

SouthMAC 15 Meeting  
25 March 2002  
Canberra

## MINUTES

### Attendance

#### *Members*

Mr Bill Nagle – Chair  
Mr Geoff Richardson, AFMA  
Dr Keith Sainsbury, CSIRO  
Ms Margaret Moore, WWF  
Mr Martin Exel, Austral Fisheries  
Mr Les Scott, Petuna  
Mr Joseph Pirrello, Everfresh  
Mr Dennis Witt, DPIWE  
Mr Ian Hay, AAD  
Ms Sarah Scott - Executive Officer

#### *Observers*

Ms Viki O'Brien, AFMA  
Mr Mark Flanigan, EA  
Ms Alice McDonald, EA  
Mr Quentin Hanich, Greenpeace  
Mr Andrew Kettle, AFMA (Agenda Item 4, 5 & 6)  
Mr Wade Whitelaw, AFMA (Agenda Item 4, 5 & 6)  
Mr Barry Baker, EA (Agenda Item 7)  
Ms Tara Hewitt, EA (Agenda Item 7)  
Ms Stephanie Kalish, AFMA (Agenda Item 7)  
Mr Paul Murphy, AFMA (Agenda Item 7 & 8)  
Mr Rob Ferguson, EA (Agenda Items 8, 9 & 13)  
Ms Joanne Fisher, AFMA (Agenda Item 8)  
Mr John Davis, AFMA (Agenda Item 10)

The fifteenth meeting of the Sub-Antarctic Fisheries Management Advisory Committee (SouthMAC) was held in Canberra on 25 March 2002.

The Chair welcomed Members and observers to the meeting. He indicated that a number of other observers would be attending the meeting from AFMA and EA to present various Agenda Items.

### Apologies

Dr Sainsbury, Ms Moore and Mr Scott arrived late to the meeting due to the temporary closure of the Melbourne Airport. Ms Moore was not present for discussions on the preliminaries and Agenda Item 1. Dr Sainsbury and Mr Scott arrived at 10.20 am and were not present for discussions on the preliminaries and Agenda Items 1, 2, 3 and part of 14. Mr Flanigan did not arrive at the meeting until 10:30 am and forwarded his apologies.

### Declaration of interests

Messrs Exel, Scott and Pirrello declared their conflicts of interest on all Agenda items.

### Adoption of Agenda

The Agenda was adopted with no changes. Mr Hay indicated that he had to leave the meeting at 4:00 pm and highlighted the importance of discussing Agenda Item 14 -

CCAMLR New and Exploratory Fisheries application and assessment process for 2002/03 - as the process will be beginning soon.

## **Agenda Item 1 - Adoption of Minutes from SouthMAC 14**

The Committee noted that the draft SouthMAC 14 Minutes had been circulated to Members on 22 February 2002 and comments had been received from Mr Exel. Mr Hay and Dr Sainsbury provided comments at the meeting. The Committee discussed all comments and agreed to amend the Minutes accordingly.

The Minutes of SouthMAC 14, with agreed amendments, were accepted as a true and accurate record of the meeting.

## **Agenda Item 2 - Action Arising from SouthMAC 14**

*Action Arising 1 – AFMA Board Chair to write to portfolio Minister’s seeking some recommended actions to reduce Illegal, Unreported and Unregulated (IUU) fishing activity).*

Ms Scott noted that the letter had not been sent as the letter had been superseded by a plan being developed for medium and long term solutions to reduce IUU.

SouthMAC agreed that it was important for SouthMAC to support the move to reduce IUU and agreed that the letter should still be sent.

The Committee noted that Mr Exel had raised the issue of IUU with the Prime Minister’s office and Mr Pirrello had raised this issue with the Minister responsible for Fisheries, Senator the Hon. Ian Macdonald.

*Action Arising 2 – AFMA to include on the agenda of the CCAMLR Consultative Forum a recommendation that DFAT liaise with other member countries of CCAMLR to get some agreement on centralised VMS before CCAMLR XXI.*

SouthMAC noted that Mr John Davis, Compliance, AFMA, will be attending the meeting for Agenda item 10 to discuss this issue and that he would be circulating a paper on centralised VMS shortly. SouthMAC noted that AFMA would include this issue on the agenda of the next CCAMLR Consultative Forum.

