily restrictive under a quota system. She suggested two options:

- 1) relax the size limits but impose a “move on” policy; or
- 2) a compromise position that any primary boats less than 14 m could be replaced by one up to 14 m and leave the current restriction that primary boats larger than 14 m could only be replaced on a one for one basis.

In option 1 she gave the example of the East Coast bêche-de-mer memorandum of understanding but added that this example needs to be taken with care since the life history of the bêche-de-mer is very different to lobster and that this memorandum of understanding worked because it was a very small group of fishers. Ray Moore indicated that Ana's example was not appropriate because there were only two people operating in that fishery.

There were several questions that needed to be discussed if a move on policy was going to be imposed. The TVH sector did not agree with this type of policy as it seemed very complex and the introduction of a quota system should be facilitating instead of restricting operations. The CFGs representatives did not agree with the relaxation of the current boat replacement policy due to concerns with localised depletion and because their communities do not want big vessels stay around their fishing reefs for too long. The TVH sector indicated that after the tender process should remove ~40% of the fishing boats and therefore decrease fishing pressure. Shane Gaddes noted that the move on policy was meant to apply only to large vessels.

There was some support for the second option because it gave smaller operators the ability to upgrade to a boat as large as 14m to be able to hold live lobsters in tanks without compromising the safety of the vessel. Brett Arlidge argued that this option was unfair for those people that already have a 14m vessel and wanted to upgrade. The CFGs representatives did not agree because their concerns about localised depletion still remained if the large vessels remained in their fishing reefs for too long.

The group discussed the fact that boats that carry live lobsters are likely to return to port more often than those fishing for tails. The group further noted that the holding capacity of boats' freezers rarely is exceeded suggesting that there large boats with larger freezers than currently exist would not increase 'residency' times on the reefs.

DAY 2 – Thursday, 17 May 2007 (opened at 09:00 am)

Guest speaker Bill Arthur talked to the working group about the Torres Strait CRC projects and asked the members of the group if they could give him some feedback about the projects the CRC carried out.

The working group continue to discuss the boat replacement options issue. After consultation between the TIB and the TVH sector, they told the working group that it was difficult to make a decision due to the uncertainty with the tender process. They decided to maintain the same system until after the tender process is finalized. Managers indicated that it would be difficult to amend the management plan at a later date and that there was the need to make a decision. The TVH sector expressed concerns as industry will be restricted and they need more flexibility. Jim Prescott also reminded the working group that the PZJA decision was to make the fishery economically efficient. He also noted that there was a real risk that the current policy would be challenged and overturned and could lead even to the 20 metre restriction being removed.

There was also some confusion on why the current boat replacement policy did not apply to PNG. The TVH sector was concerned that there were only restrictions being imposed on the Australian sector and not on PNG with the exception of the 20 m maximum size. Jim Prescott explained that the policy applied to all Australian licences with a CR endorsement but not to Treaty Endorsements of a PNG licence. He further explained that TIB fishers were effectively free of the boat replacement policy while there is a policy of issuing an unrestricted number of licences so that when a larger boat is desired a Traditional Inhabitant can just apply for a new licence.

Toshi Nakata indicated that the working group needed also to solve the traditional inhabitants concerns about large vessels fishing in the local community reefs, as this was perceived as extra effort and gave less opportunities to the local communities to catch lobster in their nearby fishing reefs. Jim Prescott responded that the main issue was economic efficiency.

The group discussed the fact that boats that carry live lobsters are likely to return to port more often than those fishing for tails. The group further noted that the holding capacity of boats' freezers rarely is exceeded suggesting that large boats with larger freezers than currently exist would not increase 'residency' times on the reefs.

The chair noted that if the working group was unable to make a decision, the decision could be made at a higher level and could disempower the working group.

Yen Loban asked how is Queensland going to control and who is policing the charter boats, as there were too many out fishing near their communities and there was no authority controlling that effort. Shane Gaddes responded that at the moment there were no controls on charter boats.

