



Australian Government
Australian Fisheries Management Authority



**HAND COLLECTABLES WORKING GROUP
MEETING NO. 8
30 APRIL 2015**

TSRA BOARD ROOM, THURSDAY ISLAND

MINUTES

INTERIM CHAIR: ANDY BODSWORTH



Queensland
Government

TORRES STRAIT
PZJA
PROTECTED ZONE
JOINT AUTHORITY

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

RECOMMENDATIONS

AGENDA ITEM 2.2 Proposed changes to size limits in the Pearl Shell Fishery

The Working Group **RECOMMENDED** that:

- a) development permits be granted to allow commercial assessment of the viability of using smaller pearl shell in pearl farming. Development Permits should only be granted to existing licence holders with no more than 2000 pearl shell sized between 100-130mm to be taken in the fishery; and
- b) the minimum size limit should not be amended permanently until:
 - results from the Western Australian trial can be considered; and
 - further consideration to any data requirements needed to support a change is made.

AGENDA ITEM 3.2 Black teatfish future management arrangements

The Working Group **RECOMMENDED** that a strategic management approach be developed to guide any future expansion in the fishery based on the following:

- a) In the short term the black-teatfish 'trial' arrangements should be adopted as part of a broader re-development strategy for the fishery subject to the following conditions:
 - catch reporting levels must be significantly improved.
 - the TAC is to remain at 15 tonnes, noting advice from the Scientific Member that there is no new information to justify an increase and that 15 tonnes is still likely to be a conservative exploitation level; and
 - the fishing season is to remain one month in duration to minimise the risk of overfishing;
- b) In the longer-term:
 - amendments to the *Torres Strait Fisheries Act 1984* be pursued to provide for catch reporting to be made mandatory for all license holders. This was unanimously agreed to by working group members; and
 - a harvest strategy be developed to guide future expansion in the fishery and industry investment and involvement in research and data collection (previous work by Alifereti Tawake on community based harvest strategies and co-management should be taken into account, as should other cultural aspects).



ACTION ITEMS

Action items from the HCWG No. 8 are outlined in Table 2.

Table 2: Action items from HCWG No. 8

#	Action Item	Agenda	Responsibility	Due Date
1)	AFMA to investigate whether native title sea rights allow a Traditional Owner to take unregulated species for commercial purposes.	1.2	AFMA	ASAP
2)	A standing agenda item is to be included in future HCWG meetings to allow a representative from the Malu Lamar (TSI) Corporation RNTBC to provide a native title update.	1.3	AFMA	Prior to HCWG meeting
3)	Malu Lamar, AFMA, TSRA and Fisheries Queensland convene out-of-session to discuss catch reporting arrangements and report back to the Working Group at its next meeting.	3.2	AFMA	ASAP
4)	Malu Lamar, AFMA, TSRA and Fisheries Queensland convene out-of-session to develop options for conducting a trial of using hookah gear to target white teatfish and report back to the Working Group at its next meeting.	3.3	AFMA	ASAP
5)	Malu Lamar, AFMA, TSRA and Fisheries Queensland convene out-of-session to develop a risk assessment process supported by full and open community consultation to assess options for increasing boat length in the TIB sector and for processor/carrier licenced vessels to tow dinghies and report back to the Working Group at its next meeting.	3.4	AFMA	ASAP
6)	AFMA to submit both compliance agenda items (5.1 and 5.2) for working group input and comment out of session and for comments to be incorporated into Working Group minutes prior to ratification.	5.1 and 5.2	AFMA	Prior to ratification of minutes
7)	AFMA to propose a date for the next meeting.	6.1	AFMA	ASAP



8)	Membership composition of the Working Group to be discussed out of session noting that the current TIB representative appointment process is ongoing, Fisheries Management Paper No. 1 is currently being revised and that current memberships for all current positions expire in November 2015.	6.1	HCWG	Prior to next HCWG meeting
9)	Future Working Group meetings to be conducted over two days.	6.1	AFMA	NA



