

## Allocation of individual transferable quota for Transferrable Vessel Holding (TVH) licence holders in the TRL fishery

Date of Issue: 24 June 2019

<b>SECTION OF NTA</b>	Subsection 24HA(2) of the <i>Native Title Act 1993</i> (Cth)
<b>DEPARTMENT/AGENCY</b>	Australian Fisheries Management Authority (AFMA) on behalf of the Torres Strait Protected Zone Joint Authority (PZJA)
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<b>TELEPHONE NO.</b>	02 6225 5518
<b>REFERENCE NO.</b>	NTN2019-03 - Allocation of quota units to the principal licence holders in the Transferable Vessel Holder (TVH) of the Torres Strait Tropical Rock Lobster Fishery (TRL Fishery)

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

<b>TYPE OF APPROVAL</b>	The issuing of an authority to take fish according to <i>Torres Strait Fisheries (Quotas for Tropical Rock Lobster (Kaiar)) Management Plan 2018 (Attachment B)</i>
<b>NUMBER OF APPROVALS</b>	Grant of quota units to the principal licence holders in the TVH sector
<b>UNDER WHAT ACT</b>	Part 3 of the <i>Torres Strait Fisheries (Quotas for Tropical Rock Lobster (Kaiar)) Management Plan 2018</i> (the Plan).

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

<b>NATURE OF ACTIVITY</b>	<p>The proposed management action will grant units of fishing capacity (quota units) to the traditional inhabitant sector (TIB)(to be held by the Torres Strait Regional Authority), and to principal licence holders in the Transferable Vessel Holder (TVH) sector of the Torres Strait Tropical Rock Lobster Fishery (TRL Fishery).</p> <p>The proposed management action will create 1,000,000 quota units. The units will be split between the TIB and TVH sector with 562,000 (56.2%) units allocated to the TSRA, to hold for the benefit of the TIB sector, and 438,000 (43.8%) quota units to be allocated to principal licence holders in the TVH sector.</p> <p>Further information on the proposed management action is provided in <b>Attachment C</b>.</p>
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The above activity will be located within:

<b>LOCATION OF ACTIVITY</b>	From the first fishing season after the quota allocation, holding or having access to unused quota units will be necessary for commercial fishing 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), which can be accessed online at: <a href="https://www.legislation.gov.au/Details/F2016C00633">https://www.legislation.gov.au/Details/F2016C00633</a> .
<b>MAPS/PLANS</b>	<b>Attachment D</b> shows the area of the TRL Fishery, as described in Item 9, Schedule 2 to the Regulations.

<b>NAME OF REGISTERED NATIVE TITLE CLAIMANT GROUP/S OR NAME OF REGISTERED NATIVE TITLE BODY CORPORATE</b>	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)
<b>NAME OF NATIVE TITLE REPRESENTATIVE BODY</b>	Torres Strait Regional Authority

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

<b>DURATION OF APPROVAL</b>	The proposed management action would grant quota units for the life of the Plan.
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**You are invited to comment upon the class of proposed future act outlined above by close of business 12 July 2019. If you would like to extend the response period, please contact AFMA by 12 July 2019.**

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

By mail addressed to:  
Australian Fisheries Management Authority  
PZJA Secretariat  
PO Box 7051  
Canberra Business Centre  
CANBERRA ACT 2610  
Or by email to: [FisheriesTI@afma.gov.au](mailto:FisheriesTI@afma.gov.au)

## Background Information

### What will the proposed management option involve?

1. The *Torres Strait Fisheries (Quotas for Tropical Rock Lobster (Kaiar)) Management Plan 2018* (the Plan) legislates in section 15 that 1,000,000 quota units be allocated within the Torres Strait Tropical Rock Lobster Fishery (TRL Fishery) on the allocation day.
2. The quota units in the TRL Fishery will be divided between the traditional inhabitant (TIB) and transferable vessel holder (TVH) sectors. On the allocation day, 562 000 quota units will be allocated to the Torres Strait Regional Authority to hold on behalf of the traditional inhabitant sector, and 438 000 quota units will be allocated to principal licence holders in the transferable vessel holder (TVH) sector of the TRL Fishery.
3. The TSRA is the principal licence holder of three TVH primary boat licences. Consequently, some of the 438 000 quota units allocated to the TVH sector will be allocated to the TSRA. This will increase the number of quota units being held for the TIB sector.
4. For further information on the Plan and how it will operate, please refer to the Plan and its explanatory statement (**Attachment B**) and the Guide to the Plan (**Attachment E**).

