

**TORRES STRAIT TROPICAL ROCK LOBSTER
WORKING GROUP MEETING
19 - 21 February, 2007
PEARLS BUILDING, THURSDAY ISLAND**

RECOMMENDATIONS/KEY OUTCOMES FROM THE TRLWG

Number	Agenda Item	Recommendation
1	7	A person or company in the TVH sector must hold a licence and that the number of licences in the sector be equal to or less than the number of primary boat licences (or if there are in existence any non-transferable dinghy licences the number of primary boat licences plus the non-transferable dinghy licences) in order to hold quota after the tender process
2	7	Traditional inhabitants (TI) or TI entity could purchase (or lease) a TVH licence and or Quota/ACE and maintain its transferable status just as any non-traditional inhabitant would. A TI could also nominate a TIB boat to fish against the quota so obtained
3	7	Management plan should only consider safeguards to traditional fishing (i.e. potential area closures, etc) but that traditional fishing should not be in the Management plan
4	7	Tenders should be capped at the number that are in existence following the tender process; trading should be allowed within the pool of tenders within certain conditions and that tenders could only be purchased no leased.
5	7	<p>All product needs to be weighed before it leaves Torres Strait;</p> <p>There will be a schedule of approved landing places on the basis that there are premises to receive/purchase the landed product, noting that there are some islands where the product may be transhipped by air.</p> <p>the issue of movement of product by aircraft needs to be considered carefully and arrangements proposed to the members</p>
6	7	For the TVH sector over-catch penalties should apply to the fisher who over catches the ACE and penalties should be sufficient to be a strong deterrent
7	7	The fishery should be closed by announcing a date based on a forecast of when the TIB ACE would be taken. This approach will put the responsibility to end fishing on the individual fishers and any breaches would be prosecuted against the individual

ACTION ITEMS

Number	Action	Agency
1	Investigate and provide advice on the utility of a GPS tracking device, potential application to the collection of relevant research data such as the one discussed which is used in Tasmania. Investigate the feasibility of using this GPS as an option to VMS for dinghies and potential privacy issues if utilized.	CSIRO
2	Investigate the amount of unused PNG quota and produce, if possible, a realistic preferential entitlement model that could be discussed with PNG at the next bilateral meeting	DAFF
3	Consult with TVH sector about a policy that formally awards any unused PNG quota available to Australia to the TIB sector	TVH reps
4	Raise concerns from TVH sector to AAP and/or PZJA about the importance of considering catch history in the allocation process	TVH reps
5	Consult with stakeholders about the inclusion/exclusion of reefs that are in the border of EC and TS, i.e. South Ledge, North Ledge, Meggi Damun, etc.	AFMA/QDPI&F
6	Ensure that recreationally caught lobsters must have the same requirements for tail punching in the Torres Strait as they will on the East Coast. Also seek to have a recreational closure in TS to coincide with the one in the area of the Queensland fishery as previously recommended by the working group.	QDPI&F
7	Check on the issue of new symbols for TIB fishers in the inner islands where some want to use symbols other than TRAWQ. Ensure that there is a possibility to track the history from one symbol to another. In a more general sense develop and present a policy on the symbols that can be applied to TIB licences.	QDPI&F
8	RAG to consider the impact of undersize harvest in Australia and PNG and provide advice about the need to formally incorporate this into the stock assessment modelling. This can be extended to include traditional and recreational harvest if the RAG recommends this.	AFMA/RAG
9	Investigate cards that could be issued to fishers that would be used to imprint docketts with all relevant information about the fisher, ie. Name, ABN, Fishery symbol etc.	AFMA
10	Seek advice from the RAG and CSIRO on the issue of dropping the mid-season survey and therefore losing the ability to produce a preliminary TAC with which to start the season. Questions: Can the pre-season survey be moved forward slightly? What are the trade-offs between the pre-season higher survey precision of 1+ lobsters and loss of precision for the 2+ lobsters surveyed mid-season? What are the implications of not having a current stock assessment before the TAC is recommended, ie using an assessment that is 12 months old?	AFMA
11	Provide advice on a new process for the provision of TAC advice to the PZJA if the RAG will not be in a position to meet prior to the provision of such advice	AFMA
12	Provide a detailed plan for when quota would be issued highlighting options discussed during the meeting and producing a table of "pros and cons".	AFMA

Comment [U1]: I can't remember where this part goes

Comment [U2]: I did not understand this. What do you mean with this?

Comment [U3]: I did not understand this action Item either, does that mean changing the starting season? or the consequences of setting a provisional TAC?

