

**TROPICAL ROCK LOBSTER WORKING GROUP 12
(TRLWG 12)**

**Thursday 16 December 2021 9am – 5pm
The Sebel, Cairns / Video Conference**

ADOPTED AGENDA

1 PRELIMINARIES

1.1 Welcome and apologies

The Chair will welcome members and observers to the 12th meeting of the TRL Working Group.

1.2 Adoption of agenda

The Working Group 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 Working Group 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, in particular, providing comment on fishing patterns, behaviours, prices, and market trends this season.

2.2 Scientific and Economist 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 Working Group will be invited to note updates from AFMA, TSRA and QDAF on matters concerning the Torres Strait TRL Fishery.

2.4 Papua New Guinea National Fisheries Authority

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

2.5 Native Title

The Working Group will be invited to note a verbal update from Malu Lamar (Torres Strait Island) Corporation RNTBC.

3 CATCH AND EFFORT ANALYSES FOR THE 2020-21 FISHING SEASON

The WG will be invited to note TRL Fishery catch and effort data for the 2020-21 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 2021-22 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 2021-22 fishing season.

5 REVIEW OF MANAGEMENT CONTROLS

The WG will be invited to note the outcomes of the TRL Industry Workshop on reviewing management controls held 26-27 July 2021, including the next steps for progressing the review.

6 RESEARCH PRIORITIES

The WG is invited to discuss and provide advice on future research priorities for the TRL Fishery.

7 OVERVIEW OF AFMA COMPLIANCE RISK ASSESSMENT PROCESS

The WG is invited to note a virtual presentation from the AFMA Senior Manager of National Compliance on an overview of the AFMA domestic compliance risk assessment process that AFMA undertakes each year to inform their compliance activities in both Torres Strait and Commonwealth fisheries.

8 OTHER BUSINESS

The WG will be invited to raise any other matters for consideration.

9 DATE AND VENUE FOR NEXT MEETING

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

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

TROPICAL ROCK LOBSTER WORKING GROUP Cairns / Video Conference	MEETING 12 16 December 2021
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 2 December 2021 no apologies had been received.

TROPICAL ROCK LOBSTER WORKING GROUP Cairns / Video Conference	MEETING 12 16 December 2021
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 noted with members at TRLWG 11 (17 December 2020) with a proposed agenda including:
 - a. Advice on a TAC for the 2021-22 fishing season; and
 - b. Next steps for reviewing management controls in the TRL Fishery.
3. Following confirmation of the mixed model face to face/video conference meeting format, a revised draft agenda was circulated to members on 17 November 2021. No suggestions for changes were received.
4. An updated version of the agenda (v2) was circulated to members again on 3 December 2021. The updated version included the following additional agenda items:
 - a. Agenda Item 6 – TRL Research Priorities; and
 - b. Agenda Item 7 – Overview of the Compliance Risk Assessment Process.

TROPICAL ROCK LOBSTER WORKING GROUP Cairns / Video Conference	MEETING 12 16 December 2021
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	Former CSIRO employee involved in Torres Strait TRL research, and scientific surveys. No pecuniary interests.
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; member on the New South Wales Rock Lobster Harvest Strategy Working Group.
Aaron Tom	Traditional Inhabitant Member	Traditional Inhabitant Gudamaluylgal and TIB licence holder.
James Ahmat	Traditional Inhabitant Member	Traditional Inhabitant Maluyligal 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	Traditional Inhabitant Kaiwalagal, and Torres Strait Scientific Advisory Committee traditional inhabitant member.
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.
Jenny Keys	QDAF Member	To be declared.
Keith Brightman	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	TIB licence holder.
Joseph Posu	PNG National Fisheries Authority	To be declared.
Ian Liviko	PNG National Fisheries Authority	To be declared.
Maluwap Nona	Malu Lamar (Torres Strait Islander) Corporation RNTBC	To be declared.
Harry Nona	TRLRAG Traditional Inhabitant member	Traditional Inhabitant, Kaiwalalgal and TIB licence holder.
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	TRLRAG Chair	Refer to Attachment 1.3b
Eva Plaganyi	TRLRAG Scientific member	Lead scientist for PZJA funded TRL research projects conducted by CSIRO.
Quinten Hirakawa	TSRA	TIB licence holder with TRL entry.

Declaration of interests
Dr Ian Knuckey – October 2021

Ian Knuckey positions:

Director –	Fishwell Consulting Pty Ltd
Director –	Olrac Australia (Electronic logbooks)
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 –	SESSF 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 Member –	SESSF Resource Assessment Group
Member –	Victorian Marine and Coastal Council
Member –	The Geelong Agri Collective

Fishwell current projects:

DAWE Project	Multi-sector fisheries capacity building
AFMA 2020-0807	Bass Strait Scallop Fishery Survey – 2020-22
AFMA 2019-0836	Information the Bass Strait Central Zone Scallop Fishery Harvest Strategy and TAC setting process with economic data and MEY proxies
FRDC project	Principal Investigator for SA Peak Industry body project
AFMA project	Design sea cucumber fishery-independent survey for Coral Sea
FRDC 2019-027	Improving and promoting fish-trawl selectivity in the SESSF and GABTS
FRDC 2019-072	A survey to detect change in Danish Seine catch rates of Flathead and School Whiting resulting from CGG seismic exploration.
FRDC 2019-129	Potential transition of shark gillnet boats to longline fishing in Bass Strait - ecological, cross-sectoral, and economic implications
FRDC 2018-021	Development and evaluation of SESSF multi-species harvest strategies
Traffic Project	Shark Product Traceability
NT Fisheries	Design and implementation of a tropical snapper trawl survey
Sea Cucumber Ass.	Design and implementation of various sea cucumber dive surveys.
Australia Bay	Queensland Gulf of Carpentaria Developmental Fin Fish Trawl Fishery
Tas. Abalone	Scientific Advisor for Tasmanian Abalone Council Ltd
PEMSEA	Developing EAFM Plan for Red Snapper in Arafura and Timor Seas

Beach Energy	BACI study of Prion Marine Seismic Survey impacts relative biomass of scallops on beds in the immediate vicinity.
Expert Witness	Gladstone Harbour development impact

TROPICAL ROCK LOBSTER WORKING GROUP Cairns / Video Conference	MEETING 12 16 December 2021
PRELIMINARIES Action items from previous meetings	Agenda Item 1.4 For Discussion and Advice

RECOMMENDATIONS

1. That the Working Group:
 - a. **NOTE** that there are no outstanding action items arising from previous meetings.
 - b. **NOTE** the final meeting record for TRLWG11 held on 17 December 2021 (**Attachment 1.4a**).
 - c. **PROVIDE ADVICE** on any new key events that have been added to the TRL Management History timeline (**Attachment 1.4b**).

BACKGROUND

Actions arising

2. All action items from previous meetings were marked as complete at TRLWG 11. There are no new outstanding action items to address.

Meeting record

3. The draft meeting record for TRLWG 11 held on 17 December 2020 was provided out of session for comment on 23 December 2020. Minor editorial comments were received from the economics member and the TSRA.
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 19 January 2021.
5. The final meeting record is provided at **Attachment 1.4a** for information.

TRL Management History Timeline

6. As an action arising from TRLRAG 14 (25-26 August 2015), AFMA and CSIRO were tasked with preparing a timeline of key events that have occurred in the Torres Strait Tropical Rock Lobster Fishery. A draft timeline was provided to TRLRAG 30 (16 December 2020).
7. The timeline is intended to be a living document, to be updated as relevant management events in the fishery occur. AFMA proposes that this document be a standing agenda item under Agenda Item 1.4 Actions Arising for the RAG to be updated as required.
8. The Working Group is asked to provide advice on new key events that have been added to the Management History timeline since the last RAG meeting (provided at **Attachment 1.4b**)

Torres Strait Tropical Rock Lobster Working Group Meeting 11

FINAL Meeting Record

17 December 2020

Thursday Island

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



Australian Government

Australian Fisheries Management Authority

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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).
Darren Dennis	Scientific member	Former CSIRO employee involved in Torres Strait TRL research, and scientific surveys. No pecuniary interests.
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; member on the New South Wales Rock Lobster Harvest Strategy Working Group
Aaron Tom [%]	Traditional Inhabitant member	Traditional Inhabitant Gudamalulgal and TIB licence holder
James Ahmat	Traditional Inhabitant member	Traditional Inhabitant Maluilgal and TIB licence holder
Patrick Mills	Traditional Inhabitant member	TRLRAG member for Kaiwalalgal and Torres Strait Scientific Advisory Committee.
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 owner
Selina Stoute	AFMA member	Nil
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	AFMA executive officer	Nil

Observers

Name	Position	Declaration of interest
Brett Arlidge	TRL RAG Industry member	General Manager, MG Kailis Pty Ltd. MG Kailis Pty Ltd is a holder of 5 TVH licences. Seafood buyer from Torres Strait, Queensland and PNG TRL fisheries.

Name	Position	Declaration of interest
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. Full declaration of interests provided at Attachment A .
Dr Éva Plagányi ¹	CSIRO	Lead scientist for PZJA funded TRL research projects conducted by CSIRO.
James Billy	TRLRAG member	Traditional Inhabitant Kulkalgal. TIB licence holder, Coxswains holder and free diver.
Harry Nona	Traditional Inhabitant member	Traditional Inhabitant Kaiwalalgal
Graham Hirakawa ²	Industry observer	TIB licence holder with a TRL entry
Quinten Hirakawa	TSRA observer	TIB licence holder
Lyndon Peddell ³	AFMA	Nil
Alison Turnbull ⁴	SafeFISH	n/a
Jayne Gallagher ⁵	Seafood Trade Advisory Group	n/a
Ben Mitchell ⁶	Department of Agriculture, Water and Environment	n/a

¹ Joined the meeting at 9am

² Joined the meeting at 9am

³ Joined the meeting between 9am and 9:30am

⁴ Joined the meeting at 11:45am until 1pm

⁵ Joined the meeting at 11:45am until 1pm

⁶ Joined the meeting at 11:45am until 1pm

1 Preliminaries

1.1 Welcome and apologies

1. The meeting was opened in prayer at 8:38am on Thursday 17 December 2020. Attendees were welcomed to the 11th meeting of the Torres Strait Tropical Rock Lobster Working Group (TRLWG 11). The Chair acknowledged the Traditional Owners of the land on which the meeting was held and paid respect to Elders past, present and emerging.
2. Attendees at the Working Group are detailed in the meeting participant tables at the start of this meeting record.
3. Apologies were received from:
 - a) Mr Les Pitt, Traditional Inhabitant member, Kemer Kemer Meriam;
 - b) Mr Mark David, Traditional Inhabitant member, Kulkaigal;
 - c) Ms Samantha Miller, Queensland Department of Agriculture and Fisheries member.
4. Observers not in attendance were:
 - a) Papua New Guinea National Fisheries Authority representative, permanent observer.
 - b) Malu Lamar (Torres Strait Islanders) Registered Native Title Body Corporate, permanent observer.

1.2 Adoption of agenda

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

1.3 Declaration of interests

6. 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.
7. The Chair requested that members update the record of declarations. These are detailed in the meeting participant tables at the start of this meeting record.
8. 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).
9. Those members and observers holding a fishing licence, including the TSRA officers 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 noted that discussions under agenda item 5 (total allowable catch) and agenda item 6 (Review of management controls) may present conflicts for some members, however it was agreed that the excused members be permitted to participate in discussions under all agenda items in the formulation of Working Group recommendations, provided they act in the interests of the fishery as a whole and not their individual business or community.

10. 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.
11. 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

12. The Working Group noted the status of actions arising from previous Working Group meetings (**Agenda item paper 1.4a**).
 - a) Action item 2 – members noted that the periods for PZJA consideration of Development Permit applications will be twice annually in March and September to align with the Finfish and TRL fishing seasons respectively.
13. The Working Group noted the final meeting record for TRLWG 10 held on 12 December 2019 was finalised out of session and circulated to members on 29 January 2020.

1.5 Out-of-session correspondence

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

2 Updates from members

2.1 Industry members

15. The Working Group noted updates provided by industry members and observers regarding the performance of the Torres Strait TRL Fishery during the 2019-20 fishing season and the very start of the 2020-21 season to date, in particular:
 - a) a traditional inhabitant member reported that the migration of lobsters into the fishery is not apparent. Although only 3 weeks in to the free dive season, similar patterns are expected when the hookah season opens.
 - b) An Industry member advised that:
 - i. the start of the season had been slow, suggesting it may be due to price and availability of lobsters on the ground. The trade disruptions with Australian lobster into China is reducing the price normally paid at this time of year.
 - ii. Last season there were continuous issues with bottlenecks during offload times after a moontide hookah closure. As some buyers can only export lobsters 2 or 3 days a week from Cairns, the timing for export does not always align with the hookah closures which can result in some boats having to wait up to 3 days to unload.
 - iii. The member had received reports from eastern and central cluster fishers who are wanting to fish deeper to catch more while the prices are low.
 - iv. he had received reports that some primary vessels reportedly struggle transitioning from a dinghy to a primary boat operation, and need more assistance with managing the boat. Lack of divers is reportedly more of concern as there are surplus skippers available.

2.2 Scientific and economic members

16. No updates were provided by scientific and economic members.

2.3 Government agencies

17. The Working Group noted an overview of key management updates relating to the TRL Fishery provided by the AFMA member, in particular:

Fisheries bilateral meeting between AFMA and PNG NFA

- a) On Friday 27 November 2020, AFMA CEO Wez Norris met via videoconference with the acting Managing Director of PNG NFA, Mr Noan Pakop and other NFA staff to discuss fisheries bilateral issues. This included general updates on fisheries, catch sharing arrangements for TRL, pearl shell, prawn and Spanish mackerel, updates on catch data from the PNG TRL fishery, 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, opportunities for research collaboration and fisheries compliance updates.
- b) AFMA continues to encourage the provision of timely and accurate catch and effort data by NFA to support TRL scientific and stock assessment processes, and PNG NFA remain interested in opportunities for collaborative research.
- c) Further work is required to develop a common understanding of catch sharing arrangements in relation to outside but near areas to the TSPZ. NFA indicated that their understanding is that the global TRL TAC does not apply to areas outside the TSPZ, which is different to AFMA's understanding, and is inconsistent with the way Australian accounts for catches in the Australian outside but near area.
- d) NFA indicated that the recently agreed Memorandum of Understanding (MOU) between PNG and Fujian Zhong Hong Fishery Co., Ltd. is to undertake a feasibility study to set up an 'integrated and multi-use fishery industrial park' in the Western Province of PNG. The AFMA member emphasised to the TRLWG that the Australian Government had not yet read the MOU and was working to understand more about what exactly is being proposed. AFMA continues to liaise with the Department of Foreign Affairs and Trade (DFAT) who are working closely with PNG at all levels of Government to learn more.

18. The traditional inhabitant member for Maluilgal reiterated previously raised comments regarding the need for a representative of the TIB fishing industry to attend future fisheries bilateral meetings. The AFMA member confirmed that AFMA had passed on this request to DFAT following the TRLRAG 30 meeting the day prior.

Export approval under the Environment Protection Biodiversity and Conservation Act 1999

- a) On 4 December 2020, the Torres Strait Tropical Rock Lobster Fishery was declared by the delegate of the Minister for the Environment as an approved wildlife trade operation (WTO) under Part 13A of the EPBC Act until 4 December 2023. The approval was made with no new substantial conditions, and only one recommendation.

19. An industry member queried whether the fishery, as an approved WTO, could take advantage of the declaration by using it as a sustainability certification. The Working Group noted that a WTO is different from an international sustainability scheme such as Marine Stewardship Council (MSC) certification, though the current review of the EPBC Act is looking at options to better align WTO approvals with other international sustainability schemes. An industry observer noted that it would be very challenging to achieve MSC certification for the Torres Strait TRL fishery. The economics member added that it is unclear whether MSC certified products fetch premium prices; however, it does provide some market access. Only 14 per cent of global wild harvest fisheries production is MSC certified, and a further 14 per cent are certified under 'Friends of the Sea'.

Compliance outcomes for the 2019-20 fishing season

20. 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.

21. In March 2020 all AFMA field duties were suspended due to COVID-19, however AFMA continued to monitor fishing operations remotely through vessel monitoring systems (VMS), remote monitoring, surveillance, intelligence and other sources of data.
22. The Working Group noted that if AFMA compliance officers are unable to be in the field at times, AFMA works closely and collaboratively with the support of the Australian Border Force, Royal Australian Navy, Queensland Water Police, TSRA Rangers and PNG National Fisheries Authority to collect intelligence and conduct surveillance operations.
23. 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.
24. Despite some operational challenges in 2020, AFMA fisheries officers have delivered the following outcomes between July 2019 – November 2020:
 - a) 17 ports/freight hubs visits;
 - b) 66 fish receiver Inspections;
 - c) 70 vessel inspections;
 - d) Regular monitoring of seafood movements throughout the Torres Strait that have resulted in several investigations;
 - e) As a result of these and other investigations three prosecutions relating to the beche-de-mer fishery have been concluded. Four other matters are before the courts at present with three of those matters relating to the TRL fishery. Four further cases, three involving the TRL fishery, are currently under consideration by the Commonwealth prosecutors and will likely be dealt with next year.
25. 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.
26. 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.
27. The Working Group noted the requirements for industry members wishing to power down their VMS units by formally applying for a 'temporary switch off'.
28. The Working Group also noted a brief update provided by the TSRA member regarding TSRA activities relevant to the management of the TRL Fishery, namely:
 - a) As of 3 December 2020, the newly formed *Zenadth Kes Fishing Company* was formally registered as a company limited by guarantee, with 25 elected board members comprised of five members from each cluster nation. An advertisement for a CEO is soon to be released, and an admin officer will likely be required to support.
 - b) Over the coming two years, the assets that TSRA currently holds on behalf of traditional inhabitants will be transitioned across to the Company in a staged approach. The transfer of quota units currently held in trust on behalf of traditional inhabitants will be a PZJA decision. TSRA will also provide seed funding for the first three years to ensure ongoing viability of the company.
 - c) The *Wapil (Many Fish)* project is continuing with funding in place to deliver fisheries related infrastructure and 90 traineeships for 14 outer island communities. Erub (Darnley Deep Seafoods) has begun and they have commenced trading in fish products (TRL,

coral trout and mackerel). Other communities including Saibai, Mabuyag, Masig and Mer are all in the planning phase.

29. The Working Group noted that one of the fundamental principles of the *Wapil Project* and the *Zenadth Kes* company is to not impede existing operations.

2.4 PNG NFA

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

2.5 Native Title

31. A native title update was not provided as a representative from Malu Lamar (Torres Strait Islanders) Corporation Registered Native Title Body Corporate (RNTBC) was not in attendance

3 Catch and effort summary for 2019-20 fishing season

32. This agenda item was not explicitly discussed as a more detailed summary of catch and effort in the fishery was provided under Agenda Item 5.

4 Lobster trade and national heavy metal sampling

33. The Working Group welcomed Mr Ben Mitchell from the Department of Agriculture, Water and Environment (DAWE), Ms Jayne Gallagher from the Seafood Trade Advisory Group (STAG) and Ms Alison Turnbull from the SafeFISH project. They provided an overview of the current trade disruptions with China, and the subsequent national cadmium survey being undertaken across all rock lobster fisheries in Australia.

Department of Agriculture, Water and Environment

- a) In recent months, China began to increase their inspection levels of live Australian lobster at the point of entry in several major Chinese ports, causing considerable delays while inspection and testing was being undertaken. Unfortunately this resulted in high mortality rates of the lobster product.
- b) In November, China formally notified the DAWE of two instances of non-compliance of lobster shipments with detections of cadmium above the maximum levels set by the Chinese Government. This subsequently prompted the DAWE to release a market access advice notice to caution exporters of the risk of sending product to China at that time.
- c) The DAWE is preparing a report to provide to China regarding the non-compliance consignments and is proposing solutions to the Chinese government about how to manage this issue moving forward. This is coupled with ongoing liaison with Chinese authorities to further understand their concerns and the testing regimes China has in place to identify any further action required particularly for other Australian seafood products.
- d) DAWE is receiving a lot of support and information from industry themselves as it is difficult to engage at a government to government level with Chinese authorities.
- e) On 11 December 2020, DAWE became aware that seafood store holders in Shenzhen seafood market were asked by the Chinese government to submit a letter of promise agreeing not to sell Australian seafood. There has not been any formal announcement from Chinese authorities on this matter, however, this does give an indication of the intentions and actions China is undertaking.

- f) Since this time China have notified Australia (among other countries) of new certification requirements relating to non-viable (dead) seafood product which will take effect from 1 January 2021.

Seafood Trade Advisory Group

- a) The STAG, formed in 2013 is a group run for and by exporters that meet as required to respond to various trade issues and disruptions. It is chaired by Nathan Maxwell, a rock lobster exporter from Tasmania.
- b) In addition to the cadmium issue, and new non-viable certification requirements (mentioned above), the STAG has two other priorities:
- i. The China Approved Species list, which although not impacting lobster, does impact beche-de-mer (which is not approved for export to China); and
 - ii. An establishment listing – any new establishment in China requires approval.
- c) In relation to the current lobster trade issue:
- i. The STAG first became aware in early November of detained lobster shipments and quickly established the Lobster Working Group (LWG) as a sub-group of the STAG. It was the LWG's first priority to have the detained lobster shipments released, working closely with the Australian embassy in Beijing. Unfortunately the lobsters were not released in time and subsequently died.
 - ii. Once aware of the reasons behind the lobster shipment detentions and testing (i.e. cadmium levels), the STAG decided to take a national approach (in the form of a national survey) to understand that if cadmium levels in Australian lobster are a potential risk at the point of import into China, what factors might increase or decrease the risk to exporters, and what can industry do to manage those risks.
 - iii. Government advice is that this issue is likely to be ongoing.
 - iv. The LWG is also looking at alternative market options noting that lobster prices outside of China are less than half of the Chinese market prices. The domestic market demand for lobster is increasing, albeit at a lower price. However, following the Christmas/New Year period the lobster market is likely to decline steeply.
 - v. TRLRAG industry member Brett Arlidge confirmed that he is a member of the STAG LWG.

SafeFISH national cadmium survey in lobsters

- a) SafeFISH is a national project that looks at seafood safety and market access, funded by the Fisheries Research Development Council (FRDC) and 16 different industry bodies. It has been running for over 10 years to support the whole of the Australian seafood industry.
- b) The aim of the project is to resolve trade and market access issues, and to prevent new issues arising with a focus on food safety. SafeFISH was initially providing technical assistance on the current trade issue but has now taken on the role of coordinating the national cadmium survey.
- c) To support the survey, SafeFISH have established an expert working group comprised of a food statistician, quality and assurance officers, a lobster physiologist, market access experts with support from DAWE.
- d) The survey is being undertaken in 7 jurisdictions/geographical areas across Australia, led by industry with varying levels of support from each jurisdictional authority. The survey is intended to be a snapshot survey in order to respond to the current market issue at hand. Sampling is intended to be completed by the end of February 2021.
- e) For tropical rock lobsters, sampling across both Queensland and Torres Strait is intended to come from areas in the fishery where most of the product is harvested to understand cadmium distribution across geographical areas, between different sexes,

and across size classes of lobsters. The intention is to understand the range of cadmium levels within lobsters, compared to the Chinese national standard in order to understand the level of risk, and mitigate that risk accordingly. This may involve excluding some lobsters for export to the Chinese market from a certain area, or of a certain size (depending on the risk factors)

- f) Cadmium is a naturally occurring heavy metal, and while levels can be increased from human pollutants (e.g. mining run off), the hypothesis is that cadmium is likely to be naturally found in some marine sediments, which is then bio-accumulated through the food chain. The survey will hopefully allow industry to understand whether there are particular groups of lobster (relating to area, size, sex etc.) that might be of higher risk.

34. Having regard to the information provided above, the Working Group discussed and noted the following key points:

- a) Cadmium is the only heavy metal being considered at stage 1. However, tissue samples will be stored and available for subsequent testing. Further studies for other heavy metals (including inorganic chromium, arsenic, lead and mercury) under stage 2 will be undertaken, if required.
- b) It will be the decision of the LWG to choose whether or not to investigate the results of other heavy metals as part of a stop/no go approach.
- c) Data management are very sensitive issues that will be managed under strict data release, access and confidentiality agreements being developed by FRDC.
- d) Lobsters from other countries are not being subject to the same testing regimes at the point of entry in China (e.g. New Zealand).
- e) Addressing the cadmium issue will not necessarily unlock access to the Chinese markets, however the STAG and DAWE both consider non-action to be not an option as the reputational risk to the Australian lobster industry is too great. The national survey will provide a comprehensive baseline to underpin all exports of lobster that will assist industry in the longer term.
- f) There is a subsequent risk that if lobsters do get sent to China, and are found to exceed cadmium levels, the exporting company is black listed.
- g) In the event that cadmium is detected in some samples above Chinese maximum levels exceed it is unlikely that it will be the catalyst for the Australian standards to change (currently Australia does not have a national standard for cadmium in lobsters). Cadmium levels in Australian food products have undergone rigorous study over time and it is not expected that those standards will change.
- h) SafeFISH is expecting to find none, or very low numbers of animals exceeding the Chinese standards for cadmium. However if some are detected, it will be important to act on those results and try to understand the relationship between risk factors. This may involve some chain traceability. For example, if a particular region or location is found to have had high levels of cadmium, then industry would need to ensure that those animals are excluded from a market bound for China.

35. In relation to the collection of samples from the Torres Strait:

- a) The Torres Strait survey area has been divided up into 7 areas based on historic production levels. There are very specific requirements for the sampling based on size grades, sex and location.
- b) SafeFISH are looking to set up a Torres Strait implementation group with industry to support the collection of samples.
- c) Industry member Jerome Kalwij offered to be a liaison between SafeFISH and industry to help facilitate the Torres Strait sampling program, which is expected to commence in February 2021 once the hookah season opens, and when the dissection crew is trained and ready to accept samples in the Cairns sampling facility.

5 Total Allowable Catch

36. The Working Group considered an overview of the following data inputs to the empirical harvest control rule (eHCR) for the TRL Fishery undertaken by CSIRO and presented by Dr Éva Plagányi, CSIRO Scientific Member. A copy of the presentation is provided at **Attachment C**.

- a) The formula of the eHCR is the multiple of the average annual catch over the last 5 years (using available catch from TIB, TVH, PNG) and a statistic which measures the relative performance of the fishery based on the following 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 (10%).
- b) Total reported catch for the Australian TRL fishery (1 December 2019 – 30 September 2020) was 363.1 tonnes, with 216.2 tonnes caught by the Traditional Inhabitant Boat (TIB) sector and 145.1 tonnes caught by the Transferable Vessel Holder (TVH) sector.
- c) Total reported catch from Papua New Guinea was 90.4 tonnes (January – August 2020) however, the RAG noted that this number is incomplete for the PNG TRL season. Using the same methodology applied at TRLRAG 27, and assuming an average monthly catch is also caught in the unreported months, the total extrapolated PNG catch was increased to 126.4 tonnes (1 December 2019 – 30 November 2020).
- d) This extrapolated PNG catch results in a total Torres Strait TRL catch of 487.7 tonnes, under a 582 tonne global TRL TAC, equating to 83.8% of the TAC.
- e) A comparison of TIB and TVH relative proportions of the total annual catch taken in each month illustrates a significant difference for the TVH sector in 2020, with substantially less catch in February and reduced catch in March (due to market disruptions). This is compensated for by increased catches in April, followed by an extended increase in effort through till July as the TVH allocation limit was approached (**Figure 1**). By comparison, the TIB sector demonstrated less catch than usual in February, followed by increased effort until August, reducing to average levels as the end of the season was reached (**Figure 2**). PNG also fished less over February and March, with their highest reported catches in May (**Figure 3**).
- f) To inform discussions on whether ad-hoc adjustments to the eHCR inputs were warranted, a number of alternative scenarios (or sensitivities) were investigated by CSIRO to explore the potential impacts of average catch on RBC calculations.
- g) The RAG considered five alternative scenarios for calculating average catch (2016 -2020) as an input to the eHCR:
 - i. Using the actual reported total catch (the base scenario);
 - ii. Substituting the TAC value for the 2020 actual catch – based on the argument that if catch rates were good, lobster abundance was high, but due to a late start to the season (from COVID-19 impacts) the TAC was unable to be fully caught (discussed at TRLRAG 28);
 - iii. Substituting increased catch for PNG – based on the assumption that only PNG caught their TAC allocation, and uses actual catches for the TIB and TVH sectors;
 - iv. Assuming in 2019-20 season that fishers would have caught the same percentage (95%) of the TAC as they did in the 2018-19 season; and
 - v. Extrapolating the PNG catch through to the end of the season using the methodology from TRLRAG 27.
- h) A summary of the average catch alternative scenario values is outlined in **Table 1**.

