

Meeting of the Tropical Rock Lobster Working Group 17-18 November 2003

Action Items

Number	Action Item	Action Agency
1	The WG believes that the Queensland closure for recreational fishing of TRL in December January should not be applied to the Torres Strait. Management should send a letter to QFS detailing this concern and asking for the legislation to be amended to reflect these concerns i.e. two month recreational closure in October and November	AFMA
2	Traditional inhabitants to consult and determine the exact areas that they would like to be closed from Hookah diving. Following this consultation a meeting will be convened between Islanders, Industry and management to progress this issue.	TSRA fisheries Coordinator / Industry
3	A clear set of instructions be produced on the differences between TIB vessels and TSFBL. Peter Yorkston to consult with Islanders whom hold a TSFBL on whether they would be willing to transfer to a TIB.	AFMA/QF S/ TSRA
4	Obtain formal written advice on what rights a TIB licence gives to traditional Inhabitants and from what type of vessels traditional inhabitants have the right to hunt from.	AFMA / QFS
5	Make the recommended changes to the responses for the strategic assessment comments.	AFMA
6	Traditional Inhabitants, Industry, Management and Researchers to lodge a submission to CSIRO on what are there research ideas and how this might be achieved. This can then be collated and redistributed for input before being presented to the TSSAC in February. Submissions should go to Darren Dennis by 5 December.	CSIRO /AFMA /TSRA, Industry
7	Industry will report back to the working group on negotiations between prawn and TRL industries on a trawl closure west of 143 degrees.	Industry
8	Give TRL industry the data on trawl and TRL effort along with habitat type to assist in this process of industry negotiation on a trawl closure west of 143 degrees	AFMA / QFS
9	Members to consider the merits of the proposed objectives, strategies and performance indicators and to provide comments to the next WG.	All WG members
10	The working group was concerned that dual endorsed	QFS

	<p>licences (Qld and TS) with line and cray endorsements could effectively split by leasing the linefish quota from the Qld licence and bring the boat to Torres Strait. Queensland Fisheries Service should be written to advising them of this possibility.</p>	<p>member</p>
11	<p>Industry and traditional inhabitant will go back to their constituents by Friday 28 November to discuss the options of</p> <ul style="list-style-type: none"> - Traditional Inhabitants – a ceiling on the number of cray endorsements in the TIB licence sector for the 2004 season - TFBL – a 30% reduction in the number of tenders or a removal of one tender per licence package for operators with 3 or more tenders available. 	<p>Traditional Inhabitants and Industry representatives</p>

Recommendations from the TRLWG to the TSFMAC

Recommendation 2:

Number	Recommendation
1	That the MAC adopts the management objectives for the TRL fishery as discussed in the WG. Strategies and performance measures will be developed at a later date.
2	The working group recommends that the TSFMAC consider the consultation and proposals by Industry and traditional inhabitant sectors (due on 28 Nov 2003) and make a recommendation to the PZJA on interim management arrangements for the TREL fishery in 2004
3	<p>The working group recommends that the following management objectives be adopted for the Torres Strait Tropical Rock Lobster fishery:</p> <ol style="list-style-type: none"> 1. To maintain the stock above the point where it produces its maximum sustainable yield. Setting the maximum sustainable yield at a conservative level implies that the ecosystem and environment function will be maintained. 2. To implement and maintain mechanisms that can be used to effectively manage effort and/or catch to give effect to Articles 10, 21, 23, 25 and 26 of the Torres Strait Treaty and section 8 of the Torres Strait Fisheries Act 3. To promote economic development and employment opportunities in the Torres Strait and to ensure that these development opportunities are socially and culturally appropriate
4	<p>The working group considered the proposal from the June 2003 PZJA to establish a TAC system in the TRL fishery.</p> <p>It was agreed that the proposal should be considered and tested against:</p> <ol style="list-style-type: none"> 1. The newly developed objectives for managing the fishery; 2. The ability to set biologically meaningful TAC's; and 3. The ability to ensure that quotas are not exceeded or that excesses are within acceptable limits. <p>Test 1 - <i>Does a system of total allowable catch comply with the management objectives of the TRL fishery?</i></p> <p>Management Objective 1 – To maintain the stock above the point where it produces its maximum sustainable yield. Setting the maximum sustainable yield at a conservative level implies that the ecosystem and environment function will be maintained.- The working group determined that yes a TAC could address this issue very effectively</p>

