



Australian Government

Department of Sustainability, Environment, Water, Population and Communities

Assessment of the
Queensland Fin Fish (Stout Whiting) Trawl Fishery

August, 2011

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This document is an assessment carried out by the Department of Sustainability, Environment, Water, Population and Communities of a commercial fishery against the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition*. It forms part of the advice provided to the Minister for Sustainability, Environment, Water, Population and Communities on the fishery in relation to decisions under Parts 13 and 13A of the *Environment Protection and Biodiversity Conservation Act 1999*. The views expressed do not necessarily reflect those of the Minister for Sustainability, Environment, Water, Population and Communities or the Australian Government.

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Table 1: Summary of the Queensland Fin Fish (Stout Whiting) Trawl Fishery

Fishery description	<p>The Fin Fish (Stout Whiting) Trawl Fishery (T4 fishery symbol) targets stout whiting and various byproduct species in Queensland and Commonwealth waters of south east Queensland. Under General Fisheries Permits issued annually, T4 licence holders are permitted to take limited amounts of some byproduct species.</p> <p>Prior to November 2009, fishing for stout whiting was only permitted to occur from Sandy Cape to Caloundra between the 20 fathom and 50 fathom depth contours (T4 fishery area). In November 2009, Fisheries Queensland initiated a trial of fishing for stout whiting in an area south of the existing T4 fishery area, known as the Southern Trial Extension Area. The trial area existed from Caloundra to the New South Wales (NSW) border between the 20 fathom and 50 fathom depth contours. General Fisheries Permits were issued to all T4 licence holders permitting them to fish within the "northern regulated area" (Sandy Cape to Caloundra) and a "southern trial extension area" (Caloundra to the NSW border).</p> <p>Since 2006 a single T4 operator has also been permitted to use a Danish seine net as an alternative to the otter trawl gear normally permitted by a T4 licence, as a General Fisheries Permit condition.</p>
Publicly available information relevant to the fishery	<ul style="list-style-type: none"> • Queensland <i>Fisheries Act 1994</i> • Queensland <i>Fisheries Regulation 2008</i> • Fin Fish (Stout Whiting) Trawl Fishery 2010, Progress against SEWPaC conditions and recommendations • Fin Fish (Stout Whiting) Trawl Fishery 2009, Progress against DEWHA conditions and recommendations • Annual Status Report 2010 – Fin Fish (Stout Whiting) Trawl Fishery • Annual Status Report 2009 – Fin Fish (Stout Whiting) Trawl Fishery • Annual Status Report 2008 – Fin Fish (Stout Whiting) Trawl Fishery • Department of the Environment and Water Resources - Assessment of the Queensland Fin Fish (Stout Whiting) Trawl Fishery, November 2007 • Department of the Environment and Heritage - Assessment of the Queensland Fin Fish (Stout Whiting) Trawl Fishery, November 2004 • Ecological Assessment of the Queensland Fin Fish (Stout Whiting) Trawl Fishery, December 2003 - Department of Primary Industries and Fisheries • Fisheries Long Term Monitoring Program – Summary of stout whiting (<i>Sillago robusta</i>) survey results: 1991 – 2006 - Department of Primary Industries and Fisheries • Fisheries Long Term Monitoring Program Stout Whiting Report: 1991–2004 - Department of Primary Industries and Fisheries • Queensland Fin Fish Trawl Fishery – Statement of Management Arrangements 2005 Department of Primary Industries and Fisheries

Area	<p>The area of the Fin Fish (Stout Whiting) Trawl Fishery encompasses Queensland and Commonwealth waters between the 20 fathom and 50 fathom depth contours from Sandy Cape to Caloundra (Figure 1). Fishing effort is concentrated primarily in Commonwealth waters. As discussed above, General Fisheries Permits from 2009 onwards allowed all T4 licence holders to fish in the southern trial extension area from Caloundra to the NSW border, as well as the “northern regulated area”.</p> <p>The fishery is managed by Fisheries Queensland under an Offshore Constitutional Settlement agreement between the Australian Government and the Government of Queensland.</p>
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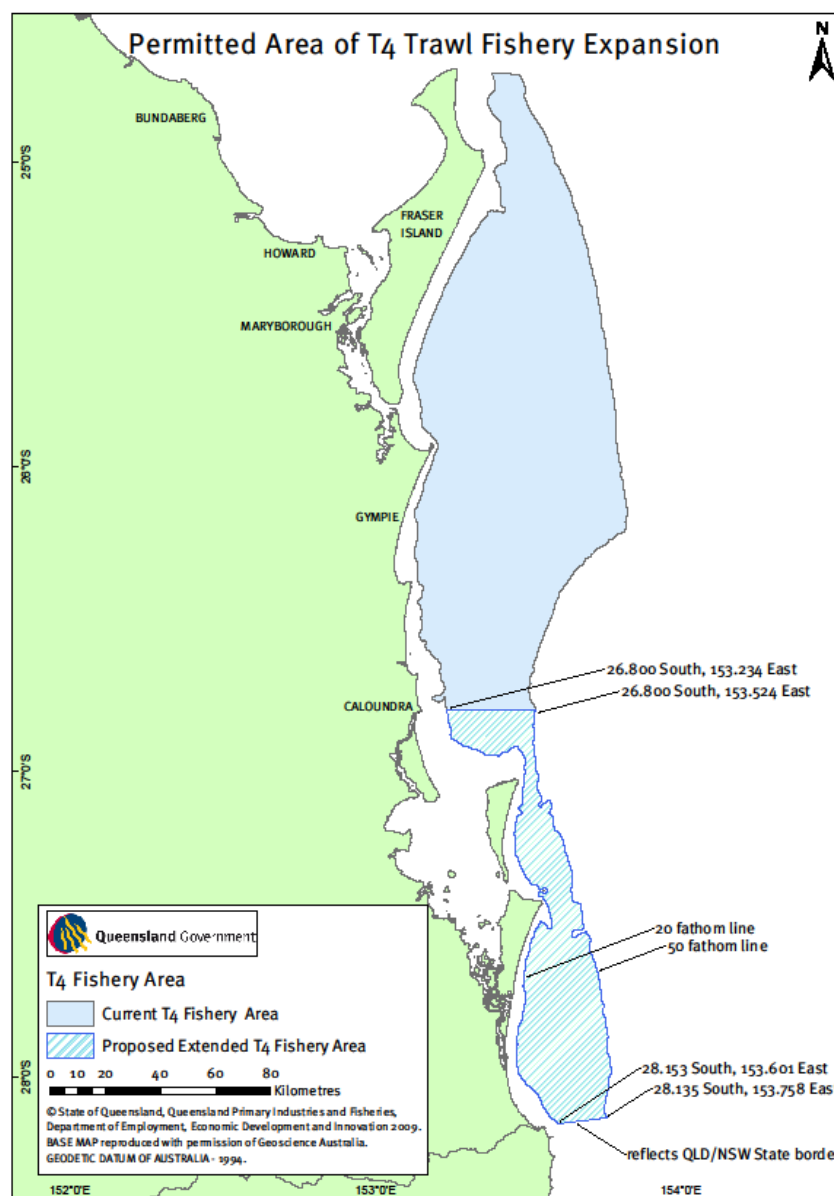