13	YPR analysis of starting the quota season at various times commencing December, January, February and March under the assumption that there will continue to be a hookah ban in December and January and the distribution of effort will be similar to present.	CSIRO
14	Provide monthly summaries of TIB catch data so that the option of various season openings and alternatives can be considered by the CFG.	AFMA
15	The CFG to take the issue of saving some quota for the fishing period of December and January	CFG
16	Provide clear advice on traditional fishing area closures and consider the issue of setting aside and explicit allocation of catch for traditional fishing after consultation with Traditional Inhabitants. Put forward a proposal for areas to be closed to recreational fishers.	CFG/TSRA
17	Confirm that quota could only be held by a natural person or Australian company	AFMA
18	Look up in memorandum of understanding if the number of days a boat is in one spot can be restricted	AFMA??
19	Provide wording from QDPIF management plans (e.g. spanner crab and reef line) regarding changes to landing arrangements and prior reporting to AFMA for inclusion in the draft Plan	QDPI&F
20	CFG representatives to consult with their sector on continuing or abandoning the current policy of limiting the granting of new MFL licences only to traditional inhabitants.	CFG/TSRA
21	Provide advice on the application of reporting requirements and possibly licensing of aircraft moving TS product just as there are carrier licences for boats.	AFMA
22	Provide advice on the technical details of arrangements needed to allow for fishing in more than one area of jurisdiction at a time	QDPIF/AFMA
23	Revise objectives 2 and 6 and consider islanders aspirations in the objectives	AFMA
24	Conversion factors investigated as previously discussed by the RAG – proposal drafted and submitted ASAP	CSIRO
25	Amend Fisheries Management Notice on carrying hooka gear during the closure	AFMA

Comment [U4]: I am not sure if it is AFMA the agency for this action item

Comment [U5]: I am not sure when this was discussed

Comment [U6]: I am not sure when this was discussed

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

AGENDA

OPENING

APOLOGIES

ADOPTION OF AGENDA

ACTION ITEMS FROM PREVIOUS MEETINGS

1. Decisions of the PZJA
2. East Coast process update (QDPI&F)
3. Outcomes of RAG 2 meeting (August 06)
4. November/December pre-season survey
5. Fishery Data
6. Management Plan
 - 6.1. Parts
 - 6.2. Draft plan
 - 6.3. Implementation
7. Updated Project Plan (verbal)
8. Quota system for 2008
 - 8.1. review of where we got
 - 8.2. further development
9. Additional Effort Reduction measures for 2007
10. Dates for future meetings
11. Other business
 - 11.1. Clarification of hooka closures
 - 11.2. tender process
 - 11.3. issues for the RAG to consider
 - 11.4. where to find information: using the PZJA website
 - 11.5. fisheries management short course
 - 11.6. Lobster Congress
 - 11.7. Tender Panel Nominations

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DRAFT RECORD OF MEETING

DAY 1

Attendance

Dorothea Huber	(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)
Marcus Finn	(TSRA Fisheries Policy Officer)
Lota Warri	(CFG – Yorke Community Fisher Representative)
Graham Hirakawa	(CFG – Port Kennedy Community Fisher Representative)
Darren Dennis	(CSIRO Research Scientist)

Observers

Alec	(Native title representative – Day 1 only)
Semali Lasa	(Native title representative – Day 1 only)

DAY 2

Attendance

<i>As per Day 1</i>	
Charles David	(CFG – Yam Community Fisher Representative)
Terrance Whap	(CFG – Mabuia Community Fisher Representative)

Observers

Thomas Fujii	(TRL Fisherman)
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DAY 3

Attendance

As per day 2

Observers

As per day 2??

DAY 1 – Wednesday, 24 May 2006

OPENING COMMENTS

The meeting of the Tropical Rock Lobster Working Group (TRLWG) was opened at XX pm on Day 1 by the Chair, Ms Dorothea Huber. This was followed by the introduction of Mr Phil Hughes, who is joining the working group as an industry representative.

APOLOGIES

Apologies were received from Yen Loban who was having problems with his boat; and Charles David and Terrance Whap who joined the meeting on Tuesday.

ADOPTION OF AGENDA

Toshio Nakata requested discussion on the time frame and milestone of the tender process and industry representatives requested clarification during hooka closures. These items were placed under other business (i.e. Agenda Item No. 12). The agenda was subsequently adopted. The update of project plan was moved to Agenda Item 9.

ACTION ITEMS FROM PREVIOUS MEETINGS

Jim Prescott went through the Action Items from previous TRLWG meetings (Attachment 1). Most of the items had been addressed or were to be further progressed in later agenda items. He noted that none of the actions arising stood out as being of big importance at this stage.

In respect to Action Item 5, the report has not been finalised yet, but Shane Gaddes read some of the results from the report.