	<p>Management Objective 2 – To implement and maintain mechanisms that can be used to effectively manage effort and/or catch to give effect to Articles 10, 21, 23, 25 and 26 of the Torres Strait Treaty and section 8 of the Torres Strait Fisheries Act- the working group determined that yes TAC can effectively address these statutory requirements.</p> <p>Management Objective 3 - To promote economic development and employment opportunities in the Torres Strait and to ensure that these development opportunities are socially and culturally appropriate - The working group decided that whilst in some ways a TAC system would meet this objective it may also divide communities and individuals within the communities.</p> <p>Test 2 – <i>Is it possible to set a meaningful TAC ?</i>– The working group determined that in principle it is possible to set an appropriate TAC in the Torres TRL fishery however the design and implementation of the current survey would need to be altered considerably. CSIRO researchers and the working group estimated that the costs of a redesigned survey would increase approximately 4 fold.</p> <p>Test 3 – <i>The ability to ensure that quotas are not exceeded or that excesses are within acceptable limits</i> – The working group agreed that compliance with a TAC is achievable but at tremendous cost. The administration of the system would be very cumbersome and expensive. Having adjacent fisheries without complementary arrangements would be very problematic.</p>
5	<p>The working group recommends that paragraph 5.2 of FMN 58 be amended to require TRL tails to be measured by placing firm pressure on the third segment of the tail of the crayfish.</p>
6	<p>The TRL working group supported the recommendation from the finfish working group that 20kg of finfish would be appropriate as a take and carry allowance and consequently the FMN 54 and 55 should be amended to reflect this.</p>
7	<p>The TRL working group recommends that licence proposals where there are no policy guidelines should go through the relevant working group/consultative process. The working group was particularly concerned about applications to split or amalgamate licences.</p>
8	<p>The working group recommends that no licence amalgamations be allowed before the latent effort process has been completed.</p>

Attendance

John Marrington (Chair - AFMA)
Jim Prescott (AFMA)
John Kung (QFS)
Daniel Clifton (AFMA)
Ray Moore (Industry representative)
Garry Christopher (Industry representative)
Lota Warria (Traditional Inhabitant Representative)
Yen Loban (Traditional Inhabitant Representative)
Tabitia Joseph (Traditional Inhabitant Representative)
Peter Yorkston (TSRA fisheries Coordinator)
Manai Nona (Traditional Inhabitant Representative)
Graham Hirakawa (Traditional Inhabitant Representative)
Yimin Ye (CSIRO)
Darren Denis (CSIRO)

Observers

Peter GeaGea (Industry representative)
George Alison (Industry representative)
John Anderson (AFMA)
Michael Yates (AFMA)
Edward Patching (DFAT)
Dan Sweeney (QBFP)
Toshio Nakata (CRC MRLO)

Apologies

Raina Martin (Traditional Inhabitant Representative)
Barry Ehrke (QSIA representative)

A) *OPENING*

The meeting was opened at 0900hrs by the Chair, John Marrington

C) *AGENDA*

Under other business it was agreed to discuss the reduction in take and carry allowances for finfish and the newly developed licence amalgamation policy

Agenda Item 1: Confirmation of the record of the previous meeting (18-19 March 2003)

Mr Peter Yorkston moved that the minutes are true and accurate record of the meeting. This motion was seconded by Mr Mania Nona.

1. The minutes of the 18-19 March 2003 meeting were adopted by the working group

Jim Prescott raised the issue of recreational TRL fishing closure for 4 months. There was general discussion regarding the intent of this closure to match the 2 month commercial closure and that working group never intended that it should be extended to cover the hookah closure in December – January. There was general consensus amongst the working group for this approach.

Action Item: The WG believes that the Queensland closure for recreational fishing of TRL in December January should not be applied to the Torres Strait. Management should send a letter to QFS detailing this concern and asking for the legislation to be amended to reflect these concerns ie. two month recreational closure in September and October)

Agenda Item 2: Business arising from the previous meeting

An update was given to working group members on the Action Items from the 18-19 March 2003 WG. Most of the items had been addressed or were to be further progressed in later agenda items.

Action Item 1 – not progressed

Action Item 2 - Done

Action Item 3 – Peter Yorkston will pick up under agenda item 10.5

Action Item 4 – John Kung obtained the legal advice which was discussed at the April 2003 TSFMAC

Action Item 5 – The process of getting gazetted

Action Item 6 – Agenda Item 11.2

Action Item 7 – Not yet progressed – Need islanders to draw lines on a map.

Communities identify areas give to PY who can collate it

Action Item – Traditional inhabitants to consult and determine the exact areas that they would like to be closed from Hookah diving. Following this consultation a

meeting will be convened between Islanders, Industry and management to progress this issue.

