

**11th MEETING OF THE TORRES STRAIT TROPICAL ROCK LOBSTER WORKING GROUP
TRLWG 11 – THURSDAY ISLAND – 17 DECEMBER 2020**

Index

Agenda Item	Description	Page Number
	Draft agenda – v2	1
1	PRELIMINARIES	
1.1	Welcome and apologies	3
1.2	Adoption of agenda	4
1.3	Declaration of interests	5
1.3a	TRLWG declarations of interest from most recent meetings	6
1.3b	Declaration of interests - Dr Ian Knuckey (October 2020)	8
1.4	Action items from previous meetings	9
1.4a	Action items from previous TRLWG and TRLRAG meetings	10
1.4b	TRLWG 10 final meeting record	12
1.5	Out of session correspondence	54
2	UPDATES FROM MEMBERS	
2.1	Industry members	56
2.2	Scientific members	57
2.3	Government agencies	58
2.3a	Catch sharing timeline for 2020-21	64
2.3b	Letter to TRL Fishery licence holders regarding management arrangements for the 2020-21 fishing season	66
2.4	PNG National Fisheries Authority	75
2.5	Native Title	76
3	CATCH AND EFFORT SUMMARY FOR THE 2018-19 FISHING SEASON	77
3a	Summary of reported landed catch for the Australian TRL Fishery and participation data for the TIB sector	79
3b	Summary of TIB participation data	80
3c	Final catch sharing agreement between Australia and PNG for the 2019-20 fishing season	82
3d	Summary of reported catch for the PNG TRL Fishery	83
4	TOTAL ALLOWABLE CATCH	84
4a	TRL Harvest Strategy November 2019	88
4b	Expected timeline for finalising a TAC for the Australian TRL Fishery	111
4c	Torres Strait TRL Harvest Control Rule Recommended Biological Catch Calculator	Excel spreadsheet provided separately to papers
5	LOBSTER TRADE UPDATE & HEAVY METAL SAMPLING	No paper
6	REVIEW OF MANAGEMENT CONTROLS	114
6a	Summary table of past proposals for changes to management controls raised over time	119
6b	TSF Act and TRL Fishery Objectives	124
6c	Preliminary evaluation of frequently raised (not all) proposals against the objectives under the Act and the Fishery	125
7	OTHER BUSINESS	126
8	DATE AND VENUE FOR NEXT MEETING	127

**11th MEETING OF THE PZJA TORRES STRAIT TROPICAL
ROCK LOBSTER WORKING GROUP (TRLWG 11)**

**Thursday 17 December 2020
(8:30am – 5:00pm)**

TSRA Board Room

DRAFT AGENDA v2

1 PRELIMINARIES

1.1 Welcome and apologies

The Chair will welcome members and observers to the 11th meeting of the WG.

1.2 Adoption of agenda

The WG will be invited to adopt the draft agenda.

1.3 Declaration of interests

Members and observers will be invited to declare any real or potential conflicts of interest and determine whether a member may or may not be present during discussion of or decisions made on the matter which is the subject of the conflict.

1.4 Action items from previous meetings

The WG will be invited to note the status of action items arising from previous meeting

1.5 Out-of-session correspondence

The WG will be invited to note out of session correspondence on WG matters since the previous meeting

2 UPDATES FROM MEMBERS

2.1 Industry members

Industry members and observers will be invited to provide an update on matters concerning the Torres Strait TRL Fishery, in particular, providing comment on fishing patterns, behaviours, prices, and market trends this season.

2.2 Scientific members

Scientific and economic members and observers will be invited to provide an update on matters concerning the Torres Strait TRL Fishery.

2.3 Government agencies

The WG will be invited to note updates from AFMA, TSRA and QDAF on matters concerning the Torres Strait TRL Fishery

2.4 PNG National Fisheries Authority

The WG will be invited to note a verbal update from the PNG National Fisheries Authority.

2.5 Native Title

The WG will be invited to note a verbal update from Malu Lamar (Torres Strait Islander) Corporation RNTBC.

3 CATCH AND EFFORT SUMMARY FOR THE 2019-20 FISHING SEASON

The WG will be invited to note TRL Fishery catch and effort data for the 2019-20 fishing season, including trends on participation.

4 TOTAL ALLOWABLE CATCH

The WG will be invited to consider advice from the TRL Resource Assessment Group (RAG) on the recommended biological catch (RBC) for the TRL Fishery for the 2020-21 fishing season based on estimates derived through the application of the empirical harvest control rule (eHCR). The WG will then be invited to provide advice on a total allowable catch (TAC) for the TRL Fishery for the 2020-21 fishing season.

5 LOBSTER TRADE UPDATE AND POTENTIAL HEAVY METAL SAMPLING

AFMA have invited Mr Ben Mitchell, from the Department of Agriculture, Water and Environment (DAWE), Ms Alison Turnbull from the Seafood Trade Advisory Group (STAG) SafeFISH Project and Ms Jayne Gallagher from the STAG to provide an update to the Working Group on trade with China, and the proposed National cadmium survey for rock lobsters.

Note: *there is no meeting paper associated with this agenda item. This item is scheduled to be discussed at 1130am.*

6 REVIEW OF MANAGEMENT CONTROLS

The WG will be invited to discuss a review of management controls in the TRL Fishery, and in particular, to provide advice on an agreed review process, including possible prioritisation of proposed changes to be further recommended for development, assessment and consultation.

7 OTHER BUSINESS

The WG will be invited to raise other business for consideration.

8 DATE AND VENUE FOR NEXT MEETING

The WG will be invited to discuss a suitable date for the next meeting.

The Chair must approve the attendance of all observers at the meeting. Individuals wishing to attend the meeting as an observer must contact the Executive Officer – Georgia Langdon (georgia.langdon@afma.gov.au)

TROPICAL ROCK LOBSTER WORKING GROUP (TRLWG)	MEETING 11 17 December 2020
PRELIMINARIES Welcome and apologies	Agenda Item 1.1 For noting

RECOMMENDATIONS

1. That the Working Group **NOTE**:
 - a. an acknowledgement of Traditional Owners;
 - b. the Chair's welcome address;
 - c. apologies received from members unable to attend.

BACKGROUND

2. As at 3 December 2020, apologies had been received from:
 - a. Tom Roberts, Fisheries Queensland

TROPICAL ROCK LOBSTER WORKING GROUP (TRLWG)	MEETING 11 17 December 2020
PRELIMINARIES Adoption of agenda	Agenda Item 1.2 For decision

RECOMMENDATIONS

1. That the Working Group consider and **ADOPT** the agenda.

BACKGROUND

2. This meeting was flagged with members at TRLWG 10 (12 Dec 2019) and again via email on 30 July 2020 and 22 October 2020 with a proposed agenda including:
 - a. Advice on research priorities for the fishery under the five year research plan;
 - b. Advice on a TAC for the 2020-21 fishing season; and
 - c. Advice on an agreed process for reviewing management controls in the TRL Fishery.
3. Following confirmation of the face to face meeting format, a revised draft agenda was circulated to members on 16 November 2020. No suggestions for changes were received.
4. An updated version of the agenda (v2) was circulated to members again on the 3 December 2020. The key changes to the agenda were:
 - a. Removal of research priorities agenda item; and
 - b. Inclusion of an update on lobster trade with China and a proposed national cadmium survey for rock lobsters, with invited guests from the Department of Agriculture, Water and Environment (DAWE) and the Seafood Trade Advisory Group (STAG).

TROPICAL ROCK LOBSTER WORKING GROUP (TRLWG)	MEETING 11 17 December 2020
PRELIMINARIES Declaration of interests	Agenda Item 1.3 For decision

RECOMMENDATIONS

1. That Working Group members and observers:
 - a. **DECLARE** all real or potential conflicts of interest in the Torres Strait Rock Lobster Fishery at the commencement of the meeting (**Attachments 1.3a-b**);
 - b. **DETERMINE** whether the member may or may not be present during discussion of or decisions made on the matter which is the subject of the conflict;
 - c. **ABIDE** by decisions of the Working Group regarding the management of conflicts of interest; and
 - d. **NOTE** that the record of the meeting must record the fact of any disclosure, and the determination of the Working Group as to whether the member may or may not be present during discussion of, or decisions made, on the matter which is the subject of the conflict.

BACKGROUND

2. Consistent with the *Protected Zone Joint Authority (PZJA) Fisheries Management Paper No. 1* (FMP1), which guides the operation and administration of PZJA consultative forums, members are asked to declare any real or potential conflicts of interest.
3. Working Group members are asked to confirm the standing list of declared interests (**Attachments 1.3a-b**) is accurate and provide an update to be tabled if it is not.
4. FMP1 recognises that members are appointed to provide input based on their knowledge and expertise and as a consequence, may face potential or direct conflicts of interest. Where a member has a material personal interest in a matter being considered, including a direct or indirect financial or economic interest; the interest could conflict with the proper performance of the member's duties. Of greater concern is the specific conflict created where a member is in a position to derive direct benefit from a recommendation if it is implemented.
5. When a member recognises that a real or potential conflict of interest exists, the conflict must be disclosed as soon as possible. Where this relates to an issue on the agenda of a meeting this can normally wait until that meeting, but where the conflict relates to decisions already made, members must be informed immediately. Conflicts of interest should be dealt with at the start of each meeting. If members become aware of a potential conflict of interest during the meeting, they must immediately disclose the conflict of interest.
6. Where it is determined that a direct conflict of interest exists, the forum may allow the member to continue to participate in the discussions relating to the matter but not in any decision making process. They may also determine that, having made their contribution to the discussions, the member should retire from the meeting for the remainder of discussions on that issue. Declarations of interest, and subsequent decisions by the forum, must be recorded accurately in the meeting minutes.

TRLWG Declarations of Interest from most recent meetings

Name	Position	Declaration of interest
Members		
John Glaister	Chair	Member of Parks North, Chair of Northern Prawn Management Advisory Committee (NORMAC), Chair of the Torres Strait Prawn Management Advisory Committee (TSPMAC).
Darren Dennis	Scientific Member	To be declared.
Sevaly Sen	Fisheries Economist Member	Nil interest in Torres Strait fisheries. Conducts various FRDC research projects relevant to AFMA fisheries; Advisor to Sydney Fish Market; AFMA Commissioner.
Aaron Tom	Traditional Inhabitant Member	Traditional Inhabitant Gudumalulgal and TIB licence holder.
James Ahmat	Traditional Inhabitant Member	Traditional Inhabitant Maluialgal and TIB licence holder.
Mark David	Traditional Inhabitant Member	Traditional Inhabitant Kulkalgal and TIB licence holder.
Les Pitt	Traditional Inhabitant Member	Traditional Inhabitant Kemer Kemer Meriam, TIB licence holder and runs an independent freezer facility on Erub Island.
Patrick Mills	Traditional Inhabitant Member	To be declared.
Mark Dean	Industry Member	TVH operator.
Jerome Kalwij	Industry Member	Employee of MG Kailis, manager at Pearl Island Seafoods processing factory
Trent Butcher	Industry Member	TVH licence holder
Selina Stoute	AFMA Member	Nil.
Samantha Miller	QDAF Member	To be declared.
Mark Anderson	TSRA Member	Nil. TSRA holds multiple TVH TRL fishing licences on behalf of Torres Strait Communities but does not benefit from them.
Georgia Langdon	Executive Officer	Nil.
Observers		
Yen Loban	TSRA Board Member and TSRA Portfolio Member for Fisheries	To be declared.

Maluwap Nona	Malu Lamar (Torres Strait Islander) Corporation RNTBC	To be declared.
Graham Hirakawa	Industry observer	To be declared
Kevin Sabatino Snr	Industry observer	To be declared
Brett Arlidge	TRLRAG Industry member	General Manager MG Kailis Pty Ltd. MG Kailis Pty Ltd is a holder of 5 TVH licences. Seafood buyer from Torres Strait, QLD and PNG TRL fisheries.
Ian Knuckey	TRL RAG Chair	Refer to Attachment 1.3b
Eva Plaganyi	TRL RAG Scientific member	Lead scientist for PZJA funded TRL research projects conducted by CSIRO.
Alison Turnbull	SafeFISH	To be declared
Jayne Gallagher	Seafood Trade Advisory Group	To be declared
Ben Mitchell	Department of Agriculture, Water and Environment	To be declared

Declaration of interests
Dr Ian Knuckey – October 2020

Positions:

Director –	Fishwell Consulting Pty Ltd
Director –	Olrac Australia (Electronic logbooks)
Deputy Chair –	Victorian Marine and Coastal Council
Chair / Director –	Australian Seafood Co-products & ASCo Fertilisers (seafood waste)
Chair –	Northern Prawn Fishery Resource Assessment Group
Chair –	Tropical Rock Lobster Resource Assessment Group
Chair –	Victorian Rock Lobster and Giant Crab Assessment Group
Chair –	Victorian Central Zone Abalone Fisheries Resource Advisory Group
Chair –	Gulf of St Vincent's Prawn Fishery MAC Research Scientific Committee
Scientific Member –	Northern Prawn Management Advisory Committee
Scientific Member –	SESSF Shark Resource Assessment Group
Scientific Member –	Great Australian Bight Resource Assessment Group
Scientific Member –	Gulf of St Vincent's Prawn Fishery Management Advisory Committee
Scientific Member –	Tropical Tuna Resource Assessment Group
Scientific participant –	SEMAC, SESSF Resource Assessment Group

Current projects:

AFMA 2020/0807	Bass Strait Scallop Fishery Survey – 2020-22
FRDC 2017/069	Indigenous Capacity Building
FRDC 2016/116	5-year RD&E Plan for NT fisheries and aquaculture
Traffic Project	Shark Product Traceability
FRDC 2018/021	Development and Evaluation of SESSF multi-species harvest strategies
FRDC 2017/014	Informing structural reform of South Australia's Marine Scalefish Fishery
NT Fisheries	Design and implementation of a tropical snapper trawl survey
Sea Cucumber Ass.	Design and implementation of a sea cucumber dive survey
FRDC 2019-072	A survey to detect change in Danish Seine catch rates of Flathead and School Whiting resulting from CGG seismic exploration.

TROPICAL ROCK LOBSTER WORKING GROUP (TRLWG)	MEETING 10 12 December 2019
PRELIMINARIES Action items from previous meetings	Agenda Item 1.4 For noting

RECOMMENDATIONS

1. That the Working Group:
 - a. **NOTE** the progress against actions arising from previous meetings (**Attachment 1.4a**).
 - b. **NOTE** the final meeting record for TRLWG10 held on 12 December 2019 (**Attachment 1.4b**).

BACKGROUND

Actions arising

2. Updates are provided on the status of actions arising from previous TRLWG meetings and relevant TRLRAG meetings at **Attachment 1.4a**.

Meeting record

3. The draft meeting record for TRLWG 10 held on 12 December 2020 was provided out of session for comment on 2 January 2020. Minor editorial comments were received from the economics member and comments were received from TSRA on Agenda Item 7 in relation to primary/tender vessel restrictions.
4. The record was finalised out of session following the closure of the comment period and a tracked change version with comments and a clean version was circulated to members on 29 January 2020.
5. The final meeting record is provided at **Attachment 1.4b** for information.

Action items from previous TRLWG meetings

#	Action Item	Meeting	Agency	Status
Recommendations requiring further action				
1.	The Working Group further recommended that the requirements concerning the possession and use of hookah gear around hookah closure periods be considered further at the next meeting of the Working Group. It was also recommended that industry submit proposals for changes to these requirements to AFMA for consideration at this meeting, noting that requirements need to be cost-effective and enforceable.	TRLWG 9 held on 19 February 2019	TRLWG members	<p>Complete</p> <p>A reminder concerning this action was sent to all TRLWG members on 12 November 2019. No written proposals had been received at the time this paper was prepared.</p> <p>The issue of possession and use of hookah gear around hookah closure periods is expected to be part of a broader discussion on a review of management controls under Agenda Item 6.</p>
2.	The Working Group recommended that the PZJA develop a policy concerning the administration of developmental permits as a priority, and consult with industry in its development. Further, the Working Group recommended the existing developmental permit conditions be reconsidered in light of concerns raised by industry members.	TRLWG 9 held on 19 February 2019	PZJA	<p>Complete</p> <p>The Protected Zone Joint Authority (PZJA) considered the outcomes of public consultation undertaken between 16 December 2019 and 29 February 2020 on a draft Developmental Permit for Training Purposes Policy (Training Permit Policy). The PZJA agreed on the Training Permit Policy at its meeting on 27 August 2020. Applications will be considered by the PZJA twice annually and application periods will commence in March and September each year. The process for making an application is detailed in the Policy.</p> <p>Given that 2020 has been a difficult year due to COVID 19, the first application period under the Training Permit Policy will open in January 2021 rather than in March.</p> <p>The policy is available on the PZJA website.</p>

3.	The Working Group recommended that current TIB primary boat licence conditions which prohibit a TIB primary boat from towing dories not associated with the primary boat, be reviewed with a view to permitting this activity, noting survey requirements for individual primary boats. The Working Group further recommended a proposal be developed for PZJA consideration regarding this matter.	TRLWG 9 held on 19 February 2019	PZJA	<p>Complete</p> <p>TRLWG 10 discussed this under Agenda Item 7 – Future Management Priorities. Concerns relating to primary/tender vessel restrictions was tabled by the TSRA on behalf of some industry members. This issue is expected to form part of a broader discussion on a review of management controls under Agenda Item 6.</p>
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Torres Strait Tropical Rock Lobster Working Group Meeting 10

Meeting Record

12 December 2019

Thursday Island

Note all meeting papers and record available on
the PZJA webpage: www.pzja.gov.au



Australian Government

Australian Fisheries Management Authority

Contents

Meeting participants	3
Members	3
Observers	3
1 Preliminaries	5
1.1 Welcome and apologies	5
1.2 Adoption of agenda.....	5
1.3 Declaration of interests	5
1.4 Action items from previous meetings	6
1.5 Out-of-session correspondence	6
2 Updates from members	6
2.1 Industry members	6
2.2 Scientific members.....	7
2.3 Government agencies.....	9
2.4 PNG NFA	10
2.5 Native Title	10
3 Catch and effort summary for 2018-19 fishing season	10
4 Total Allowable Catch	11
5 Catch Sharing with PNG	12
6 Five-year research plan	14
7 Future Management Priorities.....	14
8 Other Business.....	19
9 Date and venue for next meeting.....	19

Meeting participants

Members

Name	Position	Declaration of interest
Dr John Glaister	Chairperson	Member of Parks North, Chair of Northern Prawn Management Advisory Committee (NORMAC), Chair of the Torres Strait Prawn Management Advisory Committee (TSPMAC).
Ms Selina Stoute	AFMA member	Nil
Ms Allison Runck	TSRA member	Nil. TSRA holds multiple TVH TRL fishing licences on behalf of Torres Strait Communities but does not benefit from them
Ms Sevaly Sen	Fisheries Economist Member	Nil interest in Torres Strait fisheries. Conducts various FRDC research projects relevant to AFMA fisheries; Advisor to Sydney Fish Market; AFMA Commissioner.
Mr Aaron Tom [%]	Traditional Inhabitant member	Traditional Inhabitant Gudumalulgal and TIB licence holder
Mr James Ahmat	Traditional Inhabitant member	Traditional Inhabitant Maluialgal and TIB licence holder
Mr Mark Dean	Industry member	TVH operator
Mr Jerome Kalwij [^]	Industry member	Employee of MG Kailis, manager at Pearl Island Seafoods processing factory
Mr Trent Butcher	Industry member	TVH licence holder
Ms Georgia Langdon	AFMA executive officer	Nil

Observers

Name	Position	Declaration of interest
Yen Loban	TSRA Board Member and TSRA Portfolio Member for Fisheries.	TIB licence holder and Councillor for Torres Shire.
Dr Ian Knuckey [#]	Chair, TRL Resource Assessment Group (TRLRAG)	Chair/Director of Fishwell Consulting Pty Ltd and Olrac Australia (electronic logbooks). Chair/member of other RAGs and MACs. Conducts various AFMA and FRDC funded research projects including FRDC Indigenous Capacity Building project. Nil interests in TRL Fishery and no research projects in the Torres Strait. In 2019, delivered components of TSRA Induction Program for Traditional Inhabitant members on PZJA advisory committees.

Name	Position	Declaration of interest
		Full declaration of interests provided at Attachment A.
Dr Éva Plagányi	CSIRO	Lead scientist for PZJA funded TRL research projects conducted by CSIRO.
Lyndon Peddell	AFMA	Nil
Suzannah Salam	Industry observer	Torres Straits Seafood Pty Ltd, TIB licence holder and lessee of TSRA TVH licence in 2017/18 fishing season.
Madeina David	TSRA observer	Nil
Harry Nona	Traditional Inhabitant Member for Kaiwalagal on TRL RAG	Traditional Inhabitant Kaiwalagal and TIB licence holder
James Billy	Traditional Inhabitant member for Kulkalgal on TRL RAG	Traditional Inhabitant Kulkalgal, TIB licence holder, Coxwains holder and free diver.
Richard Takai *	Industry observer	Not declared.
Thomas Fujii *	Industry observer	Not declared.
Sam Salee	Industry observer	Not declared.
Thomas Nomoa	Industry observer	Not declared.

Dr Ian Knuckey only attended the meeting until 11:30am

^ Arrived to the meeting at 10am

% Arrived late to the meeting

* Industry observers left the meeting at 11am.

1 Preliminaries

1.1 Welcome and apologies

1. The meeting was opened in prayer at 9:05 am on Thursday 12 December 2019.
2. The Chair acknowledged the Traditional Owners of the land on which the meeting was held and paid respect to Elders past and present. The Chair welcomed attendees to the 10th meeting of the Torres Strait Tropical Rock Lobster Working Group (TRLWG 10).
3. The Chair advised that the Working Group is an advisory committee to the Protected Zone Joint Authority (PZJA). The Working Group will seek to reach a respectful consensus on issues, but where this is not possible, the different views of members will be recorded in the meeting record.
4. Attendees at the Working Group are detailed in the meeting participant tables at the start of this meeting record.
5. Apologies were received from:
 - a) Ms Danielle Stewart, Queensland Department of Agriculture and Fisheries (QDAF) member;
 - b) Mr Darren Dennis, Scientific member;
 - c) Mr Patrick Mills, Traditional Inhabitant member, Kaiwalagal;
 - d) Mr Les Pitt, Traditional Inhabitant member, Kemer Kemer Meriam;
 - e) Mr Mark David, Traditional Inhabitant member, Kulkalgal;
 - f) Mr Maluwap Nona, Malu Lamar (Torres Strait Islanders Corporation) RNTBC Chairperson; and
 - g) Mr Joseph Posu, PNG National Fisheries Authority

1.2 Adoption of agenda

6. The draft agenda was adopted without change (**Attachment B**).

1.3 Declaration of interests

7. The Chair advised members and observers, that as provided in PZJA Fisheries Management Paper No. 1 (FMP1), all members of the Working Group must declare all real or potential conflicts of interest in Torres Strait TRL Fishery at the commencement of the meeting. Where it is determined that a direct conflict of interest exists, the Working Group may allow the member to continue to participate in the discussions relating to the matter but may also determine that, having made their contribution to the discussions, the member should retire from the meeting for the remainder of the discussions on that issue.
8. Declarations of interests were provided by each meeting participant. These are detailed in the meeting participant tables at the start of this meeting record.
9. The Working Group followed a process whereby each group of members with similar interests were asked to leave the room to enable the remaining members to:
 - a) Freely comment on the declared interests;
 - b) Discuss if the interests precluded the members from participating in any discussions; and
 - c) Agree on any actions to manage declared conflicts of interests (e.g. the member may be allowed to participate in the discussions relating to the matter but not in the formulation of final advice).
10. Those members and observers holding a fishing licence, including the TSRA officers and Board members were asked to leave the room. The remaining members agreed that although the excused members may have real or perceived conflicts of interest, their expertise is critical in the

development of advice. It was also noted that there was no agenda item that favoured one licence holder over another. On this basis, it was agreed that the excused members be permitted to participate in discussions under all agenda items in the formulation of Working Group recommendations.

11. All scientific, economic or consultant members and observers were also asked to leave the room. The AFMA member noted by way of example, that when discussing potential research projects (particularly under agenda item 6 on the five year Research Plan), scientific members may have real or perceived conflicts of interest, however their expertise is highly valued in the development of Working Group advice. On this basis, it was agreed that the scientific, economic and consultant members be permitted to participate in discussions under all agenda items and the formulation of Working Group recommendations.
12. The Chair reminded the group about the importance of the declarations process to ensure transparency and integrity of the advice from the Working Group so that other stakeholders can have confidence in how the group operates. The Chair emphasised the key to managing real or perceived conflicts of interest was for members to be transparent. Real and or perceived conflicts are not unusual in management advisory committees given members are appointed on the basis of their relevant expertise and involvement in the Fishery.
13. The Working Group agreed that all members and observers could be present for each of the agenda items.

1.4 Action items from previous meetings

14. The Working Group noted the status of actions arising from previous Working Group, and where relevant, TRL Resource Assessment Group (TRLRAG) meetings (**Attachment C**).
15. The Working Group noted the final meeting record for TRLWG 9 held on 19 February 2019 was finalised out of session and circulated to members on 26 April 2019.

1.5 Out-of-session correspondence

16. The Working Group noted out of session correspondence on TRLWG matters since the previous meeting.

2 Updates from members

2.1 Industry members

17. The Working Group noted updates provided by industry members and observers regarding the performance of the Torres Strait TRL Fishery during the 2018-19 fishing season and the very start of the 2019-20 season to date, in particular:
 - a) The season has started well with reports of good product on the fishing grounds and observations of smaller sized lobsters. This may influence the fishing patterns of some vessels who may stop fishing during the free dive season and spread out the fishing effort to maximise catch value with limited quota.
 - b) Kulkalgal communities had a slower start to the season with fishers collecting 13-20 crayfish per day. Water temperatures are reportedly cool and catch rates are expected to increase later in the month following the full moon.
 - c) Concerns have been raised amongst the Traditional Inhabitant Boat (TIB) sector about what the TAC will be in the 2019-20 season and whether it will be sufficient to support fishing throughout the full season.

2.2 Scientific members

18. Dr Ian Knuckey, Chair of the TRLRAG provided a summary of the TRLRAG 27 outcomes from their most recent meeting held on 10-11 December 2019 (presentation is at **Attachment D**), importantly:

- a) **RAG Data Sub-group:** The RAG recommended that the data sub-group continue to convene with a short-term focus on logbook improvements to help better understand stock and fishery dynamics (in particular for 2+ lobsters) including improvements to:
 - i. Spatial information;
 - o Education is important to fill out voluntary TIB logbook fields (no. of crew, no. of days fished, and the fishing methods)
 - o Needs to be recorded to a finer resolution
 - o Aligned across logbooks
 - ii. Fishing effort data;
 - o Definition for TVH – fill out actual diving time
 - o Change logbook fields to differentiate between separate steaming / searching / diving
 - iii. CDR needs to better indicate;
 - o no. of divers
 - o Dive time
- b) **Catch and effort analyses for the 2018-19 fishing season:**
 - i. Both TVH and TIB CPUE indices remained similar with no significant change in fishing attributable to the implementation of the quota management system;
 - ii. There is a slight increase in TVH fishing effort compared to the 2017-18 fishing season and a larger increase in TIB fishing effort (in terms of days fished and number of fishers);
 - iii. Data issues with TDB02 data set (potential duplication, decline in voluntary spatial and effort data)
- c) **Results of the 2019 pre-season survey:**
 - i. Undertaken between 11-21 November, dive transects were conducted at 77 repeat pre-season sites.
 - ii. Highest counts of newly settled lobsters (age 0+) on the western side of the survey area and highest counts of newly recruited lobsters (age 1+) on the eastern side of the survey, which is different from the 2018 survey.
 - iii. Substantial increase in 0+ and 1+ counts since the record low in 2017 and highest 1+ survey index recorded since 2005.
- d) **Recommended Biological Catch:**
 - i. 2019-20 season is the first year applying the adopted empirical harvest control rule (eHRC) under the TRL Harvest Strategy;
 - ii. The eHCR is a formula that multiplies the average annual catch over the last five years (582.6 tonnes; using available catch from TIB, TVH, PNG) with a statistic that measures the relative performance of the fishery based on the following five data inputs:
 - Pre-season survey recruiting lobster (1+) standardised relative numbers (70%);
 - Pre-season survey recently-settled lobster (0+) standardised relative numbers (10%); and,
 - nominal CPUE for TIB sector (10%); and,
 - standardised CPUE for TVH sector (using data available up until end of October) (10%).

- iii. In accordance with the TRL Harvest Strategy, using the above eHCR inputs, the RAG recommended an RBC value of 582.1 tonnes for the 2019-20 season with no deduction of catches taken by non-commercial fishing sectors

e) Preliminary stock assessment results:

- i. A stock assessment was undertaken this year because of concern about the 2017/18 low RBC and as a baseline for change in management arrangements (i.e. quota management system).
- ii. Overall, the stock assessment results indicate that the TRL stock is not overfished as the spawning biomass is approximately 93% of relative unfished biomass $B(2019)^{sp} / B(1973)^{sp}$, which is well above the agreed target reference point (B_{TARG}) of 65 per cent unfished biomass under the harvest strategy and well above the agreed limit reference point of 32 per cent (B_{LIM});
- iii. The model estimated a stock biomass $B(2019)^{sp}$ of 4,467 tonnes;
- iv. Overfishing is not occurring as fishing effort is below the fishing mortality target (F_{TARG}) of 0.15
- v. The 2019-20 season RBC output from the stock assessment is 766 tonnes.

f) Interactions between the TRL Fishery and other species:

- i. The RAG agreed that further analysis be undertaken in relation to the impacts of the Torres Strait Prawn Fishery on the TRL Fishery;
- ii. That the potential risks of increased diver/shark interactions resulting from berley and baiting for commercial reef line fishing should be considered when assessing the removal of the Finfish Western Line Closure, noting that the impact further north (Gudumalulgal communities) may be less as TRL diving is less prevalent;
- iii. The RAG noted that potential impacts of trophic interactions between reef fish and TRL are difficult to quantify, however the potential impacts of technical interactions between different fisheries and the TRL Fishery are measurable.

g) Research Priorities:

Priority	Research item	Funding Status
1	Fishery surveys, C&E analysis, Assessment, eHCR	Funded
2	Ecological Risk Assessment	Funded
3	Improved data collection	Funded
4	Document and analysis of impacts of change to quota management <ul style="list-style-type: none"> a. changes in fishing behaviours / fleet dynamics and impacts on fishery indicators b. review of need for various input controls 	Unfunded
5	Peer review of fishing independent survey design	Unfunded
6	Understanding fishery environmental drivers	Unfunded

19. The Working Group noted that:

- a) accurate data is imperative to understanding CPUE as well as the operational fishery characteristics of the fishery in informing on the spawning biomass of the TRL stock.
- b) the new management plan may change fishing behaviours and therefore impact on the inputs in to the eHCR. As such, this item is now the highest unfunded research priority.