*Action Arising 3 – AFMA to clarify further what are the criteria for being an Australian flagged vessel and whether a proponent’s past history can be considered when applying for a New and Exploratory Fishing permit.*

SouthMAC noted that this issue will be discussed under Agenda Item 14 – CCAMLR New and Exploratory Fisheries application and assessment process for 2002/03.

*Action Arising 4 – AFMA to investigate their ability to recover costs for high seas fisheries, such as new and exploratory fisheries under the Commonwealth cost recovery policy particularly in light of the recent ratification of UNFSA.*

SouthMAC noted that the AFMA Board has already agreed that AFMA's cost recovery policy is to be applied to high seas fishing. Initially an administrative fee only will be prescribed for applications for high seas fishing permits. However, operators will be put on notice that AFMA will fully recover costs associated with managing Australian fishers' involvement in high seas fisheries including monitoring and VMS. These will be directly linked to management and relevant research costs. This approach will be influenced by the outcome of the current Policy Review. AFMA also noted that if they are involved in international fora for which AFMA's participation arises solely from Australian vessels' operations in a fishery remote from Australia and not impacting on Australian stocks costs may be attributable to the high seas harvesting sector.

Mr Exel noted that the response to this action did not address the question. SouthMAC agreed to seek more information from AFMA.

***Action Arising 5 – AFMA to provide further clarification on elements of the interim arrangements for implementation of UNFSA relating to:***

- ***Cost recovery in relation to existing government cost recovery policy***

AFMA indicated to SouthMAC that this action had been addressed in the previous action arising (Action Arising 4).

- ***AFMA clarify application of EPBC to high seas fishing including when catch is landed in Australia and subsequently exported (export permit sought under section 3.03B)***

SouthMAC noted that advice on this issue is being sought from the Department of the Environment and Heritage. The Committee agreed to seek advice from Mr Flanigan on this issue upon his arrival at the meeting.

- ***Implementation of new conservation controls (until discussed on a fishery by fishery basis)***

SouthMAC noted that the AFMA Board has already agreed that conservation measures provided for under the *Fisheries Management Act 1991* will apply to the high seas. The Board noted that gear controls may be required for environmental reasons. These will be developed in consultation with individual fisheries as part of the ongoing development of management arrangements.

- ***Carry of observers should be explicit (should include observers and Data Collection Officer (DCO))***

SouthMAC agreed to seek advice from AFMA on whether it is possible to use DCO's on the high seas instead of observers.

- ***Trans-shipping authorisation***

SouthMAC noted that the AFMA Board determined that AFMA may, on request, allow for transshipping to occur provided it is supervised. Standard high seas permits conditions do not currently allow for transshipment to another boat. However, where there are

arrangements in place in a fishery that would deal with the compliance problems created by transshipment, that condition can be removed.

### **Agenda Item 3 – AFMA Board outcomes**

SouthMAC noted the advice from the Chair of the AFMA Board regarding the outcomes of the 88<sup>th</sup> Board Meeting held on 29-30 November 2001. The advice indicated that the Board had approved:

- the HIMI Management Plan and agreed that AFMA should determine the Plan subject to agreement to the draft Strategic Assessment Report by AFMA’s Environment Committee and subsequent approval by the Minister for the Environment and Heritage; and
- the TACs and bycatch limits for Heard Island and McDonald Islands (HIMI) and Macquarie Island fisheries as recommended by SouthMAC.

The Board advised in a letter dated 5 March 2002, of the outcomes of their workshop held on 19 December 2001. The Committee noted that at the workshop the Board agreed to develop more predictable and transparent mechanisms on which to base management decisions for Commonwealth fisheries. SouthMAC, as directed by the Board, agreed to produce draft fishery plans for the HIMI Fishery and the Macquarie Island Fishery by 22 August 2002.

The Board also stated in this letter that they had agreed to a set of principles that should underpin data management, collection, verification and analysis for all Commonwealth fisheries. The Chair requested that the principles be forwarded to the Sub-Antarctic Fishery Advisory Group (SAFAG) for comment. SouthMAC agreed to write to the AFMA Board with comments/suggested changes to the Principles. Members agreed that:

- in Principle 5 the word “necessarily” should be included in the last sentence. That is, the sentence should read “In this context independent means independent of the fishing industry not necessarily independent of AFMA”; and
- Principle 6c) should include a sentence on the adequacy of the data to address issues of concern (as identified by SAFAG).

