



Australian Government

Department of Sustainability, Environment, Water, Population and Communities

Assessment of the
Queensland Coral Reef Fin Fish Fishery

June 2013

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Disclaimer

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 4 contains a description of the issues identified by the department with the current management regime for the fishery and outlines the proposed conditions and recommendations that would form part of the delegate's decision to declare the fishery an approved wildlife trade operation.

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Table 1: Summary of the Queensland Coral Reef Fin Fish Fishery

<p>The 'Coral Reef Fin Fish Fishery' and the 'Deep Water Fin Fish Fishery' have been considered as separate 'fisheries' in past Australian Government assessments under the <i>Environment Protection and Biodiversity Conservation 1999</i> (EPBC Act). Both fisheries are managed under the same management plan and the species taken in the two fisheries are generally the same. The distinction between the two fisheries has been on the basis of gear type, with operators in the Deep Water Fin Fish Fishery permitted to use multiple hook gear in areas outside the Great Barrier Reef Marine Park. The department has plans to now assess these activities as one fishery. In this report, the 'Coral Reef Fin Fish Fishery' usually refers to both activities, however, reference is made within this assessment report to the 'Deep Water Fin Fish Fishery' when required, to reflect past EPBC Act decisions in relation to the multiple hook sector of the fishery.</p>	
<p>Publicly available information relevant to the fishery</p>	<ul style="list-style-type: none"> • <i>Fisheries (Coral Reef Fin Fish) Management Plan 2003</i> • <i>Queensland Fisheries Act 1994</i> • <i>Queensland Fisheries Regulation 2008</i> • Annual Status Reports 2009 - 2011 – Coral Reef Fin Fish Fishery and Deep Water Fin Fish Fishery • Progress against SEWPaC Conditions and Recommendations 2010 - 2012 – Coral Reef Fin Fish Fishery and Deep Water Fin Fish Fishery • <i>Marine bioregional plan for the Temperate East Marine Region</i>
<p>Area</p>	<p>Participation in the fishery is limited to holders of Reef Quota (RQ) fishery symbols in conjunction with an 'L' or line fishery symbol (mostly L1, L2 and L3) which defines the area of operation. Areas of operation for these symbols encompass all east coast Queensland waters as defined by the Offshore Constitutional Settlement between the Commonwealth and the State of Queensland. Despite this broad area of operation much of the effort and reported commercial catch (~95 per cent) in the Coral Reef Fin Fish Fishery is confined to the waters of the Great Barrier Reef World Heritage Area which includes the areas of L2 and L3 fishery symbols.</p> <p>A small number of fishers also hold L8 symbols (which have been previously assessed under the EPBC Act as part of the 'Deep Water Fin Fish Fishery'), which allow for the use of multiple hook gear (up to 300 hooks). The use of multiple hooks within the Great Barrier Reef Marine Park is prohibited.</p> <p>For a complete description of line fishery symbols, refer to the Fisheries Queensland website: http://www.daff.qld.gov.au/28_15452.htm</p>
<p>Target Species</p>	<p>Coral trout (<i>Plectropomus spp.</i> and <i>Variola spp.</i>), red throat emperor (<i>Lethrinus miniatus</i>), cods and groupers, other emperor species, sweetlips, tropical snappers (<i>Lutjanus spp.</i>), sea perches and blue eye trevalla (<i>Hyperoglyphe antarctica</i>).</p>

Fishery status	<p>Fisheries Queensland consider that the status of coral trout is 'uncertain', due to declining catch rates and quota utilisation. The first whole-of-stock assessment for coral trout is currently in progress and is expected to be completed in mid-2013.</p> <p>Red throat emperors are considered to be sustainably fished. Although the commercial catch is significantly less than the total allowable catch limit, catch rates are relatively stable.</p> <p>The status of 'other species' taken in this fishery are classified as 'uncertain' by Fisheries Queensland. The total catch of these species is relatively small compared to the target species, however catch of 'other species', particularly bar cod, has increased significantly in recent years.</p>																			
Byproduct Species	Operators are permitted to retain up to four sharks, with a maximum size limit of 150cm total length or 60cm interdorsal length, however the retained catch of sharks in this fishery since these restrictions were introduced in 2009 has been very low.																			
Gear	Baited droplines (maximum of six hooks per fisher) are used under L1, L2 and L3 endorsements. L8 endorsed licences are permitted to use up to 300 hooks per licence.																			
Season	The fishery operates all year except for two five-day closures to coincide with spawning events around the October and November new moons.																			
Commercial harvest	<p>Total commercial harvest for 2010/11 was 1,486 tonnes.</p> <table><tr><td></td><td>Catch (tonnes)</td></tr><tr><td>Coral Trout</td><td>797</td></tr><tr><td>Red throat emperor</td><td>256</td></tr><tr><td>Lutjanid snapper (including jobfish)</td><td>193</td></tr><tr><td>Emperor</td><td>124</td></tr><tr><td>Bar Rockcod</td><td>22</td></tr><tr><td>Tuskfish</td><td>20</td></tr><tr><td>Other</td><td>87</td></tr><tr><td>L8 non-coral reef quota species (blue eye trevalla and bass groper)</td><td>7</td></tr></table>			Catch (tonnes)	Coral Trout	797	Red throat emperor	256	Lutjanid snapper (including jobfish)	193	Emperor	124	Bar Rockcod	22	Tuskfish	20	Other	87	L8 non-coral reef quota species (blue eye trevalla and bass groper)	7
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Value of commercial harvest (2010/11)	Gross value of production is estimated at \$30 million																			

