



Australian Government

**Department of Agriculture,
Water and the Environment**

Assessment of the Queensland Aquarium Fish Fishery

April 2021

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Disclaimer

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

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CONTENTS

Assessment Summary..... 2

Section 1: Assessment Summary 3

Section 2: Summary of Issues Requiring Conditions 5

 Assessment history: 9

 Fishery reporting: 9

Section 3: Detailed Analysis Against the Guidelines 10

Section 4: Assessment Against the EPBC Act..... 25

 Part 12 – Identifying and monitoring biodiversity and making bioregional plans 25

 Part 13 – Species and communities 26

 Part 13A – International movement of wildlife specimens 31

 Part 16 – Precautionary principle and other considerations in making decisions 38

References..... 39

ASSESSMENT SUMMARY

In February 2021 the Queensland Department of Agriculture and Fisheries (QDAF) applied for the Queensland Aquarium Fish Fishery to be assessed for export and protected species approvals under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The Department of Agriculture, Water and the Environment (the Department) has assessed the fishery against the Australian Government 'Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition'. The application was released for public consultation from 22 February 2021 until 25 March 2021. No comments were received.

The Queensland Aquarium Fish Fishery collects a wide variety of fish and invertebrates for the live aquarium trade. Fish collected within the fishery are only to be sold for display or used as brood stock.

The fishery area extends from the tip of Cape York south to the Queensland – New South Wales border. However, the majority of fishing occurs within the Commonwealth waters of the Great Barrier Reef Marine Park.

The fishery targets a wide variety of marine aquarium fish and invertebrates. While many of the species important to the fishery have a broad distribution, some species are endemic to Australia and, in some cases, are only found in one area.

The fishery uses input controls to manage and limit fishing effort. Fishers can use hand-held fishing gear, including fishing lines, small nets and herding devices and divers in the fishery use scuba or surface-supplied air from hookah (hose) apparatus. The fishery does not use any chemicals or explosives to take fish.

Management arrangements are well documented, publicly available, and transparent. Consultative processes involve a range of stakeholders, but it is unclear if the fishery working group is still operating and no meeting records have been published for two years.

There is no framework for monitoring or managing fishery performance, but a harvest strategy has been developed and is expected to be implemented this year (2021) to address this. This harvest strategy is expected to improve monitoring and management and will also be aided by revision of the fishery's ecological risk assessment, which is now 13 years old. Conditions relating to establishment of the harvest strategy and revision of the ecological risk assessment are recommended in Section 2 of this report.

Although data collection systems appear to be operating effectively, catches are generally not reported to species level. This makes monitoring and managing risks to species difficult. There are also no stock assessments for most species targeted by the fishery and no estimates of non-commercial catches or discarded catches (i.e. catch that dies or is otherwise unmarketable before landing). A condition relating to improving catch reporting is also recommended to help manage risks to target stocks in the fishery.

Given the highly selective hand-collection methods used in the fishery, there is negligible risk to bycatch and very low risk to protected species. However, due to the ambiguous wording on the current conditions of a Great Barrier Reef Marine Park Authority (GBRMPA)-issued permit, it has potential for misinterpretation which could result in the harvest of EPBC-listed species. GBRMPA has undertaken to review their permit conditions and manage this risk.

The Department considers it is appropriate to declare operations of the fishery to be an approved wildlife trade operation for three years, until 23 April 2024, subject to the conditions outlined in section 2 of this report. The Department also considers it is appropriate to accredit the management regime under Part 13 of the EPBC Act.

SECTION 1: ASSESSMENT SUMMARY

Guidelines assessment	Meets	Partly meets	Does not meet	Details
Management regime	3 of 9	4 of 9	2 of 9	Management arrangements are well documented, publicly available, and transparent. Consultative processes involve a range of stakeholders, but it is unclear if the fishery working group is still operating and no meeting records have been published for two years. There is no framework for monitoring or managing fishery performance, but a harvest strategy has been developed and is expected to be implemented this year (2021) to address this. Management is focussed on input-controls with little or no catch limits for individual species. Risks associated with this management regime will be offset when the harvest strategy is implemented and would also be aided by revision of the fishery's ecological risk assessment, which is now 13 years old. Conditions relating to establishment of the harvest strategy and revision of the ecological risk assessment are recommended in Section 2 of this report.
Principle 1 (target stocks) * 3 of 11 criteria are not applicable	0 of 11*	5 of 11*	3 of 11*	Although data collection systems appear to be operating effectively, catches are generally not reported to species level. This makes monitoring and managing risks to species difficult. There are also no stock assessments for most species targeted by the fishery and no estimates of non-commercial catches or discarded catches (i.e. catch that dies or is otherwise unmarketable before landing). Conditions relating to improving catch reporting, establishment of the harvest strategy and revision of the ecological risk assessment are recommended to help manage risks to target stocks in the fishery. These conditions are outlined in Section 2 of this report.
Principle 2 (bycatch and TEPS) * 6 of 12 criteria are not applicable	1 of 12*	4 of 12*	1 of 12*	Given the highly selective hand-collection methods used in the fishery, there is negligible risk to bycatch and very low risk to protected species. However, current conditions on GBRMPA-issued permits may be misinterpreted as allowing the harvest of EPBC-listed species. GBRMPA has undertaken to review their permit conditions and manage this risk. A condition, requiring the ecological risk assessment to be updated is recommended to more formally consider the risks to bycatch and protected species.
Principle 2 (ecosystem impacts)	0 of 5	4 of 5	1 of 5	The ecological risk assessment for the fishery is now 13 years old and when completed, only considered risks to target species. While risks to the ecosystem are likely to be low given the fishing practices and stewardship demonstrated by the fishing industry, it is recommended that a new ecological risk assessment be undertaken, which considers all species and ecosystem components, consistent with current policies and knowledge. A condition relating to the ecological risk assessment is included in Section 2 of this report.
EPBC requirements				

Part 12	Meets	This assessment considered the fishery's impacts on marine bioregional areas and found risks to be low and acceptable.
Part 13	Partly meets	This assessment considered the fishery's impacts on protected species and ecological communities and found risks to be low. Conditions have been recommended in Section 2 of this report to formalise risk assessments for protected species and communities.
Part 13A	Meets	This assessment considered the fishery's impacts on all species and the environment and found risks to be low. However, conditions have been recommended in Section 2 of this report to update and expand ecological risk assessment and risk management, improve data collection, and establish a framework for monitoring and managing fishery performance.
Part 16	Partly meets	Management arrangements were found to be moderately precautionary and are expected to improve with the measures proposed in conditions outlined in Section 2 of this report. These conditions seek to update and expand ecological risk assessment and risk management, improve data collection, and establish a framework for monitoring and managing fishery performance.

