



Australian Government
Australian Fisheries Management Authority



**TORRES STRAIT TROPICAL ROCK LOBSTER
WORKING GROUP (TRLWG)
7-8 AUGUST, 2013**

PEARLS BUILDING, THURSDAY ISLAND, QLD

MINUTES

CHAIR: MS ANNE CLARKE

Prepared by the Australian Fisheries Management Authority on behalf of the Torres Strait Protected Zone Joint Authority





FINAL AGENDA

AGENDA

1. Preliminaries
 - 1.1. Preliminaries – Acknowledgement of Traditional Owners/Chairs Opening Remarks/Meeting attendance/Declaration of Interests/Apologies
 - 1.2. Review and Adoption of Agenda
 - 1.3. Correspondence (AFMA)
 - 1.4. Ratification of TRLWG Meeting No.1
 - 1.5. Action Items from TRLWG Meeting No.1
2. Updates
 - 2.1. PZJA Forums:
 - Stakeholder Forum (TSRA)
 - TSSAC (AFMA)
 - TSPMAC (AFMA)
 - 2.2. Communication Strategy/Community Consultation (TSRA)
3. The Management Plan
 - 3.1. Updated Timeframe/Steps for Management Plan Development (AFMA)
 - 3.2. Summation - Qld TRL Fishery Policy and Licencing (QDAFF)
 - 3.3. Unresolved Issues from the Draft Management Plan (AFMA)
 - 3.4. Fisheries Management Provisions outside of the Management Plan (AFMA)
4. Other business
 - 4.1. TIB Primary vessel tenders (AFMA)
 - 4.2. TIB Primary ownership (AFMA)
 - 4.3. 2013 TRL Catch and Effort Update (AFMA)
 - 4.4. TRL Interim Management Arrangements (TSRA)
 - 4.5. TRL Research Priorities (AFMA)
5. Next Meeting





The following members and observers were in attendance at the APRIL TRLWG:

Name	Role
Anne Clarke	WG Chairperson
Brendan Rayner	AFMA Executive Officer
Shane Fava	AFMA representative
Eddie Jebreen	QDAFF representative
John Adams	TSRA support member
Darren Dennis	Scientific member
Raymond Moore	TVH Industry Member
Luke Dillon	TVH Industry Member
Mark Dean	TVH Industry Member
Yen Loban	Traditional Inhabitant member (TSRA Board Member)
Maluwap Nona	Traditional Inhabitant member (TSRA Native Title Portfolio Member)
Kenny Bedford	Traditional Inhabitant member (TSRA Fisheries Portfolio Member)
Ned Larry	Traditional Inhabitant member (Central Cluster Rep)
Les Pitt	Traditional Inhabitant member (Eastern Cluster Rep)
Charles David	Traditional Inhabitant member (Western Cluster Rep)
Jeremy Smith	Observer (TSRA)
Neville Nakata	Observer (TSRA)
Daniel Takai	Observer
Brett Arlidge	Observer
Thomas Nomoa	Observer
Harry Peo Nona	Observer
Sam Nona	Observer
Jack Bani	Observer
Jerry Sorrogo	Observer
Anthony Assan	Observer
Kevin Sabatino	Observer
Stan Lui	Observer
Gil Hainey	Observer (DATSIMA)





ACTION ITEMS

#	Action Item	Agenda	Champion	Due Date
1)	Consult with communities and return to the next Working Group with proposed areas where traditional inhabitants would seek to have any form of commercial fishing prohibited (i.e. areas provided for traditional fishing only).	2.2	TSRA	June 2013
2)	TSRA as the lead agency for facilitating consultation with Torres Strait Communities to prepare an information package with assistance from AFMA and QDAFF regarding consultation on the development of the TRL Management Plan.	5.2	PZJA	TBC
3)	TSRA Principal Legal Officer to provide the TRLWG a legal interpretation from the recent Torres Strait Native Title High Court decision.		TSRA	October 2013

Note: items 1 and 2 remain incomplete as they were not discussed in full later on the agenda.





MINUTES

Scheduled Day 1

7th August 2013

Meeting start: 11.40am.

Thomas Nomoa opened the meeting with a prayer followed by Maluwap Nona providing a welcome to country statement.

1. Preliminaries

Agenda item 1.1 Chairs opening remarks/Apologies

The Chair, Anne Clarke, welcomed all in attendance to the TRLWG #2 and outlined the purpose of meeting and the guidelines for which the members and observers are to operate as defined under Protected Zone Joint Authority (PZJA) Fisheries Management Paper number 1. A consent form was handed out to all observers and members to sign, acknowledging their agreement to adhere to this code of conduct.

Apologies: None (It was noted that Richard Bowie would attend the meeting but not until later during the day).

