



Australian Government

Australian Fisheries Management Authority



Sub-Antarctic Fisheries Management Advisory Committee (SouthMAC)

CHAIR'S SUMMARY
SOUTHMAC 23
16 – 17 NOVEMBER 2005

SUB- ANTARCTIC FISHERIES MANAGEMENT ADVISORY COMMITTEE (SouthMAC)

CHAIR: Mr Bob Lister

Date: 16 – 17 November 2005

Attendance

Members

Mr Bob Lister – Chair
Ms Trysh Stone, AFMA Member
Ms Margaret Moore, Conservation Member
Dr Malcolm Haddon, Scientific Member
Mr Martin Exel, Industry Member
Mr Les Scott, Industry Member
Mr Stuart Richey, Industry Member
Mr Ian Hay, AAD Member
Mr Grant Pullen, State Government Member
Mr Peter Neave, Executive Officer

Permanent observers

Mr Antonio Mozqueira, Department of the Environment and Heritage

Observers

Mr Brian Jeffriess, AFMA Board
Ms Liza Fallon, University of Tasmania
Ms Tara Hewitt, National Oceans Office
Mr Theo Kailis, Austral Fisheries P/L

Apologies

None

Introduction

The twenty-third meeting of the Sub-Antarctic Fisheries Management Advisory Committee (SouthMAC 23) was held in Hobart on 16 and 17 November 2005. The Chair welcomed the attendance of Mr Brian Jeffriess from the AFMA Board.

The primary objectives of the meeting were to:

- discuss the outcomes of the twenty-fourth meeting of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR XXIV);
- recommend catch limits for the Heard Island and McDonald Islands (HIMI) Fishery and New and Exploratory fisheries for the 2005/06 season; and
- discuss the draft Macquarie Island Fishery Toothfish Management Plan.

The annual public meeting of SouthMAC was also held on the afternoon of 16 November 2005. Twenty people attended the meeting including Members of SouthMAC and the Sub-Antarctic Resource Assessment Group (SARAG).

Following the Chairman's Report to the public meeting presentations were made from:

- Mr Theo Kailis from Austral Fisheries Pty Ltd on his Company's plans to trial pot (or trap) fishing in the HIMI Fishery; and
- Dr Andrew Constable from the Australian Antarctic Division (AAD) on a proposed research project to look at the interactions of fishing gear on the seabed. This presentation included video footage of habitats in the HIMI region.



CCAMLR XXIV outcomes

CCAMLR XXIV was held in Hobart during the period 24 October to 4 November 2005. A report prepared by AFMA on the outcomes is provided at Attachment A.

The total allowable catches (TACs) for Patagonian toothfish, mackerel icefish and bycatch species were agreed for the HIMI Fishery, as were the applications for the sole Australian operator to longline in CCAMLR New and Exploratory fisheries. In the HIMI Fishery, pot fishing was approved as a fishing method and approval was given for an extension to the longline season to 30 September 2006 (subject to a seabird bycatch limit) and the continued use of integrated weight lines (IWL).

SouthMAC noted the continued success in reducing illegal, unregulated and unreported (IUU) toothfish removals which had also reduced the estimates of seabirds killed in IUU operations. As was the case in previous seasons, no seabirds were killed during the 2004/05 season by the Australian longliner 'Avro Chieftain' operating in the HIMI Fishery and New and Exploratory fisheries.

SouthMAC also noted that CCAMLR had further progressed the centralised Vessel Monitoring System (VMS), the IUU vessel list and catch documentation scheme.

SouthMAC discussed the procedures for reviewing papers that are to be submitted to CCAMLR and its associated Committees and Working Groups. Members noted that an agreed procedure had been adopted for reviewing stock assessments carried out by AAD for Australian fisheries.

It was recommended that a similar procedure should be applied to papers going to forums, such as the Working Group on Incidental Mortality Associated with Fishing (IMAF), where it impacted on Australian fishing operations. This would ensure that operational data was reviewed prior to being submitted to CCAMLR and that a whole of Government approach was adopted.

Recommendation – that papers going to CCAMLR and its associated Committees and Working Groups have whole of Government consideration.