SECTION 2: SUMMARY OF ISSUES REQUIRING CONDITIONS

Issue	Condition
<p><u>General Management</u></p> <p>Export decisions relate to the management arrangements in force at the time of any decision(s) made under the EPBC Act. To ensure that the decision(s) remain valid and export approval continues uninterrupted, the Department of Agriculture, Water and the Environment (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(s). This includes operational and legislated amendments that may affect the sustainability of the target species or negatively impact on byproduct, bycatch, EPBC Act protected species or the ecosystem.</p>	<p>Condition 1:</p> <p>Operation of the Queensland Aquarium Fish Fishery must be carried out in accordance with management regime specified in Queensland Department of Agriculture and Fisheries, and Great Barrier Reef Marine Park Authority issued permits, as well as in the following:</p> <ul style="list-style-type: none"> • <i>Fisheries Act 1994</i> (Qld) • Fisheries (General) Regulation 2019 (Qld) • Fisheries (Commercial Fisheries) Regulation 2019 (Qld) • Fisheries Declaration 2019 (Qld) • Fisheries Quota Declaration 2019 (Qld) • <i>Marine Parks Act 2004</i> (Qld) • Marine Parks Regulations 2019 (Qld) • <i>Great Barrier Reef Marine Park Act 1975</i> (Cth) • Great Barrier Reef Marine Park Regulations 2019 (Cth). <p>Condition 2:</p> <p>The Queensland Department of Agriculture and Fisheries must inform the Department of Agriculture, Water and the Environment of any intended material changes to the Queensland Aquarium 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>Condition 3:</p> <p>The Queensland Department of Agriculture and Fisheries must inform the Department of Agriculture, Water and the Environment of any intended changes to fisheries legislation that may affect the legislative instruments relevant to this approval.</p>

Issue	Condition
<p><u>Annual Reporting</u></p> <p>It is important that the Queensland Department of Agriculture and Fisheries produce and present reports to the Department annually in order for the performance of the fishery and progress in implementing the conditions described in this report and other managerial commitments to be monitored and assessed throughout the life of the export approval. Annual reports should follow Appendix B to the 'Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition' 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 described in the previous assessment for the fishery. 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 4:</p> <p>The Queensland Department of Agriculture and Fisheries must produce and present reports to the Department of Agriculture, Water and the Environment annually as per Appendix B of the <i>Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition</i>.</p>
<p><u>Ecological Risk Assessment and Risk Mitigation</u></p> <p>There have been no assessments of the dynamics or status of the fishery or any of its composite species and there is very little long-term understanding of marine aquarium fish species collected from the Great Barrier Reef Marine Park where the majority of fishing occurs (Roelofs and Silcock 2008).</p> <p>The ecological risk assessment for the fishery is now 13 years old, and despite finding 47 species or species groups at medium or high risk, there are still no catch limits, very little species-level reporting, and no monitoring or assessment of stocks.</p> <p>An updated ecological risk assessment for this fishery should help clarify the risks and determine some precautionary measures to address those risks. These risk mitigation measures should be implemented as soon as possible once they are identified.</p>	<p>Condition 5:</p> <p>By September 2023 the Queensland Department of Agriculture and Fisheries must undertake and publish an ecological risk assessment using appropriate methodology for the fishery. This assessment should encompass all ecosystem components and where risks are identified, recommend measures to address these risks.</p> <p>In lieu of this revised ecological risk assessment and mitigation, high risks identified in the existing (2008) risk assessment and any other processes must be addressed through the harvest strategy for the fishery.</p>

Issue	Condition
<p><u>Fisheries Data Collection</u></p> <p>The fishery targets a wide variety of species and reports the majority of catch in species groups. For example, the most prevalent species group in the catch records, is Damsel fish. Damsel fish comprise five sub-families and approximately 250 species. The ecological risk assessment for the fishery (Roelofs and Silcock 2008) states that although information collected through compulsory commercial fishery logbooks had improved in recent years (as at 2008), it still provided very limited species-specific catch data from which fishery performance and ecological sustainability could be measured.</p> <p>Hammerhead sharks, including Conservation Dependent Scalloped Hammerhead Sharks can be taken in the Aquarium Fish Fishery. Unlike the East Coast Inshore Fin Fish Fishery and Gulf of Carpentaria Inshore Fin Fish Fishery, which also take these sharks, there is no catch limit and no requirement to report the catch to species level. While the numbers of hammerhead sharks coming from the Aquarium Fish Fishery is likely to be relatively insignificant, it is important that these species be reported to species level so that all removals from the population can be accounted for and the population of listed Threatened Species effectively managed.</p> <p>Where animals cannot be reliably identified to species level, it is important that catches be monitored and managed in a precautionary way.</p>	<p>Condition 6:</p> <p>The Queensland Department of Agriculture and Fisheries must:</p> <ol style="list-style-type: none"> a) From 1 July 2022, ensure the catch of all listed EPBC species in the Aquarium Fish Fishery, for example, Scalloped Hammerhead Sharks and Syngnathids, are reported to species level. b) By December 2022, provide the Department of Agriculture, Water and the Environment with a Data Collection Improvement Plan for the fishery. The Plan must review current data collection requirements in the fishery and identify where possible, improvements to ensure catch is reported to species level. c) If species are not reported to species-level, establish a plan to ensure that catches of these species are regularly monitored and managed in a precautionary way. d) By September 2023, begin implementing its Data Collection Improvement Plan for the Aquarium Fish Fishery.
<p><u>Harvest Strategy</u></p> <p>There are no target or limit reference points that trigger management actions and no stock assessments on which to review catch levels.</p> <p>A harvest strategy is being developed which proposes to use historic harvest levels as a proxy for sustainable harvest levels. The harvest strategy is expected to be finalised and implemented during 2021.</p>	<p>Condition 7:</p> <p>By December 2021 the Queensland Department of Agriculture and Fisheries must implement a harvest strategy for the Aquarium Fish Fishery. The harvest strategy must include monitoring and review mechanisms, and management triggers to ensure all species are managed sustainably.</p>

Issue	Condition
<p><u>Managing the take of Hammerhead Sharks</u></p> <p>Hammerhead sharks, including Conservation Dependent Scalloped Hammerhead Sharks can be taken in the Aquarium Fish Fishery. Unlike the East Coast Inshore Fin Fish Fishery and Gulf of Carpentaria Inshore Fin Fish Fishery, which also take these sharks, there has been no catch limit in the Aquarium Fish Fishery. While the numbers of hammerhead sharks coming from the Aquarium Fish Fishery is likely to be relatively insignificant, it is important that all catches be accounted for to effectively manage and where necessary, recover populations of the species.</p>	<p>Condition 8:</p> <p>The Queensland Department of Agriculture and Fisheries must:</p> <ul style="list-style-type: none"> a) Ensure the quantity of all hammerhead sharks landed by the Queensland Aquarium Fish Fishery is accommodated within the catch limits defined for the species in the Fisheries Declaration 2019 (Qld). b) Ensure the quantity of all hammerhead sharks landed by the Queensland Aquarium Fish Fishery is reported to the CITES Scientific Authority of Australia, as part of the annual reporting referred to in Condition 3. Catch should be reported by estimated weight and number of individuals and locations of harvest.

Assessment history:

Information on previous assessments for the Jurisdiction Fishery is available on the Department's website at <http://www.environment.gov.au/marine/fisheries/qld/marine-aquarium>.

1st assessment: Wildlife Trade Approval **27/11/2005 – 25/11/2008**, subject to four conditions. Approval reviewed and remade on 10/04/2008 when fishery legislation changed.