Agenda Item 3: Correspondence relevant to the Lobster Working Group since last meeting

No Correspondence. All correspondence received was private matters between the management agencies and licence holders.

Agenda Item 4: PZJA 15 decisions

The working group was presented with all the decisions from the June 2003 PZJA meeting and Jim Prescott read through the decisions that were considered relevant to the TRL fishery.

Important outcomes for the TRL fishery included:

- The approval of membership to the various consultative bodies
- The continuation of a 6 monthly meeting cycle
- The protocol for AFMA to attempt to distribute meeting papers at least two weeks prior to the relevant meeting.
- That whilst in general the consultative process will be followed from the working groups through the TSFMAC to the PZJA, the PZJA may choose to make decisions without the full consultative cycle being followed.
- Funding had been sourced to implement the AFMA docket book system to obtain catch and effort data from TIB vessels.
- Had noted the legal interpretation of the Torres Strait Treaty given by Stephen Skehill that noted Traditional fishing had primacy, followed by community fishing and lastly commercial fishing that was not community fishing.
- The Chairs request that the TRLWG consider a proposal to manage the fishery through a TAC.
- That if management, industry and Islanders could not agree on a preferred method of controlling effort in the fishery by the next PZJA meeting then the Authority may be forced to consider alternative strategies.
- Signed off on the latent effort process

Agenda Item 5: Bilateral meeting update

John Marrington and Jim Prescott presented the agenda item. Gary Christopher attended the August meeting in Port Moresby as a representative of the TRL industry and Islander interests were represented by Toshio Nakata, Peter Yorkston, Brendan O'Connor and Mike Fordham.

Catch sharing calculations were altered for TRL where the PNG average catch per day was substituted for the Australian catch per day (20.6kg/tender/day) that was originally proposed. PNG suggested a rate of 12.3 kg/tender/day. This figure was lower than expected by the Australian delegation and eventually a figure of 16kg/tender/day was settled on. This figure allowed PNG to 1757 days in the Australian area which may be utilised by PNG operators using up to 7 tenders each which was equal to the maximum number of tenders in the Australian fleet.

Garry Christopher raised concern that PNG are not managing their fishery properly and have very poor information on their catch and effort to provide to the catch sharing calculations. Jim Prescott said that Australia needed closer involvement with PNG to ensure that the data that we all need to manage the fishery is collected.

Yen Loban inquired as to whether individuals (without cross endorsed licences) can come and fish commercially in the Torres Strait. Jim explained that no they cannot however they can come across traditionally to fish but are restricted to the bag limit

Agenda Item 6: Update on Strategic Assessment

John Marrington gave working group members an update on progress with the TRL strategic assessment report. Following the endorsement of the draft report by the TRLWG and AFMA's environment committee the report was released for public comment. Submissions have been received from 4 respondents as well as provisional comments from DEH (which are in confidence to the TRL working group).

Jim Prescott read through the comments provided on the assessment report and AFMA's proposed responses. There were a variety of comments provided but some of the main criticisms regarded:

- A lack of appropriate mechanisms to control effort in the fishery.
- The lack of a clear strategy to rebuild stocks which are currently classified as overfished.
- A lack of appropriate catch and effort data from all sectors of the fishery.
- The lack of a formal compliance risk assessment.
- There is no limit on the number of TIB licences therefore there is no way of controlling effort.
- Concern over spearing technique and how this may result in mortality of under sized lobsters.
- Interactions with protected species.

The importance of passing strategic assessment was highlighted to all participants. It was explained that if we do not pass TRL from the Torres Strait fishery might not be given export approval which will have a devastating effect on the price of product. It is crucial that the management arrangements are satisfactory to pass strategic assessment.

The statement for management arrangements for the TSTRL fishery will be provided to WG members out of session for their approval before being presented to the Minister for Environment and Heritage. The statement will be a summary of existing management arrangements in place for the fishery.

Garry Christopher was concerned that people can make comments that have no real knowledge of the fishery. Jim explained how the Torres TRL stock is a public resource and people have a right to make a comment on how it is being managed.

Traditional Inhabitants inquired about the need to have a TIB licence to undertake traditional fishing. Management explained that the TIB licence system was created to provide traditional inhabitants wishing to undertake commercial operations with a

licence. However, the same licensed vessel can be used for traditional fishing, general transport etc. Traditional fishing can also be performed from a recreational registered vessel. It was clear from the working group discussion that there was a lot of misinformation and misunderstanding in the community.

