



Australian Government
Department of Agriculture



Australian Government
Australian Fisheries
Management Authority



Queensland
Government



Ref: NTN2025-06

11 December 2025

Dear Sir/Madam,

Comment on a proposed management action: 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 implement licence conditions for Traditional Inhabitant Boat licences that permit the take of sea cucumber species in the waters of the Torres Strait Beche-de-mer Fishery (total allowable catches).

Licence conditions will permit retention of black teatfish (*Holothuria whitmaei*) in the area of waters of the Torres Strait Beche-de-mer Fishery, subject to a limited permitted period. This variation will also permit Fish Receiver licence holders to receive black teatfish.

Further details of the proposed action can be found in **Attachments A-D - 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 8 January 2025**, in writing:

Australian Fisheries Management Authority
Att: Chris Boon
PO Box 376
Thursday Island, QLD, 4875

Email: 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 cannot meet the timeframe or have any questions regarding the proposed management action, please contact me by phone on 07 4069 1990 or email FisheriesTI@afma.gov.au.

Yours sincerely

Chris Boon
On behalf of PZJA Secretariat
Senior Management Officer
Torres Strait Fisheries
AFMA

Attachments

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

Class Notification under the Commonwealth *Native Title Act 1993*

Proposed licence conditions for Torres Strait Beche-de-mer Fishery Traditional Inhabitant Boat licences and Fish Receiver Licences to implement management arrangements, including for black teatfish, for the 2026 fishing season

Date of Issue: 11 December 2025

SECTION OF NTA	Section 24HA(7) of the Commonwealth <i>Native Title Act 1993</i>
DEPARTMENT/AGENCY	Australian Fisheries Management Authority (AFMA) on behalf of the Torres Strait Protected Zone Joint Authority (PZJA)
CONTACT NAME	Chris Boon
E-MAIL	FisheriesTI@afma.gov.au
TELEPHONE NO.	(07) 4069 1990
REFERENCE NO.	NTN2025-06 – Proposed licence conditions for Torres Strait Beche-de-mer Fishery Traditional Inhabitant Boat licences and Fish Receiver Licences to implement management arrangements, including for black teatfish, for the 2026 fishing season

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

TYPE OF APPROVAL	Implementation of Torres Strait Beche-de-mer Fishery (BDM Fishery) Traditional Inhabitant Boat (TIB) and Fish Receiver licence conditions under section 22 of the Commonwealth <i>Torres Strait Fisheries Act 1984</i> (the Act)
NUMBER OF APPROVALS	Licence conditions for all TIB licences that permit the take of sea cucumber species in the area of waters of the BDM Fishery, Fishery and Fish Receiver licences.
UNDER WHAT ACT	<i>Torres Strait Fisheries Act 1984</i>

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

NATURE OF ACTIVITY	<p>Under subsection 22(1) of the Act a licence granted under section 19 is subject to conditions specified in the licence. Subsection 22(2) allows the Australian Fisheries Management Authority (AFMA), as a Protected Zone Joint Authority (PZJA) delegate, to vary or revoke the conditions of the licence or specify further conditions to which the licence is subject to.</p> <p>The first management action that is the subject of this notification, proposes to implement licence conditions for TIB licences that permit the take of sea cucumber species (other than black teatfish - <i>Holothuria whitmaei</i>) in the area of waters of the BDM Fishery.</p> <p>Subject to PZJA delegate approval and in line with the BDM Fishery Harvest Strategy, the proposed licence conditions will:</p> <ul style="list-style-type: none"> - implement an annual 0 tonne total allowable catch (TAC) for hairy blackfish (<i>Actinopyga miliaris</i>); <p>The remaining licence conditions for TIB licences that permit the take of sea cucumber species (other than black teatfish - <i>Holothuria whitmaei</i>) in the area of waters of the BDM Fishery will remain the same.</p> <p>The second management action that is the subject of this notification, proposes to vary licence conditions for TIB licences to permit retention of black teatfish (<i>Holothuria whitmaei</i>), which is</p>
---------------------------	--