Kenny Bedford, the TSRA Fisheries Portfolio member, stated that the TSRA are in the process of reviewing the Indigenous Fisherman's Advisory Committee's (IFAC) role and during the interim Traditional Inhabitant (TIB) representation would be made up of 'cluster members' from the six cluster groups in the Torres Strait. Shane Fava noted that there has been inconsistent TIB representation at all PZJA meetings and requested a rough estimation from the TSRA as to when this review would be completed, however Kenny was unclear on the timing.

Maluwap interrupted the meeting to highlight that it should be acknowledged that on this day the High Court of Australia heard the appeal of the Leo Akiba on behalf of the Torres Strait Regional Seas Claim v. Commonwealth of Australia and Ors case regarding Torres Strait Islander claims to commercial fishing rights and was in favour of the Torres Strait people. The Chair, supported the outcome and stated that it is an important step for Torres Strait people.

Agenda item 1.2 Adoption of Agenda

Following requests from several members to move agenda items 4 – Other Business up to the agenda, the Chair determined that the flow of items on the agenda would inform discussions for issues in Other Business and in turn the agenda was adopted.

Agenda Item 1.4 Ratification of the Minutes from TRLWG #1

Yen Loban noted that not everyone present had seen the minutes from TRLWG #1, John Adams pointed out that given the recent change of membership and the fact that the TRLWG minutes are not public documents until they are ratified at the following meeting, it was unlikely everyone would have seen them.

Shane noted that the draft minutes are sent to the TSRA for distribution to TIB representatives and coordination of comments





Agenda item 1.5 Previous Action items

The outstanding action items from TRLWG #1 were addressed and completed, however two actions items were to be addressed in later agenda items, though with the meeting ending prematurely, these actions items remain outstanding (as seen in Action Items table above).

2. Updates

Agenda item 2.1 PZJA Update

TSPMAC Update

Eddie Jebreen highlighted that the major items of relevance to the TRLWG from the TSPMAC were two projects funded by the TSSAC. The first project was undertaken by Roland Pitcher investigating the sustainability of the Torres Strait Prawn fishery. This project detailed that the Prawn fishery was assessed as a low risk to ecological sustainability, though it should be acknowledged that current effort level in the fishery is low.

Kenny mentioned that this helped inform some useful discussions about boat size and gear restrictions, and stated that there were a lot of misunderstandings about the fishery and its potential impacts on the environment. He finally explained that the Prawn fishery was not in a good state through low effort but economically there were good signs for current operators.

The second project, by Anthony de Fries, investigated the perceptions of Torres Strait people regarding the use of larger (<24m) boats in the Prawn fishery. Eddie explained that the fishery is the smallest it has ever been and operators were exploring options for larger boats to remain economically viable in the fishery. He noted that the TSPMAC discussed other options such as changing the fishing season to open earlier, in order to sell to Easter markets. The TSPMAC felt this was a good idea though would require community consultation prior to a decision. Neville Nakata commented that the operators may be catching smaller prawns at that earlier time in the season which may have sustainability concerns.

Stakeholder Forum Update

John Adams detailed that the TSRA Chair, Mr. Joseph Elu, hosted the then Commonwealth Fisheries Minister, Hon. Joseph Ludwig, and Qld Fisheries Managing Director, Scott Spencer, at a Stakeholder Forum held on Thursday Island in July 2013. After the meeting, Mr Elu and the Hon. Ludwig had an informal discussion agreeing that the PZJA's priority was to progress the TRL Management Plan. Ray Moore commented that it wasn't a Stakeholder Forum, it was politically driven and lacked actual fishermen. The Chair questioned whether there was a better option for such meetings in the future, to which Ray replied that it needed to be timed correctly and be a formal meeting of the PZJA in order to have actual fishermen present. Kenny highlighted the difficulty in timing such meetings due to the busy schedules of Ministers.





At 1.15pm, Maluwap Nona interrupted the progression of the meeting stating that given the High Court decision, he could no longer be party to the development of the TRL Management Plan until confirmation was available on what the decision means for the people of the Torres Strait. The Chair felt this was a good time to break for lunch.

At 2.30pm, Maluwap returned to the meeting having sought legal advice from Peter Krebs, Principal Legal Officer on Native Title for TSRA. Shane had also spoken to Peter, and handed out an email provided by Peter, advising that the meeting should be adjourned until such a time that the decision had been reviewed and communicated properly. Shane, acknowledging this email, pointed out that there was many items on the agenda that could be discussed irrespective of this decision. At this point, Maluwap stated that he was not in a position to be part of discussions on behalf of Traditional inhabitants and would have to leave the meeting, imploring all other Traditional inhabitants to do the same. From this, the majority of Traditional representatives left the meeting.

At 2.50pm the Chair put to the remaining members as to whether the meeting could continue. The remaining members noted that it was not possible to continue the meeting without representation from the Traditional inhabitant sector and therefore should adjourn the meeting.

The meeting was adjourned at 2.50pm on 7th September, 2013.