Catch limits for the HIMI Fishery

CCAMLR prescribed the catch limits for the HIMI Fishery as shown in the following table. SARAG 25, held on 15-16 November 2005, reviewed these limits and recommended to SouthMAC 23 that they be adopted for the 2005/06 season, commencing on 1 December 2005.

Target species (tonnes)		Bycatch Limits (tonnes)				
Patagonian toothfish	Mackerel icefish	Skates and rays	<i>Macrourus</i> spp.	Unicorn icefish	Grey rockcod	Each other species
2584	1210	120	360	150	80	50

SouthMAC noted the catch limit recommendations for toothfish, mackerel icefish and bycatch species were consistent with the biological reference points as required by *Heard Island and McDonald Islands Fishery Management Plan 2002*.



In relation to the catch limits, SouthMAC noted:

Patagonian toothfish

SARAG met to discuss the preliminary stock assessments for toothfish and icefish for the HIMI Fishery on 19 September 2005. A toothfish TAC of around 2800 tonnes was anticipated. However, since the SARAG meeting AAD was able to finalise validation of the ages read from otoliths by the Central Ageing Facility. This meant that some of the early batches of readings had to be revised resulting in updating of some of the smaller fish to be one year older than originally read. As a consequence AAD revised the length-at-age vector to be used in the assessments. The result of the validated set of lengths at age meant that the fish are smaller at age than originally thought and grow slower which results in a lower estimate of productivity for the stock. This resulted in a lower catch limit.

CCAMLR's Scientific Committee recommended that the catch limit for Patagonian toothfish be revised to 2,584 tonnes, representing the long-term annual yield estimate from the Generalised Yield Model (GYM) for the 2005/06 season. This is a reduction of 203 tonnes from the 2004/05 TAC of 2787 tonnes. The assessment took into account an estimated IUU catch of 265 tonnes from the HIMI Fishery.

As was the case last season the catch limit was recommended to pertain only to the assessment area, that is, within the HIMI EEZ. The remaining areas within CCAMLR Statistical Division 58.5.2, which lie outside the EEZ, were formally closed to fishing. The CCAMLR Scientific Committee agreed that the catch limit should apply to trawl, longline and pot fishing gears.

The CCAMLR Scientific Committee noted that the use of longlines and pots in the HIMI Fishery will result in the taking of larger fish because of their selectivity and because they will be operating in deeper water than the trawl fishery. Consequently, the overall vulnerability of the stock in future years is likely to include a greater proportion of larger fish than is currently the case in the trawl fishery. A vulnerability pattern that combines trawl, longline and pots was calculated for used in the assessments. They supported a model which used these gears and agreed to use natural mortality values of 0.13 – 0.165 based on validated age data.

The GYM, using the updated time series of recruitment estimates and the updated length-at-age vector was used to estimate the long-term annual yield that would satisfy the CCAMLR decision rules.

The CCAMLR Scientific Committee endorsed the Working Group on Fish Stock Assessment (WG-FSA) recommendations on future work. This included further development of an integrated assessment in CASAL, which includes an evaluation of the assessment methods and overall management strategy for the HIMI Fishery.

Mackerel icefish

The CCAMLR Scientific Committee reassessed the catch limit for mackerel icefish in Statistical Division 58.5.2, and agreed to recommend a TAC of 1210 tonnes for the 2005/06 fishing season, for the area known as the Heard Island Plateau.

This is a reduction of 654 tonnes from the 2004/05 season, which was predicted due to poor recruitment to the fishery. This stock naturally exhibits a high level of recruitment variability. The catch-weighted length frequencies in the 2004/05 season were dominated by a single year class of 3+ fish. This cohort was observed to dominate the population in the survey undertaken in June 2005.



The CCAMLR Scientific Committee noted advice from WG-FSA which showed the projection of age 3+ fish from 2004/05 gave a projected yield of 647 tonnes in the 2005/06 season and 519 tonnes in the 2006/07 season if catch were spread over two years. If all the catch were taken in the first year and zero catch of this cohort in the second year then the recommended yield was 1210 tonnes. After consulting with industry members it was agreed that the TAC for 2005/06 should be 1210 tonnes.