2nd assessment: Wildlife Trade Approval **21/11/2008 – 25/11/2011**. Two approvals granted, one for non-syngnathids and the other granting approval for export of syngnathids caught in state waters. Both approvals subject to four conditions each.

3rd assessment: Wildlife Trade Approval **25/11/2011 – 21/11/2014**, subject to three conditions. No provision for export of any syngnathids.

4th assessment: Wildlife Trade Approval **19/11/2014 – 17/11/2017**, subject to three conditions. Provision for export of hammerhead sharks.

5th assessment: Wildlife Trade Approval **16/11/2017 – 30/03/2018**, subject to one condition. Provision for export of hammerhead sharks. Approval reviewed and remade on **26/03/2018 until 26/03/2021**, subject to three conditions.

Approval expired 26/03/2021.

Fishery reporting:

Only one annual report for the Aquarium Fish Fishery has been provided since the last assessment in 2017. This was received on 4 March 2019. This report is unpublished.

SECTION 3: DETAILED ANALYSIS AGAINST THE GUIDELINES

Guidelines criteria	Comment
THE MANAGEMENT REGIME	
The management regime does not have to be a formal statutory fishery management plan and may include non-statutory management arrangements or management policies and programs. The regime should:	
Be documented, publicly available and transparent.	<p>Meets – Arrangements are documented, publicly available and transparent.</p> <p>The Queensland Aquarium Fish Fishery is managed by the Queensland Department of Agriculture and Fisheries (QDAF) in conjunction with the Great Barrier Reef Marine Park Authority (GBRMPA).</p> <p>The management arrangements for the Queensland Aquarium Fish Fishery are outlined on the QDAF website at https://www.business.qld.gov.au/industries/farms-fishing-forestry/fisheries/fisheries-profiles/commercial-harvest-fisheries/marine-aquarium-fish.</p> <p>Management arrangements are specified in QDAF and GBRMPA-issued permits, as well as in publicly available legislation: the Queensland <i>Fisheries Act 1994</i>, Fisheries (General) Regulation 2019, Fisheries (Commercial Fisheries) Regulation 2019, Fisheries Declaration 2019, Fisheries Quota Declaration 2019, and the Queensland <i>Marine Parks Act 2004</i> and Marine Parks Regulations 2019. The Commonwealth <i>Great Barrier Reef Marine Park Act 1975</i> and Great Barrier Reef Marine Park Regulations 2019 also apply to operations in the Great Barrier Reef Marine Park.</p>
Be developed through a consultative process providing opportunity to all interested and affected parties, including the general public.	<p>Partly meets – Consultative processes generally involve a wide range of stakeholders and the public.</p> <p>The management arrangements for the fishery have been developed in consultation with industry and other stakeholders, and where substantive management changes are proposed, Regulatory Impact Statements are also released for public comment. These statements set out proposed changes, justification, and alternative options. A stakeholder advisory body, the Marine Aquarium and Coral Fisheries Working Group, includes members representing the scientific community, management agencies, conservation groups, commercial fishing, and Aboriginal and Torres Strait Islander community representatives. The working group provides advice on operational aspects of the management of the Aquarium Fish Fishery. Details of the fishery working group and communiques from working group meetings are available at https://www.daf.qld.gov.au/business-priorities/fisheries/sustainable/fishery-working-groups/marine-aquarium-fish-and-coral-fisheries-working-group.</p> <p>The last working group communique was from the May 2019. A new working group has since been formed and will have its inaugural meeting in July 2021. Details of the working group membership were unavailable at the time of assessment.</p>

<p>Ensure that a range of expertise and community interests are involved in individual fishery management committees and during the stock assessment process.</p>	<p>Partly meets – Range of expertise and public interests involved but it is unclear if the working group is operating.</p> <p>A stakeholder advisory body, the Marine Aquarium and Coral Fisheries Working Group, includes members representing the scientific community, management agencies, conservation groups, commercial fishing, and Aboriginal and Torres Strait Islander community representatives. The working group provides advice on operational aspects of the management of the Aquarium Fish Fishery.</p> <p>The last working group communique was from the May 2019. A new working group has since been formed and will have its inaugural meeting in July 2021. Details of the working group membership were unavailable at the time of assessment.</p> <p>A <u>Sustainable Fisheries Expert Panel</u> was established in July 2017. The panel includes an independent chair and members selected based on their expertise in stock assessment, fish biology, fisheries management and or resource allocation, threatened species, economics and social and or cultural matters.</p> <p>The panel provides independent expert advice to QDAF on best practice fisheries management and implementation of the Sustainable Fisheries Strategy for all Queensland fisheries. The panel also advises on sustainable limits and reference points for individual fisheries/species, the adequacy of proposed fishery harvest strategies, and data, research, and monitoring needs.</p> <p>The GBRMPA is represented on the Queensland Reef Line Fishery Working Group and provides regular updates on reef management issues.</p>
<p>Be strategic, containing objectives and performance criteria by which the effectiveness of the management arrangements are measured.</p>	<p>Does not meet - Inadequate or non-existent objectives and performance criteria. Management effectiveness not measured.</p> <p>QDAF published and sought public comment on a <u>draft harvest strategy</u> for the fishery. There is no harvest strategy or other strategic management framework in place for the fishery at the time of the assessment. The harvest strategy is expected to be finalised and implemented during 2021.</p>
<p>Be capable of controlling the level of harvest in the fishery using input and/or output controls.</p>	<p>Partly meets – Controls have some capacity to limit harvest.</p> <p>The impacts of the fishery are managed primarily via input controls including gear, effort, and access restrictions. Size limits apply for some species, but there are no limits on the total number of fish that can be harvested.</p>
<p>Contain the means of enforcing critical aspects of the management arrangements.</p>	<p>Meets – QDAF has effective means to enforce critical aspects of the management arrangements.</p> <p>QDAF use a Compliance Risk Assessment framework to develop state and regional operation plans and deliver their compliance program. An overview of this program is available on the <u>QDAF website</u>.</p> <p>Vessel Monitoring Systems (VMS) are used on all Queensland commercial fishing vessels to track their location, validate reported fishing activity, and enhance QDAF’s capacity to undertake vessel inspections. All vessels including tenders are required to operate VMS. This helps facilitate compliance inspections where necessary.</p>
<p>Provide for the periodic review of the performance of the fishery management arrangements and the management strategies, objectives and criteria.</p>	<p>Does not meet – No framework for performance reviews.</p> <p>There is no framework for periodic review of the fishery’s performance. This is expected to be addressed when a harvest strategy is implemented for the fishery. The harvest strategy is expected to be finalised and implemented during 2021.</p>

