



**Australian Government**

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**Department of Sustainability, Environment, Water, Population and Communities**

Assessment of the  
**Queensland River and Inshore Beam Trawl Fishery**

**APRIL 2012**

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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 – 2<sup>nd</sup> 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 River and Inshore Beam Trawl Fishery**

<b>Fishery description</b>	<p>The Queensland River and Inshore Beam Trawl Fishery (RIBTF) operates in estuaries and shallow inshore habitats in southern and central Queensland as far north as Townsville. To operate in the RIBTF, trawl licences are required to hold a T5, T6, T7, T8 and/or T9 fishery symbol denoting the fishery area in which trawling is permitted (Figure 1, page 2). Approximately 75 per cent of the annual catch is from the T5 symbol area (Sunshine Coast and Moreton Bay).</p> <p>Vessels up to nine metres in length harvest banana prawns, school prawns and 'bay prawns'. ('Bay prawns' is a generic marketing term used for a mixture of mainly greasyback prawns with small quantities of school, tiger and king prawns. The composition of catches reported as bay prawns has been shown to be almost 100 per cent greasyback prawns.)</p> <p>The available fishing area in the main areas of operation of the RIBTF is declining due to port and other coastal developments. In response to this, Fisheries Queensland has bought back a number of licences from the fishery, including a number of licences which historically operated in the Brisbane River.</p>
<b>Publicly available information relevant to the fishery</b>	<ul style="list-style-type: none"> <li>• Queensland <i>Fisheries Act 1994</i></li> <li>• Queensland <i>Fisheries Regulation 2008</i></li> <li>• Queensland <i>Fisheries (East Coast Trawl) Management Plan 2010</i></li> <li>• <i>Great Barrier Reef Marine Park Act 1975</i></li> <li>• <i>Great Barrier Reef Marine Park Regulations 1983</i></li> <li>• Performance Measurement System East Coast Trawl Fishery - Version 1 June 2009</li> <li>• River and Inshore Beam Trawl Fishery 2011 – Progress against SEWPaC<sup>1</sup> conditions and recommendations</li> <li>• River and Inshore Beam Trawl Fishery 2009 – Progress against DEWHA<sup>2</sup> conditions and recommendations</li> <li>• Annual Status Report 2011 – River and Inshore Beam Trawl Fishery</li> <li>• Annual Status Report 2009 – River and Inshore Beam Trawl Fishery</li> </ul>
<b>Area</b>	<p>The area of the RIBTF includes state and Commonwealth waters off the Queensland east coast and a number of Queensland east coast river estuaries, with the main area of operation being southern Queensland.</p> <p>Due to vessel size, most fishing is restricted to estuarine and inshore operations.</p>

<sup>1</sup> (Department of) Sustainability, Environment, Water, Population and Communities

<sup>2</sup> Department of the Environment, Water, Heritage and the Arts

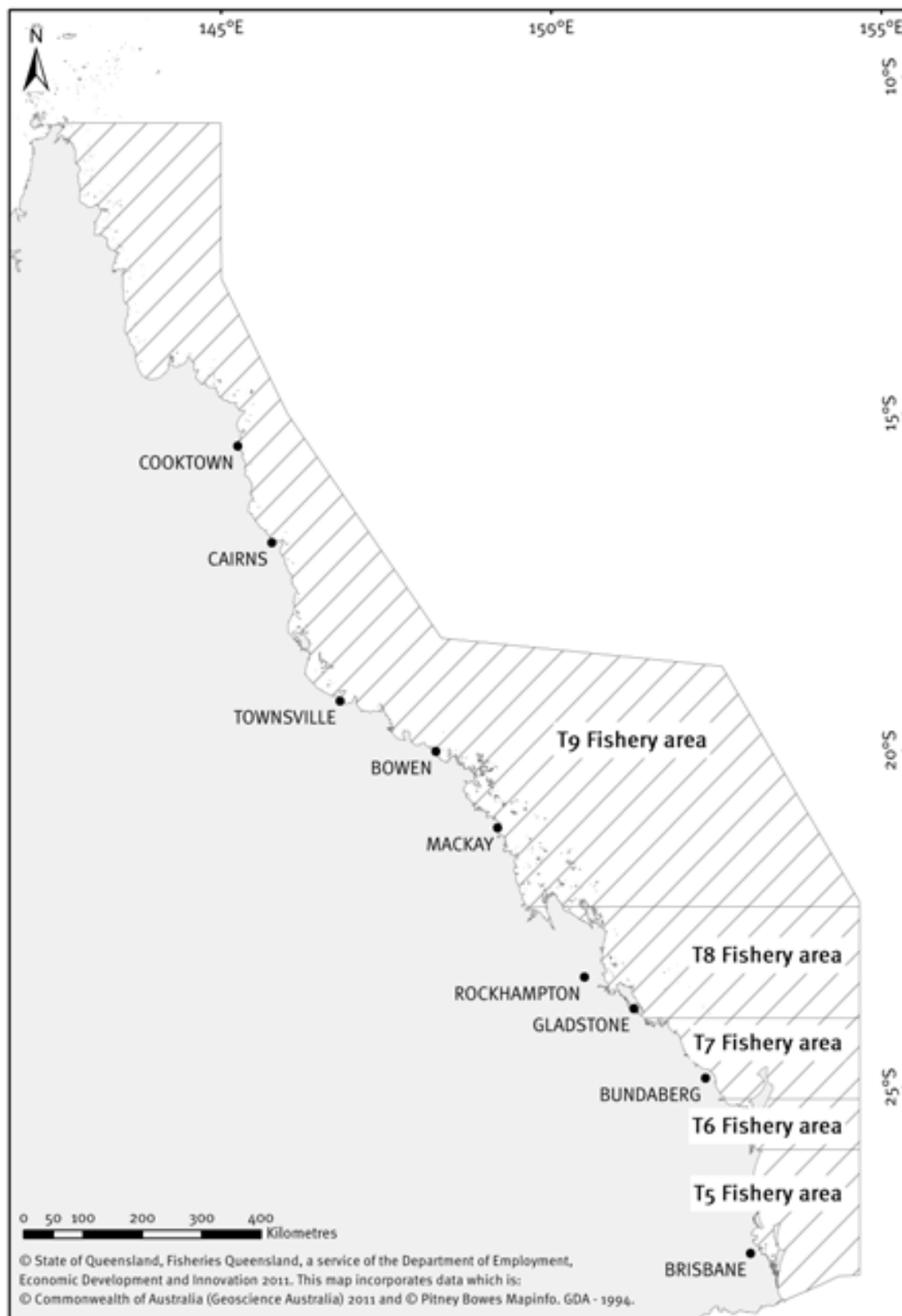


Figure 1: Queensland River and Inshore Beam Trawl fishing areas. (Source: Fisheries Queensland)