2.3 Government agencies

20. The Working Group noted an update provided by the AFMA member, regarding AFMA activities relevant to the management of the Torres Strait TRL Fishery, in particular:

Review of TRL quota unit allocation to the Traditional Inhabitant sector

- a) The TRL Management Plan requires the PZJA to review the allocation of quota units to the Traditional Inhabitant (TIB) sector within two years of the Management Plan commencement (30 November 2020). At the commencement of the quota system on 1 December 2019, the TSRA will hold quota units on behalf of the Traditional Inhabitant sector.
 - b) Separate to the allocation review to be undertaken by the PZJA, the TSRA is working with stakeholders to establish an independent, non-profit entity to manage community-owned commercial fishery assets under the Fisheries Regional Ownership Framework project (FROF project). The TSRA is working to have the entity established by 1 July 2020.
 - c) At its meeting on 19 November 2019 the PZJA agreed in principle that the review of allocation be undertaken by an independent allocation advisory panel (IAAP) in accordance with the policy and procedural framework outlined within Fisheries Management Paper 2 (FMP2). The PZJA directed the PZJA Standing Committee to provide draft Terms of Reference (ToR) for an IAAP, including its membership and process to the PZJA by April 2020 that that PZJA can confirm this in principle decision.
21. Members sought further clarification on the PZJA's role in determining and making allocations for the TIB sector. The AFMA member noted that while the PZJA review process is supported, some communities feel that PZJA decisions often do not reflect the views of communities despite extensive consultation that is undertaken.

Compliance outcomes for the 2018-19 fishing season

- 22. AFMA took over the Torres Strait Fisheries Domestic Compliance Program on 1 July 2018 from the Queensland Boating and Fishing Patrol. To increase capacity in this area, AFMA has since recruited a third officer to assist with the increase in work load in delivering both domestic and foreign compliance functions that is largely intelligence and risk-based.
- 23. AFMA fisheries officers work closely with the support of the Australian Border Force, Royal Australian Navy, Queensland Water Police, TSRA Rangers and PNG National Fisheries Authority.
- 24. A number of formal warnings were issued to TRL operators for relatively minor breaches. Two matters were referred to the Commonwealth Director of Public Prosecutions (CDPP) for consideration, with a further two current matters pending.
- 25. In addition, AFMA have also conducted a number of stakeholder / community / one-on-one meetings aimed at increasing education and awareness of compliance related issues and to foster voluntary compliance with fisheries regulations. Recently, AFMA has undertaken targeted patrols ahead of the TRL season opening based on reports of product stockpiling, with no breaches of regulations incurred.
- 26. The Working Group noted that it is not a fisheries officer's role in deciding whether cases should be pursued through to prosecution. AFMA fisheries officers collect evidence and build a case to meet the evidentiary requirements for the AFMA Operational Management Committee to consider whether cases are progressed further to the CDPP.

Development Permit Policy

- a) At its meeting on 8 October 2019, the PZJA agreed to release a draft policy on the issue of development permits used for training purposes in all Torres Strait fisheries. The draft policy is expected to be released before the end of the year and all TIB licence holders should expect a copy of the policy in the mail. The Working Group noted:

- i. The Policy was developed to provide transparency to stakeholders and guidance to both the applicant and the PZJA on the principles an application is assessed against; and
- ii. Any existing holders of a development permit will not be impacted by the new policy;;
- iii. Industry stakeholders have expressed strong views that development permits should not be used for diver training purposes and that it will be important to ensure those views are captured again during the public consultation period.

27. The Working Group noted further updates from the AFMA member including:

- a) Ongoing efforts for AFMA and PNG National Fisheries Authority to agree on a process for finalising catch sharing arrangements for the 2019-20 fishing season, including subject to further stakeholder consultation, the preferred arrangement for utilising Australia's cross-endorsement allocation within PNG's waters. That is, to not seek cross-endorsement but rather pursue a preferential entitlement arrangement under Article 25 of the *Torres Strait Treaty* (to be discussed under Agenda item 5).
- a) As of 1 December 2019, the TRL fishery is now operating under a quota management system following the allocation of quota units in accordance with the *Torres Strait Fisheries (Quotas for Tropical Rock Lobster (Kaiar)) Management Plan 2018*.
- b) AFMA is continuing to progress draft amendments to the *Torres Strait Fisheries Act 1984* (the Act) and *Torres Strait Fisheries Regulations 1985* (the Regulations) as resources and priorities permit. AFMA have experienced delays to the project due to the Federal Election, competing Australian Government legislative priorities and limited internal resources. Noting the need for improved catch reporting however, AFMA is aiming to work with stakeholder to develop a strategy to encourage a level of voluntary logbook reporting by TIB Fishers.

2.4 PNG NFA

28. No update was provided as a PNG National Fisheries Authority representative was not in attendance.

2.5 Native Title

29. No update was provided as a Malu Lamar (Torres Strait Islanders) Corporation RNTBC representative was not in attendance.

3 Catch and effort summary for 2018-19 fishing season

30. The Working Group noted an update on reported landed catch for the Australian TRL Fishery and for the PNG Fishery for the 2018-19 fishing season:

- a) Australian Torres Strait TRL Fishery: as reported through the mandatory fish receiver system (FRS), the reported landed catch for the Fishery for the period 1 December 2018 – 30 September 2019 was 415, 835 kilograms. This equates to 84.03 per cent of Australia's 494,850 kilogram total allowable catch (TAC).
- b) PNG TRL Fishery: as reported by the PNG National Fishers Authority (NFA) total reported catch for the PNG Fishery taken from the Torres Strait Protected Zone (TSPZ) for the period 1 January – 31 August 2019 is 86,560 kilograms, with a further 32,923 kilograms reported from outside the TSPZ. The catch inside the TSPZ equates to 90.03 per cent of PNG's 96,150 kilogram TAC for 2019.
- c) The Working Group noted the methodology the TRL RAG applied to calculate an estimate of total PNG catches for the 2019 season by using the average total (inside and outside of the TSPZ) monthly reported PNG catch (13,921kg) as a proxy for likely catches taken

in December 2018 and November 2019 (months for which NFA is yet to advise on reported catches). Based on this approach the assumed total 2019 seasonal catch (Dec 2018-Nov 2019) for the PNG TRL fishery is 167,053kg.

31. AFMA acknowledged the good work by licenced fish receivers to improve the quality and timeliness of data available for the fishery.

4 Total Allowable Catch

32. The Working Group considered an overview of the TAC setting process and application of the TRL Harvest Strategy to inform the discussions about advising on a TAC for the 2019-20 fishing season, noting some new changes to the process with the introduction of the TRL Management Plan.

33. In chronological order, the key steps to setting a TAC in the TRL fishery are:

- a) Mid November – TRL Fishery pre-season survey conducted by CSIRO;
- b) 1 December – Australian TRL fishery opens under a 200 tonne interim TAC;
- c) Mid-December – TRL RAG provides advice on a RBC;
- d) Mid-December – TRL WG provides advice on a global TAC;
- e) Mid-January – Global TAC endorsed by the PZJA;
- f) End-January – Australia and PNG agree on the global TAC and how it is to be shared, included cross-endorsement; and,
- g) End-February – Australian TAC is increased to final amount.

34. The Working Group noted advice from the Economics member that the staged TAC setting process (interim with a subsequent expected increase in the TAC following the season start) may impact the asset value of a quota units during the interim TAC months (i.e. December to February) and subsequently impact a person's ability to borrow against quota holdings during that time. The Working Group noted that clear information needs to be publically available to assist third parties (such as banks) understand the management process and make informed decisions on quota asset values.

35. Having regard for the TAC setting process, the Working Group noted:

- a) The newly adopted Harvest Strategy uses an empirical (data-based) Harvest Control Rule (eHCR) to rapidly provide a Recommended Biological catch (RBC) using catch, survey indices and CPUE data inputs and is designed to dampen variability in the TAC. The eHCR-derived RBC can therefore be expected to be less variable than the stock assessment-based RBC.
- b) The eHCR is applied in December and outputs a RBC for the following year. This formula is the multiple of the average annual catch over the last 5 years (582.6 tonnes; using available catch from TIB, TVH, PNG) and a statistic which measures the relative performance of the fishery based on the following four data inputs:
 - i. Pre-season survey recruiting lobster (1+) standardised relative numbers (70%);
 - ii. Pre-season survey recently-settled lobster (0+) standardised relative numbers (10%); and,
 - iii. nominal CPUE for TIB sector (10%); and,
 - iv. standardised CPUE for TVH sector (using data available up until end of October) (10%).
- c) If the overall performance of the fishery is improving then the RBC calculated using the eHCR will increase, while if the overall performance of the fishery is decreasing then the calculated using the eHCR RBC will also decrease. Over the long-term the eHCR should maintain the stock around the target biomass level (B_{65}) under the agreed Harvest Strategy. Different weightings are applied to the four abundance indices included in the

relative performance statistic used in the eHCR, based on extensive testing to compare performance of alternative weightings and also considering the information content and reliability of each series, as well as a preference expressed by the stakeholders to use a portfolio approach in determining the RBC.

36. The Working Group noted the RAG had recommended an RBC of **582.1 tonnes** and that, consistent with the agreed Harvest Strategy other sources of mortality from non-commercial sectors should not be deducted from the RBC to determine a TAC. The Working Group noted that other sources of mortality from non-commercial sectors are assumed to be low and consistent through time and are therefore not included in the stock assessment or eHCR model. However, if the level of non-commercial catch were to rapidly increase, careful consideration would be needed to understand if it was an increase on what was previously assumed to be the level, or if the new estimate was the same value through time and to be incorporated in the model accordingly.
37. The Working Group noted it is best practice for both the RAG and Working Group to annually consider assumptions on the level of TRL take outside the commercial fishery. Noting catches may change and/or new information may become available.
38. **Having considered advice from the TRLRAG, the Working Group recommended a global TAC for the Torres Strait Protected Zone (TSPZ) TRL Fishery of 582.1 tonnes for the 2019-20 season.**

5 Catch Sharing with PNG

39. AFMA presented an overview of the provisions under the *Torres Strait Treaty* (the Treaty) and the process therein for agreeing catch sharing arrangements between Australia and Papua New Guinea over the Torres Strait Protected Zone TRL stock.
40. The Treaty recognises the rights of both Australia and PNG to fish in the waters of the other country. This practice is known as cross-endorsement and involves Australia and/or PNG nominating an agreed number of commercial fishing boats to fish an agreed share of the TAC.
41. The Working Group noted three key elements of catch sharing with PNG:
 - a) It is agreed that 85 per cent of the global TRL TAC is to be taken in Australian waters and 15 per cent of the global TAC is to be taken in PNG waters. This split is based on the agreed distribution of TRL in the area of the TSPZ;
 - b) Under Article 23(4) of the Treaty, each country is entitled to fish for 25 per cent of the other country's TAC apportionment in the waters of the other country, unless otherwise agreed; and
 - c) Under Article 25 of the Treaty, where Australia and/or PNG does not itself propose to take all the TAC to which it is entitled, either in its own area of waters or that of the other country, the other country will have preferential entitlement to that share. This must be agreed between Australia and PNG.
42. The Working Group noted that at their meeting held on 19 November 2019, the PZJA agreed that, subject to further consultation with stakeholders, the preferred arrangement for utilising Australia's cross-endorsement allocation within PNG's waters is to not seek cross-endorsement but rather pursue a preferential entitlement arrangement under Article 25 of the Treaty. In effect this means, Australia will seek to take a proportion of PNG's cross-endorsement allocation within Australian waters equivalent to Australia's cross-endorsement allocation in PNG's waters.
43. Considering Australia's allocation in PNG waters is relatively small (25 per cent of 15 per cent of the global TAC – which in the 2018-19 season equated to only 24 tonnes), the Working Group acknowledged the issue of being able to provide equitable opportunity to access cross-endorsement across Australian licence holders without encouraging over investment and providing cost-effective and efficient administration, monitoring, control and surveillance.
44. The Working Group noted that during the 2018-19 fishing season, PNG and Australia agreed:

- a) That Australia would effectively take its catch entitlement amount in PNG waters, in Australian waters (24 tonnes), which was shared across all licence holders; and that PNG would then take the no more than the equivalent of Australia's entitlement in their own waters; and
- b) That Australia seek preferential entitlement to any expected under-catch of PNG's catch TAC apportionment within Australian waters. This is because PNG expressed an interest in accessing 50 tonnes of their 136.21 tonne apportionment of the TAC in Australia's waters through cross endorsement.

45. A schematic diagram outlining the final catch sharing arrangements for 2018-19 is provided in **Attachment E**.

46. Subsequently, no PNG boats fished under a cross-endorsement licence which in effect means the 50 tonnes apportioned to PNG went unallocated. Australia last issued a cross-endorsement licence to PNG operators in the 2014-15 fishing season, and has not accessed cross-endorsement allocations for any fishing in PNG waters since the early 2000s.

47. Having regard for the provisions under the Treaty and issues raised above, and considering the recommended TAC for the 2019-20 fishing season (582.1 tonnes), the Working Group discussed future utilisation of Australia's cross-endorsement allocation for TRL within PNG's waters in the area of the TSPZ. The Working Group discussed:

- a) AFMA is working towards establishing the best process for agreeing catch sharing arrangements with PNG which has been prompted by both the low RBC in 2017-18 and the shift to quota allocation under the *Torres Strait Fisheries (Quotas for Tropical Rock Lobster (Kaiaar)) Management Plan 2018* (the TRL Management Plan). Future arrangements need to be very clear about catch allocations, ensuring best practice for both countries, and protecting the rights and entitlements of Australian fishers under the Treaty.
- b) Cross endorsement allocations sit outside the remit of the TRL Management Plan.
- c) Traditional fishing is not considered under the Treaty, and the TRL Harvest Strategy is intended to maintain the TRL stocks at a higher biomass to ensure more lobsters are available to ensure the traditional way of life and livelihoods is protected with minimal impact on the commercial fishery.
- d) Cross-endorsed licences would be subject to the fishing regulations of the other country, including but not limited to a vessel monitoring system (VMS) and logbooks.
- e) Under a 85 per cent / 15 per cent split of the global TAC, the Working Group noted that equates to 87 tonnes in PNG waters, and 494.78 tonnes in Australian waters, to then be split according to the TRL Management Plan, with approximately 125.54 tonnes to the TVH sector and 245.55 tonnes to the TIB sector (without finalised cross-endorsement) for the 2019-20 season. Concerns were raised that should catches this season be similar to the 2018-19 season, compounded with likely increased catch rates under a very high stock biomass (93% of relative unfished biomass based on preliminary stock assessment results), the TIB sector is likely to reach the TAC prior to the end of the season.
- f) Considering this, the Traditional Inhabitant members discussed the potential need to establish a system of controls that will allow the sector to prolong fishing throughout the season and/or to promote value adding fishing practices (e.g. increased selectivity to maximise lobster quality and market prices). The Working Group noted the additional challenges and broad consultation requirements (educational campaigns) for the TIB sector to secure the necessary collective action under the current competitive TAC arrangement for the sector.

48. **Having regard for AFMA's advice on the outstanding administrative matter associated with supporting a cross-endorsement system for Australian boats and the immediate benefits from maximising the available catch to Australian fishers in Australian waters, the Working Group supported AFMA pursuing preferential catch entitlements under the Treaty when agreeing catch sharing arrangements with PNG.**

6 Five-year research plan

49. The Working Group considered an update provided by the AFMA member regarding research priorities for the TRL Fishery identified in the Five-Year Fishery Research Plan 2020/21 – 2024/25.
50. The Working Group noted the advice from TRLRAG 27, and supported the research priorities identified by the RAG as follows:
- a) The following to remain as essential research priorities (noting also all are currently funded):
 - i. **Fishery surveys, stock assessment, harvest control rules and recommended biological catch (RBC).** This research is used to monitor the performance of the Fishery and inform annual management decisions on the TAC.
 - ii. **Ecological risk assessment (ERA).** AFMA has committed to update ERAs for Commonwealth managed fisheries and having an ERA is often considered export approval assessments.
 - iii. **Improvement of data collection.** The RAG supported the continuation of the data sub-group as a means to progress options for addressing ongoing fishery dependent data needs for the fishery.
 - b) To re-prioritise the research priority of **understanding fishing behaviour** to essential noting the need to carefully understand impacts of quota management on: (i) data collected in the Fishery and therefore how is it used to assess the Fishery; and (ii) broader fisheries management performance against social and economic objectives for the Fishery. The latter would likely inform evaluations on the ongoing role of input controls in the Fishery. The RAG had agreed that this research need was the highest priority currently unfunded research. The Working Group supported the view that understanding changes to fisher behaviour will require time and will be useful in supporting the work of the IAAP review.
 - c) To revisit the priority ranking for the **Science peer review** research need following RAG agreement of a final draft the Terms of Reference (ToR) for such a review.

7 Future Management Priorities

51. Noting that the PZJA at its meeting on 26 November 2018 reaffirmed existing management controls currently applied to the TRL Fishery, the Working Group discussed future management priorities for the TRL Fishery for progression in 2020, focussing primarily on a future review of management controls.
52. The Working Group noted that there has been substantial management changes in recent times in the TRL Fishery, including:
- a) implementation of the Management Plan, including the formal allocation of quota units, setting of a total allowable catch (TAC) and strategic assessment under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act);
 - b) finalisation of the draft Harvest Strategy for the TRL Fishery, including a call for public comments, further consideration by the TRLRAG and Working Group, adoption by the Protected Zone Joint Authority (PZJA) through to application for the first time at this meeting; and
 - c) ongoing efforts to improve fishery dependent data collection and analyses for the TRL Fishery, including ongoing implementation of the fish receiver system (FRS) and the first meeting of the TRLRAG Data Sub-Group.

53. The Working Group noted AFMA's preference is to approach a review in a careful, and considered step-wise manner. This is to ensure a clear understanding of the objectives and rationale of any proposed changes (of the TRL Fishery and the *Torres Strait Fisheries Act 1984* (the Act)) in order to assess the benefits and impacts of proposals. When assessing the benefits and impacts, any proposed change should be supported by an objective assessment of its expected benefits and outcomes against a clear set of evaluation criteria, (e.g. biological, economic, social and management) including identification of who is likely to be affected and how those benefits and impacts are likely to be distributed.
54. The Working Group noted that any proposed changes would require broader stakeholder consultation, and acknowledged that some changes to management controls may only apply to one sector.
55. Importantly, the Working Group noted scientific advice for careful consideration of the potential impacts of changes to management controls on fishing patterns or fisher behaviour. Such changes may result in changes to catch rates and have consequences on CPUE indices and downstream effects on the application of the TRL Harvest Strategy empirical harvest control rule (eHCR).
56. A summary of concerns and issues raised by the Working Group, to be explored further is outlined in Table 1 below.
57. Other concerns raised not directly related to existing management controls included:
 - a) Ensuring integrity of the quota management system both within and between sectors (i.e. an Olympic TAC versus ITQs), and managing the risk of quota evasion;
 - b) Consideration of the impact of changes to management controls in response to changing environmental drivers; and
 - c) Consideration of the impact of changes to management controls in relation to changes in market trends and demands.

Table 1. Summary of industry based concerns/issues in relation to current management controls.

Current Controls	Industry concerns/issues	Management/Scientific/Economic considerations
Moon-tide hookah closures (and associated carriage of gear restrictions)	<p>TVH members are seeking flexibility to allow vessels to steam to and from fishing grounds the day before and after a hookah closure. The members reported that the current arrangements:</p> <ul style="list-style-type: none"> force operators to steam at night which is risky. Some vessels do not have the crewing capacity to steam overnight and commence fishing the next day; results in two days lost fishing time per closure, equating to approximately one month of lost days fishing in a season. Further, for slower boats it is often not worth it fishing at particular fishing grounds if others have already been fishing there for a day; and creates a bottle neck at processing factories when unloading product. Aside from processing issues, mass unloads can cause a temporary market supply causes prices to drop. <p>TVH members advised that their preference in the long-term is to remove all moon-tide hookah closures.</p> <p>One TVH industry member requested no further changes to management in the short term to allow for a period of adjustment to the quota management system.</p>	<p>AFMA</p> <p>Whilst regulations may be altered there are often trade-offs between operator flexibility and enforceability. The Act defines fishing broadly and includes activities such as transiting to and from fishing grounds. Further when evaluating regulatory options consideration must be given to the various types of operations in the fishery. At present in the TRL Fishery only primary boats have VMS, small dinghy operations do not. Given the complexity required to develop transiting only regulations and the challenges associated with monitoring such a large fleet without VMS the only viable alternative to the current regulation is to simply change the period of the closure.</p> <p>For background AFMA historically received several concerns from fishers that boats were routinely found on the fishing grounds before hookah closures were lifted.</p>
	<p>Traditional Inhabitant members would like consideration of having an additional moon-tide hookah closures to alleviate fishing pressure on home reefs and to reduce the competition pressure on free-divers from hookah divers.</p>	<p>AFMA</p> <p>For background AFMA advised that the re-introduction of moon-tide hookah closures in 2015 was supported by the Working Group with both TVH and TIB members agreeing that the closures reduced competition between hookah and free-divers.</p> <p>Recent reports from TVH operators on the difficulties some operators are experiencing with increased competition arising from the hookah closures (see above), provide a further basis to carefully consider how various arrangements may impact the pursuit of broader economic and social objectives for the fishery. The Act has explicit objectives relating to the protection of the traditional way of life and livelihood of traditional inhabitants and the need to have regard for promoting economic opportunities for traditional inhabitants. At present most participants in TIB sector free-dive.</p>

Current Controls	Industry concerns/issues	Management/Scientific/Economic considerations
Boat replacement policy (restrictions on boat length in the TVH sector)	<p>TVH industry members expressed a desire to remove the boat replacement policy, advising that:</p> <ul style="list-style-type: none"> • with output controls (i.e. Individual transferrable quota (ITQs) and a TAC), a larger vessel provides a safer operating platform and results in higher quality product during bad weather events. • A larger vessel means crayfish can be transported in live tanks on board (at greater speeds), rather than towed in cages behind the primary (with increased risk of mortality and product loss). • Larger vessels would not result in an increased number of dories • The original policy was introduced during a time when the fishery was largely based on frozen tails and the intent of the boat length restriction was to limit vessel freezer capacity. <p>TIB industry members expressed concern that an increase in larger TVH vessels will result in increased TVH effort despite limitations on quota. Large boats increases the effects of localised depletion and adds pressure on communities to fish their home reefs.</p>	<p>AFMA</p> <p>The boat replacement policy was introduced in 2004 in an attempt to limit overall fishing effort in the TVH sector.</p>
Two month hookah closure from December to January.	<p>An industry observer requested the hookah season commence earlier (on 1 January) and possibly close again in March.</p> <p>This is to allow industry to maximise the catch value in the season by fishing to the Chinese New Year market, and restricting hookah catches in March when market prices are reduced and lobster mortality is higher due to moulting and increased water temperatures and lobster discards.</p>	<p>CSIRO Scientific Observer</p> <p>Early in the season industry are mostly catching larger remnant males, allowing the new 1+ cohort to grow and value add to the fishery later in the season. Suggestion to undertake an economic analysis to consider the trade-offs of changing hookah closure periods and potential impacts on age 1+ cohort lobsters.</p> <p>The hookah closure was designed to afford free divers the opportunity to operate without social completion from hookah divers.</p>
Processor/Carrier licence conditions	<p>A TIB industry member requested that processor/carrier licences be issued to fishing vessels to allow the buying of product on fishing grounds.</p>	<p>AFMA</p> <p>It will be important to consider the impacts of changed licence arrangements on other fisheries, in particular the beche-de-mer fishery.</p>
Primary/tender vessel restrictions	<p>TSRA noted a number of industry members have requested the removal of restrictions on towing tenders un-associated with primary vessels; accommodation of fishing crew and provision of fuel and other services from the primary vessel to un-associated tenders with them. The advice from industry has been that this could</p>	<p>AFMA</p> <p>It will be important to consider the impacts of changed licence arrangements on other fisheries, in particular the beche-de-mer fishery.</p>

Current Controls	Industry concerns/issues	Management/Scientific/Economic considerations
	<ul style="list-style-type: none">• improve cost inputs for smaller operators in the fishery• improve safety for fishers accommodating on fishing grounds and/or avoid travel in poor weather	

8 Other Business

58. No other business was nominated for discussion.

9 Date and venue for next meeting

59. The Working Group noted that the next regular meeting of the TRL Working Group is tentatively scheduled for 17 December 2020.
60. On behalf of Working Group members and observers, the Chair thanked the significant contributions and dedicated work of Natalie Couchman as the management officer of the TRL fishery and Executive Officer of the TRL Working Group over the past few years.
61. The 10th TRL Working Group meeting was closed in prayer at 3:35pm on Thursday 12 December 2019.

Declaration of interests

Dr Ian Knuckey – November 2019

Positions:

Director –	Fishwell Consulting Pty Ltd
Director –	Olrac Australia (Electronic logbooks)
Deputy Chair –	Victorian Marine and Coastal Council
Chair / Director –	Australian Seafood Co-products & ASCo Fertilisers (seafood waste)
Chair –	Northern Prawn Fishery Resource Assessment Group
Chair –	Tropical Rock Lobster Resource Assessment Group
Chair –	Victorian Rock Lobster and Giant Crab Assessment Group
Chair –	Victorian Central Zone Abalone Fisheries Resource Advisory Group
Chair –	Gulf of St Vincent's Prawn Fishery MAC Research Scientific Committee
Scientific Member –	Northern Prawn Management Advisory Committee
Scientific Member –	SESSF Shark Resource Assessment Group
Scientific Member –	Great Australian Bight Resource Assessment Group
Scientific Member –	Gulf of St Vincent's Prawn Fishery Management Advisory Committee
Scientific Member –	Tropical Tuna Resource Assessment Group
Scientific participant –	SEMAC, SESSF Resource Assessment Group

Current projects:

AFMA 2020/0807	Bass Strait Scallop Fishery Survey – 2020-22
FRDC 2017/069	Indigenous Capacity Building
FRDC 2016/116	5-year RD&E Plan for NT fisheries and aquaculture
Traffic Project	Shark Product Traceability
FRDC 2018/021	Development and evaluation of SESSF multi-species harvest strategies
FRDC 2017/014	Informing structural reform of South Australia's Marine Scalefish Fishery
NT Fisheries	Design and implementation of a tropical snapper trawl survey
Sea Cucumber Ass.	Design and implementation of a sea cucumber dive survey
FRDC 2019-072	A survey to detect change in Danish Seine catch rates of Flathead and School Whiting resulting from CGG seismic exploration.

**10th MEETING OF THE PZJA TORRES STRAIT TROPICAL
ROCK LOBSTER WORKING GROUP (TRLWG 10)**

12 December 2019 (9:00 AM – 5:00 PM)

**TSRA Boardroom
Level 1 Torres Strait Haus
46 Victoria Parade, Thursday Island**

ADOPTED AGENDA

1 PRELIMINARIES

1.1 Welcome and apologies

The Chair will welcome members and observers to the 10th meeting of the WG.

1.2 Adoption of agenda

The WG will be invited to adopt the draft agenda.

1.3 Declaration of interests

Members and observers will be invited to declare any real or potential conflicts of interest and determine whether a member may or may not be present during discussion of or decisions made on the matter which is the subject of the conflict.

1.4 Action items from previous meetings

The WG will be invited to note the status of action items arising from previous meetings.

1.5 Out-of-session correspondence

The WG will be invited to note out of session correspondence on WG matters since the previous meeting.

2 UPDATES FROM MEMBERS

2.1 Industry members

Industry members and observers will be invited to provide an update on matters concerning the Torres Strait TRL Fishery.

2.2 Scientific members

Scientific and economic members and observers will be invited to provide an update on matters concerning the Torres Strait TRL Fishery.

2.3 Government agencies

The WG will be invited to note updates from AFMA, TSRA and QDAF on matters concerning the Torres Strait TRL Fishery. AFMA will provide updates on the implementation of the Management Plan and draft Harvest Strategy for the TRL Fishery, management arrangements for the 2019-20 fishing season and delivery of the Compliance program.

2.4 PNG National Fisheries Authority

The WG will be invited to note an update from the PNG National Fisheries Authority.

2.5 Native Title

The WG will be invited to note an update from Malu Lamar (Torres Strait Islander) Corporation RNTBC.

3 CATCH AND EFFORT SUMMARY FOR THE 2018-19 FISHING SEASON

The WG will be invited to note TRL Fishery catch and effort data for the 2018-19 fishing season.

4 TOTAL ALLOWABLE CATCH

The WG will be invited to consider advice from the TRL Resource Assessment Group (RAG) on the recommended biological catch (RBC) for the TRL Fishery for the 2019-20 fishing season based on estimates derived through the application of the empirical harvest control rule (eHCR). The WG will then be invited to provide advice on a total allowable catch (TAC) for the TRL Fishery for the 2019-20 fishing season.

5 CATCH SHARING WITH PNG

The WG will be invited to discuss the future utilisation of Australia's cross-endorsement catch share in PNG waters under the Torres Strait Treaty.

6 FIVE-YEAR RESEARCH PLAN

The WG will be invited to provide further advice on research priorities for the Torres Strait TRL Fishery for the next five funding years (2020/21 to 2024/25). This is to include consideration of matters raised by members out-of-session and advice from the RAG.

7 FUTURE MANAGEMENT PRIORITIES

The WG will be invited to discuss future management priorities.

8 OTHER BUSINESS

The WG will be invited to raise other business for consideration.

9 DATE AND VENUE FOR NEXT MEETING

The WG will be invited to discuss a suitable date for the next meeting.