Table 1. Examples of alternative scenarios for calculating an average catch value for input in to the eHCR.

Season	Total catch_actual (t)	Substituting TAC for 2020 catch	Substituting increased catch for PNG	Assuming in 2020 would have caught same percentage (95%) of TAC as in 2019
2016	758.2	758.2	758.2	758.2
2017	390.8	390.8	390.8	390.8
2018	412.2	412.2	412.2	412.2
2019	583.6	583.6	583.6	583.6
2020	451.7	285.0	553.4	553.5
Average	519.3	545.4	539.6	539.7

- i) Catch rates for the TIB sector in February were the highest catch rates on record relative to all previous point estimates available since 2004; both nominal and standardised indices were the highest in the series, both being approximately 50 per cent higher than the average value of the respective series.
- j) When comparing both TIB 'Seller' CPUE series and TVH 'Int-1' CPUE indices with the 2019 stock assessment-based 2+ lobster biomass estimate, the results suggest that the two CPUE indices show similar trends with the estimated stock biomass over the recent period. This provides confidence that the stock assessment predictions accurately reflected the observed catch rates the following year.
- k) The pre-season survey went ahead successfully as planned. Survey numbers of 1+ lobsters in 2020 were average, slightly lower than in 2018 and 2019 but considerably higher than 2016 and 2017. 0+ counts were very high which is a positive indication of incoming recruitment in the 2022 seasons. Survey abundance was generally higher in the east than in the west, which is different from previous years.
- l) When examining recent trends in eHCR indices, both the TIB CPUE and TVH CPUE indices showed very positive slopes, and both the pre-season 1+ and 0+ survey indices exhibited positive trends.

37. Having regard to the scientific analyses provided by the TRLRAG Scientific member, Chair of the TRLRAG Dr Ian Knuckey provided the Working Group an overview of TRLRAG 30 recommended biological catch (RBC) advice:

- a) Aware of the impacts that COVID-19 had on the TRL season the TRLRAG were mindful of the potential impacts on fishery indicators used to inform application of the eHCR and subsequent understanding of the status of the stock.
- b) As noted, all indicators for the eHCR were positive, which provided confidence that the fishery was not experiencing any stock concerns, despite it being an anomalous fishing season. However there was some concern that the RBC output from the eHCR may be falsely misrepresented by the indicators that feed into it.
- c) To better understand some of the potential impacts on eHCR outputs, the RAG considered a range of sensitivities of the eHCR and whether to recommend the default implementation of the eHCR, or to undertake an ad-hoc adjustment.
- d) Acknowledging industry's conflicts of interest in the matter, industry members were asked to temporarily leave the RAG discussion. In their absence, the remaining RAG members acknowledged that the 2019-20 season was an anomalous year due to the impacts of COVID-19, which has impacted the eHCR indicators in different ways.
- e) RAG members agreed that the total average catch could be considered negatively biased, and the recent increase in catch per unit effort series for the TIB sector could be considered positively biased.
- f) In lieu of additional information to understand the COVID-19 impacts on those indicators, RAG members could not reasonably justify stepping outside the bounds of

the agreed harvest strategy and make an ad-hoc adjustment based on one indicator alone. Based on that, RAG members agreed to recommend the default application of eHCR using the PNG extrapolated catch and no further ad-hoc adjustments to the eHCR inputs (**Table 2**). This approach was accepted by industry.

Table 2. Agreed inputs to the eHCR for a RBC in 2020-21 fishing season.

Average catch input	TVH model	TIB model	TVH CPUE	TIB CPUE	PSS 0+	PSS 1+	RBC (tonnes)
526.5	Int-1	Seller	1.51	1.34	3.301	4.143	623.5

- g) Having regard to RAG member advice on which scenario of the eHCR was to be applied, the RAG recommended an RBC value of 623.5 tonnes for the 2020-21 season with no deduction of catches taken by non-commercial fishing sectors (i.e. recreational and traditional catches), consistent with the harvest strategy.

38. Noting the advice of the RAG, the Working Group discussed the following:

- There is a slightly higher positive bias (23%) in the 2020 survey data as some survey transects were not swum to completion. However this is considered only a small effect and could potentially result in a decrease of 8 tonnes to the RBC estimate, equating to roughly 4 tonnes difference (less) in the TIB TAC. Nevertheless, the CSIRO scientific member advised that the survey bias is something that will be investigated further.
- Previous analysis on diver ability, skill and experience illustrated very little difference in the outcomes of the survey results and subsequent stock assessment based RBC advice. Such issues have been rigorously debated and documented in previous RAG meetings and meeting records.
- Under the agreed Harvest Strategy, a stock assessment is scheduled every three years (with the next assessment scheduled for 2022). A stock assessment can then help validate the pre-season survey indices which have indicated a good alignment in each year except for 2017. However, a subsequent mid-year survey reaffirmed the results of the pre-season survey from 2017. Fishery independent surveys have been demonstrated to be the most reliable sources of abundance information to ensure non-overexploitation. While CPUE trends are useful, they do have the ability to be confounded if the data informing the CPUE trends is biased or incomplete. Such cases can result in hyperstability e.g. Catch levels can stay high even though stock levels are reducing.
- The CPUE standardisation of both TIB and TVH catch rates does take into account factors including processed state (i.e. tailed product vs whole/live) and month fished, however further work is required to better understand some inter-sector interactions.

39. **Having considered advice from the TRLRAG, the Working Group recommended a global TAC for the Torres Strait Protected Zone (TSPZ) TRL Fishery of 623.5 tonnes for the 2020-21 season.**

6 Review of management controls

40. The AFMA executive officer provided an overview of a suggested process for reviewing the current management controls in the TRL fishery and pursuing agreed changes, which will include:

- determining what's in scope, and out of scope for the review
- considering the benefits and/or impacts against which consideration of how the proposals align with the objectives for the fishery and the *Torres Strait Fisheries Act 1984* (the Act);
- which criteria may be used to evaluate proposals for changes to management controls;

- d) prioritisation of proposals;
- e) consideration of broader stakeholder input on the above at a dedicated stakeholder workshop; and
- f) public consultation.

41. The Working Group noted that:

- a) AFMA's preference is to conduct a review in a careful, and considered step-wise manner;
- b) It will be important to understand who is likely to be affected or who is to benefit, and how those benefits might be distributed; and
- c) 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

42. Having regard to the above, and noting the comprehensive compilation of past proposals in the Working Group papers (Agenda item paper 6a), the Chair invited all industry members and observers of the Working Group to table their priority concerns/issues which were documented on the whiteboards in the room (**Figure 4**). A summary of the discussion outcomes is provided in **Table 3**.

43. The traditional inhabitant member for Maluilgal emphasised that the issues he was tabling were on behalf of the broader industry.

44. The Working Group recommended that the five industry-based proposals for change (**Table 3**) be considered and discussed at a broader TRLWG stakeholder workshop in early 2021.

7 Other Business

45. No other business was nominated for discussion.

8 Date and venue for next meeting

46. The Working Group noted that a broader stakeholder workshop aimed at progressing changes to management controls in the fishery is tentatively scheduled for early 2021.

47. The next regular meeting of the TRL Working Group (TRLWG 12) is tentatively scheduled for June 2021 to discuss research priorities for the TRL fishery, followed by TRLWG 13 on 17 December 2021.

48. The 11th TRL Working Group meeting was closed in prayer at 3:20pm on Thursday 17 December 2020.

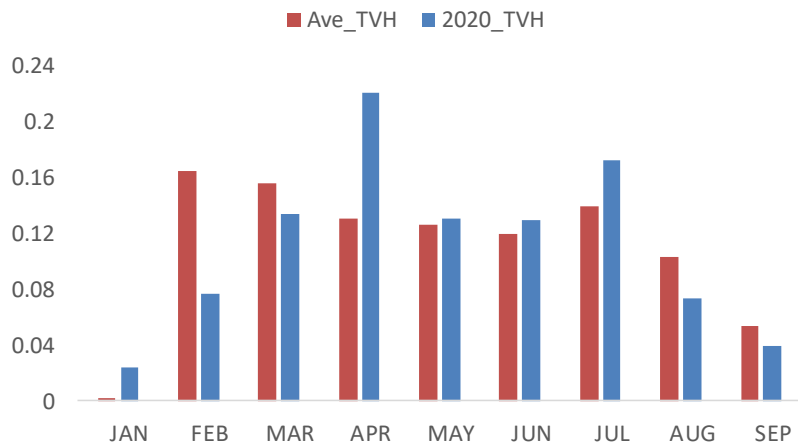


Figure 3. TVH proportion fished per month relative to average.

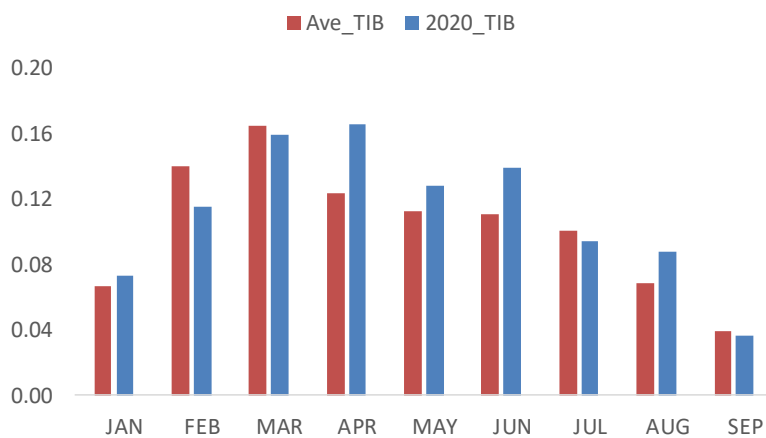


Figure 3. TIB proportion fished per month relative to average.

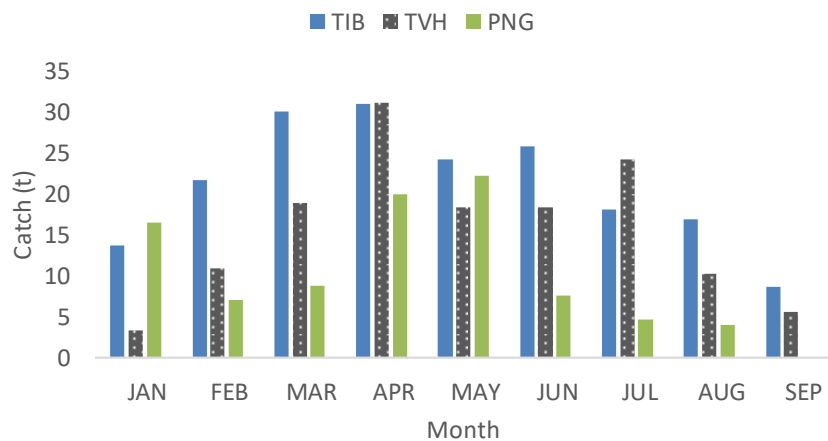


Figure 3. Total catch per month by sector.

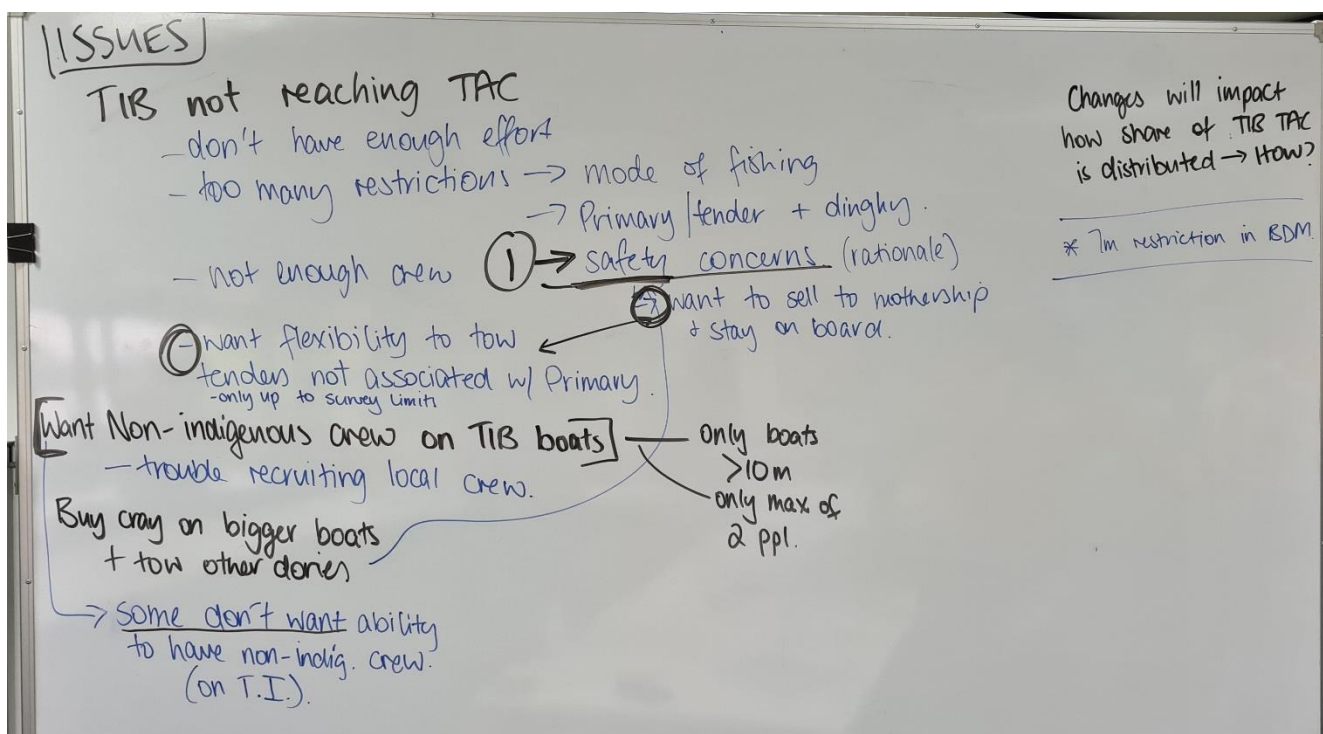
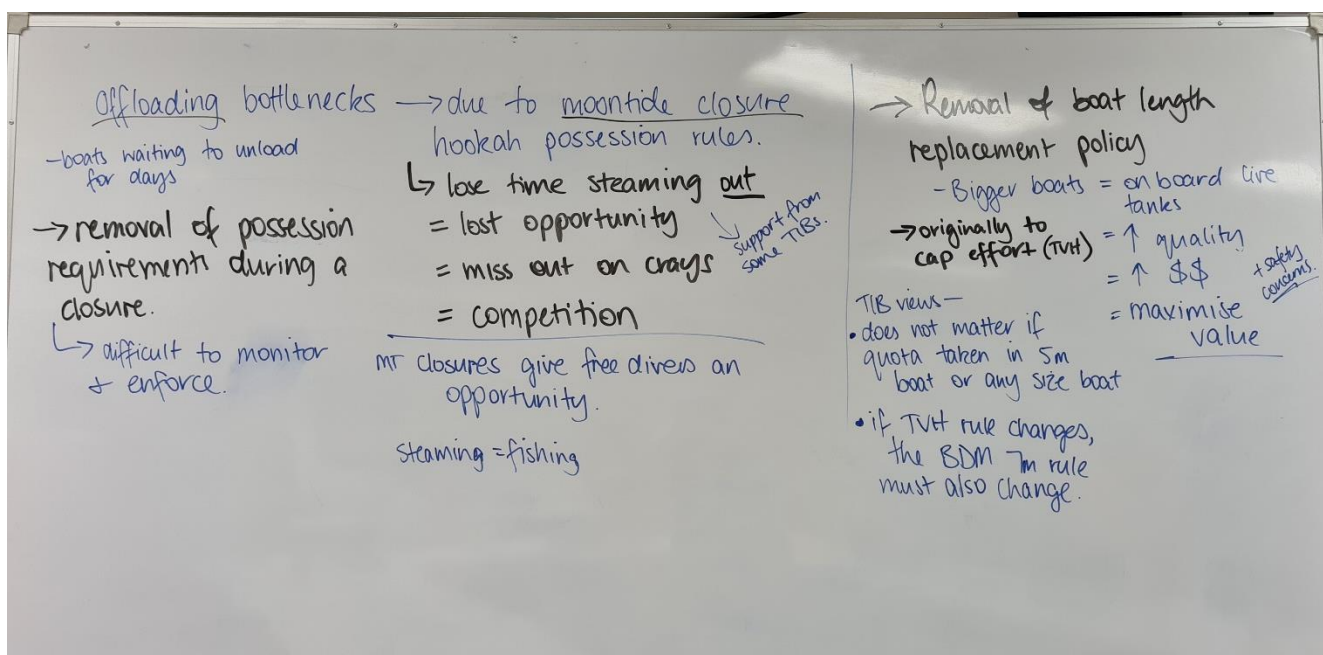


Figure 4. Whiteboard discussion of management control proposals raised by industry and traditional inhabitant members.

Table 3. Summary of discussions on proposals to change management controls.

	Proposal for change	Rationale for change	Benefits/impacts	Preliminary Working Group views
1	Flexibility to tow tenders un-associated with the primary vessel (within survey limits of primary)	TIB sector not catching their TAC <ul style="list-style-type: none"> Sector does not have enough fishing effort Not enough crew Too many restrictions (e.g. primary/tender restrictions) 	<ul style="list-style-type: none"> Improved safety for dinghy operators Improved access for TIB fishers to the fishing grounds Increased crew availability for primary vessel operators 	Not discussed
2	Ability to employ non-traditional inhabitants on TIB vessels <ul style="list-style-type: none"> only boats over 10m in length only a maximum of 2 non-traditional inhabitants per boat 	Not enough crew / trouble recruiting traditional inhabitant crew on TIB vessels	Increased access to labour force	Not supported by some industry members and observers
3	To be able to buy crayfish on larger motherships but provide accommodation, fuel and towing services to dinghy operators at the same time	Increased flexibility in operations	Not discussed	Not discussed
4	Removal of boat length replacement policy for TVH sector (originally introduced to cap TVH fishing effort)	Inability to operate using a larger vessel (TVH only)	Larger boats = <ul style="list-style-type: none"> on-board live tanks; increased product quality; maximised value; and improved safety for vessel operations 	<ul style="list-style-type: none"> Some TIB members consider that boat size does not matter if licence holder is restricted by how much they can catch (quota units) Other members consider that if the TVH boat replacement policy changes, the 7m boat length restriction in the beche-de-mer (BDM) fishery should also be changed⁷
5	Removal/amendment of hookah gear possession requirements either side of moontide hookah closures <ul style="list-style-type: none"> Ability to steam out to fishing grounds before hookah season opens 	<ul style="list-style-type: none"> Lost time fishing and offloading bottle necks (boats waiting up to several days to unload their product) 	<ul style="list-style-type: none"> Lost time fishing as unable to steam out until hookah season opens Impacts from inter and intra-sectoral competition (i.e. need to reach fishing grounds before others otherwise reefs will be fished out) 	<ul style="list-style-type: none"> Moontide closures give free divers an opportunity on the reefs without competition from hookah divers Difficult to monitor and enforce; definition of fishing includes 'steaming'. Some support from TIBs for removal of possession requirements.

⁷ The Working Group noted that the boat length restriction in the BDM fishery is on the agenda for discussion by the Hand Collectables Working Group.

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.

**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

ADOPTED AGENDA

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)



Torres Strait tropical rock lobster (TRL) *Panulirus ornatus* empirical Harvest Control Rule (eHCR) Recommended Biological Catch (RBC) for 2020/21 : summary

Éva Plagányi, Roy Deng, Steven Edgar, Judy Upston, Leo Dutra, Nicole Murphy
Mark Tonks, Kinam Salee

CSIRO Oceans and Atmosphere
www.csiro.au

TRLWG11 - 17 Dec 2020

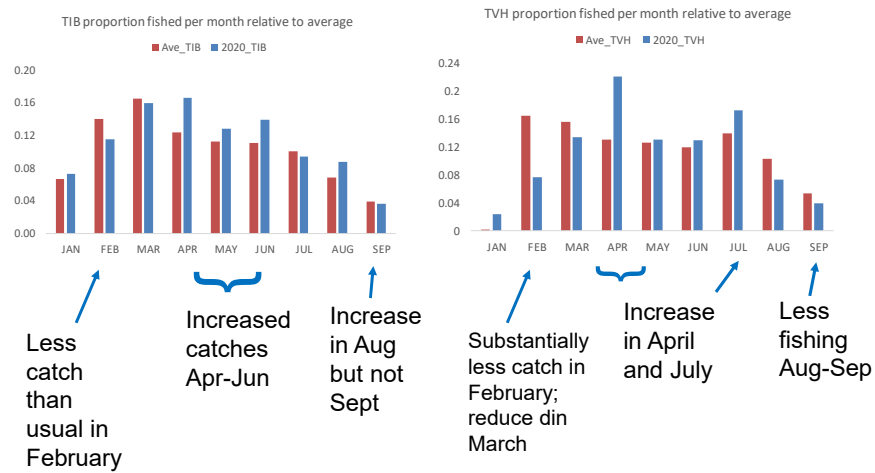


TRL Catches per sector

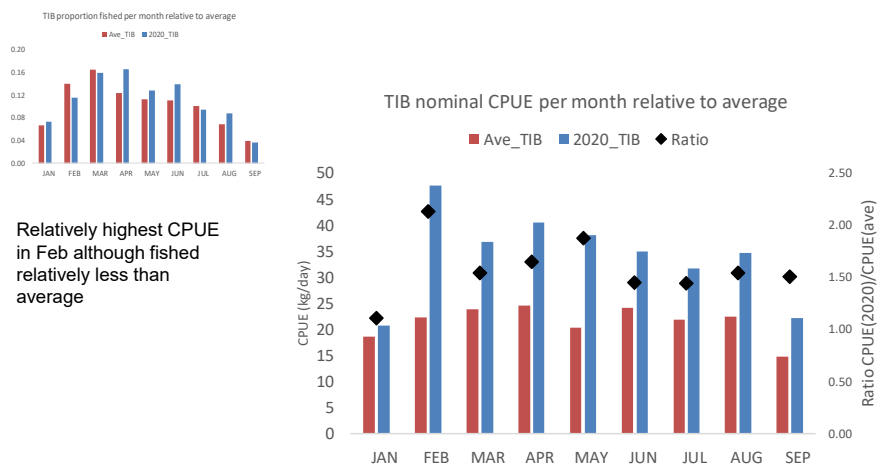
SEASON	TIB	TVH	AUS-TOTAL	PNG-TOTAL	TS_TOTAL	TAC	Catch/ TAC
2013	142.5	361.7	504.2	108.3	612.5	871	70.3%
2014	198.8	273.2	472.0	261.2	733.2	616	119.0%
2015	202.6	152.7	355.3	235.7	591.0	769	76.9%
2016	267.1	243.0	510.1	248.0	758.2	796	95.2%
2017	111.5	166.3	277.8	113.0	390.8	495	79.0%
2018	127.4	128.3	255.7	156.4	412.1	320	128.8%
2019	260.6	155.9	416.5	167.0	583.5	641	95.1%
2020	216.2	145.1	361.3	126.4*	487.7	582	83.8%

* Note as previously agreed by TRLRAG the PNG catch total of 90.4t for Jan-Aug has been extrapolated (assuming average catch) for the rest of the year

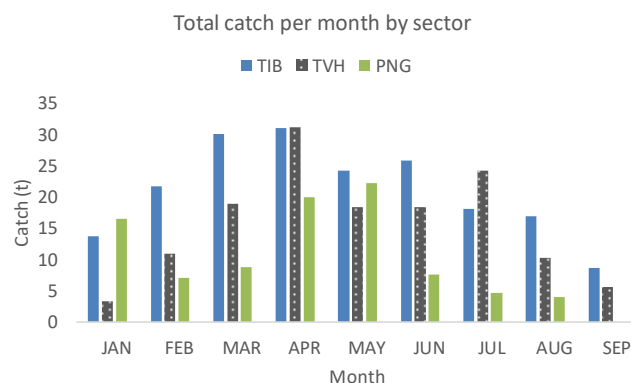
2020 Monthly Fishing Pattern compared with Average



TIB nominal CPUE relative to average



Total catch per month by sector

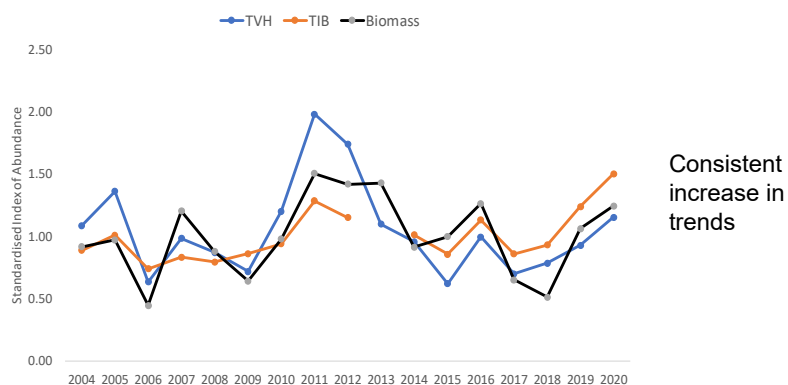


- Biggest differences between TIB & TVH sectors Jan-Mar
- PNG also fished less over Feb-Mar, with highest level in May (and no data yet available from Sept)

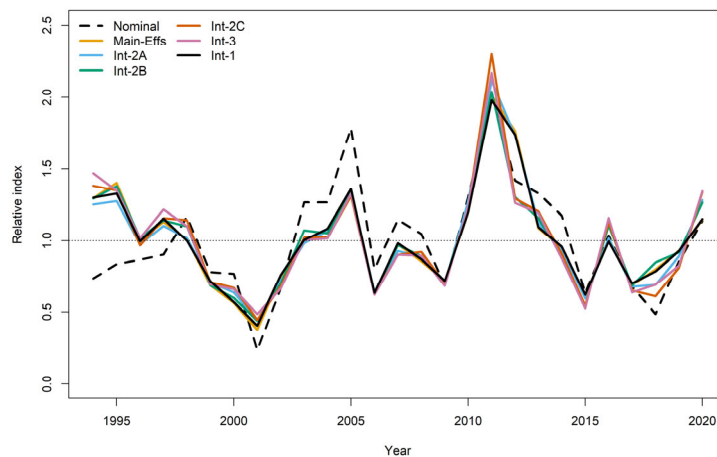
Average Catch : Alternative Scenarios

SEASON	Total Catch_actual (t) (without pre-agreed extrapolation for PNG catch)	Assuming in 2020 would have caught same percentage (95%) of TAC as in 2019	DEFAULT APPLICATION: Extrapolating PNG catch to end of season as previously
2016	758.2	758.2	758.2
2017	390.8	390.8	390.8
2018	412.2	412.2	412.2
2019	583.6	583.6	583.6
2020	451.7	553.5	487.7
AVERAGE	519.3	539.7	526.5

