

41st Protected Zone Joint Authority Meeting

Meeting Outcomes

Wednesday 16 March 2022

Teleconference

Welcome and Apologies

The Chair opened the 41st meeting of the Protected Zone Joint Authority (PZJA) at 11:33 am AEDT with an Acknowledgment of Country. An attendance list is at **Attachment A**.

The Chair welcomed the opportunity for the PZJA to meet virtually and acknowledged with regret that circumstances prevented the planned face-to-face meeting taking place.

1. Amending the Finfish Management Instrument

The PZJA

- 1.1 **NOTED** the PZJA Finfish Fishery Working Group's (FFWG) support to amend the *Torres Strait Fisheries (Finfish) Management Instrument 2020* (the Management Instrument), which is a legislative instrument under section 16 of the *Torres Strait Fisheries Act 1984* (the Act) for the Torres Strait Finfish Fishery.
- 1.2 **AGREED** to amend the management Instrument under section 16 of the Act for the Finfish Fishery to:
 - a. Redefine the finfish *permanent closure area* (Western Line Closure) and
 - b. Amend the definition of a finfish licensed person to include persons who have been granted a licence under section 19(4A) of the Act that authorises the taking of fish without the use of a boat. The amending instrument is the *Torres Strait Fisheries (Finfish) Amendment Instrument 2021*.
- 1.3 **APPROVED** the Explanatory Statement for the Amendment Instrument.
- 1.4 **AGREED** to:
 - a. authorise AFMA to publish the Instrument in the *Torres News* for the purposes of sub section 16(9) of the Act;
 - b. authorise the Commonwealth Minister to execute the Instrument for and on behalf of the PZJA; and
 - c. authorise the Commonwealth Minister to commence the Instrument on 1 May 2022.
- 1.5 All members noted the work of advisory group members, AFMA and TSRA staff in progressing the changes to the instrument. The Queensland member expressed an interest in working with AFMA and TSRA on education and sustainability aspects of the changes.

2. Torres Strait research funding

The PZJA:

- 2.1 **NOTED** AFMA has budgeted an additional \$121,000 in the 2022-23 financial year to fund research projects in Torres Strait Fisheries supplementing the existing annual research budget of approximately \$420,000.
- 2.2 **NOTED** that the TSRA in 2021 committed \$150,000 annually for three years to support Torres Strait research.
- 2.3 **NOTED** the total 2022-23 budget across proposed new projects and ongoing projects already funded and under contract is \$1,061,181. This leaves a shortfall of around \$370,181 after the allocated AFMA funding and TSRA funding (\$150,000) committed to date for 2022-23.

- 2.4 **AGREED** that the Torres Strait Scientific Advisory Committee should discuss alternative funding sources to support ongoing research in Torres Strait fisheries at its upcoming meeting on 6-7 April 2022.
- 2.5 The Chair noted that the Torres Strait fisheries research program is primarily funded by AFMA with some support from the TSRA from time to time for specific projects, including the three-year commitment that the TSRA made to provide some support for research priorities.
- 2.6 The Chair and TSRA member noted the need to seek broader support from agencies who may support scientific advice and research to enable continued sustainable fisheries in the region. The Queensland member noted the possibility of having discussions with FRDC and a willingness to support discussions with them.

3. Application to fish for species not covered by a fisheries management instrument

The PZJA::

- 3.1 **NOTED** AFMA has received an application for the permanent transfer of an inactive transferrable vessel holder (TVH) licence. This class of licence authorises the holder to commercially fish for Torres Strait species which are not covered by a fisheries management instrument¹. In the current case, the applicant has indicated an intention to fish for a number of ornamental aquarium species which fall in this category.
- 3.2 **NOTED** the TVH licence in question is one of 10 licences (9 fishing and 1 carrier class A) that had their fishery entries removed as part of a PZJA latent effort review process undertaken in 2004 in the Tropical Rock Lobster (TRL) and Finfish fisheries. All ten licences have continued to be renewed annually.
- 3.3 **NOTED** that the applicant is not an identified traditional inhabitant. As such, the proposed activity does not align with the current PZJA policy to reserve further expansion of effort for traditional inhabitants and the aspiration for a sustainable fishery that is 100 per cent owned by Torres Strait Islander and Aboriginal traditional owners.
- 3.4 **NOTED** that AFMA does not have the power to extinguish the entitlement to commercially fish conferred to the holders of the 9 TVH licences while they are in force without significant legal risk.
- 3.5 **NOTE** that AFMA, as the licensing delegate of the PZJA, intends to:
- Approve the transfer of the licence and authorise the applicant to commercially fish subject to specific licence conditions to regulate the proposed activities.
 - Seek advice from the Hand Collectables Working Group (HCWG) and Hand Collectables Resource Assessment Group (HCRAG) on the policy parameters and additional conditions under which any continuing activity should occur.
- 3.6 **NOTED** AFMA separately intends to review the basis for the 10 licences to be issued in future noting the availability of development permits under Section 12 of the *Torres Strait Fisheries Act 1984* (TSFA) and the current policy setting of the PZJA and provide advice to PZJA on a recommended course of action.
- 3.7 Members also noted the importance of communicating with all licence holders about the likely future of the permits. Members noted that the application will raise a range of sensitivities and concerns, particularly for traditional inhabitant fishers, and highlighted the importance of a rigorous consideration process using PZJA's existing advisory mechanisms.

Close

The Chair closed the meeting at 11:57 am AEDT.

Meeting attendance

16 March 2022

PZJA members

Chair

- Senator the Hon. Jonathon Duniam, Assistant Minister for Forestry and Fisheries and Assistant Minister for Industry Development

Members

- Mr Napau Pedro Stephen AM, Chair Torres Strait Regional Authority
- Mr , Queensland Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities
- Mr Graeme Bolton, Deputy Director-General, Queensland Department of Agriculture and Fisheries

Government Delegations

Australian Fisheries Management Authority

- Wez Norris, Chief Executive Officer
- Anna Willock, Executive Manager, Fisheries Management Branch
- Brodie Macdonald, Acting Senior Manager, Northern Fisheries
- Danait Ghebregabhier , Acting Manager, Torres Strait Fisheries

Torres Strait Regional Authority

- Angela Jane, Acting Chief Executive Officer
- Mark Anderson, Manager, Fisheries Programme
- Keith Brightman, Project Manager (Fisheries)

Department of Agriculture, Water and the Environment

- George Day, Assistant Secretary, Fisheries Branch

Queensland Department of Agriculture and Fisheries

- Michelle Winning, Senior Fisheries Manager, Management Reform, Fisheries Queensland

Office of the Assistant Minister for Forestry and Fisheries and Assistant Minister for Industry Development

- Elysse Halliday, Advisor (Fisheries)