<p>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.</p>	<p>Partly meets – No capacity to assess or monitor impacts on wider marine ecosystem but risks are likely to be low.</p> <p>Effective data collection systems are in place, but there is no strategic framework for managing harvest levels. This is expected to be addressed when QDAF implements a harvest strategy for the fishery. The harvest strategy is expected to be finalised and implemented during 2021.</p> <p>An ecological risk assessment was completed for the fishery in 2008, but the assessment focussed on target species and did not consider the impacts of the fishery on any other ecosystem components (Roelofs 2008; Roelofs and Silcock 2008). Ecosystem impacts are likely to be minimal, so long as species and species groups are not over harvested, and the performance of species' ecological functions is not compromised.</p> <p>Around 600 species of fish are collected plus a range of invertebrates, including starfish, mollusks, and crustaceans. The market demands species diversity and perfect specimens with low susceptibility to disease or infection, often in specific size ranges. The species collected in the fishery are typically lower trophic level prey species. Grazing herbivores that carry out important functions in reef resilience and recovery after disturbance are not collected in any substantial number (Pro-vision Reef).</p> <p>Without harvest strategies to monitor, assess and manage these impacts it is unclear how effective current management arrangements are.</p> <p>The ecological risk assessment is now 13 years old. While the assessment still has value, updating this assessment to reflect current policies, assessment methods, fishery trends and impacts would be useful.</p>
<p>Requires compliance with relevant threat abatement plans, recovery plans, the National Policy on Fisheries Bycatch, and bycatch action strategies developed under the policy.</p>	<p>Meets – Management is compliant with all relevant plans.</p> <p>Given the fishery operates in both state and Commonwealth areas, the management arrangements for the fishery are required to comply with all relevant Commonwealth threat abatement plans, recovery plans and bycatch policies or strategies. This includes the Threat Abatement Plan for the impacts of marine debris on the vertebrate wildlife of Australia's coasts and oceans and the Recovery Plan for Marine Turtles in Australia.</p> <p>Although the fishery's management arrangements are not <i>inconsistent</i> with these plans, they do not specifically require fishers to comply with plans, policies, or strategies.</p> <p>Management arrangements for the fishery prohibit the retention of species listed under the EPBC Act, and all interactions with these species are required to be reported using QDAF approved logbooks. The Department recommends that all relevant threat abatement plans, recovery plans, bycatch policies and action strategies continue to be considered in developing management arrangements and assessing and mitigating ecological risks.</p>

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.

Partly meets – logbooks and Vessel Monitoring Systems collect reliable information, but most catch is not reported to species-level.

All commercial fishers are required to report retained catch, fishing effort and interactions with protected species using QDAF approved logbooks, but QDAF do not require, or provide for, the reporting of discarded catch and no information was available on the actual bycatch that occurs in the fishery.

Vessel Monitoring Systems are used on all commercial fishing vessels, including tenders to track their location and validate reported fishing effort. Vessel Monitoring Systems also enhance QDAF's capacity to undertake inspections and in doing so, validate landed catch data. Vessel Monitoring Systems do not provide any insight into protected species interactions.

There is no independent data collection, other than that provided by the Vessel Monitoring Systems. However, this is acceptable given there is a low risk of misreporting as catches are not constrained by catch limits, and interactions with protected species are relatively low due to the nature of the fishing methods used.

To support QDAF's data validation and compliance efforts, QDAF published a [Data Validation Plan](#) in March 2018. QDAF intends to develop a Fisheries Data Validation Policy and Implementation Plan, then in the longer-term, to incorporate fishery-specific data collection and validation plans into harvest strategies. The timeframes for these initiatives are unclear.

QDAF is also cooperating with other jurisdictions to develop consistent national approaches to independent data validation across a range of fisheries.

QDAF also plans to determine minimum data standards for all commercial fisheries under the Sustainable Fisheries Strategy. This includes defining the minimum data requirements to set catch limits and determining how to divide the fishery into smaller units (e.g. fish stocks and/or regions) to apply management arrangements at the appropriate scale.

The fishery targets a wide variety of species and reports the majority of catch in species groups. For example, the most prevalent species group in the catch records, is Damsel fish. Damsel fish comprise five sub-families and approximately 250 species. The ecological risk assessment for the fishery ([Roelofs and Silcock 2008](#)) states that although information collected through compulsory commercial fishery logbooks had improved in recent years (as at 2008), it still provided very limited species-specific catch data from which fishery performance and ecological sustainability could be measured.

Hammerhead sharks, including Conservation Dependent Scalloped Hammerhead Sharks can be taken in the Aquarium Fish Fishery. Unlike the East Coast Inshore Fin Fish Fishery and Gulf of Carpentaria Inshore Fin Fish Fishery, which also take these sharks, there is no catch limit and no requirement to report the catch to species level. While the numbers of hammerhead sharks coming from the Aquarium Fish Fishery is likely to be relatively insignificant, it is important that these species be reported to species level so that all removals from the population can be accounted for and the population of listed Threatened Species effectively managed.

Where animals cannot be reliably identified to species level, it is important that catches be monitored and managed in a precautionary way.

	<p>Data provided in the QDAF application for assessment also includes records of Humphead Maori Wrasse that were not caught in the Queensland fishery, but were instead caught in the Commonwealth Coral Sea Fishery. These records also include an error. In 2019 the submission shows 175 Humphead Maori Wrasse were caught, but QDAF has since confirmed that only three were caught in that year, and all in the Coral Sea Fishery. QDAF's application for assessment shows that small numbers of syngnathids are harvested from the fishery, but that these are from state-waters, outside the Great Barrier Reef Marine Park. Syngnathids are protected in Commonwealth waters under the EPBC Act. QDAF has written to operators in the Aquarium Fish Fishery to ensure they understand their obligations regarding protected species. The department notes that GBRMPA-issued Parks Permits may create some unintended confusion regarding the harvest of protected species. This issue has been discussed with GBRMPA and GBRMPA has undertaken to review its permit conditions to address this potential confusion. Export approval for any species protected under Part 13 of the EPBC Act, other than Conservation Dependent listed species, is not being considered at this time.</p>
Assessment	
<p>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.</p>	<p>Does not meet – No stock assessments or surveys.</p> <p>There have been no assessments of the dynamics or status of the fishery or any of its composite species and there is very little long-term understanding of marine aquarium fish species collected from the Great Barrier Reef Marine Park where the majority of fishing occurs (<u>Roelofs and Silcock 2008</u>).</p> <p>Review of the most recent working group communiques (2019) suggests that catch data is not reviewed by the working group. Such reviews are expected to be integral to the operation of the harvest strategy for the fishery when it is finalised and implemented. The harvest strategy is expected to be finalised and implemented during 2021.</p> <p>Documents associated with the ecological risk assessment for the fishery (<u>Roelofs and Silcock 2008</u>) state that although information collected through compulsory commercial fishery logbooks has improved in recent years, it still provides very limited species-specific catch data from which fishery performance and ecological sustainability can be measured.</p> <p>It is important that catches be monitored and managed to avoid adverse impacts to individual species and marine ecosystems, and to ensure any removals of Conservation Dependent species, such as Scalloped Hammerhead Sharks are accounted for in managing the recovery of the stocks.</p>

1.1.3 The distribution and spatial structure of the stock(s) has been established and factored into management responses.

Does not meet – Spatial distribution of fish stocks is not used to manage the fishery.

Information on the distribution and spatial structure of stocks in the fishery has not been established and is not used to manage the fishery.

This information is likely to be important to avoid localised depletion of certain species or species groups and to ensure ecological functions provided by these species groups are not compromised.