Action items from previous TRLWG meetings

#	Action Item	Meeting	Agency	Status
1.	<p>The following be presented at the next TRLWG meeting:</p> <ul style="list-style-type: none"> a. an overview of the current understanding of stock connectivity between the Queensland East Coast and the Torres Strait TRL Fisheries; and b. the basis for the Queensland east coast TAC. 	TRLWG 6 held on 25-26 July 2017	CSIRO	<p>a. Complete – stock connectivity</p> <p>At TRLRAG 21 held from 12-13 December 2017, CSIRO presented the preliminary results of the research project titled '<i>Environmental update for the Torres Strait tropical lobster Panulirus ornatus</i>'. Some further results were presented at TRLRAG 22 held from 27-28 March 2018. CSIRO's final report, titled '<i>Environmental Drivers of variability and climate projections for Torres Strait tropical lobster Panulirus ornatus</i>', was provided as a meeting paper at the TRLWG 8 meeting held on 8 November 2018, for reference.</p> <p>b. Complete – QLD TAC</p> <p>See meeting record for TRLWG 8 meeting held on 8 November 2018.</p>
2.	AFMA to clarify with PNG NFA if the PNG TRL Closure was for the entire fishery or for hookah fishing only.	TRLWG 8 held on 8 November 2018	AFMA	<p>Complete</p> <p>PNG NFA provided clarification at TRLWG 9 held on 19 February 2019. The PNG TRL Fishery fishing season runs from 1 January through to 31 December each year. There is a prohibition on the use of hookah gear in the waters of Western Province and Torres Strait from 1 December through to 31 March the following year.</p>
3.	<p>AFMA (and CSIRO) to provide the PNG NFA with:</p> <ul style="list-style-type: none"> a. Further information concerning catch sharing arrangements under the Treaty, in particular the two tier formula and the basis of the historical agreement between Australia and PNG on the likely distribution of the TRL stock. b. Guidance from AFMA and CSIRO on the desired timeframes for sharing catch data to support the stock 	TRLWG 9 held on 19 February 2019	AFMA and CSIRO	<p>Complete</p> <p>Additional information provided on 22 February 2019 and 16 August 2019.</p>

#	Action Item	Meeting	Agency	Status
	assessment for the Torres Strait TRL Fishery.			
4.	AFMA to provide publically available information to the Working Group concerning Federal Court proceedings between Malu Lamar, the Assistant Minister for Agriculture and Water Resources and the PZJA.	TRLWG 9 held on 19 February 2019	AFMA	Complete Information provided to TRLWG members on 12 November 2019.
5.	In preparation for the next Working group meeting, TSRA to work with Traditional Inhabitant industry members to identify management measures for review and objectives against which any proposed changes can be assessed.	TRLWG 9 held on 19 February 2019	TSRA	Complete To be discussed under Agenda Item 7.
Recommendations requiring further action				
6.	The Working Group recommended AFMA provide further guidance to industry concerning: <ul style="list-style-type: none"> a. Current requirements concerning the possession and use of hookah gear around hookah closure periods. b. What fishers need to do should they have a situation where they wish to be in possession or use hookah gear during a hookah closure period (e.g. contact AFMA). 	TRLWG 9 held on 19 February 2019	AFMA	Complete AFMA provided advice to fishers concerning these requirements throughout the 2018-19 fishing season. Further communication materials will be prepared for the upcoming 2019-20 fishing season to reiterate these requirements to fishers. Any questions can be directed to the AFMA Thursday Island office on 07 4069 1990.
7.	The Working Group further recommended that the requirements concerning the possession and use of hookah gear around hookah closure periods be	TRLWG 9 held on 19 February 2019	TRLWG members	Not complete

#	Action Item	Meeting	Agency	Status
	considered further at the next meeting of the Working Group. It was also recommended that industry submit proposals for changes to these requirements to AFMA for consideration at this meeting, noting that requirements need to be cost-effective and enforceable.			A reminder concerning this action was sent to all TRLWG members on 12 November 2019. No written proposals had been received at the time this paper was prepared.
8.	The Working Group recommended that the PZJA develop a policy concerning the administration of developmental permits as a priority, and consult with industry in its development. Further, the Working Group recommended the existing developmental permit conditions be reconsidered in light of concerns raised by industry members.	TRLWG 9 held on 19 February 2019	PZJA	Ongoing Update provided under Agenda Item 2.3.
9.	The Working Group recommended that current TIB primary boat licence conditions which prohibit a TIB primary boat from towing dories not associated with the primary boat, be reviewed with a view to permitting this activity, noting survey requirements for individual primary boats. The Working Group further recommended a proposal be developed for PZJA consideration regarding this matter.	TRLWG 9 held on 19 February 2019	PZJA	Not complete At TRLWG 9 held on 19 February 2019, the AFMA member noted that this issue has been raised by industry in the past and is relevant to all Torres Strait fisheries, not just the TRL Fishery. Given this, broader consultation is required, including with Native Title bodies. The AFMA member further noted that a range of issues will need to be considered in developing a proposal for PZJA consideration including who has ownership of catches carried aboard the primary boat and who is responsible should offences be committed by dories not associated with the primary boat. The TSRA member supported the development of a proposal for PZJA consideration, noting such a proposal did not have PZJA support in the past as, at that time, Torres Strait fisheries were primarily operating under input controls. To be discussed under Agenda Item 7.

#	Action Item	Meeting	Agency	Status
10.	Noting that all current input controls will remain in place for the 2018-19 fishing season, the Working Group recommended that in preparation for the next meeting, members are to identify management measures for review and objectives (social, economic, biological) against which any proposed changes can be assessed.	TRLWG 9 held on 19 February 2019	All TRLWG members	Complete To be discussed under Agenda Item 7.

Relevant action items from previous TRLRAG meetings*

#	Action Item	Agenda	Agency	Status
1.	The RAG endorsed the draft TRL Harvest Strategy and recommended the WG further discuss and provide the RAG with details on the trigger level and proposed management response.	TRLRAG 22 held on 27-28 March 2018	AFMA	Complete Considered at TRLWG 9 meeting held on 19 February 2019. Please refer to the record of the meeting provided at Meeting Paper 1.4b , for further details.

*TRLRAG actions not relevant to TRLWG have not been included in the above.

TRL RAG 27

Meeting Summary December 2019

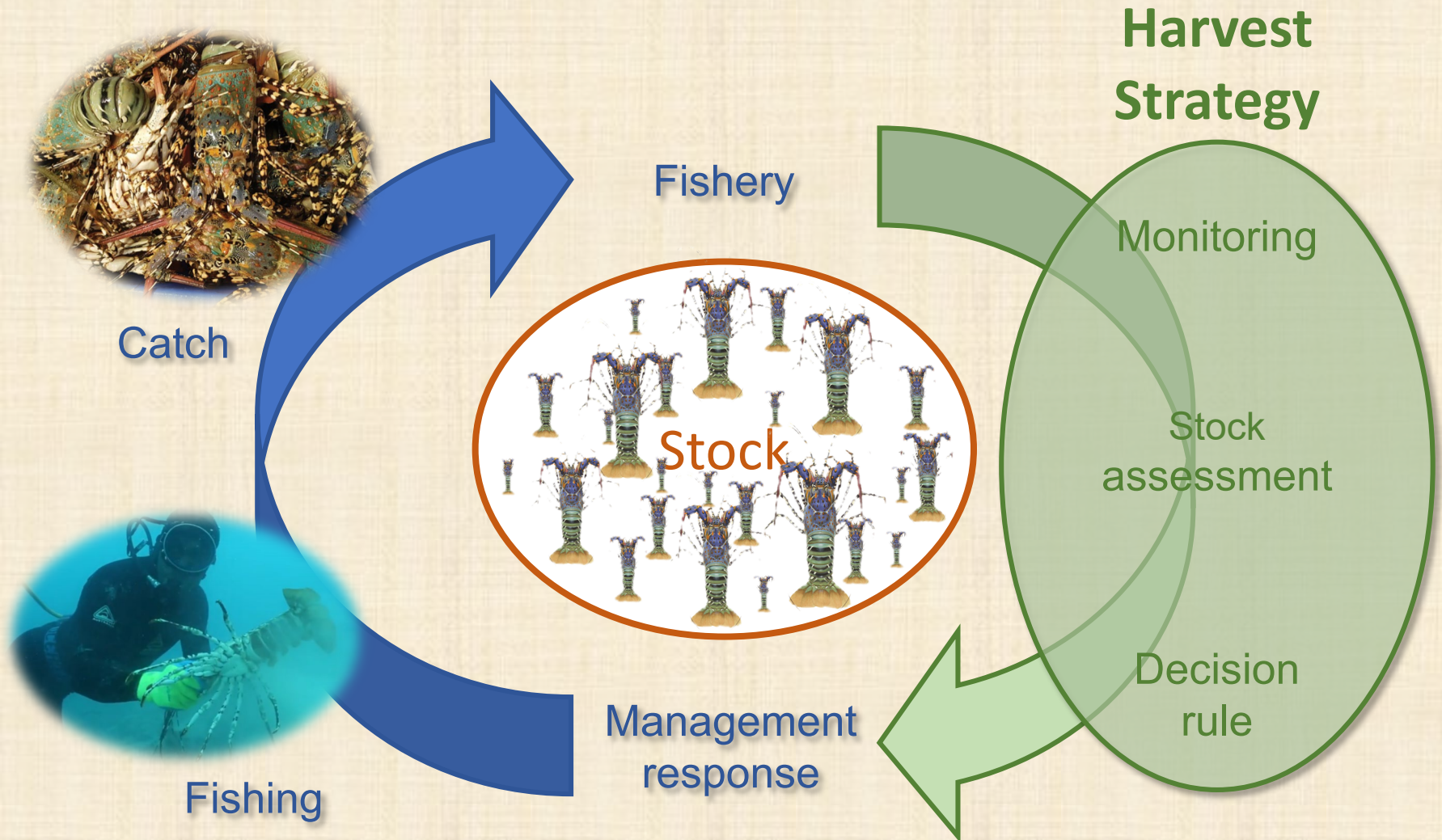


Australian Government

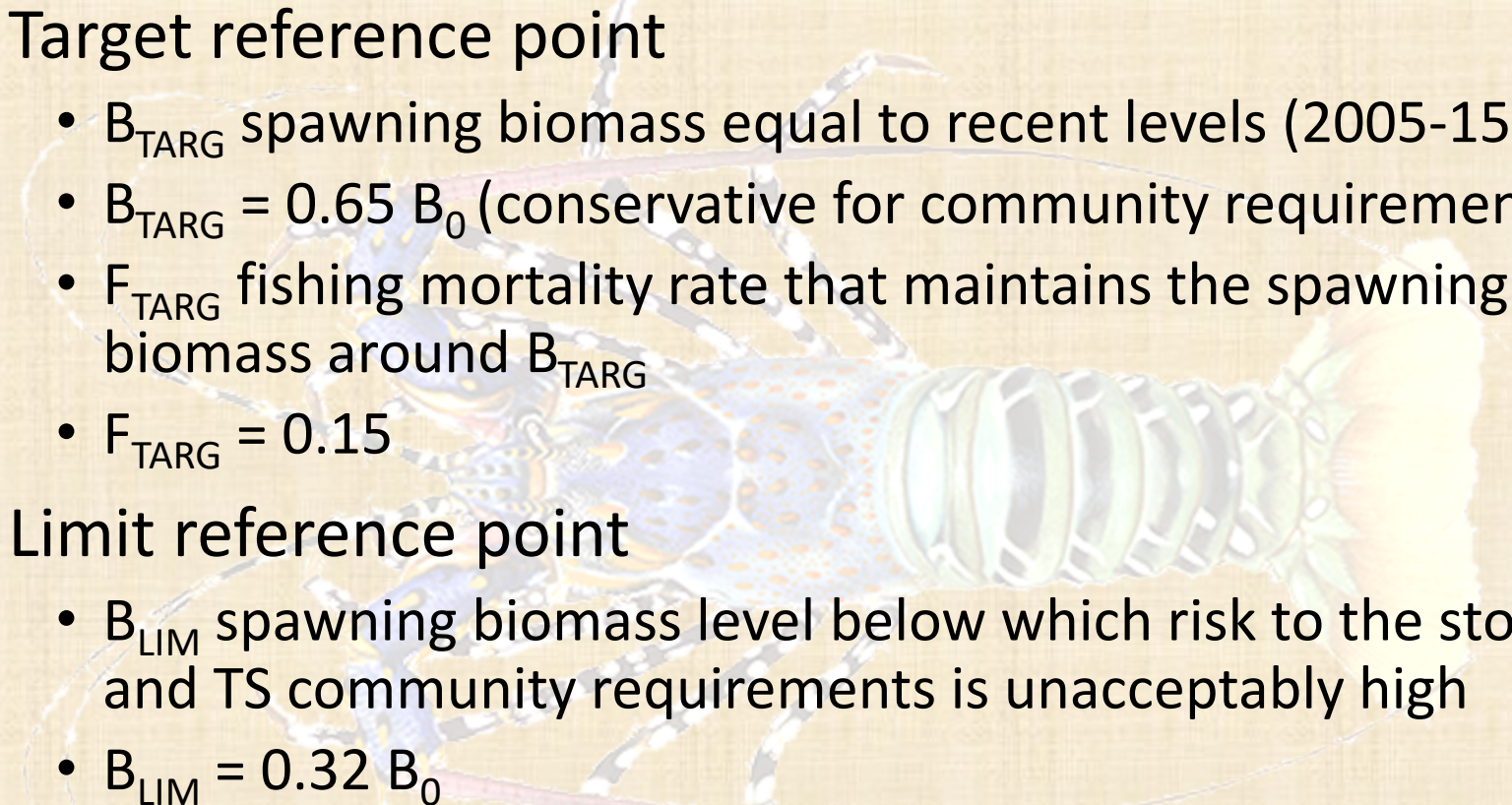
Australian Fisheries
Management Authority

Working Group

TRL RAG³⁹

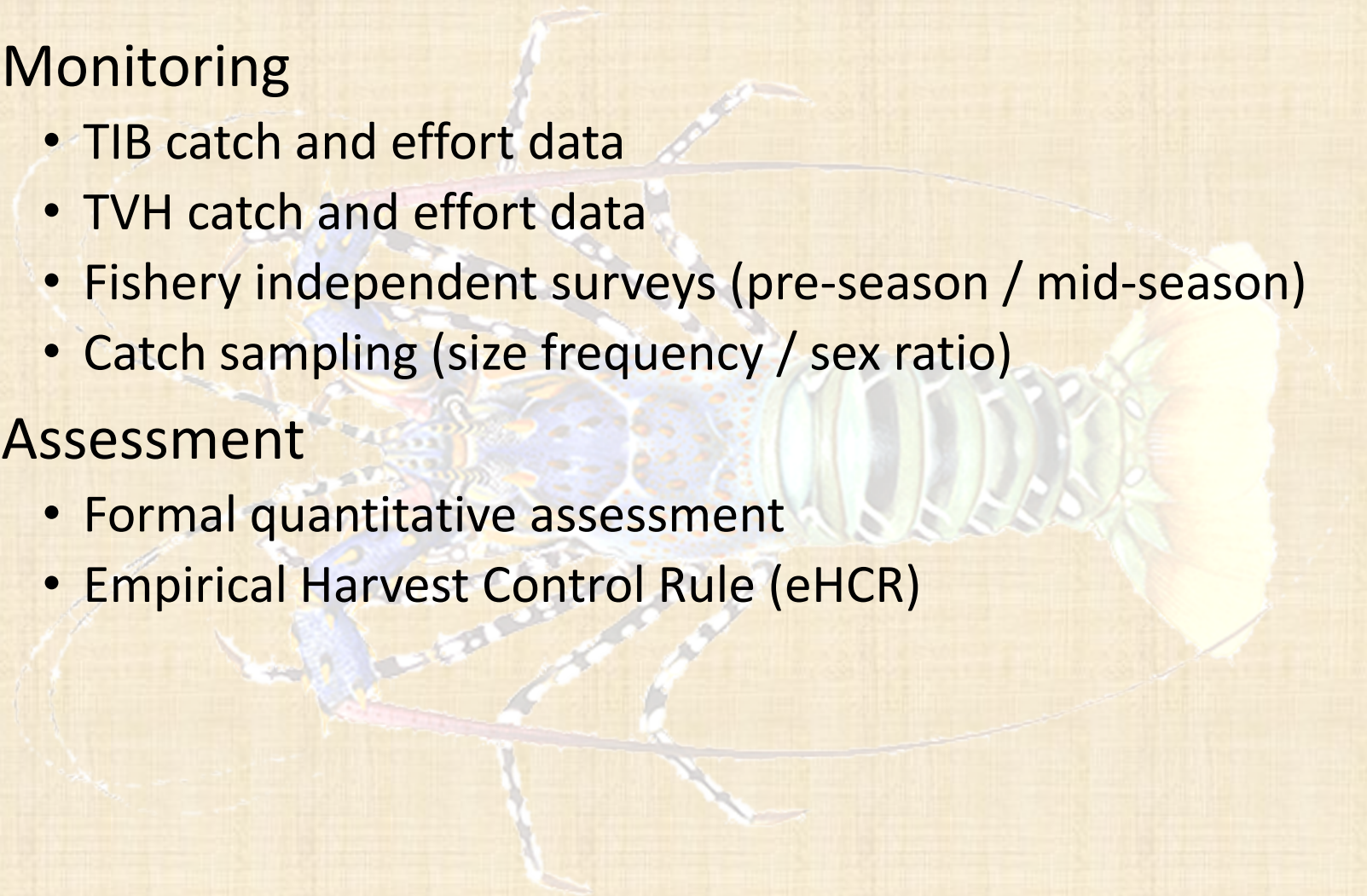


TRL Harvest Strategy

- Target reference point
 - B_{TARG} spawning biomass equal to recent levels (2005-15)
 - $B_{TARG} = 0.65 B_0$ (conservative for community requirements)
 - F_{TARG} fishing mortality rate that maintains the spawning biomass around B_{TARG}
 - $F_{TARG} = 0.15$
 - Limit reference point
 - B_{LIM} spawning biomass level below which risk to the stock and TS community requirements is unacceptably high
 - $B_{LIM} = 0.32 B_0$
- 

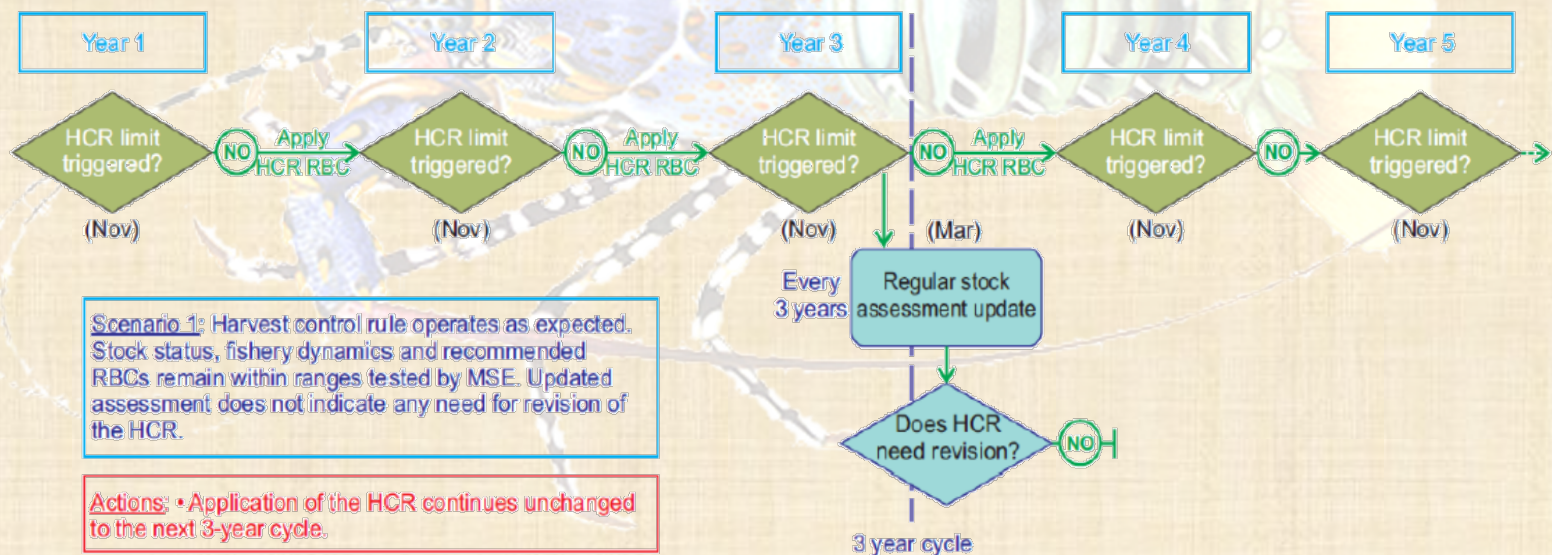
TRL Harvest Strategy

- Monitoring
 - TIB catch and effort data
 - TVH catch and effort data
 - Fishery independent surveys (pre-season / mid-season)
 - Catch sampling (size frequency / sex ratio)
- Assessment
 - Formal quantitative assessment
 - Empirical Harvest Control Rule (eHCR)



TRL Harvest Strategy

- Decision Rules
 - eHCR results → limit? or RBC set
 - Maximum catch limit of 1000 t
 - 1+ pre-season survey ≤ 1.25 → assessment
 - $< B_{lim}$ 2 years → fishery closure
 - Various scenarios

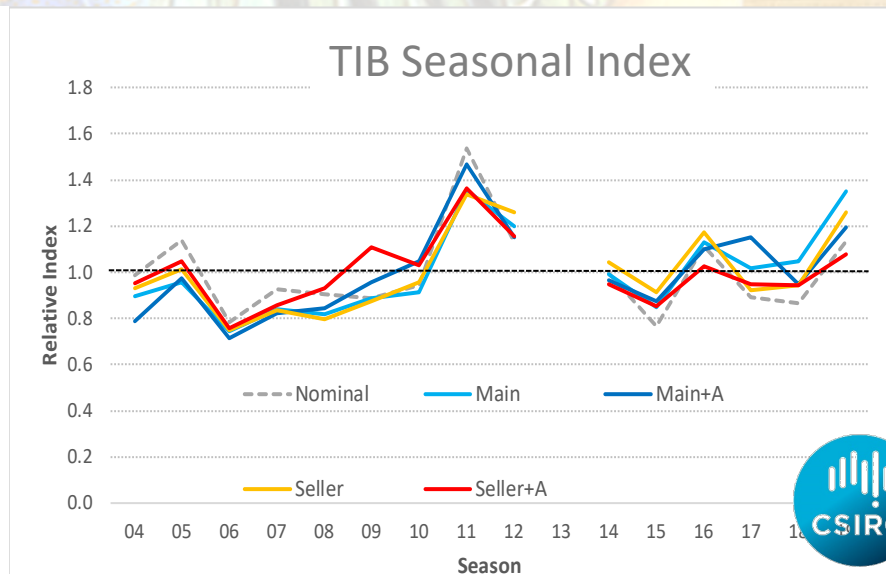
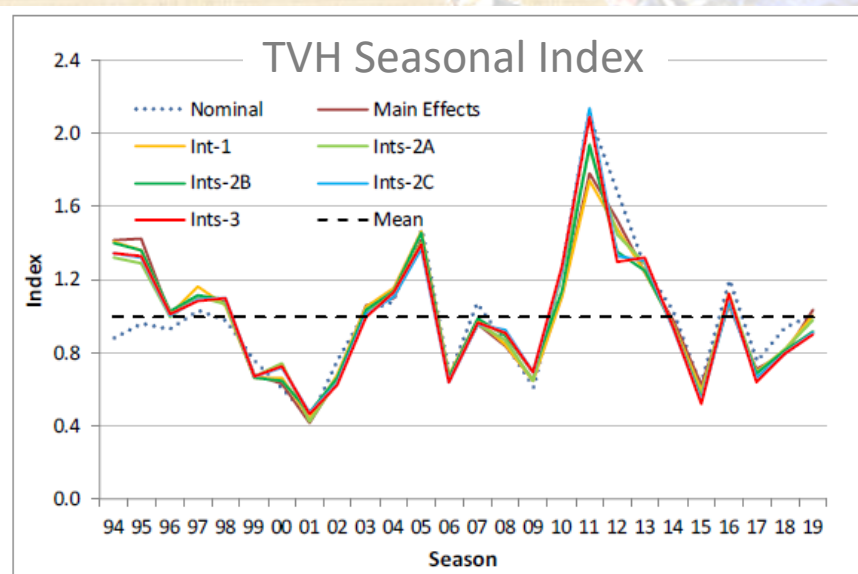


TRL RAG 27 – Data sub-group

- Short-term focus on logbook improvement
- Helps understand stock and fishery dynamics (2+)
 - Spatial information
 - Education is important to fill out voluntary TIB logbook fields (no. of crew, no. of days fished, and the fishing methods)
 - Needs to be recorded to a finer resolution
 - Aligned across logbooks
 - Fishing effort data
 - Definition for TVH – fill out actual diving time
 - Change logbook fields so we can separate steaming / searching / diving
 - CDR needs to better indicate
 - no. of divers
 - Dive time

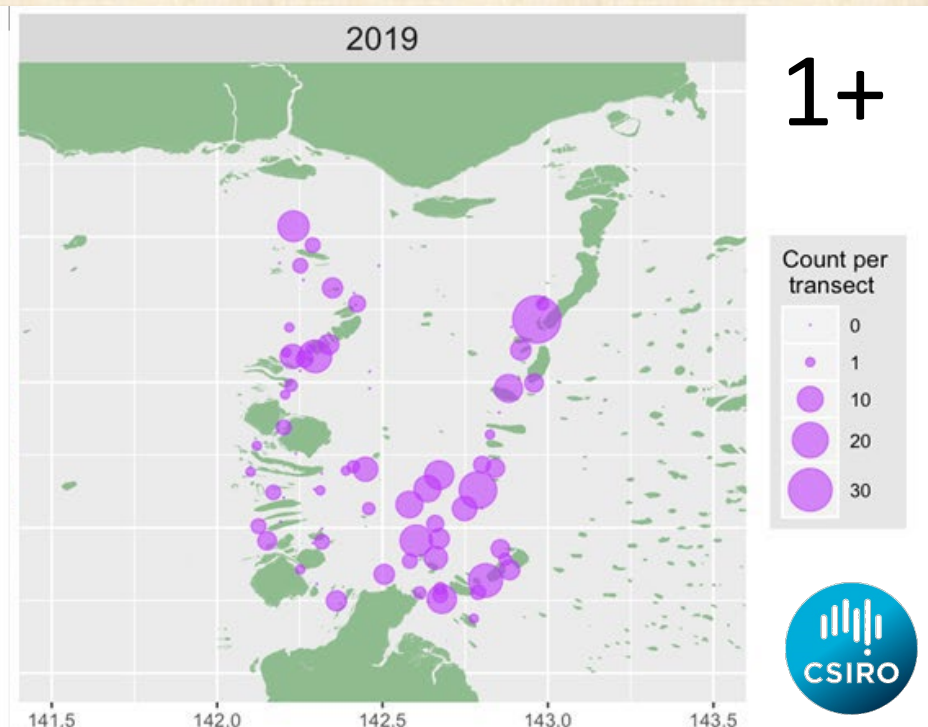
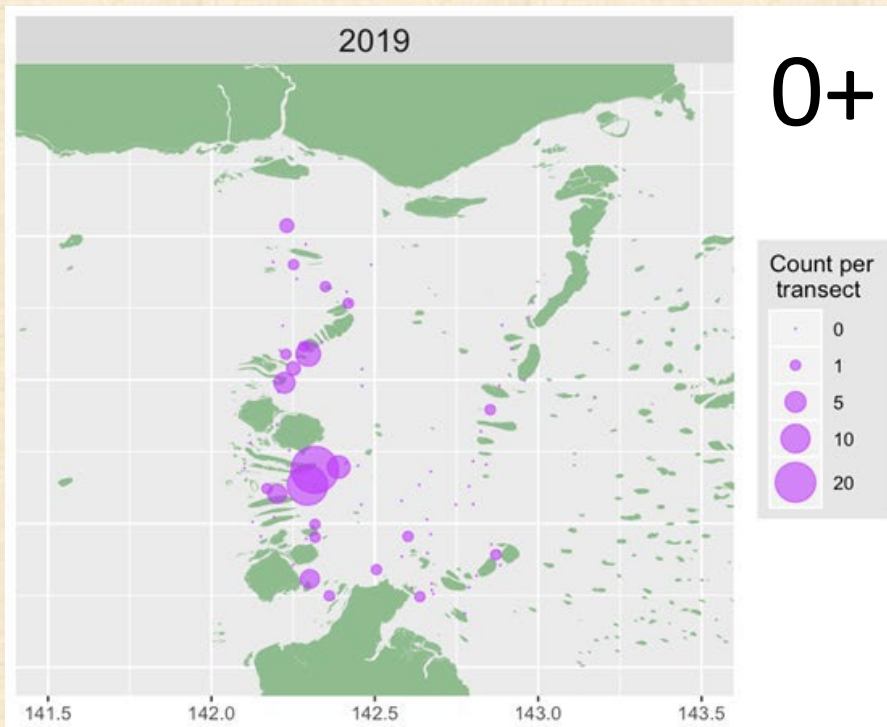
TRL RAG 27 – CPUE Analysis

- **NO** dramatic change in fishing attributable to move to TACs (TIB and TVH trends remained similar)
 - Slight increase in TVH effort compared to 2018
 - Larger increase in TIB effort (days and number of fishers)
 - TBD01 issues (voluntary, duplication, poor spatial data)



