



Australian Government

Department of the Environment and Energy

Assessment of the
Queensland Coral Reef Fin Fish Fishery

March 2017

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This report should be attributed as '*Assessment of the Queensland Coral Reef Fin Fish Fishery 2017*, Commonwealth of Australia 2017'.

Disclaimer

This document is an assessment carried out by the Department of the Environment and Energy 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 the Environment and Energy 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 the Environment and Energy or the Australian Government.

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EXECUTIVE SUMMARY OF THE ASSESSMENT OF THE QUEENSLAND CORAL REEF FIN FISH FISHERY

The material submitted by the Queensland Department of Agriculture and Fisheries, 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

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. The Queensland Department of Agriculture and Fisheries provides input into the national Status of Key Australian Fish Stocks reporting framework on a biennial basis.

The 2016 stock status assessments indicate no key target or byproduct species are currently overfished. Therefore, the fishery is considered unlikely to be detrimental to the survival or conservation status of the taxon to which it relates in the short term. However, the stock status for a number of byproduct fin fish species in the fishery has been assessed as 'undefined' since 2014, indicating persisting uncertainty over the sustainable harvest of these species.

The fishery is managed through individual transferable quotas within a total allowable commercial catch limit. Additional management measures include compulsory log books, spatial and temporal restrictions, gear and boat restrictions, size limits and designated no take species.

Ecosystem Impacts

Taking into account management measures described above and subject to the proposed conditions, 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 uncertainties that must be addressed to ensure that impacts are minimised. These could be addressed through an updated ecological risk assessment that considers retained species, bycatch, protected species and impacts on the environment, including a review of data collection and validation.

In addition, to allow more efficient and effective monitoring of fishing effort in the Great Barrier Reef World Heritage Area, work should continue to develop a Vessel Monitoring System (VMS) across the Queensland Coral Reef Fin Fish Fishery.

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 March 2020, is appropriate. The Department considers that the declaration should be subject to the conditions listed in Table 4.

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

TABLE 1: SUMMARY OF THE QUEENSLAND CORAL REEF FIN FISH FISHERY (CRFFF)

<p>Key documents relevant to the fishery</p>	<ul style="list-style-type: none"> • <i>Queensland Fisheries Act 1994</i> • Queensland Fisheries Regulation 2008 • <i>Great Barrier Reef Marine Park Act 1975 (Commonwealth)</i> • <i>Marine Parks Act 2004</i> • <i>Nature Conservation Act 1992</i> • <u>Summary of Stock Status for Queensland Species 2015</u> • <u>Queensland Fisheries Summary Report (2015)</u> • <u>Status of Key Australian Fish Stocks Reports 2016</u> • <u>Great Barrier Reef Outlook Report 2014</u> • <u>2013-2014 Statewide Recreational Fishing Survey</u> • 2013 Species of Conservation Interest (SOCI) Report • Marine Bioregional Plan for the Temperate East Marine Region 2012 • <u>Coral Reef Fin Fish Spawning Closures risk assessment</u> • <u>Fish stock assessment reports</u> (various Queensland fisheries) • <u>Ecological Risk Assessment of the Other Species component of the Coral Reef Fin Fish Fishery (2007).</u>
<p>Area</p>	<p>The fishery operates mainly in the Great Barrier Reef Marine Park (GBRMP) where over 95% of the total catch occurs. The majority of fishing is conducted in the waters of the GBR World Heritage Area.</p> <p>Fishers hold Reef Quota (RQ) fishery symbols in conjunction with an 'L' or line fishery symbol (mainly L1, L2 and L3) defining the area of operation (Figure 1). 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.</p>  <p style="text-align: right;">Figure 1. Area of the Queensland CRFFF</p> <p>A small number of fishers also hold L8 symbols which allow for the use of multiple hook gear (up to 300 hooks) in deeper water beyond the GBRMP boundaries. The use of multiple hooks within the GBRMP is prohibited.</p>
<p>Target Species</p>	<p>Primary target species are coral trout (<i>Plectropomus</i> and <i>Variola spp.</i>) and red throat emperor (<i>Lethrinus miniatus</i>).</p> <p>Coral trout comprises approximately 35 % of the total commercial catch in the Queensland commercial line fisheries.</p>
<p>Fishery status</p>	<p>The <u>Status of Key Australian Fish Stocks Reports 2016</u> classifies both coral trout and red throat emperor as 'sustainable'.</p>

Byproduct Species	<p>There are as many as 20 species targeted in the fishery, which account for ~95 % of total harvest. Another 80 or more species are regularly retained. Species groups of importance in the fishery include tropical snappers, emperors, cods and groupers. All species other than coral trout and red throat emperor are managed as 'other species'.</p> <p>The <i>Status of Key Australian Fish Stocks 2014</i> classifies 'other species' (including crimson, saddleback and golden snapper and red emperors and goldband emperors) as 'undefined'.</p> <p>An <i>Ecological Risk Assessment of the Other Species component of the Coral Reef Fin Fish Fishery</i> (ERA) was undertaken in 2007 which indicated the following risk of fishing affecting 'other species':</p> <ul style="list-style-type: none"> • emperors – negligible or minor consequence risk • cods and groupers – major consequence risk (with capture) based on removal of reproductively important large fish • cods (small sized species) – moderate consequence risk (with capture) • cods (key species in L8 fishery) – moderate consequence score (with capture) • tropical snappers and sea perches – major consequence score (with capture). <p>The ERA found that some species (red emperor, small mouth nannygai and large mouth nannygai) have been heavily targeted in some areas. These species can be vulnerable to overfishing due to slow growth, but risks could be managed through spatial closures</p>
Gear	<p>The Queensland CRFFF is a hook and line fishery using handlines, hooks and weighted sinkers. Generally, commercial fishers use hook and line only. Recreational fishers may use hook and line, rods and reels and spearfishing gear.</p> <p>Gear restrictions involving the number of lines and hooks apply to both commercial and recreational fisheries:</p> <ul style="list-style-type: none"> • Within the Great Barrier Reef Marine Park, fishers are allowed to use up to six hooks per line with a maximum of three lines. • Outside the Great Barrier Reef Marine Park, some fishers (L8 symbol licence holders) may use up to 300 hooks. <p>The commercial fishery uses small sized vessels called 'dorys'. Vessel (size) restrictions apply to the commercial fishery only.</p>
Season	<p>The fishing season is 1 July to 30 June annually. There are two spawning closures of five days each between October and November each year.</p>
Commercial harvest	<p>The total catch in 2014–2015 was approximately 1364 tonnes (t). This was comprised of 749 t of coral trout, 200 t of red throat emperor and 415 t of 'other species'. Further details are publically available in the <i>Queensland Fisheries Summary Report</i>.</p>