	<p>currently prohibited. This management action will also vary licence conditions to permit Fish Receiver licence holders to receive black teatfish.</p> <p>Subject to PZJA delegate approval, and in line with the BDM Fishery Harvest Strategy (the Strategy) the proposed condition variations will:</p> <ul style="list-style-type: none"> • Provide for an opening date of 23 March 2026. • Set a total allowable catch (TAC) of 20.783 tonnes for black teatfish (allowing for 783kg under catch carried over from the 2025 fishing season). • Allow for the closure of fishing for black teatfish when there is a reasonable belief that the TAC will be reached, providing TIB and Fish Receiver licence holders notification when a closure date is determined. • Require TIB licence holders to land all commercial catches of black teatfish daily to a licenced Fish Receiver. • Require Fish Receiver licence holders to report all landed commercial catch of black teatfish to AFMA daily by 2300hrs. <p>The proposed management actions outlined above are unchanged from the management arrangements in place for the 2021-2025 black teatfish openings, with the exception of the opening date and 2300hrs daily reporting deadline.</p> <p>Further information on the proposed management actions is provided in Attachment B.</p>
--	---

LOCATION OF ACTIVITY	<p>The proposed management action would apply to the area of the BDM Fishery (Attachment C). 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: https://www.legislation.gov.au/Details/F2016C00633</p> <p>The species of sea cucumbers that are the subject of this notification have a distribution predominantly in the eastern Torres Strait with fishing mainly occurring in the areas of Warrior, Warraber, Great North East Channel, Darnley, Cumberland, Seven Reefs and Don Cay. A map showing these areas is provided at Attachment D. These areas include waters surrounding the islands of Iama, Masig, Erub, Mer, Ugar, Warraber and Poruma.</p>
MAPS/PLANS	<p>Attachment C shows the area of the BDM Fishery, as described in Item 1, Schedule 2 of the Regulations.</p> <p>Attachment D shows the areas used by TIB licence holders for reporting locations of catch in the BDM Fishery.</p>

NAME OF REGISTERED NATIVE TITLE CLAIMANT GROUP/S OR NAME OF REGISTERED NATIVE TITLE BODY CORPORATE	Torres Strait Regional Seas Claim (QC2001/042) Kaurareg People #1 (QC2008/006) Kaurareg People #2 (QC2008/007) Malu Lamar (Torres Strait Islander) Corporation RNTBC – Torres Strait Regional Sea Claim (QCD2010/003) Ipima Ikaya Aboriginal Corporation RNTBC – Northern Cape York Group #1 (QCD2014/017) Gudang Yadhaykenu Native Title Aboriginal Corporation RNTBC – Torres Strait Regional Seas Claim (QCD2022/013) Northern Cape and Torres Strait United Indigenous Corporation – Torres Strait Regional Seas Claim (QCD2022/013) Seven Rivers Aboriginal Corporation RNTBC – Torres Strait Regional Seas Claim (QCD2022/013)
NAME OF NATIVE TITLE REPRESENTATIVE BODY	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:

DURATION OF APPROVAL	It is planned that the proposed management action will be implemented as soon as practicable after 1 January 2026 (start of the 2026 fishing season).
-----------------------------	---

You are invited to comment upon the class of proposed future acts outlined above by close of business 8 January 2025.

Any comments must be **in writing**:

By email to: FisheriesTI@afma.gov.au

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

Background Information

What are the proposed changes to Traditional Inhabitant Boat (TIB) licence conditions?