AGENDA

1. Meeting Administration

- 1.1. Preliminaries – Acknowledgement of Traditional Owners/Chairs Opening Remarks/Meeting attendance/Declaration of Interests/Apologies
- 1.2. Ratification HCWG No. 7 Minutes and update regarding action items from HCWG No. 7.
- 1.3. Review and adoption of Agenda

2. Fishery Updates

- 2.1. Trochus (AFMA – For Noting)
- 2.2. Pearl Shell (AFMA – For Noting)
- 2.3. Beche-de-mer (AFMA – For Noting)
- 2.4. PNG Beche-de-mer (PNG NFA – For Noting)

3. Future Management Arrangements/Considerations

- 3.1. Proposed change to size limits in the Pearl Shell Fishery (AFMA – For Discussion)
- 3.2. Black Teatfish One Month Trial Report and Future Management Arrangements (AFMA – For Discussion)
- 3.3. Use of Hookah Equipment for Collecting White Teatfish (AFMA – For Discussion)
- 3.4. Maximum Boat Length (AFMA – For Discussion)

4. Research/Reports

- 4.1. Beche-de-mer research in Australia (CSIRO – For Noting)
- 4.2. Strategic Assessment (AFMA – For Noting)
- 4.3. Beche-de-mer Training and DVD (Kenny Bedford – For noting)

5. Compliance

- 5.1. Foreign Compliance Update (AFMA – For Noting)
- 5.2. Domestic Compliance Update (QLD – For Noting)

6. Other Business

- 6.1. Date of next meeting



ATTENDANCE (HCWG 8)

Members

Name	Role/ Organisation	Declared Conflict of Interest
Andy Bodsworth	Chairperson (Interim)	Consultant conducting some Torres Strait fisheries projects
Mr Tim Skewes	Scientific Member	CSIRO Scientific member
Selina Stoute	AFMA Member	
Mr Tom Roberts	Fisheries Queensland Member (via phone)	
Mr Jeremy Smith	TSRA Support Member (morning session)	
Ms Mariana Nahas	TSRA Support Member (afternoon session)	
Mr Kiwat Lui	Traditional Inhabitant (TIB) Industry Representative Member (near-western cluster)	TSRA Board Member
Mr Doug Passi	TIB Industry Representative Member (eastern cluster)	
Mr Grant Leeworthy	Industry Member	Tasmanian Seafoods Pty Ltd – holder of TPCC licenses.
Mr Nyal Ledger	Industry Member	Buyer
Andrew Cox	Executive Officer - AFMA	

Observers

Name	Role	Declared Interest
Mr Kenny Bedford	TSRA Portfolio Member for Fisheries	
Mr Maluwap Nona	Chair – Malu Lamar (TSI) Corporation RNTBC	Malu Lamar Chair
Mr Milton Savage	Chair – Kaurareg Native Title (Aboriginal) Corporation RNTBC	
Mr Charles David	TSRA Senior Project Officer	
Mr Phil Ketchell	Torres Strait Fishers Association	
Mr Rusty Tully	Pearl Shell Fishery Licence Holder	
Mr Shawn McAtamney	Processor	Independent Seafood Producers Pty Ltd - Buyer
Ms Lisa Stevenson	AFMA	
Mr Dave Brewer	CSIRO	

Apologies

Name	Role
Mr Wrench Larry	TIB Industry Representative Member (central cluster)
Mr Joseph Posu	PNG National Fisheries Authority Member



Agenda Item 1: Meeting Administration

1.1 Preliminaries

The Chair opened the meeting shortly after 9:10am following a prayer from Mr Kiwat Lui and a welcome to country from Mr Milton Savage.

Apologies were noted from the TIB Industry Representative Member (central cluster) and the Papua New Guinea National Fisheries Authority Member.

A list of attendees and declared conflicts of interest are provided at Table 1.

1.2 Ratification of HCWG No. 7 Minutes and updates regarding action items from HCWG No. 7

The Working Group **NOTED**:

- that the minutes from HCWG No. 7 were ratified in December 2013 taking into account member comments received out-of-session;
- progress towards completing the actions arising;
- that all meeting records will now be ratified out-of-session and as soon as practical following Working Group meetings; and
- the process to appoint new TIB Industry Representative Members (following the recent TIB stakeholder meeting at Horn Island) was ongoing and existing TIB cluster representatives would remain Working Group members until the new members are appointed.