Around 600 species of fish are collected plus a range of invertebrates, including starfish, mollusks, and crustaceans. The market demands species diversity and perfect specimens with low susceptibility to disease or infection, often in specific size ranges. The species collected in the fishery are typically lower trophic level prey species. Grazing herbivores that carry out important functions in reef resilience and recovery after disturbance are not collected in any substantial number (Pro-vision Reef).

Spatial distribution and management should be considered in the development of a revised ecological risk assessment and considered in the drafting of the harvest strategy for the fishery.

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.

Partly meets – Reliable information is available on retained commercial catches, but the extent of any discarded commercial catch, or catch by non-commercial sectors is unknown.

Information on commercial catches is collected using QDAF-approved fishing logbooks, and information on where and when fishers are operating is also collected by Vessel Monitoring Systems.

There is no information available on traditional or recreational harvest of marine aquarium species, but QDAF believe catches by these sectors are relatively small.

Given the highly selective nature of the fishing methods, bycatch and discarding is likely to be very low. Some discarding may occur if animals become damaged or otherwise unsaleable prior to landing. There is no provision for reporting discarded catch in QDAF logbooks and no information available to indicate to what extent discarding may be occurring.

There are no stock assessments undertaken for this fishery and no catch limits for any species or species group. Analysis of catch and effort data shows that although total harvest levels have declined significantly in recent years, catch rates (animals-per-day) has increased. Harvest has also tended to be dominated by the same species. Harvest of certain species and species groups has also declined significantly. Species that have registered significant declines include the two species that were identified as being at moderate risk in the 2008 ecological risk assessment for the fishery. Harvest of Personifer Angelfish increased from approximately 5000 animals in 2008, to more than 7000 animals in 2001, before sharply declining to just over 2000 animals per year since 2013. Scribbled Angelfish similarly declined from 7400 animals in 2008, to below 2000 animals in 2014, and just over 2000 animals per year since 2017. It is unclear whether these changes are due to market or other factors, or availability of suitable specimens for harvest.

An updated ecological risk assessment and more in-depth investigation into stock status is recommended to ensure all species in the fishery remain sustainable.

<p>1.1.5 There is a sound estimate of the potential productivity of the fished stock/s and the proportion that could be harvested.</p>	<p>Partly meets – Productivity estimates are available but are not used for stock assessment or setting catch limits. While information on the potential productivity of certain species was used in the ecological risk assessment for the fishery (Roelofs and Silcock 2008), this information is not used in stock assessments or to inform harvest levels.</p>
<p>Management responses</p>	
<p>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.</p>	<p>Does not meet – Reference points under development but are not yet finalised or implemented. There are no target or limit reference points that trigger management actions and no stock assessments on which to review catch levels. A harvest strategy is being developed which proposes to use historic harvest levels as a proxy for sustainable harvest levels. The harvest strategy is expected to be finalised and implemented during 2021.</p>
<p>1.1.7 There are management strategies in place capable of controlling the level of take.</p>	<p>Partly meets – Input controls are used, but management strategies could be stronger. Harvest levels are managed through limits on the number of fishing licences, number of fishers operating under each licence, the gear types able to be used, and for A2 licences (two of the 43 licences) limits on the number of fish each fisher can possess.</p>
<p>1.1.8 Fishing is conducted in a manner that does not threaten stocks of byproduct species.</p>	<p>Not applicable – The fishery is highly selective and targets specific fish, there is no byproduct.</p>
<p>(Guidelines 1.1.1 to 1.1.7 should be applied to byproduct species to an appropriate level)</p>	
<p>1.1.9 The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.</p>	<p>Partly meets – Medium chance that the fishery will be conducted at catch levels that maintain ecologically viable stock levels at an agreed point or range, with acceptable levels of probability. There have been no assessments of the dynamics or status of the fishery or any of its composite species and there is very little long-term understanding of marine aquarium fish species collected from the Great Barrier Reef Marine Park where the majority of fishing occurs (Roelofs and Silcock 2008). Catch data does not appear to be reviewed by the working group and the harvest strategy is yet to be finalised or implemented. Addressing these issues would improve confidence in the sustainable management of the fishery. Conditions to proposed address these needs are outlined in Section 2 of this report.</p>
<p>If overfished, go to Objective 2: If not overfished, go to PRINCIPLE 2:</p>	
<p>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.</p>	
<p>Management responses</p>	

<p>1.2.1 A precautionary recovery strategy is in place specifying management actions, or staged management responses, which are linked to reference points. The recovery strategy should apply until the stock recovers, and should aim for recovery within a specific time period appropriate to the biology of the stock.</p>	<p>Not applicable – No species have been identified as overfished.</p>
<p>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.</p>	<p>Not applicable – No species have been identified as overfished.</p>
<p>PRINCIPLE 2 - Fishing operations should be managed to minimise their impact on the structure, productivity, function and biological diversity of the ecosystem.</p>	
<p>Objective 1 - The fishery is conducted in a manner that does not threaten bycatch species.</p>	
<p>Information requirements</p>	
<p>2.1.1 Reliable information, appropriate to the scale of the fishery, is collected on the composition and abundance of bycatch.</p>	<p>Not applicable – The fishery is highly selective and targets specific fish, there is no bycatch.</p>
<p>Assessment</p>	
<p>2.1.2 There is a risk analysis of the bycatch with respect to its vulnerability to fishing.</p>	<p>Not applicable – The fishery is highly selective and targets specific fish, there is no bycatch.</p>
<p>Management responses</p>	
<p>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>	<p>Not applicable – The fishery is highly selective and targets specific fish, there is no bycatch.</p>
<p>2.1.4 An indicator group of bycatch species is monitored.</p>	<p>Not applicable – The fishery is highly selective and targets specific fish, there is no bycatch.</p>

<p>2.1.5 There are decision rules that trigger additional management measures when there are significant perturbations in the indicator species numbers.</p>	<p>Does not meet – No indicator species have been identified and no monitoring or review appears to be occurring.</p> <p>There are no decision rules that trigger management measures, but these are expected to be introduced during 2021 as part of the harvest strategy for the fishery.</p> <p>There have been no assessments of the dynamics or status of the fishery or any of its composite species and there is very little long-term understanding of marine aquarium fish species collected from the Great Barrier Reef Marine Park where the majority of fishing occurs (<u>Roelofs and Silcock 2008</u>).</p>
<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>	<p>Partly meets – Medium chance that the fishery will be conducted in a manner that does not threaten bycatch species.</p> <p>There have been no assessments of the dynamics or status of the fishery or any of its composite species and there is very little long-term understanding of marine aquarium fish species collected from the Great Barrier Reef Marine Park where the majority of fishing occurs (<u>Roelofs and Silcock 2008</u>).</p> <p>The ecological risk assessment for the fishery is now 13 years old, and despite finding 47 species or species groups at medium or high risk, there are still no catch limits, very little species-level reporting, and no monitoring or assessment of stocks.</p> <p>An updated ecological risk assessment for this fishery should help clarify the risks and determine some precautionary measures to address those risks. These risk mitigation measures should be implemented as soon as possible once they are identified. Conditions to proposed address these needs are outlined in Section 2 of this report.</p>
<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.</p>	
<p>Information requirements</p>	
<p>2.2.1 Reliable information is collected on the interaction with endangered, threatened or protected species and threatened ecological communities.</p>	<p>Meets – Up-to-date logbooks and reliable records of interactions with endangered, threatened, or protected species and threatened ecological communities.</p> <p>All commercial fishers in the fishery are required to report all interactions with protected species to QDAF using QDAF-approved Species of Conservation Interest logbooks.</p> <p>Given the nature of the fishing methods used, the risk of unintended interactions with protected species in the Aquarium Fish Fishery is likely to be significantly lower than many other fisheries.</p>
<p>Assessments</p>	