Take by other sectors	<p>In 2010/11, approximately 64 tonnes of coral trout, 73 tonnes of red throat emperor and 151 tonnes of 'other species' were retained in the charter sector.</p> <p>The 2010 recreational fishing survey estimated that around 100,000 individual coral trout and 65,000 red throat emperor were harvested during the survey.</p>
Commercial licences issued	<p>In the 2010/11 fishing season, 367 licences with the RQ symbol and L1, L2 or L3 line fishery symbols were issued. 229 licences were active in the fishery in 2010/11.</p> <p>Three of the seven L8 line fishery symbols were active in the fishery in 2010/11.</p>
Management arrangements	<p>The Coral Reef Fin Fish Fishery is managed in accordance with the <i>Fisheries (Coral Reef Fin Fish) Management Plan 2003</i> under the <i>Queensland Fisheries Act 1994</i> and the <i>Queensland Fisheries Regulation 2008</i>.</p> <p>The commercial fishery is managed through input and output controls, including a maximum of six hooks per line, limited entry, boat size and tender restrictions and individual transferable quota for coral trout, red throat emperor and 'other species'. L8 endorsed fishers may use up to 300 hooks per licence.</p> <p>The recreational fishery is managed primarily through output controls, including minimum legal size and bag limits. The charter and Indigenous sectors are also subject to these size and bag limits.</p> <p>To supplement the above controls, the Coral Reef Fin Fish Fishery has a performance management system in place, which is used to conduct annual reviews of the performance of the fishery (including all sectors) against performance indicators (for example, catch per unit effort, estimated exploitable biomass and fishing mortality : natural mortality). The breach of a performance measure triggers a review of management arrangements.</p>
Export	<p>The primary export market in this fishery is for live coral trout, which accounts for 85 to 90 per cent of the reported coral trout catch. Other product is generally sold on the domestic market.</p>
Bycatch	<p>Bycatch primarily consists of undersized target species.</p>
Interaction with Protected Species¹	<p>No interactions with protected species have been reported in the Coral Reef Fin Fish Fishery.</p> <p>Under sections 199, 214, 232 and 256 of the EPBC Act, persons who interact with a protected species must report that interaction within seven days of the incident occurring to the Secretary of the department.</p>

¹ '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>A <i>Memorandum of Understanding between the Queensland Department of Primary Industries and Fisheries and the Department of the Environment and Heritage for the Reporting of Fisheries Interactions with Protected Species under the Environment Protection and Biodiversity Conservation Act 1999</i> (Reporting MOU) was signed in 2005 to streamline reporting requirements for interactions with protected species, assisting fishers in meeting their requirements under the EPBC Act. As such, the Reporting MOU reduces the administrative reporting burden on individual fishers and provides for regular reporting of protected species interactions.</p> <p>Unless exceptional circumstances exist, the department will not take any actions against the authority holders in respect of a failure to meet the seven-day reporting requirement of protected species interactions, if the interaction was recorded in the authority holder's logbook at the time of the interaction and in accordance with the requirements of the Reporting MOU.</p>
Ecosystem Impacts	<p>Due to the relatively benign harvesting method used in the fishery (line fishing), the impacts of fishing on the physical ecosystem are considered to be negligible.</p>
World Heritage properties, the Great Barrier Reef Marine Park and the Temperate East Marine Region	<p>The area of operation of the Coral Reef Fin Fish Fishery includes the Great Barrier Reef Marine Park and the Great Barrier Reef World Heritage Area. The assessment considered the possible impacts on the World Heritage values of the Great Barrier Reef World Heritage Area. The department considers that due to the combination of the marine park zoning, the method of fishing used (line fishing) and the management arrangements in place, the impact of fishing operations on the physical ecosystem are likely to be negligible.</p> <p>On this basis the department considers that an action taken by an individual fisher, acting in accordance with the <i>Fisheries (Coral Reef Fin Fish) Management Plan 2003</i> in force under the <i>Queensland Fisheries Act 1994</i> and the <i>Queensland Fisheries Regulation 2008</i>, would not be expected to have a significant impact on a matter protected by the EPBC Act.</p> <p>Extraction of living resources has been identified as a pressure operating within the Temperate East marine bioregional planning area in which some of the Queensland Coral Reef Fin Fish operates. The department considers that the impacts of the fishery on the physical ecosystem is negligible due to the very small amount of fishing effort carried out in the Temperate East Marine Region and the relatively benign harvesting method used in the fishery (line fishing).</p>

Table 2: Progress in implementation of conditions and recommendations made in previous assessments of the Queensland Coral Reef Fin Fish Fishery and the Queensland Deep Water Fin Fish Fishery

Condition	Progress	Recommended Action
<p><u>General Management</u></p> <p>Coral Reef Fin Fish Fishery</p> <p>1. Operation of the fishery will be carried out in accordance with the management regime for the Queensland Coral Reef Fin Fish Fishery in force under the Queensland <i>Fisheries Act 1994</i> and the Queensland Fisheries Regulation 2008.</p> <p>Deep Water Fin Fish Fishery</p> <p>1. Operation of the fishery will be carried out in accordance with the Queensland DWFFF management regime in force under the Queensland <i>Fisheries Act 1994</i>, the Queensland Fisheries Regulation 2008 and the <i>Fisheries (Coral Reef Fin Fish) Management Plan 2003</i>.</p>	<p>The operations of the Queensland Coral Reef Fin Fish Fishery and the Queensland Deep Water Fin Fish Fishery were carried out under the appropriate legislation.</p>	<p>The department considers that this condition has been met.</p> <p>The department considers that a new approved wildlife trade operation declaration for the Queensland Coral Reef Fin Fish Fishery should specify a similar condition (see Condition 1, Table 4).</p>