In respect to Action Item 8 Graham Hirakawa noted that the Port Kennedy Community wanted their boat symbol to change. Shane Gaddes suggested that symbols should be changed when the Management Plan is implemented in order to reduce work load. Toshio Nakata added that it is important to change symbols in order to recognize the fishers from the different areas and track the communities of the fishers if they get into quota in the future. Jim Prescott responded that changing symbols would not work because anyone could use the boats regardless of the community they originate from, and that if catch history is considered in the future it should be against the name of the fisher and not the boat. Shane Gaddes noted that the purpose of the symbols was to identify a link between licence and boat, and added that there should not be any problem if the Port Kennedy community wanted to change their boat symbol and that he will check on time frames for changing symbols.

In respect to Action Item 14 Jim Prescott noted that no decision has been made on the use of VMS and PC, but that there will be alternative method. He added that it would be a good idea to investigate the potential and effectiveness of the Tasmanian abalone GPS method and the possible applications for Torres Strait Rock Lobster fishery. He indicated that this method has the potential to ratify logbook data and help research. Ray Moore added that if there will be an alternative method to track dinghies this device should be in all dinghies that participate in the fishery. Graham Hirakawa indicated that there could be potential privacy issues if boats were also used for their recreational activities, and Shane Gaddes added that there is also problems with real time data. It was concluded that it would be a good idea to explore the Tasmanian system further and to involve CSIRO to assess its research potential as well.

Action Item: CSIRO to investigate and provide advice on the utility of a GPS tracking device, potential application to the collection of relevant research data such as the one discussed which is used in Tasmania. Investigate the feasibility of using this GPS as an option to VMS for dinghies and potential privacy issues if utilized.

In regard to Action Items referring to insertions and deletions in the Management Plan, Jim Prescott noted that the Management Plan had to start again from zero because AFMA is supposed to be writing the instructions to the Management Plan and should not be involved in the drafting of the MP, that is the job of the Office of Legislative Drafting and Publishing. The Management instructions were discussed on day 2 and 3.

Agenda Item 1: Decisions of the PZJA

Jim Prescott read the PZJA decisions, which are published in the website.

In relation to the PZJA decision 1.1, Marcus Finn indicated that the TSRA hired a consultant to assess the cultural appropriateness in the allocations and the likelihood for the TIB sector to buy more allocation. The final report will be ready for the next PZLA meeting. Jim Prescott noted that the government will buy as much as possible with the resources available and indicated that this will not be the last step and there **will be more opportunities??**

In relation to the PZJA decision 2.1 Jim Prescott indicated that there were still some issues to be resolved, such as what will happen with the PNG share that is not used. The PNG share will be estimated each year, but there still needs to be discussed if Australian boats can have access to their unused quota. Legal advice needs to be sought to determine if PNG can sell their unused quota to Australia. Brett Alridge suggested that if PNG does not utilize all their quota, preference should be given to the TIB sector. Shane Gaddes suggest that this issue should be resolved, although it will take long. **Darren Dennis indicated that the TAC is based only in the Australian catch and asked if PNG is going to reciprocate, and added that future surveys will include PNG waters as well.** The CFG representatives indicated that they want to be able to access the PNG unused catch. Dorothea Huber indicated that negotiations with PNG need to be done and the option of leasing the PNG units each year could be a good option. The TVH representatives need to consult with their members about giving the TIB sector first access to the unused PNG quota before making it a recommendation.

Action Item: DAFF to investigate the amount of unused PNG quota and produce, if possible, a realistic preferential entitlement model that could be discussed with PNG at the next bilateral meeting

Action Item: TVH representatives to consult with TVH sector about a policy that formally awards any unused PNG quota available to Australia to the TIB sector

In regard to decision 2.2.6 **Darren Dennis noted that the pre-season survey is necessary and a mid year survey will make the stock assessment more robust?. However he indicated that if there is a problem to implement a mid year season survey, keeping pre-season surveys will be enough.**

In regard to decision 4.1.3 Ray Moore noted that there was no time given to stakeholders to read the AAP report and Brett Alridge added that no time was given to consult and he did not like the final report. Both TVH representatives argued that several people will be disadvantaged if catch history is not considered and that Torres Strait quota allocation should be similar to the East Coast one. **Jim Prescott suggested to the TVH sector to bring this issue up at the next PZJA meeting???**

Action Item: TVH representatives to raise concerns from the TVH sector to AAP and/or PZJA about the importance of considering catch history in the allocation

In regard to decision 4.4.4 Jim Prescott explained the disadvantages of competitive TAC and the differences with the TVH sector. Toshio Nakata indicated that the TSRA will work out the positives and negatives of the competitive TAC during the 2 years trial and the possible ways quota could be allocated.