It was recommended that the catch of age 4+ fish in 2006/07 be zero in order to satisfy the decision rule that the biomass of the stock should be greater than or equal to 75% of that which would have been present in the absence of fishing.

During the 2005 trawl survey at HIMI there was no indication of a strong 1+ year class which may result in a low TAC for 2007.

SouthMAC agreed that the TAC should be set at 1210 tonnes and noted that SFR holders had agreed to not catch 10 tonnes of the TAC in the 2005/06 season. The 10 tonnes would be held back to cover any catch taken as bycatch or as part of the Random Stratified Trawl Survey (RSTS) undertaken in the 2006/07 season.

Bycatch species

No new assessments were carried out on bycatch species in 2005 so the bycatch limits from the 2004/05 season were retained for 2005/06.

SouthMAC noted the CCAMLR recommendation that further information needed to be collected on skates and rays for future assessments, including providing life status information from fish cut from lines. CCAMLR agreed that skates and rays which were cut off the lines are not counted against the bycatch limit.

SouthMAC noted advice from the Australian Government Solicitor (AGS) that reference in the *Heard Island and McDonald Islands Fishery Management Plan 2002* to determining TACs was in relation to target species. SouthMAC agreed that the Management Plan should be amended to allow catch limits for bycatch species to be determined. AFMA undertook to prepare a Temporary Order to allow bycatch limits to be determined in the 2005/06 season while the Plan amendment was being prepared.

<p>Recommendation - SouthMAC agreed to recommend to the AFMA Board that the catch and size limits prescribed by CCAMLR XXIV for target species be determined for the HIMI Fishery for the 2005/06 season.</p>
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Catch limits for New and Exploratory fisheries

SouthMAC noted that the proposals by the sole Australian operator, Petuna Sealord Pty Ltd, to fish in CCAMLR New and Exploratory fisheries in 2005/06 were endorsed by CCAMLR XXIV.

SouthMAC recommended the catch limits for the 2005/06 season as outlined in the following table. The limits would apply to the operations of the Australian flagged longline vessel 'Avro Chieftain'. No new assessment of the stocks in these areas has been undertaken. The limits recommended are considered to be precautionary.



Area	Method	Target species limits (tonnes)	By-catch limits (tonnes)		
			Skates & Rays (per region)	<i>Macrourus</i> spp. (per region)	Other species (per SSRU)
		<i>Dissostichus</i> spp			
58.4.3(a)	Longline	250	50	26	20
58.4.3(b)	Longline	300	50	159	20
58.4.1	Longline	600	50	96	20
58.4.2	Longline	780	50	124	20

SSRU means small scale research unit.

Rules for catch limits for by-catch species adopted by CCAMLR XXIV

Skates and rays 5% of the catch limit for *Dissostichus* spp. or 50 tonnes, whichever is greater.

Macrourus spp. 16% of the catch limit for *Dissostichus* spp., except in Divisions 58.4.3a and 58.4.3b.

Other species 20 tonnes total per SSRU.

SouthMAC noted that for New and Exploratory fisheries, vessels from a number of other CCAMLR member countries were also given approval to operate in the various CCAMLR Statistical Divisions, and the catch limits for each Division will be taken on a competitive basis.

Recommendation - SouthMAC agreed to recommend to the AFMA Board that the catch limits prescribed by CCAMLR XXIV be adopted for CCAMLR New and Exploratory fisheries for the 2005/06 season.

Macquarie Island Toothfish Fishery Management Plan

SouthMAC discussed the latest draft of the Macquarie Island Toothfish Fishery Management Plan, and noted that no comments had been received during the public comment period.

AFMA advised that ongoing discussions had occurred with the Office of Legislative Drafting and Publishing (OLDP) regarding some aspects of the draft Management Plan. These were in relation to:

Section 11 – Determination of total allowable catch and other catch limits - AFMA has received advice from the Australian Government Solicitor (AGS) that reference has to be made to setting bycatch levels for non target species. This will allow AFMA to set bycatch levels for all fish species in the Macquarie Island Toothfish Fishery.