Action Item: Shane Gaddes to take the charter boats issue to Queensland and investigate possible solutions to the issue
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Agenda Item 3.4: Traditional Fishing

Marcus Finn talked to his traditional fishing paper and explained different ideas to improve and protect traditional fishing and options to estimate the level of success of lobster traditional fishing.

The options discussed to protect and improve traditional fishing were:

- 1) setting aside a portion of the TACC to help traditional fishing;
- 2) setting aside traditional fishing areas; or
- 3) setting the TAC at Maximum Economic Yield (MEY) instead of Maximum Sustainable Yield (MSY).
- 4)

The CFG members expressed concerns about benefiting recreational fishing more than traditional fishing with the first option. The working group noted that for the second option broad community consultation is needed to establish where the traditional only fishing areas should be. Jim Prescott explained the difference between MEY and MSY and the trade offs if this option is to be considered.

The options discussed to estimate the level of success in traditional fishing were:

- 1) use commercial CPUE as a proxy of traditional fishing success;
- 2) estimate traditional CPUE; and
- 3) fine scale stock assessments.

These options were not discussed in detail and the working group needs to explore ideas on how to collect information on the level of success for traditional fishing. Marcus Finn noted that in the TS Treaty the priority is traditional fishing and that a management plan is going to be introduced for commercial fishing exploiting the same resource that traditional fishing takes. He indicated that the problem for management is a lack of available information to make the best decisions on ways to protect and improve traditional fishing. He noted that the management plan should be flexible enough to introduce measures at a later stage when the necessary information is available.

Jim Prescott mentioned that there were pressures from Canberra for the working group to consider measures to limit commercial fishing and improve traditional fishing. Charles David noted that is precisely their concerns with large vessels fishing for too long in the nearby reef, which is affecting their traditional fishing due to localized depletion.

Marcus Finn stressed that it is necessary to have information in order for the communities to make a decision. Jim Prescott indicated that the RAG decided to list this issue about traditional fishing as one of the research priorities for the SAC to consider with a view to research being done to fill in the information gaps discussed by Marcus.

Agenda Item 3.3: Fishing trips

Ana Lara-Lopez talked about the options of one jurisdiction versus two jurisdiction trips. She noted that if dual endorsed licence holders (TS and EC) wanted to fish two jurisdictions in one trip they would have to seal their live tanks or put their live catch into bins and seal them with the approved electronic seals. These measures needed to be introduced in order to be able to separate Torres Strait catch from and East Coast catch. Brett Arlidge indicated that sealing live lobsters in tanks or other containers was not a good option since the condition of the lobsters needs to be constantly checked and sealing the tanks will prevent that. The TVH sector was also concerned about the high price of the tags they will need to use. Ana Lara-Lopez explained that the reason for using the electronic tags was based on other fisheries such as the Victoria and South Australia lobster fishery where officials have been unable to enforce compliance using conventional tags to seal the bins. She indicated that most state fisheries have moved to single jurisdiction trips due to their proven compliance problems that they have been unable to resolve. Ray Moore asked if the frozen tails needed to be sealed as well and noted that imposing single jurisdiction trips was not a good idea as there were

some reefs that are in the two jurisdictions. Jim Prescott responded that if their freezers have areas that could be closed that it may be possible to just seal one part of the freezer. There was uncertainty if the electronic seals/tags were suitable for freezers.

Yen Loban asked if the TVH sector was aware that their allocated quota was in live weight and that if they were catching tails they needed to convert that into live weight. Jim Prescott indicated that the TVH representatives should talk to their stakeholders and ensure that there is wide spread understanding that the catch can be landed as either tails or live but that tail weights will be converted to live weight for the purposes of monitoring the quota. Shane Gaddes noted that when the TAC is set and quota allocated for that year it will be given in tail and live weight.

Once the pros and cons of two jurisdiction trips were weighed up the working group agreed to have single jurisdiction trips, with the TVH representatives noting that they were not given other viable options.

