

33rd Protected Zone Joint Authority Meeting

Meeting Outcomes

Tuesday 19 November 2019

Teleconference

Welcome and Apologies

The Chair opened the 33rd meeting of the Protected Zone Joint Authority (PZJA) at 3:30pm AEDT. An attendance list is provided at [Attachment A](#).

1. Interim Total Allowable Catch for the Tropical Rock Lobster Fishery

1.1. The PZJA **AGREED**, consistent with advice from the PZJA Tropical Rock Lobster Resource Assessment Group (TRLRAG) and TRL Working Group (TRLWG), for the Australian Torres Strait TRL Fishery (TRL Fishery) to have an interim total allowable catch (TAC) of 200 tonnes (unprocessed weight) for the 2019-20 fishing season from 1 December 2019.

2. Torres Strait Tropical Rock Lobster Fishery Harvest Strategy

- 2.1. The PZJA **AGREED**, following consideration of the outcomes of public consultation and advice from the Tropical Rock Lobster Resource Assessment Group (TRLRAG) and TRL Working Group (TRLWG), to adopt the final draft harvest strategy for the Torres Strait Tropical Rock Lobster Fishery (TRL Fishery).
- 2.2. The PZJA **NOTED**, that subject to recommendation 1, the Harvest Strategy for the TRL Fishery will apply for the 2019-20 fishing season starting 1 December 2019.

3. Torres Strait Beche-de-mer Fishery Harvest Strategy

- 3.1. The PZJA **AGREED**, following consideration of the outcomes of public consultation and advice from the Hand Collectable Working Group, to adopt the final draft harvest strategy for the Beche-de-mer (BDM) Fishery.
- 3.2. The PZJA **AGREED** for AFMA, as licencing delegate, to amend BDM fishing licence conditions in order to implement the starting TACs and weight conversion ratios as prescribed in the final draft harvest strategy in time for the commencement of the 2020 BDM fishing season starting 1 January 2020.
- 3.3. The PZJA **NOTED** the final draft harvest strategy incorporates a simplification to the control rules for responding to small overcatches (between 5- 20 per cent of the Total Allowable Catch (TAC) without compromising the performance of the harvest strategy in meeting its objectives.
- 3.4. The PZJA **NOTED** that proposed changes to minimum size limits for sea cucumbers, as prescribed in the final draft harvest strategy, will likely be implemented for the 2021 fishing season.

4. Grant of scientific permit for a bycatch reduction device trial in the Torres Strait Prawn 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 "Kevin R Reibel", a licence holder in the Torres Strait Prawn Fishery (TSPF), to enable the conduct of a trial of a new Bycatch Reduction Device (BRD).
- 4.2. The PZJA **AGREED** for the PZJA Chair to sign the Permit for Scientific Purposes.

- 4.3. The PZJA **NOTED** the outcomes of the Native Title notification process undertaken in relation to the proposed grant of a Permit for Scientific Purposes to trial the new BRD.

The Queensland member expressed their support to pursue options for AFMA, as the licensing delegate, to have responsibility for making day to day operational decisions, such as granting permits, rather than the PZJA, and noted this would streamline current processes and provide for greater strategic focus by the PZJA.

5. Review of TRL quota unit allocation to the Traditional Inhabitant sector

- 5.1. The PZJA **NOTED** that under subsection 17 the *Torres Strait Fisheries (Quotas for Tropical Rock Lobster (Kaiar)) Management Plan 2018* (TRL Plan), the PZJA must undertake a review of the allocation of quota units to the Traditional Inhabitant sector.
- 5.2. The PZJA **AGREE IN PRINCIPLE** that the review of allocation be undertaken by an Independent Allocation Advisory Panel (IAAP), in accordance with the PZJA's *Fisheries Management Paper No. 2. Guidelines for the formation of allocation advisory panels for the allocation of fishing concessions in Torres Strait Protected Zone Joint Authority Fisheries where fisheries management arrangements change significantly* (FMP 2).
- 5.3. The PZJA **DIRECT** the PZJA Standing Committee to provide draft Terms of Reference (ToR) for an IAAP, including its membership and process to the PZJA by April 2020 so that PZJA can confirm its in principle decision (see 5.2).
- 5.4. The PZJA **AGREED** to commence the allocation review following the completion of the TSRA's *Fisheries Regional Ownership Framework* project, anticipated by 30 June 2020.
- 5.5. The PZJA **AGREED** that the IAAP appointed to undertake the TRL review, also consider and recommend an allocation model for the allocation of quota units to Traditional Inhabitants under the *Torres Strait Finfish Fishery Management Plan 2013* using the same basis provided for under s17(2) of the TRL Plan.