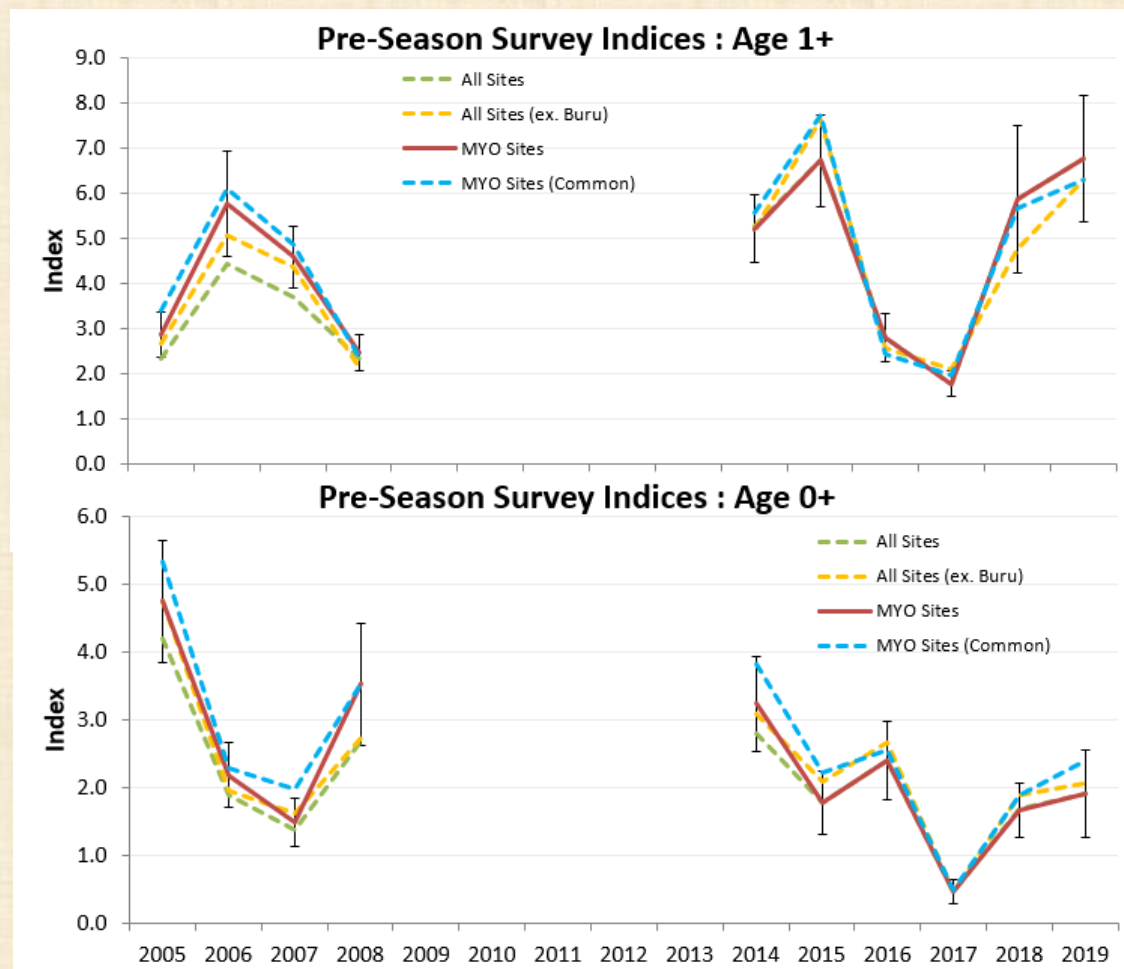
TRL RAG 27 – Pre-season survey

- Successful survey – 77 transects completed
 - 0+ settlement on western side
 - Higher 1+ counts on eastern side



TRL RAG 27 – Pre-season survey

- Increase in 0+ and 1+ counts since 2017 low

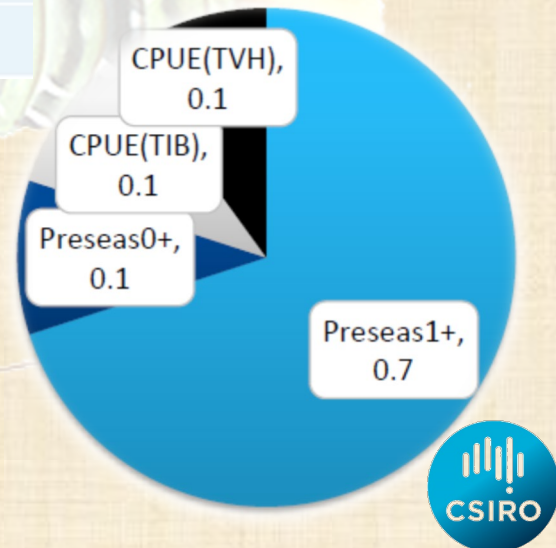


TRL RAG 27 – eHCR

- 5-year average catch
 - Australian logbook data (Dec-Sep)
 - PNG catches (Dec – Nov)
 - Used avg catch of 14t for missing months

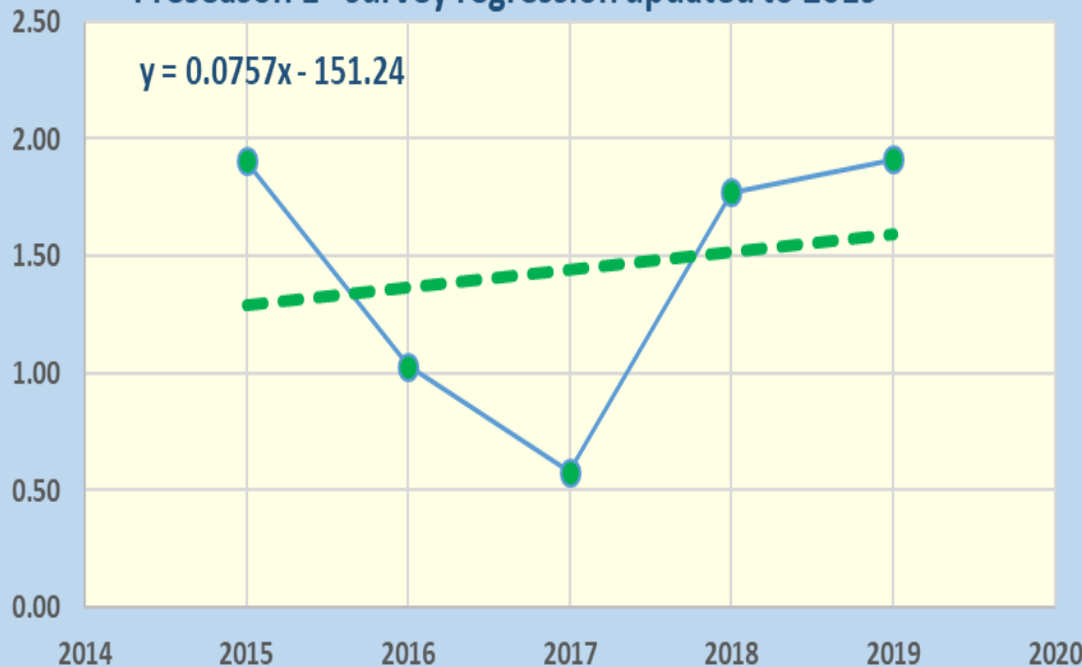
CATCH TOTAL				
	TIB	TVH	PNG	TS_total
2019	259.7	155.9	167.0	582.6

- Multiplied by weighted slopes of
 - Survey 1+ trend (70%)
 - Survey 0+ trend (10%)
 - TIB CPUE trend (10%)
 - TVH CPUE trend (10%)



TRL RAG 27 – eHCR

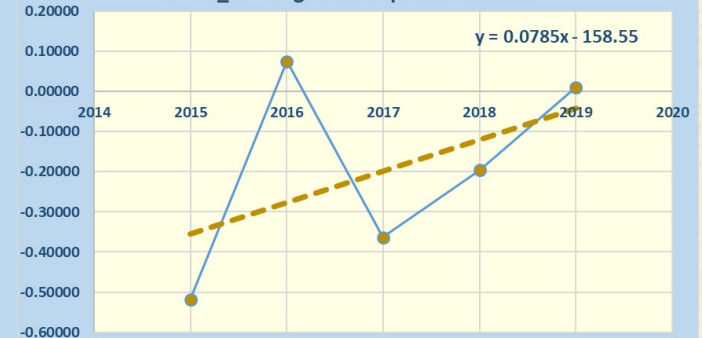
Preseason 1+ survey regression updated to 2019



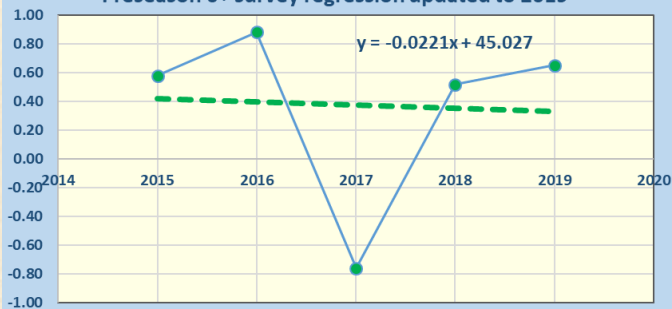
CPUE_TIB regression updated to 2019



CPUE_TVH regression updated to 2019



Preseason 0+ survey regression updated to 2019

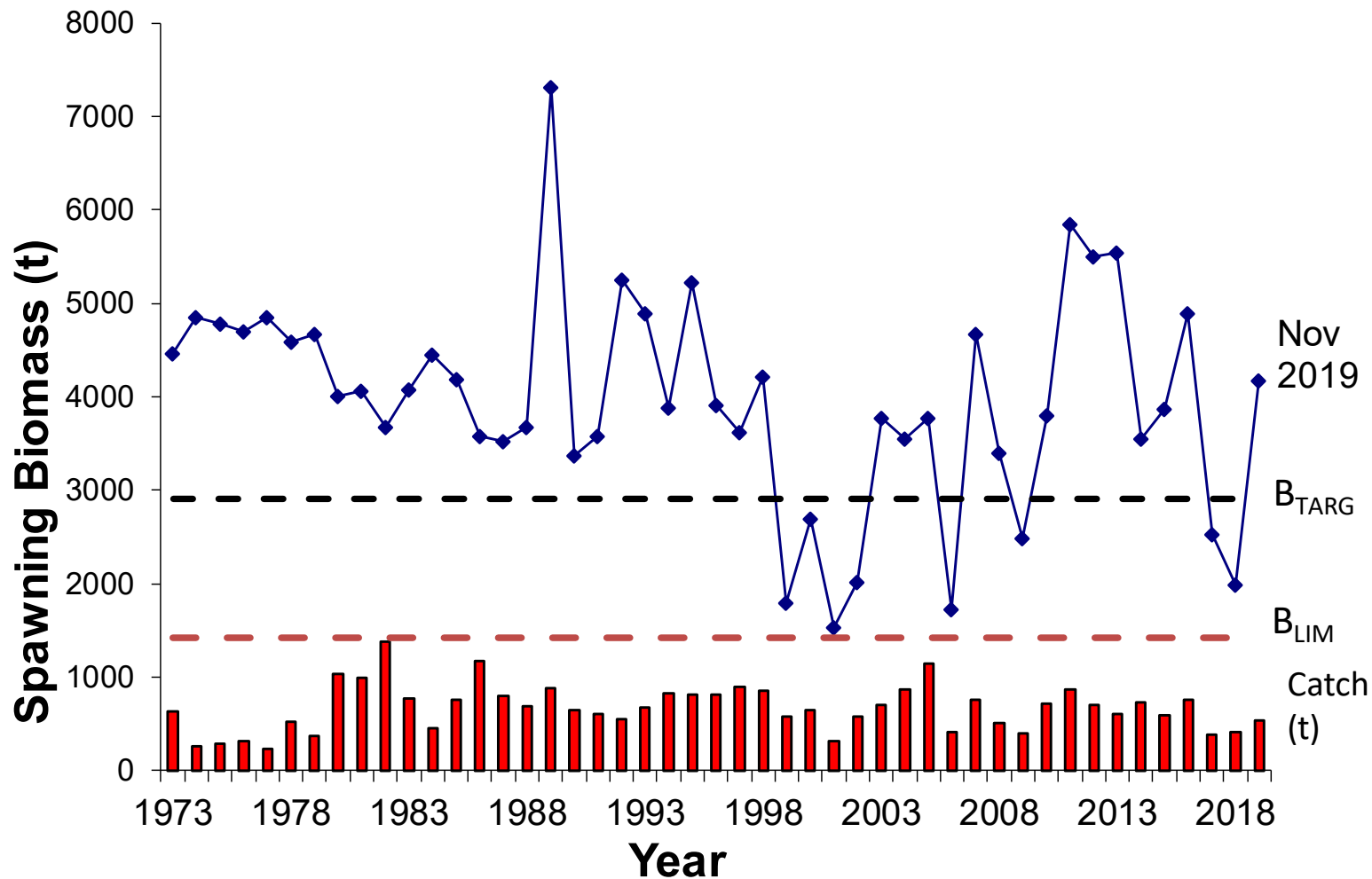


TVH model	TIB model	TIB CPUE	TVH CPUE	Ps 0+	Ps 1+	RBC
Int-1	Seller	1.26	1.01	1.92	6.77	582.1

TRL RAG 27 – Stock Assessment

- Run during 2019 because:
 - Concern about 2018 season
 - Baseline for change of management arrangements
- Stock is at 93% of virgin Biomass (1973)
 - Above B_{targ} (65%)
 - Well above B_{lim} (32%)
 - Not overfished
- Fishing effort is below F_{targ} (0.15)
 - No overfishing

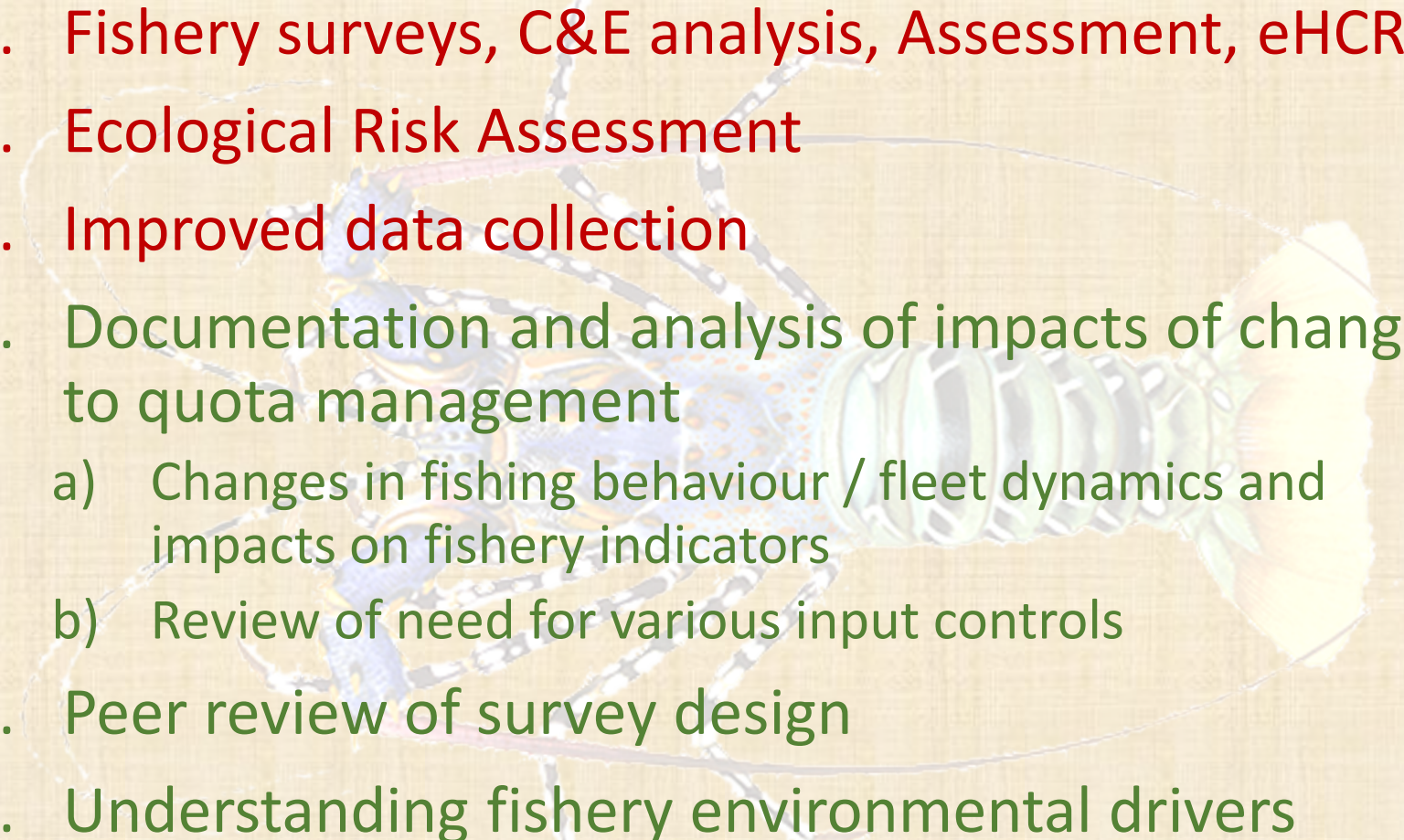
TRL RAG 27 – Stock Assessment



TRL RAG 27 – Fishery Interactions

- Should mostly be tackled higher up than TRL RAG
 - TSRA / PZJA / Working Groups / communities
- Issues of relevance to TRL RAG
 - Further review of data on prawn trawl bycatch of TRL
 - Impacts on diver safety (shark attraction to berley / bait)
 - Potential impacts of trophic interactions between reef fish and TRL (difficult to measure)
 - Potential impacts of technical interactions between different fisheries and TRL fishery operations
 - Impact further north likely to be less as water is murky and less TRL diving occurs

TRL RAG 27 – Research priorities

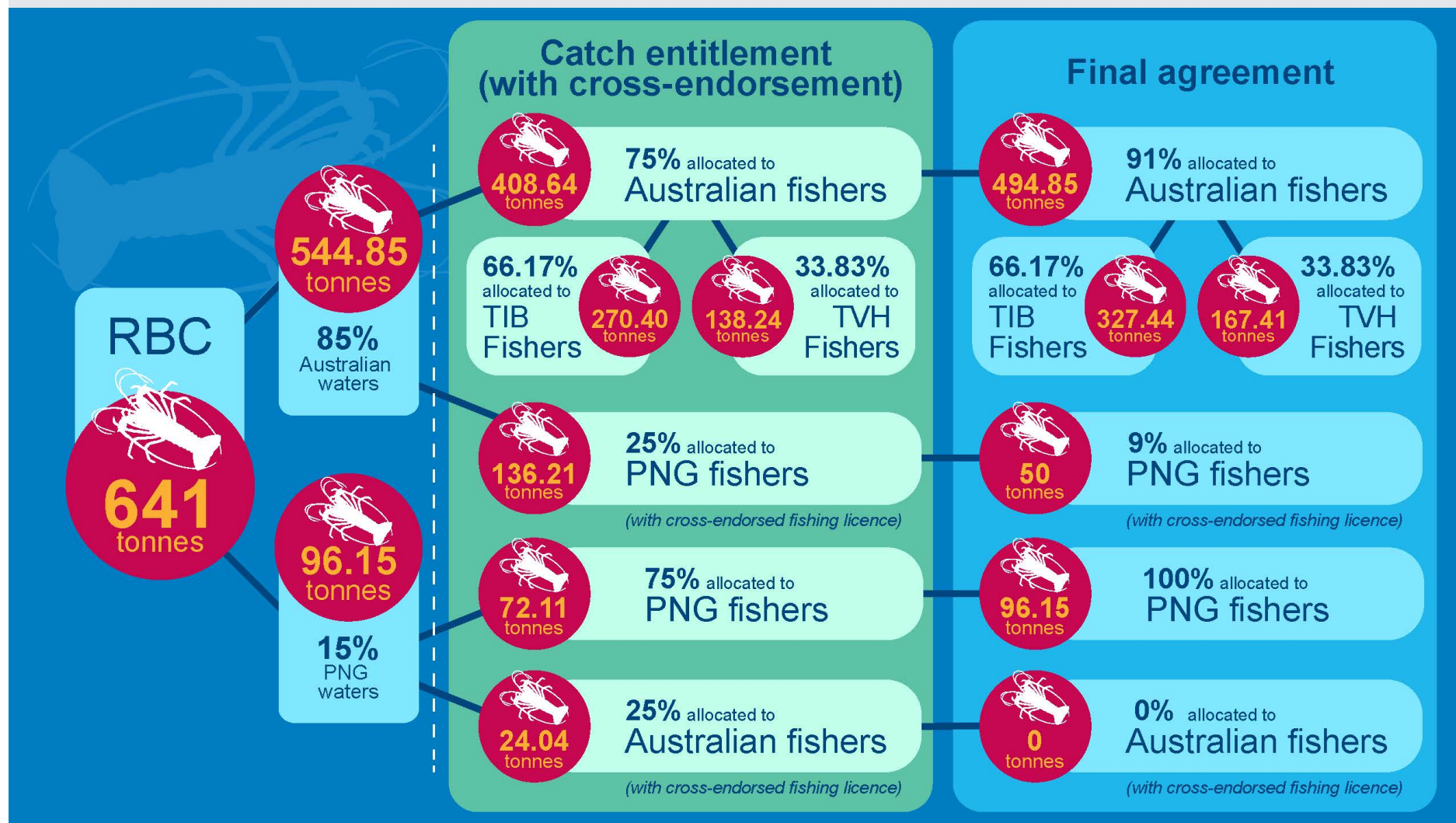
- 
1. Fishery surveys, C&E analysis, Assessment, eHCR
 2. Ecological Risk Assessment
 3. Improved data collection
 4. Documentation and analysis of impacts of change to quota management
 - a) Changes in fishing behaviour / fleet dynamics and impacts on fishery indicators
 - b) Review of need for various input controls
 5. Peer review of survey design
 6. Understanding fishery environmental drivers

CATCH SHARING AGREEMENT 2018–19



Australian Government

Australian Fisheries Management Authority



TROPICAL ROCK LOBSTER WORKING GROUP (TRLWG)	MEETING 11 17 December 2020
PRELIMINARIES Out-of-session correspondence	Agenda Item 1.5 For noting

RECOMMENDATIONS

1. That the Working Group **NOTE** the correspondence sent out-of-session since the last TRLWG meeting held on 12 December 2019.

BACKGROUND

2. The following correspondence was circulated out-of-session since the last TRLWG meeting held on 12 December 2019. Copies of this correspondence can be requested at any time from the TRLWG Executive Officer.

Date	Item
2 January 2020	AFMA circulated the draft TRLWG10 meeting record to members for comment.
14 January 2020	AFMA sent a reminder to TRLWG members to provide comments on the draft TRLWG10 meeting record
29 January 2020	AFMA circulated the final version of the TRLWG10 meeting record
4 March 2020	AFMA circulated a copy of a letter to TRL licence holders advising of the revised TAC for the TRL Fishery
5 June 2020	AFMA circulated an email regarding updates on catch sharing arrangements and cross-endorsement nominations from PNG
17 July 2020	For comment - AFMA circulated an out-of-session paper seeking advice on the remaking of the <i>Torres Strait Fisheries Logbook Instrument 2015</i> which had ceased to have effect and required remaking.
29 July 2020	AFMA circulated a remind email about comments being sought on the remaking of the <i>Torres Strait Fisheries Logbook Instrument 2015</i> .
30 July 2020	AFMA circulated a general update email to TRLWG members regarding: <ol style="list-style-type: none"> a. Cross-endorsement of PNG boats; b. The start of season TRL TAC; c. 2020-21 moontide hookah closures; d. The next TRLWG meeting and work plan; and e. A catch watch update for the TRL Fishery

4 September 2020	<p>AFMA circulated information on the 2020-21 TRL fishing season management arrangements and other fishery updates, including:</p> <ul style="list-style-type: none"> • A letter to licence holders regarding the 2020-21 start of season 200 tonne TAC determination; • Formal notice of the 2020-21 moontide hookah closures; • Notification that the draft amendment to the TRL Management Plan was out for public comment; • Notification that the PZJA agreed to remake a legislative instrument relating to the furnishing of logbooks; and <p>The release of the 2020-21 National Compliance and Enforcement Program</p>
23 September 2020	<p>For comment – AFMA circulated a copy of the draft submission to the Department of Agriculture, Water and Environment for a further export approval for the Torres Strait Tropical Rock Lobster Fishery under Part 13A of the <i>Environmental Protection, Biodiversity and Conservation Act 1999</i>.</p>
22 October 2020	<p>AFMA circulated an email concerning general TRL fishery updates, including:</p> <ul style="list-style-type: none"> - The release of the ABARES Fishery Status Reports 2020; - That the Wildlife Trade Operation reassessment application for the TRL fishery was available for public comment until 18 November; - That the draft amendment to the TRL Management Plan public comment period had closed; - An update on TRL Research Priorities as discussed by the TRLRAG for 2021-22 financial year; and - Updates on the next TRLWG11 meeting with a draft agenda for comments, and seeking views on timing and meeting format.
16 November 2020	<p>AFMA circulated an email confirming the timing and meeting format for TRLWG 11.</p>
26 November 2020	<p>AFMA circulated a copy of a letter to TRL Fishery licence holders regarding the PZJA decision to amend the TRL Management Plan to extend the period for the PZJA to review the allocation of quota to the TIB sector.</p>

TROPICAL ROCK LOBSTER WORKING GROUP (TRLWG)	MEETING 11 17 December 2020
UPDATES FROM MEMBERS Industry members	Agenda Item 2.1 For noting

RECOMMENDATIONS

1. That the Working Group **NOTE** updates provided by industry members.

BACKGROUND

2. Verbal reports are sought from industry members under this item, with particular emphasis on COVID-19 related impacts to the fishing season.
3. It is important that the Working Group develops a common understanding of any strategic issues, including economic and fishing trends relevant to the management the TRL Fishery. This includes within adjacent jurisdictions. This ensures that where relevant, the Working Group is able to have regard for these strategic issues and trends.
4. Working Group members are asked to provide any updates on trends and opportunities in markets, processing and value adding. Industry is also asked to contribute advice on economic and market trends where possible.
5. At the last meeting of the Working Group (TRLWG 10, 12 December 2019), the Working Group noted updates provided by industry members and observers regarding the performance of the Torres Strait TRL Fishery during the 2018-19 fishing season, and start of the 2019-20 season:
 - a. The season has started well with reports of good product on the fishing grounds and observations of smaller sized lobsters. This may influence the fishing patterns of some vessels who may stop fishing during the free dive season and spread out the fishing effort to maximise catch value with limited quota.
 - b. Kulkalgal communities had a slower start to the season with fishers collecting 13-20 crayfish per day. Water temperatures are reportedly cool and catch rates are expected to increase later in the month following the full moon.
 - c. Concerns have been raised amongst the Traditional Inhabitant Boat (TIB) sector about what the TAC will be in the 2019-20 season and whether it will be sufficient to support fishing throughout the full season. Further details of discussions are provided in the record for TRLWG 10 provided at **Attachment 1.4b**.

TROPICAL ROCK LOBSTER WORKING GROUP (TRLWG)	MEETING 11 17 December 2020
UPDATES FROM MEMBERS Scientific members	Agenda Item 2.2 For noting

RECOMMENDATIONS

1. That the Working Group **NOTE** updates provided by scientific members.

BACKGROUND

2. Verbal reports are sought from scientific members under this item.
3. It is important that the Working Group develops a common understanding of any strategic issues, including research and economic trends relevant to the management the TRL Fishery. This includes within adjacent jurisdictions. This ensures that where relevant, the Working Group is able to have regard for these strategic issues and trends.
4. Scientific members are asked to contribute advice on any broader strategic research projects or issues that may be of interest to the Torres Strait.

TROPICAL ROCK LOBSTER WORKING GROUP (TRLWG)	MEETING 11 17 December 2020
UPDATES FROM MEMBERS Government agencies	Agenda Item 2.3 For noting

RECOMMENDATIONS

1. That the Working Group:
 - a. **NOTE** the updates provided by the Australian Fisheries Management Authority (AFMA), Torres Strait Regional Authority (TSRA) and Fisheries Queensland (QDAF).

AFMA UPDATE

Fisheries bilateral meeting between AFMA and Papua New Guinea National Fisheries Authority (PNG NFA)

2. On Friday 27 November 2020, AFMA CEO Wez Norris met virtually with the Acting Managing Director of PNG NFA, Mr Noan Pakop and other NFA staff to discuss fisheries bilateral issues. This included:
 - i. general updates on fisheries;
 - ii. catch sharing arrangements for TRL, pearl shell, prawn and Spanish mackerel;
 - iii. updates on catch data from the PNG TRL fishery;
 - iv. whether PNG catches deemed as outside the Torres Strait Protected Zone (TSPZ) are within the area AFMA understands to be the PNG 'outside but near' area;
 - v. opportunities for research collaboration; and
 - vi. fisheries compliance updates.
3. The key outcomes of the meeting are as follows:
 - i. Agreement on the catch sharing timeline for TRL in 2020-21 (**Attachment 2.3a**) with a likelihood that PNG industry will be interested in taking up cross-endorsement opportunities depending on border circumstances in 2021;
 - ii. Agreement that neither AFMA or NFA would pursue catch sharing arrangements in Spanish mackerel, prawn or pearl shell fisheries in 2021;
 - iii. NFA are currently preparing a data summary of fishing effort in the TRL fishery to sit alongside the catch data already provided to AFMA;
 - iv. The management of catches in 'outside but near' areas remains an ongoing matter for discussion to ensure consistency across jurisdictions;
 - v. NFA expressed a keen interest in being closely involved in Torres Strait research, particularly for future beche-de-mer and lobster surveys; and
 - vi. NFA expressed an interest in discussions regarding joint compliance patrols with AFMA.
4. AFMA expects to meet with PNG NFA again in late January 2021 to seek agreement on the global TRL total allowable catch (TAC) following TRLRAG and TRLWG advice on a recommended biological catch and TAC for the 2020-21 season.

Tropical Rock Lobster Management Plan Amendment

5. At its meeting on 23 November the PZJA agreed, having considered outcomes of public consultation, to amend the *Torres Strait Fishers (Quotas for Tropical Rock Lobster (Kaiar)) Management Plan 2018* (the TRL Plan). Licence holders were notified of this decision by letter, email and SMS on 26 November 2020.
6. Importantly, the amendment does not relate to, or change, any of the fishing rules for the fishery. The purpose of the plan amendment is to provide an extended timeframe for reviewing the allocation of quota units to the Traditional Inhabitant sector under subsection 17 of the TRL Plan by the PZJA. The plan amendment extends the period for the PZJA to commence the review to within four years.
7. On 2 September 2020, AFMA, on behalf of the PZJA wrote to all licence holders inviting comment on the proposed draft amendment. Public consultation ended on 15 October 2020.