Action Item: A clear set of instructions be produced on the differences between TIB vessels and TSFBL. Peter Yorkston to consult with Islanders whom hold a TSFBL on whether they would be willing to transfer to a TIB.

Traditional Inhabitants need to be assured that people can still obtain and hold a master fisherman's licence without holding a TSFBL licence. When a Traditional Inhabitant gets a TIB they can make a separate application to get a master fishermen's licence.

There are a lot of dinghy's that people have registered as TIB's so that they can traditionally fish. Management explained that this is not necessary and that people have then right to fish traditionally because they are traditional inhabitants the boat has nothing to do with this.

Action Item: Obtain formal written advice on what rights a TIB licence gives to traditional Inhabitants and from what type of vessels traditional inhabitants have the right to hunt from.

Action Item: Make the recommended changes to the responses for the strategic assessment comments.

Jim acknowledged the contribution Ray Moore and Peter Yorkston made towards the development of the strategic assessment report.

Agenda Item 7: Research

7.1 CSIRO 2003 survey results

Darren Denis presented a report on the summary of the research outcomes 1989-2003 and future (stock assessment research) objectives in Torres Strait CRC.

In 2001 a stock recovery strategy was proposed to:

- Increase minimum size to 115 mm TL ~90 mm CL
- Increased closed season from Oct/Nov to Oct –Jan
- Cap fishing effort and remove latent effort
- Promote conversion of the fishery to a “live fishery”.

Yimin Ye is working on the development of a new dynamic assessment model for the fishery.

The 2003 survey found a high number of 1+ lobsters present and are thus predicting next season to be a good one. This information matches what the fishers have seen on the grounds. Darren was quick to point out that these improved seasons are not entirely due to the recovery strategy and were largely attributable to a very high

survival from spawning in 2000/01 from what was the smallest ever recorded parental stock.

Darren indicated that there was still a good deal of uncertainty in relation to the TRL stock in Torres Strait, how it relates with East Coast and PNG stock, where the animals go to breed and how larvae is transported back to the fishing area. The current research which involves the 2 week survey is really not giving us much new information on these aspects of the fishery. Darren also mentioned the large potential for pre-recruit lobster harvest and grow-out to ease the pressure on wild caught stocks.

Jim expressed his concern that there is too much uncertainty in the stock assessment which makes it difficult to make management decisions with confidence. We don't really know what is happening – we are on the books as being “overfished”. What do we do to improve this in the future. It may be necessary to invest more in the research to give us greater certainty in the future.

Ray says we still need the annual survey but we need other research in addition.

Jim says we have one resource that we are not using and that is the fishermen. Fishers are on the water many days of the year and collect important information if there is a program to underpin this.

Action Item: Traditional Inhabitants, Industry, Management and Researchers to lodge a submission to CSIRO on what are there research ideas and how this might be achieved. This can then be collated and redistributed for input before being presented to the TSSAC in February. Submissions should go to Darren Dennis by 5 December.

Recommendation: To the TSSAC that the WG

7.2 CRC research program 2004

This item was discussed in the process of covering other research agenda items. It was noted however that the CRC project is the only funded research for the next three years and that it was not going to provide for any of the extra research that may be useful.

7.3 Voluntary Tagging Program

Traditional inhabitants expressed their view that hookah diving in the deep water areas was preventing TRL from moving up onto the reef tops where they could be accessed by freedivers and traditional fishers. There was also the suggestion that the Kirkcaldie area was a feeder ground for TRL in the inner island area and that harvest should be restricted to allow the movement of crayfish. There was concern on the lack of information on where stocks go to breed, or if the poor year in 2000 after the high number of recorded 1+ TRL in 1999 was due to high natural mortality or if the crayfish moved to an area that was not fished. It was explained that many of these questions could be answered by implementing a tagging program. The most efficient and cost effective way to do this would be to use fishers to undertake the tagging.

Support was expressed from all sectors of industry for a voluntary tagging program. It was explained that we really only need a few conscientious fishers to be involved to get good results. Ray Moore noted that by tagging and releasing the 1+ age group it would have a minimal effect on the catches and hence profits of fishers however Jim noted that by restricting your tagging program to half the stock you may not get the complete picture. Doing the tagging is the easy part of the issue. The recovery of the tags is the tough issue. Garry Christopher suggested that a \$1 / kg be donated by fishers to go into a reward system for tag returns from PNG... Also requires money to get information collated, people trained, etc. Garry says he would much rather spend a little bit of money on research than take a 30% reduction. There was discussion about using pop up tags to discover where migrating TRL go.

The cost of tags is \$10 000 for 10 000 tags as well as the applicators. CSIRO offered to provide the administrative support to the program.