Value of commercial harvest	<p>\$ 28.4 million in 2014–2015.</p> <p>\$ 31.2 million in 2015.</p>
Take by other sectors	<p>Recreational catch of Queensland CRFFF species in 2013–14 was estimated at:</p> <ul style="list-style-type: none"> • 103,000 individual coral trout • 37,000 red throat emperors. <p>Further details on recreational catch of 'other' fin fish is publically available in the <u><i>Statewide Recreational Fishing Survey 2013-2014</i></u>.</p>
Commercial licences issued	<p>There are 349 'RQ' fishery symbol licenses currently issued, authorising operation within the CRFFF. L1, L2 and L3 (CRFFF) and L8 (DWFFF) license holders must hold an RQ symbol in conjunction with their licence.</p>
Management arrangements	<p>The fishery is managed by the Queensland Department of Agriculture and Fisheries under the Queensland <i>Fisheries Act 1994</i> and the Fisheries Regulation 2008.</p> <p>Management measures include:</p> <ul style="list-style-type: none"> • compulsory log books • total allowable commercial catch limits (TACC) • individual transferable quotas (ITQs) • limited entry • access limited by area endorsements • minimum and maximum size limits • gear and boat restrictions • 'no take' of some species • temporal spawning closures • possession limits for recreational fishers. <p>Decision rules were introduced in 2014 to determine annual coral trout quota setting based on fishery performance, leading to quota reductions for coral trout in 2014–2015 and 2015–2016.</p>
Export	<p>The primary export market is for live coral trout, accounting for 85 % to 90 % of the reported coral trout catch. Other product is sold on the domestic market.</p>
Bycatch	<p>All species caught in the fishery are permitted to be retained (apart from protected species), therefore the only discarded fish are those that do not meet size limits.</p> <p>There is limited data available on discarded species. The 2007 ERA for 'other species' in the fishery found that individual line-caught species may be susceptible to post-release mortality, although noted variation between species and fishing operations.</p>

Interaction with Protected Species¹	<p>Hook and line fishing is generally acknowledged as inherently posing lower risk to protected species than other methods of commercial fishing, given the specificity of the gear and the ability of fishers to quickly release bycatch. The 2007 ERA considered the potential for interactions with protected species found within the area of the fishery, including dugong, cetaceans, marine turtles, seabirds, grey nurse sharks and white sharks, risks for these species were consistently low/negligible/remote.</p> <p>Fishers are required to report interactions with threatened, endangered and protected species (TEP) interactions in fishery logbooks, although reporting of TEP interactions appears limited.</p>
Ecosystem Impacts	<p>The Marine bioregional plan for the <i>Temperate East Marine Region 2012</i> has identified key ecological features present in the area of the fishery. These include canyons on the eastern continental slope and the upwelling off Fraser Island. However, due to the low impact harvesting methods used in the fishery impacts to the physical ecosystem are likely to be low.</p> <p>Conservation values of regional priority identified in the bioregional plan and which are potentially relevant to the fishery include inshore dolphins, marine turtles, white shark, and seabirds. Relevant pressures of regional concern include bycatch and extraction of living resources.</p> <p>The most recent ERA was in 2007, which indicated that the risk of impacts from fishing on the general ecosystem (ecological communities, food chains and the physical environment) is 'minimal'.</p> <p>There is a low risk of anchor damage to habitat with this risk increasing in heavily used areas. However, the impact of gear loss is generally considered to be unlikely. See the <u><i>Ecological Risk Assessment of the Other Species Component of the Coral Reef Fin Fish Fishery (2007)</i></u>.</p>
Impacts on CITES species	<p>The assessment considered the possible impacts on species harvested in the Queensland Coral Reef Fin Fish Fishery which are listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).</p> <p>There has been historical catch of hammerhead sharks recorded in the fishery, however, all shark catch (including CITES listed hammerhead sharks) is now reported through the Queensland East Coast Inshore Fin Fish Fishery (ECIFFF). Fishers may not retain hammerhead sharks, unless the fisher/operator also holds a licence to operate in the ECIFFF.</p>

¹ 'Protected species' means all species listed under Part 13 of the EPBC Act, including whales and other cetaceans and listed threatened, listed marine and listed migratory species.

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

Condition	Progress	Recommended Action
1. Operation of the Coral Reef Fin Fish Fishery (CRFFF) will be carried out in accordance with the management regime for the fishery in force under the Queensland <i>Fisheries Act 1994</i> and the Queensland Fisheries Regulation 2008.	<p>The fishery continues to operate under the Queensland <i>Fisheries Act 1994</i> and the Fisheries Regulation 2008.</p> <p>In April 2015, provisions in the <i>Fisheries (Coral Reef Fin Fish) Management Plan 2003</i> were consolidated into the Fisheries Regulation 2008.</p> <p>Subsequently, the <i>Fisheries (Coral Reef Fin Fish) Management Plan 2003</i> was repealed to simplify the harvest provision within the Queensland Coral Reef Fin Fish Fishery.</p> <p>See the latest version of the <u>Fisheries Regulation 2008</u>.</p>	<p>The Department of the Environment and Energy (the Department) considers that this condition has been met and remains ongoing.</p> <p>The Department considers that a new approved wildlife trade operation declaration for the Queensland CRFFF specify a similar condition (see Condition 1, Table 4).</p>
2. Queensland DAF to inform the DoE of any intended amendments to the management arrangements for the CRFFF that may affect the criteria on which <i>Environment Protection and Biodiversity Conservation Act 1999</i> decisions are based.	<p>The Queensland Department of Agriculture and Fisheries has advised the Department of the following changes:</p> <ul style="list-style-type: none"> • 2014 – Performance Management System replaced with five-year quota setting (for coral trout) • 2015 – Repeal of fishery management plan, with management arrangements incorporated in regulations. 	<p>The Department considers that this condition has been met and remains ongoing.</p> <p>The Department considers that a new approved wildlife trade operation declaration for the Queensland CRFFF specify a similar condition (see Condition 2, Table 4).</p>