Compliance outcomes for the 2019-20 season

8. From 1 July 2018, AFMA has been delivering domestic compliance functions in the Torres Strait in accordance with the National Compliance and Enforcement Program. There are three compliance officers based in the Thursday Island office delivering both domestic and foreign compliance outcomes.
9. In March 2020 all AFMA field duties were suspended due to COVID-19, however AFMA continued to monitor fishing operations via electronic means including vessel monitoring systems (VMS), remote monitoring, surveillance, intelligence and other sources of data.
10. AFMA has recommenced operational field activities and will continue to conduct these in accordance with best practise, mandatory social distancing and hygiene and in accordance with guidelines developed for field activities.
11. Despite some operational challenges in 2020, AFMA fisheries officers have delivered the following outcomes between July 2019 – November 2020:
 - i. 17 ports/freight hubs visits;
 - ii. 66 fish receiver Inspections;
 - iii. 70 vessel inspections;
 - iv. Regular monitoring of seafood movements throughout the Torres Strait that have resulted in several investigations ;
 - v. 3 Prosecutions; and
 - vi. 4 matters with Commonwealth Director of Public Prosecutions.
12. AFMA compliance conducted several fish receiver inspections on 1 October 2020, following the closure of the 2019-20 TRL season. There were no detections of non-compliance, demonstrating a high level of commitment by the Torres Strait fisher and fish receiver licence holders.
13. To better target priority risks in Torres Strait fisheries, AFMA have established a specialised multi-disciplinary Compliance Risk Management Team (CRMT). Priority risks specific to the Torres Strait include unlicensed fishing, unlicensed fish receiving and non-compliance with catch/landing reporting to AFMA. Failing to report catch or landings is considered quota evasion and results in the undermining of the ongoing sustainable management of the Torres Strait Fisheries.
14. Further details are contained in AFMA's National Compliance and Enforcement Program document accessible on the AFMA website at: <https://www.afma.gov.au/domestic-compliance>. This document explains AFMA's compliance program priorities and objectives for the 2020-21 financial year.

Export approval under the Environment Protection Biodiversity and Conservation Act 1999

15. On 13 October 2020, AFMA submitted an application to the Department of Agriculture, Water and the Environment (DAWE) seeking further export accreditation of the TRL Fishery under the EPBC Act. The application was prepared to address the Australian Government *Guidelines for the ecologically sustainable management of fisheries - 2nd edition* and to provide updates on the implementation of any conditions or recommendations made in the previous Australian Government assessment. The application is being used to assess the operation of the fishery for the purposes of Part 13 and Part 13A of the EPBC Act.
16. The draft submission was made available for public comment from the DAWE website until 18 November 2020. No public comments were made.
17. AFMA is now working with DAWE to negotiate any conditions or recommendations that may be placed on the fishery to retain export approval for a further period. The current export approval expires on 18 December 2020.

Management arrangements for the 2020-21 fishing season

18. A letter was sent to all Torres Strait Tropical Rock Lobster Fishery (TRL Fishery) licence holders on 2 September 2020 (**Attachment 2.3b**). The letter detailed key management arrangements that will apply for the 2020-21 fishing season, including moontide hookah closures and the start of season 200 tonne TAC, as well as details of the draft amendment to the TRL Management Plan.
19. Enclosed to the letter was a copy of the new Tropical Rock Lobster Fishery Management Arrangements Booklet 2020-21 which was also made publically available on the [PZJA website](#).

ABARES fishery status report

20. Each year, the Australian Bureau of Agricultural and Resource Economics and Sciences (ABARES) compiles fishery status reports which provide an independent assessment of the biological status of fish stock and the economic status of fisheries managed, or jointly managed by the Australian Government (Commonwealth fisheries).
21. The ABARES Fishery Status Report 2019 (covering the performance of fisheries in 2019) was released in October 2020. The reports assess all key commercial species from Commonwealth managed fisheries and examines the broader impact of fisheries on the environment, including on non-target species.
22. In summary, the TRL Fishery has been assessed for the 2019 period as follows:

Status	2018		2019		Comments
Biological status	Fishing mortality	Biomass	Fishing mortality	Biomass	
Tropical rock lobster (<i>Panulirus ornatus</i>)	Not subject to overfishing	Not overfished	Not subject to overfishing	Not overfished	Spawning stock biomass at the start of 2019 was above the biomass target reference point. Fishing mortality in the 2018–19 fishing season was less than the recommended biological catch.

Economic status	Net economic returns in the fishery are uncertain, although positive economic improvements are likely to have occurred in the 2018–19 fishing season as a result of significant increases in total allowable catch and gross value of product.
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23. ABARES fishery status reports can be accessed on the ABARES website at:

<https://agriculture.gov.au/abares/research-topics/fisheries/fishery-status-2020>.

Torres Strait Regional Authority (TSRA)

24. *Zenadth Kes*:

- Following the 2020 Fisheries Summit the TSRA is progressing with the creation of a new fishing entity called Zenadth Kes Fishing
- The company is due to be created on or about 1 December 2020.
- Membership of 25 comprised of 5 reps from each of the cluster nations.
- Led by a board of 5 to 7 directors.

25. *Wapil (Many Fish)*:

- Funding in place to deliver fisheries related infrastructure and traineeships for 14 outer island communities
- Erub has begun and they have commenced trading in fish products (TRL, Coral Trout and Mackerel)
- The entity is Darnley Deep Seafoods.
- Saibai, Mabuyag, Masig and Mer are all in planning phase

Fisheries Queensland (QDAF) Update

Legislative amendments

26. A further round of fisheries regulation changes was announced on 30 September 2020 (<https://www.daf.qld.gov.au/business-priorities/fisheries/sustainable/fisheries-reforms>).
27. In 2019 after extensive consultation, the Queensland Government released the Discussion Paper on proposed changes to the Fisheries Regulation 2008, which outlined 102 proposed amendments across all fishing sectors.
28. A number of these proposals have already been implemented through changes to fisheries legislation on 1 September 2019.
29. Before the remainder of the proposed changes in the Discussion Paper could be fully considered for implementation, the novel Coronavirus (COVID-19) impacted on the viability of the fishing industry. Accordingly, implementation of the remaining proposals outlined in the Discussion Paper has given priority to changes that:
 - a) support the commercial fishing industry's economic recovery from COVID-19 by reducing red tape and streamlining requirements, including:
 - clarify the northern rocklobster and sea cucumber regulated waters by amending the description of the regulated waters to specify 'tidal waters'
 - remove permitted distance requirements for assistant fishers (tender) to be under the direction of a commercial fisher now that vessel tracking is in place on all commercial fishing vessels

- Implement harvest strategies and meet the conditions of WTO approvals
 - Introduce a new streamlined reporting requirements (including logbooks, weight notices, and catch disposal records) that will apply consistently to all commercial species with a catch limit (i.e. ITQ or prescribed commercial catch).
- b) are necessary to implement harvest strategies and meet the conditions of the Commonwealth Wildlife Trade Operation (WTO) approvals under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*, including:
- Changes to net, crab, and trawl fisheries.
- c) clarify existing fishing rules to support ongoing fishing efficiency and compliance, including:
- creating a single commercial fishing licensing framework in Queensland
 - standardising and streamlining quota administration (existing species) for all commercial fisheries, including tropical rock lobster
 - enabling online licencing transactions
 - aligning vessel measurement requirements with marine safety legislation to remove ambiguity and streamline vessel requirements for businesses needing to comply with multiple regulatory frameworks
 - clarify the definition of aquaculture by excluding particular activities as being aquaculture activities which consequently do not require an aquaculture licence;
 - allowing court discretion to address third time offences.

Draft harvest strategies

30. Drafts for consultation were released at the same time, including:

- Draft Harvest strategy policy ([draft harvest strategy policy](#))
- Draft Lobster Fishery Harvest Strategy ([draft tropical rock lobster harvest strategy](#))

31. You are encouraged to have your say on these drafts. Consultation is temporarily suspended while the Queensland Government is in caretaker mode but will resume after the election is finalised.

Draft Developmental fishing Policy

32. A draft Developmental Fishing Policy 2020 was recently released for consultation (<https://daf.engagementhub.com.au/projects/download/6057/ProjectDocument>). Consultation is now closed.

33. Developmental fishing includes fishing for:

- a species that has been previously unexploited or significantly underutilised
- an existing commercial species using apparatus currently not permitted by legislation
- an existing commercial species or use of prescribed apparatus (or both) in locations where such activities have not previously occurred

34. The developmental fishing permit assessment process determines whether a potential new fishery is commercially viable, socially acceptable and ecologically sustainable.

35. The latest draft builds on the existing Developmental Fishing Policy 2015 (<https://www.business.qld.gov.au/industries/farms-fishing-forestry/fisheries/fisheries-profiles/developmental-fisheries/developmental-fishing-qld>).

WTO for TRL Fishery

36. For the Commercial Crayfish and Rocklobster Fishery (formerly East Coast Tropical Rock Lobster Fishery) assessment, the Fishery export approval expires 28 August 2025.

Proposed timeline and process for agreement on catch sharing arrangements for the Protected Zone Tropical Rock Lobster Fishery for the 2020-21 season.

Steps	Description	Deadline
PNG and Australian catch and effort data compiled	Australian and PNG catch and effort data are compiled ¹ .	By 31 October 2020
Agree timeline and process	AFMA and PNG to meet to agree on process for agreement on catch sharing arrangements for the Torres Strait Tropical Rock Lobster Fishery (TRL Fishery) for the coming fishing season.	November 2020
Agree global TAC, catch shares, cross endorsement allocations and any preferential entitlements.	<p>AFMA CEO and PNG NFA Director General to meet to agree, as per the terms of the Torres Strait Treaty, on:</p> <ul style="list-style-type: none"> - a final global total allowable catch (TAC)²; - catch shares as per article 22(1) (e.g. 15%:85% split); - cross-endorsement allocations as per articles 23(4) and 25. - preferential entitlement to any unfished cross-endorsement allocations as per article 25. <p>An exchange of letters required to formalise the agreement.</p>	By 31 January 2021
If relevant, submit any formal requests for cross-endorsement	<p>PNG and/or Australia to provide formal request to the other Party seeking cross-endorsement pursuant to article 26 of the Torres Strait Treaty. Request to include:</p> <ul style="list-style-type: none"> - a copy of the licence/s for which a Treaty endorsement is sought³; - a copy of any licence conditions in force for the licence/s; - boat particulars; 	By 31 March 2021

¹ These data are provided to CSIRO to update catch per unit effort indices used to calculate a recommended biological catch for the coming fishing season.

² CSIRO will use the empirical Harvest Control Rule detailed in the Torres Strait Tropical Rock Lobster Fishery Harvest Strategy to calculate a recommended biological catch. These calculations will be considered by the Protected Zone Joint Authority's Tropical Rock Lobster Resource Assessment Group and Working Group who will recommend a final global total allowable catch.

³ For PNG licence/s, each licence needs to be current at the time of the formal request, valid for the period for which a Treaty endorsement is sought and have the same details as that written in the formal request, and valid in PNG for the same fishery as it is proposed to operate in Australian waters.

	<p>- details for payment of applicable fees.</p> <p>It will take approximately 6 weeks for Australia to complete the domestic processes to issue a Treaty endorsement/s⁴.</p>	
If relevant, agree on preferential entitlements.	<p>AFMA CEO and PNG NFA Director General to meet to agree on preferential entitlement to any unfished cross-endorsement allocations as per article 25 of the terms of the Torres Strait Treaty.</p> <p>An exchange of letters required to formalise the agreement.</p>	10 April 2021

⁴ Australia's domestic process include requirements to undertake native title notification pursuant to sub-sections 24HA(2) and (7) of the Commonwealth *Native Title Act 1993*, which takes a minimum of 1 month, and to seek approvals to issue a Treaty endorsement/s.



Australian Government

Australian Fisheries Management Authority

02 September 2020

File reference: DOC20/14937

Dear Torres Strait Tropical Rock Lobster Fishery licence holder

Management Arrangements for the 2020-21 Fishing Season

The 2020-21 fishing season for the Torres Strait Tropical Rock Lobster Fishery (TRL Fishery) will commence on 1 December 2020. This letter details some key management arrangements that will apply this season.

Total Allowable Catch

On 27 August 2020, Senator the Hon. Jonathon Duniam determined a total allowable catch (TAC) of 200,000 kilograms of tropical rock lobster (TRL) in the Australian waters of the TRL Fishery for the 2020-21 fishing season. This TAC was agreed by the Protected Zone Joint Authority (PZJA) at its meeting on 27 August 2020 and will apply for the fishing season commencing 1 December 2020. It is expected that the TAC will be increased once the outcomes of the scientific assessment processes and the TAC sharing arrangements under the Treaty between Australia and Papua New Guinea (PNG) have been taken into account. Any increase in the TAC is expected to be determined by the end of February 2021.

Under this TAC, the value of each quota unit and available catch for each TRL Fishery sector is outlined in the table below. All weights are provided in unprocessed weight in kilograms.

TRL Fishery sector	TAC (kilograms)	Number of quota units	Value of each quota unit (kilograms)	Available catch per sector (kilograms)
Traditional Inhabitant Boat (TIB) licence holders	200,000	662,016*	0.200	132,403.597
Transferable Vessel Holder (TVH) licence holders		337,981		67,596.403

* Held by the Torres Strait Regional Authority (TSRA).

A further explanation of how TACs are determined for the TRL Fishery, how catch is shared between Australia and PNG, and how each sector's catches will be managed for the 2020-21 fishing season, is provided in the TRL Management Arrangements Booklet 2020-21.

Canberra

PO Box 7051
Canberra ACT 2610
P 02 6225 5555
F 02 6225 5500

Darwin

PO Box 131
Darwin NT 0801
P 08 8943 0333
F 08 8942 2897

Thursday Island

PO Box 376
Thursday Island QLD 4875
P 07 4069 1990
F 07 4069 1277

Lakes Entrance

PO Box 408
Lakes Entrance VIC 3909
P:0447 019 916

Moontide Hookah Closures

At its meeting on 26 November 2018, the PZJA reaffirmed existing management controls currently applied to the TRL Fishery, to be implemented under the *Torres Strait Fisheries (Tropical Rock Lobster) Management Instrument 2018* (the Instrument) and licence conditions. This includes periodic closures to the use of hookah gear for three days either side of the full or new moon each month based on the largest difference between high and low tides, known as 'moontide hookah closures'.

For the purpose of subsection 13(2) of the Instrument, I provide notice that the use, possession or control, on a boat, of hookah gear to take, process or carry TRL will not be permitted during the 2020-21 fishing season during the moontide hookah closure periods shown in the calendar provided in **Enclosure A** to this letter. The first scheduled moontide hookah closure period starts on 9 February 2021.

These moontide hookah closures are in addition to the hookah closure period from 1 December and 31 January each fishing season. Free-diving, lamp fishing and traditional fishing are permitted during all hookah closure periods.

Draft amendment to the TRL Management Plan open for public comment

At its meeting on 27 August 2020, the PZJA agreed to release the draft *Torres Strait Fisheries (Quotas for Tropical Rock Lobster (Kaiar)) Management Plan Amendment 2020* (the Plan Amendment) for public comment (**Enclosure B**). The purpose of the Plan Amendment is provide an extended timeframe for reviewing the allocation of quota units to the Traditional Inhabitant sector under subsection 17 of the TRL Plan by the PZJA. The Plan Amendment extends the period for the PZJA to commence the review to within 4 years. Further information on the proposed amendment is attached.

TRL Fishery licence holders are encouraged to provide comment on the draft amendment enclosed to this letter. Comments may be submitted by email to fisheriesTI@afma.gov.au; by post to PO Box 376, Thursday Island QLD 4875 or by calling 07 4069 1990. Comments close on 15 October 2020.

Torres Strait Fisheries (Furnishing of Logbooks) Instrument 2020

At its meeting on 27 August 2020, the PZJA agreed to remake a legislative instrument relating to the furnishing of logbooks. The purpose of the Logbook Instrument, made under section 14 of the *Torres Strait Fisheries Act 1984* (the Act), is to require the master of a licenced boat, who uses that boat in the course of commercial fishing (other than community fishing) to complete a Daily Fishing Logbook. Relevantly, this applies to the Transferable Vessel Holder (TVH) sector of the Tropical Rock Lobster Fishery.

TVH operators should understand that the requirement to complete logbooks has not changed. Prior to remaking this instrument, the requirement to complete a Daily Fishing Logbook was enforced through licence conditions.

As always, licence holders should familiarise themselves with all management arrangements that apply in the TRL Fishery prior to commencing fishing. Further information can be found on the PZJA website at www.pzja.gov.au or by contacting AFMA.

Should you have any questions concerning the matters covered in this letter, please contact the AFMA Thursday Island office on 07 4069 1990 or FisheriesTI@afma.gov.au. If you would also like to receive future management updates by email or SMS please contact the AFMA Thursday Island office to update your contact details.

Yours sincerely



Wez Norris

Chief Executive Officer

Enclosures

- A TRL Fishery moontide hookah closure calendar for the 2020-21 fishing season
- B Exposure draft *Torres Strait Fisheries (Quotas for Tropical Rock Lobster (Kaiar)) Management Plan Amendment 2020*

Background information and Exposure Draft *Torres Strait Fisheries (Quotas for Tropical Rock Lobster (Kaiar)) Management Plan Amendment 2020*

Under subsection 17 of the TRL Plan, the PZJA must undertake a review of the allocation of quota units to the Traditional Inhabitant sector within two years of the TRL Plan commencement (which will be 30 November 2020).

Relevantly, at its meeting on 19 November 2019 the PZJA:

- a. agreed in principle that the review of allocation be undertaken by an Independent Allocation Advisory Panel (IAAP), in accordance with the PZJA's Fisheries Management Paper No. 2. Guidelines for the formation of allocation advisory panels for the allocation of fishing concessions in Torres Strait Protected Zone Joint Authority Fisheries where fisheries management arrangements change significantly (FMP 2); and
- b. directed the PZJA Standing Committee to provide draft Terms of Reference (ToR) for an IAAP, including its proposed membership and process, to the PZJA by April 2020 for the PZJA to confirm its in principle decision.

The Australian and State Government response to COVID-19 risks redirected the focus of state and Commonwealth public services on preparedness and assisting impacted industries and stakeholders. It also impacted the way the government has been able to conduct business with stakeholders. For the same reasons, the Torres Strait Regional Authority *Fisheries Regional Ownership Framework* (FROF) project has also been delayed. The PZJA agreed in November 2019 to commence the allocation review following the completion of the FROF project, which was anticipated at that time to be by 30 June 2020. For these reasons an IAAP process was not able to be properly resourced or effectively conducted before the end of the review period specified in the TRL plan (30 November 2020). In particular, central to an effective IAAP process will be consultation based heavily on face-to-face meetings, which in the current environment cannot be undertaken effectively.

Having regard to the above, the review period strikes a reasonable balance between an extended timeframe for reviewing the allocation and providing reassurance to stakeholders that the PZJA's original commitment to develop quota allocation approaches for the Traditional Inhabitant sector remains.



Torres Strait Tropical Rock Lobster Fishery Moontide Hookah Closures for the 2020-21 Fishing Season*

Dec-20	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	●	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Jan-21	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun
	1	2	3	4	5	6	7	8	9	10	11	12	●	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Feb-21	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun			
	1	2	3	4	5	6	7	8	9	10	11	●	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28			
Mar-21	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed
	1	2	3	4	5	6	7	8	9	10	11	12	●	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Apr-21	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	
	1	2	3	4	5	6	7	8	9	10	11	●	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	
May-21	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon
	1	2	3	4	5	6	7	8	9	10	11	●	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Jun-21	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	
	1	2	3	4	5	6	7	8	9	●	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	
Jul-21	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6	7	8	9	●	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Aug-21	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue
	1	2	3	4	5	6	7	●	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Sep-21	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	
	1	2	3	4	5	6	●	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	
Oct-21	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun
	1	2	3	4	5	●	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Nov-21	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	
	1	2	3	4	●	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	

* The 2020-21 fishing season runs from 1 December 2020 through to 30 September 2021.

current as of 2 September 2020

KEY



New Moon

Fishery closure (commercial fishing not permitted)



Full Moon

Hookah closure (use of hookah gear not permitted)

Moon-tide hookah closure (use of hookah gear not permitted)



EXPOSURE DRAFT

Torres Strait Fisheries (Quotas for Tropical Rock Lobster (Kaiar)) Management Plan Amendment 2020

The Protected Zone Joint Authority make the following determination under paragraph 35(1)(a) of the *Torres Strait Fisheries Act 1984*, in accordance with a decision of its members under section 40 of the *Torres Strait Fisheries Act 1984*.

Dated

Senator the Hon Jonathon Duniam [**DRAFT ONLY - NOT FOR SIGNATURE**]
Member of the Protected Zone Joint Authority
Assistant Minister for Forestry and Fisheries
Parliamentary Secretary to the Minister for Forestry and Fisheries
for and on behalf of the Protected Zone Joint Authority

EXPOSURE DRAFT

Contents

1 Name.....	1
2 Commencement	1
3 Authority.....	1
4 Schedules	1
Schedule 1—Amendments	2

EXPOSURE DRAFT

1 Name

This instrument is the *Torres Strait Fisheries (Quotas for Tropical Rock Lobster (Kaiar)) Management Plan Amendment 2020*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. <i>The whole of this instrument.</i>	<i>On the day after this instrument is registered.</i>	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under section 15A of the *Torres Strait Fisheries Act 1984* and subsection 33(3) of the *Acts Interpretation Act 1901*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

EXPOSURE DRAFT

Schedule 1—Amendments

Torres Strait Fisheries (Quotas for Tropical Rock Lobster (Kaiar)) Management Plan 2018

1 Subsection 17(1)

Omit “within 2 years of the day this instrument commences, the Authority must review the allocation of quota units to the traditional inhabitant sector under paragraph 15(1)(a)”,

Substitute “within 4 years of the day this instrument commences, the Authority must commence a review of the allocation of quota units to the traditional inhabitant sector under paragraph 15(1)(a)”.

TROPICAL ROCK LOBSTER WORKING GROUP (TRLWG)	MEETING 11 17 December 2020
UPDATES FROM MEMBERS PNG National Fisheries Authority	Agenda Item 2.4 For noting

RECOMMENDATIONS

1. That the Working Group **NOTE** the update to be provided by the PNG National Fisheries Authority (NFA).

BACKGROUND

2. A verbal report will be provided under this item subject to the availability of NFA officers.

TROPICAL ROCK LOBSTER WORKING GROUP (TRLWG)	MEETING 17 17 December 2020
UPDATES FROM MEMBERS Native Title	Agenda Item 2.5 For noting

RECOMMENDATIONS

1. That the Working Group **NOTE** any updates on Native Title matters from members, and representatives of Malu Lamar (Torres Strait Islanders) Corporation RNTBC (Malu Lamar).

BACKGROUND

2. On 7 August 2013 the High Court of Australia confirmed coexisting Native Title rights, including commercial fishing, in the claimed area (covering most of the Torres Strait Protected Zone). This decision gives judicial authority for Traditional Owners to access and take the resources of the sea for all purposes. Native Title rights in relation to commercial fishing must be exercisable in accordance with the *Torres Strait Fisheries Act 1984*.
3. Traditional Owners and Native Title representative bodies have an important role in managing Torres Strait fisheries. It is important therefore that the Working Group keep informed on any relevant Native Title issues arising.
4. AFMA has extended an invitation to Malu Lamar to attend this meeting as an observer and is investigating longer term arrangements for representation in consultation with PZJA agencies.

TROPICAL ROCK LOBSTER WORKING GROUP (TRLWG)	MEETING 11 17 December 2020
CATCH AND EFFORT SUMMARY FOR THE 2019-20 FISHING SEASON	Agenda Item 3 For noting

RECOMMENDATIONS

1. That the Working Group:

- a. **NOTE** the reported landed catch for the Australian Torres Strait Tropical Rock Lobster Fishery (TRL Fishery) (**Attachment 3a**), and the preliminary data summary of TIB sector participation (**Attachment 3b**); and
- b. **NOTE** the reported landed catch for the PNG TRL Fishery for the 2019-20 fishing season provided at **Attachments 3d**;

KEY ISSUES

Australian TRL Fishery catch

2. The Australian TRL Fishery fishing season runs from 1 December through to 30 September the following year. There is a prohibition on the use of hookah gear from 1 December through to 31 January the following year and periodically each month throughout the remainder of the season.
3. The reported landed catch for the Australian TRL Fishery for the 2019-20 fishing season is 358,186.25 kilograms. All reported catches are from inside the Torres Strait Protected Zone (TSPZ) and Australia's declared outside but near area.
4. This equates to 82.38 per cent of Australia's 434,785 kilogram total allowable catch (TAC) for the 2019-20 fishing season. This catch data is sourced from the Torres Strait Fisheries Catch Disposal Record (TDB02) and covers the Traditional Inhabitant Boat (TIB) and Transferable Vessel Holder (TVH) sectors.
5. A summary of the reported landed catch for the Australian TRL Fishery is provided at **Attachment 3a**.
6. In response to discussions at TRLRAG 27 relating to social indicators for the fishery, AFMA have compiled some basic statistics on participation in the TIB sector (**Attachment 3b**). The Working Group is invited to provide comments on the utility of these data summaries in the context of understanding participation in the fishery as a social indicator.
7. An infographic showing the final catch sharing agreement between Australia and PNG is shown at **Attachment 3c**.

PNG TRL Fishery catch

8. The PNG TRL Fishery fishing season runs from 1 January through to 31 December each year. There is a prohibition on the use of hookah gear in the waters of Western Province and Torres Strait from 1 December through to 31 March the following year.
9. PNG National Fisheries Authority (NFA) has reported landed catches for the PNG TRL Fishery for 1 January through to 31 August 2020 (**Attachment 3d**). NFA is expected to provide updated catch figures.
10. The reported PNG landed catch as 31 August 2020 is 43,209.47 kilograms inside the TSPZ. A further 47,237.30 kilograms was reported from outside the TSPZ. AFMA is seeking confirmation from PNG NFA on the location of these catches deemed outside of the TSPZ,

including whether they are within the area AFMA understands to be PNG declared an 'outside but near' area under the Torres Strait Treaty. Under the Treaty (Article 1(1)(h)), areas declared by either Australia or PNG as 'outside but near' are considered to be part of a Protected Zone commercial fishery. AFMA and NFA most recently met on Friday 27 November to discuss a range of fisheries matters (Agenda Item 2.2). Of relevance, NFA advised they are currently preparing a data summary of fishing effort in the TRL fishery to sit alongside the catch data already provided to AFMA; and the management of catches in 'outside but near' areas remains an ongoing matter for discussion to ensure consistency across jurisdictions.

11. The catch inside the TSPZ equates to 49.48 per cent of PNG's 87,315 kilogram TAC for 2020, with 4 months remaining in the PNG season. The total reported catch inside and outside the TSPZ equates to 103.58 per cent of PNG's TAC.

Total reported commercial catch for the TRL stock

12. The total reported commercial catch for the TRL stock is:

Area	Total (tonnes)	TAC (tonnes)
Australian TRL Fishery	358.18	434.78
PNG TRL Fishery - catches inside the TSPZ as at 31 August 2019	43.21	87.31
PNG TRL Fishery - catches outside the TSPZ as at 31 August 2019	47.23	
Total	448.63	582

Table 1. Reported landed catch (kilograms whole weight) of Tropical Rock Lobster (TRL) for the Australian Torres Strait TRL Fishery by month and sector for the 2019-20 fishing season.
Source: Torres Strait Fisheries Catch Disposal Record (TDB02) as at 24 November 2020.

Month	Traditional Inhabitant Boat (TIB) sector	Transferable Vessel Holder (TVH) sector	Total (kg)
Dec-19	25,862.53	11,244.24 [#]	72,358.10
Jan-20	13,608.49		
Feb-20	21,642.84		
Mar-20	30,052.04	16,382.04	46,434.09
Apr-20	30,959.25	28,075.22	59,034.47
May-20	24,214.99	23,134.84	47,349.84
Jun-20	25,815.86	15,857.93	41,673.79
Jul-20	18,072.54	26,860.46	44,933.00
Aug-20	17,035.81	14,334.44	31,370.26
Sep-20	8,421.12	6,611.60	15,032.72
Total reported catch (kg)	215,685.48	142,500.77	358,186.25
Reported catch as a per cent of the TAC*	74.93%	96.97%	82.38%

[#] In accordance with AFMA's Information Disclosure policy (*Fisheries Management Paper 12*), catches by month have been aggregated for December 2019 through to February 2020, as less than 5 boats operated in the Transferable Vessel Holder (TVH) sector in each December 2019 and January 2020.

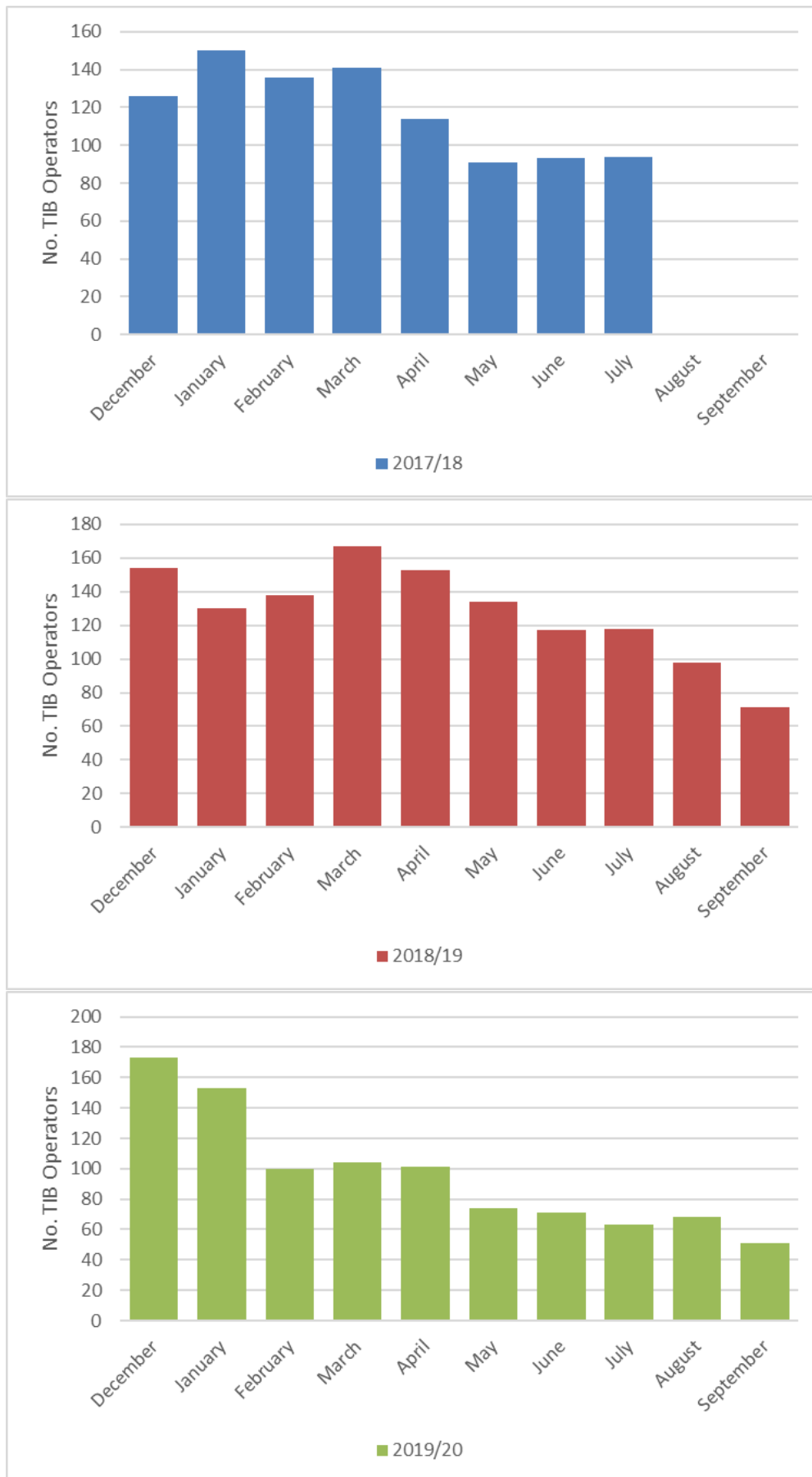


Figure 1. Total number of TIB operators per month over the past 3 fishing seasons. TIB operators is based on individual operator names, not boat symbols. This is because many records do not contain information on Boat Symbol, and a single operator may use multiple boats within a season.
Source: TDB02 records

Table 2. Total number of TIB operators by month and season. TIB operators is based on individual operator names, not boat symbols. This is because many records do not contain information on Boat Symbol, and a single operator may use multiple boats within a season.

