

Class Notification under the Commonwealth *Native Title Act 1993*

Scientific research permit proposed for the Torres Strait Tropical Rock Lobster Fishery Stock Assessment Survey

Date of Issue: 19 July 2019

SECTION OF NTA	Subsection 24HA(2) of the <i>Native Title Act 1993</i> (Cth)
DEPARTMENT/AGENCY	Australian Fisheries Management Authority (AFMA) on behalf of the Torres Strait Protected Zone Joint Authority (PZJA)
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REFERENCE NO.	NT2019-08 – Scientific Permit TRL Survey 2019

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

TYPE OF APPROVAL	Granting of a permit for scientific purposes within the waters of the Torres Strait Tropical Rock Lobster Fishery, subject to PZJA approval.
NUMBER OF APPROVALS	Multiple
UNDER WHAT ACT	Section 12(1) of the <i>Torres Strait Fisheries Act 1984</i> (the Act).

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

NATURE OF ACTIVITY	<p>Subject to PZJA approval, scientific permits would be granted to authorise fishery independent surveys for the Tropical Rock Lobster Fishery (TRL Fishery) for the next three years (2019 - 2021). Subject to consultation with the Tropical Rock Lobster Resource Assessment Group (TRLRAG), Tropical Rock Lobster Working Group (TRLWG) and Torres Strait Scientific Advisory Committee (TSSAC). TRL surveys are conducted, and have been conducted, at least annually since 1989. In some years two surveys are completed.</p> <p>The proposed permits will replicate TRL survey scientific permits that have previously been approved. The research monitoring program is under constant review by the TRLRAG as the fishery transitions to a quota managed fishery. Approval for permits for the years 2019-2021 inclusive, will allow flexibility to conduct pre-season surveys and/or mid-season surveys as recommended by the TRLRAG, TRLWG, and the TSSAC.</p> <p>The permit will authorise each approved permit holder, or a person acting on behalf of the approved permit holder, to collect Tropical Rock Lobster (TRL) of any size within survey requirements as recommended by the TRLRAG.</p> <p>The permit will allow TRL to be taken from field sampling sites established during previous survey work, which began in 1989, with the area of the TRL Fishery.</p> <p>Approval will permit pre-season and/or mid-season research surveys to be conducted annually as recommended by the TRLRAG and TRLWG and agreed by the PZJA. Approval is sought for the next three years (2019 to 2021 inclusive).</p>
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	<p>These surveys have provided the basis for assessing sustainable catch levels for the fishery and provide critical long-term information on the relative abundance of recruiting TRL. Data collected from the surveys (including length frequency), along with Catch Per Unit Effort (CPUE) and catch-at-age data have been used in an integrated fishery model to assess the stock, calculate a Recommended Biological Catch (RBC) and set the total allowable catch (TAC). These surveys were identified by the TRLRAG as critical to support the transition to quota management.</p> <p>More information is provided at Attachment B.</p>
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The above activity will be located within:

LOCATION OF ACTIVITY	The TVH licences authorise fishing for TRL within the TRL Fishery. The extent of the TRL Fishery is described in Item 9, Schedule 2 to the <i>Torres Strait Fisheries Regulations 1985</i> (the Regulations). The Regulations can be accessed online at: https://www.legislation.gov.au/Details/F2016C00633 .
MAPS/PLANS	Attachment C shows the area of the TRL Fishery, as described in Item 9, Schedule 2 to the Regulations.
NAME OF REGISTERED NATIVE TITLE CLAIMANT GROUP/S OR NAME OF REGISTERED NATIVE TITLE BODY CORPORATE	Cape York Land Council Aboriginal Corporation Carpentaria Land Council Aboriginal Corporation Kaurareg People #1 Kaurareg People #2 Kaurareg Native Title (Aboriginal) Corporation RNTBC Ipima Ikaya Aboriginal Corporation RNTBC Malu Lamar (Torres Strait Islander) Corporation RNTBC The applicant for the Torres Strait Sea Claim (Part B)
NAME OF NATIVE TITLE REPRESENTATIVE BODY	Torres Strait Regional Authority

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

DURATION OF APPROVAL	Valid from date of issue to 1 December 2021
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You are invited to comment upon the class of proposed future act outlined above by close of business 19 August 2019. If you would like to extend the response period, please contact AFMA by 19 August 2019.

Any comments must be **in writing** to:

By mail addressed to:
Australian Fisheries Management Authority
Att: Steve Hall
PZJA Secretariat
PO Box 7051
Canberra Business Centre
CANBERRA ACT 2610
Or by email to: FisheriesTI@afma.gov.au

Background Information

What will the research involve?

The permit will allow each approved permit holder or a person acting on behalf of the approved permit holder, to collect Tropical Rock Lobster of any size per-survey within survey requirements as set by the TRLRAG.

All lobsters collected may only be used for the purpose of collecting biological/stock abundance data. The collection of biological samples supports a broader research program including surveys of the relative abundance of recruiting and fished lobsters, as well as the size-frequency and the strength of age cohorts of the Torres Strait Rock Lobster Fishery population.

Each of the approved scientific permit holder/s will be responsible for meeting all conditions imposed by the *Environment Protection and Biodiversity Conservation Act 1999* as it applies to Commonwealth waters, and the holder must report any interactions with protected or endangered species to AFMA in writing within 48 hours of returning to port. The holder will not be permitted to commercially sell any product retained under the authority of the permit.

Why is this research being conducted?