Figure 1: Queensland Fin Fish (Stout Whiting) Trawl Fishery region.
(Source: Department of Employment, Economic Development and Innovation, 2011)

Fishery status	<p>The stock status for stout whiting caught in the Fin Fish (Stout Whiting) Trawl Fishery is considered sustainably fished¹. The stock is shared with NSW and the NSW portion of the stock is considered ‘moderately fished’ (Rowling <i>et al</i> 2010).</p>
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¹ Stock Status of Queensland's Fisheries Resources 2009-10

Target Species	<p>The target species is stout whiting (<i>Sillago robusta</i>). Stout whiting are a small, fast growing, short lived, bottom dwelling species that inhabits offshore waters (Rowling <i>et al</i> 2010). Stout whiting reach sexual maturity at approximately two years of age.</p> <p>Red spot whiting (<i>Sillago flindersi</i>), is also a permitted target species with very similar ecology, biology and habitat preferences to that of the stout whiting. It is reported to comprise only a small proportion of whiting catch (approximately 1 per cent), as the primary range of red spot whiting is in waters of northern NSW.</p> <p>Additional information on the biology of stout whiting can be found in the then Department of the Environment and Heritage's initial assessment of the fishery at: http://www.environment.gov.au/coasts/fisheries/qld/stout-whiting/report.html.</p>
Byproduct Species	<p>Licence holders are required to hold a General Fisheries Permit to retain a specified amount of permitted byproduct species. Individual species limits are reviewed annually and the limits are included as conditions of the General Fisheries Permits.</p> <p>Permitted byproduct species include:</p> <p><u>Fin fish</u> Yellowtail scad (<i>Trachurus novaezelandiae</i>) Goatfish (Family Mullidae) Pinkies (Family Nemipteridae)</p> <p><u>Crustaceans</u> Balmain bugs (<i>Ibacus</i> spp.) Moreton Bay bugs (<i>Thenus</i> spp.)</p> <p><u>Molluscs</u> Cuttlefish (<i>Sepia</i> spp.) Squid (<i>Nototodarus</i> spp., <i>Photololigo</i> spp. and <i>Sepioteuthis</i> spp.) Octopus (<i>Octopus</i> sp.)</p> <p>Yellowtail scad is the predominant byproduct species constituting approximately 65 per cent of the overall byproduct over the last eight years.</p>
Gear	<p>Otter trawling with a single multi-filament otter trawl net is the permitted fishing method. Gear restrictions include:</p> <ul style="list-style-type: none"> • a maximum total net length (combined head rope, bottom rope and all other rope attached to the net) of 88 metres • maximum sweep length of 128 metres each • mesh size with a minimum and maximum of 38–60 millimetres respectively • maximum vessel length of 20 metres • turtle excluder devices on all otter trawl nets have been mandatory since 2006 in the Fin Fish (Stout Whiting) Trawl Fishery. <p>Since 2006 a single operator within the fishery has been issued with an annual permit allowing the use of a Danish seine net. The Danish seine gear is similar to the traditional otter trawl configuration without the otter boards and with the addition of two long haul warps (approximately 2.5 kilometres each). The Danish seine method offers the advantages of shorter haul times and slower haul speeds, which reduces bycatch and disturbance of the seabed.</p>

Season	<p>The fishing season for stout whiting is between 1 January and 31 December.</p> <p>Since 2006 a mandatory three month 1 January – 31 March seasonal closure has been in place for the T4 fishery. The closure (which includes the southern trial extension area) is administered as a licence condition.</p>
Commercial harvest 2009	<p>The commercial harvest of stout whiting for 2009 was 1159 tonnes (t) and 38 t of byproduct species (other than stout whiting) was landed. During the 2004 to 2009 fishing seasons, the annual commercial catches of stout whiting have ranged between 721 t to 1159 t.</p> <p>The overall amount of byproduct retained in the 2009 season was 38 t. Since 2001, the amount of byproduct retained has averaged approximately 36 t. Yellowtail scad is the predominant byproduct species constituting approximately 65 per cent of the overall byproduct over the last eight years.</p>
Value of commercial harvest 2009	<p>The Fin Fish (Stout Whiting) Trawl Fishery gross value of production in 2009 was \$2.89 million for stout whiting and \$0.15 million for byproduct.</p>
Take by other sectors	<p>Stout whiting forms part of the bycatch and byproduct in the Queensland East Coast Otter Trawl Fishery and the NSW Ocean Prawn Trawl Fishery. It is estimated that 250 t of stout whiting was retained in the NSW Ocean Prawn Trawl Fishery in the 2008/09 fishing season (Rowling <i>et al</i> 2010). Catch data for stout whiting from these fisheries is incorporated into Queensland stout whiting stock assessments.</p> <p>Due to the preferred deepwater habitat of adult stout whiting, they are not often caught by recreational or Indigenous fishers. Therefore the harvest taken by the recreational and Indigenous sectors is considered negligible.</p>
Commercial licences issued	<p>In 2009 there were five T4 licences with only three commercial operators accessing the fishery.</p>
Management arrangements	<p>The fishery is managed by Fisheries Queensland under the Queensland <i>Fisheries Act 1994</i> and the Queensland <i>Fisheries Regulation 2008</i>.</p> <p>In November 2009, Fisheries Queensland initiated a trial of fishing for stout whiting in an area south of the existing T4 fishery area, known as the Southern Trial Extension Area.</p> <p>Management controls currently in place for the fishery include: <u>Input controls:</u> <ul style="list-style-type: none"> • limited number of T4 fishery licences (five); • boat restrictions apply to commercial fishers (maximum vessel length – 20 metres); • gear restrictions - net length, sweep length and mesh size; and • seasonal closures (administered as a licence condition). </p> <p>Since 2006 a single T4 operator has been issued a General Fisheries Permit to use a Danish seine net as an alternative to the otter trawl gear normally permitted by a T4 licence.</p>