In regard to 9.1.1 decision Dorothea Huber noted that the 20:40 harvest strategy was not appropriate and that the escape strategy should be used instead.

DAY 2 – Tuesday, 20 February 2007 (opened at 08:30 am)

Agenda Item 2: East Coast process update (QDPI&F)

Shane Gaddes read the East Coast process update. Jim Prescott indicated the need to discuss decisions about those reefs that are located in the border between EC and TS, and the need to agree with stakeholders about the decisions.

Action Item: AFMA and QDPI&F to consult with stakeholders about the inclusion/exclusion of reefs that are in the border of EC and TS, i.e. South Ledge, North Ledge, Meggi Damun, etc.

There was discussion on recreational fishing and that tail punching should be a requirement in both jurisdictions. The possibility of tail punching in the traditional fishing was also explored.

Action Item: QDPI&F to ensure that recreationally caught lobsters must have the same requirements for tail punching in the Torres Strait as they will on the East Coast.

Ray Moore indicated that the TAC in the EC is small and it will be based only in catch history. They don't want an investment warning to avoid the movement of fishers to different jurisdictions. He and Brett Alridge noted that they want the RIS to be sent to stakeholders for comment. They also indicated that catch history should also be considered in the Torres Strait. Jim Prescott suggested that the TVH sector should bring this issue to the AAP.

Action Item: Shane Gaddes to check on the issue of new symbols for TIB fishers in the inner islands where some want to use symbols other than TRAWQ.

Agenda Item 3: Outcomes of RAG 2 meeting (August 06)

Jim Prescott went through the RAG outcomes and indicated that the stock assessments used 2 different models and that the models did not consider lobster size, although it is a serious matter. He explained that the high escapement target is a long term goal and it could be achieved in a stepwise manner.

Action Item: RAG to consider the impact of undersize harvest in Australia and PNG and provide advice about the need to formally incorporate this into the stock assessment modelling.

Agenda Item 4: November/December pre-season survey

Darren Dennis gave a power point presentation of the pre-season surveys (I did not take notes on that!)

Agenda Item 5: Fishery Data

Jim Prescott gave an update on the data validation process that took place for the TVH sector and explained some of the problems that were found. He noted that there has not been a significant change in the data, the mistakes were minimal and that it will not have a big effect to the AAP. He indicated that a policy on catch verification needs to be accepted by the PZJA.

The reports for the TIB sector are still pending and that the CFG should explain what the process is about. Jim Prescott noted that there are still several problems with the information provided in the dockets, since the sellers were not completing the adequately. Marcus Finn suggested the use of a card ID that can identify the fisher and in that way it will be easier for the sellers to gather information.

Action Item: AFMA to investigate cards that could be issued to fishers that would be used to imprint dockets with all relevant information about the fisher, ie. Name, ABN, fishery symbol etc.

Agenda Item 6: Management Plan

Jim Prescott and Ana Lara-Lopez gave a power point presentation on the management ideas to lead discussion. The presentation started with the objectives of the plan and the importance of the objectives was emphasized. Charles David was not aware of the changes made to the wording of the objectives and was upset about those changes.

There was discussion on the inconvenience of two TAC set for each year (a provisional TAC at the beginning of the year and then the valid TAC) after the pre-season and mid-season surveys. The main problem on having a preliminary TAC was the way it will affect the ACE given to fishers at the beginning of the season. There was also concern on the feasibility to have a stock assessment before the opening of the fishing season. Ray Moore indicated that the best option is to have set the TAC at the beginning of the season and then do the stock assessment. Jim Prescott noted that there should be a trade off if a TAC is set with no stock assessment information setting a TAC in a conservative way. Charles David discussed his concern on PNG's illegal fishing and undersize lobster being sold in Australia, and that illegal fishing should be included in the stock assessment. There was discussion on different ways to keep some quota available in the TIB sector for lamp fishing in December.

Action Item: AFMA to seek advice from the RAG and CSIRO on the issue of dropping the mid-season survey and therefore losing the ability to produce a preliminary TAC with which to start the season. Provide advise to the PZJA on a new process for the provision of TAC if the RAG is not in a position to meet prior to the provision of such advice

Comment [U7]: I reworked the wording a bit, but I don't think I got the idea still

It was agreed that the fishing season for the TVH sector should start on the 1st of February and Darren Dennis indicated that it will be possible to deliver a TAC by that date and that illegal fishing could be included in the stock assessment.