Section 14 – Overcatch – this has been reworded to reflect the situation where a 0 - 10 tonnes overcatch comes off the following years catch on a one for one basis, 10 - 20 tonnes comes off on a three to one basis, and greater than 20 tonnes comes off on a three to one basis (but may be subject to prosecution action).

Section 16 – Registration of eligible persons for grant of statutory fishing rights – this is being updated to reflect the outcomes of CCAMLR discussions on IUU vessel lists. The aim is to give AFMA the power to stop IUU operators registering to tender for SFRs.

A 'snapshot' or notice date has been included which allows for the registration of the current permit holder for the grant of SFRs.



Section 18 – Request for grant of statutory fishing rights after provisional grant – this outlines the follow up procedure for the current permit holder should the request for a grant of SFRs not occur during the specified periods. This section will not apply to grants made under the tender process. Some additional notes in relation to the Fisheries Management Act have been added on the tender process.

Section 34 – Transitional – the words, previously under 34(2), ‘When the first statutory fishing rights granted under the Management Plan come into effect, AFMA must publish a notice in the *Gazette* stating that this section ceases to have effect on the day specified in the notice.’ have been removed. Removal of this provision will allow the grant of SFRs for the current operator and successful tenderers to be co-ordinated.

SouthMAC sought consideration of applying the registration of tenderers procedures under Section 16 (Conditions for registration) for any subsequent leases and transfers in the Fishery. This issue will be considered by the AFMA Board at its December 2005 meeting.

SouthMAC discussed the proposed wording changes in relation to Section 34 (Transitional) of the draft Plan. Members sought clarification as to what the proposed changes meant in terms of the current operator and persons submitting tenders.

SouthMAC agreed that procedures specified should give the Board flexibility during the grant process.

AFMA advised that the amendments were not considered to be significant enough to warrant going out for a further period of public comment. The issues were for clarification rather than substantive changes. AFMA would receive advice from AGS on this matter. Depending on the advice from AGS, the Board were scheduled to consider the draft Plan at its meeting on 1 – 2 December 2005.

AFMA advised that once the Board endorsed the draft Plan it would be sent to the Minister for the Environment and Heritage to seek his approval to accredit the Plan. Upon accreditation the draft Plan can be determined by AFMA, and sent to the Minister for Fisheries, Forestry and Conservation for approval. Once this process is complete, the tender process for Statutory Fishing Rights can commence. SouthMAC noted that a consultant has been engaged by AFMA to prepare the tender documentation and run the tender process.

Strategic Assessment reports

SouthMAC noted progress with the Strategic Assessments for the ‘Macquarie Island Toothfish Fishery’ and ‘New and Exploratory Fisheries in the CCAMLR Region’. AFMA advised that draft assessments have been provided to the Department of the Environment and Heritage (DEH). DEH advised that it was unlikely the necessary approvals to allow exports from the fisheries would be in place by 1 December 2005. It was noted that any catch taken after 1 December and before accreditation could not be exported.

SouthMAC noted advice from industry that fishing operations at Macquarie Island were scheduled to commence in December 2005, and around February 2006 for New and Exploratory fisheries in the CCAMLR Region.

Recommendation - that AFMA discuss the assessment process with DEH to ensure that there are appropriate mechanisms in place to allow any catches taken from the fisheries to be exported after 1 December 2005.



Fisheries Management Paper No.6 (Procedures for handling unpaid and overdue levy for commonwealth domestic fishing concessions)

SouthMAC discussed the contents of AFMA's Fisheries Management Paper No.6, and noted it was an issue scheduled for discussion at the Commonwealth Fishers Association meeting on 18 November 2005. SouthMAC members made the following points:

- the cost recovery procedures should not result in the cancellation of a concession but should be similar to those which apply to recovering outstanding rates etc. This view was a strongly expressed by industry Members.
- under 5.4.1 (invoking a suspension) – allow 28 days rather than 7 days.
- under 5.5.3 (invoking a cancellation) – allow 90 days rather than 21 days – as an interim measure as the view, particularly from industry, was that the legislation needed to be changed.
- support maintaining the 20% interest as it was accepted that AFMA should not be the 'lender of last resort'.
- support payment by instalments.