Condition	Progress	Recommended Action
<p>Both fisheries</p> <p>2. Fisheries Queensland to inform the Department of the Environment, Water, Heritage and the Arts (DEWHA) of any intended amendments to the management arrangements that may affect the assessment of the fishery against the criteria on which <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) decisions are based.</p>	<p>No changes were made to the management arrangements that would have affected the assessment of the fishery against the criteria on which EPBC Act decisions are based.</p>	<p>The department considers that this condition has been met.</p> <p>The department considers that a new approved wildlife trade operation declaration for the Queensland Coral Reef Fin Fish Fishery should specify a similar condition (see Condition 2, Table 4).</p>
<p>Both fisheries</p> <p>3. Fisheries Queensland to produce and present reports to DEWHA annually as per Appendix B to the <i>Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition</i>.</p>	<p>Fisheries Queensland has provided annual reports.</p>	<p>The department considers that this condition has been met.</p> <p>The department considers that a new approved wildlife trade operation declaration for the Queensland Coral Reef Fin Fish Fishery should specify a similar condition (see Condition 3, Table 4).</p>

Recommendation	Progress	Recommended Action
<p>Coral Reef Fin Fish Fishery</p> <p>1. DPI&F to conduct an appropriate resource assessment for coral trout within 2 years to ensure that harvest levels are sustainable. This assessment should take into account recreational catch.</p>	<p>A stock assessment is currently underway for coral trout and is expected to be completed in mid-2013. The stock assessment model uses inputs from fishery dependent data (catch, effort and spatial information) as well as fishery independent data from on-reef visual dive surveys. The stock assessment will also incorporate the results of the 2010 recreational fishing survey.</p> <p>Outputs of the stock assessment are expected to include an estimate of percentage of biomass relative to virgin biomass and of the maximum sustainable yield.</p> <p>Preliminary results of the stock assessment suggest that the stock status is uncertain, with mixed signals from declining catch per unit effort and more positive dive survey results.</p> <p>Fisheries Queensland is part of a working group tasked with reviewing the management arrangements of the Coral Reef Fin Fish Fishery and identifying options to improve the efficiency and viability of the fishery. Fisheries Queensland also plans to use a management strategy evaluation tool (ELFsim), which may also be used to test harvest strategies and to determine data requirements for improved stock monitoring.</p>	<p>The department considers that, following the completion of the stock assessment, Fisheries Queensland should review the Performance Measurement System to incorporate the outputs of the assessment (see Condition 4, Table 4).</p> <p>The current management arrangements for the Coral Reef Fin Fish Fishery do not contain mechanisms that trigger changes to the total allowable commercial catch of quota species. The department considers that Fisheries Queensland, following the delivery of the recommendations of the working group and the outputs of ELFsim, should develop performance measures and decision rules that trigger changes to the total allowable commercial catch to ensure the ongoing sustainable harvest of coral trout (see Condition 5 and Recommendation 1, Table 4).</p>

Recommendation	Progress	Recommended Action
<p>Coral Reef Fin Fish Fishery</p> <p>2. DPI&F to ensure the setting of harvest levels for target species takes into account take from all sectors including the recreational sector.</p>	<p>Fisheries Queensland completed a state-wide recreational fishing survey in 2010, which was published in mid-2012. Fisheries Queensland has indicated that the results of the survey are used in conjunction with commercial and charter sector data for stock status determination for Coral Reef Fin Fish Fishery species.</p> <p>The current total allowable commercial catch limit was set in 2004 and took into account the estimated recreational catch. The estimated recreational catch from the 2010 survey is less than a third of the 2000/01 survey estimated catch. The department considers that future harvest level setting processes should take into account catch from all sectors to ensure that catch levels are sustainable.</p>	<p>The department considers that this recommendation has been met.</p>
<p><u>Quota monitoring and logbook data validation</u></p> <p>Coral Reef Fin Fish Fishery</p> <p>3. DPI&F to continue to improve:</p> <p>a) validation of commercial logbook catch and effort data; and</p> <p>b) monitoring of interactions with bycatch and protected species including a review of the level of observer coverage needed in the CRFFF within</p>	<p>Since the last assessment of the fisheries, Fisheries Queensland has introduced the Automated Interactive Voice Response system for quota reporting. This is also used for compliance operations through random landing inspections, and reports through the quota reporting system are automatically cross checked against catch disposal records.</p> <p>However the department notes that compliance inspection rates are around one per cent of landings and that compliance rates are below</p>	<p>The department recommends that Fisheries Queensland review current strategies used to address information reporting compliance risks in the fishery (see Recommendation 4, Table 4).</p>

Recommendation	Progress	Recommended Action
<p>12 months, to meet the requirements of the PMS.</p> <p>4. DPI&F to improve the accuracy of commercial landing records for quota categories, to ensure the Total Allowable Catch is adhered to.</p> <p>Deep Water Fin Fish Fishery</p> <p>5. DPI&F to continue to improve validation of logbook catch and effort data and protected species reporting, including a review of the level of observer coverage needed to allow for effective implementation of the Performance Measurement System.</p>	<p>the Fisheries Queensland target of 92.5 per cent.</p> <p>Quota misreporting is the most common offence detected and has been identified as a key compliance risk in the 2006 and 2010 compliance risk assessments.</p> <p>Fisheries Queensland has reported that 72 observer days were undertaken in the Coral Reef Fin Fish Fishery as part of the 2010/11 Fisheries Observer Program. No interactions with protected species were observed. The department concurs with Fisheries Queensland's assessment that the risk of interactions with protected species is very low.</p> <p>The department notes, however, that most of the current performance indicators in the Performance Measurement System rely primarily on fishery dependent data. The department recommends that Fisheries Queensland review the current strategies to ensure compliance with reporting requirements.</p>	