SouthMAC requested clarification from the AFMA Board on Principle 6e) in particular who owns the data collected by industry under the Government’s cost-recovery principles. SouthMAC agreed that this data should be jointly owned by AFMA and the operator who provided the data.

SouthMAC noted the letter dated 14 March 2002 from the AFMA Board Chair on the principles for carryover and carryunder of quota entitlements. SouthMAC agreed to provide comments directly to Mr Rohan Wilson, Business/Licensing Manager, AFMA, by 30 May 2002.

#### **Following discussion on the AFMA Board Outcomes SouthMAC:**

- **noted the outcomes of the 88<sup>th</sup> AFMA Board meeting;**

- **agreed that AFMA prepare Fishery Plans, documenting the fishery objectives, reference measures and management decision rules for the HIMI and Macquarie Island fisheries, for consideration by the AFMA Board at its meeting on 22-23 August 2002; and**
- **agreed to support the principles for data management, collection, verification and analysis with the above changes.**

#### **Agenda Item 4 – 2002/03 Draft Budget**

SouthMAC considered the sub-Antarctic fisheries management and observer draft budgets for the 2002/03 financial year.

AFMA advised that while the levy base for all sub-Antarctic fisheries combined has increased by \$4,231, the component of the budget attributed to industry has decreased by \$356. The proportion attributed to Government has increased mainly due to the costs of the anticipated legal action associated with the implementation of the HIMI Fishery Management Plan.

AFMA advised Members that in the draft 2002-03 Budget the total overheads have increased by 11.3%. SouthMAC noted that the main reason for this increase was the creation of new positions in the Environment and Policy, Planning and Communications sections and the creation of a full-time chief scientist position. SouthMAC questioned whether such a significant rise in the overheads component of the budget was warranted.

Industry members again expressed concern over the high cost of the provision of observer services to industry. One industry member proposed that the observer at sea costs were largely a compliance cost, and that for consistency should be split between industry and Government 50:50. Mr Exel requested that AFMA's Data Manager provide Members with the exact cost of providing observers, that is, including the daily at sea rate.

SouthMAC challenged the determination of AFMA Senior Management that the development of Marine Protected Areas (MPAs) should be an entirely industry funded activity as it is part of the day to day management of the environmental aspects of fisheries. In recognition of the community benefit of MPAs and in line with the recent Board determination of FAG costs, SouthMAC proposes that MPA costs should be split 25% industry and 75% Government funded.

Mr Hay again expressed concern over the effect on AAD's budget if 3 boats entered the HIMI Fishery (as permitted under the draft *HIMI Management Plan*). Currently only 2 boats operate in the Fishery. AFMA agreed to discuss this issue with AAD out-of-session.

**SouthMAC supported the draft 2002/03 sub-Antarctic fisheries budget. AFMA agreed that where possible it would amend the Budget according to comments and suggestions received.**

**SouthMAC recommended that AFMA consider two matters:**

- **that observer at sea costs be split between industry and Government 50:50; and**

- **that MPA costs be split 25:75 between industry and Government.**

## **Agenda Item 5 - Fishery Assessment Groups cost-recovery**

SouthMAC noted that at the AFMA Board meeting on 30 November 2001 new initiatives for AFMA's fishery assessment functions were decided. On 10 January 2002 a letter from Mr Bruce Wallner, Research Manager, AFMA was distributed to SouthMAC Members seeking comments on the proposed changes and specifically comments on the process and level of industry cost-recovery for the operations of Fishery Assessment Groups (FAGs).

SouthMAC considered the decisions of the AFMA Board regarding the recovery of FAG costs. The AFMA Member highlighted that under the Government's cost-recovery policy FAG costs should be industry funded. The Chair of SAFAG, Dr Sainsbury, noted that originally SAFAG's budget only included the costs associated with the meeting. However, more recently some FAGs have budgeted for assessment costs. SAFAG did not do this as HIMI assessments were done by AAD and Macquarie assessments were done by CSIRO using Fisheries Research and Development Corporation (FRDC) funding. Dr Sainsbury noted that more work has developed and additional projects may need to be funded through the SAFAG Budget in the future. SouthMAC agreed that the AFMA Board needs to consider the cost of new initiatives.