Management arrangements (<i>cont.</i>)	<p>The use of turtle excluder devices has been mandatory in the fishery for otter trawl gear since 2006. Given that Danish seine operations have a shorter haul duration, slower hauling speed and reduced haul distance than otter trawling methods, the chance of interactions with turtles and other large animals is low. Therefore turtle excluder devices are not mandatory for Danish seine gear.</p> <p>Vessel Monitoring Systems are required on all vessels operating in the fishery.</p> <p><u>Output controls</u></p> <ul style="list-style-type: none"> • annually set total allowable commercial catches, with transferable quotas. Since 2008, each licence holder's proportion of the total allowable commercial catch has been included as a licence condition; • Licence holders are required to hold a General Fisheries Permit to retain a specified amount of permitted byproduct species. The permit conditions outline possession limits for permitted byproduct species. <p>Fisheries Queensland reviews the performance of the fishery annually against the <i>Performance Measurement System - Finfish (Stout Whiting) Trawl Fishery</i>.</p>
Export	<p>The majority of harvested stout whiting is exported to Thailand, China, Vietnam, Japan and Taiwan.</p>
Bycatch	<p>Bycatch (discards) consists mainly of fin fish other than target species, juvenile stout whiting, sharks, crabs, cephalopods (squid, octopus and/or cuttlefish), and pipefish. The total amount of bycatch discarded is variable due to changes in reporting requirements, trip limits, market prices and the natural variation in abundance of bycatch species within the fishery area. Based on recent annual status reports for the fishery, bycatch primarily consists of <i>Nemipterus spp.</i> (pinkies or threadfin bream).</p> <p>Discarding of stout whiting was very low in 2009, with 0.24 t discarded compared to the 2001 to 2007 average of 21.3 t. Fisheries Queensland has advised that industry actively seeks to reduce their catch of undersize stout whiting by moving out of areas where large numbers of undersized fish occur. A minimum mesh size has also been regulated for all trawl nets which helps to mitigate against the capture of juvenile stout whiting.</p> <p>Turtle excluder devices have been mandatory for use in all otter trawl gear in the fishery since 2006. Since this time, no interactions with marine turtles have been recorded and there has been a substantial decrease in the capture of large organisms.</p>
Interaction with Protected Species²	<p>Interactions with protected species such as pipefish and sea snakes in low numbers have been recorded. Interactions with protected species are recorded in mandatory Species of Conservation Interest logbooks. Logbooks indicate that 110, 15 and 74 pipefish were caught and discarded in 2006, 2007 and 2008 respectively.</p>

² 'Protected species' means all species listed under Part 13 of the EPBC Act, including whales and other cetaceans and threatened, marine and migratory species.

<p>Interaction with Protected Species (<i>cont.</i>)</p>	<p>In 2009-10, Fisheries Queensland's Fisheries Observer Program conducted a total of 112 at sea observation days. There were no recorded catches of turtles, sea snakes or pipefish during this period.</p> <p>There have been no reported interactions with turtles in the Fin Fish (Stout Whiting) Trawl Fishery since 2004. Turtle excluder devices are mandatory on all otter trawl nets in the Queensland Fin Fish (Stout Whiting) Trawl Fishery as turtles are likely to traverse the fishery area while travelling to inshore waters.</p> <p>Under sections 199, 214, 232 and 256 of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act), persons who interact with a protected species must report that interaction within seven days of the incident occurring to the Department of Sustainability, Environment, Water, Population and Communities.</p> <p>A Memorandum of Understanding between Fisheries Queensland and the Department of Sustainability, Environment, Water, Population and Communities for the Reporting of Fisheries Interactions with Protected Species was signed in 2005 to streamline reporting requirements for interactions with protected species, assisting fishers in meeting their requirements under the EPBC Act. The memorandum of understanding reduces the administrative reporting burden on individual fishers and provides for regular reporting of protected species interactions.</p>
<p>Ecosystem Impacts</p>	<p>The extent of the impact on the ecosystem from trawling is dependent on several factors including the type of gear being used, the spatial pattern of the gear employed, the habitat and the frequency of use.</p> <p>Trawling activity in the Fin Fish (Stout Whiting) Trawl Fishery is heavily focused on areas of soft substrate (sand and silt) which contains a minimal amount of large sessile benthic organisms. As a result of gear restrictions and operators purposefully avoiding areas inhabited by hard substrate, it is unlikely that the operation of the fishery has significant impact on the sea floor.</p> <p>The most important ecosystem impact of this fishery remains the bycatch discussed above.</p>

Table 2: Progress in implementation of conditions and recommendations made in the 2007 assessment of the Queensland Fin Fish (Stout Whiting) Trawl Fishery

Condition	Progress	Recommended Action
1. Operation of the fishery will be carried out in accordance with the Queensland <i>Fisheries Regulation 1995</i> and the Queensland <i>Fisheries Act 1994</i> .	Fisheries Queensland has advised that the Fin Fish (Stout Whiting) Trawl Fishery continues to be managed in accordance with the management regime made under the Queensland <i>Fisheries Act 1994</i> and the Queensland <i>Fisheries Regulation 2008</i> .	The Department of Sustainability, Environment, Water, Population and Communities considers that this condition has been met. The department recommends a new approved wildlife trade operation declaration for the Fin Fish (Stout Whiting) Trawl Fishery specify a similar condition (Condition 1, Table 4).
2. DPI&F to inform DEW of any intended amendments to the management arrangements that may affect the criteria on which EPBC Act decisions are based.	Fisheries Queensland has informed the department of all management changes over the course of the last wildlife trade operation approval, including changes to the fishery area and the issuing of a permit to allow an existing operator to use Danish seine gear.	The department considers that this condition has been met. The department recommends a new approved wildlife trade operation declaration for the Fin Fish (Stout Whiting) Trawl Fishery specify a similar condition (Condition 2, Table 4).
3. DPI&F to continue to produce and present reports to DEW annually as per Appendix B of the <i>Guidelines for the Ecologically Sustainable Management of Fisheries — 2nd Edition</i> .	Fisheries Queensland has provided annual status reports for the Queensland Fin Fish (Stout whiting) Trawl Fishery to the department for each year following the 2007 assessment of the fishery.	The department considers that this condition has been met. The department recommends a new approved wildlife trade operation declaration for the Fin Fish (Stout Whiting) Trawl Fishery specify a similar condition (Condition 3, Table 4).

Recommendation	Progress	Recommended Action
<p>1. DPI&F to review the description of the TAC in the <i>Queensland Finfish Trawl Fishery — Statement of Management Arrangements</i>. DPI&F to consider making the annual TAC enforceable.</p>	<p>Since 2008, the specified proportion of each licence holder's total allowable catch has been allocated as a licence condition.</p> <p>The <i>Queensland Finfish Trawl Fishery — Statement of Management Arrangements</i> has not been updated.</p> <p>The department understands that data gathered from trial fishing since November 2009 and bycatch data from the 2009-2010 Fisheries Observer Program is being used to review the future management direction for the fishery. Fisheries Queensland advise that a complete review of the Statement of Management Arrangements is anticipated once long term management arrangements, developed as a result of the management review, are in place.</p>	<p>The department considers that this recommendation has been partially met. However, the department supports Fisheries Queensland's current approach to a review of the Statement of Management Arrangements.</p>
<p>2. DPI&F to review the current closures in the QFTF to ensure that protection is provided during the peak spawning period of stout whiting.</p>	<p>Fisheries Queensland advised that it reviewed the seasonal closure system in place for the Fin Fish (Stout Whiting) Trawl Fishery in 2008. The review found that although the existing January to March mandatory closure provided a “rest” from targeted capture for stout whiting, there is no clearly defined peak spawning period.</p> <p>Subsequently the mandatory T4 seasonal closure was removed from the <i>Queensland Fisheries Regulation</i> in October 2009 and the fishing season is now administered as a licence condition. By agreement with industry, the January to March closure remains in place.</p> <p>Fisheries Queensland has advised that it considers that the risk to stout whiting from fishing is sufficiently mitigated through the implementation of an annually reviewed total allowable catch. The exploitation status of stout whiting in 2010 was assessed as 'sustainably fished'.³</p> <p>The department considers that Fisheries Queensland now has the ability to set optimal closures as appropriate and that the aim of this recommendation has been accomplished.</p>	<p>The department considers that this recommendation has been met.</p>