Recommendation	Progress	Recommended Action
<p><u>Managing catch of sharks and rays</u></p> <p>Coral Reef Fin Fish Fishery</p> <p>5. Within two years DPI&F to:</p> <ul style="list-style-type: none"> (a) implement management arrangements to ensure the take of sharks and rays is sustainable; (b) implement appropriate measures to limit capture and reduce post-release mortality of discarded shark species; and (c) continue to improve the identification and recording of the composition and quantity of retained sharks and rays. <p>Deep Water Fin Fish Fishery</p> <p>2. DPI&F to implement management arrangements to ensure the take of sharks and rays is sustainable.</p> <p>3. DPI&F to continue to monitor and, where appropriate, improve the identification and recording of the composition and quantity of retained sharks and rays.</p>	<p>In 2009, Fisheries Queensland implemented a trip limit and size limit for sharks to address concerns regarding the sustainability of shark catches and the potential for the practice of shark finning. In relation to this fishery, a maximum of four sharks and rays may be taken by line fishers, which may include a maximum of one grey reef shark and one white tip reef shark. The maximum size of both sharks and rays is 150cm total length or 60cm interdorsal length. Sharks and rays must be landed with the fins together with the body they were removed from, and fins may not be removed from guitarfish, shovelnose rays, grey reef sharks and white tip reef sharks before they are landed.</p> <p>The department considers that these requirements are effective in restricting the take of sharks outside of the 'S' symbol endorsed licences, evidenced by the very low reported take of sharks outside the 'S' licences since these arrangements were introduced in 2009. 'S' symbol shark catch is considered separately as part of the East Coast Inshore Fin Fish Fishery assessment.</p> <p>To coincide with the introduction of these management arrangements, Fisheries Queensland developed a shark identification field guide for fishers.</p>	<p>The department considers that these recommendations have been met.</p>

Recommendation	Progress	Recommended Action
<p>Coral Reef Fin Fish Fishery</p> <p>6. DPI&F to ensure that there is adequate protection for coral reef fin fish spawning stock.</p>	<p>Fisheries Queensland reviewed the coral reef fin fish spawning closure arrangements in 2009. Based on advice received in the review process, Fisheries Queensland removed the December spawning closure and reduced the duration of the October and November spawning closures from nine days to five days.</p> <p>The department considers that the current spawning closures are likely to be adequate to protect coral reef fin fish spawning stock. However the department considers that any further reductions in the spawning closures should be preceded by an independent review.</p>	<p>The department considers that this recommendation has been met, however the department recommends that an independent review of the spawning closures should precede any further reductions to the spawning closures (see Recommendation 3, Table 4).</p>
<p>Deep Water Fin Fish Fishery</p> <p>1. DPI&F to continue to improve the level of species specific reporting of both Reef Quota and non-Reef Quota species in the DWFFF.</p>	<p>As noted in the previous assessment of the fishery, while Fisheries Queensland has produced a field identification guide for deep water fish to enable improved species specific reporting in logbooks, species identification remains an issue in the fishery. As part of a Fisheries Research and Development Corporation Tactical Research Fund project on deep water line fisheries, the issue of species identification will be considered as a risk factor for the sustainable management of deep water fish species. The department considers that on completion of that project, Fisheries Queensland should review the risk assessment for deep water species taken in the fishery.</p>	<p>The department considers that this recommendation is ongoing. The department recommends that, on completion of the project <i>Assessing technology changes and risks to the sustainable management of deep water line fisheries in southern Queensland</i>, Fisheries Queensland should review the risk assessment for deep water species taken in this fishery (see Recommendation 6, Table 4).</p>

Recommendation	Progress	Recommended Action
<p>Deep Water Fin Fish Fishery</p> <p>4. DPI&F to develop objectives and performance measures for byproduct species taken in the DWFFF.</p>	<p>Fisheries Queensland has implemented a performance indicator for byproduct species in the Performance Measurement System.</p>	<p>The department considers that this recommendation has been met.</p>