Levy base for 2005/06

SouthMAC discussed the levy calculations for 2005/06, and noted that AFMA had:

- included the costs of the Fisheries Assessment Plan work in the HIMI levy base, which had added an additional cost to industry of around \$465,000 annually; and
- agreed to continue to defer some of the levy collected while the Macquarie Island Toothfish Fishery Management Plan was being developed. The costs of the Plan development would be collected by SFR holders once the Plan had been finalised.

Next meeting

The next meeting of SouthMAC was tentatively scheduled for May 2006.

Bob Lister
Chairman

November 2005



**REPORT ON THE KEY OUTCOMES OF THE TWENTY-FOURTH MEETING OF
THE COMMISSION FOR THE CONSERVATION OF ANTARCTIC MARINE
LIVING RESOURCES (CCAMLR XXIV)**

Hobart, Australia

24 October to 4 November 2005

This document sets out the key outcomes of the twenty fourth meeting of CCAMLR in particular, as they relate to Australia's activities in the Convention area. More detail on the discussions of CCAMLR and decisions made for other parts of the CCAMLR area can be found in the following documents which are available on the CCAMLR web site www.ccamlr.org or as hard copies (at a cost) from the CCAMLR Secretariat in Hobart (phone: +61 3 6231 0366):

- Report of the Twenty Fourth Meeting of the Commission (CCAMLR XXIV)
- Report of the Twenty Fourth Meeting of the Scientific Committee (SC)
- Schedule of Conservation Measures in Force 2005/06
- Report of the Working Group on Ecosystem Monitoring and Management (WG-EMM)
- Report of the Working Group on Fish Stock Assessment (WG-FSA)
- Report of the Standing Committee on Inspection and Compliance (SCIC)

FISHERIES OUTCOMES

Heard Island and McDonald Islands Fishery (part of Division 58.5.2)

Patagonian toothfish

The Scientific Committee reassessed the catch limit for Patagonian toothfish in Division 58.5.2 based on the final assessment provided by WG-FSA and recommended a TAC of 2,584 tonnes for the 2005/06 season, which was adopted by CCAMLR. This is a decrease of 203 tonnes from the 2,787 tonne TAC for the 2004/05 season.

Following the SARAG meeting on 19 September 2005, a TAC of around 2800 tonnes was expected. However, validation of the method for reading age from otoliths had been completed by the Central Ageing Facility. Data from earlier batches of readings were found to be incorrect. These were corrected and resulted in changes to our knowledge of the length at age of young fish; young fish were found to be smaller at age than originally thought with a slightly slower growth rate. This impacted on the stock assessment. Natural mortality values of between 0.13 and 0.165 were used to refine the outcomes of the assessment, rather than extending up to 0.20.

The assessment is considered to be conservative as:

- age 7 fish have been regarded as absent from the population in the 2004 and 2005 recruitment surveys. It is unlikely that they have disappeared from the population because they are being caught in the longline fishery; and
- longline catches (including IUU catches, except for 1995/96) are incorporated in the assessments with a vulnerability equivalent to the trawl fishery, which will result in an impact in the assessment of IUU fishing greater than would be expected in reality due to the catching of larger fish by illegal fishers.

It was agreed that trawling, longline and pot fishing gears could be used to take the TAC. The TAC was recommended to pertain only to the assessment area, that is, within in the HIMI EEZ. The remaining areas within 58.5.2, which lie outside of the EEZ, were formally closed to fishing.



Mackerel icefish

The Scientific Committee reassessed the catch limit for mackerel icefish in Division 58.5.2, and agreed to recommend a TAC of 1,210 tonnes for the 2005/06 fishing season, for the area known as the Heard Island Plateau. This is a reduction of 654 tonnes from the 2004/05 season, which was predicted because the fishery has been concentrating on a single cohort.

It has been agreed that the catch normally estimated to occur over two years can be taken in one year with a zero catch on fish greater than 4 years old in 2006/07. This strategy still satisfies the decision rule that the biomass of the stock should be greater than or equal to 75% of that which would have been present in the absence of fishing after two years.

During the 2005 trawl survey at HIMI there was an absence of a strong 1+ year class which indicates low TACs for a number of years.