1. Under subsection 22(1) of the *Torres Strait Fisheries Act 1984* (the Act) a licence granted under section 19 is subject to conditions specified in the licence. Subsection 22(2) allows the Australian Fisheries Management Authority (AFMA), as a Protected Zone Joint Authority (PZJA) delegate, to vary or revoke the conditions of the licence or specify further conditions to which the licence is subject to.
2. The management action that is the subject of this notification, proposes to implement licence conditions for Traditional Inhabitant Boat (TIB) licences that permit the take of sea cucumber species in the area of waters of the Torres Strait Beche-de-mer Fishery (BDM Fishery). It is planned that the licence conditions will be implemented as soon as practicable after 1 January 2026 (start of the 2026 fishing season). Subject to PZJA delegate approval and in line with the [BDM Fishery Harvest Strategy](#), the proposed licence conditions will:
 - a. implement an annual 0 tonne total allowable catch (TAC) for hairy blackfish (*Actinopyga miliaris*).
3. The remaining licence conditions for TIB licences that permit the take of sea cucumber species (other than black teatfish - *Holothuria whitmaei*) in the area of waters of the BDM Fishery will remain unchanged.
4. With regard to black teatfish - *Holothuria whitmaei*, the proposed condition variations will:
 - Provide for an opening date of 23 March 2026.
 - Set a total allowable catch (TAC) of 20.783 tonnes for black teatfish.
 - Allowing for 783kg under catch carried over from the 2025 fishing season, as per the 'under catch carryover' rule approved by the PZJA in 2025.
 - Allow for the closure of fishing for black teatfish when there is a reasonable belief that the TAC will be reached.
 - Fishing for and receiving of black teatfish will be prohibited past the TAC Date.
 - The TAC Date is the specific date and time that the PZJA delegate will determine as the last day of fishing based on their reasonable belief that the TAC will be reached, to avoid an over catch of the black teatfish TAC.
 - All TIB and Fish Receiver licence holders will be provided with notification when the TAC Date is determined. This notification will be provided by mail, email, SMS and will also be published on the PZJA website and AFMA Facebook page.
 - Require TIB licence holders to land all commercial catches of black teatfish daily (directly) to a licenced Fish Receiver.
 - Require Fish Receiver licence holders to report all landed commercial catch of black teatfish to AFMA by 2300hrs daily.
5. Apart from the opening date and 2300hrs reporting deadline, the proposed management arrangements are unchanged from those in place for the 2021-2025 black teatfish openings.

Why are the changes to TIB licence conditions being proposed?

6. At meetings held from 23-25 September 2025, the Hand Collectables Resource Assessment Group (HCRAG) and Hand Collectables Working Group (HCWG) recommended TAC's for sea cucumber species in line with the Harvest Strategy.
7. In providing their advice for hairy blackfish, the HCRAG recalled that the TAC for hairy blackfish was recalculated from 5 tonnes to 1 tonne in 2025 using the established method under the BDM Fishery Harvest Strategy (taking into account the latest data from the 2019-20 survey). It was noted

that the 2019-20 survey did not indicate any recovery in biomass for this stock. Due to this heightened concern the HCRAG agreed to reassess the appropriateness of the 1 tonne TAC when providing advice for the 2026 season.

8. At their September 2025 meeting the HCRAG considered the outcomes of the Warrior Reef survey, which did not detect any presence of this species in the Warrior Reef region. As this is a known habitat for this species, the RAG expressed concern for the status of the stock, in particular for the Warrior Reef region. Due to this new information, and a consideration of the recommendation to 'cease or severally restrict fishing for hairy blackfish' from Skewes 2025¹, the RAG recommended a TAC of 0 tonnes for 2026.
9. The HCRAG and HCWG also provided advice on the 2026 black teatfish fishing season. This advice was to the effect that the existing arrangements remain unchanged (e.g., continued daily catch reporting, targeted education and compliance program and size frequency sampling program), with the exception of an amended reporting deadline of 2300 for daily reporting. This deadline will allow for earlier information to fishers regarding the closure of the fishery, while allowing fishers and receivers sufficient time to land/report their catch. An opening date of 23 March for the 2026 black teatfish was identified as the most suitable, noting favourable tides and previous advice and consultation.
10. The above recommended arrangements are currently pending final PZJA approval.