Comparison of CPUE indices and 2019 stock assessment spawning biomass estimate



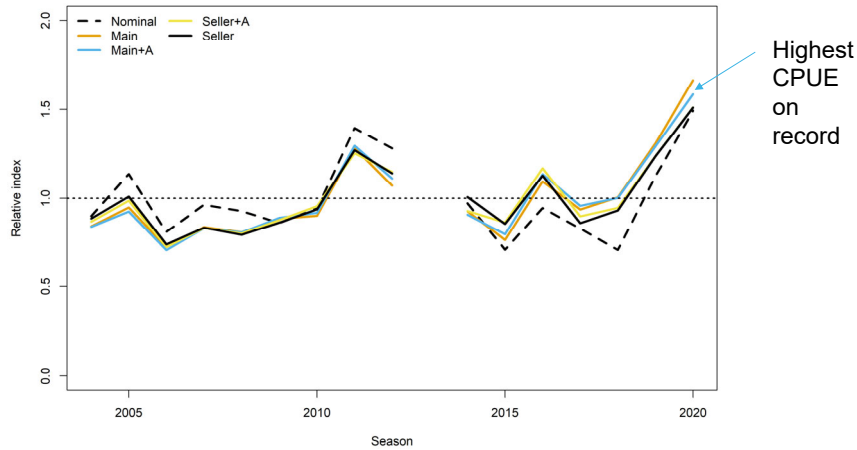
TVH CPUE standardisation



Int-1 is default used in eHCR:

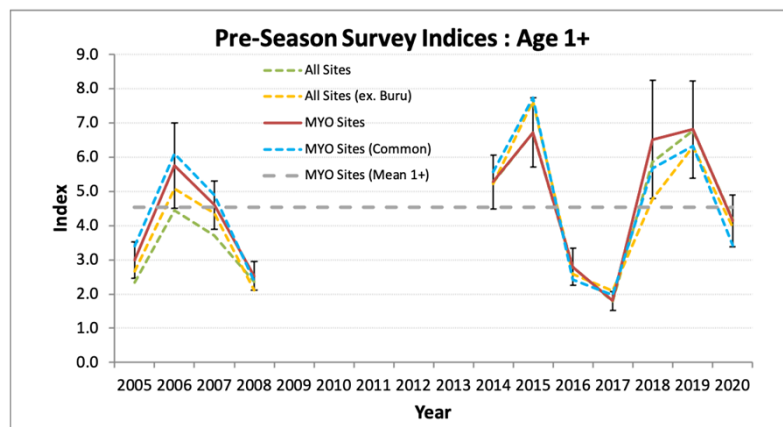
$CPUE = \text{Intercept} + \text{Year} + \text{Month} + \text{Month} * \text{Area} + \text{Vessel} + \text{Fishing-Method} + \text{Proportion-Tails} + \text{SOI} + \text{Moon}$
/ distribution = gamma, link = log

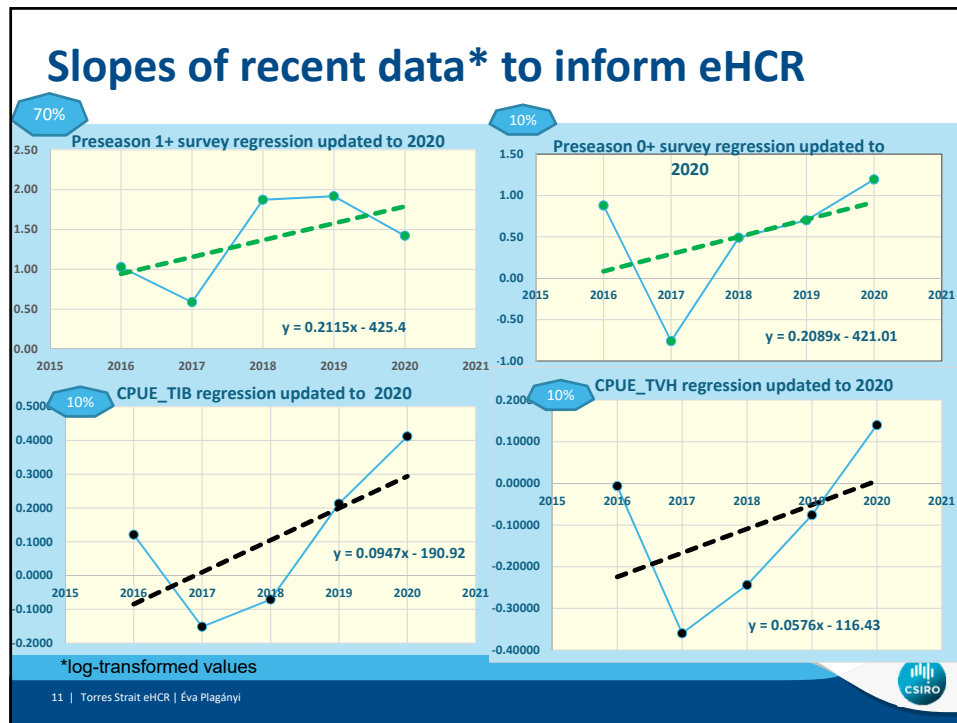
TIB CPUE standardisation



'Seller' is default used in eHCR: accounts for increase in the relative fishing efficiency of *Sellers* in recent seasons

Age 1+ abundance index (2020)





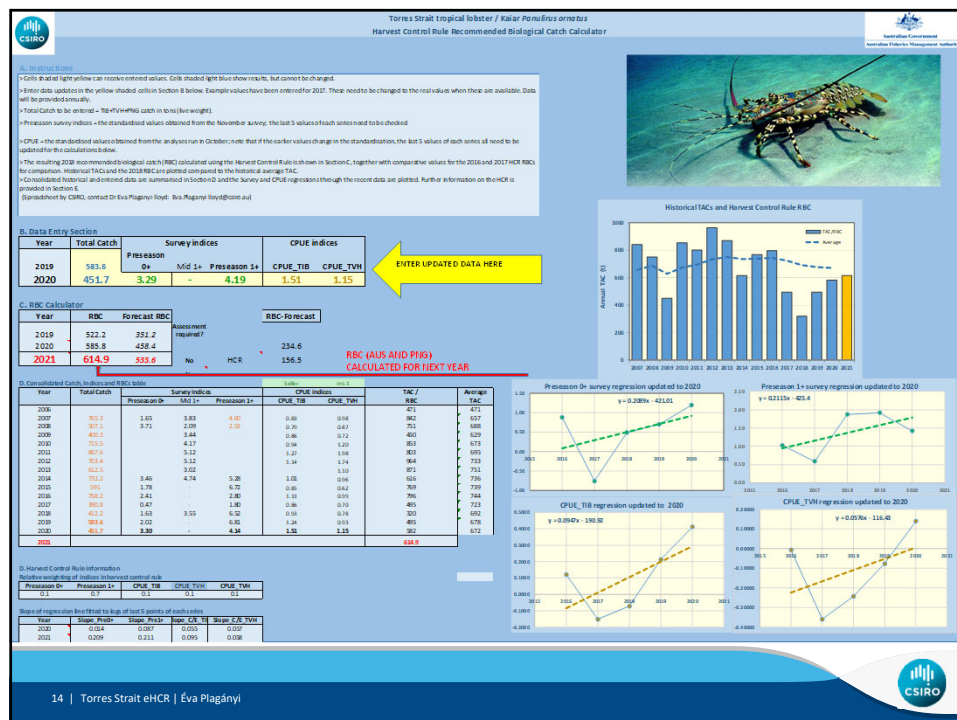
eHCR Recommended Biological Catch (RBC)

Key sensitivities	Average Catch input	TVH model	TIB model	TIB CPUE	TVH CPUE	Ps 0+	Ps 1+	RBC (t)
Scenario 1 (using actual catch)	519.3	Int-1	Seller	1.51	1.15	3.301	4.143	614.9
Assume 2020 has same proportion of TAC caught as in 2019	539.7	Int-1	Seller	1.51	1.15	3.301	4.143	639.1
DEFAULT SCENARIO AGREED BY TRLRAG (with PNG extrapolated catch)	526.5	Int-1	Seller	1.51	1.15	3.301	4.143	623.5

➔ 624t

Summary

- eHCR shown to be reasonably robust: captures longer-term trends, substantially more weight put on Preseason survey which is not affected by trade and other disruptions; using averages over 5 years (incl. average catch) helps dampen influence of single anomalous year
- TRLRAG to discuss early next year process for potentially adjusting inputs to eHCR under anomalous circumstances which fall outside the bounds of variation tested as part of the development of the eHCR (e.g. eHCR was pre-tested to be robust to catches for a variety of reasons but these did NOT include large trade disruptions)





Thank you

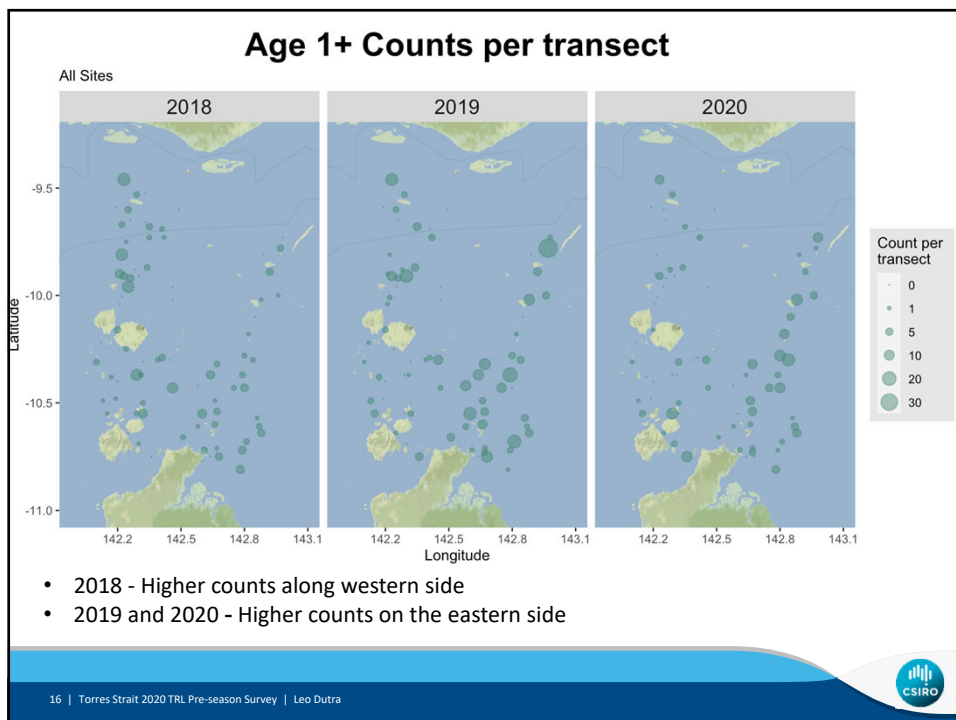
Oceans and Atmosphere
Dr Éva Pláganyi
Senior Principal Research Scientist
Brisbane, Australia

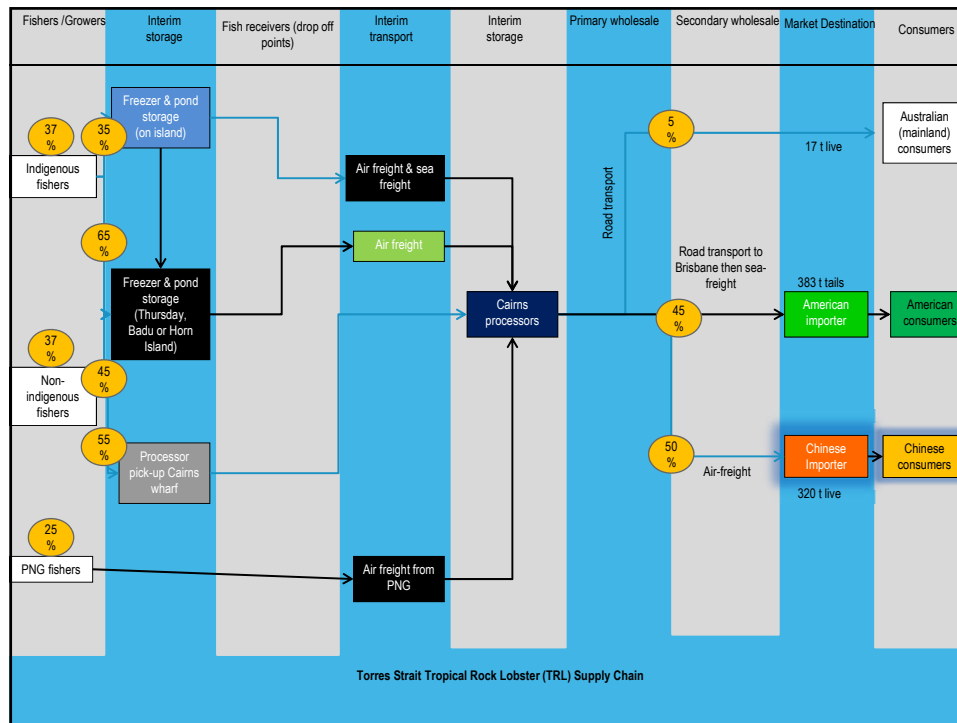
t +61 7 3833 5955
e eva.plaganyi-lloyd@csiro.au
w www.csiro.au

Team Members
Roy Deng
Judy Upston
Steven Edgar
Mark Tonks
Nicole Murphy
Kinam Salee
Leo Dutra



OCEANS & ATMOSPHERE
www.csiro.au

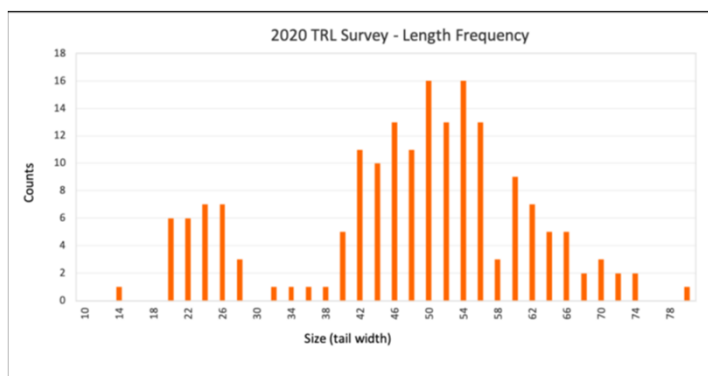





Average Catch : Alternative Scenarios

SEASON	Total Catch_actual (t)	Substituting TAC for 2020 catch	Substituting increased catch for PNG	Assuming in 2020 would have caught same percentage (95%) of TAC as in 2019
2016	758.2	758.2	758.2	758.2
2017	390.8	390.8	390.8	390.8
2018	412.2	412.2	412.2	412.2
2019	583.6	583.6	583.6	583.6
2020	451.7	582.0	553.4	553.5
AVERAGE	519.3	545.4	539.6	539.7

Length frequency distribution of lobster (*Panulirus ornatus*) sampled during the 2020 pre-season population surveys in Torres Strait. Note: 90mm CL \approx 60 mm tail width) (n=333).



The size distribution of lobsters sampled during the 2020 pre-season survey was similar to previous surveys

Timeline of key events in the Torres Strait Tropical Rock Lobster Fishery¹
Last updated December 2021

Commonly used acronyms and terms:

- **FMN** means Torres Strait Fisheries Management Notice.
- **FMI** means Torres Strait Fisheries Management Instrument.
- **LN** means Logbook Notice
- **PZJA** means Protected Zone Joint Authority.
- **TRL** means Tropical Rock Lobster.
- **TRL Fishery** means the Torres Strait Tropical Rock Lobster Fishery.
- **Instrument** means the *Torres Strait Fisheries (Tropical Rock Lobster) Management Instrument 2018*
- **Management Plan** means the *Torres Strait Fisheries (Quotas for Tropical Rock Lobster (Kaiar)) Management Plan 2018*

Time period	Topic/Keywords	Description
1960	Fishery development	Commercial fishing for TRL by the non-Traditional Inhabitant sector began in the Torres Strait
1970s-1980s	Fishery development	Traditional Inhabitant fishers begin to enter the fishery.
Dec-1978	Treaty, PNG	Torres Strait Treaty signed
Feb-1985	Legislation, regulations, PZJA	Torres Strait Treaty entered into force, <i>Torres Strait Fisheries Act 1984</i> and <i>Torres Strait Fisheries Regulations 1985</i> commenced and the PZJA is established
Feb-1985	Regulations	Under FMN 1: <ul style="list-style-type: none"> • Method restrictions introduced - only diving, collection by hand and use of spear permitted
Feb-1985	PNG, catch sharing	Agreement between PNG and Australia for the joint management of the TRL fishery concluded.

¹ This is intended to be a living document and is to be updated as key events happen.

Time period	Topic/Keywords	Description
Jul-1985	Regulations	Under FMN 9 (replaced FMN 1): <ul style="list-style-type: none"> Method restrictions amended to introduce a time period within which the method restrictions are in place – only diving, collection by hand and use of spear permitted between 15 Jul-31 Oct
Jan-1986	Management arrangements	Introduction of prohibition on prawn trawlers taking TRL during the annual migration period (1 Jul-31 Oct) in order to reduce fishing pressure on the lobster population - in place until 1987, when all prawn trawlers were prohibited from taking TRL
Jun-1986	Regulations	Under FMN 12 (replaced FMN 9): <ul style="list-style-type: none"> Method restrictions amended to change the dates between which methods are restricted – only diving, collection by hand and use of spear permitted between 1 July - 31 October only
Mar-1988	Regulations	Under FMN 19: <ul style="list-style-type: none"> Introduction of prohibition on the take, processing or carrying of TRL by boats with a prawn endorsement
Jun-1988	Regulations	Under FMN 22: <ul style="list-style-type: none"> Minimum size limit introduced - 100 mm tail length
Oct-1988	Regulations	Under FMN 24 (replaced FMN 12): <ul style="list-style-type: none"> Method restrictions amended - only diving, collection by hand and use of spear permitted, no underwater breathing apparatus except hookah, no underwater mechanical propulsion Introduction of exemption which can be sought for some method restrictions, specifically the use of underwater breathing apparatus and underwater mechanical propulsion Traditional fishing bag limits introduced - 3 per person up to 6 per boat
October 1988	Management objectives	PZJA agrees to six key management objectives for the fishery: <ul style="list-style-type: none"> - To conserve the stock of tropical rock lobster - To maximise the opportunities for traditional inhabitants of both countries to participate, including by managing the fishery for tropical rock lobster as a dive fishery - To promote the dive fisheries for tropical rock lobster in Torres Strait - Encouragement and facilitation of participation by Australian traditional inhabitants for whom future expansion of the fishery should be reserved - Containment of the capacity of the existing commercially licensed fleet and elimination of entrepreneurial speculation and subsequent upgrading/replacement of commercially licensed dinghies with large boats

Time period	Topic/Keywords	Description
		- To minimise impact of any new management measures on existing operators.
March 1989	Traditional Inhabitant access, identification, definition	Tropical Rock Lobster Working Party agrees to Island Coordinating Council suggestion that “amnesty” Papua New Guineans be considered Traditional Inhabitants for fisheries management purposes. Following this, PZJA agrees to “measures to be used for identifying those Papuans resident in Torres Strait who should be treated as Australian traditional inhabitants for all fisheries management and enforcement purposes, including community fishing rights” in the fishery.
Aug-1989	Regulations	Under FMN 31 (replaced FMN 24): <ul style="list-style-type: none"> No substantive changes to FMN 24
November 1989	PNG, catch sharing, cross-endorsement	Catch-sharing arrangements for the fishery agreed by PNG and Australia. 27 PNG lobster dinghies to be allowed to operate in Australian TSPZ waters, while Australian operations in PNG waters are precluded.
1989	Management arrangements, fishery surveys	Fishery independent surveys commence in the TRL Fishery
February 1990	PNG, catch sharing, cross-endorsement	Catch-sharing arrangements come into effect 15 February, but no PNG boats begin fishing.
Oct-1990	Regulations	Under FMN 34 (replaced FMN 22): <ul style="list-style-type: none"> No substantive changes to FMN 22
1991-1992	Traditional Inhabitant access, identification, definition	PZJA establishes a working group to consider the involvement in PZJA fisheries of Torres Strait Islanders and Aboriginals living in the Northern Peninsula Area of Cape York and Australian citizens of Papua New Guinean origin.
June 1991	PNG, catch sharing, cross-endorsement	Cross-endorsements issued to 4 PNG mother ships with 18 dinghies on 14 June. PNG boats agreed to respect home reefs closures, not go ashore on Australian territory, and make no contact with Australian inhabitants, Australian vessels, or PNG traditional fishers.
Jun-1992	Native title	Mabo High Court decision recognises existence of native title (Aboriginal and Torres Strait Islander rights and interests to land and waters according to their traditional law and customs)

Time period	Topic/Keywords	Description
1993	Community licensing	Concerns about the current licensing systems run by the PZJA and Queensland for community fishing begin to be raised by Island Coordinating Council. Concerns include that Traditional Inhabitants living outside the Island Coordinating Council area are excluded from obtaining licences, the administrative and financial burden placed on island councils by the systems, a lack of detailed information to inform fisheries management decisions, and the fact that island chairmen rather than individual fishers are legally responsible for any fishing violations.
February 1993	PNG, catch-sharing, cross-endorsement	New PNG catch-sharing arrangements commence on 15 February 1993 for a three-year period to 14 February 1996. Allow for cross-endorsement of 27 PNG dinghies and associated freezer boats. Nominations received for cross-endorsement of 3 PNG TRL freezer boats with 27 associated dinghies.
Oct-1993	Regulations	Under FMN 38 (replaced FMN 31): <ul style="list-style-type: none"> • Introduction of prohibition on taking TRL using hookah between 1 Oct-30 Nov • Traditional fishing bag limits amended - 3 without a boat, 3 with 1 person in a boat, 6 with more than 1 person in a boat • All other requirements remained unchanged - method restrictions
Dec-1993	Native title, legislation	<i>Native Title Act 1993</i> commences, legislating the framework for recognition of native title (including over maritime areas) in Australia following the High Court's Mabo decision. The Act covers the determination of whether native title exists, acts affecting native title, and compensation for acts affecting native title.
1994	Logbooks	Noted under LN 8: <ul style="list-style-type: none"> • Tropical Rock Lobster Logbook TRL02 implemented – voluntary, records frozen tails only
1994	Legislation, TSRA	Torres Strait Regional Authority established under the <i>Aboriginal and Torres Strait Islander Commission Act 1989</i>
April-June 1995	Single jurisdiction, licensing	PZJA establishes Task Force to investigate the feasibility of introducing single jurisdiction fisheries management and to advise on matters such as eligibility criteria for entry to the newly created fisheries. Investment warning is issued.
Jul-1995	Regulations	Under FMN 42 (amended FMN 38): <ul style="list-style-type: none"> • No changes to regulation of fishing provided under FMN 38. Amendments made to correct a drafting error that excluded several words from the section relating to bag limits for traditional fishing.
October 1996	Single jurisdiction, licensing,	PZJA endorses single jurisdiction (the management of all Torres Strait fisheries by the PZJA, rather than a division of responsibility between the PZJA and the Queensland government) and the Task Force's

Time period	Topic/Keywords	Description
	community licences, TIB licensing	recommendations for licensing reform. Due to opposition from Islander representatives, related to broader issues such as autonomy and the desire for a regional agreement for Islander control over Torres Strait waters, the implementation of these reforms was delayed and then boycotted until agreement was reached in 1999.
Mar-1997	Regulations	Under FMN 44 (amended FMN 38): <ul style="list-style-type: none"> Method restrictions amended - only collection by hand, use of spear or other handheld implement permitted, no underwater breathing apparatus except hookah, no underwater mechanical propulsion
May-1997	Logbooks	Under LN 8: <ul style="list-style-type: none"> Tropical Rock Lobster Logbook TRL03 implemented – both TRL02 and TRL03 mandatory for boats with freezing capacity, records both live and frozen tails
Apr-1998	Regulations	Under FMN 48 (replaced FMN 34): <ul style="list-style-type: none"> Minimum size limits amended - 80 mm carapace length, 100 mm tail length
1999	Traditional Inhabitant access, identification, definition	PZJA agrees that children of “amnesty” Papua New Guineans be considered Traditional Inhabitants, following the 1989 decision to include “amnesty” people within the definition of Traditional Inhabitants.
July-December 1999	Single jurisdiction, licensing, community licences, TIB licensing	Islander representatives propose a series of principles to underlie community licensing, consistent with the previously proposed system.
Apr-2000	Single jurisdiction, licensing, community licences, TIB licensing	Following a meeting between the PZJA and Islander representatives, the Traditional Inhabitant Boat (TIB) licence is introduced for a one year trial period.
Nov-2001	Regulations	Under FMN 58 (replaced FMN 38, 42, 44, 48): <ul style="list-style-type: none"> Introduction of fishery closure from 1 Oct-30 Nov (revoking previous prohibition on taking TRL using hookah between 1 Oct-30 Nov). Exemption from closure but bag limits apply - 3 without a boat, 3 with 1 person in a boat, 6 with more than 1 person in a boat

Time period	Topic/Keywords	Description
		<ul style="list-style-type: none"> • Introduction of prohibition on taking or carrying of TRL while using, or in the possession of, hookah gear between 1 Oct-31 Jan • All other requirements remained unchanged - method restrictions, minimum size limits
2002	Legislation, TSRA, PZJA	<i>Torres Strait Fisheries Act 1984</i> is amended to make the Torres Strait Regional Authority Chairperson a member of the Protected Zone Joint Authority
Nov-2002	Latent effort, fishery participation	A 30% reduction in the number of tenders attached to each non-Traditional Inhabitant licence package was implemented, except where only 1 tender exists, in which case the tender will be entitled to continue working. This was done in order to reduce latent effort in the fishery and restrict expansion of effort by non-Traditional Inhabitant fishers. This arrangement was in place until 2011.
November 2002	Traditional Inhabitant access, Skehill report, management objectives	Skehill report – “A Fair Share of the Catch” – is delivered, evaluating Torres Strait fisheries and establishing an order of priority for their management. Recommends Traditional Inhabitants be given priority of access to the TRL Fishery.
Dec-2002	Regulations	Under FMN 62: <ul style="list-style-type: none"> • Introduction of prohibition of processing or carrying TRL meat removed from the shell on a boat. Exemption provided for traditional fishing.
Dec-2003	Latent effort	Cap on Traditional Inhabitant licences for boats greater than 6 m with a TRL Fishery endorsement – in place until 2006
Late 2003	Logbooks	Torres Strait Seafood Buyers and Processors Docket Book (TDB01) implemented – voluntary
Jun-2003	Logbooks	Under the <i>Torres Strait Fisheries Logbook Instrument No. 1</i> : <ul style="list-style-type: none"> • Tropical Rock Lobster Logbook TRL04 implemented – mandatory for all non-Traditional Inhabitant operators
Jan-2005	Management arrangements	Moon-tide hookah closures (a periodic closure on the use of hookah gear three days either side of the full or new moon each month during between February and September) introduced – first implemented in 2005 as a way to reduce fishing effort to levels recorded in 2002. In 2013 the closures were removed following a buy-out of non-Traditional Inhabitant licences however were reintroduced in 2014 following agreement from both the sectors, and continue to date