Graham Hirakawa was concerned that the tagging program will give fishermen insight into catching the TRL and make them more efficient. Management doubted that the information could be used in such a way.

Agenda Item 8: “Kirkaldie trawl closure”

Ray Moore presented the proposal on restricting the area where trawlers are currently allowed to operate to the area East of 143 degrees to protect important lobster habitat around the area of Kirkaldie reef. Data presented to the working group showed that there had been very limited fishing effort in this area since 1989 with less than 40 days total effort in all 6 degree grid squares in the 13 year period leading up to the 2002 season.

Darren Dennis noted that the habitat type in area of the proposed closure was different to the habitat type east of 143 degrees. Darren also stated that panaeid prawns are only found on flat featureless sandy/muddy bottoms. This type of bottom is not found west of 143 degrees in the area discussed.

It was decided that the best solution is for Industry to deal with this internally as Management has other issues with the prawn industry it must resolve and that managing this area could be a decision that is acceptable to both industries. It was decided that this issue does not need to go to this MAC meeting (as it is a short one) however the sooner we address this issue the better.

Action Item: Industry will report back to the working group on negotiations between prawn and TRL industries on a trawl closure west of 143 degrees.

Action Item: Give TRL industry the data on trawl and TRL effort along with habitat type to assist in this process of industry negotiation on a trawl closure west of 143 degrees

Agenda Item 9: Pre-recruit harvest – potential to value add industry

Due to time constraints this issue was not discussed at the working group beyond the initial information presented by Darren Dennis on the potential to harvest pre-recruits without having a substantial impact of wild stocks.

Agenda Item 10: Management Arrangements

10.1 Management objectives

Jim Prescott presented the agenda paper on management objectives for the TSTRL fishery. These objectives have remained unchanged since 1985. In 2001 Tony Kingston tabled a new set of management objectives to the TRL working group however these were never formally adopted by the PZJA. The management of this fishery has suffered due to the lack of clear management objectives.

Jim thought that Tony’s objectives were a little too general and a little unrealistic and that the specific performance measures were difficult to measure. He presented his own ideas for management objectives for comment from the working group.

The working group considered the objectives and made some changes to the originals proposed by Jim. Due to time constraints it was decided to leave the primary strategies and performance indicators to be progressed by a later working group.

Recommendation: The working group recommends that the following management objectives be adopted for the Torres Strait Tropical Rock Lobster fishery:

1. To maintain the stock above the point where it produces its maximum sustainable yield. Setting the maximum sustainable yield at a conservative level implies that the ecosystem and environment function will be maintained.
2. To implement and maintain mechanisms that can be used to effectively manage effort and/or catch to give effect to Articles 10, 21, 23, 25 and 26 of the Torres Strait Treaty and section 8 of the Torres Strait Fisheries Act
3. To promote economic development and employment opportunities in the Torres Strait and to ensure that these development opportunities are socially and culturally appropriate.

Action Item: Members to consider the merits of the proposed strategies and performance indicators for the stated management objectives and to provide comments to the next WG.

10.2 2004 management arrangements – what can/needs to be done for the coming season

Jim Prescott presented this agenda item to the working group. Jim noted that the TRL fishery is in a similar position to what it was in 2003 with a good season predicted for 2004, the latent effort process not yet completed. It is also likely that because of higher effort that the current fishing mortality exceeding desirable levels according to the researchers. Open meetings were held in August and October 2003 to discuss both long-term and interim management arrangements for the fishery. In the October 2003 meeting there was general support that some interim form of effort control was required although there was very little support for a TAC system. The different sectors agreed to consult with their constituents and come to the working group with submissions for interim arrangement in 2004.

Management expressed its desire for the working group to make a consensus recommendation to the TSFMAC and the PZJA. It was highlight that if consensus could not be reached then the decision making would be made by the PZJA, may not result in the outcome the working group would have preferred.

The options discussed to restrict effort in the fishery included:

- Extend the hookah ban – how long is needed to prevent effort increasing – would boats just go fish the east coast
- Complete 4 month closure – would this achieve much?
- Continue with a 30% reduction in tenders
 - Improved to make it more enforceable and equitable
 - Applied to all licences
- Put a ceiling on the number of cray endorsements in the TIB sector of the fishery

Jim showed data on the catch as related to the number of vessel completing logbooks. This showed that effort levels (tender days) in 2003 have been quite high compared to previous years. Catch rates in 2003 were higher than they have been since 1994 (maybe this is due to a different way of fishing?).