SouthMAC noted that it was proposed that 25% of SAFAG costs attributed to industry be split between the HIMI and Macquarie Island fisheries based on their respective GVPs. This would see the costs divided with 0.5% to Macquarie Island Fishery and 24.5% to Heard Island and McDonald Islands Fishery. Although this split may be equitable for some fisheries, SouthMAC did not believe it was an equitable reflection of the time spent by SAFAG considering Macquarie Island issues.

**SouthMAC supported the recovery of 25% of FAG costs and recommended that SAFAG's costs be divided 50:50 between the HIMI Fishery and the Macquarie Island Fishery.**

SouthMAC also noted that the AFMA Board had approved, in principle, the formation of two new fishery assessment bodies; a high level group to provide leadership, advice and technical expertise to AFMA assessment functions for ecosystem management, and an economic assessment group. SouthMAC sought clarification from AFMA on the composition of the two groups. AFMA agreed to provide this information when it became available. SouthMAC recommended that the two bodies be broadly based and include all stakeholders such as industry, conservationists and scientists.

The Committee agreed, as requested by the AFMA Board, that AFMA will draft a paper to provide greater guidance to SAFAG on how to frame fishery assessment advice. The paper will include SAFAG's roles and functions and how the assessment information should be presented to SouthMAC.

## **Agenda Item 6 – Expenditure report as at February 2002**

SouthMAC was provided with a copy of the sub-Antarctic fisheries expenditure report for the eight months ended 28 February 2002. SouthMAC raised concerns that the observer

administrative expenditure is \$20,488 higher than budgeted. Mr Whitelaw, Data Management, Manager, AFMA, explained that the sub-AntarcticObserver budget should balance out by the end of the financial year.

SouthMAC noted the expenditure on sub-Antarctic fisheries for the eight months ended 28 February 2002.

## **Agenda Item 7 - Longlining Threat Abatement Plan**

Mr Barry Baker, Department of the Environment and Heritage (EA), attended the meeting to discuss his paper entitled "*Longline fishing in the sub-Antarctic – A discussion paper relating to the Threat Abatement Plan for the incidental catch (or by-catch) of seabirds during Oceanic Longlining Fishing Operations*". SouthMAC discussed this paper and noted that its development was the first step towards examining the possibility of allowing Australian vessels to longline in sub-Antarctic waters. If suitable mitigation measures can be developed to minimise or eliminate bird bycatch there are strong economic and ecological reasons to support the use of longliners in sub-Antarctic waters. Longlining is the preferred fishing method of all entrants to the HIMI Fishery.

SouthMAC noted that the paper recommends that for Macquarie Island a longline fishery not be developed. Given the risk of longline fisheries to breeding seabirds, especially the very small wandering albatross populations, a total closure to longline fishing for Macquarie Island is the preferred option.

The paper suggested that a longline fishery could be trialed and developed for the HIMI Fishery provided effective mitigation measures are employed. The paper suggests mitigation measures to be applied in the HIMI fishery, in addition to the minimum Commission for the Conservation of Conservation of Antarctic Marine Living Resources (CCAMLR) standards which apply to any vessel proposing to longline in the area.

The paper recommends that applications by Australians to conduct new and exploratory longline fishing operations in other areas of the sub-Antarctic will be assessed by the Commission's ad hoc Working Group – Incidental Mortality Arising from Fishing and the Working Group on Fish Stock Assessment.

Mr Scott asked if EA preferred the Mustang or Spanish autoline system for longline fishing. Mr Baker responded that the report did not indicate a preference.

**SouthMAC agreed to provide comments to the Department of the Environment and Heritage on the draft discussion paper by 10 April 2002.**

SouthMAC noted that the discussion paper is expected to be considered and finalised by the TAP team when it next meets (6-8 weeks).

The Chairman thanked Mr Baker and Ms Tara Hewitt for attending SouthMAC 15 and providing Members with an update on the Longlining Threat Abatement Plan.

## **Agenda Item 8 - HIMI Marine Protected Area**

Mr Rob Ferguson, EA, attended SouthMAC 15 to discuss the proposed HIMI Marine Protected Area.