Agenda Item 3.6: Other issues

Ana Lara-Lopez talked about the ability for the TVH lobster fishers to keep 20 kg of fin fish in any form to sell, without an allocated quota for that fishery. Jim Prescott noted that this quantity in fillet weight was substantial and that the fin fish working group was concerned about this concession for fish that were under quota management in their fishery. Jim noted that they also wondered why this arrangement was not reciprocal.

The working group reluctantly agreed to change this policy and allow recreational take only (which members understood would be controlled by Queensland recreational fishing legislation).

In relation to setting some TIB quota aside for the December and January lamp fishing and free diving the working group discussed pros and cons. Ray Moore indicated that it made more sense for the TIB sector to start the season in December instead of February and in that way there would be no need to keep any quota. He noted that they will be fishing the next year's stock during December and January anyway. Jim Prescott expressed concerns about the TIB sector starting early and rushing in to fish their quota before the lobsters reached the size that would yield higher economic benefits. Jim was also concerned about a higher percentage of the quota being taken as small lobsters so therefore lobsters were taken to reach the quota. Brett Arlidge noted that, in terms of the market, it will adjust to size demand and that the prices for larger size lobsters fluctuate anyway.

Both the TVH and TIB sectors raised concerns about the PNG boats being attracted to the Australian side during December due to the closures of their side of the fishery during that month. Shane Gaddes indicated that unless something changes that their licences will not be endorsed in time for PNG fishers to start in December, noting that for the moment all endorsements are required to go through the Native Title traditional owners for comment before they are endorsed.

Action Item: QDPI&F and AFMA to check with DAFF if PNG boat endorsement need to go through the Native Title owners after the management plan is in place.

Managers digressed for a moment and indicated that notification of the quota status (current catch sum versus quota allocation) for the TIB sector was important in order to close the fishery and that notification will be done on radio, at the freezers and the news paper.

The working group agreed to set the start of the season in December for both TVH and TIB sectors, but agreed to keep the hookah closures in place, therefore only free diving will be

allowed in December and January – no change from the present. The TIB and TVH sector asked if there was going to be a TAC allocated to start fishing in December. Jim Prescott responded that only a preliminary TAC will be available and that this TAC will need to be adjusted after the pre-season survey results were analysed, the RAG has met to consider the final TAC and the PZJA has made a final decision on the TAC.

Action Item: Agencies to investigate if the possibility for the PZJA to delegate the setting of the preliminary TAC to the Standing Committee so the season could start on December

Ana Lara-Lopez discussed the need to include in the drafting instructions the ability to have observers in the fishery, but not make it compulsory. This was to make the option available in case is needed. The working group agreed in principle to include the use of observers in the management plan, although there were concerns about the costs.

Agenda Item 1: Outcomes of RAG meeting (May 2007)

Jim Prescott gave an update on the outcomes of the last RAG meeting and explained the presentation that Yimin Ye did at the RAG meeting. This presentation included information about catch statistics in the lobster fishery, the lobster stock assessment, setting of the TAC for 2006 and 2007 and results from the last mid-year and pre-season surveys. He noted that the TIB sector took 60% of the catch during 2006, and that last years TAC estimate exceeded the actual catch and also led to over-fishing.

On the stock assessment presentations the TVH sector expressed concerns that the current stock assessment does not include spawner and recruitment data from the East Coast. The TIB sector asked if PNG will reciprocate if the fishery collapsed and Australia closed the fishery, and if a collapse in the Torres Strait would be reflected in the East Coast stock.

Jim Prescott stressed that Yimin Ye has requested more information to be provided in the docket books, in particular on effort and fishing location to complement logbook information and so the stock assessment can be improved hopefully have more robust TAC estimates. He noted that while the catch data provided in the docket books was very accurate, more so than in the TVH sector where catch was often estimated, there was very little information on effort in the TIB sector. He added that it will be compulsory to provide the information when the management plan is implemented. The CFG's did not want to take that responsibility and suggested to impose that responsibility onto the fish receivers. Daniel Takai noted that there was nothing the fish receivers could do if the fishers did not provide accurate information. Jim Prescott responded with an example that it will only take 10 to 20 seconds to record that extra information and therefore there was no reasonable excuse for not doing it. The CFG's expressed concerns in supplying fishing area information as the fish receivers could give that information to competitors. Shane Gadded indicated that those concerns were unfounded since competitors could follow them to their fishing spots regardless of them supplying that information to the fish receiver.