<p>2.2.2 There is an assessment of the impact of the fishery on endangered, threatened or protected species.</p>	<p>Partly meets – Impacts of the fishery on endangered, threatened, and protected species were not assessed in QDAF’s ecological risk assessment but are likely to be relatively low.</p> <p>An ecological risk assessment was completed for the fishery in 2008, but the assessment focussed on target species and did not consider the impacts of the fishery on any species protected under Part 13 of the EPBC Act (Roelofs 2008; Roelofs and Silcock 2008).</p> <p>Ecological risks to these protected species are likely to be relatively low given the fishing methods used. However, the current conditions on Marine Parks permits issued by GBRMPA may create some unintended confusion regarding the harvest of protected species. This issue has been discussed with GBRMPA and GBRMPA has undertaken to review its’ permit conditions to address this potential for confusion. Export approval for any species protected under Part 13 of the EPBC Act, other than Conservation Dependent listed species, is not being considered at this time. QDAF has advised that operators in the fishery have been made aware of their obligations regarding protected species since at least 2006.</p>
<p>2.2.3 There is an assessment of the impact of the fishery on threatened ecological communities.</p>	<p>Not applicable - There are no threatened ecological communities in the area of the fishery.</p>
<p><i>Management responses</i></p>	

<p>2.2.4 There are measures in place to avoid capture and/or mortality of endangered, threatened or protected species.</p>	<p>Partly meets – Management arrangements are unclear regarding protections for species protected under the EPBC Act.</p> <p>Management arrangements are specified in QDAF and GBRMPA-issued permits. The Marine Parks permits issued by GBRMPA state that the purpose of use and entry authorised under the permit includes “Fishing Involving Taking in a Harvest Fishery – being: an Aquarium Fish Fishery including the take of protected species for the purpose of public display, education and interpretation”.</p> <p>This condition was included to allow the take of certain fin fish species that are otherwise protected under the Great Barrier Reef Marine Park Act. However, the definition of protected species included in the permit is much broader and defines protected species as “any individual from any species that meets one of the following criteria: (a) is a listed threatened species, a listed migratory species or a listed marine species under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth)”.</p> <p>It is an offence to interact with any EPBC-listed species in Commonwealth waters, and harvest of these species is only permissible with a permit issued under relevant sections of the EPBC Act or the <i>Great Barrier Reef Marine Park Act 1975</i> (GBRMP Act). Marine Parks permits have been granted under the GBRMP Act for persons operating in the Aquarium Fish Fishery and may cause confusion about whether species protected under the EPBC Act can be harvested. Advice from QDAF and GBRMPA is that the permits are not intended to allow the take of any EPBC listed species, and QDAF has sought to ensure fishers understand their obligations regarding species listed under the EPBC Act. Notwithstanding, catch records show that 84 syngnathids were harvested over the period 2011 to 2020. It is unclear from the information provided whether the harvest occurred in state waters where take is legal, or Commonwealth waters where the species are protected.</p> <p>The department has discussed the potential confusion that may be caused by the current GBRMPA permit conditions with GBRMPA, and GBRMPA has undertaken to review its’ permit conditions to address this potential confusion. Export approval for any species protected under Part 13 of the EPBC Act, other than Conservation Dependent listed species, is not being considered at this time.</p>
<p>2.2.5 There are measures in place to avoid impact on threatened ecological communities.</p>	<p>Not applicable - There are no threatened ecological communities in the fishery.</p>

<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>	<p>Partly meets – Medium chance that the fishery will be 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.</p> <p>Risks to protected species and the broader ecology of the fishery are likely to be relatively low. However, an ecological risk assessment spanning all species and ecological components should be undertaken and any identified risks addressed as a priority.</p> <p>The species collected in the fishery are typically lower trophic level prey species. Grazing herbivores that carry out important functions in reef resilience and recovery after disturbance are not collected in any substantial number (Pro-vision Reef).</p> <p>Improving data collection, implementing a harvest strategy to monitor, assess and manage the fishery’s impacts, and updating the ecological risk assessment for the fishery to reflect current policies, assessment methods, fishery trends and impacts will improve confidence in the management performance of the fishery. Conditions to proposed address these needs are outlined in Section 2 of this report. Provided harvest of all species is maintained at sustainable levels then ecological risks are likely to be effectively managed.</p>
<p>Objective 3 - The fishery is conducted, in a manner that minimises the impact of fishing operations on the ecosystem generally.</p>	
<p>Information requirements</p>	
<p>2.3.1 Information appropriate for the analysis in 2.3.2 is collated and/or collected covering the fishery’s impact on the ecosystem and environment generally.</p>	<p>Partly meets – Formal systems for data collection are not in place, but the fishing industry contributes to meeting the research and monitoring needs of the fishery through a voluntary stewardship action plan.</p> <p>There is no program for collecting information on the ecosystems that support the fishery. However, the fishing industry contributes to meeting the research and monitoring needs of the fishery through a voluntary stewardship action plan. This includes partnering with research institutions to fill knowledge gaps where such gaps exist for species identified in the fishery Ecological Risk Assessment and providing digital imagery to fishery and marine park managers for assessing resource condition (Pro-vision Reef).</p>
<p>Assessment</p>	

