

32nd Protected Zone Joint Authority Meeting

Meeting Outcomes

Tuesday 8 October 2019 – Teleconference

1. Policy approval for additional legislative amendments

- 1.1. The PZJA **NOTED** concerns raised by the TSRA member around appropriate consultation occurring with Torres Strait stakeholders if logbook requirements are to be imposed by the PZJA delegate. The AFMA CEO confirmed that a full consultation process would occur as part of the development and determination of any logbook instrument.
- 1.2. The PZJA **APPROVED** further amendments to the *Torres Strait Fisheries Act 1984* (the Act) to:
- provide for the grant of a licence without specifying a boat in the licence;
 - provide for a class of licence that authorises the taking of fish as well as the processing and carrying of fish taken with the use of another boat;
 - impose logbook requirements via the determination of a legislative instrument, exercisable by a delegate of the PZJA; and
 - make minor technical amendments to support the introduction of other measures.
- 1.3. The PZJA **APPROVED** further amendments to the *Torres Strait Fisheries Regulations 1985* (the Regulations) to:
- provide a legislative authority for the collection of information, to be exercised by a person exercising powers or performing functions under the Act;
 - allow licences to be granted for up to five years duration;
 - update provisions concerning the detention of illegal foreign fishers to be brought in line with analogous provisions of the Migration Regulations 1994;
 - prescribe a condition that all licence holders must comply with any relevant plan of management; and
 - to make any additional amendments required consequential to the amendments to the Act identified above.
- 1.4. The PZJA **NOTED** that:
- policy approval was given by the PZJA and the then Commonwealth Minister for Agriculture and Water Resources in May 2017 to amend the *Torres Strait Fisheries Act 1984* (the Act) and the *Torres Strait Fisheries Regulations 1985* (the Regulations) to make seven amendments to reduce red tape and to improve regulatory efficiency; and
 - since that policy approval was obtained, further amendments have been identified for which additional policy approval is sought.
- 1.5. The PZJA **NOTED** that, prior to any public consultation process, the Standing Committee agencies and the PZJA will be given the opportunity to consider the amendments.

2. Approval of transfer forms in accordance with the Torres Strait Tropical Rock Lobster Management Plan

- 2.1. The PZJA **NOTED** concerns raised by the TSRA member around the process for permanently transferring quota units and **AGREED** for PZJA agencies to resolve any issues with the proposed recommendations and seek prompt out-of-session approval by PZJA members.
- 2.2. The PZJA **NOTED** the requirement under the *Torres Strait Fisheries (Quotas for Tropical Rock Lobster (Kaiar)) Management Plan 2018* (the Plan) (Attachment A) for quota holders to use an approved form when permanently (s24) or temporarily (s25) transferring quota units.
- 2.3. The PZJA **AGREED** to approve the permanent and temporary transfer forms.
- 2.4. The PZJA **AGREED** to delegate the powers under s29 of the Plan, relating to the authority of the PZJA to approve forms, to AFMA, as licensing delegate of the PZJA. AFMA will exercise this delegation when the approved forms require future amendment.

3. Granting of Permit for Scientific Purposes – 2019 population surveys for the Torres Strait Tropical Rock Lobster Fishery

- 3.1. The PZJA **AGREED** to grant a Permit for Scientific Purposes in accordance with section 12(1) of the *Torres Strait Fisheries Act 1984* (the Act) to CSIRO to enable a fishery independent dive survey of Tropical Rock Lobster (TRL) to be undertaken within the area of Torres Strait TRL Fishery.
- 3.2. The PZJA **AGREED** for the Chair to sign and date the Permit for Scientific Purposes.
- 3.3. The PZJA **NOTED** that no submissions were received in response to native title consultation conducted under section 24HA of the *Native Title Act 1993* (the Native Title Act) with regards to the proposed grant of a Permit for Scientific Purposes.

4. Granting of Permit for Scientific Purposes – population surveys for the Torres Strait Beche-de-mer Fishery

- 4.1. The PZJA **AGREED** to grant a Permit for Scientific Purposes in accordance with section 12(1) of the *Torres Strait Fisheries Act 1984* (the Act) to CSIRO to enable a fishery independent dive survey of Beche-de-mer (BDM) to be undertaken within the area of Torres BDM Fishery.
- 4.2. The PZJA **AGREED** to for the Chair to sign and date the Permit for Scientific Purposes.
- 4.3. The PZJA **NOTED** that that one submission was received in response to native title consultation conducted under section 24HA(2) of the *Native Title Act 1993* (the Native Title Act) with regards to the proposed grant of a Permit for Scientific Purposes.

5. Developmental Permits for Training Purposes Policy: Release draft for public comment

- 5.1. The PZJA **NOTED** that in April 2019 the PZJA agreed to the development of a policy, in consultation with fishery stakeholders, for the granting of developmental permits in Torres Strait fisheries, and that until a policy has been agreed by the PZJA, no new developmental permits will be granted that seek an exemption to the policy for traditional inhabitant boat (TIB) vessels to be fully crewed and operated by traditional inhabitants.
- 5.2. The PZJA **NOTED** the TSRA has developed a draft policy for PZJA consideration for the granting of developmental permits for training purposes, including having undertaken targeted consultation with Torres Strait industry and community, and working with other PZJA agencies.
- 5.3. The PZJA **AGREED** to include the following alternative wording for paragraph 7.2.2 around the assessment of skills gaps, as proposed by AFMA, into the draft *Developmental Permits for Training Purposes Policy*:

7.2.2 Traditional Inhabitant sector advice

One of the considerations the PZJA will take into account when considering applications is information about the kinds of skills gaps that exist across the Torres Strait fisheries. To assist the PZJA in understanding these skill gaps, the PZJA agencies will seek the advice of industry and communities. This will be done periodically to ensure the advice on skills gaps remains relevant.

- 5.4. The PZJA **AGREED** to release the draft *Developmental Permits for Training Purposes Policy* for public consultation for a period of 8 weeks.
- 5.5. The PZJA **AGREED** to release a joint-media release to announce the period of public comment on the draft policy.
- 5.6. The PZJA **NOTED** that a final *Developmental Permits for Training Purposes Policy*, and relevant comments received during the public consultation period, will be presented to the PZJA for decision at a later date.

Meeting attendance

8 October 2019

PZJA members

Chair

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

Member

- Mr Napau Pedro Stephen AM, Chair Torres Strait Regional Authority
- Mr Graeme Bolton, Deputy Director-General, Fisheries and Forestry (Queensland), as Deputy for The Hon. Mark Furner MP, Queensland Minister for Agricultural Industry Development and Fisheries

Government Delegations

Australian Fisheries Management Authority

- Mr Wez Norris, Chief Executive Officer
- Mr Steve Bolton, Senior Manager, Northern Fisheries and Co-management
- Mr Steve Hall, Senior Management Officer

Queensland Government Department of Agriculture and Fisheries

- Ms Claire Andersen, Executive Director, Fisheries Queensland

Torres Strait Regional Authority

- Mr Mark Anderson, Manager, Fisheries Programme

Office of Senator the Hon. Jonathon Duniam

- Ms Danielle McKay, Advisor – Fisheries

Apologies

PZJA member

The Hon. Mark Furner MP, Queensland Minister for Agricultural Industry Development and Fisheries

Government Delegations

Torres Strait Regional Authority

- Ms Mary Bani, Ag/Chief Executive Officer