Jim Prescott also indicated that there is need to improve the TVH data as there seems to be unreasonable consistency found in their effort records suggesting that the records are not accurate. TVH representatives argued that sometimes the time they record in their logbooks may not reflect real effort as there are factors that would be affecting such as weather and water visibility. They wanted to know which effort time they should record, diving time only or the time when the tender leaves the primary boat and returns.

Action Item: AFMA to ask the RAG to clarify which effort time needs to be recorded in logbooks, diving time or when the boats leave and return to the primary vessel.

Ana Lara-Lopez talked about a GPS tracking device used in the abalone fishery (trial) in Tasmania as a potential tool that could help resolve the lack of accurate effort data. The TIB and TVH sectors were concerned about the potential costs inherent in introducing this type of system. Jim Prescott indicated that the intention is to use this system as a trial to start with and that some funding needed to be looked for to test this tool in the TIB and TVH sectors. Shane Gaddes noted that the funding should be sought from an external source since the lobster fishery is already consuming 2/3 of the research money allocated for all Torres Strait fisheries.

The working group recommended investigating the Tasmanian GPS tracking system and the possibility of carrying out a trial project using this tool in the TIB and TVH sector. Jim Prescott noted that the lack of effort data and the potential use of the Tasmanian GPS system were also discussed in the last RAG meeting and therefore the working group has met the RAG's action item. He also added that the RAG was planning to meet twice per year, in October to discuss the preliminary TAC and in March to discuss the final TAC.

Action Item: Ana Lara-Lopez to find out more information on the Tasmanian GPS tracking device and the possibility to set a project to apply this tool into the Torres Strait TRL fishery.

Charles David expressed concerns that there is no room for growth in the TIB sector for this fishery and that there was inequity in the allocation process.

Agenda Item 6: Tender Process (update and timeline)

Jim Prescott read through the paper of the tender process update and explained the process to the working group. Shane Gaddes indicated that there will be a preliminary allocation of a TAC released for the people to make decisions. The CFG members asked if traditional inhabitants that possess a TVH licence will be eligible. Jim Prescott responded that everyone in the fishery with a TVH licence will be eligible. The industry expressed concerns of not being notified on time for upcoming tender process meetings.

DAY 3 – Friday 18 May 2007 (opened at 09:00 am)

The meeting started with the TIB and TVH representatives stating that they could not make a decision on the boat replacement policy out of session and that they needed to wait until the results from the tender process were known. However they stressed that they have the ability to arrive at an agreement but they needed to wait until the tender process was finalized since the fishery will be very different thereafter. The chair noted that this could limit the ability to develop the management plan and suggested to the TVH and TIB representatives to have an out of session meeting on this issue and the MFL issue after the tender process but before the next meeting in order to progress the management plan without unacceptable delays.

Agenda Item 4: Quota Monitoring System (QMS)

Ana Lara-Lopez talked about the QMS and the different notices that boats larger than 7m need to do when landing, transshipping and unloading product. Jim Prescott indicated that in past working group meetings there was agreement not to allow unloading to a mothership or a carrier boat licence and therefore the management plan was not going to allow it.

Daniel Takai noted that he did not agree on that decision because that was restricting future economic development for traditional inhabitants like him who are planning to expand their business by using a boat to purchase product from other islands. Don Whap noted that having boats purchasing product could potentially be a compliance risk because of the difficulty to perform inspections on a boat that is buying product and is moving all over the Torres Strait. He noted that a decision like that will leave a loophole that could encourage

illegal fishing and black market. Daniel Takai said that there was no difference between a fishing vessel and a buying boat in those terms and that if there was a paper trail there should not be a problem. He indicated that prior, unload and transshipment notices could also apply for boats buying product and in that way the managers could keep track of the product.