<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"> 1. Impacts on ecological communities <ul style="list-style-type: none"> • Benthic communities • Ecologically related, associated, or dependent species • Water column communities 2. Impacts on food chains <ul style="list-style-type: none"> • Structure • Productivity/flows 3. Impacts on the physical environment <ul style="list-style-type: none"> • Physical habitat • Water quality 	<p>Partly meets – ERA not considered necessary for the scale of the fishery.</p> <p>An ecological risk assessment was completed for the fishery in 2008, but the assessment focussed on target species and did not consider the impacts of the fishery on the ecosystems (Roelofs 2008; Roelofs and Silcock 2008).</p> <p>There is no program for collecting information on the ecosystems that support the fishery. However, the fishing industry contributes to meeting the research and monitoring needs of the fishery through a voluntary stewardship action plan. This includes partnering with research institutions to fill knowledge gaps where such gaps exist for species identified in the fishery Ecological Risk Assessment and providing digital imagery to fishery and marine park managers for assessing resource condition (Pro-vision Reef).</p> <p>The GBRMPA is represented on the Queensland Reef Line Fishery Working Group and provides regular updates on reef management issues. It is unclear what data collection or monitoring programs are undertaken by GBRMPA that help manage ecological risks in the fishery.</p> <p>Since 2011, there have been numerous mass coral bleaching events, severe cyclones and Crown of Thorns outbreaks that have reduced coral cover throughout the Great Barrier Reef (AIMS 2018). This has reduced the habitat and prey available for certain species (Pratchett et al. 2014; Rogers et al. 2018; Tobin et al. 2010). Bleaching events can also influence growth rates of some species (Hughes 2010), and spawning output (Johnson & Welch 2010; Pratchett et al. 2013). Loss of coral reef habitat and reductions in complexity have been found to result in reductions in fisheries productivity of approximately 35 per cent (Rogers et al. 2018). Ongoing declines in coral cover may reduce the carrying capacity of the Great Barrier Reef for many species, which may influence the sustainability of stocks in the future.</p>
<p>Management responses</p>	
<p>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>	<p>Partly meets – Management actions being developed.</p> <p>Although there is no ecological risk assessment that covers risks to the ecosystem, the fishing industry demonstrates a high level of stewardship for the fishery. In 2011-2012 the industry demonstrated this commitment by voluntarily closing an area of reef that had been severely impacted by flooding. This was significant because some fishers made most of their income from that area. Grazing herbivores that carry out important functions in reef resilience and recovery after disturbance are also not collected in any substantial numbers (Pro-vision Reef). While these measures are commendable, an ecological risk assessment would likely provide greater insight into the potential risks and uncertainties in the fishery, and any specific risk mitigation measures that are required.</p>
<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>	<p>Does not meet – There is no framework for monitoring the ecosystem or responding to management triggers.</p> <p>QDAF published and sought public comment on a draft harvest strategy for the fishery. There is no harvest strategy or other strategic management framework in place for the fishery at the time of the assessment. The harvest strategy is expected to be finalised and implemented during 2021.</p>

2.3.5 The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.

Partly meets – Medium chance the fishery will be conducted in a manner that minimises the impact of fishing operations on the ecosystem generally.

Risks to the broader ecology of the fishery are likely to be relatively low. However, an ecological risk assessment spanning all species and ecological components should be undertaken and any identified risks addressed as a priority. Conditions to proposed address these needs are outlined in Section 2 of this report.

SECTION 4: ASSESSMENT AGAINST THE EPBC ACT

The table below is not a complete or exact representation of the EPBC Act. It is intended to show that the relevant sections and components of the EPBC Act have been taken into account in the formulation of advice on the fishery in relation to decisions under Part 13 and Part 13A.

Part 12 – Identifying and monitoring biodiversity and making bioregional plans

Section 176 Bioregional Plans	Comment
<p>(5) Minister must have regard to relevant bioregional plans</p>	<p>Meets.</p> <p>The Queensland Aquarium Fish Fishery extends along the Queensland east coast from the tip of Cape York south to the Queensland – New South Wales border. Most of the fishing occurs on the Great Barrier Reef.</p> <p>There are two marine bioregions in the area of the fishery. These are the Temperate East Marine Bioregion and the Coral Sea Marine Bioregion.</p> <p>The fishery is relatively small in scale but collects a wide variety of fish and invertebrates. Fishers use hand-held fishing gear, including fishing lines, small nets, and herding devices. Fishers are also able to use scuba or surface-supplied air from hookah (hose) apparatus. The use of chemicals or explosives to take fish is prohibited.</p> <p>There is no Marine Bioregional Plan for the Coral Sea Marine Bioregion.</p> <p>The <i>Marine bioregional plan for the Temperate East Marine Region 2012</i> has been considered in preparing advice in relation to decisions under section 303DC and section 303FN. The bioregional plan identified four key ecological features present in the area of the fishery. These are shelf rocky reefs, the canyons on the eastern continental slope, the Tasmantid seamount chain and the upwelling off Fraser Island.</p> <p>Extraction of living resources was identified as a pressure of potential concern within the marine region in which the fishery operates.</p> <p>The bioregional plan notes that its assessment is conservative in the context of active fisheries management, particularly when fisheries are managed at an ecosystem level.</p> <p>In addition to the four key ecological features, the marine bioregional plan also identified biologically important areas for White Sharks (<i>Carcharodon carcharias</i>) and areas of distribution and known aggregation sites for Grey Nurse Sharks (<i>Carcharias taurus</i>) within the area of the fishery. There have been no reported interactions with White Sharks or Grey Nurse Sharks in the fishery, and fishing</p>

has been banned around all known aggregation sites for Grey Nurse Sharks since 2003.

An action taken by an individual fisher, acting in accordance with the management regime for the fishery, is unlikely to have a significant impact on the key ecological features, biologically important areas or other matters identified in the Temperate East Marine Bioregional Plan. There is also unlikely to be any significant impact on the Coral Sea Marine Park given the relatively small number of fishers, the broad fishing area, and the industry's demonstrated custodianship in line with the Stewardship Action Plan.

The risks associated with bycatch and impacts to benthic environments and ecosystems are likely to be negligible, given the relatively small number of operators, the broad scale of the fishery, and the highly selective fishing methods used.

Confidence in the performance of the fishery could be improved by implementing a strategic framework for managing harvest levels, and QDAF expect to deliver a harvest strategy for this purpose during 2021.

A revised ecological risk assessment that considers all ecological components, not just target species, would also help ensure that risks are identified and mitigated and monitored more effectively.

Ecosystem impacts are likely to be minimal, so long as species and species groups are not over harvested, and the performance of species' ecological functions is not compromised.

Grazing herbivores that carry out important functions in reef resilience and recovery after disturbance are not collected in any substantial number (Pro-vision Reef).

Actions taken by an individual fisher, acting in accordance with the management regime for the fishery are also unlikely to have any significant impact on the Great Barrier Reef Marine Park, the World Heritage values of the Great Barrier Reef World Heritage Area or the ecological character of the Great Sandy Strait, Shoalwater and Corio Bays and Bowling Green Bay Ramsar sites.

Part 13 – Species and communities

Accreditable plan, regime, or policy (Division 1, Division 2, Division 3, Division 4)	Comment
s. 208A (1) (a-e) , s.222A (1) (a-e), s.245 (1) (a-e), s.265 (1) (a-e)	Yes - there is an accreditable management regime.