Time period	Topic/Keywords	Description
Jul-2005	Management plan	PZJA agreed to create a plan of management to implement a quota management system in the fishery.
July 2005	Allocation	PZJA agrees to transition to initial 50:50 sectoral split in the fishery, brought about by government funded buyout, with a later goal of a 70:30 split between Traditional Inhabitants and non-Traditional Inhabitants, funded by an "open market and self-funded tender process".
2006	TAC	Notional total allowable catches implemented (notional as allocation had not yet been undertaken nor a management plan developed)
Mar-2006	Regulations	<p>Under FMN 73 (replaced FMN 58, 62):</p> <ul style="list-style-type: none"> • Introduction of fishery closure from 1-30 Nov (revoking previous fishery closure from 1 Oct-30 Nov). Exemption from closure for traditional fishing only but bag limits apply - 3 without a boat, 3 with 1 person in a boat, 6 with more than 1 person in a boat • Introduction of prohibition on carriage of diving equipment between 1900-0600 AEST. Exemption can be sought, but all diving equipment (face mask and fins) in possession of that person, or on board the boat, is stowed and secured during the prohibited hours. ES states that this was implemented in response to concerns that night diving may occur in the Fishery • All other requirements remained unchanged - method restrictions, prohibition of processing or carrying TRL meat, minimum size limits, hookah gear restrictions
April 2006	IAAP, allocation	PZJA agrees to create an Independent Allocation Advisory Panel (IAAP) to advise on the appropriate basis for the allocation of fishing concessions in the non-Traditional Inhabitant sector.
Sep-2006	Regulations	<p>Under FMN 80 (replaced FMN 73):</p> <ul style="list-style-type: none"> • Correction made to error in FMN 73 regarding the fishery closure, reinstated to 1 Oct-30 Nov. Exemption from closure for traditional fishing only but bag limits apply - 3 without a boat, 3 with 1 person in a boat, 6 with more than 1 person in a boat • All other requirements remained unchanged - method restrictions, prohibition of processing or carrying TRL meat, minimum size limits, hookah gear restrictions, prohibition on carriage of diving equipment between 1900-0600 AEST
Jun-2007	IAAP, allocation	PZJA agrees to final Independent Allocation Advisory Panel (IAAP) report and a sectoral catch share ratio of 35:65 between the Traditional Inhabitant and non-Traditional Inhabitant sectors as detailed in the 'Report to stakeholders on the data used to establish the historical catch ratios of the Community and non-community sectors'

Time period	Topic/Keywords	Description
Apr-2008	Buyback, structural adjustment	Australian Government buy-back of non-Traditional Inhabitant licences. 13 primary licences and 29 associated tenders removed from the TRL Fishery. Based on the provisional allocations associated with the 'bought-out' licences the sectoral catch share between the Traditional Inhabitant and non-Traditional Inhabitant sectors changed to 53.5:46.5.
2008	Conversion factor	TRL tail to whole weight conversion ratio (2.677) implemented
2009	Harvest strategy	Interim Harvest Strategy implemented for the TRL Fishery in response to the planned transition to a quota management system, laying out the biological objectives for the fishery and how this could be achieved.
Mar-2010	Environment	Torres Strait coral bleaching event
Aug-2011	Regulations	<p>Under FMI 9 (replaced FMN 80):</p> <ul style="list-style-type: none"> • Application of arrangements extended to PNG Treaty endorsed operators • All other requirements remained unchanged – method restrictions, prohibition of processing or carrying TRL meat, minimum size limits, hookah gear restrictions, prohibition on carriage of diving equipment between 1900-0600 AEST, fishery closure. <p>FMI 9 was intended to amend an administrative oversight that had excluded cross-endorsed fishers from the provisions of FMN 80.</p>
Apr-2012	Buyback, structural adjustment	Based on a further buy-out of one licence (1 primary and 1 tender) the sectoral catch share between the Traditional Inhabitant and non-Traditional Inhabitant sectors changed to 56.2:43.8
7-Aug-2013	Native title, sea claim	The High Court hands down decision regarding Torres Strait Sea Claim Part A. The decision overturned the Full Federal Court decision from March 2012 and found that the native title rights in the sea claim area include the right to take fish for commercial or trading purposes. This was found to be a non-exclusive right, and native title holders are still required to hold the appropriate licences and abide by the relevant laws and regulations.
2014	Fishery participation, Traditional Inhabitant access, 100% ownership	The Protected Zone Joint Authority acknowledges and supports the aspiration of Torres Strait Communities to own 100% of access to commercial Fisheries in the Australian area of the Torres Strait Protected Zone

Time period	Topic/Keywords	Description
May-2014	Native title	Malu Lamar (Torres Strait Islander) Corporation is appointed as the Registered Native Title Body Corporate for the Sea Claim Area Part A.
Mar-2016	Environment	Torres Strait coral bleaching and sea cage mortality event
Oct-2016 to Oct-2017	Buyback, structural adjustment	Based on a further buy-out of three licences (3 primaries and 7 tenders) the sectoral catch share between the Traditional Inhabitant and non-Traditional Inhabitant sectors changed to 66.17:33.83
Jul-2017	Vessel monitoring	Vessel monitoring system (VMS) implemented – mandatory for primary boat and/or operating with a Carrier Boat License (Class A, B, or C). Vessels operating for freight shipping are exempt from installing VMS. Exemptions may also be provided for carrier vessels that are six meters or less in length.
Dec-2017	Logbooks	Torres Strait Fisheries Catch Disposal Record (TDB02) implemented – mandatory for all Torres Strait licence holders
10-Apr-2018	Management arrangements	Following a low Recommended Biological Catch, additional moon-tide hookah closures introduced covering all new and full moon periods for the remainder of the 2017-18 fishing season, in order to slow down fishing effort and provide the TIB sector with the longest possible fishing season, avoiding an early closure of the fishery.
27-Apr-2018	Management arrangements, hookah	Prohibition on the carriage and use of hookah gear for the remainder of the 2017-18 fishing season.
29-Jun-2018	Management arrangements, hookah	Federal Court of Australia order to revoke prohibition on the carriage and use of hookah gear – reverted to additional moon-tide hookah closures.
20-Jul-2018	Regulations	Under the TRL Management Instrument 2018 (replaced FMI 9): <ul style="list-style-type: none"> • Traditional fishing bag limits removed. Noted that PZJA does not have jurisdiction in relation to traditional fishing conducted by Traditional Inhabitants • Introduction of capacity to close the TRL Fishery early to commercial fishing, when the total allowable catch is reached • Introduction of capacity to prohibit the use of hookah gear (i.e. moon-tide hookah closures) during the hookah season (1 Feb-30 Sep)

Time period	Topic/Keywords	Description
		<ul style="list-style-type: none"> All other requirements remained unchanged – method restrictions, prohibition of processing or carrying TRL meat, minimum size limits, hookah gear restrictions, prohibition on carriage of diving equipment between 1900-0600 AEST, fishery closure
31-Jul-2018	Management arrangements	TRL Fishery closed for the remainder of the 2017-18 fishing season due to total allowable catch being reached.
1-Dec-2018	Management plan	<i>Torres Strait Fisheries (Quotas for Tropical Rock Lobster (Kaiar)) Management Plan 2018</i> commenced
1-Dec-2018	Regulations	<p>Under the TRL Management Instrument 2018 (amendment to Jul-2018 Instrument):</p> <ul style="list-style-type: none"> Ability to close the TRL Fishery early to commercial fishing revoked Implementation of a split of the total allowable catch for the TRL Fishery between the Traditional Inhabitant (66.17% of the total allowable catch) and non-Traditional Inhabitant sectors – applied from 1 Dec 2017-30 Sep 2018 only Introduction of capacity to close of the TRL Fishery to the Traditional Inhabitant sector once their part of the total allowable catch is reached – applied from 1 Dec 2017-30 Sep 2018 only Provide for individual transferrable quota arrangements to be established for the non-Traditional Inhabitant sector via licence conditions – applied from 1 Dec 2017-30 Sep 2018 only Provide for the operation of the proposed Management Plan should the quota allocation process be finalised before the start of the 2019-20 fishing season All other requirements remained unchanged – method restrictions, prohibition of processing or carrying TRL meat, minimum size limits, hookah gear restrictions, prohibition on carriage of diving equipment between 1900-0600 AEST, fishery closure, moon-tide hookah closures
16-Sep-2019	Management plan, allocation	<p>Quota units allocated under the Management Plan:</p> <ul style="list-style-type: none"> 662,016 quota units to the Torres Strait Regional Authority (TSRA) comprising: 562,000 to hold for the benefit of the traditional inhabitant sector; and 100,016 for the TVH licences it holds 337,981 quota units to the remaining TVH principal licence holders
19-Nov-2019	Harvest strategy	PZJA adopts final Harvest Strategy for the TRL Fishery
1-Dec-2019	Management plan, management arrangements	TRL Fishery commences operation under a quota management system as per the Management Plan

Time period	Topic/Keywords	Description
Early 2020	Markets, price, export	<ul style="list-style-type: none"> • Live export market into China closed temporarily prior to 2020 Chinese New Year. • Prices in the fishery were down significantly, similar to lowest prices on record in 2002-03. • TVH boats in Torres Strait and QLD East Coast were forced to stop fishing. • Whole frozen product only purchased at reject prices. • COVID-19 impacts affect flights and freight routes from Australia to Asian markets
~ October 2020	Markets, export, Cadmium	China began to increase inspection levels and testing of cadmium in Australian live lobster at the point of entry in major Chinese ports, causing considerable delays while inspection and testing was being undertaken. This resulted in high mortality rates of lobster product (not Torres Strait product).
November 2020	Markets, export	China formally notified the DAWE of two instances of non-compliance of lobster shipments with detections of cadmium above the maximum levels set by the Chinese Government.
December 2020	Markets, export	China banned the import of Australian lobster product

TROPICAL ROCK LOBSTER WORKING GROUP Cairns / Video Conference	MEETING 12 16 December 2021
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 17 December 2020.

BACKGROUND

2. The following correspondence was circulated out-of-session since the last TRLWG meeting held on 17 December 2020. Copies of this correspondence can be requested at any time from the TRLWG Executive Officer.

Date	Item
23 December 2020	For comment - AFMA circulated the draft meeting record from TRLWG 11 to members for comment.
11 January 2021	AFMA sent a reminder to provide comments on the draft TRLWG 11 meeting record. The comment period closed on 15 January 2021.
19 January 2021	For comment - AFMA circulated the 2021-2023 Compliance Risk Assessment for input from Working Group members.
26 February 2021	For information only - AFMA sent a copy of the letter to licence holders regarding the increase to the 2020-21 fishing season TAC from 200 tonnes, to 420.863 tonnes.
22 March 2021	AFMA sent an update to Working Group members about the meeting schedule for 2021 due to resourcing availability.
14 May 2021	AFMA requested availability of members for a TRL Industry Workshop tentatively scheduled for Monday 26 and Tuesday 27 July 2021.
11 June 2021	AFMA announced confirmation of a TRL Industry Workshop at the Wongai Beach Hotel, Horn Island on Monday 26 and Tuesday 27 July 2021, and sought nominations from Working Group members for additional industry participants.
7 July 2021	AFMA circulated a discussion paper and draft agenda to Working Group members for the TRL Industry Workshop.
20 July 2021	AFMA sent updates to Working Group members and workshop participants regarding travel arrangements and logistics for the TRL Industry Workshop.

10 August 2021	For comment – AFMA circulated the draft TRL Industry Workshop summary report, a workshop photo, the presentation slides and the discussion paper to Working Group members and workshop participants for comments. The comment period closed on Friday 20 August 2021.
11 October 2021	For information only – AFMA circulated a copy of a letter to licence holders regarding the management arrangements for the 2021-22 TRL Fishing season including the start of season TAC and the moontide hookah closure calendar.
17 November 2021	AFMA announced the details for the 12 th TRL Working Group meeting, scheduled for 17 December 2021 in Cairns as a mixed-model format. Included was a draft agenda for member comments. No comments on the draft agenda were received.
25 November 2021	AFMA notified TRL WG members of a venue change for TRLWG 12, from the Hilton Doubletree to The Sebel, Cairns.
3 December 2021	AFMA circulated the final meeting papers for TRLWG 12.

TROPICAL ROCK LOBSTER WORKING GROUP Cairns / Video Conference	MEETING 12 16 December 2021
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 and market related impacts to the 2020-21 fishing season and the start of the 2021-22 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 11, 17 December 2020), the Working Group noted updates provided by industry members and observers regarding the performance of the Torres Strait TRL Fishery during the 2019-20 fishing season, and start of the 2020-21 season:
 - a. the start of the 2020-21 season had been slow, suggesting it may be due to price and availability of lobsters on the ground. The trade disruptions with Australian lobster into China is reducing the price normally paid at this time of year.
 - b. last season there were continuous issues with bottlenecks during offload times after a moontide hookah closure. As some buyers can only export lobsters 2 or 3 days a week from Cairns, the timing for export does not always align with the hookah closures which can result in some boats having to wait up to 3 days to unload.
 - c. An industry member had received reports from eastern and central cluster fishers who are wanting to fish deeper to catch more while the prices are low. He had received reports that some primary vessels reportedly struggle transitioning from a dinghy to a primary boat operation, and need more assistance with managing the boat. Lack of divers is reportedly more of concern as there are surplus skippers available.
 - d. Further details of discussions are provided in the record for TRLWG 11 provided at **Attachment 1.4a**.

TROPICAL ROCK LOBSTER WORKING GROUP Cairns / Video Conference	MEETING 12 16 December 2021
UPDATES FROM MEMBERS Scientific and Economic members	Agenda Item 2.2 For noting

RECOMMENDATIONS

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

BACKGROUND

2. Verbal reports are sought from scientific and economic 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 and economic 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 Cairns / Video Conference	MEETING 12 16 December 2021
UPDATES FROM MEMBERS Government agencies	Agenda Item 2.3 For noting

RECOMMENDATIONS

1. That the Working Group:

- a. **NOTE** update provided by the Australian Fisheries Management Authority (AFMA) below;
- b. **NOTE** the Communique from the Queensland Tropical Rock Lobster Working Group's meeting on 20 August 2021 provided under **Attachment 2.3a** and any additional verbal updates provided by Queensland Department of Agriculture and Fisheries (QDAF); and
- c. **NOTE** verbal updates provided by the Torres Strait Regional Authority (TSRA).

KEY ISSUES

Wildlife Trade Operation (WTO) Approval under the EPBC Act 1999

2. The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) requires the Australian Government to assess the environmental performance of all commercial fisheries, including those in the Torres Strait, and promote ecologically sustainable fisheries management. Approval under the EPBC Act is necessary for fisheries to be able to legally export commercially wild caught seafood from Australia. Such approvals may be subject to conditions applicable to the responsible management authority and fishers.
3. The Torres Strait TRL Fishery was first accredited as an approved Wildlife Trade Operation (WTO) in November 2004 for a period of three years and was subsequently reassessed and re-approved in 2007, 2011, 2014, 2017 and 2020.
4. The fishery was last assessed in 2020 and, as of 4 December 2020, was declared by the Delegate for the Minister of the Environment, as an approved WTO under the EPBC Act until 4 December November 2023 subject to several conditions being addressed during the period of the approval. The advice from the Delegate to AFMA on the WTO approval and the conditions imposed on the Torres Strait TRL Fishery is provided as **Attachment 2.3b**.
5. **Table 1** provides a summary of progress against each condition and recommendation in the 12 months since the fishery was last approved.

Table 1. Summary of progress against WTO conditions and recommendations for the Torres Strait TRL Fishery.

WTO Conditions for the Tropical Rock Lobster Fishery	Progress as of October 2021
Condition 1: The Torres Strait Protected Zone Joint Authority must ensure that operation of the Torres Strait Tropical Rock Lobster Fishery	On track The Torres Strait Tropical Rock Lobster fishery continues to be managed in accordance with management

WTO Conditions for the Tropical Rock Lobster Fishery	Progress as of October 2021
<p>is carried out in accordance with management arrangements defined in the <i>Torres Strait Fisheries Act 1984</i>, <i>Torres Strait Fisheries Regulations 1985</i>, licence conditions and the Torres Strait Tropical Rock Lobster Fishery Harvest Strategy (2019).</p>	<p>arrangements in force under the <i>Torres Strait Fisheries Act 1984</i>.</p>
<p>Condition 2:</p> <p>The Torres Strait Protected Zone Joint Authority must inform the Department of Agriculture, Water and the Environment of any intended material changes to the Torres Strait Tropical Rock Lobster Fishery management arrangements that may affect the assessment against which <i>Environment Protection and Biodiversity Conservation Act 1999</i> decisions are made.</p>	<p>On track:</p> <p>There have been no material changes to management arrangements for the Fishery. As a result AFMA, on behalf of the PZJA, has not been required to inform the Department.</p>
<p>Condition 3:</p> <p>The Torres Strait Protected Zone Joint Authority must inform the Department of Agriculture, Water and the Environment of any intended changes to fisheries legislation that may affect the legislative instruments relevant to this approval.</p>	<p>On track:</p> <p>AFMA, on behalf of the PZJA, provided the Department an update on proposed legislative amendments on 26 October 2021.</p>
<p>Condition 4:</p> <p>The Torres Strait Protected Zone Joint Authority must provide reports to the Department of Agriculture, Water and the Environment annually as per Appendix B of the <i>Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition</i>.</p>	<p>On track:</p> <p>An annual report was submitted to the Department on 27 October 2021.</p>
<p>Recommendation 1:</p> <p>The Australian Fisheries Management Authority to continue to work with the Department of Agriculture, Water and the Environment and the Protected Zone Joint Authority to implement changes to the <i>Torres Strait Fisheries Act 1984</i> to allow data reporting requirements to apply to all fishing sectors in the fishery.</p> <p>Data collection requirements for target species are to include:</p> <ul style="list-style-type: none"> • The total quantity of each species removed from the fishery, including any catch discarded prior to landing to an authorised fish receiver; an • catch and effort data, including location of all commercial fishing activity. 	<p>AFMA is continuing the work with DAWE to progress amendments to the <i>Torres Strait Fisheries Act 1984</i> to create provisions that would require all fishing sectors in the TRL fishery to undertake logbook reporting.</p> <p>DAWE in consultation with AFMA is finalising drafting instructions for the amendments and sourcing legislative drafting resources from the Office of Parliamentary Counsel. It is expected that an exposure draft of the amendments will be prepared by the end of December 2021, which will then require PZJA approval and subsequent approval from the Prime Minister to be released for consultation.</p> <p>Following this, opportunities to comment on the proposed amendments will be provided to fishers, their communities, Native Title bodies and the general public. This will</p>

WTO Conditions for the Tropical Rock Lobster Fishery	Progress as of October 2021
Progress and outcomes of this recommendation to be included in annual reports required under condition 4.	<p>include a round of community visits in during March - April 2022 where AFMA expects to be consulting with stakeholders on the legislative amendments and other fishery matters.</p> <p>Following the public consultation period, it is expected that Parliament will be able to consider the amendments in the Winter 2022 Parliamentary sittings.</p>

Compliance outcomes for the 2020-21 season

6. AFMA has been delivering domestic compliance functions in the Torres Strait in accordance with the National Compliance and Enforcement Program. There are four compliance officers based in the Thursday Island office delivering both domestic and foreign compliance outcomes.
7. 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.
8. AFMA recommenced limited operational field activities in August 2020 and continues to conduct these activities in accordance with best practise, mandatory social distancing and hygiene and in accordance with guidelines developed for field activities.
9. Despite some operational challenges in 2020, AFMA fisheries officers have delivered the following outcomes between July 2020 – June 2021:
 - i. 45 ports/freight hubs visits;
 - ii. 68 fish receiver inspections;
 - iii. 62 vessel inspections;
 - iv. Joined our management team in 22 stakeholder / community meetings.
 - v. Regular monitoring of seafood movements throughout the Torres Strait and conducting further investigations in some cases;
 - vi. 12 individuals were prosecuted for Torres Strait fisheries offences in 2020-21, six of those involved the Tropical Rock Lobster fishery. Two other matters have also been referred to the Commonwealth prosecutors and are yet to appear in court.
10. 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.
11. 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 2021-2022 financial year.
12. All stakeholders are encouraged to report any suspicious or illegal fishing activity involving your fisheries to AFMA, either directly to our Torres Strait office or CRIMFISH (1800 274 634).

Legislative amendments

13. AFMA is continuing the work with the Department of Agriculture, Water and the Environment (DAWE) to progress amendments to the *Torres Strait Fisheries Act 1984* (the Act) and the *Torres Strait Fisheries Regulations 1985* (the Regulations). The purpose of the amendments is to provide improvements to the efficiency and effectiveness of fisheries administration in the Torres Strait. The PZJA first decided to pursue legislative amendments at its meeting on 5 August 2015, which was then approved by the then Deputy Prime Minister and Minister for Agriculture and Water Resources in March 2017. AFMA advised the TRLWG of this decision at its 6th meeting on 25-26 July 2017, and has provided periodic updates on the status of the legislative amendments at subsequent TRLWG meetings since.
14. At their most recent meeting on 17 August 2021, the PZJA provided policy approval to a final suite of proposed amendments to both the Act and the Regulations. A complete list of the approved proposed amendments is provided at **Attachment 2.3c**. Of particular relevance to the Working Group, the amendment to provide for catch reporting across all licence holders will allow for the implementation of mandatory daily logbook reporting by TIB licence holders. This will provide for improved data on which to base management advice and decisions.
15. DAWE in consultation with AFMA is finalising drafting instructions for the amendments and sourcing legislative drafting resources from the Office of Parliamentary Counsel. It is expected that an exposure draft of the amendments will be prepared by the end of December 2021, which will then require PZJA approval and subsequent approval from the Prime Minister to be released for consultation.
16. Following this, opportunities to comment on the proposed amendments will be provided to fishers, their communities, Native Title bodies and the general public. This will include a round of community visits in March - April 2022 where AFMA expects to be consulting with stakeholders on the legislative amendments and other fishery matters.
17. Following the public consultation period, it is expected that Parliament will be able to consider the amendments in the Winter 2022 Parliamentary sittings.
18. The expected timeline of events is summarised below:

Event	Timeline
Exposure draft prepared	By end of December 2021
PZJA and Prime Ministerial approval to release for public consultation	January 2022
Public consultation, including face to face community meetings (subject to COVID-19 requirements)	March - April 2022
PZJA advisory committees' consideration of outcomes as necessary.	To be determined
PZJA consideration of consultation outcomes.	To be determined
Introduction of the Bill to Parliament	Winter 2022 Parliamentary sittings

Electronic Catch Disposal Records

19. AFMA has launched electronic Catch Disposal Records (eCDRs) as part of the mandatory Fish Receiver System. This will provide Torres Strait fish receivers with an optional fast and easy way to electronically report landed catch information to AFMA.
20. Using eCDRs can mean less paperwork and no need to post or email paper CDR records to AFMA. Fish receivers will benefit from electronically submitting their CDRs directly to AFMA in real time. Fishers also benefit by receiving a notification via SMS or email from AFMA when fish receiver submits an eCDR of the catch landed. The system is simple and can be accessed via computer, mobile phones or tablets.
21. While the Fish Receiver System remains a mandatory licence condition, using electronic CDRs is voluntary. Fishers are still able to use the original paper system.

Standardised licence conditions

22. Licences granted by AFMA, on behalf of the PZJA are subject to conditions under section 22 of the Act. Current licence conditions have been developed over many years and as such may not always be clear or consistent. AFMA therefore intends to vary the conditions on all Master Fisherman's, fishing licences (TIB, TVH and sunset), carrier licences and fish receiver licences to ensure they are standardised across all licences of the same type, and to ensure the requirements imposed on licence holders are enforceable.
23. The new or amended conditions do not impose any new requirements on licence holders. The changes are to clarify requirements that are already known and understood by licence holders, including TIB licence holders.
24. Specifically, the varied conditions will address the following:
 - a. **Adding definitions** of terms from existing conditions that were previously not defined on the licence.
 - b. **Adding a condition** that explicitly links the fishery symbols (otherwise known as endorsements) listed on the licence with the area of waters the licence holder can operate within, and with what species they can take (for a fishing licence), carry and/or process (for a Carrier A, B or C licence) or which boats they can be in charge of (for a Master Fisherman's licence).
 - c. **Adding a condition** to require compliance with any applicable management plans.
 - d. **Adding a condition** to clarify that boats nominated on a Torres Strait licence must be Australian boats.
 - e. **Adding a new condition** to clarify existing and known requirements for tender boats to fish in conjunction with a primary boat.¹
 - f. **Adding a new condition** on Carrier A licences to clarify known requirements that a boat with a Carrier A licence can only carry product caught by said boat or its tender boats.
 - g. **Amending an existing condition** on Carrier B licences to clarifying existing requirements including:

¹ The Working Group should note that this is to clarify existing licensing arrangements and does not impede on TIB industry aspirations to pursue greater flexibility for TIB primary boats to tow tenders un-associated with the primary boat, buy and receive product from other fishing boats and accommodate fishers.

- that Carrier B licences cannot carrying product from unlicensed fishing boats;
 - providing an exemption to allow boats with both a carrier B licence and a fishing licence to be able to process product where that product has been caught by the fishing boat nominated to the licence (or its tenders);
 - providing an exemption to allow boats with both a Carrier B licence and a fishing licence to tow its own tender boats and provide accommodation for its own crew.
- h. **Amending existing conditions** on Carrier C licences relating to accommodating crew, towing boats and carrying product from licenced boats only with slight wording changes to ensure the wording is the same across all Carrier C licences.
- i. **Amending an existing condition** to standardise, the requirements for carrying a Vessel Monitoring System (VMS) across all licences where applicable. VMS is required on all carrier and primary fishing boats greater than 6m in length unless an exemption is granted.
- j. **Amending an existing condition** (with slight wording changes) to clarify existing requirements to land catch to licensed fish receivers and to **add** a provision for the approved use of electronic catch disposal records (eCDRS) on fish receiver licences.
- k. **Amending an existing condition** relating to ownership and operation of boats on Traditional Inhabitant Boat (TIB) licences to mirror the requirements in current licence policy to ensure that:
- the licence holder is a verified traditional inhabitant (aka who have completed a Traditional Inhabitant Identification form), who is also an Australian citizen and continues to reside in either the Protected Zone or adjacent area of Australia;
 - all crew on boat the nominated boat are Traditional Inhabitants who are also Australian citizens, who continue to reside in either the Protected Zone or adjacent area of Australia; and
 - the boat nominated on the licence is owned by the licence holder.
25. In line with section 24HA(7) of the *Commonwealth Native Title Act 1993*, a future act notice (FAN) was issued to relevant Native Title bodies and claimants by AFMA in relation to varying Torres Strait licence conditions. Having regard to any comments provided in response to the FAN (which closed on 5 November 2021), AFMA expects to implement the new conditions before the end of the calendar year. All affected licence holders will be notified accordingly.

Management arrangements for the 2021-22 fishing season

26. A letter was sent to all Torres Strait Tropical Rock Lobster Fishery (TRL Fishery) licence holders on 11 October 2021 (**Attachment 2.3d**). The letter detailed key management arrangements that will apply for the 2021-22 fishing season, including moontide hookah closures and the start of season 200 tonne TAC.
27. Enclosed to the letter was a copy of the new Tropical Rock Lobster Fishery Management Arrangements Booklet 2021-22 which was also made publicly available on the [PZJA website](#).

ABARES fishery status report

28. 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).

29. The ABARES Fishery Status Report 2021 (covering the performance of fisheries in 2020) was released in October 2021. 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.
30. In summary, the TRL Fishery has been assessed for the 2020 period as follows:

TABLE 17.1 Status of the Torres Strait Tropical Rock Lobster Fishery

Biological status					
Stock	2019		2020		Comments
	Fishing mortality	Biomass	Fishing mortality	Biomass	
Tropical rock lobster (<i>Panulirus ornatus</i>)					Spawning stock biomass in 2019 was above the biomass target reference point. Fishing mortality in the 2019–20 fishing season was less than the recommended biological catch.