Although the percentage of live catch has increased over the years the majority of TRL taken were still tailed. Fishing operations that took just live had a slightly lower catch rate than those that took tails however the live vessels still make more money because of the higher per lobster value for live product. Therefore there is advantage in going "live" in terms of the effect on the stock and the economics of the individual basis.

Vanessa Moore showed a graph that indicated that the 30% reduction had a significant effect on effort in 2003. Another graph showed that the 30% reduction had a greater effect than extending the closed season. A 3-month closure may be required to achieve the 30% reduction through reducing tenders. It was pointed out that a closed season may be more economically efficient however effort may simply shift to the east coast for dual endorsed vessels and an extended closed season may have a negative effect on marketing. [Note that since the meeting one member correctly pointed out that extended closures achieve a greater reduction in total effort than indicated by the graph of fishing days by tenders – because a closure will restrict fishing by all licensed operators (TIB and F licences)]

Garry Christopher read through the Qld TRL Association's proposal. It was the consensus of the members that the 2004 season should proceed with all licences enjoying their full entitlement. The view was that they (Industry) should not cut back effort until latent effort was removed and the TIB sector was similarly restricted. This association does not represent all fishers in the Fishery but most TRL fishers in the Torres Strait are members. . Ray Moore did not support this proposal. Ray expressed concern that effort would increase and that DEH may not look favourably upon the assessment of this fishery. Ray favoured a one year interim cap on TIB licences (with cray endorsements = cap on endorsements) and then some form of effort reduction similar to the 30% effort reduction that occurred this year.

Peter introduced the Islander proposal to contain effort. The recommendations from this proposal were:

1. Consider the merit of capping the number of hookahs in the Torres Strait fishery – a minimum of one and maximum of two per primary vessel.
2. Consider the merit of permanently closing Kirkcaldie to TRL and prawn commercial fishing
3. Consider the merit of making the eastern part of the TS a hookah free zone
4. Consider the merit of extending the hookah ban by a further month beginning in Sept and ending at the end of January
5. Consider the merit of an exclusive ban for 4 months for the months of October to January 2003 – no commercial fishing by any method
6. Consider the merit of a continuation of the 30% reduction in tenders for the 2004 season and until the latent effort process is completed
7. Consider the merit of making Mabuiag home reefs a hookah free zone.

Discussion was thrown open:

Dan Sweeney stated that from a compliance perspective a ban for hookah gear east of 142°10' is possible. May need a transit corridor to Yorke to unload.

Garry Christopher stated that he can't go back to his sector saying that we have agreed to another 30% reduction.

Another question was: "can we limit the number of TIB's and still allow new people to enter the fishery by activating some of the latent effort?"

The working group discussed a ceiling on the number of cray endorsement in the traditional inhabitant TRL fishery. It was explained that this would potentially not limit new people entering the fishery as they could activate latent licences. Traditional inhabitants were assured that if a ceiling was to go ahead it would only be for a year. After that it would be re-negotiated during 2004 while new long-term management arrangements for the fishery was being developed.

Much discussion was directed to the fact that while there are a large number of TIB licences with CR endorsements, the vast majority of these were not being used regularly. Toshio Nakata suggested that based on his interviews with fishers in many communities that there would be no more than 50 TIB licences used regularly to take crays. Toshio suggested that there are really two types of traditional inhabitant fishers: Those who are full time fishers and others who are "targeted" fishers – people who fish for lobsters when they need to generate extra income for particular needs.

Toshio presented an analysis of the potential effort in the fishery. The analysis started with the premise that there are 304 days in the season and licences could theoretically operate on every day of the season. The figures are set out in the following Table.

Licences	Potential days
TIB (357)	108528
Tenders (81)	24624
Non transferable dinghies (9)	2736
Islander transferable only "F" licences (8)	2432
Total	138320

Toshio went on to describe the potential for a two tiered TIB system that would allow full time fishers to continue fishing and would also allow the "target fishers" to fish as required. The working group discussed an idea that has come from some Cape communities about an official "flag" being allocated to members of the community for fishing (in the Cape context for dugong and turtles). Working group members saw some merit in exploring this idea further to develop a system that is both culturally appropriate for Torres Strait but also controls the potential effort within acceptable limits.

It was pointed out that the target level of fishing shown in the table was on the order of 6000-8000 days or about 94% less than the total possible days. This table highlighted the problem that exists for the fishery – far too much latent effort.

Edward Patching from DFAT pointed to the large benefit of managing this problem internally otherwise 'big brother' (DEH) will make the rules from Canberra.

