

Ref: NTN2024-02

01 March 2024

Dear Sir/Madam,

**Comment on a proposed management action in line with section 24HA(2) of the *Native Title Act 1993***

I am writing to you on behalf of the Secretariat of the Protected Zone Joint Authority (PZJA) regarding the proposed management action to grant a permit for scientific purposes to conduct a scientific survey in the area of waters of the Torres Strait Beche-de-mer Fishery. Further details of the proposed action can be found in **Attachments A-C - Class Notification under the *Commonwealth Native Title Act 1993***.

Under section 24HA(7), the PZJA must give the recipient of this notice an opportunity to comment on the action within a period defined by this notice. Please provide any comments on the proposed management action by **close of business 29 March 2024**, in writing, to the addressee below:

Australian Fisheries Management Authority  
Att: Natalie Couchman  
PO Box 376  
Thursday Island, QLD, 4875

Email: [FisheriesTI@afma.gov.au](mailto:FisheriesTI@afma.gov.au)

Since 2019, AFMA has been publishing the native title notifications on the [PZJA website](#). With your agreement, AFMA is also seeking to publish any comments received in response to proposed management actions. Please let us know if you have any concerns with this.

If you have any problems meeting the timeframe or if you have any additional questions regarding the proposed management action, please contact me by phone on 07 4069 1990 or email [FisheriesTI@afma.gov.au](mailto:FisheriesTI@afma.gov.au).

Yours sincerely



Natalie Couchman  
On behalf of PZJA Secretariat  
Senior Management Officer  
Torres Strait Fisheries  
AFMA

**Attachments**

A-C - Class Notification under the *Commonwealth Native Title Act 1993*

Class Notification under the Commonwealth *Native Title Act 1993*

## Proposed grant of a permit for scientific purposes to conduct a scientific survey in the area of waters of the Torres Strait Beche-de-mer Fishery

Date of Issue: 01 March 2024

<b>SECTION OF NTA</b>	Section 24HA(7) of the Commonwealth <i>Native Title Act 1993</i>
<b>DEPARTMENT/AGENCY</b>	Australian Fisheries Management Authority (AFMA) on behalf of the Torres Strait Protected Zone Joint Authority (PZJA)
<b>CONTACT NAME</b>	Natalie Couchman
<b>E-MAIL</b>	<a href="mailto:FisheriesTI@afma.gov.au">FisheriesTI@afma.gov.au</a>
<b>TELEPHONE NO.</b>	(07) 4069 1990
<b>REFERENCE NO.</b>	NTN2024-02 – Proposed grant of a permit for scientific purposes to conduct a scientific survey in the area of waters of the Torres Strait Beche-de-mer Fishery

The Protected Zone Joint Authority intends to do the following act:

<b>TYPE OF APPROVAL</b>	Proposed grant of a permit for scientific purposes under section 12 of the Commonwealth <i>Torres Strait Fisheries Act 1984</i> (the Act), subject to PZJA approval
<b>NUMBER OF APPROVALS</b>	One
<b>UNDER WHAT ACT</b>	Commonwealth <i>Torres Strait Fisheries Act 1984</i>

The approvals, if granted, will permit the following activity to happen:

<b>NATURE OF ACTIVITY</b>	<p>Section 12 of the Act provides for the grant of a permit to a person authorising that person to engage, for scientific or developmental purposes, in such activities by way of fishing in an area of Australian jurisdiction as are specified in the permit.</p> <p>Subject to PZJA approval, it is proposed that a permit for scientific purposes be granted under section 12 of the Act to allow a survey of an area of waters surrounding Ugar (Stephen Island), in the area of the Torres Strait Beche-de-mer Fishery (BDM Fishery), to count and measure sea cucumbers, marine plants (seaweed and seagrass) and water quality. The information collected through the survey will be used to inform a business plan to establish an indigenous-led business to reproduce and grow sea cucumbers on Ugar. The survey will be undertaken by the Commonwealth Scientific and Industrial Research Organisation (CSIRO).</p> <p>Further information on the proposed management action is provided in <b>Attachment B</b>.</p>
---------------------------	--

The above activity will be located within:

<b>LOCATION OF ACTIVITY</b>	The proposed activity would apply to an area of waters surrounding Ugar in the area of the BDM Fishery ( <b>Attachment C</b> ). The extent of the BDM Fishery is described in Item 1, Schedule 2 of the <i>Torres Strait Fisheries Regulations 1985</i> (the Regulations). The Regulations can be accessed online at: <a href="https://www.legislation.gov.au/Details/F2016C00633">https://www.legislation.gov.au/Details/F2016C00633</a>
-----------------------------	---