Source: TDB02 records

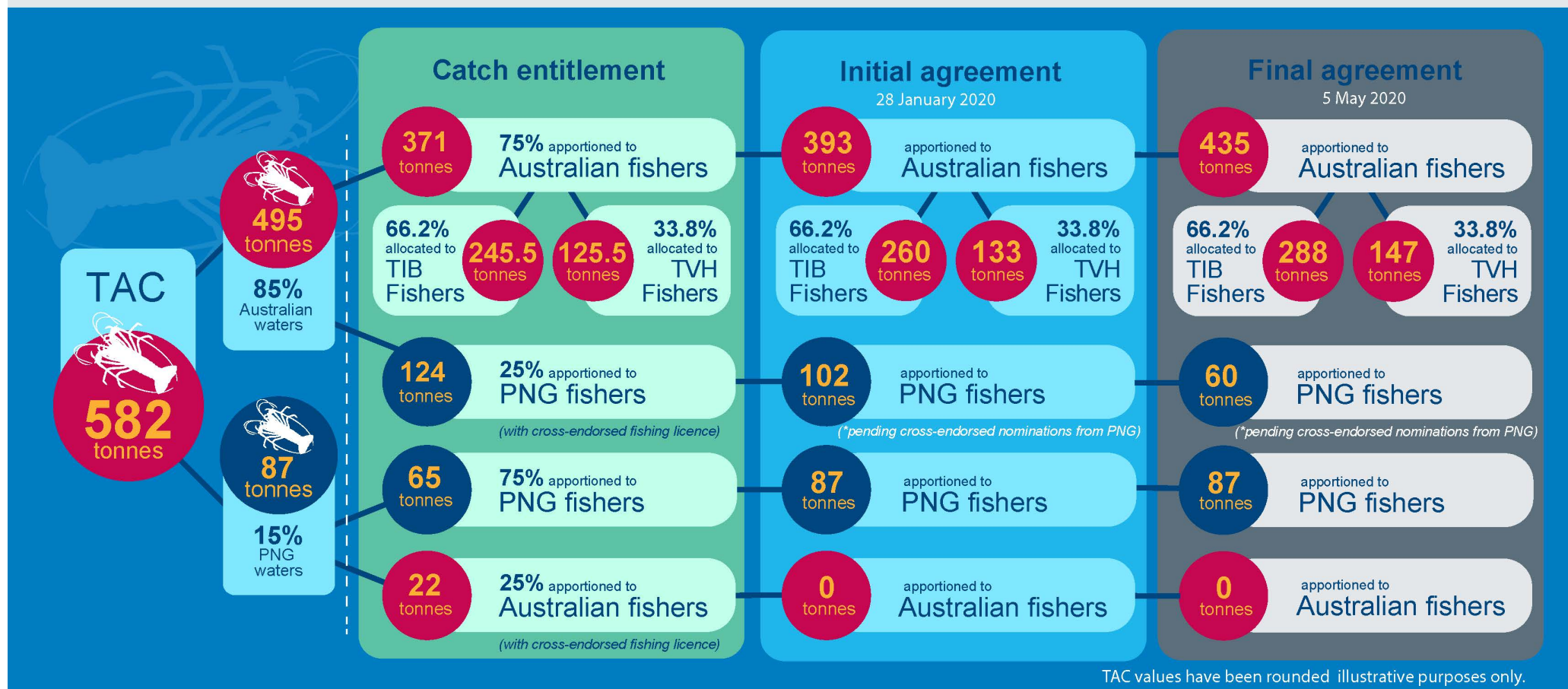
Month	2017/18	2018/19	2019/20
December	126	154	173
January	150	130	153
February	136	138	100
March	141	167	104
April	114	153	101
May	91	134	74
June	93	117	71
July	94	118	63
August	0	98	68
September	0	71	51
Unique Boat Symbols	217	245	234
Unique Operators	210	227	228

TORRES STRAIT TRL CATCH SHARING AGREEMENT 2019-20



Australian Government

Australian Fisheries Management Authority



PNG Data Summaries – received from PNG NFA on 7 September 2020

PNG Catch Total: Jan - Aug 2020				
Month (2020)	Tail weight (kg)	Tail wt converted to whole wt (C. factor 2.677)	Whole weight (kg)	Total Catch (kg)
JANUARY	5974.35	15,993.33	484.12	16,477.45
FEBRUARY	2627.25	7,033.15		7,033.15
MARCH	3249.49	8,698.88		8,698.88
APRIL	7436.96	19,908.74		19,908.74
MAY	8299.48	22,217.71		22,217.71
JUNE	2802.49	7,502.27		7,502.27
JULY	1727.73	4,625.13		4,625.13
AUGUST	1488.02	3,983.43		3,983.43
TOTAL	33,605.77	89,962.65	484.12	90,446.77

PNG Jurisdiction of the TSPZ: Jan - Aug 2020				
Month (2020)	Tail weight (kg)	Tail wt converted to whole wt (C. factor 2.677)	Whole weight (kg)	Total Catch (kg)
JANUARY	1892.57	5,066.41	484.12	5,550.53
FEBRUARY	1521.93	4,074.21		4,074.21
MARCH	1502.21	4,021.42		4,021.42
APRIL	2541.65	6,804.00		6,804.00
MAY	5126.83	13,724.52		13,724.52
JUNE	1527.11	4,088.07		4,088.07
JULY	1218.43	3,261.74		3,261.74
AUGUST	629.43	1,684.98		1,684.98
TOTAL	15,960.16	42,725.35	484.12	43,209.47

PNG Waters outside of TSPZ: Jan - Dec 2019				
Month (2018)	Tail weight (kg)	Tail wt converted to whole wt (C. factor 2.677)	Whole weight (kg)	Total Catch (kg)
JANUARY	4,081.78	10,926.93		10,926.93
FEBRUARY	1,105.32	2,958.94		2,958.94
MARCH	1,747.28	4,677.47		4,677.47
APRIL	4,895.31	13,104.74		13,104.74
MAY	3,172.65	8,493.18		8,493.18
JUNE	1,275.38	3,414.19		3,414.19
JULY	509.30	1,363.40		1,363.40
AUGUST	858.59	2,298.45		2,298.45
TOTAL	17,645.61	47,237.30	-	47,237.30

TROPICAL ROCK LOBSTER WORKING GROUP (TRLWG)	MEETING 11 17 December 2020
TOTAL ALLOWABLE CATCH	Agenda Item 4 For discussion and advice

RECOMMENDATIONS

1. The Working Group:

- a. **NOTE** on 27 August 2020, Senator the Hon. Jonathon Duniam determined a TAC of 200,000 kilograms of TRL in the Australian waters of the TRL Fishery for the 2020-21 fishing season. It is expected that the TAC will be increased once the outcomes of the scientific assessment process and the TAC sharing arrangements under the Treaty between Australia and Papua New Guinea (PNG) have been taken into account;
- b. **DISCUSS** and **PROVIDE ADVICE** on a global total allowable catch (TAC) for the Torres Strait Protected Zone (TSPZ) Tropical Rock Lobster Fishery (TRL Fishery) for the 2020-21 fishing season, taking into consideration:
 - i. the advice from the TRL Resource Assessment Group (TRLRAG) on the recommended biological catch (RBC) for the TSPZ TRL Fishery for the 2020-21 fishing season based on the application of the empirical harvest control rule (eHCR) under the TRL Harvest Strategy (**Attachment 4a**)
 - the TRLRAG advice and additional supporting information will be presented by the TRLRAG Chair and TRLRAG CSIRO Scientific Member at the meeting via video conference.
 - ii. to date, based on previous TRLRAG advice, other sources of mortality (e.g. traditional and recreational catch of TRL), have not been deducted from the RBC when recommending a global TAC.

KEY ISSUES

2. The Working Group is asked to provide advice on a global TAC for the TSPZ TRL Fishery for the 2020-21 fishing season¹.

Start of season TAC

3. At its meeting on 27 August 2020, consistent with previous advice from the TRLRAG and TRL Working Group (TRLWG), the PZJA agreed for the Australian TRL Fishery to have an interim TAC of 200,000 kilograms (unprocessed weight) of TRL for the 2020-21 fishing season. Noting this, the Minister subsequently determined the TAC under section 13 of the *Torres Strait Fisheries (Quotas for Tropical Rock Lobster (Kaiar)) Management Plan 2018* (the Management Plan).
4. It is expected that the TAC will be increased once the outcomes of the scientific assessment process and the TAC sharing arrangements under the Treaty between Australia and PNG have been taken into account. Any increase in the TAC is expected to be determined by the end of February 2021. Further details on the expected timeline is provided at **Attachment 4b**.

¹ The Australian TRL Fishery fishing season runs from 1 December through to 30 September the following year. The PNG TRL Fishery fishing season runs from 1 January through to 31 December each year.

TRL Harvest Strategy

5. The TRL Harvest strategy uses an eHCR to estimate a RBC annually, with the stock assessment model to be updated every three years (rather than annually) to assess the status of the TRL stock and evaluate the performance of the eHCR. The final Harvest Strategy also details a number of decision rules that are designed to maintain the stock at the agreed target reference point.
6. The eHCR uses the pre-season survey 1+ and 0+ indices, both standardised catch per unit effort (CPUE) indices (TVH and TIB), applies the natural logarithms of the slopes of the five most recent years' data and includes an upper catch limit of 1,000 tonnes. The relative weightings of the eHCR indices are 70% pre-season survey 1+ index, 10% pre-season survey 0+ index, 10% TIB sector standardised CPUE and 10% TVH sector standardised CPUE. The eHCR includes a maximum catch limit of 1000 tonnes.
7. CSIRO have also developed an eHCR RBC calculator to assist stakeholders in understanding how the eHCR works (**Attachment 4c**).

TRLRAG RBC advice in accordance with the Harvest Strategy

8. The RBC for the TSPZ TRL Fishery for the 2020-21 fishing season will be calculated by applying the eHCR. CSIRO will present the findings of this work at the TRLRAG meeting held on 16 December 2020 (TRLRAG 30).
9. The RAG will be asked to review CSIRO's application of the eHCR and in accordance with the TRL Harvest Strategy, provide advice on a RBC for the 2020-21 fishing season, with regard to:
 - a. section 2.10 Decision Rules of the TRL Harvest Strategy which provides that if in any year the pre-season survey 1+ index is 1.25 or lower (average standardised number of 1+ age lobsters per survey transect) it triggers a stock assessment.
 - i. Having regard to the pre-season survey results presented at the RAG, the pre-season survey trigger has not been triggered.
 - b. section 2.11 Decision Rule Scenarios of the TRL Harvest Strategy which provides that under Scenario 1 or 2, if the pre-season trigger has not been triggered, the RAG will consider whether the eHCR RBCs remain within the ranges tested by management strategy evaluation (MSE).
10. The WG should also note that under the TRL Harvest Strategy, the stock assessment model is to be updated every three years and the most recent stock assessment was undertaken in 2019. Having considered the final 2019 stock assessment results at their meeting on 7 May 2020, TRLRAG 28 agreed that no revisions were to the eHCR were required.
11. Taking all of the above into account, the TRLWG is asked to provide advice on a global TAC for the TSPZ TRL Fishery.

Other sources of mortality and global TAC

12. When setting a TAC, all sources of fishing mortality (catch) are taken into account and, if needed, a discount is applied to the RBC. This generally means the TAC equates to the RBC for the species minus expected catches that will be taken outside of the fishery (e.g. recreational and traditional catches). This is consistent with the principles of the *Commonwealth Fisheries Harvest Strategy Policy: Framework for applying an evidence-based approach to setting harvest levels in Commonwealth fisheries (June 2018)*.
13. To date, estimates of catches taken outside of the TRL Fishery (recreational, charter, subsistence) have not be deducted from the RBC when providing advice on the TAC each fishing season.
14. At the TRLRAG meeting held on 2-3 August 2016 (TRLRAG 18), the TRLRAG:

- a. noted advice from the Independent Scientific Member that if unaccounted fishing mortality, for example catches taken in other sectors, recreational or traditional, remains constant and at low levels, there would be limited impact on the stock assessment if the catches were not included in the model. However, if unaccounted fishing mortality were to increase significantly this may impact on the performance of the stock assessment;
 - b. agreed that overall catches are likely to be relatively low, although some industry members considered recreational catches to be increasing;
 - c. noted currently there was no reliable estimate of recreational or traditional take of TRL but that future Queensland Government recreational fishing surveys may provide some data;
 - d. noting the likely low level of overall catch and the lack of accurate data, recommended that traditional and recreational catches not be estimated in the stock assessment model or when setting the TAC at this time.
15. This advice was re-affirmed at the TRLRAG meeting held on 4-5 April 2017 (TRLRAG 20). At this meeting, scientific members advised that:
- a. there needs to be a time series of data or an estimate of historical catch to indicate if catch has increased or decreased over time;
 - b. if recreational and traditional catch has remained constant over time then it may not be worthwhile including in the assessment because it is unlikely to adjust the RBC estimate;
 - c. it is important to understand if catches are a lot bigger than assumed as that could impact the stock assessment; and
 - d. recreational and traditional catch data are often expensive to collect because this requires surveys to be conducted periodically, therefore it may not be affordable to collect this information.
16. The Working Group is being asked to provide advice on a global TAC for the TSPZ TRL Fishery for the 2020-21 fishing season. This is to include consideration of whether to deduct other sources of mortality from the RBC, noting previous advice of the TRLRAG on this matter.

BACKGROUND

TAC setting process

17. Under subsection 13 of the Plan, the Minister must determine a TAC for the TRL Fishery prior to the start of a fishing season. In making a TAC determination, the Minister must:
- a. consult with any advisory committee that the PZJA has established under subsection 40(7) of the *Torres Strait Fisheries Act 1984*, to provide advice relating to the TRL Fishery; and
 - b. have regard to Australia's obligations under the Torres Strait Treaty.
18. Under section 13 the Minister may also consider the views of any person with an interest in the TRL Fishery or the ecologically sustainable use of the TRL Fishery and take into account the amount of TRL taken in the TRL Fishery as a result of other fishing, such as traditional fishing or recreational fishing.
19. Subsection 14 provides for the Minister to determine an increase to the TAC for a fishing season. Subsections 8-11 prescribe how a TAC is to be administered, including the issuing of a notice when the TAC for the Traditional Inhabitant sector has been reached.
20. Further background on the TAC setting process, how catch is shared between Australia and PNG, and how each sector's catches will be managed for the 2020-21 fishing season is

provided in the Tropical Rock Lobster Fishery Management Arrangements Booklet 2020-21 available from the [PZJA website](#).

Start of season TAC

21. At its meeting on 18-19 October 2018, the TRLRAG advised that the start of season catch limit should cover 1 December through to the end of February, and be based on the maximum annual catch amount for the period 2005-2018, being 200 tonnes. This is to minimise the risk that the limit could artificially constrain fishing effort, particularly in a year of high TRL abundance.
22. The TRLRAG further advised that if needed, an additional 100 tonnes be added to the start of season catch limit amount, to account for catches from PNG.
23. It was further agreed that the start of season catch limit be overridden in seasons where the TRL stock abundance is exceptionally low and the final RBC is likely to fall below the start of season catch limit or where overridden by the Harvest Strategy decision rules. In such cases, the use of the start of season catch limit should not be used in subsequent seasons until reviewed by the TRLRAG.
24. The above approach was applied for setting the start of season TAC for the 2020-21 fishing season with no objections from the TRLRAG.



Australian Government

Australian Fisheries Management Authority

Torres Strait Tropical Rock Lobster Fishery Harvest Strategy

November 2019

This harvest strategy is based on outcomes from the Commonwealth Scientific and Industrial Research Organisation (CSIRO) Oceans and Atmosphere Division project, *Torres Strait Tropical Rock Lobster (TRL) fishery surveys, stock assessment, harvest control rules and RBC*. The project was funded by the Australian Fisheries Management Authority (AFMA).

AFMA Project No. 2016/0822.

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CONTENTS

CONTENTS	3
GLOSSARY	4
OVERVIEW	6
1 BACKGROUND	7
1.1 COMMONWEALTH FISHERIES HARVEST STRATEGY POLICY	7
1.2 DEVELOPMENT OF THE TRL HARVEST STRATEGY	8
2 TRL FISHERY HARVEST STRATEGY	9
2.1 SCOPE	9
2.2 OBJECTIVES	9
2.3 RECOMMENDING TACs FROM RBCs.....	9
2.4 MONITORING	10
2.5 INTEGRATED STOCK ASSESSMENT MODEL	10
2.6 EMPIRICAL HARVEST CONTROL RULE	11
2.7 REFERENCE POINTS.....	12
2.8 eHCR AND STOCK ASSESSMENT CYCLE	14
2.9 DATA SUMMARY	14
2.10 DECISION RULES	14
2.11 DECISION RULE SCENARIOS	15
2.12 GOVERNANCE.....	17
2.13 REVIEW	17
3 REFERENCES.....	18

GLOSSARY

Types of reference points:

Reference Point	Description
Metarule	A rule that describes how the RBCs obtained from an assessment should be adjusted in calculating a recommended TAC
Target	The desired state of the stock or fishery (for example, MEY or B_{TARG}) ¹
Limit	The level of an indicator (such as biomass or fishing mortality) beyond which the risk to the stock is regarded as unacceptably high ¹
MEY	The sustainable catch or effort level for a commercial fishery that allows net economic returns to be maximised. In this context, maximised equates to the largest positive difference between total revenue and total cost of fishing ¹
MSY	The maximum average annual catch that can be removed from a stock over an indefinite period under prevailing environmental conditions ¹

Notation:

Notation	Description
B	Spawning biomass - the total weight of all adult (reproductively mature) fish in a population ¹
B_0	The unfished spawning biomass (determined from an appropriate reference point)
F	Fishing mortality rate
B_{LIM}	Biomass limit reference point - the point beyond which the risk to the stock is regarded as unacceptably high ¹
B_{TARG}	Biomass target reference point - the desired biomass of the stock ¹

Other acronyms:

Acronym	Description
CPUE	Catch per unit effort
eHCR	Empirical Harvest Control Rule
HCR	Harvest Control Rule - pre-determined rules that control fishing activity according to the biological and economic conditions of the fishery (as defined by monitoring or assessment). Also called 'decision rules'. HCR are a key element of a harvest strategy ¹
HSP	<i>Commonwealth Fisheries Harvest Strategy Policy: Framework for applying an evidence-based approach to setting harvest levels in Commonwealth fisheries</i> (June 2018)
HS	Torres Strait Tropical Rock Lobster Fishery Harvest Strategy
PZJA	Protected Zone Joint Authority

¹ Definition sourced from the *Commonwealth Fisheries Harvest Strategy Policy: Framework for applying an evidence-based approach to setting harvest levels in Commonwealth fisheries* (June 2018)

MSE	Management Strategy Evaluation - a procedure whereby alternative management strategies are tested and compared using simulations of stock and fishery dynamics ¹
RBC	Recommended Biological Catch
TRLRAG	Protected Zone Joint Authority Tropical Rock Lobster Resource Assessment Group
TRLWG	Protected Zone Joint Authority Tropical Rock Lobster Working Group
TAC	Total Allowable Catch- the annual catch limit set for a stock, species or species group. Used to control fishing mortality within a fishery ¹
Tiered approach	A framework that uses different control rules to cater for different levels of uncertainty about a stock
TIB	Traditional inhabitant boat
TVH	Transferrable vessel holder
TRL	Tropical Rock Lobster
TSPZ	Torres Strait Protected Zone

OVERVIEW

The Torres Strait Tropical Rock Lobster Fishery (the Fishery) Harvest Strategy (HS) sets out the management actions needed to achieve the agreed Fishery objectives. The HS describes the performance indicators used for monitoring the condition of the stock, the fishery-independent survey and stock assessment procedures and the rules applied to determine the recommended biological catch (RBC) and the total allowable catch (TAC) each fishing season.

The HS uses a single tier approach with an empirical harvest control rule (eHCR) that is used to determine a RBC. The eHCR uses the pre-season survey index of abundance of juvenile (1+) and newly recruited (0+) Tropical Rock Lobster (TRL) and the catch per unit effort (CPUE) indices for the traditional inhabitant boat (TIB) and transferrable vessel holder (TVH) fishing sectors. The eHCR has been extensively tested using Management Strategy Evaluation (MSE) (Plagányi *et al.* 2018). The RBC is the best available scientific advice on what the total fishing mortality (landings from all sectors and discards) should be for the stock. The RBC is used to negotiate Australia-Papua New Guinea catch sharing and recommend TACs (an enforced limit on total catches).

The HS meets the requirements of the *Commonwealth Fisheries Harvest Strategy Policy: Framework for applying an evidence-based approach to setting harvest levels in Commonwealth fisheries* (June 2018) (HSP) by applying a precautionary approach to the reference points and measures to be implemented in accordance with the reference points. This is reflected in the use of proxy reference points that are more precautionary than those specified in the HSP. The eHCR is designed to decrease exploitation rate as the stock size decreases below the target reference point. The HS uses a biomass target reference point equal to recent levels (2005-2015) that take account of the fact that the resource is shared and important for the traditional way of life and livelihood of traditional inhabitants and is biologically and economically acceptable. The HS proxies are B_{LIM} is 32% of B_0 , B_{TARG} is 65% of B_0 .

Further work for the HS will include the development of a tiered approach. The tiered approach applies different types of control rules to cater for different amounts of data available and to account for changes to uncertainty on stock status. A tiered approach adopts increased levels of precaution that correspond to increasing levels of uncertainty about the stock status, in order to maintain the same level of risk across the different tiers.

The status of the stock and how it is tracking against the HS, is reported to the Tropical Rock Lobster Resource Assessment Group (RAG), Tropical Rock Lobster Working Group (TRLWG) and the Protected Zone Joint Authority (PZJA). The stock assessment is conducted periodically to evaluate stock status relative to reference levels and, in doing so, performance of the eHCR. The stock assessment includes considerations of the catch rates in current and previous fishing seasons, how the catches compare to the RBCs, stock status indicators in relation to the reference points and an RBC for the upcoming fishing season.

1 BACKGROUND

This Torres Strait Tropical Rock Lobster Fishery (the Fishery) Harvest Strategy (HS) has been developed in accordance with the *Commonwealth Fisheries Harvest Strategy Policy: Framework for applying an evidence-based approach to setting harvest levels in Commonwealth fisheries* (June 2018) (HSP) and consistent with objectives of the *Torres Strait Fisheries Act 1984* (the Act).

The Fishery HS takes into account key fishery specific attributes including:

- a) there is potential for large, unpredictable inter-annual variations in availability and abundance of Tropical Rock Lobster (TRL);
- b) TRL is a shared resource important for the traditional way of life and livelihood of traditional inhabitants, commercial and recreational sectors (Tropical Rock Lobster Resource Assessment Group (TRLRAG) 20, 4-5 April 2017); and
- c) advice from the TRLRAG industry members to maintain stock abundance at recent levels (2005-2015) (TRLRAG 17, 31 March 2016).

1.1 COMMONWEALTH FISHERIES HARVEST STRATEGY POLICY

The objective of the HSP is the ecologically sustainable and profitable use of Australia's Commonwealth commercial fisheries resources (where ecological sustainability takes priority) - through implementation of harvest strategies.

To pursue this objective the Australian Government will implement harvest strategies that:

- a) ensure exploitation of fisheries resources and related activities are conducted in a manner consistent with the principles of ecologically sustainable development, including the exercise of the precautionary principle
- b) maximise net economic returns to the Australian community from management of Australian fisheries - always in the context of maintaining commercial fish stocks at sustainable levels
- c) maintain key commercial fish stocks, on average, at the required target biomass to produce maximum economic yield from the fishery
- d) maintain all commercial fish stocks, including byproduct, above a biomass limit where the risk to the stock is regarded as unacceptable (B_{LIM}), at least 90 per cent of the time
- e) ensure fishing is conducted in a manner that does not lead to overfishing - where overfishing of a stock is identified, action will be taken immediately to cease overfishing
- f) minimise discarding of commercial species as much as possible
- g) are consistent with the *Environment Protection and Biodiversity Conservation Act 1999* and the *Guidelines for the Ecologically Sustainable Management of Fisheries*.

For fisheries that are managed jointly by an international organisation or arrangement, the HSP does not prescribe management arrangements. This includes management arrangements for commercial and traditional fishing in the Torres Strait Protected Zone (TSPZ), which are governed by provisions of the Torres Strait Treaty and the *Torres Strait Fisheries Act 1984*. However, it does articulate the government's preferred approach.

The HSP provides for the use of proxy settings for reference points to cater for different levels of information available and unique fishery circumstances. This balance between prescription and flexibility encourages the development of innovative and cost effective strategies to meet key policy objectives. Proxies, including those that exceed the minimum standards, must be demonstrated to be compliant with the HSP objective.

With a harvest strategy in place, fishery managers and stakeholders are able to operate with pre-defined rules, management decisions are more transparent, and there are likely fewer unanticipated outcomes necessitating hasty management responses. However, due to the inherently natural variability of TRL abundance there may be a need for significant changes in recommended catch on an annual basis.

1.2 DEVELOPMENT OF THE TRL HARVEST STRATEGY

The HS has been developed in consultation with the TRLRAG (meeting no. 17 on 31 March 2016; meeting no. 18 on 2-3 August 2016; meeting no. 19 on 13 December 2016; meeting no. 20 on 4-5 April 2017; meeting no. 22 on 27-28 March 2018; meeting no. 24 on 18-19 October 2018; and meeting no. 25 on 11-12 December 2018; out of session 16 September-9 October 2019) and TRLWG (meeting no. 6 on 25-26 July 2017; meeting no. 9 on 19-20 February 2019; out of session 16 September-9 October 2019). This HS replaces the interim HS developed for the Fishery in 2008.

2 TRL FISHERY HARVEST STRATEGY

2.1 SCOPE

This HS applies to the whole Fishery and it takes into account catch sharing arrangements between Australia and Papua New Guinea (PNG).

The HS outlines the control rules used to develop advice on the recommended biological catch (RBC) and to recommend total allowable catches (TACs) (an enforced limit on total catches). The HS sets the criteria that pre-agreed management decisions will be based on in order to achieve the HS objectives.

Over time the HS may be amended to use a tiered approach to cater for different amounts of data available and different types of assessments (for example mid-season surveys and annual assessments). Underpinning a tiered HS is increased levels of precaution with increasing levels of uncertainty about the stock status. Each tier has its own harvest control rule (HCR) and associated rules that are used to determine a RBC.

2.2 OBJECTIVES

The operational objectives of the HS are to:

- a) Maintain the stock at (on average), or return to, a target biomass point B_{TARG} equal to recent levels (2005-2015) that take account of the fact that the resource is shared and important for the traditional way of life and livelihood of traditional inhabitants and is biologically and economically acceptable.
 - The agreed B_{TARG} is more precautionary than the default proxy B_{MEY} (biomass at maximum economic yield) level as outlined in the HSP.
- b) Maintain the stock above the limit biomass level (B_{LIM}), or an appropriate proxy, at least 90 per cent of the time.
 - The agreed B_{LIM} is more precautionary than the default proxy HSP B_{LIM} .
- c) Implement rebuilding strategies, if the spawning stock biomass is assessed to fall below B_{LIM} in two successive years.

2.3 RECOMMENDING TACs FROM RBCs

The RBC is the recommended total catch of TRL (both retained and discarded) that can be taken by all sectors within the TSPZ and waters declared as areas outside but near to the TSPZ, including Australian and PNG fishers. The HSP states that when setting the TAC for the next fishing season the HS should take into account all sources of fishing mortality.

The HS does not include catches taken by non-commercial fishing sectors, for example traditional, recreational or research catches. The TRLRAG recommended at meeting no. 18 on 2-3 August 2016 that non-commercial catches not be estimated in the stock assessment model or when setting the TAC at this time, noting the likely low level of overall catch and

the lack of accurate data. However, if unaccounted fishing mortality were to increase significantly this may impact on the performance of the stock assessment. The HS may be updated in the future to account for changing circumstances in the Fishery, the review provisions are described in **Section 2.13**.

2.4 MONITORING

Biological data for the Fishery are monitored by a range of methods listed below. Currently there is no ongoing monitoring strategy in place to collect economic information.

Fishery independent surveys

A key component of the monitoring program is the fishery-independent survey which provides a time-series of relative abundance indices for TRL. Fishery-independent surveys have been conducted in the Fishery since 1989. Historically (1989-2014 and 2018), mid-season (July) surveys focused on providing an index of abundance of the spawning (age 2+) and juvenile (age 1+) lobsters. Mid-season surveys have been replaced with pre-season (November) surveys (2005-2008; 2014 to current) which focus on providing an index of recruiting (age 1+) lobsters as close as possible to the start of the fishing season to support the transition to quota management and setting of a TAC. Pre-season surveys also provide indices of recently-settled (age 0+) lobsters, which may become useful under quota management as they allow forecasting of stock one year in advance and are used in the eHCR.