The mid-year fishery-independent surveys have been conducted since 1990 and provide data on the fished lobster abundance and a comparison with catch per unit effort data recorded in docket books and logbooks.

Pre-season population surveys provide data on the recruiting lobster abundance. Annual pre-season surveys were conducted from 2005 to 2008 and in 2015 in anticipation of the move to a quota management system. Pre-season surveys provide industry with information on the abundance and biomass of fishery. These data sets are integral to the outputs of the fishery model developed to assess fishery status and to forecast stock size and provide a recommended biological catch.

Any fisheries research projects conducted in the Torres Strait must first be supported by the Torres Strait Scientific Advisory Committee (TSSAC). The TSACC is a representative committee which comprises fisheries scientists, a social/economic scientist, Traditional Inhabitant representatives, non-Traditional Inhabitant fishing industry representatives and government representatives from Australia and Papua New Guinea.

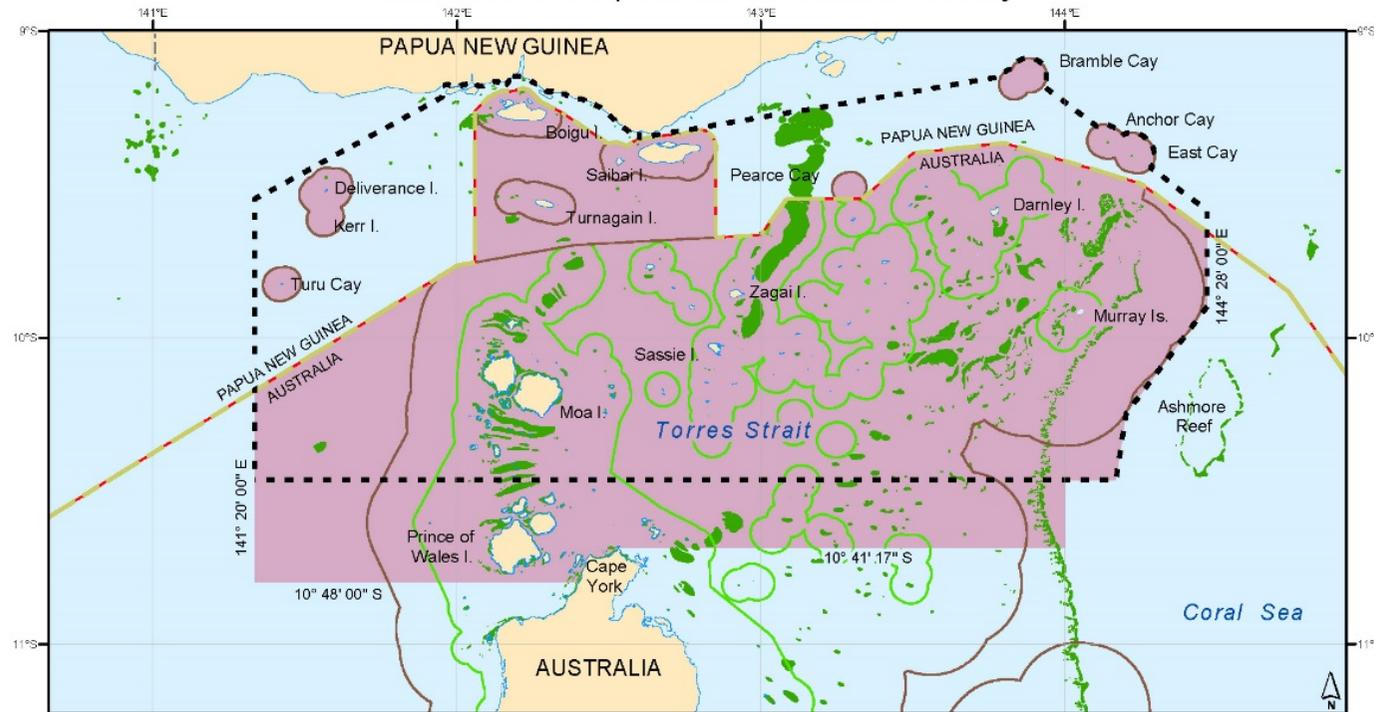
As per the Strategic Research Plan for Torres Strait Fisheries, the TSSAC identified key research priority areas and a call for research proposals was distributed in late 2015. The proposal to which this scientific permit relates has been supported the Tropical Rock Lobster Fishery Resource Assessment Group (TRLRAG), the Torres Strait Tropical Rock Lobster Working Group (TRLWG) and the TSSAC.

The TRLRAG is comprised of the Australian Fisheries Management Authority (AFMA), Torres Strait Regional Authority (TSRA), industry members (both indigenous and non-indigenous), CSIRO and independent scientists. The TRLRAG considers and provides scientific advice on the Tropical Rock Lobster Fishery. The TRLWG is comprised of AFMA, TSRA and industry members (both indigenous and non-indigenous). The TRLWG will consider recommendations from the TRLRAG, industry members and the broader community and provided advice on the Tropical Rock Lobster Fishery.

How will this research benefit Traditional Inhabitants?

The research conducted under scientific permit will benefit future sustainable management of the fishery by providing researchers with important data with which to update the stock assessment. This will result in a flow on benefits to Traditional Inhabitants through ensuring fishery sustainability which will facilitate long term access to the resource.

Torres Strait Fisheries Area of the Tropical Rock Lobster 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**
- Tropical Rock Lobster Fishery



Produced by Geoscience Australia
for the Australian Fisheries Management Authority, August 2006
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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'

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