The group recommended that the RAG should review the stock assessments for the previous year before the pre-season surveys

Action Item: AFMA to provide data on the proportion taken during December and January during 2000-2005

Action Item: The CFG to take the issue of saving some quota for the fishing period of December and January

Action Item: CSIRO to do a YPR analysis of starting the quota season at various times commencing December, January, February and March under the assumption that there will continue to be a hookah ban in December and January and the distribution of effort will be similar to present.

The group discussed traditional fishing and all the issues surrounding traditional fishing, mainly focusing on the effects that commercial fishing has on traditional fishing. There were proposals on ways to protect traditional fishing, such as locking some percentage of the TAC away from the commercial sector to protect traditional fishing and setting areas as "traditional fishing only" areas. The CFG agreed to take the issues to their communities and propose some areas for traditional fishing only for the next working group. Charles David indicated that the Yam island community already has some areas closed for traditional fishing only and he wants to have some areas to be closed from all types of fishing to let the stock recover.

Action Item: CFG to consult with their communities about potential areas for traditional fishing only and proportion of TAC that should be allocated for traditional fishing

The working group discussed the problem of holding quota without a licence and the danger of rich investors buying quota and raising the value to the extent that the TIB sector would not be able to buy those units.

The working group agreed that to be able to hold quota the person should have at least one licence.

Action Item: AFMA to confirm that quota can only be held by a natural person or Australian company

DAY 3 – Wednesday, 21 February 2007 (opened at 08:30am)

Jim Prescott and Ana Lara continued discussions on the management instructions for the Torres Strait TRL fishery.

There was discussion on the competitive TAC that the TIB sector will undergo during the first 2 years, and the possibility of AFMA holding in trust units allocated to the TIB sector from the beginning, before the sector works out which way their share of the fishery should be managed. There was also discussion on the possibility that any quota bought from the TVH sector keeping the transferable status.

There was in principle agreement that the "Government" could hold both the PNG and TIB units in trust and grant an ACE such that the system is the same in as many respects as possible between the three sectors and over time in the TIB sector.

The group agreed that all TVH quota should keep the transferable status in order to keep the value.

It was discussed the pros and cons of traditional fishing being under the management plan. It was agreed that safeguards for traditional fishing should be included in the plan, but the plan should not manage traditional fishing.

There was discussion about the gear restrictions and controls in the fishery. Charles David suggested that no GPS should be used, but that proposal was rejected automatically.

In regard to the boat replacement policy there were mixed opinions between the TVH and the TIB sector; with the TVH sector suggesting that size limits should be scrapped and only keep a maximum size of 20m. However the CFG representatives did not like the suggestion because the perception their communities have when they see a big vessel near the reefs they fish. Several proposals were put forward during the discussion:

1. No change;
2. Remove all size restrictions;
3. Relax the size limits but impose the move on policy (below); or
4. compromise was that boat could be replaced by ones up to 14m but on a one for one basis after that.

There was support for a “move on” policy from both sectors and an agency undertaking to develop some arrangements that would be brought back to the members as soon as possible. Such a policy may resolve some of the concerns about the localised depletion that the TIB sector has with removing the boat replacement policy. Both sectors and agencies agreed that such a policy would partially resolve the issue where PNG boats concentrate their effort on Warrior and Dungeness Reefs.

Action Item: AFMA?? to look up in memorandum of understanding if the number of days a boat is in one spot can be restricted

With regard to the trading of tenders and number of tenders in the fishery it was agreed that:

1. Tenders should be capped at the number that are in existence following the tender process;
2. Trading should be allowed within the pool of tenders within certain conditions;
3. There was in principle agreement that there be a maximum number of tenders allowed of four with packages with more than this number being “grandfathered”; and
4. There should only be purchase of tenders and no leasing.

In relation to reporting:

1. There was unanimous agreement that all product needed to be weighed before it leaves Torres Strait;
2. There will be a schedule of approved landing places which will be primarily on the basis that there is a premises to receive/purchase the landed product (but noting that there are some islands where the product may be transhipped by air);
3. If there is an unload that is not to a processor/buyer then it is part of a transfer/transshipment;
4. It was suggested that if transhipped by air then a prior report is required (by who and how) – this whole issue of movement of product by aircraft needs to be considered carefully and arrangements proposed to the members;

Action Item: Shane Gaddes to provide wording from QDPIF management plans (e.g. spanner crab and reef line) regarding changes to landing arrangements and prior reporting to AFMA for inclusion in the draft Plan

Action Item: AFMA to provide advice on the application of reporting requirements and possibly licensing of aircraft moving TS product just as there are carrier licences for boats.