In relation to Action Item 8, TIB Industry Members raised concern that the current process for determining a person's eligibility for a TIB license is not suitable. Some TIB Industry Members:

- were concerned that a TIB licence holder could be financed by a non-indigenous person to buy a vessel to use in the fishery which, in their view, is contrary to the aspiration for the fishery to be owned and operated by Traditional Inhabitants; and
- suggested that Malu Lamar be consulted when determining a person's eligibility for a TIB license. The Malu Lamar representative advised they would rely on genealogy and local protocols for each Community to provide advice on whether or not a person is a Traditional Inhabitant.

The Fisheries Queensland Member explained that boats must be owned by the license holder and proof of ownership is determined through ship registration details. The Fisheries Queensland Member further advised that the Working Group should carefully consider the administrative implications of any potential change to the process for determining a person's eligibility for a TIB license. The Member noted that the current Native Title notification process requires a minimum 30 day comment period which may prove very difficult to manage in fisheries with nearly 300 licenses.

The Malu Lamar representative added that currently the categories of people able to qualify for TIB licenses are too broad and that those persons who are Australian citizens based on the Amnesty list should not be considered Traditional Inhabitants but should be classed as TVH (non-Traditional Inhabitant) licence holders. It was further suggested that management



agencies should stop using the term “Traditional Inhabitant” and instead use “Traditional Owner”.

An Industry Member sought clarification on whether or not native title sea rights allow a Traditional Owner to take unregulated species for commercial purposes. AFMA took the question on notice (**Action Item 1**).

1.3 Review and adoption of Agenda

The agenda was adopted with the following additions and recommendations:

- an update on Native Title matters be included in this meeting and as a standing agenda item at future meetings (**Action Item 2**);
- time be provided for Traditional Owners to have a closed session (without non-indigenous industry members and observers) to discuss management issues noting that commercial access to the fishery is now 100 percent owned by Traditional Inhabitants. It was noted that other members still provided useful expertise to the Working Group;
- the additional paper submitted by AFMA titled “Catch Reporting” be addressed after agenda item 3.4;
- agenda items relating to beche-de-mer to be considered first following the Fishery Updates section; and
- an agenda item be added to consider a request for processor/carrier licensed vessels to be allowed to tow TIB dinghies.

Agenda Item 2: Fishery Updates

2.1 Trochus Fishery

The Working Group **NOTED** that there were no reports of trochus harvest for 2014. Industry members advised that there was no market for trochus and much of the east coast (QLD) quota was for sale.

2.2 Pearl shell

The Working Group **NOTED** that there were no logbook or docket book reports of pearl shell take for 2014. A pearl farm operator (Mr Rusty Tully) reported purchasing approximately 600 live shells from a TIB licenced diver.

2.3 Beche-de-mer

The Working Group **NOTED** reported catch figures for 2014 (Table 3).

A TIB Industry Representative Member raised a concern about boats ignoring cultural protocols and fishing near Mer without community consent. The TSRA Fisheries Portfolio member advised that while there is no formal legislation in place to enforce traditional



protocols, developing policies in this regard is something Malu Lamar could work toward with the assistance of TSRA if necessary.

Table 3: Torres Strait sea cucumber catch for 2014 (Source: Processor docket book records).

Species	TAC (t)	Catch (t)
Black Teatfish	15 (trial Nov 2014)	16.5*
White Teatfish	15	8.0
Prickly Redfish	20	4.0
Blackfish	Part of 80t limit	0.2
All other species		0

*This figure also includes verbal catch reports accepted during the one month trial opening for black teatfish.

Agenda Item 3: Future Management Arrangements/Considerations

3.1 Proposed Changes to size limits in the Pearl Shell Fishery (discussed following agenda item 4.3)

Ms Lisa Stevenson of AFMA gave a presentation to summarise work completed on reviewing management arrangements in the Torres Strait Pearl Shell Fishery and other pearl shell fisheries around Australia. Ms Stevenson explained the biology of the gold lipped pearl oyster (*Pinctada maxima*) and the potential implications of reducing the minimum and maximum size limits. The Working Group commended Ms Stevenson on her comprehensive and accurate review of management arrangements for the fishery.