Catch and effort information

Fishers in the transferrable vessel holder (TVH) sector are required to record catch and effort information in the Torres Strait Tropical Rock Lobster Daily Fishing Log (TRL04). The following data are recorded for each TVH fishing operation: the port and date of departure and return, fishing area, fishing method, hours fished and the weight (whole or tails) of TRL retained. Fishers in both the TVH and traditional inhabitant boat (TIB) sectors are required to record catch information in the Torres Strait Fisheries Catch Disposal Record (TDB02). The provision of effort information under the TDB02 is voluntary. Some processors previously (2014-2016) reported aggregate TIB catch information directly to AFMA predominantly through the Torres Strait Seafood Buyers and Processors Docket Book (TDB01).

2.5 INTEGRATED STOCK ASSESSMENT MODEL

The stock assessment model (termed the 'Integrated Model') (Plagányi *et al.* 2009) was developed in 2009 and is an Age-Structured Production Model, or Statistical Catch-at-Age Analysis (SCAA) (e.g. Fournier and Archibald 1982). It is a widely used approach for providing RBC advice and the associated uncertainties.

The model integrates all available information into a single framework to assess resource status and provide a RBC. The model addresses all of the concerns highlighted in a review of the previous stock assessment approach (Bentley 2006, Ye *et al.* 2006, 2007). The model

is fitted to the mid-season and pre-season survey data and TIB and TVH catch per unit effort (CPUE) data. The growth relationships used in the model were revised from the previous stock assessment model (Ye *et al.* 2006) to ensure that the modelled individual mass at age more closely resembled field measurements. The model has been used as an Operating Model in a Management Strategy Evaluation (MSE) framework to support the management of the Fishery (Plagányi *et al.* 2012, 2013, 2018).

The stock assessment model is non-spatial and assumes (conservatively) that the Torres Strait Tropical Rock Lobster Fishery stock is independent of the Queensland East Coast Tropical Rock Lobster Fishery stock. A spatial version of the model has been developed as part of an earlier MSE project, and can be used to investigate plausible linkages between these stocks (Plagányi *et al.* 2012, 2013).

The model includes three age-classes only (0+, 1+ and 2+ age lobsters) as it is assumed that lobsters migrate out of the Torres Strait in October each year. Torres Strait TRL emigrate in spring (September-November) and breed during the subsequent summer (November-February) (MacFarlane and Moore 1986; Moore and Macfarlane 1984). A Beverton-Holt stock-recruitment relationship is used (Beverton and Holt 1957), allowing for annual fluctuation about the average value predicted by the recruitment curve. The model is fitted to the available abundance indices by maximising the likelihood function. Quasi-Newton minimisation is used to minimise the total negative log-likelihood function (using the package AD Model BuilderTM) (Fournier *et al.* 2012).

2.6 EMPIRICAL HARVEST CONTROL RULE

The empirical harvest control rule (eHCR) recommended by the TRLRAG uses the pre-season survey 1+ and 0+ indices, both standardised CPUE indices (TVH and TIB), applies the natural logarithms of the slopes of the five most recent years' data and the average catch over the past five years, with an upper catch limit of 1,000 t. The relative weightings of the eHCR indices are 70 per cent pre-season survey 1+ index, 10 per cent pre-season survey 0+ index, 10 per cent TIB sector standardised CPUE and 10 per cent TVH sector standardised CPUE.

The basic formula is:

$$RBC_{y+1} = wt_s1 \cdot \left(1 + s_y^{presurv,1}\right) \cdot \bar{C}_{y-4,y} + wt_s2 \cdot \left(1 + s_y^{presurv,0}\right) \cdot \bar{C}_{y-4,y} \\ + wt_c1 \cdot \left(1 + s_y^{CPUE,TVH}\right) \cdot \bar{C}_{y-4,y} + wt_c2 \cdot \left(1 + s_y^{CPUE,TIB}\right) \cdot \bar{C}_{y-4,y}$$

Or if $RBC_{y+1} > 1000t$, $TAC_{y+1} = 1000$.

Where:

$\bar{C}_{y-4,y}$ is the average achieved catch during the past 5 years, including the current year i.e. from year $y-4$ to year y ,

- $s_y^{presurv,1}$ is the slope of the logarithms of the preseason survey 1+ abundance index, based on the 5 most recent values;
- $s_y^{presurv,0}$ is the slope of the logarithms of the preseason survey 0+ abundance index, based on the 5 most recent values;
- $s_y^{CPUE,TVH}, s_y^{CPUE,TIB}$ is the slope of the logarithms of the TVH and TIB CPUE abundance index, based on the 5 most recent values;
- $wt_s1, wt_s2, wt_c1, wt_c2$ are tuning parameters that assign relative weight to the preseason 1+ (wt_s1) and 0+ (wt_s2) survey trends compared with the CPUE TVH (wt_c1) and TIB (wt_c2) trends.

2.7 REFERENCE POINTS

The HS reference points are:

- a) The unfished biomass B_0 is the model-estimate of spawning stock biomass in 1973 (start of the Fishery). $B_0 = B_{1973}$.
- b) The target biomass B_{TARG} is the spawning biomass level equal to recent levels (2005-2015) that take account of the fact that the resource is shared and important for the traditional way of life and livelihood of traditional inhabitants and is biologically and economically acceptable. B_{TARG} is the proxy for B_{MEY} , $B_{TARG} = 0.65 B_0$.
 - o The agreed B_{TARG} is more precautionary than the default proxy B_{MEY} (biomass at maximum economic yield) level as outlined in the HSP. The TRLRAG noted a B_{TARG} higher than the HSP default was considered important for the Fishery because: 1) the stock is a shared resource that is particularly important for traditional fishing; 2) the stock has high variability; and, 3) all industry members recommended the HS maintain the stock around the relatively high current levels (TRLRAG meeting no. 17, 31 March 2016 and meeting no. 18, 2-3 August 2016).
- c) The limit biomass B_{LIM} is the spawning biomass level below which the risk to the stock is unacceptably high and the stock is defined as 'overfished'. B_{LIM} is agreed to be half of B_{TARG} , $B_{LIM} = 0.32 B_0$.
 - o The agreed B_{LIM} is more precautionary than the default proxy HSP B_{LIM} .
- d) If the limit reference point (B_{LIM}) is triggered in two successive years then the Fishery is closed.
- e) The target fishing mortality rate F_{TARG} is the estimated level of fishing mortality rate that maintains the spawning biomass around B_{TARG} . $F_{TARG} = 0.15$.

- $F_{\text{TARG}} = 0.15$ is the target fishing mortality rate that corresponds to an optimal level in terms of economic, biological and social considerations (TRLRAG meeting no. 18, 2-3 August 2016).

Rational for reference points

The HSP recognises that each stock/species/fishery will require an approach tailored to the fishery circumstances, including species characteristics. The HSP identifies that the selection of reference points within harvest strategies need to be realistic with respect to the scale or nature of the fishery and the resources available to manage it. Reference points should be set at levels appropriate to the biology of the species and the proper functioning of the broader marine ecosystem. Further, stocks that fall below B_{LIM} will be subject to the recovery measures stipulated in the HSP. A number of adaptive management approaches may be used to deal with this, such as pre-season surveys to provide estimates of abundance to which the eHCR is applied.

The Fishery is characterised by a highly variable stock where majority of the catch (since 2001 due to the introduction of a minimum size limit) is from a single cohort. The stock assessment model and MSE testing have identified the target biomass should be set between 65 and 80 per cent of the unfished biomass to account for the importance of the stock for the traditional way of life and livelihood of traditional inhabitants and to achieve biological and economic objectives. The HS's higher average target biomass level, compared to the default HSP target of 0.48 per cent of unfished biomass, reduces the risk of recruitment being compromised.

The unfished biomass (B_0) is calculated within the stock assessment model, the value of unfished biomass and target biomass have therefore varied over time in response to annual data updates and model parameter settings and estimates. Estimates of unfished biomass and target biomass are particularly sensitive to changes to parameter h , which determines the steepness of the stock-recruit relationship, and the input parameter that controls the level of stock-recruit variability.

Independent of variability to the unfished biomass value, the target fishing mortality rate $F_{\text{TARG}} = 0.15$ is applied to maintain the spawning biomass around the biomass target reference point (B_{TARG}), which is the average level over the past two decades. This is assumed to be a proxy for B_{MEY} because stakeholders agreed that this target level corresponded to an optimal level in terms of economic, biological and social considerations (TRLRAG meeting no. 18, 2-3 August 2016).

The biomass limit reference point (B_{LIM}) is 32 per cent of unfished biomass. The higher limit reference point, compared to the HSP proxy of 20 per cent of unfished biomass, is supported by recommendations of similar limit reference points for other highly variable species such as forage fish (Pikitch *et al.* 2012). Due to the changing values of unfished biomass and target biomass the value of the limit reference point, taken as half the target reference point, has previously varied between 32 and 40 per cent of unfished biomass.

Recent MSE testing identified that a limit reference point of 40 per cent unfished biomass is too conservative, it would result in the limit reference point being breached more frequently and add unnecessary precaution to the HS. The TRLRAG agreed to set the limit reference

point at 32 per cent of unfished biomass with the condition that if the stock falls below the limit reference point in two successive years it triggers a Fishery closure. The eHCR is more precautionary than the HSP criterion to 'maintain all commercial fish stocks, including byproduct, above a biomass limit where the risk to the stock is regarded as unacceptable (B_{lim}), at least 90 per cent of the time'. The HSP provides for the designation of a limit reference point above the proxy (B_{20}) where this has been estimated or is deemed appropriate.

2.8 eHCR AND STOCK ASSESSMENT CYCLE

The eHCR and stock assessment cycle is as follows:

- The eHCR is run in November each year to provide a RBC by 1 December for the following fishing season.
- A stock assessment is run on a three year cycle by March, unless the stock assessment is triggered by a decision rule (**Section 2.10**). The stock assessment determines the Fishery stock status and evaluates the performance of the eHCR and identifies if any revisions to the eHCR are required.
- If the eHCR needs to be revised, the stock assessment is conducted annually to estimate the RBC until the revised eHCR is agreed.

2.9 DATA SUMMARY

The annual data summary reviews the nominal and standardised CPUE from the TIB and TVH sectors, as well as total catch from all sectors, the size-frequency information provided from a sub-sample of commercially caught TRL and the fishery-independent survey indices of 0+ and 1+ age lobsters. The data summary is used as an indicator to identify if catches correspond to the RBC, and to monitor CPUE.

2.10 DECISION RULES

The decision rules for the HS are:

Maximum catch limit

- The eHCR includes a maximum catch limit of 1000 t. Once the HS is implemented the cap will be reviewed after three years using MSE testing with the updated stock assessment model.

Pre-season survey trigger

- If in any year the pre-season survey 1+ index is 1.25 or lower (average standardised number of 1+ age lobsters per survey transect) it triggers a stock assessment.

Biomass limit reference point triggered

- If the pre-season survey trigger is triggered in the first year, a stock assessment update must be conducted in March.
 - If after the first year the stock is assessed below the biomass limit reference point, it is optional to conduct a mid-season survey, the pre-season survey must continue annually.
- If the pre-season survey trigger is triggered two years in a row, a stock assessment must be conducted in December (of the second year).

Fishery closure rules

- If the stock assessment determines the stock to be below the biomass limit reference point in two successive years, the Fishery will be closed to commercial fishing.
 - MSE testing of the eHCR has shown that it is extremely unlikely (<1%) for the Fishery to be closed based on its current performance (Plagányi *et al.* 2018).

Re-opening the Fishery

- Following closure of the Fishery, fishery-independent mid-season and pre-season surveys are mandatory. The Fishery can only be re-opened when a stock assessment determines the Fishery to be above the biomass limit reference point (**Attachment A, Figure 5**).

Based on the decision rules, there are four alternative possible scenarios (**Section 2.11**) that may occur under the application of the eHCR. Graphic representations of the four scenarios are provided in **Attachment A**.

2.11 DECISION RULE SCENARIOS

Scenario 1 – Pre-season survey trigger not triggered and the eHCR does not require revision

- The pre-season survey trigger is not triggered.
- The eHCR RBCs appear to remain within ranges tested by MSE.
- The updated stock assessment does not indicate any need for revision of the eHCR.
- Application of the eHCR continues unchanged.
- A graphic representation of Scenario 1 is provided in **Attachment A, Figure 1**.

Scenario 2 – Pre-season survey trigger not triggered, eHCR and stock assessment require revision

- The pre-season survey trigger is not triggered.

- The eHCR RBCs appear to remain within ranges tested by MSE.
- The updated stock assessment indicates the eHCR recommended RBCs are outside the revised ranges tested by MSE, indicating that the eHCR should be revised.
- Annual RBCs need to be set using annual stock assessments until a revised eHCR has been agreed, after which the revised eHCR is applied.

A graphic representation of Scenario 2 is provided in **Attachment A, Figure 2**.

Scenario 3– Pre-season survey trigger is triggered, eHCR is reviewed by stock assessment and the biomass limit reference point is not breached

- The pre-season survey trigger is triggered in one year.
- A stock assessment update (March) is required to confirm if the biomass limit reference point has been breached. This assessment update determines that the biomass limit reference point has not been breached.
- If the biomass limit reference point is breached once, discussions will be held on preventative measures to reduce the risk of closure.
- The eHCR RBC is applied and consideration is given to revising the eHCR to prevent future incorrect indications that the biomass limit reference point may have been breached.
- The stock assessment continues on a three year cycle, unless triggered to occur by a decision rule.
- A graphic representation of Scenario 3 is provided in **Attachment A, Figure 3**.

Scenario 4 – Pre-season survey trigger is triggered, stock assessment confirms the biomass limit reference point is breached

- The pre-season survey trigger is triggered in one year.
- A stock assessment update (March) is required to confirm if the biomass limit reference point has been breached. This assessment update determines that the biomass limit reference point has been breached.
- The pre-season survey trigger is triggered for a second successive year.
- A second stock assessment update (December) is required to confirm whether the biomass limit reference point has been breached a second time. This assessment update determines that the biomass limit reference point has been breached a second time.
- The commercial fishery is closed until an assessment update confirms that the stock has recovered to above the biomass limit reference point.
 - If the Fishery is closed to commercial fishing, discussions are held on future management arrangements.

- Fishery-independent mid-season and pre-season surveys are mandatory and conducted on an annual basis. The Fishery will only re-open when the Fishery is assessed to be above the biomass limit reference point by the stock assessment.
 - The eHCR must be revised before being re-implemented to reduce the risk of the Fishery breaching the biomass limit reference point and for the eHCR to incorporate rebuilding requirements.
- A graphic representation of Scenario 4 is provided in **Attachment A, Figure 4**.

2.12 GOVERNANCE

The status of the Fishery and how it is tracking against the HS is reported to the TRLRAG, TRLWG and the PZJA as part of the yearly RBC and TAC setting process.

2.13 REVIEW

Harvest strategies are to be reviewed every five years. However, it may be necessary to amend harvest strategies earlier if:

- a marked change in stocks targeted occurs, leading to a change in which stocks are categorised as key commercial
- new information substantially changes understanding of the fishery, leading to revised estimates of indicators relative to reference points
- external drivers have unexpectedly increased the risk to a fishery and fish stocks, including environmental or climate drivers that have substantially altered the productivity characteristics (growth or recruitment) of the stock
- performance indicators show that harvest strategies are not working effectively, and that the intent of the HSP is not being met.

Early review may be triggered when either:

- harvest strategies are implemented without formal testing or evaluation using methods such as MSE
- MSE testing did not take adequate account of the changes in risk factors subsequently observed, or
- subsequent estimates of the performance indicators used in the HCR are biased or uncertain to the extent that application of the control rule using these indicators fails to appropriately adjust fishing pressure.

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Torres Strait Tropical Rock Lobster Fishery – alternative annual Harvest Control Rule application scenarios

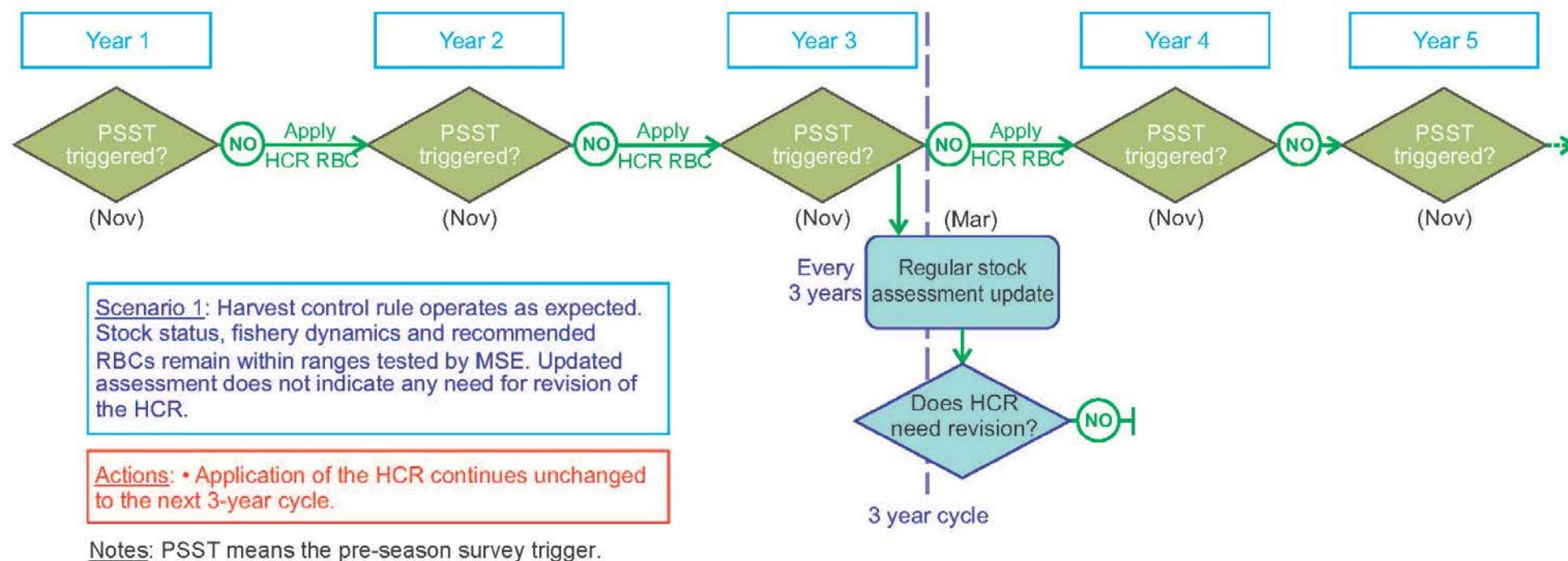


Figure 1. Torres Strait Tropical Rock Lobster Fishery decision rule scenario 1.

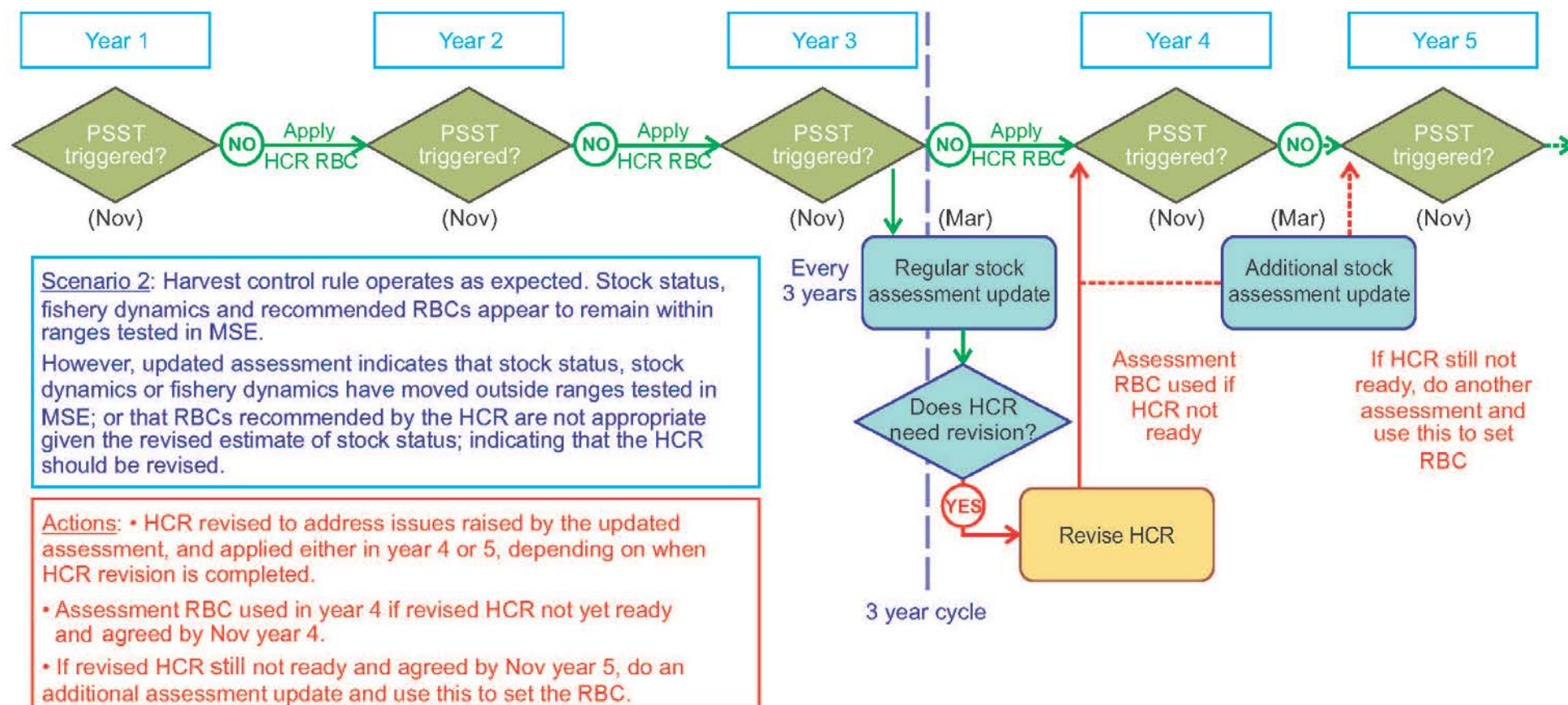
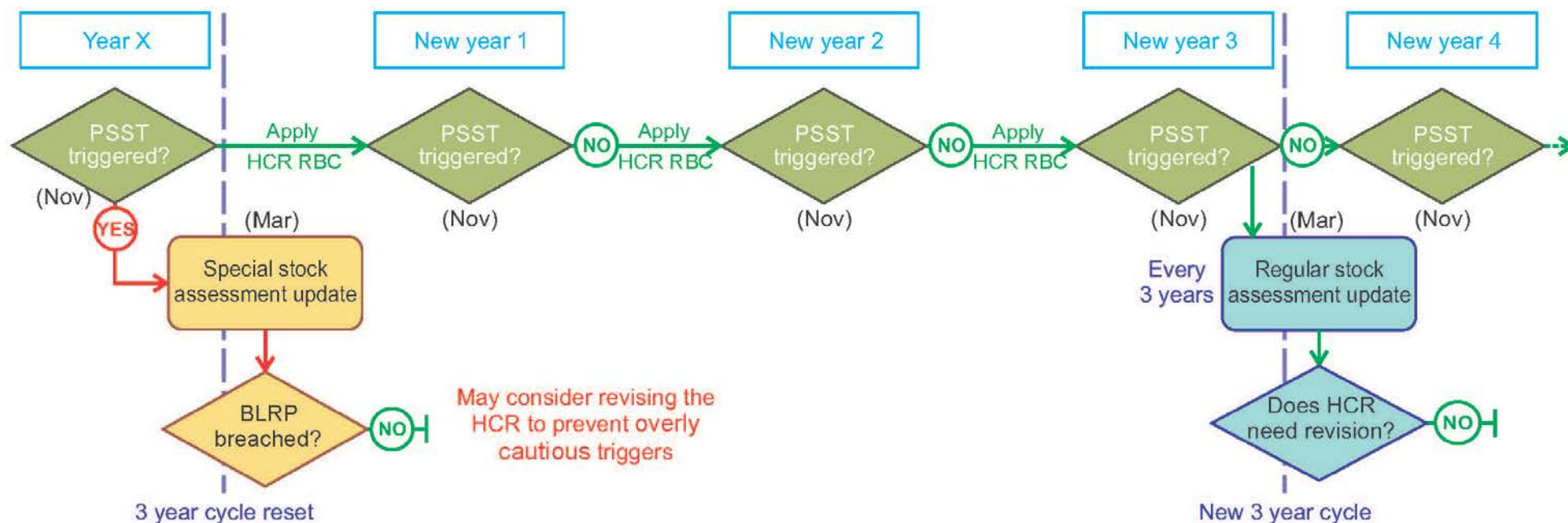


Figure 2. Torres Strait Tropical Rock Lobster Fishery decision rule scenario 2.



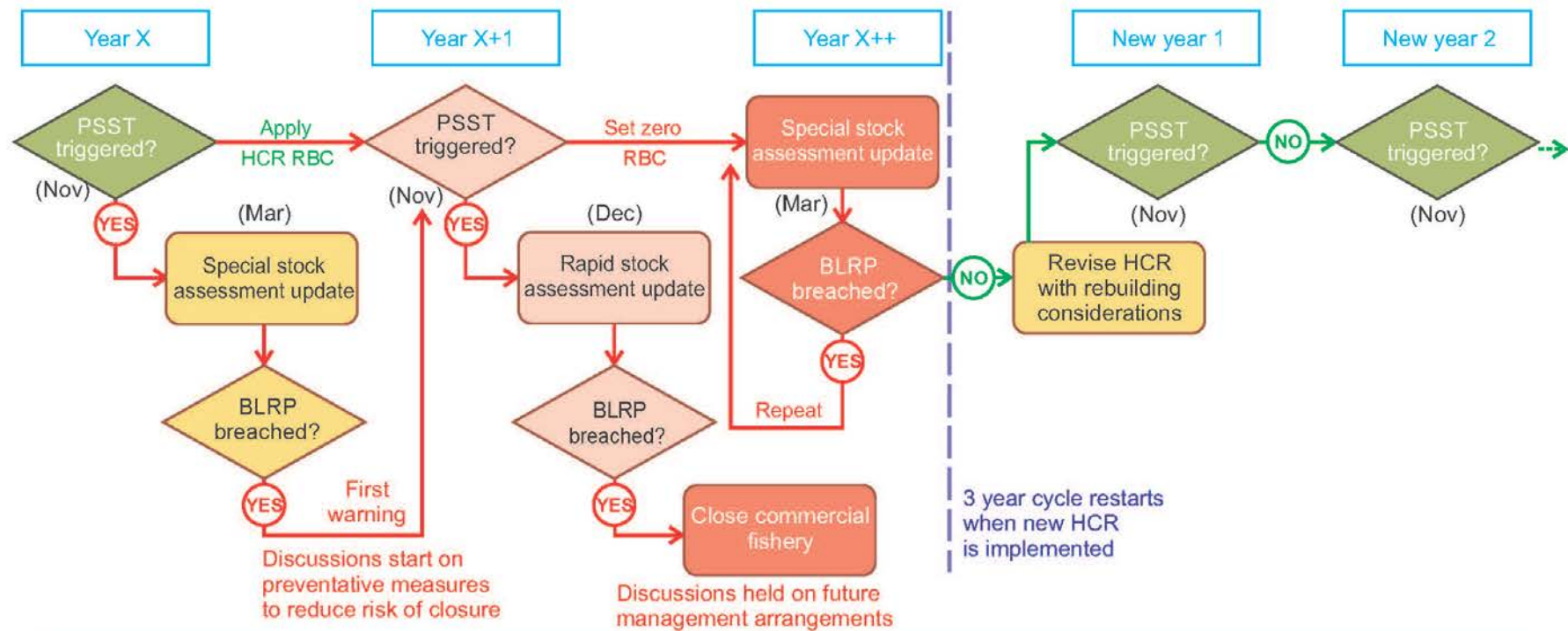
Scenario 3: Application of the HCR in a particular year results in the PSST being triggered, requiring a special assessment update to confirm whether the BLRP has been breached. However, this assessment update determines that the BLRP has not been breached.

Actions: • Application of the HCR continues unchanged, although consideration may be given to revising the HCR to prevent overly cautious triggering of the PSST (refer to Scenario 2).

• The three-year cycle is reset, postponing the next regular assessment update to retain the 3 year spacing between assessments, provided the PSST is not triggered again in that period.

Notes: PSST means the pre-season survey trigger. BLRP means biomass limit reference point.

Figure 3. Torres Strait Tropical Rock Lobster Fishery decision rule scenario 3.