<b>Target Species</b>	<p><u>Greasyback prawns (<i>Metapenaeus bennettiae</i>)</u> - endemic to eastern Australia, south of about Hervey Bay in southern Queensland, inhabiting muddy sediment of estuaries and bays to depths of approximately 20 metres.</p> <p><u>Banana prawns (<i>Penaeus merguensis</i>)</u> - this species has a wide distribution through tropical and sub-tropical waters of the west Indo-Pacific. They are found in turbid mangrove lined estuaries and shallow coastal waters to depths of 45 metres.</p> <p><u>School prawns (<i>Metapenaeus macleayi</i>)</u> - endemic to eastern Australia in coastal waters from southern Queensland to Victoria. School prawns inhabit estuaries and associated marine waters to depths of 55 metres.</p> <p>All target species are short lived with high reproductive capacities.</p> <p>For further biological information in regards to these species, see Fisheries Queensland's 2011 Annual Status Report at:  <a href="https://www.daff.qld.gov.au/data/assets/pdf_file/0019/65701/RIBTF-ASR-2011.pdf">https://www.daff.qld.gov.au/data/assets/pdf_file/0019/65701/RIBTF-ASR-2011.pdf</a></p>
<b>Fishery status</b>	<p>The stock status for species retained in the RIBTF was reported in fisheries Queensland's <i>Stock status of Queensland's fisheries resources 2011</i> as:</p> <ul style="list-style-type: none"> <li>- banana prawns - sustainably fished</li> <li>- endeavour prawns - 'not fully utilised' (that is, the resource has the potential to sustain a higher than current harvest level), and</li> <li>- greasyback prawns - stock status 'undefined' due to lack of information on the composition of 'bay prawn' catch, but considered at low risk of being overfished.</li> </ul>
<b>Byproduct Species</b>	<p>Byproduct species permitted to be retained in the RIBTF include:</p> <ul style="list-style-type: none"> <li>- blue swimmer crabs</li> <li>- cuttlefish</li> <li>- squid, and</li> <li>- Moreton Bay bugs.</li> </ul> <p>Byproduct species are subject to in possession limits that are size, sex and species dependent. The quantities of these species retained in the RIBTF is low, representing less than 3 per cent of the total Queensland harvest of these species.</p>
<b>Gear</b>	<p>Beam trawl - a form of bottom trawling where the net is held open with a solid metal beam.</p> <p>Vessel restrictions - less than nine metres in length.</p> <p>Gear restrictions - headrope and net mesh restrictions, with separate restrictions applying to operation in rivers and creeks.</p> <ul style="list-style-type: none"> <li>- all beam trawls are required to be fitted with bycatch reduction devices. Turtle excluder devices must be fitted when fishing outside rivers and creeks.</li> </ul>
<b>Season</b>	<p>The RIBTF is permitted to operate year round. Daytime and weekend closures for the commercial fishery apply in some inshore areas such as Moreton Bay to minimise interactions with recreational fishers.</p>

<b>Commercial harvest in 2010</b>	<p>475 tonnes (t). Catch of target species included:</p> <ul style="list-style-type: none"> <li>- banana prawns - 200 t</li> <li>- bay prawns (predominantly greasyback prawns) - 160 t, and</li> <li>- school prawns - 112 t.</li> </ul>
<b>Value of commercial harvest in 2010</b>	\$3.2 million
<b>Take by other sectors</b>	<p><b><i>Other commercial fisheries</i></b>  Species captured in the RIBTF are also harvested in the East Coast Otter Trawl Fishery and New South Wales trawl fisheries.  Fisheries Queensland reports that over the period 2009 and 2010, the RIBTF harvest represented approximately 25 per cent of banana prawns and 50 per cent of 'bay prawns' taken in the state's fisheries, while the distribution of school prawn catches between fisheries varies between seasons.</p> <p><b><i>Recreational harvest</i></b>  The 2005 Recreational Fishers Survey estimated that 6 t of prawns and 30 t of squid were taken by recreational fishers in Queensland (McInnes 2008).</p> <p><b><i>Indigenous harvest</i></b> of prawns is estimated by Fisheries Queensland at 4 t (less than 1 per cent of the RIBTF commercial harvest).</p>
<b>Commercial licences issued</b>	The RIBTF is managed through five areas, each with individual licence symbols (see Figure 1). In 2010 there were a total of 121 commercial licences in the fishery with 86 accessing the fishery.
<b>Management arrangements</b>	<p>Under an Offshore Constitutional Settlement Agreement between the Commonwealth Government and the Queensland Government, the RIBTF is managed by Fisheries Queensland under the Queensland <i>Fisheries (East Coast Trawl) Management Plan 2010</i>, the Queensland <i>Fisheries Act 1994</i> and the Queensland <i>Fisheries Regulation 2008</i>.</p> <p>The fishery is managed primarily by input controls.</p> <p>Management measures include:</p> <ul style="list-style-type: none"> <li>- limited entry</li> <li>- permanent area closures</li> <li>- vessel and gear restrictions, including: <ul style="list-style-type: none"> <li>- mandatory use of bycatch reduction devices at all times, and</li> <li>- turtle excluder devices when operating outside rivers and creeks</li> </ul> </li> <li>- daytime and weekend closures to avoid interactions with recreational fishers, and</li> <li>- retention of byproduct species subject to species specific possession limits based on size, quantity and sex.</li> </ul> <p>The performance of the fishery is reviewed annually against the performance indicators and measures for the fishery contained in the <i>Performance Measurement System East Coast Trawl Fishery - Version 1 June 2009</i>.</p> <p>In late 2011, Fisheries Queensland commenced an ecological risk assessment of the southern Queensland operations of the Queensland East Coast trawl fisheries, the results of which are expected to inform management of the trawl fisheries, including the RIBTF.</p>