Economic status

Favourable GVP in the past decade has been driven by high prices and demand from the Chinese market. While catch remained steady in 2019–20, the impacts of COVID-19 led to reduced demand and unit export returns for rock lobster, leading to a fall in GVP.

Note: **GVP** Gross value of production.

Fishing mortality ■ Not subject to overfishing ■ Subject to overfishing ■ Uncertain
Biomass ■ Not overfished ■ Overfished ■ Uncertain

31. ABARES fishery status reports can be accessed on the ABARES website at:

<https://www.awe.gov.au/abares/research-topics/fisheries/fishery-status-reports>

Queensland Fisheries Tropical Rock Lobster Fishery Working Group Communique 20 August 2021

The reappointed Tropical Rock Lobster Fishery working group met for the fifth time online on the 20th August 2021.

The working group discussed the previous meetings actions items/ noted the progress of the meeting action items.

Fisheries Queensland provided a general update on the Sustainable Fisheries Strategy (the Strategy) and recent regulation changes that impact the fishery.

Members were invited to provide a general update from their respective sectors. Australian Fisheries Management Authority (AFMA) noted that catches are low in the Torres Strait fishery. The cause is currently unclear and will be considered at a future AFMA meeting. Commercial Industry members gave an update that the trade disruptions with China has had a significant impact on the TRL industry. The industry has now managed to find alternative markets, but pricing remains depressed. The recreational member noted that recreational fishers were concerned about making sure catch limits and rules were based on science. Many recreational fishers have ongoing concerns about current boat and possession limits and requested clarification about the rationale about some rules.

The working group noted the recently released harvest strategy and the current status of the Wildlife Trade Operations approval for the fishery which is in place until 28th August 2025. As part of future meetings, we will continue our understanding of the harvest strategy.

Fisheries Queensland provided an update on the upcoming stock assessment due for completion in early 2022. The initial stock assessment will apply to the commercial fishing area only. The working group are keen to expand the stock assessment for the whole of Queensland. As part of the stock assessment process, we will look at what recreational fishing data is available. AFMA and Fisheries Queensland have agreed to work together on the stock assessments, given TRL is a single biological population.

Fisheries Queensland provided an update on compliance within the industry, noting good compliance generally.

Fisheries Queensland provided an update on the new standardised commercial fishing reporting requirements that will commence on 1 September 2021. Working group members asked questions regarding the reporting process, including pre-trip notices, logbook, prior reporting and weights notice completion timeframes, accurate weights and certified scales, and landing location requirements.

The working group noted an update on the new commercial fishing smartphone application (the app – QLD eCatch). The app will cover a range of fisheries and is designed to encompass the new reporting requirements. Fisheries Queensland will organise meetings with TRL fishers once released and ahead of the next fishing season to train and support user uptake.

Fisheries Queensland presented the methodology and outcomes from the BDO social and economic indicators report for commercial and charter fisheries, and noted that an interactive dashboard is available on the [department's website](#). The working group noted

that BDO have been contracted to continue this project as well as work focused on providing comparable social and economic information from the recreational sector alongside the commercial and charter sectors. The working group was encouraged to contact BDO with any queries and to provide Fisheries Queensland with contacts of groups that may be interested in developing projects for social and economic values and opportunities in Aboriginal and Torres Strait Islander communities.

The next working group meeting is tentatively scheduled for early December 2021.

The Tropical Rock Lobster Fishery Working Group members are: Fisheries Queensland (Chair – Mark Doohan (apology), Kimberly Foster, Samantha Miller, Jenny Keys, Tony Loader (QBFP)), commercial fishing (Brett Arlidge, Ean White, Steven Lloyd, science (Fay Helidoniotis, Fisheries Queensland), Aboriginal and Torres Strait Islander Peoples Representative (Jacob Matysek) and Australian Fisheries Management Authority (Selina Stoute).



Australian Government
**Department of Agriculture,
Water and the Environment**

Ref: 002068366

Mr Wez Norris
Chief Executive Officer
Australian Fisheries Management Authority
GPO Box 7051
CANBERRA ACT 2610

Dear Mr Norris

I am writing to you as Delegate of the Minister for the Environment in relation to the reassessment of the Torres Strait Tropical Rock Lobster Fishery (the fishery) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

In October the Australian Fisheries Management Authority applied for export approval for the fishery under the EPBC Act on behalf of the Protected Zone Joint Authority.

The application has been assessed and I have declared the fishery an approved wildlife trade operation under Part 13A of the EPBC Act until 4 December 2023.

The Part 13A declaration includes conditions that were agreed by officials from both departments as areas requiring ongoing attention. These are set out at [Attachment 1](#).

The existing Part 13 accreditation will remain in place based on the previous assessment of the fishery's management arrangements designed to minimise interactions with species listed under the EPBC Act.

Please note that any person whose interests are affected by this decision may make an application to the Department for the reasons for the decision and may apply to the Administrative Appeals Tribunal to have this decision reviewed. I have enclosed further information on these processes at [Attachment 2](#).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Laura Timmins'.

Laura Timmins
Delegate of the Minister for the Environment

4 December 2020

Part 13A conditions on the approved wildlife trade operation declaration for the Torres Strait Tropical Rock Lobster Fishery – December 2020

1. The Torres Strait Protected Zone Joint Authority must ensure that operation of the Torres Strait Tropical Rock Lobster Fishery is carried out in accordance with management arrangements defined in the *Torres Strait Fisheries Act 1984*, Torres Strait Fisheries Regulations 1985, licence conditions and the Torres Strait Tropical Rock Lobster Fishery Harvest Strategy (2019).
2. The Torres Strait Protected Zone Joint Authority must inform the Department of the Environment and Energy of any intended material changes to the Torres Strait Tropical Rock Lobster Fishery management arrangements that may affect the assessment against which *Environment Protection and Biodiversity Conservation Act 1999* decisions are made.
3. The Torres Strait Protected Zone Joint Authority must inform the Department of Agriculture, Water and the Environment of any intended changes to fisheries legislation that may affect the legislative instruments relevant to this approval.
4. The Torres Strait Protected Zone Joint Authority must provide reports to the Department of Agriculture, Water and the Environment annually as per Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.

Recommendation on the approved wildlife trade operation declaration for the Torres Strait Tropical Rock Lobster Fishery – December 2020

1. The Australian Fisheries Management Authority to continue to work with the Department of Agriculture, Water and the Environment and the Protected Zone Joint Authority to implement changes to the *Torres Strait Fisheries Act 1984* to allow data reporting requirements to apply to all fishing sectors in the fishery.

Data collection requirements for target species are to include:

- the total quantity of each species removed from the fishery, including any catch discarded prior to landing to an authorised fish receiver; and
- catch and effort data, including location of all commercial fishing activity.

Progress and outcomes of this recommendation to be included in annual reports required under condition 4.

Notification of Reviewable Decisions and Rights of Review¹

There is a right of review to the Administrative Appeals Tribunal (AAT) in relation to certain decisions/declarations made by the Minister, the Minister's delegate or the Secretary under Part 13A of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Section 303GJ(1) of the EPBC Act provides that applications may be made to the AAT for the review of the following decisions:

- (a) to issue or refuse a permit; or
- (b) to specify, vary or revoke a condition of a permit; or
- (c) to impose a further condition of a permit; or
- (d) to transfer or refuse to transfer a permit; or
- (e) to suspend or cancel a permit; or
- (f) to issue or refuse a certificate under subsection 303CC(5); or
- (g) of the Secretary under a determination in force under section 303EU; or
- (h) to make or refuse a declaration under section 303FN, 303FO or 303FP; or
- (i) to vary or revoke a declaration under section 303FN, 303FO or 303FP.

If you are dissatisfied with a decision of a type listed above you may:

- by notice, provided in writing, request that the Minister or the Minister's delegate give you a statement in writing setting out the reasons for the decision as per section 28 of the *Administrative Appeals Tribunal Act 1975*. The Minister, or Minister's delegate may refuse to give you a statement of reasons if your application is made more than 28 days after the day on which you received this notice.
- apply to the AAT for independent merits review of the decision. The AAT undertakes *de novo* merits review. This means they take a fresh look at the facts, law and policy relating to the decision and arrive at their own decision. They decide if the decision should stay the same or be changed. They are independent of the Department.

Application for review of a decision must be made to the AAT within **28 days** after the day on which you have received the reviewable decision. However an extension of time for lodging an application may be granted by the AAT under certain circumstances. Please visit the AAT's website at <http://www.aat.gov.au/> or telephone 1800 228 333 for further information. The role of the AAT is to provide a review mechanism that is fair, just, economical, informal and quick.

Applications & Costs

Applications to the AAT are made by lodging an Application Form (Form 1). This can be found on the AAT's website at <http://www.aat.gov.au/>.

There are no strict timelines in which the AAT must review the decision, however the first conference between the parties will usually be held within 6 to 10 weeks of the application being lodged. The time frame for review of certain decisions can be expedited in some circumstances.

¹ In accordance with the *Administrative Appeals Tribunal Act 1975* Code of Practice for Notification of Reviewable Decisions and Rights of Review

The cost of lodging an application for review is \$952 (as of 1 July 2020) (GST inclusive). You may be eligible to pay a reduced fee of \$100.00 if

- you are receiving legal aid for your application;
- you hold a health care card, a Commonwealth seniors health card or any other card issued by the Department of Social Services or the Department of Veteran's Affairs that entitles the holder to Commonwealth health concessions;
- you are in prison or lawfully detained in a public institution;
- you are under 18 years of age; or
- you are receiving youth allowance, Austudy or ABSTUDY.

You may also be eligible for a reduced fee if you can demonstrate to the AAT that paying the full fee would cause you financial hardship. Further information can be found on the AAT's website. Additionally, you can access information about legal assistance at <https://www.ag.gov.au/LegalSystem/Legalaidprogrammes/Commonwealthlegalfinancialassistance/Documents/LegalFinancialAssistanceInformationSheet.pdf>.

If you pay a standard application fee, most of it will be refunded if the case is resolved in your favour. The refund amount is the difference between the fee you paid and \$100. So, if you paid \$920, you get back \$820 and if you pay \$952, you get back \$852. There is no refund if you paid the lower application fee for certain taxation decisions or the reduced fee of \$100.

Contact Details

Further information or enquiries relating to the decision should be directed to:

The Director
Wildlife Trade Assessments Section
Department of Agriculture, Water and the Environment
GPO Box 858
Canberra ACT 2601
Telephone: +61 (0) 2 6274 1917
Email: sustainablefisheries@environment.gov.au

Alternatively you may contact the AAT at their Principal Registry or the Deputy Registrar, Administrative Appeals Tribunal in your Capital City or Territory.

Administrative Appeals Tribunal
Street address: Level 6, 83 Clarence Street, Sydney
Mailing address: GPO Box 9955, Sydney, NSW 2001
T: 1800 228 333 and (02) 9276 5000
F: (02) 9276 5599
E: generalreviews@aat.gov.au
W: <http://www.aat.gov.au>

Freedom of Information Request

You may make an application under the *Freedom of Information Act 1982* (FOI Act) to access documents. Further information can be found at <http://www.environment.gov.au/foi/index.html>. Please contact the Freedom of Information Contact Officer at foi@environment.gov.au for more information.

Torres Strait Fisheries Act 1984 proposed amendments		
No	Proposals	PZJA policy approval date
1	Capacity to require catch reporting across all licence holders.	PZJA Out of Session January 2017 (approved in March 2017)
2	Capacity to provide electronic licensing and monitoring to licence holders.	
3	Capacity to delegate the powers to grant and vary scientific and developmental permits.	
4	Capacity to simplify the renewal of fishing licences.	
5	Capacity to delegate the powers to contracted service providers.	
6	The implementation of Fisheries Infringement Notices.	
7	Provide for the grant of a licence without specifying a boat in the licence.	PZJA meeting 32 8 October 2019
8	Provide for a class of licence that authorises the taking of fish as well as the processing and carrying of fish taken with the use of another boat.	
9	Impose logbook requirements via the determination of a legislative instrument, exercisable by a delegate of the PZJA.	
10	Make minor technical amendments to support the introduction of other measures.	
11	Make further amendment to the Act to make it explicit that the Chief Executive Officer (CEO) of the Australian Fisheries Management Authority (AFMA) is a person to whom the Minister and the PZJA can delegate their respective functions and powers in sections 9 and 38 of the Act.	PZJA meeting 35 27 August 2020
12	Make further amendments to the Act and Regulations to be prepared for the PZJA's consideration that are consistent with providing immediate improvements to the efficiency and effectiveness of fisheries administration in the Torres Strait.	
13	Make a technical amendment to section 42(1) (q) of the Act where currently an officer may 'sell any fish seized by him or her under this Act' to make this requirement consistent with section 84(1)(t) of the Fisheries Management Act 1991 where an officer may 'sell or otherwise dispose of any fish seized by him or her under this Act'.	PZJA meeting 38 17 August 2021
14	Extending the statutory limit of prosecution for offences under the Act from 12 months to two years, in order to make this requirement consistent with section 95(7) of the <i>Fisheries Management Act 1991</i> , which enables a prosecution for an offence to be commenced within two years after the commission of the offence.	
15	Provide for the Minister to be able to declare that a person must hold a master fisherman's licence for specific fisheries.	

Torres Strait Fisheries Regulations 1985 proposed amendments		
1	Simplified disclosure of fisheries information.	PZJA OOS January 2017 (approved in March 2017)
2	Provide a legislative authority for the collection of information, to be exercised by a person exercising powers or performing functions under the Act.	PZJA meeting 32 8 October 2019
3	Allow licences to be granted for up to five years duration.	PZJA meeting 32 8 October 2019
4	Update provisions concerning the detention of illegal foreign fishers to be brought in line with analogous provisions of the <i>Migration Regulations 1994</i> .	
5	Prescribe a condition that all licence holders must comply with any relevant plan of management.	
6	Make any additional amendments required consequential to the amendments to the Act identified above.	
7	Make further amendments to the Act and Regulations to be prepared for the PZJA's consideration that are consistent with providing immediate improvements to the efficiency and effectiveness of fisheries administration in the Torres Strait.	PZJA meeting 35 27 August 2020
8	Update the Regulations relating to distinguishing number requirements for licenced boats to align with current licencing practice	PZJA meeting 38 17 August 2021
9	Enable a licence fee to be paid for a Fish Receiver Licence and a licence to fish without a boat.	



Australian Government

Australian Fisheries Management Authority

6 September 2021

Dear Torres Strait Tropical Rock Lobster Fishery licence holder

Management Arrangements for the 2021-22 Fishing Season

The 2021-22 fishing season for the Torres Strait Tropical Rock Lobster Fishery (TRL Fishery) will commence on 1 December 2021. This letter details some key management arrangements that will apply this season.

Total Allowable Catch

On 31 August 2021, 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 2021-22 fishing season. This TAC was agreed by the Protected Zone Joint Authority (PZJA) at its meeting on 17 August 2021 and will apply for the fishing season commencing on 1 December 2021. It is expected that the TAC will be increased once the outcomes of the scientific assessment processes and the catch sharing arrangements under the Torres Strait Treaty between Australia and Papua New Guinea (PNG) have been considered. Any increase in the TAC is expected to be determined by the end of February 2022.

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*	0.200000	132,403.597
Transferrable 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 2021-22 fishing season, is provided in the enclosed TRL Management Arrangements Booklet 2021-22.

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

For the purpose of subsection 13(2) of the *Torres Strait Fisheries (Tropical Rock Lobster) Management Instrument 2018*, 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 2021-22 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 1 February 2022.

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.

Review of management controls

Since the introduction of quota management in the TRL Fishery, TRL licence holders have expressed a desire to see a review of management controls currently applied to the Fishery. A review is now being progressed through the TRL Working Group and on 26-27 July 2021, AFMA convened a TRL industry workshop with a broader group of industry stakeholders to seek additional industry views on a suite of proposals to change certain management controls in the Fishery. The proposals that were discussed were originally tabled by TRL Working Group Industry members in December 2020. A copy of the final industry workshop summary report is provided in **Enclosure B**. The outcomes of the Industry workshop and next steps for progressing the review will be discussed during the next round of AFMA community visits in early 2022.

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 2021-22 fishing season
- B Summary report and outcomes from the TRL Industry Workshop on reviewing management controls

TROPICAL ROCK LOBSTER WORKING GROUP Cairns / Video Conference	MEETING 12 16 December 2021
UPDATES FROM MEMBERS PNG National Fisheries Authority	Agenda Item 2.4 update For noting

RECOMMENDATIONS

1. That the Working Group **NOTE** the update to be provided by the PNG National Fisheries Authority who are expected to join the meeting via videoconference.

KEY ISSUES

2. AFMA and NFA continue to work collaboratively to meet obligations under the Treaty. The COVID 19 pandemic has however impacted the extent of bilateral engagement and the ability to support cross endorsement. Bilateral engagement since 2020 necessarily has focused on agreeing seasonal catch sharing arrangements. Based on COVID 19 risks, Australia could not support cross-endorsement of PNG boats to fish in Australian waters in 2020 or 2021.
3. In cooperation with the Department of Foreign Affairs and Trade (DFAT), the TIMs and NFA, AFMA aims to convene a fisheries bilateral in the new year to ensure consideration of a broader range of matters. AFMA is looking forward to working with NFA regarding the issue of catches of protected zone stocks that take place in areas that are “outside but near” of the Protected Zone, exploring opportunities for PNG logbook data to be shared for the purposes of assessing the fishery and opportunities for research collaboration. The latter being particularly timely given AFMA will shortly be calling for funding applications to undertake fishery independent surveys, stock assessment work for the TRL Fishery, including Recommended Biological Catch calculations.
4. Under the Treaty where a stock substantially belongs to the Protected Zone but extends into an area outside but near it, the part of the stock that found in that area can be declared “areas outside but near” the Protected Zone for the purposes of managing that fishery. Consistent with the Treaty, Australia accounts for catches taken in these areas against Australia’s catch apportionment.
5. AFMA has invited to our NFA colleagues to provide an update on the following if available:
 - a) AFMA understand that some PNG fishers have started to use an electric spike to take TRL. For the purposes of using fishery dependent data to assess the stock it would be relevant to monitor the use of different methods and changes if any, in catch rates compared to existing methods.
 - b) Several months ago video footage was circulating in the public showing a prawning trawler hauling a significant catch of TRL. AFMA has shared the footage with NFA for their information.

BACKGROUND

6. AFMA has a standing invite for officials from the PNG National Fisheries Authority (NFA) to attend all PZJA advisory committee meetings. If in attendance, NFA officials will provide an update on the PNG TRL fishery at the meeting.
7. Over 9-10 September 2021 the Torres Strait Treaty Traditional Inhabitants Meeting (TIM) and Joint Advisory Committee (JAC) meetings were held. Reports for each meeting are attached (**Attachments 2.4a** and **2.4b**).
8. Relevantly both meetings discussed matters around the Daru MOU and New City proposal (see paragraph 12 of the TIMs report and paragraph 20 of the JAC report). Both meetings emphasised the need to be included in any consultations on these and other such proposals.

REPORT FROM THE 2021 TORRES STRAIT TREATY TRADITIONAL INHABITANTS MEETING

Virtual, 9 September 2021

1. The Traditional Inhabitants Meeting (TIM) was held virtually on 9 September 2021.
2. The TIM provides Traditional Inhabitants under the Torres Strait Treaty with a forum to discuss and exchange views on the implementation of the Treaty.
3. The meeting was co-chaired for Papua New Guinea (PNG) by Councillor Kebei Salee, Sigabadaru and Councillor Getano Lui (Jnr), Iama (Yam) Island. A list of meeting attendees is at Attachment A.
4. The TIM welcomed the update from the Papua New Guinea (PNG) Immigration and Citizenship Authority (ICA) and Australian Torres Strait Treaty Liaison Officer that Traditional Visits under the Treaty have been put on hold due to the COVID-19 pandemic and border closures. The TIM agreed to defer several of the outstanding recommendations made at the 2019 TIM on Traditional Visits and cross-border activities to the 2022 TIM meeting.
5. The TIM noted the importance of a permanent PNG Department of Foreign Affairs and International Trade (DFAIT) Border Liaison Officer (BLO) on Daru Island to assist with managing the shared border during the COVID-19 pandemic and welcomed advice that the position would be filled in the first quarter of 2022. The TIM noted advice that DFAIT's Peter Mirino would continue as DFAIT's lead from Port Moresby, working closely with Hendrick Naimo from PNG ICA who is implementing BLO functions on-the-ground on Daru Island.
6. The TIM acknowledged the ongoing suspension of Traditional Visits and traditional activities due to international border closures enacted in response to the global COVID-19 pandemic at the beginning of 2020 by local government (the Torres Strait Island Regional Council), and by both the Papua New Guinea and Australian Governments. The TIM acknowledged the unprecedented impact that the COVID-19 pandemic has had on the Treaty and noted that there will likely be implications for the Treaty's implementation going forward.
7. The TIM acknowledged the ongoing risks of COVID-19 transmission to communities on both sides of the border and agreed that all Traditional Visits and traditional activities should remain on hold for the foreseeable future. Australian Traditional Inhabitants emphasised the need to protect the lives of vulnerable Torres Strait communities, and underscored that Traditional Visits will need to be reviewed once border restrictions are eased, at an appropriate time in the future, to ensure that residual COVID-19 risks and other community-level impacts are managed. The TIM noted that Australia and PNG will undertake separate discussions around future border and Traditional Visit management and approaches regarding incoming Traditional Visits to their respective jurisdictions.
8. The TIM acknowledged continuing unauthorised border crossings by PNG Treaty Village constituents seeking medical care on Australia's Saibai and Boigu Islands during the international border closures. The TIM affirmed that the health and safety of their communities is paramount and that such border movements should not occur.
9. The TIM noted the importance of COVID-19 vaccinations to protect communities from COVID-19. The TIM agreed to request an update at the JAC on COVID-19 vaccinations in the Treaty Villages and Torres Strait communities. Australian Traditional Inhabitants did not support a proposal from PNG Traditional Inhabitants that fully vaccinated PNG Treaty Village constituents be allowed to undertake Traditional Visits into Australia's Torres Strait Islands, but committed to continuing dialogue in regards to the border closures.
10. PNG Traditional Inhabitants highlighted the need for adequate medical care for PNG Treaty Villages, particularly for emergencies such as snake bites. Noting strong concerns from Australian Traditional

Inhabitants that any border crossings for medical purposes will raise the risk of COVID-19 transmission into their communities, the Australian Government strongly encouraged PNG Treaty Villages constituents to seek medical care at Mabudawan Health Centre (MHC), which is located in the PNG Treaty Village of Mabudawan. The TIM agreed to seek an update on MHC (including its staffing) at the JAC, and requested that PNG and Australia ensure that it remains fully operational and appropriately staffed.

11. PNG Traditional Inhabitants thanked the Australian Government for its development assistance in the South Fly region, noting the range of areas of support. The TIM noted advice from Australian Traditional Inhabitants that any Australian-supported development initiatives in Western Province's South Fly district must be delivered through PNG channels and not Australia's Torres Strait Islands, to minimise the impacts on their communities and already-limited infrastructure and resources as well as ongoing COVID-19 risks.
12. PNG Traditional Inhabitants noted that they have not been provided information or consulted on the recent Daru Fisheries Memorandum of Understanding, Daru New City Proposal, or similar infrastructure proposals. The TIM noted advice from DFAIT that they were seeking further information across government on the proposals and will report back to the JAC. The TIM stressed the importance of being consulted on these and other proposals, in line with the spirit of the Treaty. The TIM affirmed their concerns around the potentially detrimental effects that such proposals could have on the environment, sustainability of resources in the region and livelihoods, particularly the overfishing of marine resources. The TIM agreed to seek an update on these proposals from the relevant agencies at the JAC. Australian Traditional Inhabitants confirmed that they do not support a review of the Treaty, in reference to a public Australian petition on the same subject.

Signed on 9 September 2021 virtually in Port Moresby and Canberra



Councillor Kebei Salee
Co-Chair and Leader of the Papua New Guinea
Traditional Inhabitant Delegation



Councillor Getano Lui Jnr
Co-Chair and Leader of the Australian Traditional
Inhabitant Delegation

REPORT OF THE 28TH TORRES STRAIT TREATY JOINT ADVISORY COUNCIL MEETING

Virtual, 10 September 2021

1. The Joint Advisory Council (JAC) was held virtually on 10 September 2021.
2. The Forum was co-chaired for Papua New Guinea (PNG) by Mr Joseph Varo, Deputy Secretary, Department of Foreign Affairs and International Trade (DFAIT), and for Australia by Bassim Blazey, Assistant Secretary, PNG Branch, Australian Department of Foreign Affairs and Trade (DFAT).
3. In accordance with Article 19 of the *Torres Strait Treaty* (the Treaty), Council members comprised national, state, and provincial representatives, and Traditional Inhabitant representatives. The delegation list is at **Attachment A** and the JAC functions are set out in **Attachment B**.
4. This document will be transmitted to the Papua New Guinean and Australian Foreign Minister.

Treaty Implementation and management of Traditional Visits

5. The JAC welcomed reports from the Traditional Inhabitants Meeting (TIM) Co-chairs on 9 September 2021 (**Attachment C**) and acknowledged the importance of Traditional Inhabitant views.
6. The JAC noted concerns raised by PNG Traditional Inhabitants around the suspension of Traditional Visits and traditional activities due to international border closures enacted in response to the global COVID-19 pandemic at the beginning of 2020 by the Torres Strait Island Regional Council and both the Papua New Guinea and Australian Governments.
7. The JAC noted concerns raised by Australian Traditional Inhabitants around the ongoing COVID-19 risks to their communities and need for continued border closures, as well as the need for adjustments to Traditional Visits once borders reopen to ensure residual COVID-19 risks and other community-level impacts are managed. Australian Government agencies including DFAT and Australian Border Force (ABF) committed to working further on this out-of-session with Australian Traditional Inhabitants.
8. The JAC noted the importance of a permanent DFAIT BLO on Daru Island to assist with managing borders during the COVID-19 pandemic and welcomed advice that the position would be filled in the first quarter of 2022. Traditional inhabitants noted that the BLO position has been vacant since 2019. The JAC noted advice that the DFAIT BLO would continue to lead from Port Moresby in the interim period, working closely with the PNG Immigration and Citizenship Authority BLO on-the-ground in Daru.
9. The TIM noted establishment of a new Western Provincial Administration (WPA) Border Liaison Officer (BLO) position to assist with provincial management of borders. It was agreed that DFAIT will provide advice to DFAT out-of-session on responsibilities and ways of working with DFAIT, PNG Immigration and Citizenship Authority and the WPA BLO.
10. The JAC noted agreement at the 28th PNG–Australia Ministerial Forum on the need for early consultation on any development proposals in or near to the Torres Strait Protected Zone that could impact on the interests of either country, particularly Traditional Inhabitants. The JAC requested that this includes consideration of such proposals by the JAC and Traditional Inhabitants.

Health and Development Assistance

11. The JAC noted updates on the COVID-19 situation in PNG and Australia, particularly the new and highly infectious Delta variant, and recent outbreaks across Western Province's North, Middle and South Fly Districts and across several states and territories in Australia.
12. The JAC noted agreement at the 28th PNG-Australia Ministerial Forum that COVID-19 continues to pose a serious threat and health advice and vaccinations will underpin decisions to reopen borders.
13. The JAC agreed that vaccination provided the best protection against COVID-19 and welcomed an update on vaccination efforts in the South Fly and Torres Strait. Vaccination levels across both the Torres Strait and South Fly regions need to be increased considerably to be able to consider reopening the shared Western Province-Torres Strait border.
14. The JAC noted that the Health Issues Committee meeting will be held on 12 November 2021 and an update on discussions will be provided at the 29th JAC meeting in 2022.
15. The JAC noted that, as part of Australia's commitment to deepen engagement in PNG priority regions under the Comprehensive Strategic and Economic Partnership (CSEP), Australia is progressing a *Western Province Strategy* in collaboration with the Fly River Provincial Administration to shape Australia's long-term engagement and assist PNG communities to resiliently manage and maximise their own resources. This was articulated in a Memorandum of Understanding (MoU) between the WPA and the Australian High Commissioner to PNG [signed May 2021] which outlines a range of joint development initiatives across Western Province.
16. The JAC noted advice from Australian Traditional Inhabitants that any Australian-supported initiatives in Western Province must be delivered through PNG and not Australia's Torres Strait Islands, to minimise the impacts on their communities and already-limited infrastructure and resources.
17. The JAC welcomed a detailed report on the functioning and staffing of the Mabudawan Health Centre noting that it was fully resourced as a Level Three health facility.