Condition	Progress	Recommended Action
<p>3. Queensland DAF to produce and present reports for the Coral Reef Fin Fish Fishery to the department annually as per <i>Appendix B to the Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition</i>.</p>	<p>Queensland Department of Agriculture and Fisheries have produced and presented reports including the <u><i>Summary of Stock Status for Queensland Species 2015</i></u> and the <u><i>Status of Key Australian Fish Stocks 2014</i></u>.</p> <p>Other species-specific reports are also available on the Queensland Department of Agriculture and Fisheries website.</p>	<p>The Department considers that this condition has been met and remains ongoing.</p> <p>The Department considers that a new approved wildlife trade operation declaration for the Queensland CRFFF specify a similar condition (see Condition 3, Table 4).</p>
<p>4. Queensland DAF, 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>Following consultation with stakeholders, the Performance Management System (PMS) was replaced with a five-year quota system for coral trout. This marked the first year of the five year quota system cycle (commencing 2014/2015).</p> <p>The initial Total Allowable Commercial Catch (TACC) for coral trout was based on the latest stock assessment results and during the four years following the first cycle, the annual TACCs will be based on the fishery's commercial catch rates.</p> <p>The project was completed in May 2016. The 2016/2017 quota was declared prior to 1 July 2016 after consultation with industry (following consideration of the commercial catch rate analysis).</p> <p>The Department acknowledges that a review and update of the coral trout stock assessment is scheduled for the fifth year of the cycle to ensure TACC rates are sustainable for the fishery.</p>	<p>The Department considers the issues covered by this condition to be met.</p>

Condition	Progress	Recommended Action
<p>5. Queensland DAF to ensure that, based on stock indicators, appropriate management actions are implemented to ensure the ongoing sustainability of target stocks.</p>	<p>The <u><i>Status of Key Australian Fish Stocks 2014</i></u> has assessed coral trout as 'sustainable'.</p> <p>In 2014, following consultation with stakeholders, the PMS was replaced with a five-year quota setting system for coral trout.</p> <p>The Queensland Department of Agriculture and Fisheries has advised that a similar quota setting system will be applied to other target species in the fishery over the long term.</p> <p>This is scheduled to occur through the fisheries reform process, currently being implemented by the Queensland Department of Agriculture and Fisheries.</p> <p>Various other coral reef fin fish species (secondary target species known as 'other species') including cods, emperors and tropical snappers are also targeted in the fishery.</p> <p>The <u><i>Ecological Risk Assessment of the Other Species Component of the Coral Reef Fin Fish Fishery (2007)</i></u> classified 'other species' as 'undefined'.</p>	<p>The Department considers the issues covered by this condition to be met. Reviewing the status of 'other species' in the fishery will be addressed through Condition 4 (Table 4).</p>

Recommendation	Progress	Recommended Action
<p>1. Queensland DAF, 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>In consultation with stakeholders a five-year quota setting system for coral trout was implemented in 2014.</p> <p>The Department of Agriculture and Fisheries has advised that during the four years following the first cycle, the annual TACC will be based on the fishery's commercial catch rates.</p> <p>The project was completed in May 2016. The 2016/2017 quota was declared prior to 1 July 2016 after consultation with industry, (following consideration of the commercial catch rate analysis).</p> <p>The Department acknowledges that a review and update of the coral trout stock assessment is scheduled for the fifth year of the cycle to ensure TACC rates are sustainable for the fishery.</p> <p>A similar quota setting system will be applied to other target species in the fishery over the long term.</p>	<p>The Department considers the issues covered by this recommendation to be met.</p>
<p>2. As part of the review of the Performance Measurement System, Queensland DAF to consider measures to minimise the risk of localised depletion of coral trout.</p>	<p>The PMS is being reviewed through a management reform process. As part of this, the Queensland Department of Agriculture and Fisheries is investigating alternative catch and effort monitoring measures for commercial fisheries in Queensland.</p> <p>During the reform process, the key elements of the PMS (which include impacts of fishing on target species, bycatch, byproduct, protected species and impacts to the ecosystem) are being monitored through stock status assessments and annual SOCI reporting.</p> <p>There is limited information available in regard to measures taken to minimise the risk of localised depletion for coral trout.</p>	<p>The Department considers the issues covered by this recommendation to be partially met.</p> <p>The Department considers that a new approved wildlife trade operation declaration for the Queensland CRFFF specify a similar condition (see Condition 4, Table 4).</p>

Recommendation	Progress	Recommended Action
<p>3. Prior to any reduction or removal of the current spawning closures, Queensland DAF to conduct an independent review of the 2009 spawning closure risk assessment and its supporting documentation.</p>	<p>In 2014, provisions were established to allow the continuation of the spawning closures. There has been no reduction or removal of the closures.</p> <p>The 2014 – 2018 spawning closures are specified in the <i>Fisheries Regulation 2008</i>.</p>	<p>The Department considers the issues covered by this recommendation to be met.</p>
<p>4. Queensland DAF to review current strategies used to address the information reporting compliance risks in the fishery.</p>	<p>On an ongoing basis, the Queensland Department of Agriculture and Fisheries investigates improvement strategies through the Queensland Boating and Fisheries Patrol (QBFP) compliance risk assessment process.</p> <p>The QBFP is involved in enforcing fisheries and boating safety laws through industry/community group education, surveillance and inspection strategies, to ensure compliance within Queensland's fisheries.</p> <p>In addition, quarterly compliance audits are conducted on logbooks. If necessary, Fisheries Infringement Notices are also issued where a breach of the law has been determined.</p> <p>The Queensland Department of Agriculture and Fisheries are also considering further strategies as part of the fisheries reform process.</p> <p>Further information on the QBFP can be found at https://www.daf.qld.gov.au/fisheries/services/queensland-boating-and-fisheries-patrol.</p>	<p>The Department considers the issues covered by this recommendation to be partially met and ongoing.</p>