The Working Group **NOTED** that a pearl farm operator is interested in purchasing up to 2000 *P. maxima* in the 100-130mm size range to conduct commercial trials to investigate whether the use of smaller shell can increase overall pearl shell farming productivity.

Recognising:

- that potential production improvements in the pearl aquaculture industry may lead to economic opportunities for the Torres Strait Pearl Shell Fishery through increased market demand;
- advice from the Scientific Member that based on the opportunistic pearl shell sampling work completed during Tropical Rock Lobster surveys, there is likely to be at least a few million *P. maxima* in the Torres Strait and removing 2000 individuals would have a negligible impact on the stock; and
- there is evidence to support reducing the maximum size limit to protect breeding stocks.

However noting that:

- stock status is unknown;
- there is no mandatory catch reporting for the TIB sector;



- Western Australia is undertaking an assessment of the impacts of reducing the minimum size and while no perceived sustainability issues have been reported by Western Australian Government, the trial is ongoing and a report is not due until 2016; and
- protecting large breeding individuals should be a priority.

The Working Group **RECOMMENDED** that:

- development permits be granted to allow commercial assessment of the viability of using smaller pearl shell in pearl farming. Development permits should only be made available to existing licence holders with no more than 2000 pearl shell sized between 100-130mm to be taken in the fishery; and
- the minimum size limit should not be amended permanently until:
 - results from the Western Australia trial can be considered; and
 - further consideration to any data requirements needed to support a change is made.

3.2 Black teatfish one month trial report and future management arrangements

The Working Group **NOTED** key observations and outcomes from the 2014 Black Teatfish trial opening including:

- the TAC was reached within two weeks of the one month trial commencing;
- monitoring catch required an AFMA officer to make daily contact with fishers, buyers, processors and freight companies and this level of attention was not considered cost effective or appropriate for future trials;
- although there appeared to be good support for the use of the catch data forms prior to the season, only 17.3% of reported catch was reported using the forms; and
- reported catches communicated by AFMA increased very rapidly in the days leading to the fishery being closed which was of concern to some in industry. AFMA advised this was due to the challenges associated with relying on verbal catch reports and not being able to contact particular fishers on some days during the trial for a variety of reasons.
- industry advice that market demand for bech-de mer is extremely high in China and that Australian product is highly sought after in Southern China.

Recognising that:

- overall the trial was a positive step towards ongoing sustainable management of the black teatfish fishery;
- the Beche-de-mer Fishery is largely under fished and may provide an important economic opportunity for industry;



However noting that:

- the level of voluntary catch reporting using the form (17.3%) was too low to support informed management decisions;
- the species is vulnerable to overfishing;
- a competitive TAC across the Torres Strait may not be supported by all communities in the long-term. Some communities may wish to allocate catch shares to individual communities and areas of waters;
- management certainty is required to support investment necessary to expand the fishery;
- Export approval under the *Environment Biodiversity and Conservation Act 1999* is dependent on demonstrating to the Department of Environment that the fishery is being managed sustainably; and
- Community consultation will be required to support the development of any new management arrangements.

The Working Group **RECOMMENDED** that a strategic management approach be developed to guide any future expansion in the fishery based on the following:

In the short term the black-teatfish 'trial' arrangements should be adopted as part of broader re-development strategy for the fishery subject to the following conditions:

- catch reporting levels must be significantly improved;
- the TAC is to remain at 15 tonnes, noting advice from the Scientific Member that there is no new information to justify an increase and that 15 tonnes is still likely to be a conservative exploitation level; and
- the fishing season should remain one month in duration to minimise the risk of overfishing.

In the longer-term:

- amendments to the *Torres Strait Fisheries Act 1984* should be pursued to allow for catch reporting to be made mandatory for all license holders; and
- a harvest strategy should be developed to guide future expansion in the fishery, and industry investment and involvement in research and data collection (previous work by Alifereti Tawake on community based harvest strategies and co-management should be taken into account, as should other cultural aspects).