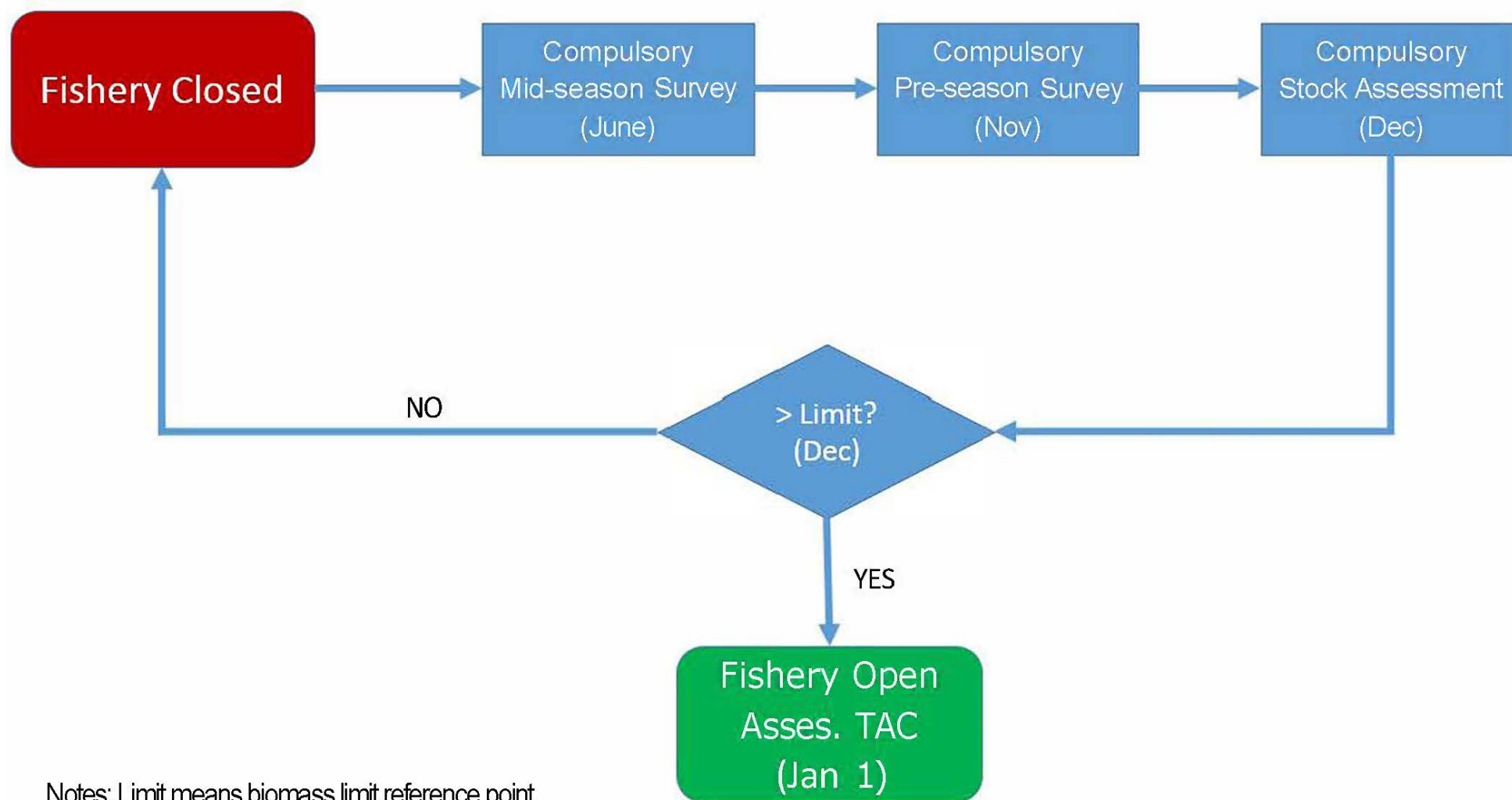
Scenario 4: Application of the HCR in a particular year results in the PSST being triggered, requiring a special assessment update to confirm whether the BLRP has been breached. Special assessment update confirms that the BLRP has indeed been breached. Application of the HCR the following year results in the PSST being triggered for the second successive year, requiring a second rapid assessment update to confirm whether the BLRP has been breached a second time. Assessment update confirms that the BLRP has been breached again. The commercial fishery is closed until an assessment update confirms that the stock has recovered to above the BLRP.

Actions:

- When it has been confirmed that the BLRP has been breached the first time, discussions will be held on preventative measures to reduce the risk of closure.
- If it is confirmed that the BLRP has been breached for a second year and that the commercial fishery must be closed, discussions will be held on future management arrangements to reduce the risk of future closures.
- If the fishery is closed, annual assessments will be done until an assessment update confirms that the stock has recovered to above the BLRP.
- Before being re-implemented, the HCR will be revised to reduce the risk of breaching the BLRP in future and to incorporate rebuilding requirements.

Notes: PSST means the pre-season survey trigger. BLRP means biomass limit reference point.

Figure 4. Torres Strait Tropical Rock Lobster Fishery decision rule scenario 4.



Notes: Limit means biomass limit reference point.

Figure 5. Torres Strait Tropical Rock Lobster Fishery closure and re-opening rule.

**Expected timeline for finalising a total allowable catch (TAC) for the
Australian Torres Strait Tropical Rock Lobster Fishery (TRL Fishery)**

Key:

Scientific assessment and advice

PNG-Australia agreement

Administrative step for Australia

Steps	Description	Indicative timeline
Agree timeline and process	AFMA CEO and PNG NFA Director General to meet to agree on process for agreement on catch sharing arrangements for the Torres Strait Tropical Rock Lobster Fishery (TRL Fishery) for the coming fishing season.	22 July 2020
PNG and Australian catch and effort data compiled	Australian and PNG catch and effort data are compiled ¹ .	By 31 October 2020
Pre-season scientific survey	Survey data are collected and used to update TRL survey abundance indices used to calculate a recommended biological catch (RBC) ² . Survey must be conducted in November to provide comparable results overtime and the most accurate estimate of annual lobster recruitment into the fishery.	1-14 November 2020
Australian start of season TAC determined	Minister to determine a 200 tonnes start of season ³ TAC for the Australian TRL Fishery for the 2020-21 fishing season, as per section 13 of the <i>Torres Strait Fisheries (Quotas for Tropical Rock Lobster (Kaiar)) Management Plan 2018</i> (the Plan) ⁴ . Start of season TAC based on advice received from TRLRAG and TRLWG in October-November 2018. TAC to apply to Australian TRL Fishery only.	Mid-November 2020

¹ These data are provided to CSIRO to update catch per unit effort indices used to calculate a recommended biological catch for the coming fishing season.

² A RBC is the total amount of TRL that can be sustainably taken out of the water by all fishers (commercial, traditional, recreational) each season, while leaving enough in the water to breed.

³ The Australian TRL Fishery fishing season runs from 1 December each year to 30 September the following year.

⁴ The Plan is accessible online at <https://www.legislation.gov.au/Details/F2018L01645>

RBC calculation	CSIRO to use empirical Harvest Control Rule (eHCR) to calculate a RBC. Every three years (starting in 2019), CSIRO to update and run the stock assessment model to evaluate the performance of the eHCR. Preliminary stock assessment results are usually available within 4-5 weeks of the pre-season scientific survey.	Late November through to early December 2020
TRL Resource Assessment Group (TRLRAG) and TRL Working Group (TRLWG) advice ⁵	TRLRAG to review the survey results, CPUE analyses and application of the eHCR. Advice provided on a final RBC. TRLWG to review TRLRAG advice. Advice provided on a final global TAC ⁶ . Every three years (starting in 2019), TRLRAG and TRLWG to consider preliminary results of stock assessment. Advice provided on finalising the assessment.	16-17 December 2020
PZJA agreement to final global TAC	PZJA to review TRLRAG and TRLWG advice and agree to final global TAC.	January 2021 (date of PZJA meeting to be confirmed)
Agree final global TAC, shares of the TAC, cross-endorsement apportionments and any preferential entitlements	AFMA CEO and PNG NFA Director General to meet to agree, as per the terms of the Torres Strait Treaty, on: <ul style="list-style-type: none"> - a final global TAC as per article 23(2); - shares of the final global TAC as per article 22(1) (e.g. 15%:85% split); - cross-endorsement apportionments as per articles 23(4) and 25; - preferential entitlement to any unfished cross-endorsement apportionments as per article 25. An exchange of letters is required to formalise the agreement.	By 31 January 2021
Australian final TAC determined	Minister to determine a final TAC for the Australian TRL Fishery for the 2020-21 fishing season, as per section 14 of the Plan. TAC to apply to Australian TRL Fishery only.	By 28 February 2021

⁵ Officers from PNG NFA are invited to attend all PZJA advisory forums.

⁶ A global TAC is the total amount of TRL that can be sustainably taken out of the water by both Australian and PNG commercial fishers each season.

TRLRAG advice	Every three years (starting in 2019), TRLRAG to review the final stock assessment results. Advice provided on the need to review the eHCR and conduct a stock assessment in subsequent years, as per Harvest Strategy rules.	February/March
If relevant, submit any formal requests for cross-endorsement	<p>PNG and/or Australia to provide formal request to the other Party seeking cross-endorsement pursuant to article 26 of the Torres Strait Treaty. Request to include:</p> <ul style="list-style-type: none"> - a copy of the licence/s for which a Treaty endorsement is sought⁷; - a copy of any licence conditions in force for the licence/s; - boat particulars; - details for payment of applicable fees. <p>It will take approximately 6 weeks for Australia to complete the domestic processes to issue a Treaty endorsement/s⁸.</p>	By 31 March

⁷ For PNG licence/s, each licence needs to be current at the time of the formal request, valid for the period for which a Treaty endorsement is sought and have the same details as that written in the formal request, and valid in PNG for the same fishery as it is proposed to operate in Australian waters.

⁸ Australia's domestic process include requirements to undertake native title notification pursuant to sub-sections 24HA(2) and (7) of the Commonwealth *Native Title Act 1993*, which takes a minimum of 1 month, and to seek approvals to issue a Treaty endorsement/s.

TROPICAL ROCK LOBSTER WORKING GROUP (TRLWG)	MEETING 11 17 December 2020
REVIEW OF MANAGEMENT CONTROLS	Agenda Item 6 For discussion and advice

RECOMMENDATIONS

1. That the Working Group:

- a. **NOTE** that TRLWG 10 (12 December 2020), discussed a range of considerations in relation to reviewing management controls in the TRL fishery, in particular:
 - i. That AFMA's preference is to conduct a review in a careful, and considered step-wise manner;
 - ii. To ensure a clear understanding of the rationale of any proposed change, including an assessment of expected benefits and outcomes against objectives, relative to a clear set of evaluation criteria;
 - iii. To understand who is likely to be affected or who is to benefit, and those might be distributed;
 - iv. That any proposed change will need careful consideration of the potential impacts on fishing patterns or fisher behaviour, which may impact catch rates and CPUE indices; and
 - v. That any proposed changes would require broader stakeholder consultation.
- b. **NOTE** that TRLWG10 also tabled a number of concerns/issues to be further explored as part of a review process;
- c. **NOTE** that these concerns/issues are included in a summary table of past proposals for changes to management controls raised over time (**Attachment 6a**);
- d. **DISCUSS** and **PROVIDE ADVICE** on:
 - i. an agreed process for reviewing management controls and pursuing changes (**Table 1**); which will include:
 - 1 -determining what's in scope, and out of scope for the review using the list of previously raised proposals to change management controls (**Attachment 6a**) as a starting point;
 - 2 -consider the benefits and/or impacts against with consideration of how the proposals align with the objectives for the fishery and the *Torres Strait Fisheries Act 1984* (the Act) (**Attachment 6b**);
 - 3 -what criteria may be used to evaluate proposals for changes to management controls;
 - 4 -prioritisation of proposals;
 - 5 -consideration of broader stakeholder input on the above at a dedicated stakeholder workshop; and
 - 6 -public consultation.
- e. Time permitting, the Working Group may wish to start discussing points 1-4 above at this meeting.

KEY ISSUES

2. Over the last few years, industry (both TIB and TVH) have expressed their desire to see a review of certain of management controls currently applied to the TRL Fishery.
3. At its meeting on 26 November 2018 the Protected Zone Joint Authority (PZJA) reaffirmed existing management controls currently applied to the Torres Strait Tropical Rock Lobster Fishery (TRL Fishery). TRL Fishery licence holders were notified at the time, that a review of existing PZJA licencing policies and management arrangements, including input controls, will be conducted periodically after the quota management system under the *Torres Strait Fisheries (Quotas for Tropical Rock Lobster (Kaiar)) Management Plan 2018* (the Management Plan) is operational.
4. The TRL fishery has since been operating under the Management Plan for two seasons. It is timely now that AFMA, in conjunction with the Working Group and broader stakeholders, discuss and provide advice on an agreed method for pursuing a review of management controls in the fishery.
5. However, the complexity and/or ease involved in changing an existing management control may be influenced by a range of factors:
 - a. Rationale - some proposals will have a clear rationale for change, while others may be less clear and require further discussion and consultation;
 - b. Benefits and impacts – some changes may benefit some individuals, or one sector, while disadvantaging others.
 - c. Objectives – some changes may or may not be consistent with the objectives of the Fishery and the Act.
6. The Working Group is asked to consider the proposed method and process outlined in **Table 1** and provide advice accordingly.
7. Given the possible scope of proposed changes (**Attachment 6a**), AFMA have attempted to summarise each proposal with reasons both for and against (based on previous RAG and WG discussions) and provide a preliminary evaluation of frequently raised (not all) proposals against the objectives under the Act and the Fishery (**Attachment 6c**).

Table 1. Suggested method and process for reviewing management controls.

#	Review step
1	Scope Defining the scope of proposed changes that will be considered in the review process will provide for a more ordered and timely process.
2	Initial assessment of benefits and/or impacts against objectives Any proposal should have a clear rationale for change, and be considered alongside any expected benefits and/or impacts, including who any benefits or impacts may extend to. The proposed change should also be considered against the objectives listed under section 8 of the <i>Torres Strait Fisheries Act 1984</i> (the Act) and PZJA objectives for the TRL Fishery (Attachment 6b).
3	Development of evaluation criteria The Working Group should develop a clear set of criteria, to evaluate each proposal against. Evaluation criteria may include:

	<ul style="list-style-type: none"> - Social/cultural – equity of access, race to fish, participation rates, part-time vs. full-time fisher participation, new entrants, sense of self-determination, changes to 'ailan kastom', conflict between communities, conflict between individuals and families, traditional fishing rights. - Biological – stock status, risk to resource, spatial distribution of fishing. - Economic – total catch, value of fishery, market prices, operating costs, employment, access for duration of season, cost of implementation. - Management – complexity, enforceability, impact on fishery monitoring regime (e.g. does it impact on the data series). <p>The selected criteria should be linked back to the objectives being pursued.</p>
4	<p>Prioritisation of proposals</p> <p>Noting scientific advice for careful consideration of the potential impacts of changes to management controls on fishing patterns or fisher behaviour, AFMA suggests that a review of management controls be progressed in a staged manner.</p> <p>Relevantly, it will be important to identify and recommend which proposals are to be addressed first, and in what order after that.</p>
5	<p>Further development and analysis of proposals with broader stakeholders</p> <p>AFMA suggests that a dedicated workshop be convened (outside of regular TRLWG business) to bring together a broader group of stakeholders to seek their views on a prioritised suite of proposals. This discussion is to include to further analysis of benefits and impacts and evaluation criteria.</p>
6	<p>Public consultation</p> <p>Opportunity for broader stakeholder comment on proposed changes.</p> <p>This step would usually be undertaken over a minimum 8 week period. Depending on the nature of the proposal/s, formal Native Title notification under the <i>Native Title Act 1993</i> may also be required.</p>
7	<p>Consideration of public consultation outcomes</p> <p>TRLRAG and TRL Working Group to consider the outcomes of the public consultation process and provide further advice as appropriate.</p>
8	<p>Implementation</p> <p>Depending on the nature of the changes/review, a PZJA decision is likely to be required, as well as potential amendments to legislation (e.g. the TRL Management Instrument).</p>

BACKGROUND

What are input controls?

8. Input controls are restrictions put on the ability of fishers to catch fish. Most commonly these are restrictions on the number and size of boats, the amount of time boats are allowed to fish, the areas in which boats are allowed to fish, and the amount, type, or size of gear that can be used.
9. By contrast, output controls are direct limits on the amount of fish coming out of a fishery (e.g. TACs). Fishery resources are limited and if fishing is not controlled, history has shown it will increase until the fishery becomes economically unviable or the stock collapses. Output controls are generally regarded as good mechanisms to control the total catch in single species, high value fisheries which are targeted using a single gear type (such as abalone and lobster). However, even with strong output controls, some input controls may still be required to ensure a range of management objectives are met (e.g. gear controls to minimise impacts on habitats and the environment and/or to meet other social objectives).
10. As the understanding of fish stocks and fisheries management techniques have improved, many fisheries across the globe, including around Australia, have undergone the transition from input to output controls.
11. However, in making such a transition it has been important that the proposed removal of controls is scrutinised closely to ensure management objectives will continue to be met, and all potential impacts considered.

Changes to management arrangements

12. At its meeting on 26 November 2018, the PZJA reaffirmed existing management controls currently applied to the TRL Fishery. TRL Fishery licence holders were notified at the time that a review of existing PZJA licencing policies and management arrangements, including input controls, will be conducted periodically after the quota management system under the Management Plan is operational.
13. At its meeting on 11-12 December 2018, the TRLRAG recommendation that given the immediate changes that will apply as the fishery moves to a quota management system, all current input controls remain in place for the 2018-19 fishing season before a review (or change) of input controls takes place.
14. The PZJA has since delivered on a number of management priorities for the TRL Fishery:
 - a. implementation of the Management Plan, including the formal allocation of quota units, setting of a total allowable catch (TAC) and strategic assessment under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act);
 - b. finalisation of the draft Harvest Strategy for the TRL Fishery, including a call for public comments, further consideration by the TRLRAG and Working Group, adoption by the Protected Zone Joint Authority (PZJA) through to application for the first time at TRLWG10.
15. In addition to the above, AFMA is also working to progress a number of other management priorities over the coming year

Data improvements

16. AFMA commenced a process to improve fishery dependent data collection and analyses for the TRL Fishery, including ongoing implementation of the fish receiver system (FRS) and the first meeting of the TRLRAG Data Sub-Group.
17. Unfortunately, impacts of COVID-19, AFMA temporarily ceased face-to-face meetings during 2020 and had to re-prioritize managements needs at least in the short-term. This has impacted progress of the Data sub-group. AFMA is hopeful to resume meetings of the Data Sub-group in the first half of 2021.

Tiered harvest strategy approach

18. The amount and quality of data and surveys available to inform assessments of the TRL Fishery stock has varied over time, and stakeholders have requested flexibility to increase or decrease the frequency and intensity of fishery independent surveys in the future. A tiered approach would provide for different harvest control rules to be applied when formulating a TAC each fishing season depending on the types of available information.
19. Work will continue to develop a tiered harvest strategy approach that accounts for different risk-catch-cost trade-offs of different stock assessment and monitoring options for the fishery, pre-tested using MSE.

Legislative amendments

20. AFMA is continuing to progress draft amendments to the *Torres Strait Fisheries Act 1984* (the Act) and *Torres Strait Fisheries Regulations 1985* (the Regulations) as resources and priorities permit. The purpose of the amendments is to provide improvements to the efficiency and effectiveness of fisheries administration in the Torres Strait. In the past 12 months, AFMA have experienced delays to the project due to the Federal Election, competing Australian Government legislative priorities and limited internal resources.
21. Noting the likely timeline for the progressing amendments to the Act, AFMA aims to dedicate some time next year working across fisheries on options for promoting and supporting TIB fishers to complete daily fishing logbooks on a voluntary basis. AFMA will seek member's views on how best this may be approached.

Table 2. Summary and status of management controls and proposals for change raised over time.

Management measure	Controls	Changes proposed	Date Raised	Status
Input controls	Boat length restriction & policy	Option for primary vessels limited to 9.9m being increased to 13.9m	TRLWG 4 (27-28 Aug 2015)	Not Progressed TRLWG 4 identified this item as a high priority following the implementation of the Management Plan.
		Review how/if use of tow cages undermines boat length restrictions		
	Fishery closure (Oct – Nov)	Review fishing season dates to align with international markets	TRLWG 4 (27-28 Aug 2015)	Complete Amendment of the fishing season dates to enable the effective implementation of the Management Plan was considered at TRLRAG 24 (18 19 October 2019). No recommendation was made to change the fishing season for this purpose.
	Hookah closure (1 December – 31 January)	Allow free-dive and lamp fishing year round	TRLWG 4 (27-28 Aug 2015)	Not Progressed Last proposed for discussion at TRLWG 6 (25 26 July 2017). However, this item was not considered due to the early closure of the meeting (lack of quorum).
		12 month season for free-dive and lamp fishing for TIB boats only	TRLWG 5 (5-6 April 2016)	
		Proposal to permit lamp fishing from TIB boats only	TRLWG 5 (5-6 April 2016)	
		Requested the hookah season commence earlier (on 1 January) and possibly close again in March to allow industry to maximise the catch value in the season by fishing to the Chinese New Year market, and restricting hookah catches in March when market prices are reduced and lobster mortality is higher due to moulting and increased water temperatures and lobster discards.	TRLWG 10 (12 December 2019)	Not Progressed
	Moontide closures	Amend method for setting hookah closures to coincide with full moons and moult cycles	TRLWG 6 (25-26 July 2017)	Complete This was reconsidered at TRLWG 8 who agreed to maintain the existing methodology

	Moontide closures	Requirements concerning the possession and use of hookah gear around hookah closure periods be considered ahead of next meeting.	TRLWG 9 (19 February 2019)	Not Progressed
		Submission from Trent and Mark Dean <ul style="list-style-type: none"> - Submission received on 25 November 2019 from TVH TRLWG members proposing moon-tide hookah closures be removed for the 2019-20 fishing season onwards. - TVH members advised that their preference in the long-term is to remove all moon-tide hookah closures. 	TRLWG 10 (12 December 2019)	Not Progressed
		TIB members want consideration of having an additional moon-tide hookah closures to alleviate fishing pressure on home reefs and to reduce the competition pressure on free-divers from hookah divers.	TRLWG 10 (12 December 2019)	Not Progressed
	Tender/dinghy number restrictions	Provide for the temporary transfer of tender boats to operate in conjunction with another primary boat held by the same licence holder	TRLWG 6 (25-26 July 2017)	
	Gear restrictions (SCUBA & propulsion)	No proposal to change	n/a	n/a
	Equipment restrictions (spear/hand)	No proposal to change	n/a	n/a
	Meat removal from shell	No proposal to change	n/a	n/a
	Diving equipment at night	No proposal to change	n/a	n/a

Management measure	Controls	Changes proposed	Date Raised	Status
Licensing Arrangements	A processor/carrier licence is required to process or carry TRL at sea	Grant of a new carrier-only boat licence to non-traditional inhabitants only for vessels that are not licenced to fish. (all fisheries)	TRLWG 6 (25-26 July 2017)	Last proposed for discussion at TRLWG 6 (25 26 July 2017). However, this item was not considered due to the early closure of the meeting (lack of quorum). Other Working Groups (Finfish Working Group on 16-17 March 2017 and Hand Collectables Working Group on 27 June 2017) have recommended further stakeholder consultation or were not supportive.
	A Master Fisherman's licence must be held by person in charge of the boat	Review arrangements for MFL (all fisheries)	TRLWG 4 (27-28 Aug 2015)	Not Progressed Consistent with the recommendation of TRLWG 4 (27-28 August 2015), this item has not been progressed since that meeting. TRLWG 4 identified this item as a medium priority following the implementation of the Management Plan.
	Crewing restrictions	Removal of current condition on TIB licences i.e. ability for TIB to have non-indigenous crew (all fisheries)	TRLWG 4 (27-28 Aug 2015)	Not Progressed Last proposed for discussion at TRLWG 6 (25 26 July 2017). However, this item was not considered due to the early closure of the meeting (lack of quorum). Other Working Groups (Finfish Working Group on 16 17 March 2017 and Hand Collectables Working Group on 27 June 2017) have recommended further stakeholder consultation.
	Primary/tender operations	Option for TIB primary vessels to carry any TIB registered dinghy at any time (not in a package) (applies to Finfish as well)	TRLWG 4 (27-28 Aug 2015) TRLWG 10 (12 Dec 2019)	Not Progressed Proposal for TIB primary vessels to be endorsed to carry any TIB registered tender last considered at TRLWG 9 (19 February 2019). The TRLWG recommended a

				proposal be developed for PZJA consideration regarding this matter.
		Strengthen requirements for tender boats to operate in conjunction with the corresponding primary boat	TRLWG 6 (25-26 July 2017)	Not Progressed Last proposed for discussion at TRLWG 6 (25 26 July 2017). However, this item was not considered due to the early closure of the meeting (lack of quorum).
	Requirement to hold a licence	TIB licenses to share common expiry (all fisheries)	TRLWG 4 (27-28 Aug 2015)	Last considered at TRLWG 4 (27 28 August 2015). The TRLWG recommended AFMA review the licencing dates and period for TIB and TVH sector licences as part of AFMA's 2016 administrative review of licencing processes – low priority. AFMA have scoped the implementation of a common expiry date for licences in the TRL Fishery, however administrative resources are not currently available to progress this matter further. The PZJA has approved the development of draft amendments to the Torres Strait Fisheries Regulations 1985 to provide for all licences to be issued for 5 years.
		TIB licenses to be valid for 5 years (all fisheries)	TRLWG 4 (27-28 Aug 2015)	
	Requirement to hold unused quota units for a fishing season when taking TRL	No proposal to change		

Management measure	Controls	Changes proposed	Date Raised	Status
Monitoring requirements	Catch reporting	Pursuing Act amendments to make the completion of daily fishing logbooks by the TIB sector mandatory		Ongoing. AFMA is still progressing legislative amendments to the Act.
	Vessel Monitoring System (VMS) for primary and carrier vessels	Consideration of VMS units on all tenders and dinghys to improve spatial data	TRLRAG Data Sub-group (18 June 2019)	Not progressed.
Output controls	Total allowable catch for each fishing season	No proposal to change	n/a	n/a
	Weight conversion factor for processed TRL (2.677)	No proposal to change	n/a	n/a
	Size restrictions, minimum tail size of 115 mm or minimum carapace length of 90 mm	No proposal to change	n/a	n/a

Objectives under the *Torres Strait Fisheries Act 1984*

In the administration of this Act, regard shall be had to the rights and obligations conferred on Australia by the Torres Strait Treaty and in particular to the following management priorities:

- (a) to acknowledge and protect the traditional way of life and livelihood of traditional inhabitants, including their rights in relation to traditional fishing;*
- (b) to protect and preserve the marine environment and indigenous fauna and flora in and in the vicinity of the Protected Zone;*
- (c) to adopt conservation measures necessary for the conservation of a species in such a way as to minimise any restrictive effects of the measures on traditional fishing;*
- (d) to administer the provisions of Part 5 of the Torres Strait Treaty (relating to commercial fisheries) so as not to prejudice the achievement of the purposes of Part 4 of the Torres Strait Treaty in regard to traditional fishing;*
- (e) to manage commercial fisheries for optimum utilisation;*
- (f) to share the allowable catch of relevant Protected Zone commercial fisheries with Papua New Guinea in accordance with the Torres Strait Treaty;*
- (g) to have regard, in developing and implementing licensing policy, to the desirability of promoting economic development in the Torres Strait area and employment opportunities for traditional inhabitants.*

TRL Fishery Management Objectives

In 2005–06, the Tropical Rock Lobster Working Group recommended new management objectives which were adopted by the Protected Zone Joint Authority (PZJA). These objectives are:

- a. to maintain the spawning stock at levels that meet or exceed that required to produce the maximum sustainable yield;
- b. in accordance with the TS Treaty, to protect the traditional way of life and livelihood of Traditional Inhabitants, particularly in relation to their traditional fishing for TRL;
- c. to provide for the optimal utilisation, co-operative management with Queensland and PNG and for catch sharing with PNG;
- d. to monitor interactions between the prawn and lobster fisheries;
- e. to maintain appropriate controls on fishing gear allowed in the fishery so as to minimise impacts on the environment;
- f. to promote economic development in the TS area with an emphasis on providing the framework for commercial opportunities for Traditional Inhabitants and to ensure that the opportunities available to all stakeholders are socially and culturally appropriate for the TS and the wider Queensland and Australian community; and
- g. to optimise the value of the fishery.

Expansion in the fishery is limited to Traditional Inhabitants so as to maximise their opportunities.

The PZJA has imposed licensing provisions to prevent the growth of the non-Islander sector, both in terms of fishing capacity (boat replacement policy) and the containment of licence numbers. There is also a ban on trawlers taking lobster to prevent pressure on the lobster resource from the prawn trawling fleet.

Preliminary evaluation of significant management control proposals against TSF Act and TRL Fishery objectives based on previous TRLRAG and WG discussions.

For	Against	Objectives
Boat replacement policy		
<ul style="list-style-type: none"> Higher quality product Reduction in mortality Safety reasons Efficiency and profitability Flexibility in location of unloads Viability to fish in TS and QLD to improve 	<ul style="list-style-type: none"> Larger boats increases effects of localised depletion Pressure and competition on home reefs 	<ul style="list-style-type: none"> ✓ Optimum utilisation ✓ Optimise value ✗ Protect traditional way of life and livelihoods ✗ Promote economic development ✗ Employment opportunities
Removing hookah closures		
<ul style="list-style-type: none"> Removes bottleneck at unloads Gain extra days fishing without possession requirements during closure (i.e. smaller, slower boats steaming back to port before closure kicks in) Better catch rates 	<ul style="list-style-type: none"> increases localised depletion increases pressure on home reefs increases competition between free-divers and hookah-divers on home reefs 	<ul style="list-style-type: none"> ✗ Protect traditional way of life and livelihoods ✓ Optimise value (Fishery)
Primary/tender flexibility		
<ul style="list-style-type: none"> TIB primary's to tow any TIB dinghy – red tape removal TVH tenders to be transferred from one licence to another (noting overall cap on TVH tenders under Plan 	<ul style="list-style-type: none"> ? 	<ul style="list-style-type: none"> ✓ Optimise value (Fishery) ✓ Promote economic development ✓ Employment opportunities
12 month free-dive or lamp fishing season for TIBs only		
<ul style="list-style-type: none"> Economic opportunity Reduced competition with hookah divers 	<ul style="list-style-type: none"> Compliance risks with undersize TRL 	<ul style="list-style-type: none"> ✓ Promote economic development ✓ Optimise value (Fishery) ✓ Employment opportunities

TROPICAL ROCK LOBSTER WORKING GROUP (TRLWG)	MEETING 11 17 December 2020
OTHER BUSINESS	Agenda Item 7 For discussion

RECOMMENDATIONS

1. That the Working Group **NOMINATE** any further business for discussion.

TROPICAL ROCK LOBSTER WORKING GROUP (TRLWG)	MEETING 11 17 December 2020
DATE AND VENUE FOR NEXT MEETING	Agenda Item 8 For discussion and advice

RECOMMENDATIONS

1. That the Working Group **NOMINATE** a date and a venue for the next meeting noting proposed meeting dates in the table below alongside key agenda items.

Date	Key agenda items
To be advised	- TRLWG Workshop with additional stakeholders proposed to discuss review of management controls, pending advice provided at this meeting (Agenda Item 6)
June 2021	- Discuss research priorities and any updates to the five-year research plan, having regard to TRLRAG advice
17 December 2021	- Consider advice of the TRL Resource Assessment Group (TRLRAG) regarding: <ul style="list-style-type: none"> o Results of the November 2021 pre-season survey o CPUE analyses for the 2020-21 fishing season o recommended biological catch (RBC) for the 2021-22 fishing season - Provide advice regarding a total allowable catch (TAC) for the 2021-22 fishing season