In relation to licences there was discussion on the existing processor boat licences and Master fisherman licences and the introduction of the fish receiver permits. It was agreed that the existing processor boat licences should remain. However in relation to Master Fisherman's licences:

1. There was qualified support from CFG representatives to remove the requirement of MFLs conditional on the outcome of the tender process and the number of positions that would be maintained in the TVH sector for islanders on the basis of the current policy; and
2. The TVH sector representatives were firmly of the belief that the licences should be discontinued after the tender process but accepted the islanders position about requiring further consultation.
3. The CFG representatives will consult with their sector and report to the next meeting of the Working Group or before.

Action Item: CFG representatives to consult with their sector on continuing or abandoning the current policy of limiting the granting of new MFL licences only to traditional inhabitants.

In relation to Over-Catch:

1. It was agreed that in the case of the TVH sector that it was unnecessary to allow fishers to find ACE to cover any over-catch because it was a hand collection fishery. Therefore penalties should apply to the fisher who over catches the ACE and that the penalties should be sufficient to be a strong deterrent.
2. In the TIB sector agreed that the fishery should be closed by announcing a date based on a forecast of when the TIB ACE would be taken. This approach will put the responsibility to end fishing on the individual fishers and any breaches would be prosecuted against the individual.

On fishing in more than one jurisdiction during a trip, the working group agreed in principle but awaits further advice from the agencies on the technical details.

Action Item: Provide advice on the technical details of arrangements needed to allow for fishing in more than one area of jurisdiction at a time

On leasing the Working Group generally supported the concept noting that temporary transfers of licences is somewhat different than the transfer of ACE, eg a person needs a licence to fish and therefore leasing a whole package (fishing licence and ACE) may be necessary in some situations.

Toshio Nakata asked to do some modifications in the objectives that referred to traditional fishing in the management plan (Attachment 2). He indicated that the islanders want their aspirations to be reflected in the objectives. He noted that there no one is has given enough thought to traditional fishing. Marcus Finn read some of the aspirations of the islanders to the working group. Among those aspirations were:

- 1) To own 100% of the finfish fishery
- 2) Uptake most effective fishing practices with the available technology
- 3) Transfer of knowledge to future generations
- 4) Have an economically viable and sustainable fishery.

Action Item: AFMA to revise objectives 2 and 6 and consider islanders aspirations in the objectives

Agenda Item 7: Updated Project Plan (verbal)

Dorothea Huber talked about the update of the project plan. I did not take notes on this

Agenda Item 8: Quota system for 2008

I did not take notes on this

Agenda Item 9: Additional Effort Reduction measures for 2007

The TRLWG agree on differing the discussion on additional effort reduction measures to the next TRLWG meeting. Shane Gaddes noted that there would not be any need to reduce effort after the tender process as there will be less boats left in the fishery anyway.

Agenda Item 10: Dates for future meetings

Tentative dates for future meeting and the tender process were given. Toshio Nakata noted that there was clashing dates between the MAC and board meeting in June. The next Working Group meeting will be on May and an update on the RAG on the 22 and 23rd of March. Charles David asked if there could be TIB representatives in the tender process meeting. Dorothea Huber indicated that DAFF is running the tender process and that they will have public meetings, and TIB representatives could attend. The TVH representatives asked for more time to think about the nomination of the industry representative for the tender panel.

DRAFT

ATTACHMENT 1

Action Items from previous TRL Working Groups

Comment [U8]: I re-numbered the action items to make it easier.