How may the proposed management action impact the environment or other fisheries?

11. The proposed management action is designed to pursue objectives under the Act, including to protect and preserve the marine environment and indigenous fauna and flora in and in the vicinity of the Torres Strait Protected Zone.
12. The proposed TACs was derived by applying the decision rules detailed in the Strategy. The objectives of the Strategy include:
 - a. To provide for the sustainable use of all sea cucumbers (beche-de-mer) in Torres Strait to take account of long-term sustainability for future generations.
 - b. Where possible, to consider an ecosystem approach to management that reduces impacts on, or optimises interactions with, other harvested and dependent species and acknowledges the important ecological role of sea cucumbers.
13. Due to the highly targeted nature of the BDM Fishery and the highly selective fishing method used (hand collection only), there are no bycatch species or reported interactions with protected species. Further, an Ecological Risk Assessment for the BDM Fishery, completed in December 2021, found risks to all ecological components of the BDM Fishery to be low.
14. The proposed arrangements for the 2026 black teatfish opening are consistent with the objective of the Act to have regard in developing and implementing licensing policy, to the desirability of promoting economic development in the Torres Strait area and employment opportunities for Traditional Inhabitants.
15. Access to the BDM Fishery is reserved for Traditional Inhabitants. Varying licence conditions to implement a TAC for black teatfish, with daily reporting of landed catches, will provide Traditional Inhabitants with access to a previously closed, high value species. This will provide a direct economic opportunity to Traditional Inhabitants.

How may the proposed activity impact Traditional Inhabitants?

The proposed management action is consistent with the objectives of the Act to have regard in developing and implementing licensing policy, to the desirability of promoting economic development in the Torres Strait area and employment opportunities for Traditional Inhabitants.

¹ The TAC for selected *Actinopyga* species were recalculated from 5 tonnes to 1 tonne in 2025 using the established method under the BDM Fishery Harvest Strategy. This review was completed by Timothy Skewes, who provided a report in January 2025 (Skewes 2025).