Environment and Fisheries

18. The JAC noted that the PNG Conservation and Environment Protection Authority and Australian Department of Agriculture, Water and Environment are working to determine with stakeholders a suitable time for EMC 28 (likely March 2022) and that updates from EMC 27 are being sought.
19. The JAC noted that the PNG National Fisheries Authority (NFA) and Australian Fisheries Management Authority (AFMA) will progress the Fisheries Bilateral Meeting in 2022.
20. The JAC raised concerns around the risk of overfishing of the fisheries resources in the Torres Strait, emphasising the need for early consultation with AFMA and Traditional Inhabitants. The JAC noted an update on the proposed development of a major fisheries and industrial development on Daru Island (that there was no evidence of any progress on these two initiatives) and acknowledged the concerns of Traditional Inhabitants on both sides regarding risks to the environment and sustainable fisheries. The JAC further noted that any consultations on new development initiatives that will have implications for the implementation of the Treaty, either in or adjacent to the Torres Strait Protected Zone, including but not limited to fisheries developments in the region, should include the JAC.

Customs and Cross Border Law Enforcement

21. The JAC thanked Traditional Inhabitants for their support during the border closures but noted some PNG Traditional Inhabitants [860 passenger arrivals including 181 PNG nationals accessing health services on Australia's Torres Strait Islands since March 2020] have continued to travel to Australia's Saibai and Boigu Islands for health care. The JAC agreed that the borders are to remain closed for the foreseeable future, including for the purposes of seeking medical care in Australia.
22. The JAC noted that PNG Traditional Inhabitants must access health care in PNG, including at the fully operational Mabudawan Health Centre, to protect communities on both sides against cross-border COVID-19 transmission. The Western Province Government committed to discussing further with the Western Provincial Health Authority and development partners such as Australia to ensure MHC is fully staffed, trained and equipped.
23. The JAC emphasised the need to prevent and disrupt transnational crimes such as people smuggling and drug and firearms trafficking and encouraged relevant PNG and Australian border and law enforcement agencies to increase collaboration on managing the shared Western Province-Torres Strait border during the COVID-19 pandemic. The JAC agreed for Joint Cross-Border Patrols to recommence, in a COVID-safe manner, to deter illegal activities and movements. JAC welcome PNG Narcotics Bureau to be part of Law Enforcement Agency along the common borders of PNG including at Torres Strait Protected Zone.
24. The JAC welcomed advice that the Community Safety and Security Facility on Saibai Island is operational (official launch scheduled for 2022). The facility will assist Australia uphold the COVID-19 border closures, manage Treaty Traditional Visits and activities in the long-term and provide community safety and security services to Torres Strait communities.

Biosecurity

25. The JAC noted the reports from the PNG National Agriculture, Quarantine and Inspections Authority (NAQIA) and Australian Department of Agriculture, Water and the Environment (DAWE).
26. Australia and PNG, through DAWE and NAQIA, continue to collaborate to help manage biosecurity risks for the benefit of both countries notwithstanding recent restrictions arising from COVID-19 response measures.
27. Australia confirmed that Traditional Inhabitants in the Torres Strait Protected Zone continued to display high levels of compliance with applicable biosecurity regulations during the period since the last JAC meeting.
28. Australia provided advice regarding continued investments in improved biosecurity surveillance and regulation systems across northern Australia including in Torres Strait. Recent initiatives have included: additional measures to regulate the northward movement of biosecurity threat species from Mainland Australia to Torres Strait and further north; additional investment in biosecurity officer resources in Torres Strait; and dissemination of improved products promoting awareness and compliance with applicable biosecurity regulations for cross border movements (north and south) between PNG and the Torres Strait Protected Zone.

Maritime Safety

29. The JAC noted the report from Australian Maritime Safety Authority (AMSA) on maritime safety activities and acknowledged the ongoing cooperation between PNG NMSA and Torres Strait communities to further enhance ship safety, marine pollution prevention and response and search and rescue in the region. The PNG National Maritime Safety Authority (NMSA) will provide an update at the next JAC.

Other Business

30. The JAC noted the proposed initiatives on a quota allocation of workers from the Treaty Villages in Australia's labour mobility programs, as well as a Teacher Practice Program, and agreed to discuss these items at the next JAC meeting.
31. The JAC noted advice from Australian Traditional Inhabitant Co-Chair of his interest in seeking a change of the name of Torres Strait to Zenadth Kes, clarifying that this would not affect the formal name of the Torres Strait Treaty.

Date and Venue of Next Meeting

32. The JAC agreed that the 29th JAC meeting will be hosted by Australia in 2022.
33. Agencies agreed to progress matters out of session, in accordance with the outcomes of the JAC meeting, and report on progress at the 29th JAC meeting.

Signed virtually on 10 September 2021 in Port Moresby and Canberra



Mr Joseph Varo
Co-Chair and Leader of the Papua New Guinea
Delegation



Mr Bassim Blazey
Co-Chair and Leader of the Australian
Delegation

ATTACHMENT A – DELEGATION LIST

PNG Traditional Inhabitants (Treaty Councillors of South Fly Fore Coast Kiwai RLLG)

PAPUA NEW GUINEA DELEGATION		
Department	Representative	Title
Department of Foreign Affairs and International Trade (DFAIT)	Joseph Varo (JAC Co-Chair)	Deputy Secretary
Department of Health	Ken Wai	Deputy Secretary
Department of Prime Minister and National Executive Council (PMNEC)	Tony Kaib	Director General – Security Coordination
Department of Prime Minister and National Executive Council (PMNEC)	Barbarinue Bagli (Ms)	
Department of National Planning	Martin Pomat	Assistant Secretary
Department of Provincial and Local Level Government	Jacqueline Winuan	
Department of Provincial and Local Level Government	Philo Karabau	
PNG Customs	Nazila Yalambing	
PNG Immigration and Citizenship Authority	Winis Map	
NAQIA	Michael Areke	
Department of Health	Catherina Poko	National Coordinator – Vaccination Program
DFAIT	Peter Mirino	Director, PNG-Solomon Islands Border, Border and Security Division
Western Provincial Administration (WPA)	Robert Aphonse	Provincial Administrator
WPA	Wilfred Gaso	Deputy Provincial Administrator
WPA	Elias Anden	Coordinator National Function Agency
WPA	Rupert Tabua	Deputy Provincial Administrator Resources Development
WPA	Gelam Mark	Border Liaison Officer
WPA	Shirley Kebei	Admin Officer
WPA/ Fore Coast Kiwai Local Level Government	Duobe Amura	Manager, Fore Coast Kiwai Local Level Government (FCKLLG)

South Fly District Administration (SFD)	Tawa Gebia	District Administrator
Royal PNG Constabulary (RPNGC, Daru)	Ewai Segi	Incoming Provincial Police Commander
PNG Defence Force (Daru)	Vincent Wriken	Chief Warrant Officer
PNG Immigration and Citizenship Authority (ICA, Daru)	Henrick Naimo	Manager
Department of Provincial and Local Level Government Affairs (DPLLGA, Daru)	Robin Bazu	Border Admin Officer
Fore Coast Kiwai Local Level Government	Epesi Dabu	Project Officer
Traditional Inhabitant Representatives		
Sigabadaru	Kebei Salee	TIM Co-chair, Councillor for Sigabadaru
Ture Ture	Abua Roy	Councillor for Ture Ture
Sui	Murray Dimia	Councillor for Sui
Parama	Jimmy Walter	Councillor for Parama
Katatai	Tibau Kaware	Councillor for Katatai
Kadawa	Biza Gera	Councillor for Kadawa
Mabudawan	Ma'a Sampson Uku	Councillor for Mabudawan
Kori (a)	Gregory Nabaka	Councillor for Kori (a)
Old Mawatta	Butium Koidawane	Councillor for Old Mawatta
Buzi/Ber	Banu Namai	Councillor for Buzi/Ber
Mari/Tais	Bill Menai	Councillor for Mari/Tais
Bula/Jarai	Bize Goi Menai	Councillor for Bula/Jarai

AUSTRALIAN DELEGATION

Department	Representative	Title
Department of Foreign Affairs and Trade (DFAT)	Bassim Blazey (JAC Co-Chair)	Assistant Secretary, PNG Branch
Australian High Commission to PNG (AHC), DFAT	Geoff King	Counsellor (Subnational Development)
AHC, DFAT	Lara Andrews	Counsellor (Health)
AHC, AFP	Susan Smith	A/Superintendent PNG
AHC, Home Affairs	Andrew Edgar	Counsellor
DFAT	Johanna Stratton	A/Director, PNG Political and Torres Strait Section
DFAT	Jacqueline Herbert	Torres Strait Treaty Liaison Officer
DFAT	Annie Douglas	Policy Officer, PNG Branch
AHC, DFAT	Katherine Parkinson	First Secretary (Political)
AHC, DFAT	Emeline Cammack	First Secretary (Health Security)
AHC, DFAT	Amanda Young	First Secretary (Subnational Development)
Australian Border Force	Michael Talbot	A/Superintendent, OVERARCH
Australian Federal Police	Rees Folpp	A/Superintendent, Northern Command
Australian Fisheries Management Authority (AFMA)	Selina Stoute	Manager, Torres Strait Fisheries
AFMA	John Jones	Compliance Manager, Torres Strait Fisheries
Department of Agriculture, Water and the Environment (DAWE)	Wayne See Kee	Assistant Secretary, Biosecurity Operations Division (BOD)
DAWE	Murray Korff	Director, BOD
Department of Health (DoH)	Hayley Benson (HIC Co-chair)	Assistant Director, Blood Borne Viruses, Sexually Transmissible Infections & Torres Strait Health Section
DoH	Murimi Njora (HIC Co-Chair)	Assistant Director, Blood Borne Viruses, Sexually Transmissible Infections & Torres

		Strait Health Section
Department of Home Affairs	Nedra Kelaart	A/Director, PNG Section
Department of Premier and Cabinet (QLD)	Andrew Burke	Intergovernmental Relations
Department of Prime Minister & Cabinet (PM&C)	Kristian Nilsson	Advisor, International Division
PM&C	Rachel Kolek	Advisor, National Security Division
Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnership (QLD)	Danny Morseu	Regional Manager
National Indigenous Australians Agency (NIAA)	Nadja Mack	Director, Land Policy and Environment Branch
NIAA	Shay Simpson	Advisor, Land Policy and Environment Branch
Queensland Health	Marlow Coates	Executive Director, Torres and Cape Hospital and Health Service
Traditional Inhabitant Representatives		
Torres Strait Island Regional Council (TSIRC)	Getano Lui	TIM Co-chair and Councillor for Iama Island
TSIRC	Aven Noah	Councillor for Mer (Murray) Island
TSIRC	Conwell Tabuai	Councillor for Saibai Island
TSIRC	Torenzo Elisala	Councillor for Dauan Island

ATTACHMENT B – JAC FUNCTIONS (EXCERPT FROM THE TORRES STRAIT TREATY)

Article 19

Torres Strait Joint Advisory Council

1. The Parties shall jointly establish and maintain an advisory and consultative body which shall be known as the Torres Strait Joint Advisory Council (called in this Article "the Advisory Council").
2. The functions of the Advisory Council shall be-
 - (a) to seek solutions to problems arising at the local level and not resolved pursuant to Article 18 of this Treaty;
 - (b) to consider and to make recommendations to the Parties on any developments or proposals which might affect the protection of the traditional way of life and livelihood of the traditional inhabitants, their free movement, performance of traditional activities and exercise of traditional customary rights as provided for in this Treaty; and
 - (c) to review from time to time as necessary, and to report and to make recommendations to the Parties on, any matters relevant to the effective implementation of this Treaty, including the provisions relating to the protection and preservation of the marine environment, and fauna and flora, in and in the vicinity of the Protected Zone.
3. The Advisory Council shall not have or assume responsibilities for management or administration. These responsibilities shall, within the respective areas of jurisdiction of each Party, continue to lie with the relevant national, State, Provincial and local authorities.
4. In the exercise of its functions, the Advisory Council shall ensure that the traditional inhabitants are consulted, that they are given full and timely opportunity to comment on matters of concern to them and that their views are conveyed to the Parties in any reports and recommendations made by the Advisory Council to the Parties.
5. The Advisory Council shall transmit its reports and recommendations to the Foreign Ministers of the Parties. After consideration by appropriate authorities of the Parties, consultations may be arranged with a view to the resolution of matters to which the Advisory Council has invited attention.
6. Unless otherwise agreed by the Parties, the Advisory Council shall consist of eighteen members, that is nine members from each Party who shall include-
 - (a) at least two national representatives;
 - (b) at least one member representing the Government of Queensland in the case of Australia and one representing the Fly River Provincial Government in the case of Papua New Guinea; and
 - (c) at least three members representing the traditional inhabitants,with each Party being free to decide from time to time from which of the aforementioned categories any other of its members will be drawn.
7. The Advisory Council shall meet when necessary at the request of either Party. Consecutive meetings of the Advisory Council shall be chaired alternately by a representative of Australia and a representative of Papua New Guinea. Meetings shall be held alternately in Australia and Papua New Guinea or as may from time to time be otherwise arranged.

TROPICAL ROCK LOBSTER WORKING GROUP Cairns / Video Conference	MEETING 12 16 December 2021
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. AFMA has a standing invite for a representative from Malu Lamar to attend all PZJA advisory committee meetings.
3. 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*.
4. 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.
5. 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 Cairns / Video Conference	MEETING 12 16 December 2021
CATCH AND EFFORT SUMMARY FOR THE 2020-21 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**).
- b. **NOTE** that an update on available data from the PNG TRL Fishery is expected to be provided by the PNG National Fisheries Authority (NFA) before or at the meeting (**Attachment 3b**).
- c. **NOTE** the overview of the catch, effort and Catch Per Unit Effort (CPUE) analyses for the Australian TRL Fishery for the 2020-21 fishing season, undertaken by CSIRO and to be presented by the TRLRAG Scientific member.

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 2020-21 fishing season is 237,510.44 kilograms (237.5 tonnes). All reported catches are from inside the Torres Strait Protected Zone (TSPZ) and Australia's declared outside but near area.
4. This equates to 56.43 per cent of Australia's 420,862.5 kilogram (420.86 tonnes) total allowable catch (TAC) for the 2020-21 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. The TIB sector caught 121,587.08 kilograms (121.6 tonnes) of TRL which equates to 43.64 per cent of the TIB TAC and the TVH sector caught 115,923.36 kilograms (115.92 tonnes) of TRL which equates to 85.48% of the TVH TAC.
6. A summary of the reported landed catch for the Australian TRL Fishery is provided at **Attachment 3a**.

PNG TRL Fishery catch

7. 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.
8. PNG National Fisheries Authority (NFA) has reported landed catches for the PNG TRL Fishery for 1 January through to 31 August 2021 (**Attachment 3b**). NFA is expected to provide updated catch figures before or at the TRLRAG meeting.

9. Due to COVID-19 restrictions, PNG boats were unable to catch their 109.1 tonne catch allocation in Australian waters this season.
10. The TAC for the PNG TRL Fishery in 2021 is 93.525 kilograms. An infographic showing the final catch sharing agreement between Australia and PNG is shown at **Attachment 3c**.

Total reported commercial catch for the TRL stock

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

Area	Total (tonnes)	TAC (tonnes)
Australian TRL Fishery	237.5	420.9
PNG TRL Fishery - catches inside the TSPZ as at 31 August 2021	TBA	93.52
PNG TRL Fishery - catches outside the TSPZ as at 31 August 2021	TBA	
PNG catch allocation within Australian waters	0	109.1
Total	TBC	623.52

Catch and catch per unit effort (CPUE) data analyses

12. The Working Group is invited to note an overview of the annual data summary from the 2020-21 fishing season, prepared by CSIRO and to be presented by the TRLRAG Scientific member.

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 2020-21 fishing season.

Source: Torres Strait Fisheries Catch Disposal Record (TDB02) as at 25 November 2021.

Month	Traditional Inhabitant Boat (TIB) sector	Transferable Vessel Holder (TVH) sector	Total (kg)
Dec-20	7,786.13	15,460.78	45,132.31
Jan-21	6,231.99		
Feb-21	15,653.41		
Mar-21	20,172.84	14,580.05	34,752.89
Apr-21	15,801.32	17,106.75	32,908.07
May-21	12,285.90	10,879.26	23,165.16
Jun-21	15,004.57	18,578.34	33,582.91
Jul-21	12,398.63	15,730.88	28,129.51
Aug-21	9,212.02	14,018.13	23,230.15
Sep-21	7,040.27	9,569.18	16,609.45
Total reported catch (kg)	121,587.08	115,923.36	237,510.45
TAC (kg)	278,618.54	142,243.95	420,862.5
Reported catch as a per cent of the TAC*	43.64 %	81.50 %	56.43 %

In accordance with AFMA's Information Disclosure policy (*Fisheries Management Paper 12*), catches by month have been aggregated for December 2020 through to February 2021, as less than 5 boats operated in the Transferable Vessel Holder (TVH) sector..

PNG Jurisdiction of the TSPZ: Jan - Nov 2021				
Month (2020)	Tail weight (kg)	Tail wt converted to whole wt (C. factor 2.677)	Whole weight (kg)	Total Catch (kg)
JANUARY	1,167.08	3,124.27	986.22	4,110.49
FEBRUARY	1,277.72	3,420.46	1468.8	4,889.26
MARCH	1,027.28	2,750.03	1922.35	4,672.38
APRIL	793.05	2,122.99	1628.61	3,751.60
MAY	660.72	1,768.75	1881.6	3,650.35
JUNE	1,088.62	2,914.24	2627.05	5,541.29
JULY	957.12	2,562.21	1601.17	4,163.38
AUGUST	732.50	1,960.90	1343.41	3,304.31
SEPTEMBER	630.09	1,686.75	451.7	2,138.45
OCTOBER	1,035.97	2,773.29	886.57	3,659.86
NOVEMBER	175.56	469.97		469.97
TOTAL	9,545.71	25,553.87	14,797.48	40,351.35

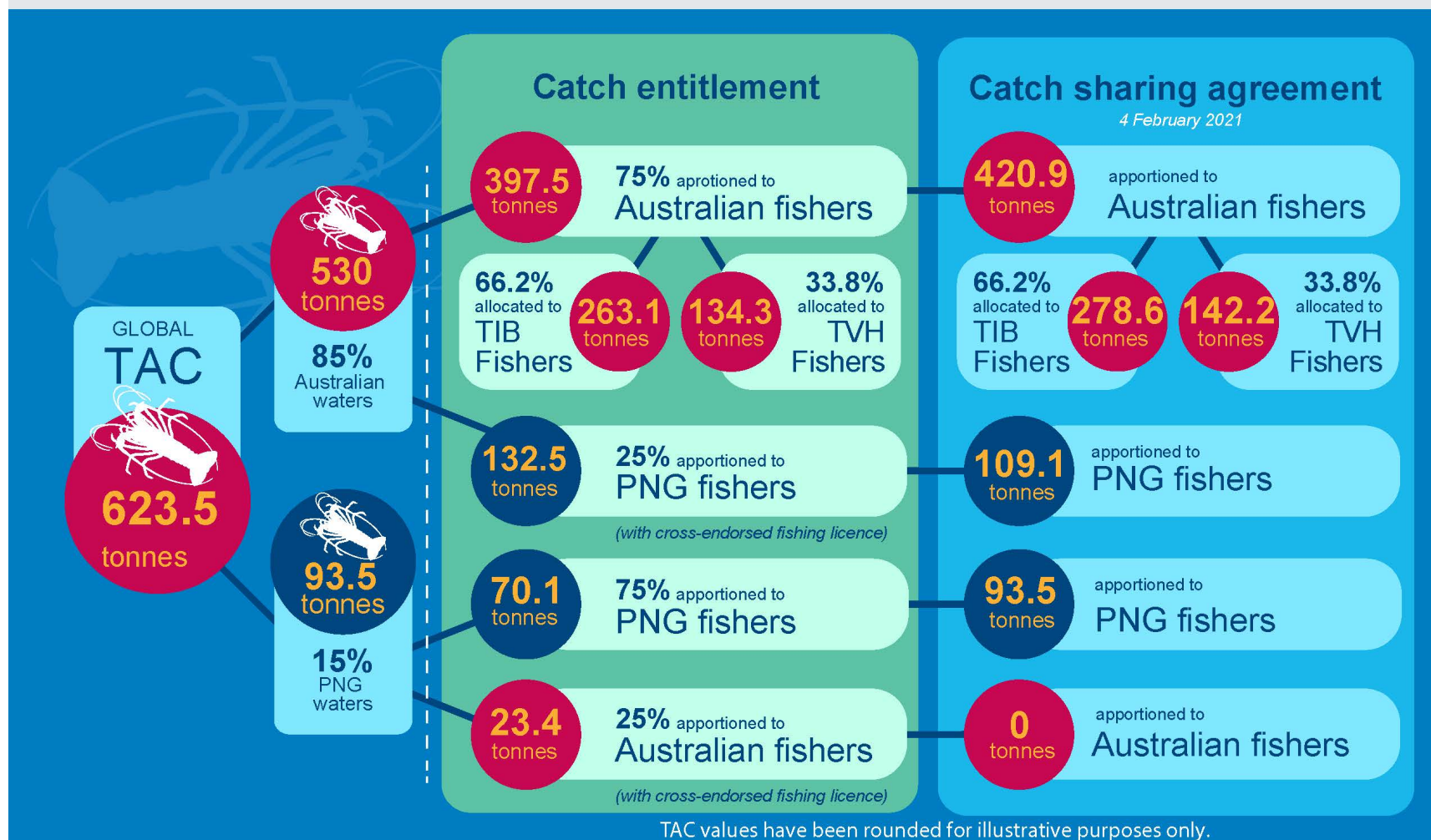
PNG Waters outside of TSPZ: Jan - Nov 2021				
Month (2018)	Tail weight (kg)	Tail wt converted to whole wt (C. factor 2.677)	Whole weight (kg)	Total Catch (kg)
JANUARY	1,271.55	3,403.94	627.79	4,031.73
FEBRUARY	488.96	1,308.95	391.54	1,700.49
MARCH	661.13	1,769.85	746.00	2,515.85
APRIL	783.06	2,096.25	761.59	2,857.84
MAY	790.73	2,116.78	1,203.27	3,320.05
JUNE	876.53	2,346.47	1,396.57	3,743.04
JULY	570.10	1,526.16	584.05	2,110.21
AUGUST	436.90	1,169.58	230.17	1,399.75
SEPTEMBER	172.58	462.00	113.14	575.14
OCTOBER	1,846.71	4,943.64	622.54	5,566.18
NOVEMBER	-	-	-	-
TOTAL	7,898.25	21,143.62	6,676.66	27,820.28

PNG Catch Total: Jan - Nov 2021				
Month (2020)	Tail weight (kg)	Tail wt converted to whole wt (C. factor 2.677)	Whole weight (kg)	Total Catch (kg)
JANUARY	2,438.63	6,528.21	1,614.01	8,142.22
FEBRUARY	1,766.68	4,729.40	1,860.34	6,589.74
MARCH	1,688.41	4,519.87	2,668.35	7,188.22
APRIL	1,576.11	4,219.25	2,390.20	6,609.45
MAY	1,451.45	3,885.53	3,084.87	6,970.40
JUNE	1,965.15	5,260.71	4,023.62	9,284.33
JULY	1,527.22	4,088.37	2,185.22	6,273.59
AUGUST	1,169.40	3,130.48	1,573.58	4,704.06
SEPTEMBER	802.67	2,148.75	564.84	2,713.59
OCTOBER	2882.68	7,716.93	1509.11	9,226.04
NOVEMBER	175.56	469.97		469.97
TOTAL	17,443.96	46,697.48	21,474.14	68,171.62

TORRES STRAIT TROPICAL ROCK LOBSTER CATCH SHARING AGREEMENT 2020-21



Australian Government
Australian Fisheries Management Authority



TROPICAL ROCK LOBSTER WORKING GROUP Cairns / Video Conference	MEETING 12 16 December 2021
TOTAL ALLOWABLE CATCH	Agenda Item 4 For discussion and advice

RECOMMENDATIONS

1. The Working Group:

- a. **NOTE**, on 31 August 2021, Senator the Hon. Jonathon Duniam determined a total allowable catch (TAC) of 200,000 kilograms of TRL in the Australian waters of the TRL Fishery for the 2021-22 fishing season.
 - (i) 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 2021-22 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 2021-22 fishing season based on the application of the empirical harvest control rule (eHCR) under the TRL Harvest Strategy.
 - the TRLRAG advice and additional supporting information will be presented by the TRLRAG Chair and TRLRAG CSIRO Scientific Member at the meeting.
 - (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 2021-22 fishing season¹. This is to include consideration of whether to deduct other sources of mortality from the RBC.
3. The RBC for the TSPZ TRL Fishery for the 2021-22 fishing season will be calculated by applying the eHCR. The TRLRAG 32 will consider the findings of this work at their meeting on 15 December 2021 and a summary of the advice will be presented to the Working Group in session.
4. The advice from the TRLRAG will also include additional analyses undertaken by CSIRO on the advice of TRLRAG 31 on options to address the potential implications of having a lower than expected average catch multiplier on the eHCR. Lower than expected average

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.

total catch is considered to be a result of ongoing COVID-19 impacts and temporary market and export impacts and is also considered to be uncharacteristic of a standard fishing season.

BACKGROUND

TAC setting process

5. 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.
 - c. 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.
6. 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.

Setting the start of 2021-22 season TAC

7. 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.
8. The TRLRAG advised that if needed, an additional 100 tonnes be added to the start of season catch limit amount, to account for catches from PNG.
9. 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.
10. The above approach was applied for setting the start of season TAC for the 2021-22 fishing season with no objections from the TRLRAG.
11. At its meeting on 31 August 2021, the PZJA agreed for the TRL Fishery to a start of season TAC of 200,000 kgs (unprocessed weight) for the 2021-22 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).
12. 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 2022. Further details on the expected timeline is provided at **Attachment 4a.**

TRL Harvest Strategy

13. 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.
14. 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.
15. 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 2021-22 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).
16. 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.

Other sources of mortality and global TAC

17. 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)*.
18. To date, estimates of catches taken outside of the TRL Fishery (recreational, charter, subsistence) have not been deducted from the RBC when providing advice on the TAC each fishing season.
19. 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.
20. 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.

**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.	July
PNG and Australian catch and effort data compiled	Australian and PNG catch and effort data are compiled ¹ .	By 31 October
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.	November
Australian start of season TAC determined	Minister to determine a 200 tonnes start of season ³ TAC for the Australian TRL Fishery for the 2021-22 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.	By mid-November

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
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.	Mid-December
PZJA agreement to final global TAC	PZJA to review TRLRAG and TRLWG advice and agree to final global TAC.	January (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
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 end of February

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 Cairns / Video Conference	MEETING 12 16 December 2021
REVIEW OF MANAGEMENT CONTROLS	Agenda Item 5 For NOTING

RECOMMENDATIONS

1. That the Working Group:
 - a. **NOTE** that TRLWG 11 (17 December 2020) recommended five industry-based proposals for changes to management controls in the TRL Fishery for consideration and further input at a broader TRL stakeholder workshop.
 - b. **NOTE** as per TRLWG 11 recommendation, a TRL industry workshop was then convened on 26-27 July 2021 at the Wongai Beach Hotel, Horn Island where 27 industry members from both the TIB and TVH sectors discussed and provided their views on the five proposals identified by industry members from TRLWG 11. A copy of the Industry Workshop summary report is provided at **Attachment 5a**.
 - c. **NOTE** the next steps for progressing the five proposals for further development.