Recommendation	Progress	Recommended Action
<p>5. Queensland DAF to investigate the use of electronic monitoring systems for motherships and tenders operating in the fishery.</p>	<p>The Queensland Department of Agriculture and Fisheries and the Great Barrier Reef Marine Park Authority (GBRMPA) and various other agencies, have discussed the feasibility of expanding the use of a Vessel Management System (VMS) across all vessels (including within non-trawl fisheries).</p> <p>A number of issues and challenges have been identified, which include:</p> <ul style="list-style-type: none"> • short/long term resourcing requirements • objectives to be achieved • technological inadequacies to be addressed. <p>The Queensland Department of Agriculture and Fisheries intends to prepare a discussion paper addressing these issues and the expansion of the VMS into Queensland managed fisheries.</p> <p>The paper will be prepared through collaboration with the Department of National Parks, Sport and Racing and GBRMPA and when finalised, the release of the paper will be subject to government approval.</p>	<p>The Department considers that this recommendation has been partially met and that it remains ongoing.</p> <p>The Department considers that a new approved wildlife trade operation declaration for the Queensland CRFFF specify a similar condition (see Condition 5, Table 4).</p>

Recommendation	Progress	Recommended Action
<p>6. Queensland DAF 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 deep water line fisheries in southern Queensland.</i></p>	<p>A review of the performance measures for 'other species' has not yet commenced.</p> <p>A Queensland fisheries reform process is underway which is focussing on various governance mechanisms for Queensland fisheries, including a review of the PMS and consideration of alternative options to replace the PMS.</p> <p>Given the broad scale of the reform process, the Queensland Department of Agriculture and Fisheries are not able to commit to a review of the current performance measures for the short to medium term for the Queensland Coral Reef Fin Fish Fishery.</p>	<p>The Department considers that this recommendation in progress and remains ongoing.</p> <p>The Department considers that an updated whole-of-fishery ecological risk assessment, as described in Condition 4, Table 4, would assist in meeting this recommendation.</p>

Table 3a: Assessment of the Queensland Coral Reef Fin Fish Fishery against the *Guidelines for the Ecologically Sustainable Management of Fisheries (2nd edition)*

Detailed analysis

Guidelines for the Ecologically Sustainable Management of Fisheries (2nd edition)	Comment
THE MANAGEMENT REGIME	
The management regime does not have to be a formal statutory fishery management plan as such, and may include non-statutory management arrangements or management policies and programs. The regime should:	
Be documented, publicly available and transparent	Meets Relevant management documents including legislation, regulation, environmental impact statements, and fishery resources reports are publicly available on the agency's website.
Be developed through a consultative process providing opportunity to all interested and affected parties, including the general public	Meets Following a statutory process, the fishery's management arrangements are prepared through consultation with the public and advisory committees.
Ensure that a range of expertise and community interests are involved in individual fishery management committees and during the stock assessment process	Meets A Status of Key Australian Fish Stocks (SAFS) assessment is carried out biennially, involving other relevant jurisdictions. Data is assessed by an expert panel.
Be strategic, containing objectives and performance criteria by which the effectiveness of the management arrangements are measured	Partially meets Objectives, performance indicators, and performance measures were assessed through the PMS. However, the PMS process is currently under review as part of a reform process. Alternative catch and effort monitoring methods are being considered. Core objectives of PMS are monitored through the stock assessment process and annual species of conservation interest (SOC) reporting requirements.
Be capable of controlling the level of harvest in the fishery using input and/or output controls	Meets Harvest of target species limited through quota. For secondary target species, management measures include limited entry, boat size restrictions, spawning closures, restriction on number of lines and hooks and size limits.
Contain the means of enforcing critical aspects of the management arrangements	Partially meets Compliance operations are conducted within the fishery. Legislation includes enforcement provisions and the Queensland Boating and Fishing Patrol. Investigation is underway for the possibility of implementing a VMS. There are potential compliance issues (commercial fishery) involving incorrect recording of weights of single fish for live export, which may affect the overall accuracy of catch records and the ITQ/TAC management system for coral trout. In addition, it is not clear if the enforcement resources are adequate to ensure recreational fishery compliance with fisheries management requirements.

Provide for the periodic review of the performance of the fishery management arrangements and the management strategies, objectives and criteria	Meets The PMS process is being reviewed as part of the reform process and includes consideration of alternative catch and effort monitoring methods. Core objectives of the PMS are monitored through the stock assessment process and annual SOCI reporting requirements. Stock status assessments are conducted annually for target species.
Be capable of assessing, monitoring and avoiding, remedying or mitigating any adverse impacts on the wider marine ecosystem in which the target species lives and the fishery operates	Partially meets The PMS was capable of effective management of impacts on wider marine ecosystem, however the PMS process is under review as part of the reform process and future performance management protocols are currently unknown. An ecological risk assessment (ERA) was conducted in 2007, however, this focused primarily on 'other species'. See Ecological Risk Assessment of the Other Species component of the Coral Reef Fin Fish Fishery .
Requires compliance with relevant threat abatement plans, recovery plans, the National Policy on Fisheries Bycatch, and bycatch action strategies developed under the policy	N/A – No relevant plans.
PRINCIPLE 1 - A fishery must be conducted in a manner that does not lead to over-fishing, or for those stocks that are over-fished, the fishery must be conducted such that there is a high degree of probability the stock(s) will recover.	
Objective 1 - The fishery shall be conducted at catch levels that maintain ecologically viable stock levels at an agreed point or range, with acceptable levels of probability.	
Information requirements	
1.1.1 There is a reliable information collection system in place appropriate to the scale of the fishery. The level of data collection should be based upon an appropriate mix of fishery independent and dependent research and monitoring.	Meets While there is no longer an independent observer program in place, there are a number of streams of data collected on target species, including: <ul style="list-style-type: none"> • annual stock status assessments • mandatory daily catch and effort logbooks • a catch quota management system for coral reef fin fish (under Fisheries Regulation 2008)
Assessment	
1.1.2 There is a robust assessment of the dynamics and status of the species/fishery and periodic review of the process and the data collected. Assessment should include a process to identify any reduction in biological diversity and /or reproductive capacity. Review should take place at regular intervals but at least every three years.	Meets Annual stock assessments and periodic surveys. The data is used for the biennial SAFS report process. See reports at https://www.daf.qld.gov.au/fisheries/monitoring-our-fisheries/commercial-fisheries .
1.1.3 The distribution and spatial structure of the stock(s) has been established and factored into management responses.	Meets Surveys are completed periodically and biological information collected. Also see Statewide Recreational Fishing Survey 2013-2014 .