³ *Stock Status of Queensland's Fisheries Resources 2009-10*

Recommendations	Progress	Recommended Action
<p>3. DPI&F to pursue a reduction in the amount of bycatch taken in the QFTF. Industry will be encouraged to immediately adopt any effective and appropriate methods of bycatch reduction.</p>	<p>Logbook bycatch (discard) data reported in the annual status reports for the fishery shows a marked and sustained decline in the amount of stout whiting discarded since 2007. Fisheries Queensland attributes this to actions taken by industry to avoid areas where large numbers of undersized fish are taken.</p> <p>The amount of bycatch of <i>Nemipterus spp.</i> (pinkies or threadfin bream) and yellowtail scad, and the total bycatch tonnage remain much closer to pre 2007 levels.</p> <p>A trial of Danish seine fishing gear commenced in the fishery in the 2007 fishing season. Fisheries Queensland has advised that during the 2009 and 2010 fishing seasons a quantitative assessment of bycatch composition and a comparative analysis of bycatch levels associated with the use of Danish seine and otter trawl gear was undertaken through its Fishery Observer Program.</p> <p>Fisheries Queensland reports in the 2010 annual status report for the fishery that the results of the 2009-10 observer program demonstrates significant differences in bycatch species composition depending on gear type, fishing area, season, time of day, market conditions and trip related variables such as catch rates. Fisheries Queensland has indicated that a report detailing outcomes of the bycatch analysis is in preparation and will be published when finalised.</p> <p>Fisheries Queensland has advised that, as a result of the outcomes of the bycatch analysis, it proposes to review the bycatch performance measures in the Performance Measurement System for the fishery.</p> <p>In the 2010 summary of progress against conditions and recommendations from the 2007 EPBC Act assessment of the fishery, Fisheries Queensland indicated that it is in the process of considering the future management direction of the fishery. This will focus on providing incentives for fishers to invest in Danish seine gear which Fisheries Queensland considers to be both more efficient and likely to reduce bycatch levels compared to the otter trawl gear currently used.</p>	<p>The department considers this recommendation to be met and ongoing. The department recommends that a performance measure relating to the reduction/minimisation of bycatch be developed (see Recommendation 1, Table 4).</p>

Table 3: The Department of Sustainability, Environment, Water, Population and Communities assessment of the Queensland Fin Fish (Stout Whiting) Trawl Fishery against the requirements of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) related to decisions made under Parts 13 and 13A.

Please Note – the table below is not a complete or exact representation of the EPBC Act. It is intended as a summary of relevant sections and components of the EPBC Act to provide advice on the fishery in relation to decisions under Parts 13 and 13A. A complete version of the EPBC Act can be found on the department’s website.

Part 13

Division 1 Listed threatened species Section 208A Minister may accredit plans or regimes	The department’s assessment of the Queensland Fin Fish (Stout Whiting) Trawl Fishery
<p>(1) Minister may, by instrument in writing, accredit for the purposes of this Division:</p> <p>(c) a plan of management, or a policy, regime or any other arrangement, for a fishery that is:</p> <ul style="list-style-type: none"> i. made by a State or self-governing Territory; and ii. in force under a law of the State or self-governing Territory; <p>if satisfied that:</p> <p>(f) the plan, regime or policy requires persons engaged in fishing under the plan, regime or policy to take all reasonable steps to ensure that members of listed threatened species (other than conservation dependent species) are not killed or injured as a result of the fishing; and</p> <p>(g) the fishery to which the plan, regime or policy relates does not, or is not likely to, adversely affect the survival or recovery in nature of the species.</p>	<p>The Fin Fish (Stout Whiting) Trawl Fishery will be managed under the Queensland <i>Fisheries Act 1994</i> and the Queensland <i>Fisheries Regulation 2008</i>.</p> <p>The management regime for the Fin Fish (Stout Whiting) Trawl Fishery was first accredited in November 2004 and reaccredited in April 2008 following the replacement of Queensland <i>Fisheries Regulation 1995</i> with the <i>Fisheries Regulation 2008</i>. The department considers that the management regime for the Fin Fish (Stout Whiting) Trawl Fishery still requires operators to take all reasonable steps to ensure that listed threatened species are not killed or injured as a result of the fishing.</p> <p>Taking into account the legislated requirement for the use of appropriate turtle excluder devices in the fishery, the likelihood of interactions with listed threatened species is very low. Therefore, the department considers the current operation of the Fin Fish (Stout Whiting) Trawl Fishery is not likely to adversely affect the survival or recovery in nature of any listed threatened species.</p>

Part 13 (*cont.*)

Division 2 Migratory species Section 222A Minister may accredit plans or regimes	The department's assessment of the Queensland Fin Fish (Stout Whiting) Trawl Fishery
<p>(1) Minister may, by instrument in writing, accredit for the purposes of this Division:</p> <p class="list-item-l1">(c) a plan of management, or a policy, regime or any other arrangement, for a fishery that is:</p> <p class="list-item-l2">i. made by a State or self-governing Territory; and</p> <p class="list-item-l2">ii. in force under a law of the State or self-governing Territory;</p> <p>if satisfied that:</p> <p class="list-item-l1">(f) the plan, regime or policy requires persons engaged in fishing under the plan, regime or policy to take all reasonable steps to ensure that members of listed migratory species are not killed or injured as a result of the fishing; and</p> <p class="list-item-l1">(g) the fishery to which the plan, regime or policy relates does not, or is not likely to, adversely affect the conservation status of a listed migratory species or a population of that species.</p>	<p>The Fin Fish (Stout Whiting) Trawl Fishery will be managed under the Queensland <i>Fisheries Act 1994</i> and the Queensland <i>Fisheries Regulation 2008</i>.</p> <p>The management regime for the Fin Fish (Stout Whiting) Trawl Fishery was first accredited in November 2004 and reaccredited in April 2008 following the replacement of Queensland <i>Fisheries Regulation 1995</i> with the <i>Fisheries Regulation 2008</i>. The department considers that the management regime for the Fin Fish (Stout Whiting) Trawl Fishery still requires operators to take all reasonable steps to ensure that listed migratory species are not killed or injured as a result of the fishing.</p> <p>Information provided by Fisheries Queensland indicates that there have been no interactions with migratory species in the Fin Fish (Stout Whiting) Trawl Fishery and the likelihood of interactions with migratory species is low. Therefore, the department considers the current operation of the Fin Fish (Stout Whiting) Trawl Fishery is not likely to adversely affect the conservation status of a listed migratory species or a population of that species.</p>

Part 13 (cont.)