In order to provide for a survey in 2007 and the potential for by-catch of icefish in other activities, it may be necessary to leave about 10 tonnes from the 2006/2007 season.

Bycatch species

No new assessments were carried out on bycatch species in 2005 so the bycatch limits from the 2004/05 season were retained for 2005/06. It was agreed that further information needed to be collected by observers on the condition of rays for future assessments, including providing life status information from live rays cut from lines. It was agreed that skates and rays which were cut off the lines are not counted against the bycatch limit. All catches would continue to be reported.

Target and bycatch limits for the HIMI Fishery

Target species	2005/2006 limits (tonnes)	2004/2005 limits (tonnes)	2003/2004 limits (tonnes)
Patagonian toothfish	2,584	2,787	2,873
Mackerel icefish	1,210	1,864	292
By-catch species			
Skates and Rays	120	120	120
Macrourus spp.	360	360	360
Unicorn icefish	150	150	150
Grey rockcod	80	80	80
Each other species	50	50	50

Conservation measures

For longline operations in 58.5.2 (HIMI Fishery) the exemption from night fishing was continued when using integrated weight lines (IWL). This would apply to the Australian longline vessel 'Avro Chieftain', provided the vessel can demonstrate its capacity to comply with experimental line-weighting trials. A line weighting protocol for IWL gear requires a sink rate of at least 0.2 metres per second.

A further extension, to 30 September 2006, to the longline season was approved. The longline season runs from 1 May to 31 August 2006, but an extension for an additional month was approved provided a vessel could show full compliance with Conservation Measure 25-02 (Minimisation of the incidental mortality of seabirds in the course of longline fishing or longline fishing research in the Convention Area). The 'Avro Chieftain' meets this requirement. The additional month would be subject to a bycatch limit of three seabirds.



The 'move-on' provision for the bycatch of sleeper sharks was amended to avoid the situation where one large sleeper shark could trigger the 'move-on' provision. The species was moved from the 1 tonne move-on provision to the two tonne move-on provision.

New and Exploratory Fisheries activities

For 2004/05 CCAMLR agreed to seven exploratory longline fisheries for toothfish. Fishing occurred in all areas, with two areas (88.1 and 58.4.3b) being closed when the TAC was taken. The 'Avro Chieftain' operated in area 58.4.3a (Elan Bank) and had planned to operate in 58.4.3b (BANZARE Bank) but it was closed when the competitive TAC was taken early in the season.

Australia was successful in gaining support for all of its New and Exploratory fisheries proposals for the 2005/06 season. The 'Avro Chieftain' was the only Australian vessel nominated. The TACs remained unchanged from the previous season.

Area	Method	Target species limits (tonnes)	By-catch limits (tonnes)		
			Skates & Rays (per region)	<i>Macrourus</i> spp. (per region)	Other species (per SSRU)
		<i>Dissostichus</i> spp			
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Rules for catch limits for by-catch species adopted by CCAMLR XXIV

Skates and rays 5% of the catch limit for *Dissostichus* spp. or 50 tonnes, whichever is greater.

Macrourus spp. 16% of the catch limit for *Dissostichus* spp., except in Divisions 58.4.3a and 58.4.3b.

Other species 20 tonnes total per SSRU.

INCIDENTAL MORTALITY

Incidental mortality associated with longlining

The Scientific Committee advised CCAMLR that an extrapolated total of 97 seabirds were taken in the regulated longline and pot fisheries in the Convention Area in 2004/05. No seabirds were killed in Australian longline operations.

The take of seabirds by the French fleet remains high, but the fleet is adopting a range of mitigation measures to address the issue. For example, all French longline vessels fishing around the Kerguelen Islands (Division 58.5.1) will be using IWL in the 2005/06 season. It was estimated that 4387 seabirds (0.164 birds/1000 hooks) were taken at Kerguelen and 242 seabirds (0.049 birds/1000 hooks) around Crozet Islands (sub-area 58.6) in 2004/05, of which 94% were white-chinned petrels.

The overall estimated bycatch in the illegal, unreported and unregulated (IUU) fishery for the whole Convention Area was 4415 seabirds, which was similar to the estimated value for 2003/04. These are the lowest values since estimates started in 1996.