Jim Prescott indicated that the details needed to be looked at because it could create a loophole for illegal fishing and fraud. He noted that the buyer boat will have to take responsibility for all the sellers he had purchased from.

There was in principle agreement that processor carrier boats would be permitted only if they purchased product and carrier boats only would not be permitted (other than those used to ship product that had already been landed from or within the Torres Strait such as the barges and coastal freighters).

With regard to transshipment notices there were concerns because the transshipment notices and the catch disposal records will have different weights recorded due to water loss in the live product. Yen Loban asked if there was going to be any paper trail for TIB people operating from dinghies sending product via plane to Thursday Island or Cairns to sell. Jim Prescott gave an example of the South Australian system in the southern rock lobster fishery and how several areas might have a certified balance for fishers to weight their product. He noted that this could be put in place in those islands that do not have freezers. Daniel Takai expressed concerns in that system since it was expensive, open to vandalism and the paperwork may not be completed.

The working group agreed that TIB fishers who transhipped product from outer islands will need to weigh their product, give a transshipment notice and complete the paperwork regardless of the size of their vessel if they are sending their product out of Torres Strait. For the TVH operators it was agreed that all product needed to be transhipped from Thursday or Horn Island. Jim Prescott mentioned that there could be the possibility to licence airplanes to ship TRL and these airplanes that would then be required to report transshipments the way that they would be reported by licensed carrier boats.

For unloading requirements the working group agreed that all product should go through land based certified receiver areas before leaving Torres Strait.

The TVH and TIB sectors asked who will notify them when their quota was reached and how was the quota allocated to PNG going to be monitored. Managers responded that QDPI&F will notify the TVH sector while AFMA will notify the TIB sector via radio, newspaper, website and at the freezers. Jim Prescott explained to the working group how is the PNG quota going to be monitored, and indicated that they will use their own paperwork, however, they will need to send that paper work to AFMA in a timely manner before they are allowed make a another trip. He also noted that endorsed PNG boats will have to give a prior notice before leaving the jurisdiction and that they will need to wait for an officer to inspect their boats before leaving if requested to give Australian authorities to inspect the catch.

Charles David expressed concerns about PNG overfishing and causing biosecurity and customs issues. He noted that PNG could send some illegal catch through other boats (like banana boats) in the night and that this would be difficult to control.

The working group discussed the issue of the 10nm distance from communities for TVH sector and 'buyer processor' boats in particular. It was noted that with permission the community chairperson the buyer boats could operate inside this limit. The TVH sector was concerned about any limits on where they could fish (as distinct from buying) because it would be imposing more restrictions on commercial operations that were already supposed to be controlled in terms of sustainability on the basis of the quota system.

Agenda Item 3.5: Drafting Management Instructions

Ana Lara-Lopez explained the drafting instructions for the TRL Management Plan, several changes were made to the instructions during the working group discussions of the agenda item (Attachment A).

With regard to quota allocation there was in principle agreement that the TSRA could hold quota on behalf of the Torres Strait traditional inhabitants as an interim measure until traditional inhabitants had put another system in place.

In relation to the obligations relating to over-catch the working group agreed in principle that penalties will also apply to the fish receiver only when they purchased product from a community fisher when the TIB quota has been exceeded and their fishery was closed for the remainder of the quota year.

The TVH sector argued that they should be able to obtain more quota if they over-catch to avoid being prosecuted, however it was decided that since the lobsters were taken by hand that fishers should be able to reach without exceeding their quotas this was unnecessary. Furthermore there may not be a very large supply of quota available with so few licences to try and find it amongst.

The TIB sector asked if they could lease quota from the TVH sector as a community.

Action Item: AFMA to investigate if a community could lease quota from the TVH sector

In relation to the obligations for PNG licences holders the TVH representatives wanted to know what happens in the allocation of quota to PNG licence holders in the areas outside but near the protected zone (I am not really sure what was discussed in here but I understood that would be a DAFF action item).

Action Item: DAFF to clarify the PNG quota allocation in the outside but near areas

Agenda Item 7: Date for future meeting

The working group agreed to meet at the end of September 2007 – preferably 25-26 September.