Division 3 Whales and other cetaceans Section 245 Minister may accredit plans or regimes	The department's assessment of the Queensland Fin Fish (Stout Whiting) Trawl Fishery
<p>(1) Minister may, by instrument in writing, accredit for the purposes of this Division:</p> <p>(c) a plan of management, or a policy, regime or any other arrangement, for a fishery that is:</p> <p>i. made by a State or self-governing Territory; and</p> <p>ii. in force under a law of the State or self-governing Territory;</p> <p>if satisfied that:</p> <p>(f) the plan, regime or policy requires persons engaged in fishing under the plan, regime or policy to take all reasonable steps to ensure that cetaceans are not killed or injured as a result of the fishing; and</p> <p>(g) the fishery to which the plan, regime or policy relates does not, or is not likely to, adversely affect the conservation status of a species of cetacean or a population of that species.</p>	<p>The Fin Fish (Stout Whiting) Trawl Fishery will be managed under the Queensland <i>Fisheries Act 1994</i> and the Queensland <i>Fisheries Regulation 2008</i>.</p> <p>The management regime for the Fin Fish (Stout Whiting) Trawl Fishery was first accredited in November 2004 and reaccredited in April 2008 following the replacement of Queensland <i>Fisheries Regulation 1995</i> with the <i>Fisheries Regulation 2008</i>. The department considers that the management regime for the Fin Fish (Stout Whiting) Trawl Fishery still requires operators to take all reasonable steps to ensure that cetaceans are not killed or injured as a result of the fishing.</p> <p>Information provided by Fisheries Queensland indicates that there have been no interactions with cetaceans in the Fin Fish (Stout Whiting) Trawl Fishery. The department considers the current operation of the Fin Fish (Stout Whiting) Trawl Fishery is not likely to adversely affect the conservation status of a species of cetacean or a population of that species.</p>

Part 13 (cont.)

Division 4 Listed marine species Section 265 Minister may accredit plans, regimes or policies	The department's assessment of the Queensland Fin Fish (Stout Whiting) Trawl Fishery
<p>(1) Minister may, by instrument in writing, accredit for the purposes of this Division:</p> <p>(c) a plan of management, or a policy, regime or any other arrangement, for a fishery that is:</p> <p>i. made by a State or self-governing Territory; and</p> <p>ii. in force under a law of the State or self-governing Territory;</p> <p>if satisfied that:</p> <p>(f) the plan, regime or policy requires persons engaged in fishing under the plan, regime or policy to take all reasonable steps to ensure that members of listed marine species are not killed or injured as a result of the fishing; and</p> <p>(g) the fishery to which the plan, regime or policy relates does not, or is not likely to, adversely affect the conservation status of a listed marine species or a population of that species.</p>	<p>The Fin Fish (Stout Whiting) Trawl Fishery will be managed under the Queensland <i>Fisheries Act 1994</i> and the Queensland <i>Fisheries Regulation 2008</i>.</p> <p>The management regime for the Fin Fish (Stout Whiting) Trawl Fishery was first accredited in November 2004 and recredited in April 2008 following the replacement of Queensland <i>Fisheries Regulation 1995</i> with the <i>Fisheries Regulation 2008</i>. The department considers that the management regime for the Fin Fish (Stout Whiting) Trawl Fishery still requires operators to take all reasonable steps to ensure that listed marine species are not killed or injured as a result of the fishing.</p> <p>Interactions with pipefish and a small number of sea snakes have been reported in the Fin Fish (Stout Whiting) Trawl Fishery.</p> <p>Species of Conservation Interest (SOI) logbook and observer data suggests that the fishery has minimal interactions with these listed marine species. Therefore, the department considers the current operation of the Fin Fish (Stout Whiting) Trawl Fishery is not likely to adversely affect the conservation status of a listed marine species or a population of that species.</p>

Part 13 (*cont.*)

Section 303AA Conditions relating to accreditation of plans, regimes and policies	The department's assessment of the Queensland Fin Fish (Stout Whiting) Trawl Fishery
(1) This section applies to an accreditation of a plan, regime or policy under section 208A, 222A, 245 or 265.	The department recommends that the management regime for the Fin Fish (Stout Whiting) Trawl Fishery be accredited under sections 208A, 222A, 245 and 265.
(2) The Minister may accredit a plan, regime or policy under that section even though he or she considers that the plan, regime or policy should be accredited only: (a) during a particular period; or (b) while certain circumstances exist; or (c) while a certain condition is complied with. In such a case, the instrument of accreditation is to specify the period, circumstances or condition.	The department considers that no conditions are required for the accreditation of the management regime for the Fin Fish (Stout Whiting) Trawl Fishery under Part 13.
(7) The Minister must, in writing, revoke an accreditation if he or she is satisfied that a condition of the accreditation has been contravened.	

Part 13A

Section 303BA Objects of Part 13A

(1) The objects of this Part are as follows:

- (a) to ensure that Australia complies with its obligations under CITES⁴ and the Biodiversity Convention;
- (b) to protect wildlife that may be adversely affected by trade;
- (c) to promote the conservation of biodiversity in Australia and other countries;
- (d) to ensure that any commercial utilisation of Australian native wildlife for the purposes of export is managed in an ecologically sustainable way;
- (e) to promote the humane treatment of wildlife;
- (f) to ensure ethical conduct during any research associated with the utilisation of wildlife; and
- (g) to ensure the precautionary principle is taken into account in making decisions relating to the utilisation of wildlife.

⁴ Convention on International Trade in Endangered Species of Wild Fauna and Flora

Part 13A (cont.)

Section 303DC Minister may amend list	The department's assessment of the Queensland Fin Fish (Stout Whiting) Trawl Fishery
<p>(1) Minister may, by instrument published in the Gazette, amend the list referred to in section 303DB (list of exempt native specimens) by:</p> <ul style="list-style-type: none"> (a) including items in the list; (b) deleting items from the list; or (c) imposing a condition or restriction to which the inclusion of a specimen in the list is subject; or (d) varying or revoking a condition or restriction to which the inclusion of a specimen in the list is subject; or (e) correcting an inaccuracy or updating the name of a species. 	<p>Product derived from the Fin Fish (Stout Whiting) Trawl Fishery will be included in the list of exempt native specimens while the specimens are covered by the declaration of an approved wildlife trade operation under section 303FN of the EPBC Act in relation to the fishery.</p>
<p>(1A) In deciding whether to amend the list referred to in section 303DB (list of exempt native specimens) to include a specimen derived from a commercial fishery, the Minister must rely primarily on the outcomes of any assessment in relation to the fishery carried out for the purposes of Division 1 or 2 of Part 10.</p>	<p>No assessment of the Fin Fish (Stout Whiting) Trawl Fishery has been carried out under Part 10 of the EPBC Act.</p>
<p>(1C) The above does not limit the matters that may be taken into account in deciding whether to amend the list referred to in section 303DB (list of exempt native specimens) to include a specimen derived from a commercial fishery.</p>	<p>It is not possible to list exhaustively the factors that you may take into account in amending the list of exempt native specimens. The objects of Part 13A, which are set out above this table, provide general guidance in determining factors that might be taken into account. A matter that is relevant to determining whether an amendment to the list is consistent with those objects is likely to be a relevant factor.</p> <p>The department considers that the amendment of the list of exempt native specimens to include product taken in the Fin Fish (Stout Whiting) Trawl Fishery while the fishery is the subject of a declaration as an approved wildlife trade operation would be consistent with the provisions of Part 13A as:</p> <ul style="list-style-type: none"> ▪ the fishery will not harvest any CITES listed species; ▪ there are management arrangements in place to ensure that the resource is being managed in an ecologically sustainable way (see Table 1); ▪ the operation of the Fin Fish (Stout Whiting) Trawl Fishery during the period of the recommended declaration as an approved wildlife trade operation is unlikely to be unsustainable or threaten biodiversity; and ▪ the <i>Environment Protection and Biodiversity Conservation Regulations 2000</i> (EPBC Regulations) do not specify fish as a class of animal in relation to the welfare of live specimens.