### Why is this management option being proposed?

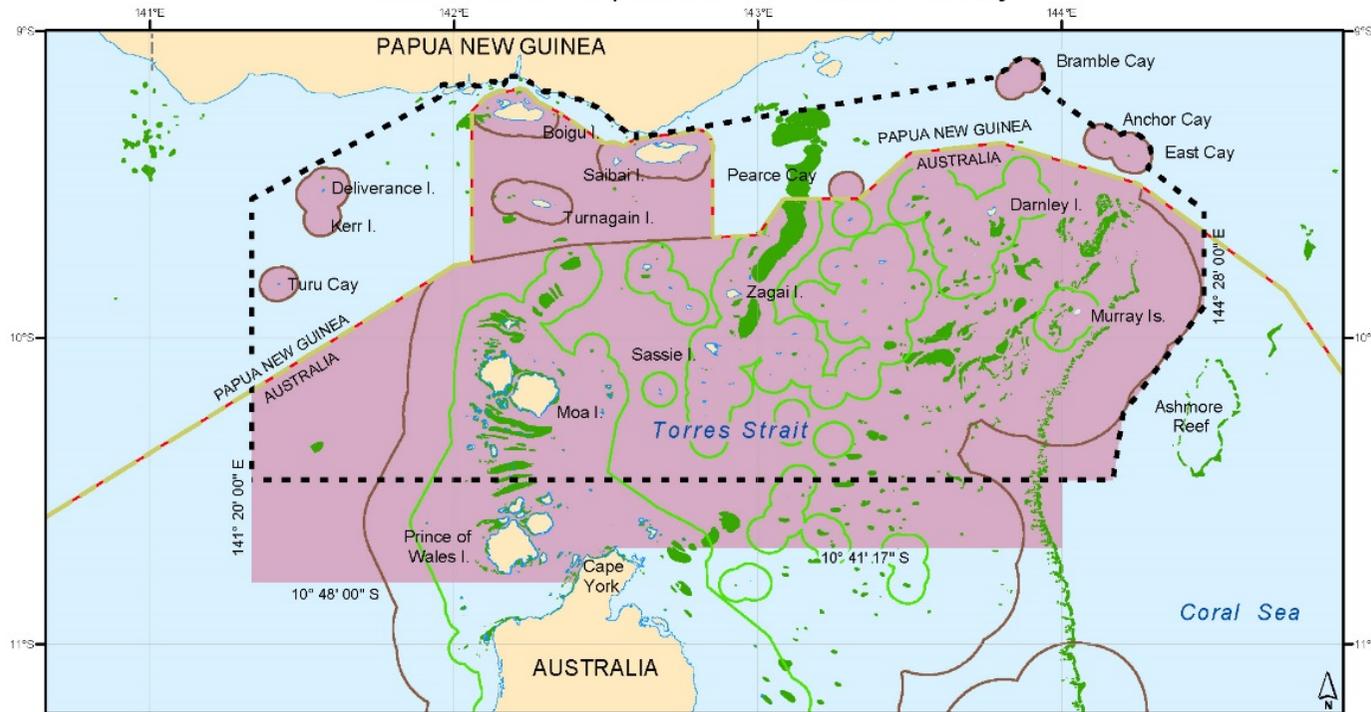
5. On 26 November 2018, the Protected Zone Joint Authority, having considered the outcomes of public consultation, determined the Plan. The Plan came into force on 1 December 2018.
6. The Plan legislates a quota management and allocation process for the TRL Fishery. The allocation of quota units to the TVH sector (the subject of this notification) is a legislative requirement under the Plan.

### How will the proposed management option benefit Traditional inhabitants.

7. The PZJA acknowledges and supports the aspirations of traditional inhabitants of the Protected Zone to increase their ownership of commercial fishing access in the Tropical Rock Lobster (TRL) fishery to 100 per cent, an aspiration that extends to all commercial fisheries in the Torres Strait. The Management Plan establishes a quota management system that will, amongst other things, provide a mechanism for Traditional Inhabitants to increase their ownership of commercial fishing access in the TRL fishery to 100 per cent.
8. This Management Plan pursues the objectives of the *Torres Strait Fisheries Act 1984* (the Act), and aims at improving Torres Strait Islander and Aboriginal people's access to opportunities to improve long-term interests, as well as regional economic development and livelihood by creating more secure access rights and a mechanism for further re-allocation. As a result of Australian Government funded voluntary buyouts of TRL fishing licenses since 2007, the Management Plan can immediately deliver the majority share of the TRL quota allocation to traditional inhabitants.
9. Confirming majority commercial access to the fishery by traditional inhabitants enhances the opportunity for traditional Torres Strait Islander and Aboriginal people in the region to take a primary interest in the guardianship and use of fisheries resources for the betterment of customary, social and economic development needs.

# 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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