No.	Action Item	Agency	Outcome
1	. Provide members of the TRLWG with a copy of the paper explaining the PZJA decision on how resource allocation percentages are to be applied in the Torres Strait Tropical Rock Lobster fishery under the Treaty, plus the proposal of the movement towards the 70:30 allocation. This paper should also outline funding arrangements to give effect to 50:50 resource allocation in the Torres Strait Tropical Rock Lobster fishery.	AFMA	A TSRA Community Newsletter explaining the PZJA 20 Decisions was distributed in January 2007 to the CFG, Community Councils and Traditional Owners Prescribe Body Corporate in the Torres Strait and Northern Peninsula Area.
2	At the request of TSRA Community Fisher Group Representatives (CFR) on the TRLWG, DAFF requested to provide advice on what will happen if the tender process does not remove the target number of licences from the fishery. Incorporate this in the draft paper explaining the PZJA decision on how resource allocation percentages are to be applied in the Torres Strait Tropical Rock Lobster fishery under the Treaty, including the proposal of the movement towards the 70:30 allocation.	DAFF.	PZJA 20.1.1(f) decided to defer the implementation of the PZJA resource allocation decision for TRL and further discussion of this issue at this time (including at the TRLWG). As a first step, it agreed to conduct the tender process to reduce TVH capacity in the TRL fishery to the limit of funds available and at the completion of the tender process, re-evaluate and discuss with the TVH and TIB sections the outcomes of the tender process. It then agreed to engage with stakeholders with the objective of identifying desired allocation between sectors (and a pathway to achieving that goal and other aspirations) for the long term economic development of the Torres Strait..
3.	Carry over agenda item improved data collection system to the next scheduled meeting of the TRLWG.	AFMA	AFMA has worked on improving this over the months since the last meeting. A short paper has been prepared for this meeting.
4.	Add background and application of the criminal code in the Torres Strait Fisheries Act context to their legislative amendments consultation.	DAFF	DAFF is examining the matter
5.	Provide members of the TRLWG with an information handout sourced from AFMA observer data on lobster bycatch in the Torres Strait Prawn fishery.	AFMA	A report will be provided as soon as possible
6	The TRL Resource Assessment Group to consider the strategies and performance measures for Fishery Objective No.1 at the next scheduled meeting (August 2006).	TRL RAG	The following outcome was achieved. Objective 1: To maintain the spawning stock at levels that meet or exceed the level required to produce the maximum sustainable yield. Measures by which the objectives are to be attained: <ul style="list-style-type: none"> • Setting the total allowable catch each year • Managing fishing practices to ensure the sustainability of the resources of the fishery • Implementing a program of research, data collection and

			<p>monitoring relevant to the assessment and management of the fishery</p> <ul style="list-style-type: none"> Establishing an effective program for monitoring and surveillance of the fishery to ensure compliance with the Management Plan <p>Performance criteria to assess measures taken:</p> <ul style="list-style-type: none"> The amount of lobster taken in a fishing year does not exceed the TAC for the year; and The accuracy and timeliness of the fishery research and monitoring; and The management arrangements are effective in delivering compliance; and The level of compliance with the management arrangements. <p>Potential Indicators: (the group felt it was unnecessary to progress with the detail of the indicators at this meeting).</p>
7	Investigate the two remaining non-traditional inhabitant Processor/Carrier Boat licences (TPCs) in the fishery whether they could be considered in the Australian Government tender process in the Torres Strait TRL fishery.	DAFF	DAFF, QDPI&F and TSRA are developing the form of the tender process and determining who will be eligible to participate. The issue is under active consideration in that context.
8	Look into the issue of TIB dinghy registration and appropriate community symbols.	QDPIF	It is possible to change the symbols
9	Find out the background to the requirement in other AFMA fisheries to carry an extract of the register on board the boat and report back to the Working Group.	AFMA	It is a requirement to carry the register as a proof that they hold a licence. The registry contains an update on their catch and the quota the licence holder is allowed to catch. These measures facilitate compliance in other AFMA managed fisheries. A verbal report will be made to update this item further.
10	Apply the requirement to carry an extract of the register on board the boat under section 19(f) of the draft Plan only to boats greater than 7 metres in length.	AFMA	Done
11	Append "in accordance with the instructions" to section 19(3) of the draft Plan.	AFMA	Done
12	Include in the draft Plan a prohibition on tenders fishing in more than one jurisdiction on the same day.	AFMA	Done
13	Specify "primary vessels greater than 7 metres in length" under section 19(4) of the draft Plan.	AFMA	Done
14.	Seek advice from AFMA VMS staff on whether a personal computer is necessary as part of the VMS requirements for Torres Strait fisheries.	AFMA	The AFMA Board, in February 07, will seek to have all boats fitted with a VMS linked to a PC in all other Cwltth fisheries unless they lodge an application for an exception. Applications will be examined case by case. If VMS is not fitted then an alternative tracking device approved by AFMA (there will be a list of those devices) must be fitted. Whether such measures will also apply to Torres Strait will be a matter

			for the PZJA to determine. However, an important point is that there is place for alternative devices. AFMA has found a system of interest being used in Tasmania to monitor abalone fishing at a finer geographic scale.
15	Provide wording from QDPIF management plans (e.g. spanner crab and reef line) regarding changes to landing arrangements and prior reporting to AFMA for inclusion in the draft Plan.	QDPIF	Pending
16	Determine whether holders of FRPs can be required to report.	AFMA	This could be included in licence conditions. Attached is a document with FRP conditions that apply to other fisheries. These conditions can be modified as required for the TS. A suggested form of the conditions for Torres Strait is also attached.
17	Seek advice on the application of the EPBC Act to Torres Strait fisheries and PNG fishers from AFMA Legal and DEH.	AFMA	AFMA legal has not provided advice however the Senior Manager – Environment is of the opinion that the Act applies to all fisheries regardless.
18	Include a requirement that PNG-endorsed operators clearly identify in their logbooks the area of jurisdiction in which they have fished under section 21(3) of the draft Plan.	AFMA	Done
19	Seek legal advice on whether the PZJA can require PNG-endorsed operators to have a vessel monitoring system (VMS) monitored by the PNG fisheries agency, or whether it could be an Australian system administered by the PZJA.	AFMA	Advice still being sought from AFMA legal.