<p>(3) Before amending the list referred to in section 303DB (list of exempt native specimens), the Minister:</p> <ul style="list-style-type: none"> (a) must consult such other Minister or Ministers as the Minister considers appropriate; and (b) must consult such other Minister or Ministers of each State and self-governing Territory as the Minister considers appropriate; and (c) may consult such other persons and organisations as the Minister considers appropriate. 	<p>The department considers that the consultation requirements have been met. On 10 August 2004, the then Minister for the Environment and Heritage wrote to all fisheries ministers seeking their views on inclusion of product derived from commercial fisheries in the list of exempt native specimens, while subject to declaration as approved wildlife trade operations. Responses in support of the proposal were received from all state and territory fisheries ministers and the Commonwealth minister.</p> <p>The public comment period on Fisheries Queensland's 2011 submission for the Fin Fish (Stout Whiting) Trawl Fishery sought comment on the annual submission and provided sufficient opportunity for consultation with other persons and organisations.</p>
<p>(5) A copy of an instrument made under section 303DC is to be made available for inspection on the Internet.</p>	<p>The instrument for the Fin Fish (Stout Whiting) Trawl Fishery made under section 303DC will be gazetted and made available on the department's website.</p>

Part 13A (cont.)

Section 303FN Approved wildlife trade operation	The department's assessment of the Queensland Fin Fish (Stout Whiting) Trawl Fishery
(2) The Minister may, by instrument published in the <i>Gazette</i> , declare that a specified wildlife trade operation is an <i>approved wildlife trade operation</i> for the purposes of this section.	
<p>(3) The Minister must not declare an operation as an approved wildlife trade operation unless the Minister is satisfied that:</p> <p>(a) the operation is consistent with the objects of Part 13A of the Act; and</p> <p>(b) the operation will not be detrimental to:</p> <ol style="list-style-type: none"> i. the survival of a taxon to which the operation relates; or ii. the conservation status of a taxon to which the operation relates; and 	<p>The department considers that the operation of the Fin Fish (Stout Whiting) Trawl Fishery is consistent with the objects of Part 13A (listed above) as:</p> <ul style="list-style-type: none"> ▪ the fishery will not harvest any CITES listed species; ▪ there are management arrangements in place to ensure that the resource is being managed in an ecologically sustainable way (see Table 1); ▪ the operation of the Fin Fish (Stout Whiting) Trawl Fishery is unlikely to be unsustainable and threaten biodiversity within the next three years; and ▪ the EPBC Regulations do not specify fish as a class of animal in relation to the welfare of live specimens. <p>The department considers that the Fin Fish (Stout Whiting) Trawl Fishery will not be detrimental to the survival or conservation status of a taxon to which it relates within the next three years, given the management measures currently in place, which include:</p> <ul style="list-style-type: none"> ▪ limited entry; ▪ vessel and gear restrictions (including the mandatory use of turtle excluder devices in otter trawl gear); ▪ seasonal closures; ▪ a total allowable catch for stout whiting, set annually, based on the results of regular resource assessments; and ▪ possession limits for byproduct species.

<p>(ba) the operation will not be likely to threaten any relevant ecosystem including (but not limited to) any habitat or biodiversity; and</p> <p>(c) if the operation relates to the taking of live specimens that belong to a taxon specified in the regulations – the conditions that, under the regulations, are applicable to the welfare of the specimens are likely to be complied with; and</p> <p>(d) such other conditions (if any) as are specified in the regulations have been, or are likely to be, satisfied.</p>	<p>The department considers that the Fin Fish (Stout Whiting) Trawl Fishery will not threaten any relevant ecosystem within the next three years, given the management measures currently in place, which include:</p> <ul style="list-style-type: none"> ▪ limited entry; ▪ vessel and gear restrictions (including the mandatory use of turtle excluder devices in otter trawl gear); ▪ seasonal closures; ▪ a total allowable catch for stout whiting, set annually, based on the results of regular resource assessments; and ▪ possession limits for byproduct species. <p>The EPBC Regulations do not specify fish as a class of animal in relation to the welfare of live specimens.</p> <p>No other conditions are specified in relation to commercial fisheries in the EPBC Regulations.</p>
<p>(4) In deciding whether to declare an operation as an approved wildlife trade operation the Minister must have regard to:</p> <p>(a) the significance of the impact of the operation on an ecosystem (for example, an impact on habitat or biodiversity); and</p>	<p>The department considers that the Fin Fish (Stout Whiting) Trawl Fishery will not have a significant impact on any relevant ecosystem within the next three years, given the management measures currently in place, which include:</p> <ul style="list-style-type: none"> ▪ limited entry; ▪ vessel and gear restrictions (including the mandatory use of turtle excluder devices in otter trawl gear); ▪ seasonal closures; ▪ a total allowable catch for stout whiting, set annually, based on the results of regular resource assessments; and ▪ possession limits for byproduct species.

<p>(b) the effectiveness of the management arrangements for the operation (including monitoring procedures).</p>	<p>The management arrangements that will be employed for the Fin Fish (Stout Whiting) Trawl Fishery are likely to be effective. Management arrangements for the fishery are included in the <i>Queensland Fisheries Act 1994</i> and the <i>Fisheries Regulation 2008</i>. Management controls include:</p> <ul style="list-style-type: none"> ▪ limited entry; ▪ vessel and gear restrictions (including the mandatory use of turtle excluder devices in otter trawl gear); ▪ seasonal closures; ▪ a total allowable catch for stout whiting, set annually, based on the results of regular resource assessments; and ▪ possession limits for byproduct species. <p>Fisheries Queensland reviews the performance of the fishery annually against a series of objectives, performance measures and performance indicators.</p>
<p>(5) In deciding whether to declare an operation as an approved wildlife trade operation the Minister must have regard to:</p> <p>(a) whether legislation relating to the protection, conservation or management of the specimens to which the operation relates is in force in the State or Territory concerned; and</p> <p>(b) whether the legislation applies throughout the State or Territory concerned; and</p> <p>(c) whether, in the opinion of the Minister, the legislation is effective.</p>	<p>The Fin Fish (Stout Whiting) Trawl Fishery will be managed under the <i>Queensland Fisheries Act 1994</i> and the <i>Fisheries Regulation 2008</i>.</p> <p>The <i>Queensland Fisheries Act 1994</i> and the <i>Fisheries Regulation 2008</i> apply throughout Queensland waters.</p> <p>The legislation is likely to be effective.</p>
<p>(10) For the purposes of section 303FN, an operation is a wildlife trade operation if, and only if, the operation is an operation for the taking of specimens and:</p> <p>(d) the operation is a commercial fishery.</p>	<p>The Fin Fish (Stout Whiting) Trawl Fishery is a commercial fishery.</p>

Part 13A (cont.)