Table 3: The Department of Sustainability, Environment, Water, Population and Communities' assessment of the Queensland Coral Reef Fin Fish Fishery (including the multiple hook component of the fishery) against the requirements of the *Environment Protection and Biodiversity Conservation Act 1999* related to decisions made under Part 13 and Part 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 Part 13 and Part 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 Coral Reef Fin Fish 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 Queensland Coral Reef Fin Fish Fishery will be managed in accordance with the <i>Fishery (Coral Reef Fin Fish) Management Plan 2003</i> under the <i>Queensland Fisheries Act 1994</i> and the <i>Queensland Fisheries Regulation 2008</i>.</p> <p>The management regimes for the Queensland Coral Reef Fin Fish Fishery and Deep Water Fin Fish Fishery were most recently accredited in February 2010. The management arrangements for the Queensland Coral Reef Fin Fish Fishery and the Deep Water Fin Fish Fishery have not significantly changed since these accreditations were granted and are now being assessed together as a single fishery. The department considers that the current operation of the Queensland Coral Reef Fin Fish Fishery, including the multiple hook component of the fishery, continues to require fishers to take all reasonable steps to ensure that listed threatened species are not killed or injured as a result of fishing, and continues to be unlikely 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 Coral Reef Fin Fish 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 Queensland Coral Reef Fin Fish Fishery will be managed in accordance with the <i>Fishery (Coral Reef Fin Fish) Management Plan 2003</i> under the <i>Queensland Fisheries Act 1994</i> and the <i>Queensland Fisheries Regulation 2008</i>.</p> <p>The management regimes for the Queensland Coral Reef Fin Fish Fishery and Deep Water Fin Fish Fishery were most recently accredited in February 2010. The management arrangements for the Queensland Coral Reef Fin Fish Fishery and the Deep Water Fin Fish Fishery have not significantly changed since these accreditations were granted. The department considers that the current operation of the Queensland Coral Reef Fin Fish Fishery, including the multiple hook component of the fishery, continues to require fishers to take all reasonable steps to ensure that listed migratory species are not killed or injured as a result of fishing, and continues to be unlikely 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 Coral Reef Fin Fish 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 cetaceans 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 species of cetacean or a population of that species.</p>	<p>The Queensland Coral Reef Fin Fish Fishery will be managed in accordance with the <i>Fishery (Coral Reef Fin Fish) Management Plan 2003</i> under the <i>Queensland Fisheries Act 1994</i> and the <i>Queensland Fisheries Regulation 2008</i>.</p> <p>The management regimes for the Queensland Coral Reef Fin Fish Fishery and Deep Water Fin Fish Fishery were most recently accredited in February 2010. The management arrangements for the Queensland Coral Reef Fin Fish Fishery and the Deep Water Fin Fish Fishery have not significantly changed since these accreditations were granted. The department considers that the current operation of the Queensland Coral Reef Fin Fish Fishery, including the multiple hook component of the fishery, continues to require fishers to take all reasonable steps to ensure that whales and other cetaceans are not killed or injured as a result of fishing, and continues to be unlikely 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 or regimes	The department's assessment of the Queensland Coral Reef Fin Fish 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 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 Queensland Coral Reef Fin Fish Fishery will be managed in accordance with the <i>Fishery (Coral Reef Fin Fish) Management Plan 2003</i> under the <i>Queensland Fisheries Act 1994</i> and the <i>Queensland Fisheries Regulation 2008</i>.</p> <p>The management regimes for the Queensland Coral Reef Fin Fish Fishery and Deep Water Fin Fish Fishery were most recently accredited in February 2010. The management arrangements for the Queensland Coral Reef Fin Fish Fishery and the Deep Water Fin Fish Fishery have not significantly changed since these accreditations were granted. The department considers that the current operation of the Queensland Coral Reef Fin Fish Fishery, including the multiple hook component of the fishery, continues to require fishers to take all reasonable steps to ensure that listed marine species are not killed or injured as a result of fishing, and continues to be unlikely 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 Coral Reef Fin Fish 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 Queensland Coral Reef Fin Fish 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 Queensland Coral Reef Fin Fish 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 CITES² 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.

² Convention on International Trade in Endangered Species of Wild Fauna and Flora

Part 13A

Section 303DC Minister may amend list	The department's assessment of the Queensland Coral Reef Fin Fish 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 of 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>The department recommends that specimens derived from species harvested in the Queensland Coral Reef Fin Fish Fishery, other than specimens that belong to species listed under Part 13 of the EPBC Act, be included in the list of exempt native specimens while the Queensland Coral Reef Fin Fish Fishery is subject to a declaration as an approved wildlife trade operation.</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 assessments of the Queensland Coral Reef Fin Fish Fishery or the Deep Water Fin Fish Fishery have 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 Queensland Coral Reef Fin Fish Fishery would be consistent with the provisions of Part 13A (listed above) as:</p> <ul style="list-style-type: none"> ▪ the fishery will not harvest any Convention on International Trade in Endangered Species of Wild Fauna and Flora (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 Queensland Coral Reef Fin Fish Fishery is unlikely to be unsustainable and threaten biodiversity within the next three years, and ▪ the Environment Protection and Biodiversity Conservation Regulations 2000 (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.</p> <p>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 application from Fisheries Queensland for the Coral Reef Fin Fish Fishery was released for public comment from 6 February 2013 to 13 March 2013.</p> <p>An application from Fisheries Queensland for the Deep Water Fin Fish Fishery was released for public comment from 22 July 2011 to 24 August 2011.</p>

	<p>The public comment periods sought comment on:</p> <ul style="list-style-type: none"> the proposal to amend the list of exempt native specimens to include product derived from the Queensland Coral Reef Fin Fish Fishery and the Deep Water Fin Fish Fishery, and Fisheries Queensland's application for the Queensland Coral Reef Fin Fish Fishery and the Deep Water Fin Fish Fishery. <p>Three public comments were received on the Queensland Coral Reef Fin Fish Fishery and one comment was received on the Deep Water Fin Fish Fishery.</p>
(5) A copy of an instrument made under section 303DC is to be made available for inspection on the Internet.	The instrument for the Queensland Coral Reef Fin Fish Fishery made under section 303DC will be gazetted and made available on the department's website.

Section 303FN Approved wildlife trade operation	The department's assessment of the Queensland Coral Reef Fin Fish Fishery
(2) The Minister may, by instrument published in the <i>Gazette</i> , declare that a specified wildlife trade operation is an approved wildlife trade operation 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>The department considers that the operation of the Queensland Coral Reef Fin Fish 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 Queensland Coral Reef Fin Fish Fishery is unlikely to be unsustainable and threaten biodiversity within the next three years, and