On 24 January 2001, a Notice of Intent (NOI) was issued proposing the declaration of a HIMI Marine Reserve under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The proclamation declaring the reserve assigned it to an IUCN Category 1a 'Strict Nature Reserve', thereby prohibiting commercial fishing activity. EA was criticised by conservation groups, AFMA and the fishing industry for deficiencies in their stakeholder consultations prior to issuing the NOI.

On 15 January 2002 EA meet with stakeholders and agreed on a way forward for the HIMI MPA. SouthMAC noted that EA will be issuing a new Notice of Intent declaring all undisputed areas within the original Notice as an IUCN Category 1a reserve. The disputed areas will be deemed conservation zones and subject to further assessment before a decision is made as to whether these areas should be included in the MPA. The assessment process has been designed to:

- link with and utilise the results from previously planned scientific research in the HIMI region in the near future; and
- allow commercial fishing to be undertaken to determine commercial fishing potential of the conservation zone and to allow for an assessment of the impact of fishing on these areas to be assessed.

The assessment of the conservation zone will involve:

- the scientific assessment of the conservation values;
- a resource assessment of commercial fishing potential; and
- an impact assessments of fishing activities.

The assessment of conservation values will aim to further define the biodiversity and natural values of the conservation zone areas, and the significance of these areas to the overall HIMI ecosystem. The fishing resource assessment of the conservation zone should aim to provide a clearer indication of the fish stocks in the relevant areas and the commercial viability of fishing these areas. The impacts assessment should aim to compare fishing impacts in both fished and unfished areas and determine the vulnerability of areas within the conservation zone to the impacts of proposed fishing methods.

SouthMAC considered the draft papers presented by EA – “Proposed Assessment of Heard Island and McDonald Islands (HIMI) Conservation Zone” and the “Decision process for Fishing Operations in HIMI Conservation Zone”.

Mr Ferguson noted that EA had received feedback on the above papers indicating that Greenpeace and Humane Society International do not want any commercial fishing in the conservation zone and the industry do not want any restrictions on commercial fishing in the conservation zones.

The Committee requested that EA include SouthMAC and SAFAG in the preparation of the Scientific Assessment of conservation values and the impact assessments of fishing activities processes.

SouthMAC agreed to assist EA in the assessment process proposed for the HIMI conservation zone, in particular the development of measures to minimise the impacts of fishing in the conservation zone during the assessment process.

Ms Moore requested that data on predator/prey relationships be included in the assessments of the conservation zones.

**SouthMAC agreed to provide comments on these papers to EA by 5 April 2002.**

Members noted EA specifically sort information on what are some performance measures that could be used as the review process was very short (only 3 years long). Mr Ferguson noted that the data would be examined after each trip to fully assess the impacts of any fishing.

The Chair thanked Mr Ferguson for attending SouthMAC 15 and providing the Committee with an update on the HIMI Marine Protected Area.

## **Agenda Item 9 - Sub-Antarctic Bycatch Action Plan**

SouthMAC noted the letter from AFMA's Environment Committee in relation to the implementation of Bycatch Action Plans and agreed to the inclusion of 'BAP implementation' as a standard Agenda Item.

The sub-Antarctic Bycatch Action Plan (BAP) was approved by the AFMA Board in March 2001. SouthMAC noted that the majority of actions identified in the sub-Antarctic BAP are being addressed with a number of these actions being undertaken through the logbook program, surveys and research. The major areas of concern for the sub-Antarctic which have not been adequately addressed are:

- identifying the effects that fishing may have on benthic habitats; and
- undertaking a risk assessment for sleeper shark, skates and rays.

The Committee also considered and provided minor comments on AFMA's quarterly progress report to the Environment Committee on the sub-Antarctic BAP.

## **Agenda Item 10 - Update on IUU fishing activities in the HIMI region**

Mr John Davis, Compliance, AFMA, attended SouthMAC 15 to provide an update on the recent IUU fishing activity at HIMI. SouthMAC noted that HMAS Canberra had apprehended two Russian fishing vessels in the Southern Ocean as part of Operation Sutton. The two boats, the Lena and Volga were both owned by a Russian firm Alitas.

SouthMAC noted that the Fisheries Minister was currently being presented with a number of options for the disposal of these illegal boats. AFMA prefers the destruction of the boats to prevent them being used for illegal fishing again. Mr Davis reported that boats for illegal fishing were unfortunately now being specifically built.