Section 303FR Public consultation	The department's assessment of the Queensland Fin Fish (Stout Whiting) Trawl Fishery
<p>(1) Before making a declaration under section 303FN, the Minister must cause to be published on the Internet a notice:</p> <ul style="list-style-type: none"> (a) setting out the proposal to make the declaration; and (b) setting out sufficient information to enable persons and organisations to consider adequately the merits of the proposal; and (c) inviting persons and organisations to give the Minister, within the period specified in the notice, written comments about the proposal. 	<p>The department considers that the consultation requirements of the EPBC Act for declaring an approved wildlife trade operation have been met. A public notice, which set out the proposal to declare the Fin Fish (Stout Whiting) Trawl Fishery a wildlife trade operation and included the submission from Fisheries Queensland, was released for public comment which closed on 3 June 2011 with one submission received.</p>
<p>(2) A period specified in the notice must not be shorter than 20 business days after the date on which the notice was published on the Internet.</p>	<p>A public notice, which set out the proposal to declare the Fin Fish (Stout Whiting) Trawl Fishery an approved wildlife trade operation and included the submission from Fisheries Queensland, was released for public comment on 3 May 2011 and closed on 3 June 2011, a total of 24 business days.</p>
<p>(3) In making a decision about whether to make a declaration under section 303FN, the Minister must consider any comments about the proposal to make the declaration that were given in response to the invitation in the notice.</p>	<p>The public comment received about the proposal is included at <u>Attachment C</u> of the brief. The department's assessment has considered the public comment received.</p>

Part 13A (cont.)

Section 303FT Additional provisions relating to declarations	The department's assessment of the Queensland Fin Fish (Stout Whiting) Trawl Fishery
(1) This section applies to a declaration made under section 303FN, 303FO or 303FP.	A declaration for the Fin Fish (Stout Whiting) Trawl Fishery will be made under section 303FN.
<p>(4) The Minister may make a declaration about a plan or operation even though he or she considers that the plan or operation should be the subject of the declaration only:</p> <p>(a) during a particular period; or</p> <p>(b) while certain circumstances exist; or</p> <p>(c) while a certain condition is complied with.</p> <p>In such a case, the instrument of declaration is to specify the period, circumstances or condition.</p>	<p>The standard conditions applied to commercial fishery wildlife trade operations include:</p> <ul style="list-style-type: none"> • operation in accordance with the management regime; • notifying the department of changes to the management regime; and • annual reporting in accordance with the requirements of the Australian Government <i>Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition</i>. <p>The instrument of declaration for the Fin Fish (Stout Whiting) Trawl Fishery specifies the standard and any additional conditions applied.</p>
(8) A condition may relate to reporting or monitoring.	One of the standard conditions relates to reporting.
(9) The Minister must, by instrument published in the <i>Gazette</i> , revoke a declaration if he or she is satisfied that a condition of the declaration has been contravened.	
(11) A copy of an instrument under section 303FN, or this section is to be made available for inspection on the Internet.	The instrument for the Fin Fish (Stout Whiting) Trawl Fishery made under sections 303FN and the conditions under section 303FT will be gazetted and made available on the department's website.

Part 16

Section 391 Minister must consider precautionary principle in making decisions	The department's assessment of the Queensland Fin Fish (Stout Whiting) Trawl Fishery
(1) The Minister must take account of the precautionary principle in making a decision under section 303DC and/or section 303FN, to the extent he or she can do so consistently with the other provisions of this Act.	The precautionary principle has been considered in the preparation of advice in relation to decisions under section 303DC and section 303FN.
(2) The precautionary principle is that lack of full scientific certainty should not be used as a reason for postponing a measure to prevent degradation of the environment where there are threats of serious or irreversible environmental damage.	

The Department of Sustainability, Environment, Water, Population and Communities' final conditions and recommendation to Fisheries Queensland for the Fin Fish (Stout Whiting) Trawl Fishery

The material submitted by Fisheries Queensland demonstrates that the management arrangements for the Queensland Fin Fish (Stout Whiting) Trawl Fishery continue to meet most of the requirements of the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.

The department notes that management arrangements for the fishery are currently implemented through a combination of the Queensland *Fisheries Regulation 2008*, conditions on the "T4" licence that allows access to the fishery and conditions on general fisheries permits which allow the holder of a T4 licence to conduct certain other activities such as:

- retaining specified amounts of certain byproduct species;
- using Danish seine gear as an alternative to the already permitted otter trawl gear; and
- fishing in a trial area south of the existing T4 fishery area.

The department understands that data gathered from trial fishing from November 2009 to December 2010 and bycatch data from the 2009-2010 Fisheries Observer Program is being used to review the future management direction for the fishery.

The department notes that the *Queensland Fin Fish Trawl Fishery Statement of Management Arrangements* was published in 2005 and has not been updated to include the trial activities currently being undertaken. The department notes that Fisheries Queensland has advised that it intends to publish a revised Statement of Management Arrangements for the fishery when revised management arrangements, developed as a result of the trial expansion of the fishery and use of Danish seine gear, are in place. The department considers that the management arrangements for the fishery are sufficiently available to stakeholders and supports Fisheries Queensland's approach to review of the Statement of Management Arrangements.

Stock Status and Recovery

The department considers that overall the management regime for the Fin Fish (Stout Whiting) Trawl Fishery aims to ensure that fishing is conducted in a manner that does not lead to over-fishing. Management measures in place in the fishery include:

- limited entry;
- vessel and gear restrictions (including the mandatory use of turtle excluder devices in otter trawl gear);
- seasonal closures;
- a total allowable catch for stout whiting, set annually, based on the results of regular resource assessments; and
- possession limits for byproduct species.

Ecosystem Impacts

Taking into account the management measures for the target and byproduct species listed above and the mandatory requirement for all otter trawl operators to use turtle excluder devices, the department considers that the management regime for the Queensland Fin Fish (Stout Whiting) Trawl Fishery provides for fishing operations to be managed to minimise their impact on the structure, productivity, function and biological diversity of the ecosystem.

While the fishery is relatively well managed, the department has identified an ongoing need to understand, communicate and mitigate the risks to bycatch species from fishing. The department considers that until it can be demonstrated that this issue has been adequately addressed, declaration of the harvest operations of the Queensland Fin Fish (Stout Whiting) Trawl Fishery as an approved wildlife trade operation for three years, until 17 July 2014, is appropriate. The department considers that the declaration should be subject to the conditions listed in Table 4 below. To contain and minimise the risks in the longer term the recommendation outlined in Table 4 has been made.

Unless a specific time frame is provided, each condition and recommendation must be addressed within the term of the declaration.