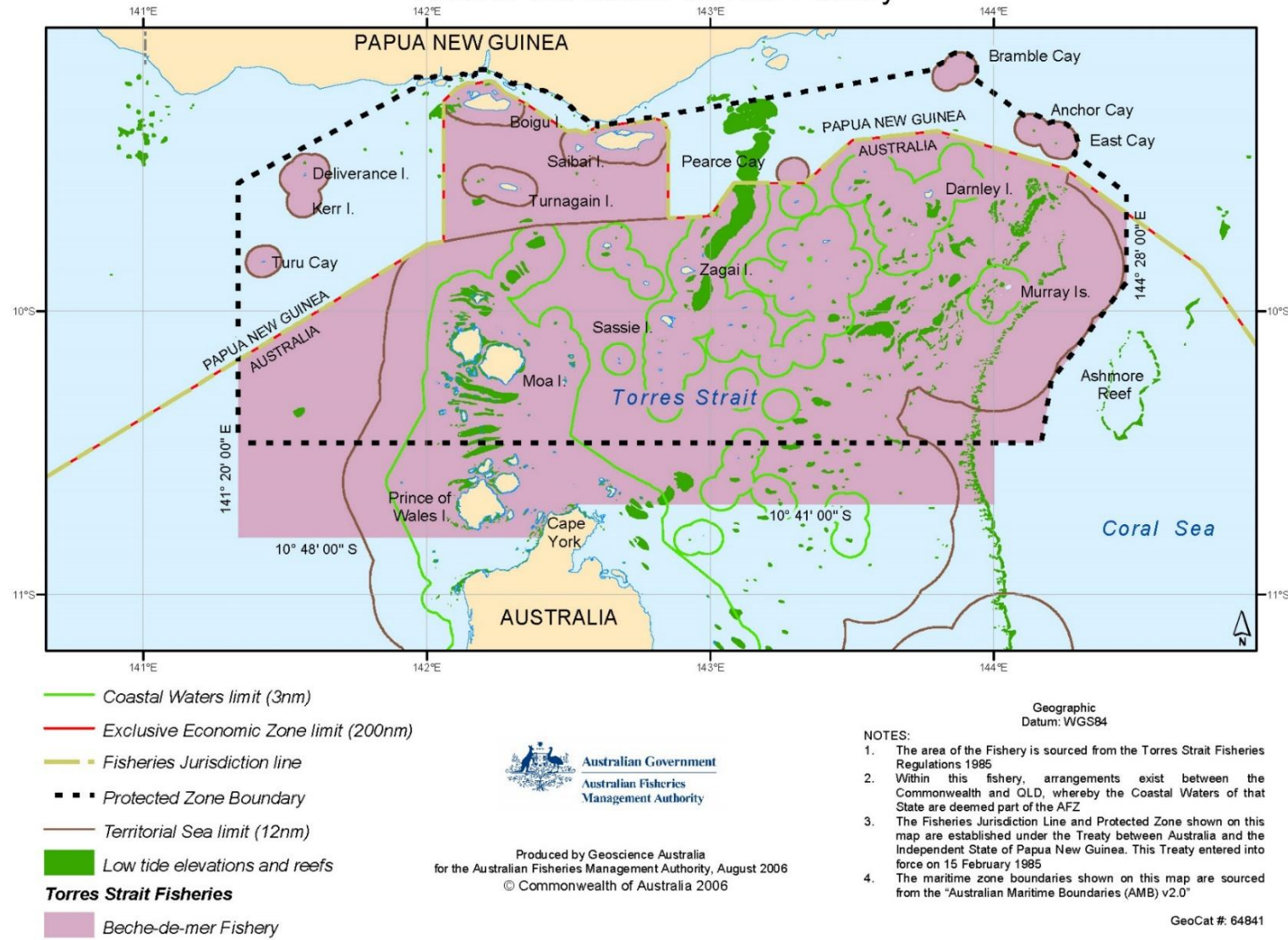
16. Access to the BDM Fishery is reserved for Traditional Inhabitants. Varying licence conditions to implement a TAC for black teatfish, with daily reporting of landed catches, will provide Traditional Inhabitants with access to a previously closed, high value species. This will provide a direct economic opportunity to Traditional Inhabitants.
17. Both the proposed licence conditions will either maintain or provide a direct economic opportunity to Traditional Inhabitants.

How may the proposed activity impact Native Title Holders?