	Specifically, the proposed activity will fall within the following boundaries: <ul style="list-style-type: none"> <li>- Northern-most Latitude – 09°24'S</li> <li>- Southern-most Latitude – 09°32'S</li> <li>- Eastern-most Longitude – 143°29'E</li> <li>- Western-most Longitude – 143°36'E.</li> </ul>
<b>MAPS/PLANS</b>	<b>Attachment C</b> shows the area of the BDM Fishery, as described in Item 1, Schedule 2 of the Regulations.
<b>NAME OF REGISTERED NATIVE TITLE CLAIMANT GROUP/S OR NAME OF REGISTERED NATIVE TITLE BODY CORPORATE</b>	Torres Strait Regional Seas Claim Kaurareg People #1 Kaurareg People #2 North Eastern Peninsula Sea Claim Group (Cape York Land Council Aboriginal Corporation) Torres Strait Regional Sea Claim (Malu Lamar (Torres Strait Islander) Corporation RNTBC) Northern Cape York Group #1 (Ipima Ikaya Aboriginal Corporation RNTBC) Torres Strait Regional Seas Claim (Gudang Yadhaykenu Native Title Aboriginal Corporation RNTBC, Northern Cape and Torres Strait United Indigenous Corporation and Seven Rivers Aboriginal Corporation RNTBC) PNG Gas Pipeline ILUA - Cape York Region Northern Peninsula Area Regional Council Northern Cape York Group #1 ILUA Ergon Energy and Northern Cape York Group #1 ILUA
<b>NAME OF NATIVE TITLE REPRESENTATIVE BODY</b>	Cape York Land Council Aboriginal Corporation Gur A Baradharaw Kod Torres Strait Sea and Land Council

If approved, after consideration of all comments, the management option will be implemented for the following period of time:

<b>DURATION OF APPROVAL</b>	It is proposed that a permit for scientific purposes is granted for a period of 6 months from the date of issue.
-----------------------------	--

**You are invited to comment upon the class of proposed future acts outlined above by close of business 29 March 2024.**

Any comments must be **in writing**:

By email to: [FisheriesTI@afma.gov.au](mailto:FisheriesTI@afma.gov.au)

Or by mail addressed to:  
Australian Fisheries Management Authority  
Att: Natalie Couchman  
PO Box 376  
Thursday Island, QLD, 4875

## **Background Information**

### **What will the research involve?**

1. Subject to the approval of the Protected Zone Joint Authority (PZJA), it is proposed that a permit for scientific purposes be granted under section 12(1) of the *Torres Strait Fisheries Act 1984* (the Act) to allow a survey of an area of waters surrounding Ugar (Stephen Island), in the area of the Torres Strait Beche-de-mer Fishery (BDM Fishery), to count and measure sea cucumbers, marine plants (seaweed and seagrass) and water quality. The survey will be undertaken by scientists from the Commonwealth Scientific and Industrial Research Organisation (CSIRO), working closely with Councillor Rocky Stephen (Torres Strait Island Regional Council). The scientists will follow directions from the Ugar Ged Kem Le Zeuber Er Kep Le (Torres Strait Islanders) Corporation RNTBC on cultural sites and any other cultural matters when undertaking the survey.
2. The survey is part of a broader project to assess the feasibility of establishing an indigenous-led business to reproduce and grow sea cucumbers on Ugar. The information collected through the survey will be used to inform the development of a business plan, necessary to seek further Government approvals to establish a business of that nature.
3. The proposed permit will be subject to conditions under section 12(3) of the Act. It is proposed that these conditions will authorise the permit holder, or a person/s acting on behalf of the permit holder, to collect sea cucumbers of any size to be measured before being returned to the water at the same location. The permit holder will also be responsible for meeting all conditions imposed by the *Environment Protection and Biodiversity Conservation Act 1999* as it applies to the Torres Strait Protected Zone, and the holder must report any interactions with protected species to AFMA in writing within 48 hours of returning to port. The permit will prohibit the holder from commercially selling or retaining any product under the authority of the permit.