Table 4: Fin Fish (Stout Whiting) Trawl Fishery Assessment – Summary of Issues, Conditions and Recommendations, August 2011

ISSUE	Condition
<p><u>General Management</u></p> <p>Export decisions relate to the arrangements in force at the time of the decision. To ensure that these decisions remain valid and export approval continues uninterrupted, the Department of Sustainability, Environment, Water, Population and Communities needs to be advised of any changes that are made to the management regime and make an assessment that the new arrangements are equivalent or better, in terms of ecological sustainability, than those in place at the time of the original decision. This includes operational and legislated amendments that may affect sustainability of the target species or negatively impact on byproduct, bycatch, protected species or the ecosystem.</p>	<p>Condition 1: Operation of the Queensland Fin Fish (Stout Whiting) Trawl Fishery will be carried out in accordance with the management regime for the fishery in force under the Queensland <i>Fisheries Act 1994</i> and the Queensland <i>Fisheries Regulation 2008</i>.</p> <p>Condition 2: Fisheries Queensland to inform the Department of Sustainability, Environment, Water, Population and Communities of any intended amendments to the Queensland Fin Fish (Stout Whiting) Trawl Fishery management arrangements that may affect the assessment of the fishery against the criteria on which <i>Environment Protection and Biodiversity Conservation Act 1999</i> decisions are based.</p>
<p><u>Annual Reporting</u></p> <p>It is important that reports be produced and presented to the department annually in order for the performance of the fishery and progress in implementing the recommendations in this report and other managerial commitments to be monitored and assessed throughout the life of the declaration. Annual reports should include: a description of the fishery; management arrangements in place; research and monitoring outcomes; recent catch data for all sectors of the fishery; status of target stock; interactions with protected species; impacts of the fishery on the ecosystem in which it operates; and information outlining progress in implementing recommendations resulting from the previous assessment of the fishery. For a complete description of annual reporting requirements see Appendix B of the <i>Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition</i> available from the department's website at: http://www.environment.gov.au/coasts/fisheries/publications/guidelines.html.</p>	<p>Condition 3: Fisheries Queensland to produce and present reports to the Department of Sustainability, Environment, Water, Population and Communities annually as per Appendix B to the <i>Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition</i>.</p>

ISSUE	Recommendation
<p><u>Management of risks to bycatch species</u></p> <p>At the time of the initial assessment of the Fin Fish (Stout Whiting) Trawl Fishery under the EPBC Act in 2004, data on bycatch (discards) was limited. Public comment on the submission for that assessment raised concerns regarding the bycatch of juvenile fin fish species, a number of which were species targeted by recreational fishers. The 2004 assessment recommended that, once a better understanding of bycatch in the fishery was obtained, Fisheries Queensland^[1] conduct a risk assessment of bycatch in the fishery and develop appropriate management responses to reduce risks to species or species groups identified as high risk.</p> <p>Fisheries Queensland undertook an ecological risk assessment for selected bycatch species in the stout whiting fishery in 2007. The report of that risk assessment remains incomplete and the preliminary results provided to the department in early 2008 are inconclusive. A broader ecological risk assessment of the East Coast Trawl Fishery, which overlaps the area of the stout whiting fishery, is currently underway.</p> <p>In the 2007 assessment of the fishery, the department expressed concern at the level of capture and discard of <i>Nemipterus</i> spp. (pinkies, or threadfin bream). The assessment noted that <i>Nemipterus</i> spp. had been assessed as a mix of “Moderate Risk” and “Probable High Risk” resulting from bycatch impacts in the Queensland East Coast Trawl Fishery by Kerrigan <i>et al</i> (2004) and were reported to have a high post-capture mortality. A recommendation was made for Fisheries Queensland to pursue a reduction in the amount of bycatch captured and discarded in the stout whiting fishery.</p> <p>In the 2007 fishing season, industry in conjunction with Fisheries Queensland commenced a trial of Danish seine fishing gear in the stout whiting fishery. Fisheries Queensland has advised that a quantitative assessment of bycatch composition and a comparative analysis of bycatch levels associated with the use of Danish seine and otter trawl gear has been undertaken. Fisheries Queensland’s Fishery Observer Program recorded data during fishing operations from November 2009 to December 2010. The 2010 annual status report for the fishery indicates that the results demonstrate significant differences in bycatch species composition depending on gear type, fishing area, season, time of day, market conditions and trip related variables such as catch rates. Fisheries Queensland has indicated that a report detailing outcomes of the bycatch analysis is in preparation and will be published when finalised.</p> <p>In the 2010 summary of progress against conditions and recommendations from the 2007 EPBC Act assessment of the fishery, Fisheries Queensland indicated that it is in the process of considering the future management direction of the fishery, focussing on providing incentives for fishers to invest in Danish seine gear which Fisheries Queensland considers to be more efficient and will deliver reductions in bycatch levels.</p> <p>The <i>Performance Measurement System - Finfish (Stout Whiting) Trawl Fishery</i> contains a management objective of minimising the level of bycatch in the fishery. The performance measures associated with this objective focus on limiting bycatch to acceptable levels. In line with the recommendations from previous assessments to reduce the risks to bycatch species in the fishery, the department recommends that Fisheries Queensland review the bycatch performance measures and give consideration to introducing new performance measures related to reducing bycatch.</p>	<p>Recommendation 1:</p> <p>Taking into account all available information, including, but not limited to:</p> <ul style="list-style-type: none"> • relevant risk assessments for bycatch species; and • the results of analyses of bycatch data from the Fishery Observer Program, <p>Fisheries Queensland to complete the review of future management directions for the Fin Fish (Stout Whiting) Trawl Fishery and:</p> <ol style="list-style-type: none"> i) ensure that appropriate measures to ensure sustainability of bycatch species are implemented; and ii) develop and implement appropriate performance measures related to the minimisation of bycatch of species determined to be at risk of adverse impacts from fishing.

^[1] then, the Queensland Department of Primary Industries and Fisheries

ISSUE	Recommendation
<p>The department notes that Fisheries Queensland intends to review the bycatch performance measures in the performance measurement system following the implementation of new management arrangements in the fishery. The review will take into account the results of the bycatch analysis currently being completed. The department considers that this review presents an opportunity to include performance measures related to reducing bycatch rates in the fishery. Consistent with the <i>Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition</i>, these performance measures should be aimed at minimising bycatch of species determined to be at risk of adverse impacts from fishing.</p>	

References

Rowling, K.A. and Hegarty and M. Ives (ed.) (2010). Stout Whiting, pp 323-325. In Status of Fisheries Resources in NSW 2008/09. Industry and Investment, Cronulla.

Acronyms

CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
DEW	Department of the Environment and Water Resources
DPI&F	Queensland Department of Primary Industries and Fisheries
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPBC Regulations	<i>Environment Protection and Biodiversity Regulations 2000</i>
NSW	New South Wales
QFTF	Queensland Fin Fish (Stout Whiting) Trawl Fishery
t	tonnes
TAC	total allowable catch
WTO	wildlife trade operation