6. Tropical Rock Lobster catch sharing arrangements

- 6.1. The PZJA **NOTED** that the commercial Torres Strait Protected Zone (TSPZ) Tropical Rock Lobster Fishery (TRL Fishery) is subject to catch sharing arrangements agreed annually by Australia and Papua New Guinea (PNG) under the *Torres Strait Treaty 1984* (the Treaty). The agreement covers:
- apportioning the agreed Total Allowable Catch (TAC) for the TSPZ;
 - co-operating in the endorsement of licenced fishers to permit fishing by each Party in the other Party's area of jurisdiction (cross-endorsement); and
 - preferential entitlement. If relevant, where a Party does not itself propose to take all the allowable catch to which it is entitled, either in its own area of jurisdiction or that of the other Party, the other Party shall have preferential entitlement to any of the allowable catch of that fishery not taken by the first Party.
- 6.2. The PZJA **AGREED** that, subject to further consultation with stakeholders, the preferred arrangement for utilising Australia's catch allocation within PNG's jurisdiction is to not seek cross-endorsement but rather pursue a preferential entitlement arrangement under Article 25 of the Treaty.
- The preferential entitlement agreement would enable Australia to take a proportion of PNG's cross-endorsement catch allocation within Australian waters equivalent to Australia's cross-endorsement catch allocation in PNG's waters. Conversely, PNG would be entitled to take Australia's cross-endorsement catch allocation in PNG's waters.

7. Face to face meeting of the PZJA to set strategic priorities 2020-2025

- 7.1. The PZJA **AGREED** to a face-to-face PZJA meeting to be held on Thursday Island in 2020, primarily to discuss and set strategic priorities for Torres Strait fisheries for 2020-2025.
- 7.2. The PZJA **NOTED** the progress of the *Review of the Torres Strait Fisheries Administrative Arrangements* (Administration Review).
- 7.3. The PZJA **AGREED** to formally close off the Administration Review.
- 7.4. The PZJA **NOTED** the previous strategic priorities that the PZJA agreed in August 2015, which have now been implemented.

The TSRA member expressed disappointment that there have not been any face-to-face PZJA meetings during their current term with the PZJA, and also in relation to the absence of direct ministerial representation from Queensland at PZJA teleconferences during this time. The TSRA member expressed a desire for a face-to-face meeting in the near future.

The Queensland member noted that that their (Queensland) Minister would support a face to face PZJA, particularly with the agenda being focussed on strategic priorities. The Chair also expressed a strong interest in attending a face to face meeting in the near future.

8. Other business

The PZJA **NOTED** an update from TSRA on the progress of the *Developmental Permits for Training Purposes Policy*, including that the policy was no longer going to be discussed at community visits as planned, but instead, letters would be sent to stakeholders informing them of the policy and seeking comment. TSRA advised that it expects a final draft policy will be ready for PZJA consideration in early 2020.

Close

The Chair closed the meeting at 3:52pm AEDT.

Meeting attendance

19 November 2019

PZJA members

Chair

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

Member

- Mr Napau Pedro Stephen AM, Chair Torres Strait Regional Authority
- Ms Claire Andersen, Executive Director, Fisheries 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
- Ms Anna Willock, Executive Manger, Fisheries
- Ms Selina Stoute, Manager, Thursday Island
- 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
- Ms Allison Runck, Project Manager, Fisheries Programme

Office of Senator the Hon. Jonathon Duniham

- Ms Danielle McKay, Advisor – Fisheries

Apologies

PZJA member

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

Government Delegations

Queensland Government Department of Agriculture and Fisheries

- Mr Graeme Bolton, Deputy Director-General, Fisheries and Forestry (Queensland)

Torres Strait Regional Authority

- Ms Mary Bani, Ag/Chief Executive Officer