The Working Group agreed for Malu Lamar, AFMA, TSRA and Fisheries Queensland convene out-of-session to discuss catch reporting arrangements, noting that that the Malu Lamar representative advised that Malu Lamar could take responsibility for managing a catch reporting system (**Action Item 3**).



Outcomes of Traditional Inhabitant/Traditional Owner Closed session

After breaking for lunch, TIB Industry Representative Members and Traditional Owners held a private discussion until 2:00pm.

The TSRA Support Member provided the Working Group with an update regarding the discussions held by TIB Industry Representative Members and Traditional Owners. Topics discussed (but not necessarily agreed to by all TIB Industry Representative Members and Traditional Owners) included:

- The need to work with buyers and negotiate payment for product at the point of sale.
- That some TIB industry members would like to see the ban on hookah diving lifted so that they can access white teatfish in deeper waters.
- That some TIB industry members would also benefit from bigger vessels due to safety issues and increased range of accessible areas to fish.

The Malu Lamar representative presented strong views that fishers need to be paid promptly for their product. While some level of discussion on this continued, it was agreed that the Working Group meeting was not the appropriate forum to discuss commercial arrangements.

3.3 Use of hookah equipment for collecting White Teatfish

The Working Group **NOTED** the standing action item to investigate the potential to lift the current ban on the use of hookah gear in the Beche-de-mer Fishery to allow the targeting white teatfish.

Recognising that:

- the use of hookah will allow licenced fishers to target this higher value species at depths where it occurs in greater concentrations. Free diving makes it harder for fishers to currently target white teatfish efficiently; and
- the Beche-de-mer Fishery is largely underutilised and use of hookah equipment may provide an important economic opportunity for industry.

However noting that:

- allowing hookah for white teatfish may lead to increased effort on shallow water species if the appropriate monitoring controls are not in place;
- the current ban provides protection for deep water species;
- overfishing is likely to occur if appropriate controls (e.g. catch reporting, limited entry) are not in place, noting that hookah fishing for white teatfish on the developmental permit in 2010-11 resulted in the 15 tonne TAC being reached in a very short period of time;
- Under a competitive TAC, the use of hookah would potentially result in the TAC being taken by significantly fewer fishers. The impacts of such catch



redistribution would need to be assessed against the objectives of the *Torres Strait Fisheries Act 1984*;

- Catch reporting is not mandatory;
- There is no harvest strategy for the fishery to guide expansion; and
- General Safety concerns associated inexperienced or untrained divers sustaining diving injuries.
- TIB representatives requested community consultation on the proposed lift to the ban.

The Working Group agreed for Malu Lamar, AFMA, TSRA and Fisheries Queensland convene out-of-session to develop options for conducting a trial of using hookah gear to target white teatfish and report back to the Working Group at its next meeting (**Action Item 4**).

3.4 Maximum Boat Length

The Working Group **NOTED**:

- the PZJA's request to investigate a request to increase the maximum TIB boat length in all fisheries to 23m and that for the Beche-de-mer Fishery this would mean increasing the maximum boat length from 7m to 23m. This would therefore make it feasible for primary/tender operations to target Beche-de-mer; and
- advice from some Industry Members that:
 - larger vessels would allow for more efficient fishing operations through being able to travel further to areas currently unable to be fished easily and safely;
 - Improving industry's capacity to access the 130 tonne TAC in the fishery is a way to benefit communities and to help achieve the Australian Government's target regarding its "Closing the Gap" policy; and
 - Increasing the boat length limit is unlikely to result in overcapitalisation as it has not occurred in the Tropical Rock Lobster Fishery where there is no limit on the number of large primary/tender operations in the TIB sector and yet the fishery remains underutilised.