Garry Christopher questioned: "can we implement a reduction where every operator loses 1 tender except 1 and 2 tender operators?" Garry suggested that this would be a more equitable effort reduction and would not affect the small operators (2 tenders) as much (and would compensate them for their greater reduction in 2003). John Kung calculated that this would result in a potential effort reduction of 19% which is less than in 2003 but would still be significant.

Action Item: Industry and traditional inhabitants will go back to their constituents by Friday 28 November to discuss the options of

- Traditional Inhabitants – a ceiling on the number of cray endorsements in the TIB licence sector for the 2004 season
- TFBL – a 30% reduction in the number of tenders or a removal of one tender per licence package for operators with 3 or more tenders available.

Recommendation: The working group recommends that the TSFMAC consider the consultation and proposals by Industry and traditional inhabitant sectors (due on 28 Nov 2003) and make a recommendation to the PZJA on interim management arrangements for the TREL fishery in 2004

10.3 Recommendations for future arrangements (with feedback from public meetings)

Jim Prescott presented this agenda item. Due to time constraints the working group was unable to consider long-term options beyond the consideration of the PZJA Chair's TAC proposal.

Recommendation: The working group considered the proposal from the June 2003 PZJA to establish a TAC system in the TRL fishery.

It was agreed that the proposal should be considered and tested against:

1. The newly developed objectives for managing the fishery;
2. The ability to set biologically meaningful TAC's; and
3. The ability to ensure that quotas are not exceeded or that excesses are within acceptable limits.

Test 1 -

Does a system of total allowable catch comply with the management objectives of the TRL fishery?

Management Objective 1 – To maintain the stock above the point where it produces its maximum sustainable yield. Setting the maximum sustainable yield at a conservative level implies that the ecosystem and environment function will be

maintained.- The working group determined that **yes** a TAC could address this issue very effectively

1. Management Objective 2 – To implement and maintain mechanisms that can be used to effectively manage effort and/or catch to give effect to Articles 10, 21, 23, 25 and 26 of the Torres Strait Treaty and section 8 of the Torres Strait Fisheries Act.- the working group determined that **yes** TAC can effectively address these statutory requirements. Management Objective 3 - To promote economic development and employment opportunities in the Torres Strait and to ensure that these development opportunities are socially and culturally appropriate - The working group decided that whilst in some ways a TAC system would meet this objective it may also divide communities and individuals within the communities.

Test 2 – *Is it possible to set a meaningful TAC ?*– The working group determined that in principle it is possible to set a meaningful and accurate TAC in the Torres TRL fishery however the design and implementation of the current survey would need to be altered considerably and the costs of the survey would increase approximately 4 fold.

Test 3 – *The ability to ensure that quotas are not exceeded or that excesses are within acceptable limits* – The working group agreed that compliance with is achievable but at tremendous cost. The administration of the system would be very cumbersome and expensive. Having an adjacent fishy without complementary arrangements would be problematic

10.4 Industry submission

This agenda item was discussed under 10.2

10.5 Traditional inhabitant submission

This agenda item was discussed under 10.2

Agenda Item 11 – Compliance

1.1. Tail length measurements

Dan Sweeney and Jim Prescott presented this agenda item.

Size limits are an important aspect of the management of TRL. However currently the prescribed measuring technique is not robust enough to ensure consistency of measurements. It was suggested that the wording of the FMN 58 be amended to ensure consistency in measurements.

Darren Dennis noted that it is better to use tail width as a measurement as it is much more consistent however compliance and management representatives indicated that too much effort has been spent to develop these arrangements, making size gauges, and ensuring consistency with the east coast to change at this point.

Recommendation: The working group recommends that paragraph 5.2 of FMN 58 be amended to require TRL tails to be measured by placing firm pressure on the **third segment of the tail of the crayfish.**

11.2 Live holding lobsters

Due to time constraints this agenda item was not discussed.

11.3 2004 season priorities

Mike Yates explained how AFMA compliance are about to embark on a compliance risk assessment for the Torres Strait and need to establish a means to get an idea of what fishers feel are the compliance risks in the Torres Strait.

John Anderson informed participants of what was involved in a compliance risk assessment. He explained that the risk assessment would:

- Identifying where the risks are in a fishery
- Go to stakeholder for ideas
- Analyse risks against management arrangements and then prioritise the most important compliance issues to establish a compliance plan.

In the end it crystallises any compliance problems in the fishery and focuses where most of the enforcement effort should be applied.

The risk assessment is not just for the TRL fishery it is for the whole of the Torres Strait, including all domestic fisheries issues in the TSPZ. The risk assessment would be for 2004/05 but anything that is identified in the process can be addressed before that time.