<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>(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>	<ul style="list-style-type: none"> ▪ 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 Queensland Coral Reef Fin Fish 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 ▪ total allowable commercial catch limits ▪ minimum legal size limits, and ▪ vessel and gear restrictions. <p>The department considers that the Queensland Coral Reef Fin Fish 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 ▪ total allowable commercial catch limits ▪ minimum legal size limits, and ▪ vessel and gear restrictions. <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>
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<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>(b) the effectiveness of the management arrangements for the operation (including monitoring procedures).</p>	<p>The department considers that the Queensland Coral Reef Fin Fish 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 ▪ total allowable commercial catch limits ▪ minimum legal size limits, and ▪ vessel and gear restrictions. <p>The department considers that the management arrangements that will be employed for the Queensland Coral Reef Fin Fish Fishery are likely to be effective.</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 Queensland Coral Reef Fin Fish Fishery will be managed in accordance with the <i>Fisheries (Coral Reef Fin Fish) Management Plan 2003</i> in force under the <i>Queensland Fisheries Act 1994</i> and the <i>Queensland Fisheries Regulation 2008</i>.</p> <p>The <i>Queensland Fisheries Act 1994</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 Queensland Coral Reef Fin Fish Fishery is a commercial fishery.</p>

Section 303FR Public consultation	The department's assessment of the Queensland Coral Reef Fin Fish 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 a fishery an approved wildlife trade operation have been met.</p> <p>A public notice, which set out the proposal to declare the Queensland Coral Reef Fin Fish Fishery an approved wildlife trade operation and included Fisheries Queensland's submission, was released for public comment which closed on 13 March 2013 with three submissions received.</p> <p>A public notice, which set out the proposal to declare the Queensland Deep Water Fin Fish Fishery an approved wildlife trade operation and included Fisheries Queensland's submission, was released for public comment which closed on 24 August 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 Queensland Coral Reef Fin Fish Fishery an approved wildlife trade operation and included Fisheries Queensland's submission was released for public comment on 6 February 2013 and closed on 13 March 2013, a total of 24 business days.</p>

	A public notice, which set out the proposal to declare the Deep Water Fin Fish Fishery an approved wildlife trade operation and included Fisheries Queensland's submission was released for public comment on 22 July 2011 and closed on 24 August 2011, a total of 23 business days.
(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.	The public comments received on Fisheries Queensland's submissions are included at <u>Attachment C</u> of the brief. The department's assessment has considered the public comments received on the submissions.

Section 303FT Additional provisions relating to declarations	The department's assessment of the Queensland Coral Reef Fin Fish Fishery
(1) This section applies to a declaration made under section 303FN, 303FO or 303FP.	A declaration for the Queensland Coral Reef Fin Fish 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 a commercial fishery wildlife trade operation 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 approved wildlife trade operation declaration instrument for the Queensland Coral Reef Fin Fish 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 Queensland Coral Reef Fin Fish Fishery made under section 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 Coral Reef Fin Fish 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.	Having regard to the precautionary management measures in place in these fisheries, summarised in Table 1, the department considers that the precautionary principle has been accounted for in the preparation of advice in relation to a decision 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.	

Part 12

Section 176 Bioregional Plans	The department's assessment of the Queensland Coral Reef Fin Fish Fishery
(5) Subject to this Act, the Minister must have regard to a bioregional plan in making any decision under this Act to which the plan is relevant.	The Marine bioregional plan for the Temperate East Marine Region has been considered in the preparation of advice in relation to decisions under section 303DC and section 303FN. Extraction of living resources has been identified as a pressure operating within the Temperate East marine bioregional planning area in which some of the Queensland Coral Reef Fin Fish Fishery operates. The department considers that the impacts of the fishery on the physical ecosystem are negligible due to the very small amount of fishing effort carried out in the Temperate East Marine Region and the relatively benign harvesting method used in the fishery (line fishing).

**The Department of Sustainability, Environment, Water, Population and
Communities' final conditions and recommendations to Fisheries Queensland
for the Queensland Coral Reef Fin Fish Fishery**

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

Stock Status and Recovery

Coral trout is the primary target species in the fishery. The first whole-of-stock quantitative stock assessment is currently underway. At present, Fisheries Queensland considers the status of coral trout to be uncertain. Performance indicators in the performance measurement system have been triggered, most notably declines in catch per unit effort across the fishery. While the total allowable commercial catch limit is not able to be adjusted effectively under the current legislative framework, the department notes that a working group to review the management arrangements has been formed and a management strategy evaluation tool will be used to investigate management strategies. These processes are likely to lead to a harvest strategy approach to managing the fishery, with more flexible, appropriate and transparent total allowable commercial catch settings.

The department considers that overall the management regime for the Queensland Coral Reef Fin Fish Fishery aims to ensure that fishing is conducted in a manner that does not lead to overfishing.

Management measures in place in the fishery include:

- limited entry
- total allowable commercial catch limits
- gear restrictions
- species-specific minimum size limits
- recreational gear limits and bag limits
- spawning closures, and
- annual reviews of the performance of the fishery against indicators and performance measures in the performance measurement system.

Ecosystem Impacts

Taking into account the management measures described above, the department considers that the management regime for the Queensland Coral Reef Fin Fish 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 a number of risks and uncertainties that must be managed to ensure that impacts are minimised, including:

- uncertainty in coral trout stocks
- continued decline in catch rates of coral trout, and
- refining management arrangements to ensure the long-term sustainability of coral trout stocks.

The key challenges for this fishery will be:

- developing and implementing a harvest strategy framework for target stocks
- minimising the risk of localised depletion
- continuing to improve quota/catch reporting systems, and
- ensuring compliance risks in the fishery are adequately mitigated.

The department considers that, until it can be demonstrated that these issues have been adequately addressed, declaration of the harvest operations of the Queensland Coral Reef Fin Fish Fishery as an approved wildlife trade operation for three years, until 6 May 2016, is appropriate. The department considers that the declaration should be subject to the conditions listed in Table 4. To contain and minimise the risks in the longer term the recommendations outlined in Table 4 have been made.