KEY ISSUES

2. At TRLWG 11 (held on 17 December 2020) industry members were invited to table their priority concerns/issues to be identified for further development and consideration as part of a broader review of management controls in the TRL Fishery. As a result, the WG identified five key issues and recommended these be considered more broadly at a stakeholder workshop.
3. The five proposals were:
 - a. To have flexibility to tow tenders un-associated with the primary boat (within survey limits)
 - b. To have flexibility for carrier boats to provide accommodation, fuel and towing services to dinghy operators'
 - c. To have the ability to employ non-traditional inhabitants on TIB vessels, noting that this would apply only to boats over 10m in length, and a maximum of 2 non-traditional inhabitants per boat).
 - d. To remove the boat length replacement policy in the TVH sector
 - e. Removing and/or amendment of the hookah gear possession requirements either side of the moontide hookah closures.
4. TRLWG 11 also noted that following consideration and refinement by a broader group of industry stakeholders, the proposals would also be subject to community consultation, and further consideration by the WG. Depending on the nature of the changes, the WG also noted that a PZJA decision is likely to be required as well as potential amendments to legislation (e.g. the TRL Management Instrument).
5. An Industry Workshop was held on 26-27 July 2021 at the Wongai Beach Hotel, Horn Island and was convened to seek broader TRL industry views on the five proposals to change

management controls in the TRL fishery. The proposals were originally tabled by TRL Working Group industry members. Broader industry views were sought to help refine the proposals and guide further advice before making any recommendations to the PZJA on industry wide/public consultation.

6. The workshop provided an opportunity for industry members to:
 - a. listen to and understand each other's views in relation to reviewing management controls in the fishery;
 - b. put forward other proposals relevant to the TRL fishery for discussion; and
 - c. consider, discuss and assess potential benefits and/or impacts of each proposal and how they align with the objectives and policies of the Fishery, or the aspirations of industry.
7. The summary of the discussions on each of the proposals at the Industry Workshop are provided in the table below and detailed in the workshop report provided at **Attachment 5a**.

Proposal		Key points discussed
1	Flexibility to tow tenders un-associated with the primary boat (within survey limits)	<ul style="list-style-type: none"> • TIB sector only • Improved safety for fishers • Assist in increasing participation in the TIB sector • Support from Kulkalgal nation participants subject to certain conditions (to be further discussed among communities) • Additional flexibility to allow primary boats the ability to buy/receive product from other fishing boats and accommodate fishers (linked to proposal 2)
2	Flexibility for carrier boats to provide accommodation, fuel and towing services to dinghy operators'	<ul style="list-style-type: none"> • Linked to proposal 1 • Broad support by most TIB sector participants, and conditional support from Kulkalgal nation participants • Support for TIB sector only
3	Ability to employ non-traditional inhabitants on TIB vessels, noting that this would apply only to boats over 10m in length, and a maximum of 2 non-traditional inhabitants per boat).	<ul style="list-style-type: none"> • Most participants not supportive due to possible impacts including: <ul style="list-style-type: none"> ○ Mechanism for non-traditional inhabitants getting TIB sector catch 'by stealth' ○ Benefits not being distributed across the fishery ○ Not aligning with intention of proposals 1 and 2 to increase participation and efficiency in TIB sector • Some participants supportive – noting it would assist TIB sector catching the TIB TAC • Overall preference to implement Proposals 1 and 2 first. • Proposal 3 to be revisited in three years time, after effectiveness of Proposals 1 and 2 is reviewed. • If supported in future, initially as a 1 year trial. • Suggestion to limit opportunities to skippers and engineers (not divers).
4	Remove the boat length replacement policy in the TVH sector	<ul style="list-style-type: none"> • TIB sector expressed in-principle support but not in short term: <ul style="list-style-type: none"> ○ Quota system still new, TIB sector entering new era of fishing ○ TIB sector aspirations to 100 per cent ownership of access to TRL fishery

		<ul style="list-style-type: none"> ○ TIB sector concerned with potential for bigger boats to increase localised fishing effort on reefs (both TIB and TVH boats) • Suggestion to revisit proposal in three years time, with Proposal 3.
5	Removing and/or amendment of the hookah gear possession requirements either side of the moontide hookah closures.	<ul style="list-style-type: none"> • General support for closures but suggestions to amend current arrangements: <ul style="list-style-type: none"> ○ Allowing transiting to fishing grounds before hookah season re-opened ○ Bringing closure forward by 12 hours allowing boats to leave port from midday rather than midnight ○ Allowing compressor unit to remain stowed in dories and only remove hookah hoses whilst in Port. • Other TIB sector participants supportive to keep arrangements unchanged.

8. Workshop participants supported the next steps and expected timelines to progressing the five proposals:

- August 2021 – Updating the TRL Working Group on the outcomes of the workshop (the final workshop summary report was circulated to participants, including WG members on 2 September 2021).
- November 2021 – Reporting the outcomes of the workshop to the PZJA
- Early 2022:
 - Community consultations planned, joined by PZJA Traditional Inhabitant members (Working Group members are invited to indicate their availability to assist AFMA with the community visits).
 - Consultation with Native Title Bodies
- Report the outcomes of the community consultation back to the TRL Working Group, who may be required to provide further advice.
- Seek PZJA approval on final arrangements and implement.

BACKGROUND

9. Over the last few years, industry (both TIB and TVH) have expressed a desire to see a review of certain of management controls currently applied to the TRL Fishery, some of which are longstanding issues that have been raised, not only in the Working Group forum.
10. Prior to the quota system being implemented, at its meeting on 26 November 2018 the Protected Zone Joint Authority (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, would be conducted periodically after the quota management system under was operational.
11. 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.

12. 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).
13. 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.
14. 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.



Australian Government

Australian Fisheries Management Authority

Tropical Rock Lobster Industry workshop on reviewing management controls

26-27 July 2021, Horn Island

**Final summary report and
outcomes**



TRL Industry Workshop Participants, 27 July 2021

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Executive summary of recommendations for the TRL Fishery

Proposals 1 and 2 – Flexibility to tow tenders un-associated with the primary vessel, provide accommodation, fuel and towing services to dinghy operators (within survey limits)

- There was broad support for a mothership operation that can tow any dinghy, provide accommodation to fishers, and supply fuel and other supplies to fishing boats, in the traditional inhabitant sector only.
 - This was supported in the context of improved safety for fishers and with the view that it would help increase participation in the TRL fishery by providing newcomers to the fishery an additional opportunity to access the fishery.
- Participants from Kulgalgal were supportive of the proposal, subject to conditions. For example seeking permissions to access lands/waters and move on provisions for primary boats.
- Participants noted that there may be implications for Australian Maritime Safety Authority survey requirements
- Support for the need to establish indicators (increased participation in the fishery, and the TIB sector catching an increased proportion of their TAC) to monitor whether the changes help meet the objectives of the proposal.
- Participants noted that this may require 3-5 years to measure because participation may be reduced in years when catch rates are lower, therefore requiring more time to understand the effects of the proposal.

Proposal 3 – Ability to employ non-traditional inhabitants on TIB vessels (only boats over 10m in length, and a maximum of 2 non-traditional inhabitants per boat)

- Not supported at this time
- Industry would prefer to implement Proposals 1 and 2 first, noting that these are hoped to help increase employment opportunities and participation in the TIB sector.
- Recommended that Proposal 3 be revisited in three years time, after the effectiveness of Proposals 1 and 2 is reviewed.
- If supported in three years time, some participants expressed a strong preference for:
 - It to only be permitted as a one-year trial
 - opportunities could be limited to skippers and engineers only (not divers).
- TVH fishers were sympathetic to TiB primary boat operators who were unable to operate efficiently because of crew shortages.

Proposal 4 – Removal of the boat length replacement policy in the TVH sector

- Traditional inhabitant sector participants expressed in-principle support for removing the policy, but not in the short term because:
 - the quota management system is still relatively new, and with Zenadth Kes Fisheries Limited newly formed the TIB sector is entering a new era;
 - the TIB sector still aspires to 100 per cent ownership of access to the TRL Fishery; and
 - Traditional inhabitant fishers (in particular, smaller dinghy operators) are concerned with the potential for larger boats to increase their localised fishing effort on reefs, and stay on the grounds longer, despite TVH quota units or tender numbers

remaining capped. The impact of large primary boats fishing on the ability for smaller operators to access the fishery remains an ongoing concern of many traditional inhabitant operators.

Proposal 5 – Removing and/or amendment of the hookah gear possession requirements either side of the moontide hookah closures

Suggestions made by TVH operators for amendments to the current arrangements included:

- Creating provisions that allowed for transiting to the fishing grounds before the hookah season re-opened. AFMA advised that in the absence of implementing Vessel Monitoring Systems (VMS) on all boats (primary boats and dinghies), this would be a complex arrangement to enforce.
- Bringing the closure forward by 12 hours, allowing boats to leave port from midday, rather than midnight.
- Allowing the compressor unit to remain stowed in dories, and only having to remove the hookah hoses whilst in Port.

Other traditional inhabitant sector participants were supportive of keeping the arrangements unchanged.

Next steps

- August 2021 – Updating the TRL Working Group on the outcomes of the industry workshop
- November 2021 – Reporting the outcomes of the industry workshop to the PZJA
- Early 2022 –
 - Community consultations planned, joined by PZJA Traditional Inhabitant members
 - Consultation with Native Title Bodies
- Report the outcomes of the community consultation back to the TRL Working Group
- Seek PZJA approval on final arrangements and implement

Introduction

The TRL Industry Workshop was held on 26-27 July 2021 at the Wongai Beach Hotel, Horn Island and was convened to seek broader TRL industry views on five proposals to change management controls in the TRL fishery. The proposals were originally tabled by TRL Working Group industry members. Broader industry views were sought to help refine the proposals and guide further advice before making any recommendations to the PZJA on industry wide/public consultation.

The workshop provided an opportunity for industry members to:

- listen to and understand each other's views in relation to reviewing management controls in the fishery;
- put forward other proposals relevant to the TRL fishery for discussion; and
- consider, discuss and assess potential benefits and/or impacts of each proposal and how they align with the objectives and policies of the Fishery, or the aspirations of industry.

AFMA worked with PZJA TRL Working Group and Resource Assessment Group (RAG) traditional inhabitant and industry members to nominate and invite additional industry members to attend the workshop. A complete list of workshop participants is provided in **Attachment A**. The workshop was co-chaired by Mr John Glaister, Chair of the TRL Working Group and Mr Yen Loban, Chair of the Zenadth Kes Fisheries Limited Board, TSRA Fisheries portfolio member and Board Member for Muralag and Ngurapai.

Workshop participants were provided with a draft agenda (**Attachment B**) and a discussion paper (**Attachment C**) on 7 July 2021 to help guide discussions during the workshop.

A copy of the final workshop presentation slides is also included at **Attachment D**.

Workshop overview

AFMA provided a brief overview on the process undertaken to date to progress a review of management controls in the Fishery. The workshop noted that:

- a) Over the last few years, industry have expressed a desire to see a review of certain management controls currently applied to the TRL fishery, some of which are longstanding issues.
- b) Prior to the quota management system being implemented, at its meeting on 26 November 2018 the Protected Zone Joint Authority (PZJA) reaffirmed existing management controls currently applied to the fishery. TRL licence holders were notified at the time, that a review of existing management arrangements, including input controls would be conducted periodically after the quota management system was operational.
- c) Now that the Fishery has been operating under the quota system for almost three seasons, it is timely that AFMA in conjunction with the TRL Working Group and broader industry stakeholders discuss and provide advice on the need or otherwise to review management controls applied to the fishery.

- d) At their meeting on 17 December 2020, the TRL Working Group considered and discussed a range of proposals that had been tabled in the Working Group over the past five years. Industry members were given the opportunity to identify their priorities for the fishery and recommended five proposals to be further discussed with industry stakeholders (at this workshop).

Guidance for reviewing management controls

The workshop noted the AFMA recommended guidance for reviewing management controls, which included:

- a) Reflecting on the objectives and policies of the Fishery and the *Torres Strait Fisheries Act 1984* (the Act), and how the application of different management policies and arrangements has given rise to different operational characteristics for the different fishery sectors. In particular:
 - i. On average, from the 2017-18 fishing season to the 2019-20 fishing season, the top 20 highest catching TIB operators have caught 55% of the total TIB catch.
 - ii. On average in the same period, the TIB sector has caught 68% of their TAC.
- b) Considering a long-term vision for the fishery;
- c) Defining what the issues are, and the reasons why certain rules need to change;
- d) Assessing the benefits and impacts of potential changes against the fishery objectives, policies and industry aspirations; and
- e) Considering any implications for implementation.

Vision for the Fishery

Having regard to the objectives for the Fishery, workshop participants were asked to consider what they want the TRL Fishery to look like in the long term. The following suggestions were put forward:

- Having a fishery that is 100% owned, operated and managed by traditional inhabitants
- Ensuring the fishery has a reliable source of TRL stock
 - This stemmed from concerns that additional research needs to be undertaken to better understand the level of larval connectivity between the East Coast stock and the Torres Strait.
- Implementing a four year hookah ban
- Ensuring the Traditional Inhabitant sector Total Allowable Catch (TAC) is fully caught
- Implementing a 10 tonne individual quota allocation for every licence holder in the Traditional Inhabitant sector
- Providing opportunities for increased participation and newcomers into the fishery.

Discussions on each proposal

AFMA provided a brief overview and background on each proposal put forward by TRL Working Group industry members. Workshop participants then split into smaller breakout groups to discuss each proposal in more detail and report their discussion outcomes back to the broader group. A summary of the discussions on each proposal is provided below.

Proposal 1 – Flexibility to tow tenders un-associated with the primary vessel (within survey limits)

Workshop participants agreed that this proposal should only apply to the traditional inhabitant sector, which was also supported by participants in the TVH sector. Both breakout groups were supportive of the opportunity to have flexibility in towing arrangements for either the purpose of simply transiting to the fishing grounds, or having other licenced dinghies working in conjunction with the primary boat. Flexibility was supported in the context of improved safety for fishers and with the view that it would help increase participation in the TRL fishery by providing newcomers to the fishery an additional opportunity to access the fishery. All participants expressed support for even greater flexibility to allow primary boats to also be able to buy/receive product from other fishing boats and accommodate fishers (linked to Proposal 2).

One breakout group with participants from Kulkalgal nation expressed support for the proposal, subject to certain conditions. For example, seeking permission to enter waters, or land, and move on provisions for primary boats. The workshop noted that any such conditions need to be further discussed amongst communities and industry operators.

Workshop participants also acknowledged that the proposal may have implications for requirements imposed by the Australian Maritime Safety Authority (AMSA) and requested that AFMA alert AMSA to the proposal.

Proposal 2 – Flexibility for carrier boats to provide accommodation, fuel and towing services to dinghy operators

This proposal was not discussed separately as it was included as part of Proposal 1, culminating in broad support by most traditional inhabitant participants, and conditional support from Kulkalgal industry participants, for a mothership operation that can tow any dinghy, provide accommodation to fishers, and supply fuel and other supplies to fishing boats, in the traditional inhabitant sector only.

Proposal 3 – Ability to employ non-traditional inhabitants on TIB vessels (only boats over 10m in length, and a maximum of 2 non-traditional inhabitants per boat)

Most workshop participants were not supportive of allowing the employment of non-traditional inhabitants on traditional inhabitant boats. Both TIB and TVH participants were cautious about the impacts Proposal 3 could have on the fishery, including:

- it being a mechanism for non-traditional inhabitants getting traditional inhabitant sector catch 'by stealth';
- any benefits not being distributed across the fishery, only advantaging certain individual licence holders; and
- it not aligning with the intention of proposals 1 and 2 to increase participation and efficiency of TIB fishers in the Fishery.

Some participants were supportive of providing TIB primary boat operators the opportunity and flexibility to employ non-traditional inhabitants, noting that it would assist the TIB sector in catching their TAC.

Industry members from the TVH sector noted that they too have similar challenges with recruiting crew and acknowledged that it is not an issue unique to the TIB sector. Despite this, traditional inhabitant sector participants expressed a preference to be able to train indigenous people to operate in the fishery, rather than recruit non-indigenous people to work in the industry. Participants requested that the Torres Strait Regional Authority provide some financial assistance to encourage young fishers and newcomers to the industry.

TIB participants from both breakout groups expressed a preference to implement Proposals 1 and 2 first, noting that these are likely to help achieve the objectives of the fishery and increase employment opportunities/ participation in the fishery. It was recommended that Proposal 3 be revisited in three years time, after the effectiveness of Proposals 1 and 2 is reviewed. If the ability to employ non-traditional inhabitants was supported by industry in three years time, some participants expressed a strong preference for it to only be permitted as a one-year trial. It was also suggested that if non-traditional inhabitants were to be reconsidered as crew on board TIB vessels in three years time, that employment opportunities could be limited to skippers and engineers only (not divers).

Proposal 4 – Removal of the boat length replacement policy in the TVH sector

Workshop participants noted that licence holders in the TVH sector are subject to the boat length replacement policy which limits the size in which existing boats can be replaced.

Participants from the TVH sector advised that while all other rules for the fishery between the two sectors are the same, this policy seems unfair. Being able to operate from a larger boat would provide several benefits, including:

- the flexibility to carry product in on-board live tanks, and still tow cages in slow seasons, providing for improved product quality and therefore maximised value of limited quota units; and
- improved safety in steaming to and from the fishing grounds; and
- the ability to safely steam to the East coast and access the Queensland TRL Fishery.

Acknowledging the safety concerns and the desire to improve product quality, traditional inhabitant sector participants expressed in-principle support for removing the policy, but not in the short term because:

- the quota management system is still relatively new, and with Zenadth Kes Fisheries Limited newly formed the TIB sector is entering a new era;
- the TIB sector still aspires to 100 per cent ownership of access to the TRL Fishery; and
- Traditional inhabitant fishers (in particular, smaller dinghy operators) are concerned with the potential for larger boats to increase their localised fishing effort on reefs, and stay on the grounds longer, despite TVH quota units or tender numbers remaining capped. The impact

of large primary boats fishing on the ability for smaller operators to access the fishery remains an ongoing concern of many traditional inhabitant operators.

Workshop participants acknowledged the need for further discussions amongst industry to try and manage the interaction of larger primary boats with smaller operators and participants from the traditional inhabitant sector suggested the proposal to remove the policy should be revisited again in three years time, along with Proposal 3.

Proposal 5 – Removing and/or amendment of the hookah gear possession requirements either side of the moontide hookah closures

Workshop participants noted that the current arrangements for the possession of hookah gear during a moontide hookah closure were strengthened in 2018-19 in response to stakeholder concerns that fishing boats were steaming out to the fishing grounds early, before a hookah closure ended. The current arrangements under the *Torres Strait Fisheries (Tropical Rock Lobster) Management Instrument 2018* stipulate that a person is prohibited from using, or having in his or her possession, or under his or her control, any quantity of hookah gear on a boat in the TRL fishery during a moontide hookah closure. AFMA noted that under the definition of ‘fishing’ in the Act, steaming out to the fishing grounds and searching for fishing grounds were all considered ‘fishing’ and therefore undertaking those activities with hookah gear on board is prohibited.

Some TVH operators advised that while they were supportive of the moontide hookah closures generally, the possession restrictions resulted in additional lost days fishing, and bottlenecks at processing plants during unloads. Suggestions made by TVH operators for amendments to the current arrangements included:

- Creating provisions that allowed for transiting to the fishing grounds before the hookah season re-opened. AFMA advised that in the absence of implementing Vessel Monitoring Systems (VMS) on all boats (primary, tenders and dinghies), this would be a complex arrangement to enforce.
- Bringing the closure forward by 12 hours, allowing boats to leave port from midday, rather than midnight.
- Allowing the compressor unit to remain stowed in dories, and only having to remove the hookah hoses whilst in Port.

Other traditional inhabitant sector participants were supportive of keeping the arrangements unchanged.

Other issues

Policy on granting of carrier licences

AFMA provided an overview of the current carrier licence policies and noted that some policies are lacking guidance and specificity, which presents challenges with implementation.

Workshop participants noted that there are three types of carrier licences:

- **Carrier A** – which authorise a primary boat to carry and process catch from its tenders that are part of the boats licence package.
- **Carrier B** – which authorise a boat to carry (but not to process) the catches of other fishing boats.
- **Carrier C** – which authorise a boat to carry and process catch of other fishing boats, however the carrier boat may not be used to tow fishing boats or accommodate fishers.

In line with PZJA policy, new carrier A or C licences are only to be granted to traditional inhabitants. New Carrier B licences can be granted to traditional inhabitants, or 'legitimate' cargo boats.

Noting that there is little guidance in the policy relating to the definition of a cargo boat, AFMA sought the preliminary views of industry participants on:

- What constitutes a 'legitimate cargo boat'; and
- Whether Carrier B licences should be granted to non-traditional inhabitants operating a cargo boat.

Workshop participants expressed support for new carrier B licences on cargo boats to be granted to traditional inhabitants in the TRL fishery only and are concerned that the policy could otherwise allow more non-traditional inhabitants access to the fishery, which in turn could limit future opportunities for traditional inhabitants.

Participants also expressed concerns that in the absence of a clear definition for 'cargo boat', new cargo boat operations or vessels with existing Carrier B licences could start deviating from their scheduled routes, and enable more boat-to-boat transfers of TRL. This could in turn, provide an advantage to large primary boat operators and exacerbate the impacts of large primary boats staying out on the fishing grounds for longer or smaller dinghy operators fishing out of communities. One suggestion to mitigate this risk was to impose conditions that required 'cargo boats' to adhere to a scheduled route.

AFMA also queried industry on their general understanding of whether a carrier licence is required for a boat that is transporting product that has already been landed by a licenced fish receiver at a land based facility. Participants advised that when product is unloading from a fishing boat, to land based receiver, and then on to a boat/Sea Swift/aircraft, then a carrier licence would not be required for the final transfer to a boat/Sea Swift/aircraft. However, if a fishing boat is unloading catch to another boat, then a carrier licence would be required.

Acknowledging the complexities of the carrier licence policies, and that additional discussions need to be had with regard to other Torres Strait fisheries, TRL industry participants were supportive of seeking a PZJA decision to implement a moratorium on the granting of any new Carrier B licences until a clear policy position can be developed. AFMA advised that this issue will be discussed in more detail through the TRL, Hand Collectables and Finfish Working Groups in session.

Finfish Western Line Closure

A workshop participant raised the issue of removing the Western Line Closure in the Torres Strait Finfish Fishery and sought the support of the TRL industry workshop participants to remove the closure.

The Western Line Closure (**Attachment E**) is an historic spatial closure in the Finfish Fishery west of 142° 32'E longitude that prohibits commercial fishing for reef line species by line methods. The closure affects all TIB licenced fishers who fish commercially for finfish species under a reef-line (LN) endorsement. Western communities including Boigu, the western half of Dauan, Mabaiag, Badu, Moa, Keriri, Ngurupai, Muralag and Waiben lie within the closure.

The current proposal is to only remove the Western Line Closure north of the Seabed jurisdiction line under the *Torres Strait Treaty*, just south of Buru (Turnagain Island). Workshop participants expressed general support for the closure to be removed in this specific area to provide an opportunity for Gudumaluygal communities to access the reef line fishery. AFMA advised that this issue is being progressed through the Finfish RAG and Working Group and will be included as part of community consultations in the Top Western communities being undertaken in early 2022.

Next steps

Workshop participants noted the next steps and timelines to progressing the five proposals:

- August 2021 – Updating the TRL Working Group on the outcomes of the workshop
- November 2021 – Reporting the outcomes of the workshop to the PZJA
- Early 2022 –
 - Community consultations planned, joined by PZJA Traditional Inhabitant members
 - Consultation with Native Title Bodies
- Report the outcomes of the community consultation back to the TRL Working Group
- Seek PZJA approval on final arrangements and implement

The workshop was closed in prayer at 12:30pm on Tuesday 27 July 2021.