11.4 registration stickers for fishing boats

Jim Prescott explain how the current practice of requiring fishing boats in Torres Fisheries to display fishing boat symbols that are attached to their licence is problematic. At a quick glance there is no way for anyone to determine if the symbols displayed correspond to a licence that is current. This had lead to the situation where in some circumstances 2 or more vessels are displaying the same symbols. With the large number of vessels that are nearly identical that makes it very difficult for compliance to be able to establish quickly whether a boat is legal or not.

The proposal to solve these issues is for vessels to display a valid registration sticker.

The working group supported this issue in principle but recognised that it needed to go through the other Torres working groups and MAC before it could be progressed.

Agenda item 12 Other business

12.1 Reduction in take and carry allowances

John Marrington explained how FMN 54 allows holders of any TSFBL to carry up to 50kg of Spanish mackerel fillets regardless of whether the holder has a Spanish mackerel endorsement or not, and that FMN 55 allows operators of Torres Strait prawn boats to carry up to 50kg of finfish of which 10 kg can be coral trout, or carry 20 whole fish. These arrangements had been implemented primarily to provide an opportunity for licensed operators to legally take limited quantities of finfish for their own and the crew's consumption.

He also pointed out that the latent effort sub-committee discussed the issue of whether fishers who lose their endorsements should be given an allowance for personal use. No specific recommendation was made on this issue but there was general agreement that a 50kg take and possession allowance should be made for both finfish and mackerel.

John informed the WG that Management was concerned that the limits currently reflected in FMN 54 and 55, and the suggestion from the Latent Effort Subcommittee were excessive.

The finfish working group supported this recommendation noting that 50kg was excessive and that it would aid in approval of strategic assessment for the finfish fishery.

Concern was expressed by industry that 20kg in possession was not a lot for taking home especially on the larger vessel that can have up to 14 crew. However it was noted that the allowed possession limit for crayfish in the finfish fishery was zero.

Recommendation: The TRL working group supported the recommendation from the finfish working group that 20kg of finfish would be appropriate as a take and

possession allowance and consequently the FMN 54 and 55 should be amended to reflect this.

1.1. Licence amalgamations

This information Item was presented by John Kung. The policy was still in the developmental stage and was presented to the working group to provide input and any comments at a latter date. The main policy issues addressed in the paper were:

1. Should a licence be required to give up any tenders in the process of amalgamating two licences? Does it matter if a smaller vessel is amalgamating with a larger vessel?
2. Should amalgamations of tenders be allowed where both primary boat licences are retained?
3. Should there be a maximum number of tenders on a licence, and should this be more or less than the present maximum
4. How would the effort history of the two licences be treated if there were any future allocations of effort?
5. Should any amalgamations be allowed before the latent effort process has been completed?
6. What happens to the endorsements on the licences when the two packages do not have identical endorsements?
7. What rules should apply about the licence expiry dates of two licences?

Ray Moore commented that there should be a loss of tenders when you amalgamate licences even if the vessels are the same size as this was a way of reducing effort in the fishery. Garry Christopher stated that by combining licences you are increasing effort because the boats can work more effectively with a larger number of tenders because these can effectively scout for and find patches of lobsters. In general there was a feeling among Industry and Islander members of the working group that the amalgamation policy should be drafted such that it works as an effort reduction mechanism.

The working group discussed that applications to split licences (or amalgamate licences once the PZJA has made a decision on this) should go through the consultative process. However the QFS member noted that it would be more beneficial to have input into the development of policies like this rather than be involved in delegated decisions through the consultative process as there are potentially many decisions to be made that would just bog the working group down on licensing matters.

In further discussion of licence splitting it was noted that splitting a licence was not allowed unless each jurisdiction agrees. Of relevance to the Torres Strait jurisdiction is the PZJA policy of limiting any expansion in the fisheries to traditional inhabitants – thus if the splitting of the licence has the potential of expanding effort in the fishery and a traditional inhabitant is not using the licence once split, then an application to split a licence would not be approved.

Recommendation: The TRL working group recommends that licence proposals where there are no policy guidelines should go through the relevant working group/consultative process. The working group was particularly concerned about applications to split or amalgamate licences.

Recommendation: The working group recommends that no licence amalgamations be allowed before the latent effort process has been completed.

B) NEXT MEETING

Due to uncertainty with the Queensland state elections and the TSRA local elections the meeting was unable to set a date for the next working group meeting although some time in early / mid next year was the most likely date. All working group members would be informed of the exact date well in advance of the next working group meeting.