Mr Hay noted that there was a lot of illegal activity in the French zone adjacent to the HIMI Fishery and indicated this could cause problems if the stock is shared.

**SouthMAC noted the recent arrests of two boats in the HIMI, the Lena and Volga, and agreed that urgent action by the Government was required to reduce the current level of IUU fishing.**

**SouthMAC proposed that the AFMA Board Chair write to portfolio Minister's seeking some recommended actions to reduce IUU.**

Mr Davis was thanked for attending SouthMAC 15 and providing Members with an update on IUU fishing activities in the HIMI region.

### **Agenda Item 11 – Update on the Approval and Implementation of the HIMI Management Plan and Strategic Assessment Report**

On 19 December 2001 the AFMA Board Chair wrote to the Environment Minister seeking his support for the draft *HIMI Management Plan* in relation to strategic assessment and protected species interaction requirements under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and export approval under this Act. SouthMAC noted that the Environment Minister has not responded to date.

Mr Flanigan, EA, indicated that his staff had reviewed AFMA's Strategic Assessment Report and would shortly be finalising a paper on this Report to send to the Environment Minister. He also indicated that EA's main areas of concern for the HIMI Fishery are:

- IUU and its impact on the stock assessment process particularly if the HIMI and Kerguelen Islands share a single or straddling stock of Patagonian toothfish;
- the impact of fishing on sleeper shark, skates and rays; and
- potential seal interactions.

Mr Flanigan also explained that there was a problem with the process for the accreditation of the HIMI Management Plan as a necessary regulation under the *EPBC Act* had not yet been made. EA is currently seeking approval from the Environment Minister to draft this Regulation. SouthMAC noted that this has the potential to delay the Management Plan process.

Mr Flanigan indicated that the Environment Minister will shortly advise AFMA whether he intends to accredit the HIMI Management Plan. Provided the Environment Minister indicates he intends to accredit the Plan and to avoid any further delays, Mr Flanigan suggested that AFMA determine the Plan, gain the Fisheries Minister's approval of the Plan and table it in Parliament. He noted that the Environment Minister would then table his intention to accredit the Plan once the regulation was in place. AFMA indicated it was not clear whether it was practicable or acceptable to the Fisheries Minister to have the Management Plan and the notice to accredit the Plan tabled in Parliament at different times.

SouthMAC agreed that AFMA and EA need to work together to get the Plan approved.

**SouthMAC noted progress on the approval and implementation of the draft HIMI Management Plan.**

## **Agenda Item 12 – Regulations and Directions**

SouthMAC Members reviewed and provided comments on the preliminary drafting instructions for the Regulations, Directions and the Conditions on SFRs that will support the *Heard Island and McDonald Islands Management Plan*.

SouthMAC agreed that, following incorporation of all SouthMAC comments, the drafting instructions for the Regulations will be submitted to the Office of Legislative Drafting (OLD). The Directions and Conditions on SFRs will be drafted by AFMA in conjunction with their Legal Section. It was proposed that future drafts of the Directions, Regulations and Conditions on SFRs will be considered by SouthMAC out-of-session. SouthMAC noted that these instruments will need to be in place prior to 1 December 2002 when the proposed Management Plan is expected to take effect.

## **Agenda Item 13 - Macquarie Island Future Management Arrangements**

SouthMAC considered the future management direction for the Macquarie Island Fishery, which is currently operating under the “Macquarie Island Fishery Interim Management Policy October 1999 – June 2001”. At the AFMA Board meeting of 15-16 February 2001, the interim policy was extended to 30 December 2002. At this time the Board was firmly of the view that no commitment should be made to develop a management plan for this Fishery until:

- the results of CSIRO’s “Management Strategy Evaluation” of the Macquarie Island Fishery are known; and
- there is clear evidence that the fish stocks in this region can sustain commercial fishing operations.

At SouthMAC 15, Members were presented with a paper outlining a number of options for the future management of Macquarie Island including rolling over the existing interim management arrangements, developing new management arrangements and limiting access to the fishery to scientific permit/s. AFMA indicated that they did not support the development of a Statutory Management Plan for Macquarie Island given the current low catch levels and the resources required to develop a management plan. However, SouthMAC industry members strongly believe that a Management Plan should be developed given the results of CSIRO’s Management Strategy Evaluation of Macquarie Island indicating that there is evidence that fish stocks in the region will shortly be able to sustain commercial fishing operations within a small TAC. Industry Members also suggested that developing new management arrangements would be as costly as developing a plan. Industry agreed to pay for all expenses (industry and Government) associated with developing a Management Plan should AFMA be concerned about the costs of development of a Management Plan.