<b>Export</b>	Fisheries Queensland reports that export of product from the RIBTF is negligible.
<b>Bycatch</b>	<p>Fisheries Queensland advised the department that bycatch in the RIBTF consists predominantly of small fish, crabs and prawns. However, bycatch has not been fully characterised across all sectors of the fishery.</p> <p>The nature of the fishery operation, characterised by the use of small trawlers with slow trawl speeds and short shot trawl durations, limits the potential for bycatch in the RIBTF. Capture of bycatch is further reduced through gear restrictions:</p> <ul style="list-style-type: none"> <li>- headrope and net mesh restrictions, with separate restrictions applying to operation in rivers and creeks,</li> <li>- all beam trawls are required to be fitted with bycatch reduction devices, and</li> <li>- turtle excluder devices must be fitted when operating outside rivers and creeks.</li> </ul>
<b>Interaction with Protected Species<sup>3</sup></b>	<p>Short shot duration, slow trawl speed, low catch weights, gear restrictions (see above) and substantial area closures combine to minimise risks to protected species resulting from the operation of the RIBTF.</p> <p>In all Queensland managed fisheries, fishers are required to record interactions with protected species in the SOCI (species of conservation interest) logbook. Fisheries Queensland reported that there were no reported interactions with species of interest in the RIBTF in 2009. In 2010, 15 seasnakes were captured and returned to the water alive.</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 interactions 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>

<sup>3</sup> 'Protected species' means all species listed under Part 13 of the EPBC Act, including whales and other cetaceans and threatened, marine and migratory species.

<b>Ecosystem Impacts</b>	<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>Fisheries Queensland advise that trawling activity in the RIBTF is focused on areas of soft substrate (sand and silt) that contain minimal quantities of large sessile benthic organisms and that operators purposefully avoid areas with hard substrate. As such, physical impacts are likely to be low.</p> <p>Given the nature of the beam trawling operations (relatively few operators, slow trawl speed) and the suite of management arrangements in the fishery, including permanent area closures and gear restrictions, ecosystem risks from the operation of the fishery are considered low.</p>
<b>Impacts on World Heritage property and the Great Barrier Reef Marine Park</b>	<p>The assessment also considered the possible impacts of the operation of the RIBTF on the Great Barrier Reef Marine Park and on the World Heritage values of the Great Barrier Reef World Heritage Area. Under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act), a person may not take an action that has, will have, or is likely to have a significant impact on the world heritage values of a declared World Heritage property.</p> <p>Given:</p> <ul style="list-style-type: none"> <li>- the fishery operates largely outside the Great Barrier Reef Marine Park</li> <li>- that the marine park zoning arrangements prohibit trawling in over 60 per cent of the marine park area, and</li> <li>- the management measurements in place for the fishery, described in this table,</li> </ul> <p>the department considers the impacts of the operation of the RIBTF within the Great Barrier Reef Marine Park are likely to be low.</p> <p>On this basis the department considers that an action taken by an individual fisher, acting in accordance with the Queensland <i>Fisheries (East Coast Trawl) Management Plan 2010</i>, would not be expected to have a significant impact on the Great Barrier Reef Marine Park or the World Heritage values of the Great Barrier Reef World Heritage Area.</p>

<p><b>Wetlands of International Importance</b></p>	<p>The assessment also considered the possible impacts of the operation of the fishery on the ecological character of the Moreton Bay, Sandy Strait, Shoalwater and Corio Bays and Bowling Green Bay Ramsar Sites.</p> <p>Area closures apply to trawling in substantial areas of Moreton Bay, the Great Sandy Strait, Shoalwater Bay, Corio Bay and Bowling Green Bay. Where trawling is permitted, impacts on the ecological character of these sites are considered unlikely, due to limited entry, gear restrictions, including the use of bycatch reduction devices, and limits on byproduct harvest.</p> <p>On this basis the department considers that an action taken by an individual fisher, acting in accordance with the River and Inshore Beam Trawl Fishery management regime in force under the Queensland <i>Fisheries (East Coast Trawl) Management Plan 2010</i>, Queensland <i>Fisheries Act 1994</i> and the Queensland <i>Fisheries Regulation 2008</i>, would not be expected to have a significant impact on a Wetland of International Importance.</p>
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**Table 2: Progress in implementation of conditions and recommendations made in the 2009 assessment of the Queensland River and Inshore Beam Trawl Fishery**