Attachment A – Participant list

Name	Position
John Glaister	Workshop Co-Chair
Yen Loban	Workshop Co-Chair
Patrick Mills	TRLWG traditional inhabitant member – Kaiwalagal
Aaron Tom	TRLWG traditional inhabitant member – Gudumaluylgal
James Ahmat	TRLWG traditional inhabitant member – Maluyilgal
Les Pitt	TRLWG traditional inhabitant member – Kemer Kemer Meriam
Trent Butcher	TRLWG industry member
Mark Dean	TRLWG industry member
Jerome Kalwij	TRLWG industry member
James Billy	TRLRAG traditional inhabitant member - Kulkalgal
Harry Nona	TRLRAG traditional inhabitant member - Kaiwalagal
Graham Hirakawa	TIB primary/tender operator
Kevin Sabatino Snr	TIB dinghy fisher
Edmund Tamwoy	TIB fish receiver/fisher
Ishmael Gibuma	TIB dinghy fisher
Tony Pearson	TIB dinghy fisher
Ken McKenzie	TVH primary/tender operator
Richard Takai	TIB dinghy fisher
Goiri Kaworo	TIB fisher/fish receiver
Ned Larry	TIB dinghy fisher
Phillip Billy	TIB dinghy fisher
Brett Arlidge	MG Kailis/Fish receiver/TVH licence holder
Johnny Baira	TIB dinghy fisher
Adrian Fay	TIB primary/tender operator
Titom Nona	TIB dinghy fisher
Mika David	TIB dinghy fisher
Charles David	TIB dinghy fisher
Daniel Takai	Chair of Zenadth Kes Fisheries Limited
Darren Dennis	TRLWG member
Selina Stoute	AFMA
Georgia Langdon	AFMA
Keith Brightman	TSRA
Quinten Hirakawa	TSRA

Attachment B – Workshop agenda

26 - 27 July 2021 | Agenda v2

Date:	26-27 July 2021
Venue:	Wongai Beach Hotel
Place:	Horn Island
Workshop Chairs	John Glaister and Yen Loban

Day 1: Monday 26 July 2021

08:30 am – 08:45am	Welcome <ul style="list-style-type: none">• Welcome address and acknowledgement of country• Opening prayer (TBA)
8:45 am – 09:00 am	Introduction and purpose of the workshop <ul style="list-style-type: none">• House keeping• Why are we here?
09:00 am – 10:00 am	How did we get here? <ul style="list-style-type: none">• Summary of how we got to the current 5 proposals for discussion. <p><i>Industry will have an opportunity to raise additional proposals for discussion</i></p>
10:00 am – 10:15 am	Morning Tea (15 mins)
10:15 am – 12:00 pm	Guidance for reviewing management controls <ul style="list-style-type: none">• Review objectives and policies of the Fishery• Vision for the Fishery (group discussion)<ul style="list-style-type: none">○ What do you want the TRL fishery to look like in the future?○ What do you want out of the fishery?• Defining the issues/problems• Assessing the benefits/impacts of changing the rules• How will the changes be implemented?
12:00 pm – 1:00 pm	Lunch (1 hr)
1:00 pm – 2:30 pm	Break-out group session 1: <ul style="list-style-type: none">• industry discussion on selected proposals• Report back to the group on break-out session 1
2:30 pm – 2:45 pm	Afternoon Tea (15 mins)
2:45 pm – 4:30 pm	Break-out group session 2: <ul style="list-style-type: none">• industry discussion on selected proposals• Report back to the group on break-out session 2
4:30 pm – 5:00 pm	Recap of Day 1 Plan for Day 2 outlined

	Meeting close
6:00 pm	Workshop dinner
Day 2: Tuesday 27 July 2021	
08:30 am – 9:30 am	Welcome back to Day 2 Recap from Day 1
9:30 am – 10:30 am	Break-out group session 3: <ul style="list-style-type: none"> industry discussion on benefits/impacts of selected proposals Report back to the group on break-out session 3
10:30 am – 10:45 am	<i>Morning Tea (15 mins)</i>
10:45 am – 12:00 pm	Break-out group session 4: <ul style="list-style-type: none"> industry discussion on benefits/impacts of selected proposals Report back to the group on break-out session 4
12:00 pm – 1:00 pm	<i>Lunch (1 hour)</i>
1:00 pm – 2:00 pm	Additional time to continue discussions on proposals if required.
2:00 pm – 3:00 pm	Next steps Outline of next steps to progress proposals
3:00 pm – 3:15 pm	<i>Afternoon Tea (15 mins)</i>
3:15 pm – 3:30 pm	Closing remarks and meeting close

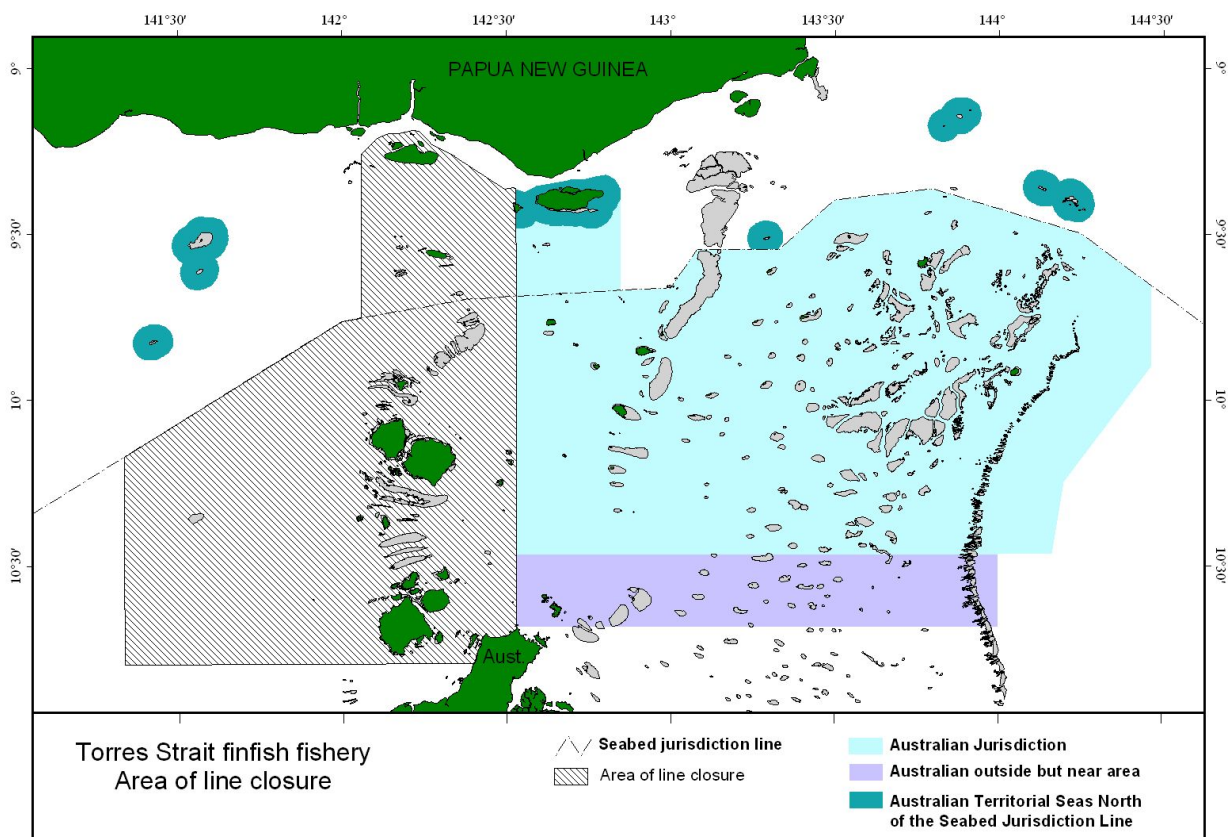
Attachment C – Discussion paper

(provided separately)

Attachment D – Workshop presentation

(provided separately)

Attachment E – Map of Western Line Closure



TROPICAL ROCK LOBSTER WORKING GROUP Cairns / Video Conference	MEETING 12 16 December 2021
TRL Fishery Research Priorities	Agenda Item 6 For Discussion and Advice

RECOMMENDATIONS

1. That the Working Group **DISCUSS** and provide **ADVICE** on the research priorities provided in the draft rolling five year research plan for 2023/24 to 2027/28 (the Research Plan) for the Torres Strait Tropical Rock Lobster (TRL) Fishery (**Attachment 6a**), including advice on feasibility, timing and indicative costing of essential, unfunded research project(s), and identifying any new research needs.
2. That the Working Group **NOTE**:
 - a) TRLRAG also discussed research priorities at their meeting 15 December 2021 (TRLRAG 32). An update on any new research priorities identified by TRLRAG 32 will be provided by the AFMA member.
 - b) The current status of the most recently identified research needs is summarised in **Table 1**); and
 - c) That projects for the 2022/23 funding round have been considered by the TSSAC, which included fishery independent surveys, stock assessment, harvest control and Recommended Biological Catch (RBC) work for the TRL Fishery.

KEY ISSUES

Research priorities for the TRL Fishery

3. The Working Group last discussed research priorities on in 2019 and supported the recommendations of the TRL RAG.
4. Since that time TRLRAG 30 and 31 provided further advice on research priorities for the TRL Fishery and has recommended that:
 - a) The highest 'essential' priority for the fishery remains the need to undertake **fishery independent surveys, stock assessment, harvest control and Recommended Biological Catch** (RBC) work.
 - a) Undertaking an update to the 2007 **Ecological Risk Assessment** (ERA) for the TRL Fishery remains an essential priority. Assessment by CSIRO this financial year is dependent on prioritisation against other high priority fisheries. Funding can be sourced from the AFMA TRL Fishery budget (~\$20,400).
 - b) **Improvement of data collection** (to be pursued by the TRL RAG data sub-group) remains an essential priority.
 - c) **Understanding fisher behaviour** and capturing information on the impacts of COVID-19 on the fishery remain essential priorities.
 - d) **Understanding connectivity, environmental drivers and adaptation strategies** also remain an essential priority, noting that a recently funded climate project led by CSIRO (Leo Dutra) that will provide greater insights into available environmental information and advice on what should be collected to develop downscaled climate effects models for Torres Strait Fisheries. More specifically, the RAG supported further work on understanding connectivity, highlighting that a discrete tagging project of 0+ and 1+ lobsters could help better understand any potential disparities between pre-season survey data, and fishery dependent data.

- e) Following initial qualitative data collection through improvements to fishery dependent data, more specific resources can be dedicated to **understanding changes to fishing power** to develop a representative and structured annual fishing power survey. This will be better facilitated when face-to-face stakeholder engagement is more feasible. As such, this research item remains as desirable.
 - f) Considering that perhaps the original driver for the **science peer review** is now less important, the RAG agreed it could be moved down in terms of priority against other research needs, and is now prioritised as desirable.
5. At their recent meeting (30 Nov – 1 Dec 2021), the TSSAC considered projects to be funded in 2022/23 which included fishery independent surveys, stock assessment, harvest control and Recommended Biological Catch (RBC) work for the TRL Fishery. The scope for this work was also expanded to include the development of meta rules to address exceptional circumstances that impact fishery dependent data in the empirical Harvest Control Rule (eHCR).
 6. The Working Group is being invited to discuss and provide advice on research priorities for the TRL Fishery for 2023/24 financial year and beyond, noting that if priorities change, the RAG and WG can revisit priorities again ahead of the next TSSAC funding round.

BACKGROUND

TSSAC Research Funding Process

7. Each year the PZJA TSSAC invites applications for funding to undertake research to support the management of Protected Zone Fisheries. The TSSAC seek input from each fishery advisory committee to identify research priorities.
8. PZJA fisheries research is generally funded by AFMA. The AFMA research budget is generally set at around \$420,000 each year. In addition to the AFMA research funding, TSRA has recently committed in-principle to contributing \$150,000 each year towards PZJA fisheries research. This allows around \$570,000 annual for all Torres Strait research.
9. Additional funding can also be sought from other bodies such as the Fisheries Research and Development Corporation (FRDC), when needed, and when projects align with FRDC objectives.
10. Assuming no change to available AFMA and TSRA funding, considering expected research commitments and in the absence of securing further funding, available research funding across all Torres Strait Fisheries in the 2023-24 financial year will be around \$84,000.
11. A detailed breakdown of committed TSSAC funds for multi-year projects 2021/22 – 2024/25 is provided at **Attachment 6b**.

TSSAC Fisheries Strategic Research Plan 2018-2023 and rolling five-year fishery specific research plans

12. TSSAC operates under a SRP which guides priority setting for research in Torres Strait fisheries over a five year period. The SRP specifies the research priorities and strategies that the PZJA intend to pursue in Torres Strait fisheries, and provides background to the processes used to call for, and assess, research proposals. The research priorities can be broad, covering all topics within the SRP, some of which may be funded by AFMA, and some of which may require funding from other funding bodies.
13. There are 3 research themes within the SRP, under which the TRLRAG and TRLWG could identify research priorities for the TRL Fishery (**Attachment 8c**). There are several strategies under each theme and suggested ideas to help RAGs and Working Groups to think about the sorts of projects which may fit within these themes and strategies.
14. The TSSAC requires each fishery to develop a rolling five year research plan, which fits into the themes identified in this SRP.

Table 1. Overview of recent research needs identified or discussed at previous TRLRAG and TRLWG meetings with an update on current status.

Research need	Detail	TRLRAG Prioritisation	Status	Comments/Questions
Fishery surveys, stock assessment, harvest control rules and recommended biological catch (RBC)	<ul style="list-style-type: none"> • Monitor ongoing changes in the fishery and update or develop fishery performance indicators as required. • Recommend a recommended biological catch (RBC) annually for each season. • Every third year update and implement the long-term stock assessment. • Conduct a pre- season survey in November each year, including seabed habitat monitoring. • Continue development of a harvest strategy for the TRL Fishery including an empirical harvest control rule. • Facilitate data sharing with PNG. • Development of a tiered harvest strategy for the TRL Fishery. 	Essential (as per TRLRAG 29 advice)	Currently funded under AFMA Research Project (2019/0825) until 2021-22.	<p>Currently scoped as a three year project from 2022-23 onwards, and under consideration by the TSSAC.</p> <p>Estimated projected cost is \$290,000 annually</p>
Ecological risk assessment (ERA)	<ul style="list-style-type: none"> • Conduct an update to the 2007 ERA for the TRL Fishery. 	Essential (as per TRLRAG 29 advice)	<p>Assessment this financial year dependent prioritisation against other high priority fisheries.</p> <p>Funding can be sourced from the AFMA TRL Budget (~\$20,400).</p>	TRLRAG 29 agreed that because the Fishery is based on a single species, collected by hand, there is unlikely to be any significant change in the ecological risk factors relating to the TRL fishery since the last ERA was undertaken in 2007.
Improvement of data collection	<ul style="list-style-type: none"> • Improved monitoring of commercial catch and effort in all sectors of the fishery. • Estimate of non-commercial take of TRL. • Alternative monitoring techniques of effort, for example GPS tracking. 	Essential (as per TRLRAG 29 advice)	Due to the timing of 2021 black teatfish opening in the Torres Strait Beche-de-mer Fishery, commencing on 30 April 2021, and the level of AFMA resources required to support a successful opening, AFMA had to reprioritise some of our other fisheries work during the first half of 2021, including TRL. This, combined with COVID-19 impacts and ongoing travel restrictions has unfortunately impacted the ability of the RAG data sub-group to	<p>The RAG has supported the continuation of the data sub-group as a means to progress options for addressing ongoing fishing dependent data needs for the fishery.</p> <p>The funding for RAG data sub-groups is to be sourced from the AFMA TRLRAG budget.</p>

Research need	Detail	TRLRAG Prioritisation	Status	Comments/Questions
			reconvene in 2021. The next meeting of the RAG data sub-group is still to be confirmed and will aim to be in the first half of 2022.	
Understanding fisher behaviour	<ul style="list-style-type: none"> Understanding the drivers and incentives in determining fishing behaviour in all sectors. Understanding fishing behaviour under output controls: the impact of ITQs or competitive quota on the fishery (including social impacts); the extent and impact of discard mortality; the effect of changing market preferences on fishing behaviour under output controls; the extent of value adding e.g. moving to live product, targeting different sizes; the extent of high grading under output controls. Work should also include capturing information on the impacts of COVID-19 on the fishery to ensure that analysis of fishery data is accounting for potential 'COVID noise'. Commencing initial conversations with industry now, to capture qualitative information on fishing activities, would be a useful approach. 	Essential (as per TRLRAG 29 advice)	Currently unfunded and requires an indicative cost estimate.	TRL Data Sub-group should commence initial conversations with industry and collection of qualitative data, with a view to developing a structured quantitative survey over time.
Understanding connectivity, environmental drivers and adaptation strategies	<ul style="list-style-type: none"> Understanding of migration of different age classes of lobsters between, and within, jurisdictions (e.g. PNG, QLD East Coast and Torres Strait). Understanding of recruitment connectivity between, and within, jurisdictions, including key areas of larval release within each jurisdiction. Management implications of movement and recruitment connectivity between, and within, jurisdictions. Understanding large scale environmental perturbations and their impacts on lobster recruitment, availability and aggregations. 	Essential (as per TRLRAG 29 advice)	Currently unfunded and requires an indicative cost estimate	<ul style="list-style-type: none"> industry could be engaged to undertake a discrete tagging project of 0+ (recently settled) and 1+ (juvenile) lobsters to examine movement from the East Coast into the Torres Strait. Useful to help better understand any potential disparity between pre-season survey data, and the fishery catch data, noting that the most recent tagging study is over 30 years old. The currently-funded climate project work led by CSIRO (Leo Dutra) will provide greater insights into the available environmental information, and advice on what information should be collected to develop

Research need	Detail	TRLRAG Prioritisation	Status	Comments/Questions
				downscaled climate effects models for TS fisheries.
Understanding changes to fishing power through time	Understanding changes in fishing behaviour and power over time (e.g. changes to the size of engines, use of GPS, gear, areas fished, time fished, experience of divers), to inform the standardisation of CPUE data.	Desirable (as per TRLRAG 29 advice)	TRL Data Sub-group to progress once progress on improving data collection has been made – funding for sub-group meetings to be sourced from RAG budget	Following initial qualitative data collection, more specific resources can be dedicated towards the project to develop a representative and structured annual fishing power survey. This will be better facilitated when face-to-face stakeholder engagement is more feasible, allowing for trusted relationships with industry to be built up over time.
Science peer review	Consistent with AFMA's best practice <i>Guidelines for quality assurance of Australian fisheries research and science information</i> (the Guidelines), a peer review be conducted of the TRL Fishery survey design.	Desirable (as per TRLRAG 29 advice)	This project is currently estimated to cost between \$60,000 - \$80,000 depending on final scope. The Chair and independent scientific member agreed to finalise the Terms of Reference for the review out-of-session (TRL RAG 29)	Original driver for this research need may be now less important.
Mid-year survey	Conduct mid- year survey, as required under the Harvest Strategy for the TRL Fishery.	To be conducted only if requirement to undertake a mid-year survey is triggered under the Harvest Strategy – indicative cost \$110,000 with in-kind contribution from CSIRO	n/a	Unless triggered under the Harvest Strategy for the TRL Fishery, this project is not a priority for the TRL Fishery.



DRAFT Rolling Five Year Research Plan 2023/24-2027/28

Torres Strait Tropical Rock Lobster Fishery



Compiled by AFMA with TRLRAG advice

September 2021

ABOUT THIS PLAN

The Torres Strait Scientific Advisory Committee (TSSAC) seeks input from each fishery advisory body (Resource Assessment Group (RAG), Management Advisory Committee (MAC) or Working Group (WG)) to identify research priorities over five year periods from 2022/23 to 2026/27. This template is to be used by the relevant advisory body to complete their five-year plan. The plans are to be developed in conjunction with the TSSAC Five-year Strategic Research Plan (SRP) with a focus on the three research themes and associated strategies within the SRP.

All fishery five-year plans will be assessed by the TSSAC using a set of criteria, and used to produce an Annual Research Statement for all Torres Strait fisheries.

The TSSAC then develop scopes for the highest ranking projects in order to publish its annual call for research proposals. There are likely to be more scopes that funding will provide for so TSSAC can consider a number of proposals before deciding where to commit funding.

The fishery five-year plans are to be reviewed and updated annually by the Torres Strait forums to add an additional year onto the end to ensure the plans maintain a five year projection for priority research. Priorities may also change during the review if needed.

RESEARCH PRIORITIES

Table 1. Five-year Torres Strait Tropical Rock Lobster Fishery research plan for 2023/24 to 2027/28.

Proposed Project	Objectives and component tasks	Year project to be carried out and indicative cost*						Evaluation		
		2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	Priority essential / desirable	Priority ranking 1-5 (1 = highest)	Theme
Fishery surveys, stock assessment, harvest control rules and recommended biological catch (RBC)	<ul style="list-style-type: none"> ➤ Monitor ongoing changes in the fishery and update or develop fishery performance indicators as required. ➤ Recommend a recommended biological catch (RBC) annually for each season. ➤ Every third year update and implement the long-term stock assessment. ➤ Conduct a pre- season survey in November each year, including seabed habitat monitoring. ➤ Continue development of a harvest strategy for the TRL Fishery including an empirical harvest control rule. ➤ Facilitate data sharing with PNG. ➤ Development of a tiered harvest strategy for the TRL Fishery. 	290,824 (funded under AFMA Research Project 2019/0825)	Estimated 290,000	Estimated 290,000	Estimated 290,000	290,000 (not yet scoped)	290,000 (not yet scoped)	Essential	1	1
Ecological risk assessment (ERA)	<ul style="list-style-type: none"> ➤ Conduct an update to the 2007 ERA for the TRL Fishery. 	20,400	0	0	0	0	0	Essential	1	1
Improvement of data collection • Data sub-group to progress alongside RAG meetings – funding for sub-group meetings to be sourced from RAG budget	<ul style="list-style-type: none"> ➤ Improved monitoring of commercial catch and effort in all sectors of the fishery. ➤ Estimate of non- commercial take of TRL. ➤ Alternative monitoring techniques of effort, for example GPS tracking. 	20,000	0	0	0	0	0	Essential	1	1,3
Understanding fishing behaviour	<ul style="list-style-type: none"> ➤ Understanding the drivers and incentives in determining fishing behaviour in all sectors. ➤ Understanding fishing behaviour under output controls: the impact of ITQs or competitive quota on the fishery (including social impacts); the extent and impact of discard mortality; the effect of changing market preferences on fishing behaviour under output controls; the extent of value 	<p>To be advised</p> <p>TRL Data Sub-group should commence initial conversations with industry and collection of qualitative data, with a view to developing a structured quantitative survey over time.</p>						Essential	2	1

	<p>adding e.g. moving to live product, targeting different sizes; the extent of high grading under output controls.</p> <p>➤ Work should also include capturing information on the impacts of COVID-19 on the fishery to ensure that analysis of fishery data is accounting for potential 'COVID noise'.</p>				
Understanding connectivity, environmental drivers and adaptation strategies	<p>➤ Understanding the drivers and incentives in determining fishing behaviour in all sectors.</p> <p>➤ Understanding fishing behaviour under output controls: the impact of ITQs or competitive quota on the fishery (including social impacts); the extent and impact of discard mortality; the effect of changing market preferences on fishing behaviour under output controls; the extent of value adding e.g. moving to live product, targeting different sizes; the extent of high grading under output controls.</p>	To be advised	Essential	2	1
Understanding changes to fishing power through time	<p>➤ Understanding changes in fishing behaviour and power over time (e.g. changes to the size of engines, use of GPS, gear, areas fished, time fished, experience of divers), to inform the standardisation of CPUE data.</p>	<p>To be advised</p> <p>Sub-group to progress once progress on improving data collection has been made – funding for sub-group meetings to be sourced from RAG budget</p>	Desirable	2	1
Science peer review	<p>➤ Consistent with best practice Guidelines for quality assurance of Australian fisheries research and science information (the Guidelines), a peer review be conducted of the TRL Fishery survey design, stock assessment and draft Harvest Strategy.</p> <p>Terms of reference to be developed and considered by the TRLRAG</p>	<p>60,000 - 80,000</p> <p>(dependent on final scope)</p>	Desirable	3	
Mid-year survey Note: unless triggered under the Harvest Strategy for the TRL Fishery, this project is not a priority for the TRL Fishery.	<p>➤ Conduct mid- year survey, as required under the Harvest Strategy for the TRL Fishery.</p>	<p>To be conducted only if requirement to undertake a mid-year survey is triggered under the Harvest Strategy – indicative cost \$110,000 with in-kind contribution from CSIRO</p>	Only if triggered under HS priority = essential	Only if triggered under HS priority ranking = 1	1

Committed Torres Strait Scientific Advisory Committee (TSSAC) funds for multi-year projects 2021-22 to 2024-25

Research priority theme	Project Title	Cost per year			
		2021/22	2022/23	2023/24	2024/25
1a - Fishery stocks, biology and marine environment.	Fishery independent survey, stock assessment, Harvest Strategy and Recommended Biological Catch calculation for the Torres Strait Tropical Rock Lobster Fishery	\$291,000	(estimate \$290,000)	(estimate \$290,000)	(estimate \$290,000)
1a - Fishery stocks, biology and marine environment.	Finfish Fishery: Coral Trout and Spanish Mackerel Biological Sampling 2021-2024	\$122,000	\$128,000	\$135,000	
1a - Fishery stocks, biology and marine environment.	Finfish Fishery Spanish mackerel stock assessment	\$57,000	\$59,000	\$61,000	
1a - Fishery stocks, biology and marine environment.	Designing a close-kin mark-recapture study for Torres Strait Spanish mackerel	\$93,000			
Total cost for all projects (including yet to be scoped TRL)		\$563,000	\$477,000	\$486,000	\$290,000
Available research budget (if TSRA funding continues at \$150,000 and AFMA at \$420,000 per year) ¹		NA – funding round complete	\$570,000	\$570,000	\$570,000
Remaining funding available if TRL project continues funding in future			~\$93,000	~\$84,000	~\$280,000

¹ The TRL stock assessment and survey is ongoing work generally funded each year. This work usually costs around \$290,000 a year. Although this project proposal will be assessed against all others, its considered a high priority for Torres Strait research and is likely to be funded. This can be taken into account when looking at the likely funding available for 2023-24 and beyond.

Torres Strait fisheries strategic research themes, strategies and research activities

Theme 1: Protecting the Torres Strait marine environment for the benefit of Traditional Inhabitants	
Aim: Effective management of fishery stocks based on understanding species and their biology and ecological dependencies so it can support Traditional Inhabitant social and economic needs.	
Strategy 1a - Fishery stocks, biology and marine environment	<p>Possible research activities under this theme may include:</p> <ul style="list-style-type: none"> a. Stock assessment and fishery harvest strategies for key commercial species. b. Ecological risk assessments and management strategies for fisheries. c. Minimising marine debris in the Torres Strait. d. Addressing the effects of climate change on Torres Strait fisheries through adaptation pathways for management, the fishing industry and communities. e. Incorporating Traditional Ecological Knowledge into fisheries management. f. Methods for estimating traditional and recreational catch to improve fisheries sustainability.
Strategy 1b – Catch sharing with Papua New Guinea	<p>Possible research activities under this theme may include:</p> <ul style="list-style-type: none"> a. Status of commercial stocks and catches by all sectors within PNG jurisdiction of the TSPZ. b. Good cross-jurisdictional fisheries management through better monitoring and use of technology.
Theme 2: Social and Economic Benefits	
Aim: Increase social and economic benefits to Traditional Inhabitants from Torres Strait Fisheries.	
Strategy 2a - Promoting social benefits and economic development in the Torres Strait, including employment opportunities for Traditional Inhabitants	<p>Possible research activities under this theme may include:</p> <ul style="list-style-type: none"> a. Models for managing/administering Traditional Inhabitant quota b. Understanding what influences participation in commercial fishing by Traditional Inhabitants. c. Understanding the role and contribution of women in fisheries. d. Capacity building for the governance of industry representative bodies e. Methods for valuing social outcomes for participation in Torres Strait fisheries. f. Identifying opportunities and take-up strategies to increase economic benefits from Torres Strait fisheries.
Theme 3: Technology and Innovation	
Aim: To have policies and technology that promote economic, environmental and social benefits from the fishing sector.	
Strategy 3a – Develop technology to support the management of Torres Strait fisheries.	<p>Possible research activities under this theme may include:</p> <ul style="list-style-type: none"> a. Electronic reporting and monitoring in the Torres Strait, including for small craft. b. Technologies or systems that support more efficient and effective fisheries management and fishing industry operations.

TROPICAL ROCK LOBSTER WORKING GROUP Cairns / Video Conference	MEETING 12 16 December 2021
OVERVIEW OF COMPLIANCE RISK ASSESSMENT PROCESS	Agenda Item 7 For Noting

RECOMMENDATIONS

1. That the Working Group:

- a. **NOTE** a presentation on an overview of the AFMA Compliance Risk Assessment Process that AFMA undertakes each year to inform their compliance activities in both Torres Strait and Commonwealth fisheries.

KEY ISSUES

2. To ensure AFMA's compliance efforts are targeted in the right areas an intelligence driven risk based approach is applied as part of the annual National Compliance and Enforcement Program.
3. A risk-based compliance approach enables AFMA's resources to be targeted to the areas where they are most needed and will prove most effective. It involves a series of steps to identify and assess non-compliance risks and then apply appropriate enforcement action to mitigate these risks.
4. Risk assessments are conducted across the major Commonwealth domestic fisheries, as well as all Torres Strait Fisheries.
5. The risk analysis process assesses and ranks risks of non-compliance with management arrangements to identify where non-compliant activity across fisheries may be occurring. The final risk ratings are determined by assessing the average risk rating provided by stakeholder groups, AFMA's intelligence holdings and the history of detected offences.
6. For the first time in September 2020, PZJA advisory committee members, including TRLWG, were invited to provide input to the 2021-23 National Compliance Risk Assessment for Torres Strait Fisheries.
7. To familiarise the Working Group with the overall compliance risk assessment process, the Working Group is invited to note a presentation from the AFMA Senior Manager of National Compliance on an overview of the AFMA domestic compliance risk assessment process.

BACKGROUND

8. AFMA took over the Torres Strait Fisheries Domestic Compliance Program on 1 July 2018 from the Queensland Fishing and Boating Patrol.

TROPICAL ROCK LOBSTER WORKING GROUP Cairns / Video Conference	MEETING 12 16 December 2021
OTHER BUSINESS	Agenda Item 8 For discussion

RECOMMENDATIONS

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

TROPICAL ROCK LOBSTER WORKING GROUP Cairns / Video Conference	MEETING 12 16 December 2021
DATE AND VENUE FOR NEXT MEETING	Agenda Item 9 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.

Proposed Date	Key agenda items
June 2022 (during a moontide closure)	<ul style="list-style-type: none"> - Consider outcomes of public consultation on proposals to change management controls in the TRL Fishery
17 December 2021	<ul style="list-style-type: none"> - 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 - Discuss research priorities and any updates to the five-year research plan, having regard to TRLRAG advice