ATTACHMENT 2

Revised objectives

Management Objective	Measures by which objectives are to be attained	Performance criteria to assess measures taken
<p>1. To maintain the spawning stock at levels that meet or exceed the level required to produce the maximum sustainable yield</p>	<p>Setting the total allowable catch each year</p> <p>Managing fishing practices to ensure the sustainability of the resources of the fishery</p> <p>Implementing a program of research, data collection and monitoring relevant to the assessment and management of the fishery</p> <p>Establishing an effective program for monitoring and surveillance of the fishery to ensure compliance with the Management Plan</p>	<p>The amount of lobster taken in a fishing year does not exceed the TAC for the year; and</p> <p>The accuracy and timeliness of the fishery research and monitoring; and</p> <p>Effectiveness of management arrangements in delivering compliance</p>
<p>2. In accordance with the Torres Strait Treaty, to protect the traditional way of life and livelihood of Traditional Inhabitants</p>	<p>Ensure fishing opportunities for Torres Strait traditional inhabitants of Australia and Papua New Guinea are preserved</p> <p>Set aside an appropriate share of the TAC for traditional fishing</p> <p>Set aside appropriate areas for traditional fishers to ensure access to the portion of the stock reserved for traditional fishing</p> <p>Developing a series of biological, economic and other data that can be used to assess the fishery</p>	<p>Reference points for traditional fishing are identified</p> <p>Traditional fishing opportunities meet cultural needs</p> <p>% of TAC set aside for traditional fishing is adequate</p> <p>Areas allocated for traditional fishing are appropriate</p>
<p>3. To provide for the optimal utilisation, co-operative management with Queensland and Papua New Guinea and for catch sharing to occur with Papua New Guinea.</p>	<p>Facilitating the development of sound, cost-effective fisheries management for the fishery by holding joint meetings with Queensland and PNG where information and ideas are exchanged.</p>	<p>Data and management information are readily available</p> <p>Results from research in all jurisdictions feeds into management.</p> <p>Degree to which the fishery is cooperatively managed.</p>

<p>4. To monitor interactions between the prawn and lobster fisheries.</p>	<p>Implementing a program of research, data collection and monitoring relevant to the assessment and management of the fishery</p> <p>Monitor TRL by-catch rate in the prawn fishery through an observer program</p>	<p>No net increase in overlap between the two fisheries</p> <p>By-catch of lobster in the prawn fishery and lobster's life state when returned to the sea is monitored</p>
<p>5. To maintain appropriate controls on fishing gear allowed in the fishery so as to minimise impacts on the environment.</p>	<p>Apply restrictions on the gear or method that is allowed to be used in the fishery and fishing activities identified as an unacceptable risk to the environment</p> <p>Education and awareness program used to promote best practice.</p>	<p>Degree of responsible fishing practices are maintained.</p>
<p>6. To promote economic development in the Torres Strait area emphasizing on providing the framework for commercial opportunities for Traditional Inhabitants and ensure that these opportunities available to all stakeholders are socially and culturally appropriate for the Torres Strait and the wider Queensland and Australian community.</p>	<p>Granting transferable fishing entitlements for the fishery;</p> <p>Develop strategy for traditional inhabitants to acquire larger share of TAC including review and decision rules</p> <p>Monitor and evaluate the opportunities for lobster grow-out/aquaculture</p> <p>Enhance fishing opportunities for Australian Torres Strait traditional inhabitants</p> <p>Avoid arrangements that may negatively impact on community tropical rock lobster enterprises</p>	<p>Proportion of the TACC held by each sector</p> <p>Proportion of resource allocation moves to a higher community share</p> <p>Level of employment of traditional inhabitants in the TRL sector</p> <p>Proportion of the traditional inhabitant share utilized</p> <p>Number of management obstacles met by enterprises</p>
<p>7. Optimise the value of the fishery.</p>	<p>Developing a series of biological, economic and other data that can be used to assess the fishery</p> <p>Reduce or eliminate illegal fishing</p> <p>Maintain flexibility in management arrangements so market demand can be met</p>	<p>Research undertaken at a scale necessary for the confidence to set TACC at higher levels</p> <p>No impediments prevent all quota being taken</p> <p>Revenue from fishery maximised</p>