1.1.4 There are reliable estimates of all removals, including commercial (landings and discards), recreational and indigenous, from the fished stock. These estimates have been factored into stock assessments and target species catch levels.	Meets Estimates of commercial take are provided through the log books and are considered in the stock assessment process. A statewide survey on recreational catch is conducted periodically.
1.1.5 There is a sound estimate of the potential productivity of the fished stock/s and the proportion that could be harvested.	Partially meets A stock assessment is conducted annually and coral trout and red throat emperor have repeatedly been assessed as being harvested sustainably. However, stock status for 'other species' is undefined, it is therefore unclear if all of these species are being harvested sustainably.
Management responses	
1.1.6 There are reference points (target and/or limit), that trigger management actions including a biological bottom line and/or a catch or effort upper limit beyond which the stock should not be taken.	Meets Decision rules were introduced in 2014, which are now used to determine the annual coral trout quota setting, based on fishery performance. The fishery's PMS is currently being reviewed through the reform process.
1.1.7 There are management strategies in place capable of controlling the level of take.	Meets Take is restricted by quota, limited entry, spawning closures and gear restrictions (number of lines and hooks).
1.1.8 Fishing is conducted in a manner that does not threaten stocks of byproduct species.	Partially meets While it is unlikely that the fishery is significantly threatening stocks of byproduct species, the stock status of 'other species' remains 'undefined', therefore the impact of fishing on these species is not clear.
(Guidelines 1.1.1 to 1.1.7 should be applied to byproduct species to an appropriate level)	
1.1.9 The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.	Meets No outcome required. Considered likely to meet objective.
If overfished, go to Objective 2:	
If not overfished, go to PRINCIPLE 2:	
Objective 2 - Where the fished stock(s) are below a defined reference point, the fishery will be managed to promote recovery to ecologically viable stock levels within nominated timeframes.	
Management responses	
1.2.1 A precautionary recovery strategy is in place specifying management actions, or staged management responses, which are linked to reference points.	N/A. The primary target species coral trout and red throat emperor are not considered overfished.
1.2.2 If the stock is estimated as being at or below the biological and / or effort bottom line, management responses such as a zero targeted catch, temporary fishery closure or a 'whole of fishery' effort or quota reduction are implemented.	N/A. See above.

PRINCIPLE 2 - Fishing operations should be managed to minimise their impact on the structure, productivity, function and biological diversity of the ecosystem.	
Objective 1 - The fishery is conducted in a manner that does not threaten bycatch species.	
Information requirements	
2.1.1 Reliable information, appropriate to the scale of the fishery, is collected on the composition and abundance of bycatch.	<p>Partially meets</p> <p>All species except protected species are permitted to be retained in the fishery and logbook reporting on all retained catch is mandatory. Bycatch consists only of discarded target species that do not meet size limits, including coral trout, red-throat emperor, grassy sweetlip, stripey sea perch, hussar, trevally and blacktip rockcod. While information collected on retained catch informs stock status assessments of a number of these species, reporting of discards is not required and therefore data is not available on the extent of bycatch in the fishery.</p>
Assessments	
2.1.2 There is a risk analysis of the bycatch with respect to its vulnerability to fishing.	<p>Meets</p> <p>A risk analysis of bycatch vulnerability was conducted in 2009 (see Coral reef fin fish spawning closures Risk assessment and decision support) and an Ecological Risk assessment of the Other Species Component of the Coral Reef Fin Fish Fishery was completed in 2007.</p> <p>However, given that the ERA is now ten years old and the stock status for a number of fin fish species harvested in the fishery has been 'undefined' for a number of years, the ERA should be reviewed (see Condition 4, Table 4).</p>
Management responses	
2.1.3 Measures are in place to avoid capture and mortality of bycatch species unless it is determined that the level of catch is sustainable (except in relation to endangered, threatened or protected species). Steps must be taken to develop suitable technology if none is available.	<p>Meets</p> <p>Given most bycatch is undersized target and secondary target species, measures are in place to reduce catch of these fish through spatial and temporal closures, gear restrictions and education schemes to improve post-release survival.</p>
2.1.4 An indicator group of bycatch species is monitored.	<p>Meets</p> <p>There are no 'bycatch species' in the fishery, as bycatch consists of species that would be retained if they met size limits. A number of these target stocks are monitored and stock status is assessed biennially. The 2007 ERA identified a number of indicator species within each Family for assessment.</p>
2.1.5 There are decision rules that trigger additional management measures when there are significant perturbations in the indicator species numbers.	<p>Meets</p> <p>Decision rules are in place to direct annual quotas for coral trout, the key species in the fishery and therefore likely a significant component of bycatch (discards).</p>
2.1.6 The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.	<p>Likely to achieve the objective.</p>

Objective 2 - The fishery is conducted in a manner that avoids mortality of, or injuries to, endangered, threatened or protected species and avoids or minimises impacts on threatened ecological communities.	
Information requirements	
2.2.1 Reliable information is collected on the interaction with endangered, threatened or protected species and threatened ecological communities.	<p>Meets</p> <p>Information on TEP interaction is primarily collected through mandatory SOCI logbooks. Data collection and monitoring (in collaboration with the Queensland Department of Parks and Wildlife) is also undertaken annually, with reports produced periodically.</p> <p>While reporting in SOCI logbooks appears limited, previous consideration of TEP interactions in the fishery indicate risks are low.</p>
Assessments	
2.2.2 There is an assessment of the impact of the fishery on endangered, threatened or protected species.	<p>Meets</p> <p>An ERA was conducted in 2007 that summarised the potential risks to protected species posed by the fishery. Risks were described as low-minimal.</p> <p>However, given the ERA is now ten years old it should be reviewed, to include a full assessment of risks to protected species (see Condition 4, Table 4).</p>
2.2.3 There is an assessment of the impact of the fishery on threatened ecological communities.	<p>N/a</p> <p>There are no listed threatened ecological communities in the area of the fishery.</p>
Management responses	
2.2.4 There are measures in place to avoid capture and/or mortality of endangered, threatened or protected species.	<p>Meets</p> <p>Risk to protected species is considered low due to line fishing methods used. Measures to reduce capture and mortality of protected species include spatial and temporal closures, gear restrictions and education schemes to improve post-release survival.</p>
2.2.5 There are measures in place to avoid impact on threatened ecological communities.	<p>N/a</p> <p>There are no listed threatened ecological communities in the area of the fishery.</p>
2.2.6 The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.	<p>Meets</p> <p>Likely to achieve the objective.</p>