Condition	Progress	Recommended Action
1. Operation of the fishery will be carried out in accordance with the <i>Fisheries (East Coast Trawl) Management Plan 1999</i> in force under the <i>Queensland Fisheries Act 1994</i> and the <i>Queensland Fisheries Regulation 2008</i> .	Fisheries Queensland has advised that the Queensland River and Inshore Beam Trawl Fishery (RIBTF) continues to be managed in accordance with the management regime made under the <i>Queensland Fisheries Act 1994</i> and the <i>Queensland 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 RIBTF specify a similar condition (see <b>Condition 1, Table 4</b> ).
2. DPI&F to inform DEWHA of any intended amendments to the management arrangements that may affect the assessment of the RIBTF against the criteria on which <i>Environment Protection and Biodiversity Conservation Act 1999</i> decisions are based.	Fisheries Queensland informed the department of all management changes.	The department considers that this condition has been met.  The department recommends a new approved wildlife trade operation declaration for the RIBTF specify a similar condition (see <b>Condition 2, Table 4</b> ).
3. DPI&F to produce and present reports to DEWHA annually as per Appendix B to the <i>Guidelines for the Ecologically Sustainable Management of Fisheries - 2<sup>nd</sup> Edition</i> .	Fisheries Queensland has provided the department with published annual status reports and reports of progress against the conditions and recommendations from the 2009 assessment, for 2009 and 2011. Due to delays in data analysis, information for the 2010 fishing season was included in the 2011 annual status report.	The department considers that this condition has been met.  The department recommends a new approved wildlife trade operation declaration for the RIBTF specify a similar condition (see <b>Condition 3, Table 4</b> ).
4. By 1 July 2009 DPI&F to: a. finalise and implement the PMS for the ECTF in consultation with the Trawl Management Advisory Committee; and b. ensure that the PMS incorporates performance measures, triggers and reference points that relate specifically to the RIBTF.	In June 2009, Fisheries Queensland published the <i>Performance Measurement System East Coast Trawl Fishery - Version 1 June 2009</i> . The performance measurement system: <ul style="list-style-type: none"> <li>contains performance indicators and performance measures for the RIBTF, and</li> <li>includes target and limit reference points that if exceeded result in a management response.</li> </ul> <p>The performance of the fishery against the indicators in the performance measurement system is reported in the fishery annual status reports.</p>	The department considers that this condition has been met, but notes that Fisheries Queensland's intention to review the performance measurement system after one year of data collection has not yet been realised. The department recommends that Fisheries Queensland review the performance measurement system as it relates to the RIBTF to ensure that it remains capable of identifying when a management response is needed to maintain the ecological sustainability of the fishery (see <b>Recommendation 1, Table 4</b> ).

Recommendation	Progress	Recommended Action
<p>1. DPI&amp;F to implement:</p> <ul style="list-style-type: none"> <li>a. a system adequate to monitor interactions with protected species and other bycatch; and</li> <li>b. management measures if appropriate to reduce the capture and mortality of protected species and other bycatch in all areas of the RIBTF.</li> </ul>	<p>In relation to protected species, Fisheries Queensland compared fisher reports of interactions with protected species with the results of 24 observer coverage days that were conducted in the fishery over the period 2009 - 2010. Fisheries Queensland reports that comparison of species of conservation interest logbooks and observer coverage data suggests that interactions with protected species are low in the RIBTF and that the species of conservation logbooks are adequate for monitoring these interactions.</p> <p>In 2009 Fisheries Queensland initiated a bycatch reduction project that assisted fishers with installation of mandatory bycatch reduction devices and turtle excluder devices, tested new bycatch reduction designs and provided fishers with a bycatch mitigation education program.</p>	<p>The department considers that this recommendation has been met.</p>
<p>2. DPI&amp;F to investigate the minimum level of observer coverage required to validate logbook data in the RIBTF. If coverage falls below this level DPI&amp;F should increase the level of coverage or investigate alternative methodologies able to validate logbook data.</p>	<p>In the 2009 assessment of the RIBTF the department noted the need to improve the accuracy of logbook catch and effort data. Fisheries Queensland reported that in 2009-2010 24 observer coverage days were conducted in the RIBTF, but that logbook validation had not been completed for this fishery because it was a lower priority than other fisheries in this jurisdiction.</p> <p>The department recognises the risk based approach that Fisheries Queensland takes to logbook validation for fisheries in this jurisdiction, but also notes that the RIBTF contributes approximately 50 per cent of “bay prawn” and 20 per cent of banana and school prawn Queensland East Coast harvest. Thus, it is important to have confidence in logbook data.</p> <p>The department notes that Fisheries Queensland intends to complete the comparison of observer coverage and logbook data for the RIBTF and recommends that Fisheries Queensland establish robust logbook validation arrangements that enable effective management of all Queensland trawl fisheries.</p>	<p>The department considers that this recommendation has been partially met.</p> <p>The department notes that Fisheries Queensland is:</p> <ul style="list-style-type: none"> <li>• undertaking an ecological risk assessment for this fishery,</li> <li>• developing a Queensland wide logbook validation program, and</li> <li>• intends to review the performance measure system applicable to this fishery.</li> </ul> <p>The department considers that these processes will identify and initiate any additional data validation required for the management of the fishery (see <b>Recommendation 2, Table 4</b>).</p>

Recommendation	Progress	Recommended Action
3. DPI&F to work with industry to determine species composition of “bay prawn” catch in the RIBTF.	<p>Fisheries Queensland has advised that, based on analysis of fishery logbook data and fishery observer data from the T5 fishery symbol area,</p> <ul style="list-style-type: none"> <li>• over 75 percent of the fishery's annual catch, and the majority of the 'bay prawn' harvest, is from the T5 fishery area (Sunshine Coast and Moreton Bay), and</li> <li>• the composition of ‘bay prawns’ is almost exclusively (98 per cent) greasyback prawns.</li> </ul>	The department considers that this recommendation has been met.
4. DPI&F to implement the research priorities identified in the <i>East Coast Trawl Fishery Five Year Research Plan (2006-2011)</i> , strategic and emergent issues as they relate to the RIBTF.	<p>In the 2009 assessment of the RIBTF the department noted several research priorities identified in the <i>East Coast Trawl Fishery Five Year Research Plan (2006-2011)</i> that related to the RIBTF. These included:</p> <ul style="list-style-type: none"> <li>• improved data for stock assessments of <ul style="list-style-type: none"> <li>- banana prawns (high priority) and</li> <li>- bay prawns (medium priority), and</li> </ul> </li> <li>• impacts of fishery operation on ecosystem and bycatch species.</li> </ul> <p>Data collection for RIBTF target species has been undertaken (see Recommendation 3, above).</p> <p>Fisheries Queensland has advised that the impact of fishery operation on ecosystem and bycatch species has been considered as part of the ecological risk assessment for the trawl fisheries in southern Queensland.</p>	The department considers that this recommendation has been met.
5. DPI&F to cooperate with other relevant jurisdictions to pursue complementary management and research priorities, which may impact on species harvested in the RIBTF.	The department is aware that Fisheries Queensland meets annually with NSW fisheries managers to develop management strategies for all shared fishery stocks.	The department considers that this recommendation has been met.