Unless a specific time frame is provided, each condition and recommendation must be addressed within the period of the approved wildlife trade operation declaration for the fishery.

Table 4: Queensland Coral Reef Fin Fish Fishery Assessment – Summary of Issues, Conditions and Recommendations, June 2013

Issue	Condition/Recommendations
<p><u>General Management</u></p> <p>Export decisions relate to the arrangements in force at the time of the decisions. 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 decisions. 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:</p> <p>Operation of the Queensland Coral Reef Fin Fish Fishery will be carried out in accordance with the Queensland Fisheries (Coral Reef Fin Fish) Management Plan 2003 in force under the Queensland <i>Fisheries Act 1994</i> and the Fisheries Regulation 2008.</p> <p>Condition 2:</p> <p>Fisheries Queensland to advise the Department of Sustainability, Environment, Water, Population and Communities of any intended material change to the Coral Reef Fin Fish Fishery management arrangements that may affect the assessment against which <i>Environment Protection and Biodiversity Conservation Act 1999</i> decisions are made.</p>

Issue	Condition/Recommendations
<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 conditions and recommendations in this report and other managerial commitments to be monitored and assessed throughout the life of the declaration. Annual reports should follow Appendix B to the <i>Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition</i> and 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 progress in implementing the department's conditions and recommendations. Electronic copies of the guidelines are available from the department's website at http://www.environment.gov.au/coasts/fisheries/publications/guidelines.html</p>	<p>Condition 3:</p> <p>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>
<p><u>Addressing uncertainty in the Coral Trout stock</u></p> <p>In 2004, quota management was introduced in the Coral Reef Fin Fish Fishery. The total allowable commercial catch for coral trout was set at 1424 tonnes, with 1288 tonnes available for access in the fishery (the remaining quota is held by the Commonwealth from the Great Barrier Reef Marine Park re-zoning buyback). Since the introduction of quota management, the primary target species has firmed on coral trout to supply the live fish export market, which attracts high prices (~\$40/kg) for small fish (less than 1.5kg).</p> <p>Fisheries Queensland currently considers the stock status of coral trout to be uncertain. The first whole-of-stock quantitative stock assessment is currently underway and is expected to be completed in mid-2013. In addition to the fishery dependent data, the stock assessment model takes into consideration underwater dive surveys.</p>	<p>Condition 4:</p> <p>Fisheries Queensland, taking into consideration the outputs of the coral trout stock assessment and in consultation with the department and relevant stakeholders, to review the Performance Measurement System for the Coral Reef Fin Fish Fishery within twelve months of the delivery of the final stock assessment report.</p> <p>Condition 5:</p> <p>Fisheries Queensland to ensure that, based on stock indicators, appropriate management actions are implemented to ensure the ongoing sustainability of target stocks.</p>

Issue	Condition/Recommendations
<p><u>Addressing uncertainty in the Coral Trout stock - continued</u></p> <p>From the introduction of quota management, quota utilisation for coral trout increased each year until 2008/09, peaking at 94 per cent. Quota utilisation fell to 80 per cent in 2009/10, 69 per cent in 2010/11 and 60 per cent in 2011/12. Catch per unit effort has followed a similar trend, with steady increases from 2004/05 to 2008/09 and declines since 2009/10. In spite of the decline in both quota utilisation and catch rate, which may indicate an ongoing decline in coral trout stocks, fishery independent dive surveys indicate a generally healthy stock biomass. The combination of these conflicting signals has formed the basis for Fisheries Queensland's assessment of an uncertain stock status for coral trout.</p> <p>One of the key requirements in the <i>Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition</i> is that there are management strategies in place capable of controlling the level of take to ensure ecologically viable stock levels. The department expects that when stock indicators suggest that overfishing may be occurring, appropriate management actions are implemented to ensure the ongoing sustainability of that stock.</p> <p>The key outputs of Fisheries Queensland's 2013 coral trout whole-of-stock assessment are anticipated to include an estimate of percentage of biomass relative to virgin biomass and maximum sustainable yield, as well as identifying the data requirements for improved stock monitoring. The department expects that the outputs of the stock assessment should trigger a review of the Performance Measurement System, in particular the set of performance indicators, performance measures and the management responses required following breaches of performance measures.</p>	<p>Recommendation 1:</p> <p>Fisheries Queensland, taking into consideration the outputs of the Reef Line Working Group, the coral trout stock assessment and the Fisheries Research and Development Project 2011/030, to investigate the implementation of total allowable commercial catch setting based on fishery dependent and independent stock indicators.</p> <p>Recommendation 2:</p> <p>As part of the review of the Performance Measurement System, Fisheries Queensland to consider measures to minimise the risk of localised depletion of coral trout.</p> <p>Recommendation 3:</p> <p>Prior to any reduction or removal of the current spawning closures, Fisheries Queensland to conduct an independent review of the 2009 spawning closure risk assessment and its supporting documentation.</p>