An Industry Member requested that the Working Group agree to allow existing processor/carrier vessels to tow TIB licenced dinghies and accommodate crew. The industry member suggested that allowing this would increase Traditional Inhabitant participation and make it viable for processor/carrier licences to operate profitably in the fishery. Some working Group members noted that lifting those restrictions would result in processor/carrier licences having similar fishery access to those licences purchased by the Torres Strait Regional Authority earlier in 2015. Due to a lack of time available to discuss this request further, the Chair suggested that Tasmanian Seafoods submit a letter or proposal detailing how their request was consistent with the objectives of the *Torres Strait Fisheries Act 1984* and any other policies in place. This could then be considered by a small working group.



Recognising that:

- the fishery remained under fished and may provide an important economic opportunity for industry; and
- restrictions on industry's ability to choose how they fish should be minimised to ensure returns from fishing may be maximised.

However noting that:

- beche-de-mer species are vulnerable to overfishing;
- increasing catching efficiency may redistribute catches to fewer fishers under a competitive TAC and therefore may not be in line with the objectives of the *Torres Strait Fisheries Act 1984*;
- Processor/carrier licences in the TIB sector are not limited entry and allowing these large boats to tow dinghies could significantly increase effort in the fishery in the same way that increasing boat length would.
- TIB representatives requested community consultation on any proposed lift to the bans.

The Working Group agreed for Malu Lamar, AFMA, TSRA and Fisheries Queensland convene out-of-session to develop a risk assessment process supported by full and open community consultation to assess options for increasing boat length and for processor/carrier vessels to tow dinghies (**Action Item 5**)

Agenda Item 4: Research/Reports

4.1 Beche-de-mer research in Australia

The Scientific Member gave a presentation the Working Group covering the following:

- Surveys and stock assessments conducted in the fishery to date highlighting:
 - Changes to higher value species' densities over time;
 - Previous recommendations regarding future management;
 - The availability of the decision support tool; and
 - Warrior Reef surveys and data collected between 1995 and 2010 and the experimental fishing survey conducted at Warrior Reef in 2012.
- The Reef Gardens project (2012).
- The beche-de-mer ID guide developed by CSIRO.
- Torres Strait sea cucumber ID guide.
- A Management Strategy Evaluation (MSE) approach for evaluating the health and management for sea cucumber fisheries and how such an MSE could apply to the Torres Strait fishery.
- Information about *P. maxima* densities observed during Tropical Rock Lobster surveys

The working group **NOTED** that:



- advice from the Scientific Member that the 80t basket TAC for the majority of species may not be effective should effort on those species increase and trigger limits should be placed on each species in the basket. Pre-defined management action can then be taken if a trigger limit is reached; and
- Traditional Owners should be consulted about limits being set on home reefs.

4.2 Strategic Assessment

The Working Group **NOTED** that the Strategic Assessment and export approval for the fishery is current, and that management of the fishery should continue to keep in mind the requirements of the Department of Environment with regard to sustainable management for the fishery to maintain export approval.

4.3 Beche-de-mer Training and DVD

The TSRA Fisheries Portfolio Member advised the Working Group that a joint project between AFMA, FRDC and MyPathway to train fishers in processing and preserving bech-de-mer was ongoing, and a training video was in production as part of the project. The Working Group noted a draft version of the training video shown during the meeting.

Agenda Item 5: Compliance

Due to lack of in-session time the Working Group agreed for AFMA to circulate both compliance agenda items (5.1 and 5.2) for consideration out-of-session (**Action Item 6**).

Agenda Item 6: Other Business

6.1 Date of next meeting

The Working Group agreed:

- that the next meeting should be held prior to the opening for black teatfish at which point the progress of several items requiring further work could be discussed. AFMA agreed to propose a meeting date in the coming weeks (**Action Item 7**).
- membership composition of the Working Group to be discussed out of session noting that the current TIB representative appointment process is ongoing, Fisheries Management Paper No. 1 is currently being revised and that current memberships for all current positions expire in November 2015 (**Action Item 8**).

The Working Group agreed that AFMA should consider holding future Working Group meetings over two days to allow more time to discuss all issues (**Action Item 9**).



The Chair thanked all attendees for their time and patience in working through the extensive agenda. Mr Lui closed the meeting with a prayer at 6:00pm.