**Table 3: The Department of Sustainability, Environment, Water, Population and Communities’ assessment of the Queensland River and Inshore Beam Trawl Fishery against the requirements of the 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 at <http://www.comlaw.gov.au/>.

**Part 13**

<b>Division 1 Listed threatened species</b> <b>Section 208A Minister may accredit plans or regimes</b>	<b>The department’s assessment of the Queensland River and Inshore Beam Trawl Fishery</b>
<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"> <li>i. made by a State or self-governing Territory; and</li> <li>ii. in force under a law of the State or self-governing Territory;</li> </ul> <p>if <b>satisfied</b> 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 Queensland River and Inshore Beam Trawl Fishery (RIBTF) will be managed under the Queensland <i>Fisheries (East Coast Trawl) Management Plan 2010</i>, the Queensland <i>Fisheries Act 1994</i> and the Queensland <i>Fisheries Regulation 2008</i>.</p> <p>The management regime for the RIBTF was first accredited under Part 13 of the EPBC Act in February 2006. The management regime was re-accredited:</p> <ul style="list-style-type: none"> <li>- in April 2008 following the replacement of the Queensland <i>Fisheries Regulation 1995</i> with the Queensland <i>Fisheries Regulation 2008</i>, and</li> <li>- in December 2010 following the replacement of the Queensland <i>Fisheries (East Coast Trawl) Management Plan 1999</i> with the Queensland <i>Fisheries (East Coast Trawl) Management Plan 2010</i>.</li> </ul> <p>The department considers that the management regime for the RIBTF 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 substantial area closures, slow trawl speeds, short trawl shot duration, and gear restrictions in the fishery, the likelihood of interactions with listed threatened species is low. Therefore, the department considers the current operation of the RIBTF is not likely to adversely affect the survival or recovery in nature of any listed threatened species.</p>

**Part 13 (cont.)**

<b>Division 2 Migratory species</b> <b>Section 222A Minister may accredit plans or regimes</b>	<b>The department's assessment of the Queensland River and Inshore Beam Trawl Fishery</b>
<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"><li>i. made by a State or self-governing Territory; and</li><li>ii. in force under a law of the State or self-governing Territory;</li></ul> <p>if <b>satisfied</b> 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 migratory 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 migratory species or a population of that species.</p>	<p>The RIBTF will be managed under the Queensland <i>Fisheries (East Coast Trawl) Management Plan 2010</i>, the Queensland <i>Fisheries Act 1994</i> and the Queensland <i>Fisheries Regulation 2008</i>.</p> <p>The management regime for the RIBTF was first accredited under Part 13 of the EPBC Act in February 2006. The management regime was re-accredited:</p> <ul style="list-style-type: none"><li>- in April 2008 following the replacement of the Queensland <i>Fisheries Regulation 1995</i> with the Queensland <i>Fisheries Regulation 2008</i>, and</li><li>- in December 2010 following the replacement of the Queensland <i>Fisheries (East Coast Trawl) Management Plan 1999</i> with the Queensland <i>Fisheries (East Coast Trawl) Management Plan 2010</i>.</li></ul> <p>The department considers that the management regime for the RIBTF 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>Taking into account the substantial area closures, slow trawl speeds, short trawl shot duration, and gear restrictions in the fishery, the likelihood of interactions with listed migratory species is low. Therefore, the department considers the current operation of the RIBTF is not likely to adversely affect the conservation status of a listed migratory species or a population of that species.</p>



**Part 13 (cont.)**

<b>Division 3 Whales and other cetaceans</b> <b>Section 245 Minister may accredit plans or regimes</b>	<b>The department's assessment of the Queensland River and Inshore Beam Trawl Fishery</b>
<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"> <li>i. made by a State or self-governing Territory; and</li> <li>ii. in force under a law of the State or self-governing Territory;</li> </ul> <p>if <b>satisfied</b> 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 RIBTF will be managed under the Queensland <i>Fisheries (East Coast Trawl) Management Plan 2010</i>, the Queensland <i>Fisheries Act 1994</i> and the Queensland <i>Fisheries Regulation 2008</i>.</p> <p>he management regime for the RIBTF was first accredited under Part 13 of the EPBC Act in February 2006. The management regime was re-accredited:</p> <ul style="list-style-type: none"> <li>- in April 2008 following the replacement of the Queensland <i>Fisheries Regulation 1995</i> with the Queensland <i>Fisheries Regulation 2008</i>, and</li> <li>- in December 2010 following the replacement of the Queensland <i>Fisheries (East Coast Trawl) Management Plan 1999</i> with the Queensland <i>Fisheries (East Coast Trawl) Management Plan 2010</i>.</li> </ul> <p>The department considers that the management regime for the RIBTF 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>Taking into account the substantial area closures, slow trawl speeds, short trawl shot duration, and gear restrictions in the fishery, the likelihood of interactions with cetaceans is low. Therefore, the department considers the current operation of the RIBTF is not likely to adversely affect the conservation status of any species of cetacean or a population of that species.</p>

**Part 13 (cont.)**

<b>Division 4 Listed marine species</b> <b>Section 265 Minister may accredit plans or regimes</b>	<b>The department's assessment of the Queensland River and Inshore Beam Trawl Fishery</b>
<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> <ol style="list-style-type: none"> <li>i. made by a State or self-governing Territory; and</li> <li>ii. in force under a law of the State or self-governing Territory;</li> </ol> <p>if <b>satisfied</b> 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 RIBTF will be managed under the Queensland <i>Fisheries (East Coast Trawl) Management Plan 2010</i>, the Queensland <i>Fisheries Act 1994</i> and the Queensland <i>Fisheries Regulation 2008</i>.</p> <p>The management regime for the RIBTF was first accredited under Part 13 of the EPBC Act in February 2006. The management regime was re-accredited:</p> <ul style="list-style-type: none"> <li>- in April 2008 following the replacement of the Queensland <i>Fisheries Regulation 1995</i> with the Queensland <i>Fisheries Regulation 2008</i>, and</li> <li>- in December 2010 following the replacement of the Queensland <i>Fisheries (East Coast Trawl) Management Plan 1999</i> with the Queensland <i>Fisheries (East Coast Trawl) Management Plan 2010</i>.</li> </ul> <p>The department considers that the management regime for the RIBTF 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>Species of conservation interest logbooks and observer data suggest that the fishery interacts with small numbers of listed marine species (sea snakes) and that they are generally returned to the water alive. Short shot duration, slow trawl speed, gear restriction and small catch weight all minimise injury to sea snakes captured in the fishery. Therefore, the department considers the current operation of the RIBTF is not likely to adversely affect the conservation status of a listed marine species or a population of that species.</p>