Objective 3 - The fishery is conducted, in a manner that minimises the impact of fishing operations on the ecosystem generally.	
Information requirements	
2.3.1 Information appropriate for the analysis in 2.3.2 is collated and/or collected covering the fisheries impact on the ecosystem and environment generally.	<p>Meets</p> <p>An ERA was completed in 2007 which briefly summarised the fishery's likely impact on the environment. While no information was specifically collected for the fishery, available published information was used to assess the potential impact of line fishing, which was found to be generally considered to have low impact on ecosystem.</p> <p>However, an updated ERA (see Condition 4, Table 4) may require new information to be collected.</p>
Assessment	
<p>2.3.2 Information is collected and a risk analysis, appropriate to the scale of the fishery and its potential impacts, is conducted into the susceptibility of each of the following ecosystem components to the fishery.</p> <ol style="list-style-type: none"> Impacts on ecological communities <ul style="list-style-type: none"> Benthic communities Ecologically related, associated or dependent species Water column communities Impacts on food chains <ul style="list-style-type: none"> Structure Productivity/flows Impacts on the physical environment <ul style="list-style-type: none"> Physical habitat Water quality 	<p>Partially meets</p> <p>An ERA was completed in 2007 which briefly summarised the fishery's likely impact on the environment. Using available published information, line fishing was considered likely to have low impact on the ecosystem.</p> <p>However, given the fishery operates within the Great Barrier Reef World Heritage Area, a full assessment of potential ecological risks should be conducted. While risks are likely to be low, there is the potential for damage to coral habitat from line fishing that should be assessed (Condition 4, Table 4).</p>
Management responses	
2.3.3 Management actions are in place to ensure significant damage to ecosystems does not arise from the impacts described in 2.3.1.	<p>Meets</p> <p>While an updated ERA is required to review the potential of risk to physical habitat and ecological communities, spatial closures in the area of the fishery are likely to be sufficient to ensure the impacts of fishing do not cause significant damage to the ecosystem as a whole.</p>
2.3.4 There are decision rules that trigger further management responses when monitoring detects impacts on selected ecosystem indicators beyond a predetermined level, or where action is indicated by application of the precautionary approach.	<p>Partially meets</p> <p>An updated ERA is required to adequately assess the potential of risk to physical habitat and ecological communities and to determine appropriate decision rules.</p>
2.3.5 The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.	<p>Partially meets</p> <p>Considered likely to achieve objectives, although an updated ERA assessing risks and improved data monitoring and collection is required.</p>

Table 3b: The Department of the Environment and Energy's assessment of the Queensland Coral Reef Fin Fish Fishery against the requirements of the EPBC Act 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 at <http://www.comlaw.gov.au/>.

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 (CRFFF) will be managed under the Queensland <i>Fisheries Act 1994</i> and the Fisheries Regulation 2008.</p> <p>The management plan for the Queensland CRFFF was most recently accredited in June 2013. In April 2015 the management plan was repealed and the provisions of the plan were included in the Queensland Fisheries Regulation 2008. Management arrangements for the fishery have not significantly changed since this accreditation was granted. The Department therefore considers that the management regime still requires persons engaged in fishing to take all reasonable steps to ensure that members of listed threatened species are not killed or injured.</p> <p>An ecological risk assessment has reported the potential risk to threatened species as negligible, given the specificity of the fishing method (see Table 1). The Department therefore considers the current operation of the Queensland CRFFF is 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>(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 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 Department's assessment of the Queensland CRFFF will be managed under the Queensland <i>Fisheries Act 1994</i> and the Fisheries Regulation 2008.</p> <p>The management plan for the Queensland CRFFF was most recently accredited in June 2013. In April 2015 the management plan was repealed and the provisions of the plan were included in the Queensland Fisheries Regulation 2008. Management arrangements for the fishery have not significantly changed since this accreditation was granted. The Department therefore considers that the management regime still requires persons engaged in fishing to take all reasonable steps to ensure that members of listed migratory species are not killed or injured.</p> <p>An ecological risk assessment has assessed the risk to protected species, including migratory species, as negligible given the specificity of the fishing method (see Table 1). The Department therefore considers the current operation of the Queensland CRFFF is unlikely to adversely affect the conservation status of a listed migratory species or a population of that species.</p>

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>(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 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 Department's assessment of the Queensland CRFFF will be managed under the Queensland <i>Fisheries Act 1994</i> and the Fisheries Regulation 2008.</p> <p>The management plan for the Queensland CRFFF was most recently accredited in June 2013. In April 2015 the management plan was repealed and the provisions of the plan were included in the Queensland Fisheries Regulation 2008. Management arrangements for the fishery have not significantly changed since this accreditation was granted. The Department therefore considers that the management regime still requires persons engaged in fishing to take all reasonable steps to ensure that cetaceans are not killed or injured.</p> <p>An ecological risk assessment has assessed the risk to protected species, including whales and small cetaceans, as negligible, given the specificity of the fishing method (see Table 1). The Department therefore considers the current operation of the Queensland CRFFF is 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 Department's assessment of the Queensland CRFFF will be managed under the Queensland <i>Fisheries Act 1994</i> and the Fisheries Regulation 2008.</p> <p>The management plan for the Queensland CRFFF was most recently accredited in June 2013. In April 2015 the management plan was repealed and the provisions of the plan were included in the Queensland Fisheries Regulation 2008. Management arrangements for the fishery have not significantly changed since this accreditation was granted. The Department therefore considers that the management regime still requires persons engaged in fishing to take all reasonable steps to ensure that members of listed marine species are not killed or injured.</p> <p>An ecological risk assessment has assessed the risk to protected species, including listed marine species, as negligible, given the specificity of the fishing method (see Table 1). The Department therefore considers the current operation of the Queensland CRFFF is 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 considers that the accreditation of the Queensland CRFFF management regime remains valid 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: <ul style="list-style-type: none"> (a) during a particular period; or (b) while certain circumstances exist; or (c) while a certain condition is complied with. <p>In such a case, the instrument of accreditation is to specify the period, circumstances or condition.</p>	The Department considers that no conditions are required for the accreditation of the management regime for the Queensland CRFFF 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 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;
- (h) to ensure that the precautionary principle is taken into account in making decisions relating to the utilisation of wildlife.