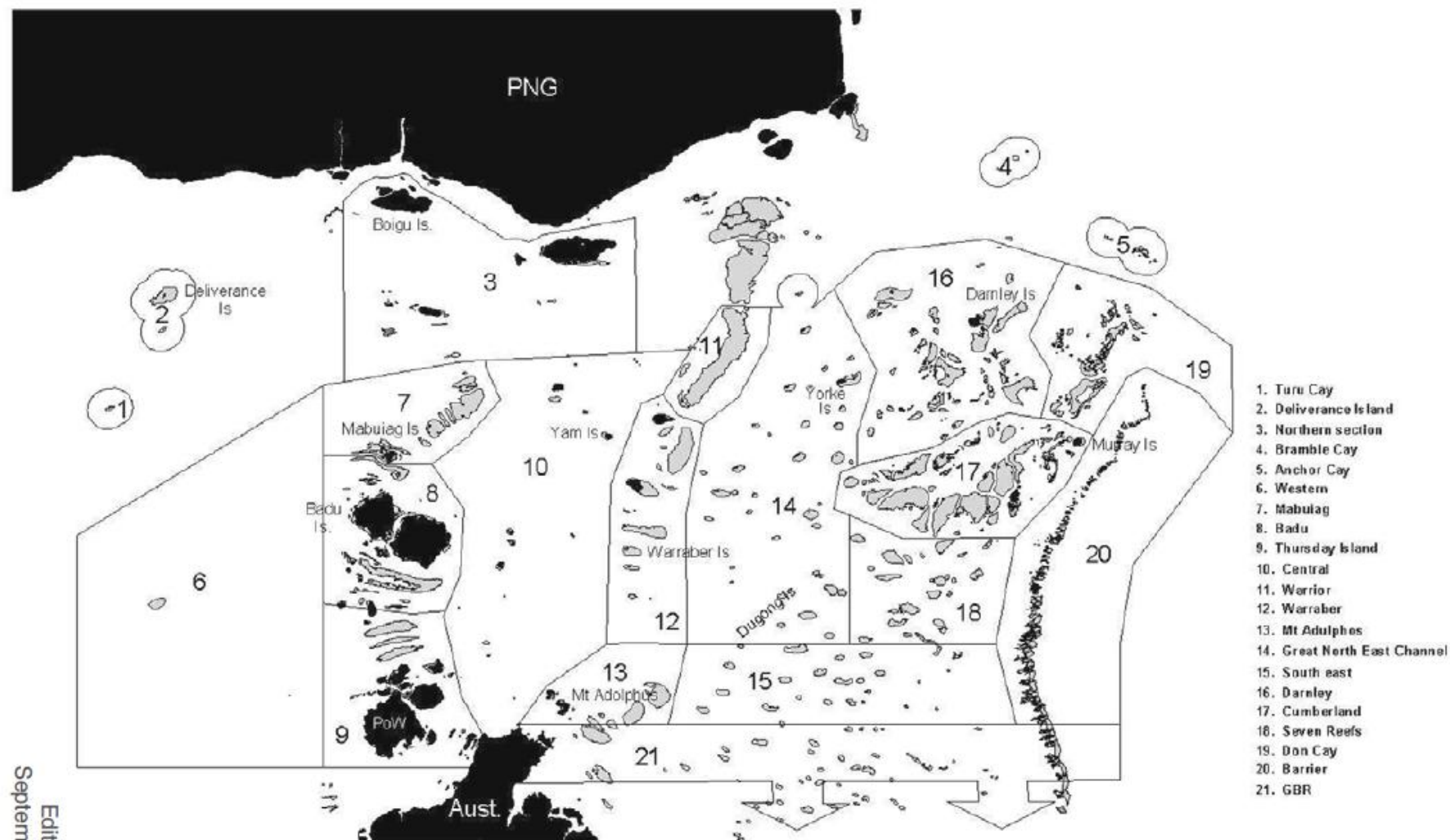
18. The proposed management action is designed to pursue objectives under the Act, including:
 - a. to acknowledge and protect the traditional way of life and livelihood of traditional inhabitants, including their rights in relation to traditional fishing;
 - b. to protect and preserve the marine environment and indigenous fauna and flora in and in the vicinity of the Protected Zone;
 - c. to adopt conservation measures necessary for the conservation of a species in such a way as to minimise any restrictive effects of the measures on traditional fishing;
 - d. to administer the provisions of Part 5 of the Torres Strait Treaty (relating to commercial fisheries) so as not to prejudice the achievement of the purposes of Part 4 of the Torres Strait Treaty in regard to traditional fishing;
 - e. to manage commercial fisheries for optimum utilisation;
 - f. to have regard, in developing and implementing licensing policy, to the desirability of promoting economic development in the Torres Strait area and employment opportunities for traditional inhabitants.
19. AFMA, on behalf of the PZJA, have undertaken consultation, including with representative Aboriginal and Torres Strait Islander bodies, RNTBCs and registered native title claimants, including through the HCRAG and HCWG, to ensure arrangements are well designed and best pursue the objectives of the Act.

Torres Strait Fisheries

Area of the Beche-de-mer Fishery



AREAS FOR TORRES STRAIT CATCH DISPOSAL RECORD



Edition Date:
September 2017

Use area where most catch was taken