**Part 13** (*cont.*)

<b>Section 303AA Conditions relating to accreditation of plans, regimes and policies</b>	<b>The department's assessment of the Queensland River and Inshore Beam Trawl Fishery</b>
(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 Queensland River and Inshore Beam 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 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 CITES<sup>4</sup> 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
- (h) to ensure the precautionary principle is taken into account in making decisions relating to the utilisation of wildlife.

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<sup>4</sup> Convention on International Trade in Endangered Species of Wild Fauna and Flora

**Part 13A (cont.)**

<b>Section 303DC Minister may amend list</b>	<b>The department's assessment of the Queensland River and Inshore Beam Trawl Fishery</b>
<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"><li>(a) including items in the list;</li><li>(b) deleting items from the list; or</li><li>(c) imposing a condition or restriction to which the inclusion of a specimen in the list is subject; or</li><li>(d) varying or revoking a condition or restriction to which the inclusion of a specimen in the list is subject; or</li><li>(e) correcting an inaccuracy or updating the name of a species.</li></ul>	
<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 River and Inshore Beam Trawl Fishery (RIBTF) 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 RIBTF 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"><li>▪ the fishery will not harvest any CITES listed species;</li><li>▪ there are management arrangements in place to ensure that the resource is being managed in an ecologically sustainable way (see Table 1);</li><li>▪ the operation of the RIBTF during the period of the recommended declaration as an approved wildlife trade operation is unlikely to be unsustainable or threaten biodiversity; and</li><li>▪ 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.</li></ul>

<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"> <li>(a) must consult such other Minister or Ministers as the Minister considers appropriate; and</li> <li>(b) must consult such other Minister or Ministers of each State and self-governing Territory as the Minister considers appropriate; and</li> <li>(c) may consult such other persons and organisations as the Minister considers appropriate.</li> </ul>	<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 the application from Fisheries Queensland for the RIBTF sought comment on the 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 RIBTF made under section 303DC will be gazetted and made available on the department's website.</p>

## Part 13A

Section 303FN Approved wildlife trade operation	The department's assessment of the Queensland River and Inshore Beam Trawl Fishery
(2) The Minister may, by instrument published in the <i>Gazette</i> , declare that a specified wildlife trade operation is an <b><i>approved wildlife trade operation</i></b> 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 <b>satisfied</b> 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"> <li>the survival of a taxon to which the operation relates; or</li> <li>the conservation status of a taxon to which the operation relates; and</li> </ol>	<p>The Queensland River and Inshore Beam Trawl Fishery (RIBTF) is consistent with the objects of Part 13A (listed above this table) as:</p> <ul style="list-style-type: none"> <li>the fishery will not harvest any CITES listed species</li> <li>there are management arrangements in place to ensure that the resource is being managed in an ecologically sustainable way (see Table 1)</li> <li>the operation of the fishery during the period of the recommended declaration as an approved wildlife trade operation is unlikely to be unsustainable and threaten biodiversity, and</li> <li>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.</li> </ul> <p>The department considers that the operation of the RIBTF during the period of the recommended declaration as an approved wildlife trade operation will not be detrimental to the survival or conservation status of a taxon to which it relates, given the management measures currently in place, which include:</p> <ul style="list-style-type: none"> <li>limited entry</li> <li>permanent area closures</li> <li>vessel and gear restrictions, and</li> <li>possession limits for permitted byproduct species.</li> </ul>

<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 operation of the RIBTF during the period of the recommended declaration as an approved wildlife trade operation will not threaten any relevant ecosystem, given the management measures currently in place, which include:</p> <ul style="list-style-type: none"> <li>▪ limited entry</li> <li>▪ permanent area closures</li> <li>▪ vessel and gear restrictions, and</li> <li>▪ possession limits for permitted byproduct species.</li> </ul> <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 <b>regard</b> 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 operation of the RIBTF during the period of the recommended declaration as an approved wildlife trade operation will not have a significant impact on any relevant ecosystem, given the management measures currently in place, which include:</p> <ul style="list-style-type: none"> <li>▪ limited entry</li> <li>▪ vessel and gear restrictions permanent area closures, and</li> <li>▪ possession limits for permitted byproduct species.</li> </ul>



<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 RIBTF are likely to be effective. Management arrangements for the fishery are included in the Queensland <i>Fisheries Act 1994</i> and the Queensland <i>Fisheries Regulation 2008</i>. Management controls include:</p> <ul style="list-style-type: none"> <li>▪ limited entry</li> <li>▪ vessel and gear restrictions</li> <li>▪ permanent area closures, and</li> <li>▪ possession limits for permitted byproduct species.</li> </ul> <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 <b>regard</b> 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 RIBTF will be managed under the Queensland <i>Fisheries (East Coast Trawl) Management Plan 2010</i>, Queensland <i>Fisheries Act 1994</i> and the Queensland <i>Fisheries Regulation 2008</i>.</p> <p>The Queensland <i>Fisheries Act 1994</i> and the Queensland <i>Fisheries Regulation 2008</i> applies 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 RIBTF is a commercial fishery.</p>
<p>(10A) In deciding whether to declare that a commercial fishery is an approved wildlife trade operation for the purposes of this section, 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 RIBTF has been carried out under Part 10 of the EPBC Act.</p>
<p>(10B) Subsection (10A) does not limit the matters that may be taken into account in deciding whether to declare that a fishery is an approved wildlife trade operation for the purposes of this section.</p>	