Part 13A

Section 303DC Minister may amend list	The Department's assessment of the Queensland Coral Reef Fin Fish Fishery
<p>(1) The Minister may, by legislative instrument, amend the list referred to in section 303DB by:</p> <ul style="list-style-type: none">(a) doing any of the following:<ul style="list-style-type: none">(i) including items in the list;(ii) deleting items from the list;(iii) imposing a condition or restriction to which the inclusion of a specimen in the list is subject;(iv) varying or revoking a condition or restriction to which the inclusion of a specimen in the list is subject; or(b) correcting an inaccuracy or updating the name of a species.	<p>Product harvested in the Queensland CRFFF, other than specimens that belong to species listed under Part 13 of the EPBC Act, will be included in the list of exempt native specimens while the Queensland CRFFF 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 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 Queensland CRFFF has been carried out under Part 10 of the EPBC Act.</p>

<p>(1C) Subsection (1A) does not limit the matters that may be taken into account in deciding whether to amend the list referred to in section 303DB 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.</p> <p>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 CRFFF wildlife trade operation 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 CRFFF is unlikely to be unsustainable and threaten biodiversity within the next 3 years, and • the Environment Protection and Biodiversity Conservation Regulations 2000 do not specify fish as a class of animal in relation to the welfare of live specimens.
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<p>(3) Before amending the list referred to in section 303DB....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.</p> <p>Responses in support of the proposal were received from all state and territory fisheries ministers and the Commonwealth minister.</p> <p>The application from the Queensland Department of Agriculture and Fisheries was released for public comment from 10 March 2016 to 12 April 2016. The public comment notice sought comment on:</p> <ul style="list-style-type: none"> • declaring the Queensland CRFFF as managed consistent with the Queensland <i>Fisheries Act 1994</i> and the Queensland Fisheries Regulation 2008, as an approved wildlife trade operation under section 303FN of the EPBC Act, and • including in the list of exempt native specimens, specimens harvested in the Queensland CRFFF under the provisions of the Queensland <i>Fisheries Act 1994</i> and the Queensland Fisheries Regulation 2008. <p>One comment was received.</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 Queensland CRFFF made under section 303DC will be registered and made available on the department's website.</p>

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>(b) the operation will not be detrimental to:</p> <ol style="list-style-type: none"> i. the survival of a taxon to which the operation relates; or ii. the conservation status of a taxon to which the operation relates; and 	<p>The Department considers that the operation of the Queensland CRFFF is consistent with objects of Part 13A (listed above) as:</p> <ul style="list-style-type: none"> • there are management arrangements in place to ensure that the resource is being managed in an ecologically sustainable way (see Table 1) • there are management arrangements in place to ensure that the harvest of CITES species from the fishery will not be detrimental to the survival of the taxon to which the specimen belongs in the short term • the operation of the Queensland CRFFF during the period of the recommended declaration as an approved wildlife trade operation is unlikely to be unsustainable or threaten biodiversity • the Environment Protection and Biodiversity Conservation Regulations 2000 (EPBC Regulations) do not specify fish as classes of animals in relation to the welfare of live specimens. <p>The Department considers that the operation of the Queensland CRFFF 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, nor will it threaten any relevant ecosystem, given the management measures currently in place, which include:</p>

<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"> • compulsory log books • TACC limits and ITQs • limited entry • access limited by area endorsements • minimum and maximum size limits • gear and boat restrictions • 'no take' of some species • temporal spawning closures • possession limits for recreational fishers. <p>The EPBC Regulations do not specify fish as a class of animal in relation to the welfare of live specimens.</p> <p>No other conditions are specified in relation to commercial fisheries in the EPBC Regulations.</p>
<p>(4) In deciding whether to declare an operation as an approved wildlife trade operation the Minister must have regard to:</p> <p>(a) the significance of the impact of the operation on an ecosystem (for example, an impact on habitat or biodiversity); and</p> <p>(b) the effectiveness of the management arrangements for the operation (including monitoring procedures).</p>	<p>The Department considers that the operation of the Queensland CRFFF will not have a significant impact on an ecosystem within the next 3 years, given the management measures currently in place, described above and in Table 1.</p> <p>The management arrangements that will be employed for the Queensland CRFFF, outlined in Table 1, 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> <ul style="list-style-type: none"> (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 (b) whether the legislation applies throughout the State or Territory concerned; and (c) whether, in the opinion of the Minister, the legislation is effective. 	<p>The Queensland CRFFF will be managed under the Queensland <i>Fisheries Act 1994</i> and the Fisheries Regulation 2008.</p> <p>The Queensland <i>Fisheries Act 1994</i> applies throughout Queensland waters.</p> <p>The Department considers that 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> <ul style="list-style-type: none"> (d) the operation is a commercial fishery. 	<p>The Queensland CRFFF 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>(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 set out the proposal to declare the Queensland CRFFF an approved wildlife trade operation and included the submission. The proposal was released for public comment which closed on 12 April 2016. One public comment was received.</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>One public comment about the proposal was received. Concerns raised included the need for a Vessel Monitoring System (VMS) in the commercial fishery and the need for improved monitoring and assessment of potential impacts of fishing on the broader marine ecosystem.</p> <p>These concerns have been addressed in Conditions 4 and 5 (Table 4) which require the Queensland Department of Agriculture and Fisheries to undertake a whole-of-fishery ecological risk assessment and continue discussions for the development of a VMS across the commercial fishery.</p>