### **Why is this research being undertaken?**

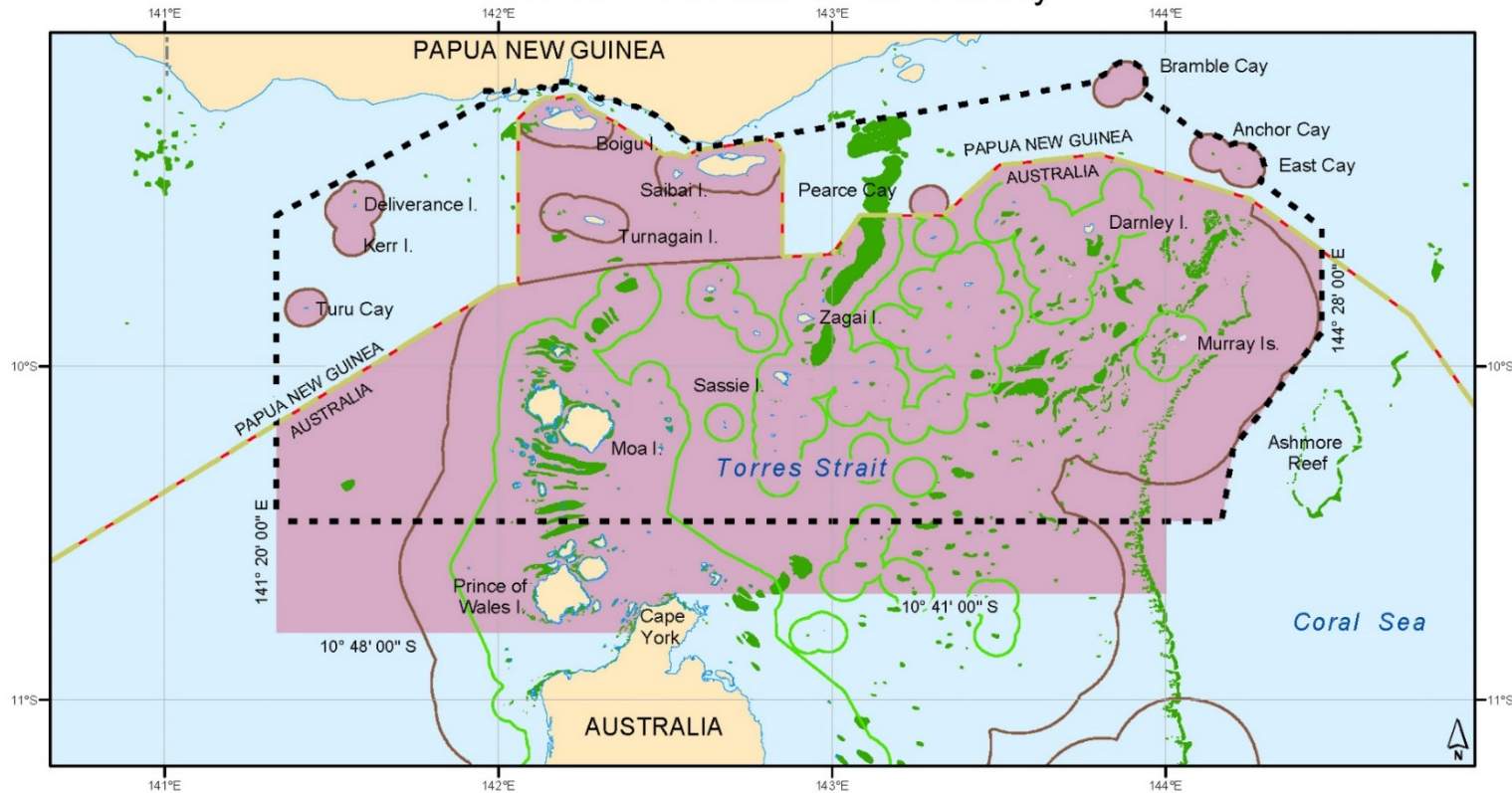
4. The PZJA receives applications for scientific permits that are predominantly for activities under research projects that have been identified and commissioned through the PZJA's research processes. Periodically, applications are received for research projects which are non-PZJA related, but where the activity will involve the taking of fish and will require a scientific permit under the Act to legally do so. This is the case for the survey to be undertaken under the proposed permit.
5. The survey is part of a broader project to assess the feasibility of establishing an indigenous led business to reproduce and grow sea cucumbers on Ugar. The information collected through the survey will be used to inform the development of a business plan, necessary to seek further Government approvals to establish a business of that nature.

### **How will the research impact Traditional Inhabitants?**

6. The survey conducted under the proposed scientific permit will benefit future sustainable management of the BDM Fishery by providing researchers and fisheries managers with important information to improve the understanding of the stock status of sea cucumber species, in particular additional information on sea cucumber populations in the area of waters surrounding Ugar.

# Torres Strait Fisheries

## Area of the Beche-de-mer Fishery



- Coastal Waters limit (3nm)
- Exclusive Economic Zone limit (200nm)
- - - Fisheries Jurisdiction line
- - - Protected Zone Boundary
- Territorial Sea limit (12nm)
- Low tide elevations and reefs
- Torres Strait Fisheries**
- Beche-de-mer Fishery



Produced by Geoscience Australia  
for the Australian Fisheries Management Authority, August 2006  
© Commonwealth of Australia 2006

Geographic  
Datum: WGS84

**NOTES:**

1. The area of the Fishery is sourced from the Torres Strait Fisheries Regulations 1985
2. Within this fishery, arrangements exist between the Commonwealth and QLD, whereby the Coastal Waters of that State are deemed part of the AFZ
3. The Fisheries Jurisdiction Line and Protected Zone shown on this map are established under the Treaty between Australia and the Independent State of Papua New Guinea. This Treaty entered into force on 15 February 1985
4. The maritime zone boundaries shown on this map are sourced from the "Australian Maritime Boundaries (AMB) v2.0"

GeoCat #: 64841