Section 303FR Public consultation	The department's assessment of the Queensland River and Inshore Beam 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"> <li>(a) setting out the proposal to make the declaration; and</li> <li>(b) setting out sufficient information to enable persons and organisations to consider adequately the merits of the proposal; and</li> <li>(c) inviting persons and organisations to give the Minister, within the period specified in the notice, written comments about the proposal.</li> </ul>	<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 River and Inshore Beam Trawl Fishery (RIBTF) an approved wildlife trade operation and included Fisheries Queensland's application, was released for public comment which closed on 22 December 2011 with one comment 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 RIBTF an approved wildlife trade operation and included Fisheries Queensland's application, was released for public comment on 23 November 2011 and closed on 22 December 2011, a total of 22 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 comment received is included at <b><u>Attachment C</u></b> of the brief. The department's assessment has considered the comment received.</p>

Section 303FT Additional provisions relating to declarations	The department's assessment of the Queensland River and Inshore Beam Trawl Fishery
(1) This section applies to a declaration made under section 303FN, 303FO or 303FP.	A declaration for the River and Inshore Beam Trawl Fishery (RIBTF) 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"> <li>• operation in accordance with the management regime</li> <li>• notifying the department of changes to the management regime, and</li> <li>• annual reporting in accordance with the requirements of the Australian Government <i>Guidelines for the Ecologically Sustainable Management of Fisheries – 2<sup>nd</sup> Edition</i>.</li> </ul> <p>The wildlife trade operation declaration instrument for the RIBTF 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 RIBTF made under section 303FN and the conditions under section 303FT will be gazetted and made available on the department's website.

## Part 16

<b>Section 391 Minister must consider precautionary principle in making decisions</b>	<b>The department's assessment of the Queensland River and Inshore Beam Trawl Fishery</b>
(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 a decisions under 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' conditions and recommendations to Fisheries Queensland for the Queensland River and Inshore Beam Trawl Fishery**

The material submitted by Fisheries Queensland demonstrates that the management arrangements for the Queensland River and Inshore Beam Trawl Fishery (RIBTF) meet most of the requirements of the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries - 2<sup>nd</sup> Edition*.

### **Stock Status and Recovery**

The Department of Sustainability, Environment, Water, Population and Communities considers that overall the management regime for the RIBTF aims to ensure that fishing is conducted in a manner that does not lead to overfishing. Management measures include:

- limited entry
- vessel and gear restrictions
- permanent area closures
- possession limits for byproduct species that are species, sex and size dependent, and
- a reviewable performance measurement system.

### **Ecosystem impacts**

Taking into account the management measures listed above, the compulsory use of bycatch reduction devices at all times and the use of turtle excluder devices when operating in areas outside rivers and creeks, the department considers that the management of the RIBTF 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 a number of risks and uncertainties that must be managed to ensure that impacts resulting from operation of the fishery are minimised:

- finalisation and publication of the ecological risk assessment for the fishery, particularly in relation to risks to bycatch species, and
- review of the performance indicators, performance measures, trigger reference points and management actions applicable to the fishery, originally scheduled for 2010.

The department considers that until it can be demonstrated that these issues have been adequately addressed, declaration of the operations of the RIBTF as an approved wildlife trade operation for three years, until 10 April 2015, is appropriate. The department considers that the declaration should be subject to the conditions listed in Table 4 below. To address the issues identified above, the recommendations outlined in Table 4 have been made.

**Table 4: Queensland River and Inshore Beam Trawl Fishery Assessment – Summary of Issues, Conditions and Recommendations - April 2012**

ISSUE	DSEWPaC 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 intended changes 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><b>Condition 1:</b> Operation of the River and Inshore Beam Trawl Fishery will be carried out in accordance with the management regime in force under the Queensland <i>Fisheries Act 1994</i> and the Queensland <i>Fisheries Regulation 2008</i>.</p> <p><b>Condition 2:</b> Fisheries Queensland to advise the Department of Sustainability, Environment, Water, Population and Communities of any intended amendments to the River and Inshore Beam Trawl Fishery management arrangements that could affect 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 of Sustainability, Environment, Water, Population and Communities annually in order for the performance of the fishery and progress in implementing the conditions and recommendations in this report and other managerial commitments to be monitored and assessed throughout the life of the declaration.</p> <p>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 conditions and recommendations resulting from the previous accreditation 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: <a href="http://www.environment.gov.au/coasts/fisheries/publications/guidelines.html">http://www.environment.gov.au/coasts/fisheries/publications/guidelines.html</a>).</p>	<p><b>Condition 3:</b> Fisheries Queensland to produce and present reports for the River and Inshore Beam Trawl Fishery to the Department of Sustainability, Environment, Water, Population and Communities annually as per Appendix B of the <i>Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition</i>.</p>