Issue	Condition/Recommendations
<p><u>Addressing uncertainty in the Coral Trout stock - continued</u></p> <p>In addition to the stock assessment, Fisheries Queensland is part of a working group tasked with reviewing commercial management arrangements to reduce red tape and improve efficiency and viability. The working group is also reviewing quota unit value and has an interest in developing a harvest strategy for coral trout. In addition the Fisheries Research and Development Corporation (FRDC) Project 2011/030 <i>Evaluating candidate monitoring strategies, assessment procedures and harvest control rules in the spatially complex Queensland Coral Reef fin-fish Fishery</i>, is currently in progress.</p> <p>These processes are generally supported by industry and are intended to address the declining catch rates and economic value of the fishery, and ensure the ongoing sustainability of coral trout stocks. The proposed harvest strategy approach would allow the value of quota units to be determined based on pre-determined stock indicators.</p> <p>The department considers that the development of a harvest strategy framework, which enables the quota to be set in response to stock indicators, is key to the ongoing sustainability of the coral trout element of the fishery and strongly supports this process. The department also recommends that Fisheries Queensland consider measures for reducing the risk of localised depletion to be integrated within the harvest strategy framework.</p> <p>The department notes that, as part of the process of investigating a harvest strategy for coral trout, proposals to remove the annual spawning closures and reduce the minimum legal length have been put forward by some stakeholders. Noting that fishers target smaller fish, and that coral trout are protogynous hermaphrodites (born female and change sex to male), reducing the minimum legal length is likely to exponentially impact the recruitment potential of the stock by increasing the fishing mortality of pre-spawning females. Based on the information currently available and given the current management regime for the fishery, the department does not support any reduction to the minimum legal length of coral trout, and recommends that prior to any change to the spawning closures, an independent review of the 2009 Coral Reef Finfish Spawning Risk Assessment and supporting advice be conducted.</p>	

Issue	Condition/Recommendations
<p><u>Compliance and Monitoring</u></p> <p>In the 2010 and 2011 annual status reports for the Coral Reef Fin Fish Fishery, the rate of compliance in the commercial sector was reported as being below the performance measure of 92.5 per cent. The majority of offences were related to contravention of quota reporting requirements.</p> <p>In the Coral Reef Fin Fish Fishery, fishers are required to maintain daily catch and effort logbooks, provide reports of their catch of quota species prior to landing via an automated reporting system (known as Automated Interactive Voice Response system) and complete catch disposal records. Fisheries Queensland has indicated that quota reporting is checked against catch disposal records through an automated process. However, the proportion of actual landings inspected is only around 1 per cent of prior reports.</p> <p>The integrity of the quota management system is key to the success of the management arrangements in this fishery. The 2006 and 2010 compliance risk assessments conducted by Fisheries Queensland for the fishery identified 'failure to keep required information/providing inaccurate information' as one of the highest priorities for compliance and enforcement in this fishery. The department recommends that Fisheries Queensland review the strategy to assess this compliance issue and implement effective arrangements to encourage accurate reporting and deter misreporting.</p> <p>The risk of vessels violating marine park provisions has also been identified as a high priority compliance and enforcement issue in previous compliance risk assessments. The department considers that, while the Great Barrier Reef Marine Park Zoning Plan is primarily intended to protect biodiversity, protected areas within the marine park may also potentially contribute to the maintenance and resilience of coral reef fin fish stocks. The department recommends that Fisheries Queensland, in consultation with the Great Barrier Reef Marine Park Authority and industry, investigate the use of electronic vessel monitoring systems for both motherships and tenders. Such systems could allow near real time reporting of spatial information and may aid in the collection of data to support future harvest strategies in the fishery.</p>	<p>Recommendation 4:</p> <p>Fisheries Queensland to review current strategies used to address the information reporting compliance risks in the fishery.</p> <p>Recommendation 5:</p> <p>Fisheries Queensland to investigate the use of electronic vessel monitoring systems for motherships and tenders operating in the fishery.</p>

Issue	Condition/Recommendations
<p><u>Other Species</u></p> <p>A number of fish species are taken under the quota category of 'other species', including cods and groupers, emperor (other than red throat emperor), sweetlips, tropical snappers (<i>Lutjanus spp.</i>) and sea perches. Fishers with an L8 endorsement are permitted to use longlines outside the Great Barrier Reef Marine Park, however effort reported under L8 endorsements has been in steady decline since 2002/03. Since 2007/08, annual effort under L8 endorsements has been less than 200 fishing days. However, the catch of a number of deep water species under L1-L3 licences has significantly increased since 2006/07.</p> <p>Likely reasons for these shifts in gear use are the uptake of mechanical reels and increased costs of travelling beyond the marine park. A FRDC funded tactical research project, <i>Assessing technology changes and risks to the sustainable management of deepwater line fisheries in southern Queensland</i>, is currently being finalised that investigates the risks of technological changes on deep water fish species. Fisheries Queensland has indicated that the outcomes of the project will feed into an ecological risk assessment of key deep water species. Although the total catch of deep water species remains low, many exhibit a K-type life history (slow growth, late maturity). The department recommends that, as appropriate, the outcomes of the ecological risk assessment be used to revise the performance measures for 'other species' in the Performance Measurement System and ensure that any risks identified in the fishery are appropriately mitigated.</p>	<p>Recommendation 6:</p> <p>Fisheries Queensland to, as appropriate, review the performance measures for 'other species' incorporating the outcomes of the project: <i>Assessing technology changes and risks to the sustainable management of deepwater line fisheries in southern Queensland</i>.</p>

Acronyms

CITES – Convention on International Trade of Endangered Species of Wild Fauna and Flora

CRFFF – Coral Reef Fin Fish Fishery

DEWHA – Department of the Environment, Water, Heritage and the Arts (now the Department of Sustainability, Environment, Water, Population and Communities)

DPI&F – Queensland Department of Primary Industry and Fisheries (now referred to as Fisheries Queensland)

DWFFF – Deep Water Fin Fish Fishery

EPBC Act – *Environment Protection and Biodiversity Conservation Act 1999*

EPBC Regulations – Environment Protection and Biodiversity Conservation Regulations 2000

FRDC – Fisheries Research and Development Corporation

PMS – Performance Measurement System

Reporting MOU - Memorandum of Understanding between Fisheries Queensland and the department for the Reporting of Fisheries Interactions with Protected Species

RQ – Reef Quota