AFMA management expressed concerns about the large amount of uncertainty associated with current stock estimates at Macquarie Island. SouthMAC noted that a trip to Macquarie Island is planned by Austral Fisheries for later in 2002 and hopefully this will produce enough information from fish tag returns to allow for a more precise assessment of the stock.

Dr Sainsbury provided the following estimate of the total TAC for Macquarie Island in the next 1-2 years:

- Northern valleys TAC is 242 tonnes for 2002. This figure is based on sustainable harvest of resident stock; and
- Aurora Trough TAC will be set at 232 tonnes when stock abundance rebuilds to over 60% of unfished level (it is presently at about 55%).

Therefore, the total TAC available for Macquarie Island Fishery could be about 474 tonnes within the next year or 2.

#### **SouthMAC:**

- **noted that the AFMA Board, in response to its December 2001 workshop, had separately requested SouthMAC to produce a draft fishery plan for all Commonwealth fisheries including Macquarie Island by August 2002 incorporating some of the core elements of a full Management Plan;**
- **recommended the development of a Management Plan for Macquarie Island, with access and management arrangements for the period following the expiry of the current policy and prior to the grant of long term rights for the area mirroring those in the draft Plan at that time; and**
- **SouthMAC proposed that Dr Sainsbury, Chair of SAFAG, do a presentation to the May 2002 AFMA Board meeting on the results of the Management Strategy Evaluation of Macquarie Island. The objective of this presentation is to increase the Board's understanding of the Macquarie Island stock assessment process and current toothfish stock status.**

### **Agenda Item 14 - CCAMLR New and Exploratory Fisheries – Application and Assessment Process for 2002/03**

Last year AFMA received a total of 16 applications for access to CCAMLR New and Exploratory fisheries. Several of these applications were from previously unknown parties which created difficulties in verifying their credibility and that of their vessel. In response, AFMA drafted in consultation with AAD a "Guide to CCAMLR New and Exploratory Fisheries". The development of this Guide is aimed at making the process undertaken by Government transparent, providing background information to assist applicants in developing their proposals and detailing the standards which applicants must meet for Australia to support their applications to CCAMLR.

SouthMAC considered the Guide and a number of issues were raised by the Committee including; should there be repercussions if a successful applicant does not go fishing, when

must a vessel be Australian flagged, and what commitment to Australia must the applicant demonstrate and how?

**SouthMAC agreed:**

- **the charging a non-refundable application fee of \$1000 was appropriate to reflect the costs associated with AFMA calling for and assessing applications for new and exploratory fisheries; and**
- **with the exception of industry Members, that the residual costs of management of the new and exploratory fisheries will then be split between successful applicants and will be collected following the issuing of fishing Permits.**

SouthMAC were requested to provide comments on the Guide to Ms O'Brien by 10 April 2002. Following consideration of SouthMAC's comments, the Guide will be circulated to SouthMAC out-of-session. The Guide will be finalised by the CCAMLR Inter-Departmental Committee.

### **Agenda Item 15 - Proposed CITES listing of Patagonian toothfish**

SouthMAC noted that conservationists have recently sought industry's support to list Patagonian toothfish on Appendix II of the Convention for International Trade in Endangered Species (CITES). Appendix II is reserved for species which, although not necessarily threatened with extinction, may become so unless trade in specimens of such species is subject to strict regulation, in order to avoid utilisation incompatible with their survival. The conservationists believe that the listing would be a mechanism to ensure greater coverage than the current CCAMLR Catch Documentation Scheme and implement trade measures that may contain or eliminate illegal trade in the species. SouthMAC noted that the CITES process would not replace CCAMLR's Catch Documentation System but would complement it with around 157 countries signed on to CITES.

SouthMAC noted that conservationists and industry were meeting in late March 2002 to progress this issue. If an agreement is reached between industry and the conservationists they will be seeking Government support.

The Meeting closed at 5.00pm