ISSUE	DSEWPaC Recommendation
<p><u>Bycatch risk assessment/risk management</u></p> <p>Information on the quantity, composition and survival of bycatch in the Queensland River and Inshore Beam Trawl Fishery (RIBTF), to inform management and to monitor the effectiveness of the use of bycatch reduction devices, has been limited to date.</p> <p>The 2009 assessment of the RIBTF recommended that Fisheries Queensland<sup>5</sup> develop an adequate system to monitor bycatch and, where appropriate, introduce management measures to reduce bycatch in the fishery. The department recognises the efforts of Fisheries Queensland to reduce bycatch in the fishery since the 2009 assessment, through the modification of turtle excluder device and bycatch reduction device definitions and through the education and rebate scheme.</p> <p>The RIBTF largely operates in inshore and estuarine environments and consequently operates partially in and near a number of Ramsar sites such as Moreton Bay, which are listed as Wetlands of International Importance under the EPBC Act (see Table 1). Better understanding the risks to bycatch species in the RIBTF will assist in monitoring and managing any potential risks from operation of the fishery on the ecological character of each of the relevant Wetlands of International Importance.</p> <p>The department understands that Fisheries Queensland is finalising the southern Queensland trawl fisheries ecological risk assessment (including the RIBTF) in 2012 and that the risk assessment is informed by bycatch data collected from the RIBTF through the Fishery Observer Program. The department recognises the importance of finalising the ecological risk assessment to inform future management and monitoring.</p> <p>A public comment about the proposal to declare the RIBTF an approved wildlife trade operation raised concerns related to the level of bycatch in the T6 (Great Sandy Strait and Mary River) sector of the fishery, specifically when trawling in the Mary River within the Queensland Great Sandy Marine Park.</p> <p>In response to the public comment, Fisheries Queensland has advised:</p> <ul style="list-style-type: none"> <li>• that low intensity trawling has historically occurred in the Mary River estuary in response to availability of prawns following major rainfall events</li> <li>• that the Queensland Department of Environment and Resource Management has recently issued five year Marine Park permits to the six T6 fishery symbol holders to continue trawling in the Mary River (within the Great Sandy Marine Park), and</li> <li>• both the permit conditions and Queensland fisheries legislation require the use of bycatch reduction devices when operating under the permits.</li> </ul> <p>The department recommends that Fisheries Queensland finalise the assessment of risks to bycatch from the operation of the RIBTF, improve the understanding of bycatch in the fishery and pursue reductions in bycatch if necessary to minimise risks to bycatch species. The department expects that, where necessary, this would include the collection of new information relating to the quantity, composition and post capture mortality of bycatch.</p>	<p><b>Recommendation 1:</b></p> <p>Fisheries Queensland to:</p> <ul style="list-style-type: none"> <li>• finalise and publish the outcomes of the southern Queensland trawl fisheries ecological risk assessment, and</li> <li>• ensure that any unacceptable risks to bycatch identified through the risk assessment are mitigated.</li> </ul>

<sup>5</sup> then, the Queensland Department of Primary Industries and Fisheries

ISSUE	DSEWPaC Recommendation
<p><u>Review of the performance management system</u></p> <p>Condition 4 of the 2009 approved wildlife trade operation for the RIBTF required Fisheries Queensland<sup>5</sup> to finalise and implement the performance measurement system for the Queensland east coast trawl fisheries (including the RIBTF) and ensure that performance measures, triggers and reference points relating specifically to the RIBTF were incorporated.</p> <p>In June 2009, Fisheries Queensland published the <i>Performance Measurement System for the East Coast Trawl Fishery</i> which included management objectives, performance indicators and performance measures applicable to the RIBTF. The performance measurement system includes performance measures that, if exceeded, result in management responses. Fisheries Queensland reviews the performance of the RIBTF annually against the performance measures and reports this in the annual status reports for the fishery.</p> <p>The performance measurement system was scheduled for review after the first year of reporting. The department understands that a formal review has not been undertaken, but that development of economic and social indicators for Queensland trawl fisheries, funded by the Fisheries Research and Development Corporation, is under way. The department understands that Fisheries Queensland intends to review the performance measurement system for the trawl fisheries following the completion of this research.</p> <p>The department recommends that, taking into account information that has become available since the implementation of the performance measurement system in 2009, Fisheries Queensland undertake a review of the performance indicators, performance measures and management responses for the RIBTF and update these as appropriate.</p> <p><u>Logbook validation</u></p> <p>The 2006 EPBC Act assessment of the Queensland RIBTF noted that limited validation of logbook catch and effort data for the fishery had been undertaken and a recommendation was made for Fisheries Queensland<sup>5</sup> to develop a system to ensure that catch and effort data was validated on an ongoing basis.</p> <p>The 2009 assessment of the fishery noted that logbook data validation was undertaken in 2008, based on monitoring undertaken through Fisheries Queensland's Fishery Observer Program, and a number of recommendations made to improve logbook reporting accuracy. In the 2009 assessment the department questioned whether the rate of observer coverage in the Queensland RIBTF was sufficient to allow adequate validation of logbook data and recommended that Fisheries Queensland investigate the minimum level of observer coverage required in the fishery.</p> <p>While the Queensland RIBTF as a whole is a relatively small fishery, it contributes approximately 50 per cent of the Queensland East Coast commercial harvest of "bay prawns" (believed to be predominantly greasyback prawns) and approximately 20 per cent of the Queensland commercial harvest of banana prawns and school prawns. There is thus a need to have confidence in estimates of catch of these species from this fishery.</p> <p>The department recognises Fisheries Queensland's risk based prioritisation of logbook validation for the Queensland trawl fisheries and notes that planning for staged validation of logbook data in all Queensland fisheries is underway.</p>	<p><b>Recommendation 2:</b></p> <p>Taking into account all available relevant information, Fisheries Queensland to ensure that the performance indicators, performance measures and management responses for the River and Inshore Beam Trawl Fishery in the <i>Performance Measurement System for the East Coast Trawl Fishery</i> are:</p> <ul style="list-style-type: none"> <li>• underpinned by robust estimates of effort, retained catch and discarded catch</li> <li>• risk based, and</li> <li>• capable of identifying when a management response is needed to maintain the ecological sustainability of the fishery, with particular reference to target and bycatch species.</li> </ul>



## References

McInnes K (2008) *Experimental results from the fourth Queensland recreational fishing diary program (2005)*. Queensland Department of Primary Industries and Fisheries.

State of Queensland, Department of Employment, Economic Development and Innovation (2011) *Stock status of Queensland's fisheries resources 2011*.

## Acronyms

DEWHA	Department of the Environment, Water, Heritage and the Arts
DPI&F	(Queensland) Department of Primary Industry and Fisheries
ECOTF	East Coast Otter Trawl Fishery
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
NSW	New South Wales
PMS	Performance measurement system
RIBTF	River and Inshore Beam Trawl Fishery
SEWPaC	(Department of) Sustainability, Environment, Water, Population and Communities
SOCI	Species of conservation interest
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