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 CRFFF will be made under section 303FN.
<p>(4) The Minister may make a declaration about a plan or operation even though he or she considers that the plan or operation should be the subject of the declaration only:</p> <p>(a) during a particular period; or</p> <p>(b) while certain circumstances exist; or</p> <p>(c) while a certain condition is complied with.</p> <p>In such a case, the instrument of declaration is to specify the period, circumstances or condition.</p>	<p>The standard conditions applied to commercial fishery wildlife trade operations include:</p> <ul style="list-style-type: none"> • operation in accordance with the management regime • notifying the Department of changes to the management regime, and • annual reporting in accordance with the requirements of the <i>Australian Government Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition</i>. <p>The wildlife trade operation instrument for the Queensland CRFFF specifies the standard conditions and additional conditions which have been 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 CRFFF made under sections 303FN and the conditions under section 303FT will be registered as a notifiable instrument and made available through 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
<p>(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.</p> <p>(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.</p>	<p>The Department has accounted for the precautionary principle in the preparation of its advice in relation to a decision under section 303DC and section 303FN.</p> <p>Having regard to the precautionary management measures in place in the fishery (summarised in Table 1) and recognising the potential risks to biodiversity from the operation of the Queensland CRFFF identified in the ERA, the Department considers that through the implementation of the conditions outlined in Table 4, any potential risks to biodiversity will be further reduced.</p>

Part 12

Section 176 Bioregional Plans	The Department's assessment of the Queensland Coral Reef Fin Fish Fishery
<p>(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.</p>	<p>The Marine bioregional plan for the <i>Temperate East Marine Region 2012</i> has been considered in the preparation of advice in relation to decisions under section 303DC and section 303FN. This plan identifies key ecological features present in the area of the fishery, including canyons on the eastern continental slope and the upwelling off Fraser Island. However, due to the low impact harvesting methods used in the fishery, impacts to the physical ecosystem are likely to be low.</p> <p>Conservation values of regional priority and potentially relevant to the fishery, include inshore dolphins, marine turtles, white shark, and seabirds. Relevant pressures of regional concern include bycatch and extraction of living resources. However, due to the targeted fishing methods used in the fishery, the impact of the fishery on the conservation values identified within the marine bioregional plan is low.</p>

Table 4: Queensland Coral Reef Fin Fish Fishery Assessment – Summary of Issues, Conditions March 2017

Issue	Condition
<p><u>General Management</u></p> <p>Export decisions relate to the arrangements in force at the time of the decision. To ensure that these decisions remain valid and export approval continues uninterrupted, the Department of the Environment and Energy (the Department) needs to be advised of any changes that are made to the management regime and make an assessment that the new arrangements are equivalent or better, in terms of ecological sustainability, than those in place at the time of the original decision. This includes operational and legislated amendments that may affect sustainability of the target species or negatively impact on byproduct, bycatch, protected species or the ecosystem.</p>	<p>Condition 1:</p> <p>Operation of the fishery will be carried out in accordance with the management regime under the Queensland <i>Fisheries Act 1994</i> and the Fisheries Regulation 2008.</p> <p>Condition 2:</p> <p>The Queensland Department of Agriculture and Fisheries to inform the Department of any intended material changes to the Queensland 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>
<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.</p> <p>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 EPBC Act protected species, impacts of the fishery on the ecosystem in which it operates and progress in implementing the Department's conditions and recommendations.</p> <p>Electronic copies of the guidelines are available from the Department's website at http://www.environment.gov.au/resource/guidelines-ecologically-sustainable-management-fisheries.</p>	<p>Condition 3:</p> <p>The Queensland Department of Agriculture and Fisheries to produce and present reports to the Department of the Environment and Energy annually as per Appendix B of the <i>Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition</i>.</p>

Issue	Condition
<p><u>Ecological Risk Assessment:</u></p> <p>An <i>Ecological Risk Assessment of the Other Species component of the Coral Reef Fin Fish Fishery</i> ('other species' ERA) was conducted in 2007. The report indicated risks ranging from 'negligible consequence' (emperors) to 'major consequence' (tropical snappers and sea perches). The stock status for a number of these fin fish species in the fishery has been assessed by the <i>Status of Key Australian Fish Stocks Reports 2016</i> as 'undefined' since 2014, indicating persisting lack of certainty over the sustainable harvest of these species.</p> <p>While acknowledging that line fishing inherently poses lower ecological risks than many other forms of fishing, understanding the impact of the fishery as whole on the environment in which it operates is important.</p> <p>Therefore, the 2007 'other species' ERA should be updated and revised to include consideration of retained species, bycatch, and protected species. This should include revision of data collection and validation, particularly for species classified as 'undefined' and non-retained species.</p> <p>The fishery's potential impact on the ecosystem in which it operates should also be considered, taking into account any cumulative impacts of line fishing on coral reef habitat.</p>	<p>Condition 4:</p> <p>The Queensland Department of Agriculture and Fisheries to undertake a whole-of-fishery ecological risk assessment, including consideration of retained species, bycatch species, protected species and impacts on the environment.</p>

<p><u>Vessel Monitoring System:</u></p> <p>Given the majority of fishing is conducted in the waters of the Great Barrier Reef World Heritage Area, implementation of a vessel monitoring system (VMS) is important to allow effective and efficient monitoring of fishing effort in appropriate management zones. A VMS would also assist in identifying and recording potential compliance issues.</p> <p>The Department understands that the Queensland Department of Agriculture and Fisheries, the Great Barrier Reef Marine Park Authority and other relevant agencies are discussing the feasibility of expanding the use of a VMS across all vessels operating within the Great Barrier Reef World Heritage Area (including within non-trawl fisheries).</p> <p>It is understood that collaboration has been positive and remains in progress. The Department considers it important that work should continue on the development of a VMS in the commercial sector of the fishery.</p>	<p>Condition 5:</p> <p>The Queensland Department of Agriculture and Fisheries to continue to work with the Great Barrier Reef Marine Park Authority and other relevant agencies to develop a vessel monitoring system in the commercial sector of the Coral Reef Fin Fish Fishery.</p>
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