<p>Does the fishery have an accreditable plan of management, regime or policy?</p>	<p>The Queensland Aquarium Fish Fishery operates in both state and Commonwealth waters.</p> <p>The management arrangements for the fishery are specified in QDAF and GBRMPA-issued permits, as well as in publicly available legislation: the Queensland <i>Fisheries Act 1994</i>, Fisheries (General) Regulation 2019, Fisheries (Commercial Fisheries) Regulation 2019, Fisheries Declaration 2019, Fisheries Quota Declaration 2019, and the Queensland <i>Marine Parks Act 2004</i> and Marine Parks Regulations 2019. The Commonwealth <i>Great Barrier Reef Marine Park Act 1975</i> and Great Barrier Reef Marine Park Regulations 2019 also apply to operations in the area of the Great Barrier Reef Marine Park.</p>
<p>Division 1 Listed threatened species, Section 208A Minister may accredit plans or regimes</p>	<p>Comment</p>
<p>(f) Will the plan, regime or policy require fishers 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?</p>	<p>Partly meets.</p> <p>Impacts of the fishery on listed threatened species were not assessed in QDAF's ecological risk assessment but are likely to be relatively low given the hand-collection fishing methods used.</p> <p>QDAF has confirmed that there have been no reported interactions with listed threatened species by fishers operating in the Aquarium Fish Fishery and although there is some potential for GBRMPA permit conditions to be misinterpreted, GBRMPA has undertaken to review these conditions. Fishers also do not appear to be harvesting EPBC Act protected species and the export approval for the fishery is not proposed to extend to any EPBC Act protected species, other than Conservation Dependent species.</p> <p>All other measures require fishers to take all reasonable steps to prevent the killing or injuring of members of listed threatened species.</p>
<p>(g) And, is the fishery likely to adversely affect the survival or recovery in nature of the species?</p>	<p>No - The fishery is unlikely to adversely affect the survival or recovery in nature of any listed threatened species.</p> <p>QDAF has confirmed that there have been no reported interactions with listed threatened species by fishers operating in the Aquarium Fish Fishery.</p> <p>It is an offence to interact with any EPBC-listed species in Commonwealth waters, and harvest of these species is only permissible with a permit issued under relevant sections of the EPBC Act. No such permits have been granted for persons operating in the Aquarium Fish Fishery.</p> <p>The department has become aware that a Marine Parks permit issued by GBRMPA could create confusion as to whether EPBC Act protected species can be harvested. However, GBRMPA has undertaken to review their permit</p>

	conditions to address this risk. Given there no export approval is proposed for protected species (other than Conservation Dependent species), the risk of protected species being harvested is low and the fishery is unlikely to adversely affect the survival or recovery in nature of any protected species.
Division 2 Migratory species, Section 222A Minister may accredit plans or regimes	Comment
(f) Will the plan, regime or policy require fishers to take all reasonable steps to ensure that members of listed migratory species are not killed or injured as a result of the fishing?	<p>Partly meets.</p> <p>Impacts of the fishery on listed migratory species were not assessed in QDAF's ecological risk assessment but are likely to be relatively low given the hand-collection fishing methods used.</p> <p>QDAF has confirmed that there have been no reported interactions with listed migratory species by fishers operating in the Aquarium Fish Fishery and although there is some potential for GBRMPA permit conditions to be misinterpreted, GBRMPA has undertaken to review these conditions. Fishers also do not appear to be harvesting EPBC Act protected species and the export approval for the fishery is not proposed to extend to any EPBC Act protected species, other than Conservation Dependent species.</p> <p>All other measures require fishers to take all reasonable steps to prevent the killing or injuring of members of listed migratory species.</p>
(g) And, is the fishery likely to adversely affect the conservation status of a listed migratory species or a population of that species?	<p>No - The fishery is unlikely to adversely affect the conservation status of a listed migratory species or a population of that species.</p> <p>QDAF has confirmed that there have been no reported interactions with listed migratory species by fishers operating in the Aquarium Fish Fishery.</p> <p>It is an offence to interact with any EPBC-listed species in Commonwealth waters, and harvest of these species is only permissible with a permit issued under relevant sections of the EPBC Act. No such permits have been granted for persons operating in the Aquarium Fish Fishery.</p> <p>The department has become aware that a Marine Parks permit issued by GBRMPA could create confusion as to whether EPBC Act protected species can be harvested. However, GBRMPA has undertaken to review their permit conditions to address this risk. Given there no export approval is proposed for protected species (other than Conservation Dependent species), the risk of protected species being harvested is low and the fishery is unlikely to adversely affect the survival or recovery in nature of any protected species.</p>
Division 3 Whales and other cetaceans, Section 245 Minister may accredit plans or regimes	Comment

<p>(f) Will the plan, regime or policy require fishers to take all reasonable steps to ensure that cetaceans are not killed or injured as a result of the fishing?</p>	<p>Partly meets. Impacts of the fishery on cetacean species were not assessed in QDAF's ecological risk assessment but are likely to be relatively low given the hand-collection fishing methods used. QDAF has confirmed that there have been no reported interactions with cetacean species by fishers operating in the Aquarium Fish Fishery and although there is some potential for GBRMPA permit conditions to be misinterpreted, GBRMPA has undertaken to review these conditions. Fishers also do not appear to be harvesting EPBC Act protected species and the export approval for the fishery is not proposed to extend to any EPBC Act protected species, other than Conservation Dependent species. All other measures require fishers to take all reasonable steps to prevent the killing or injuring of members of cetacean species.</p>
<p>(g) And, is the fishery likely to adversely affect the conservation status of a species of cetacean or a population of that species?</p>	<p>No - The fishery is unlikely to adversely affect the conservation status of a cetacean species or a population of that species. QDAF has confirmed that there have been no reported interactions with cetacean species by fishers operating in the Aquarium Fish Fishery. It is an offence to interact with any EPBC-listed species in Commonwealth waters, and harvest of these species is only permissible with a permit issued under relevant sections of the EPBC Act. No such permits have been granted for persons operating in the Aquarium Fish Fishery. The department has become aware that Marine Parks permits issued by GBRMPA could create confusion as to whether EPBC Act protected species can be harvested. However, GBRMPA has undertaken to review their permit conditions to address this risk. Given there no export approval is proposed for protected species (other than Conservation Dependent species), the risk of protected species being harvested is low and the fishery is unlikely to adversely affect the survival or recovery in nature of any protected species.</p>
<p>Division 4 Listed marine species, Section 265 Minister may accredit plans or regimes</p>	<p>Comment</p>
<p>(f) Will the plan, regime or policy require fishers to take all reasonable steps to ensure that members of listed marine species are not killed or injured as a result of the fishing?</p>	<p>Partly meets. Impacts of the fishery on listed marine species were not assessed in QDAF's ecological risk assessment but are likely to be relatively low given the hand-collection fishing methods used. QDAF has confirmed that there have been no reported interactions with listed marine species by fishers operating in the Aquarium Fish Fishery and although</p>

	<p>there is some potential for GBRMPA permit conditions to be misinterpreted, GBRMPA has undertaken to review these conditions. Fishers also do not appear to be harvesting EPBC Act protected species and the export approval for the fishery is not proposed to extend to any EPBC Act protected species, other than Conservation Dependent species.</p> <p>All other measures require fishers to take all reasonable steps to prevent the killing or injuring of members of listed marine species.</p>
<p>(g) And, is the fishery likely to adversely affect the conservation status of a listed marine species or a population of that species?</p>	<p>No - The fishery is unlikely to adversely affect the conservation status of a listed marine species or a population of that species.</p> <p>QDAF has confirmed that there have been no reported interactions with listed marine species by fishers operating in the Aquarium Fish Fishery.</p> <p>It is an offence to interact with any EPBC-listed species in Commonwealth waters, and harvest of these species is only permissible with a permit issued under relevant sections of the EPBC Act. No such permits have been granted for persons operating in the Aquarium Fish Fishery.</p> <p>The department has become aware that Marine Parks permits issued by GBRMPA could create confusion as to whether EPBC Act protected species can be harvested. However, GBRMPA has undertaken to review their permit conditions to address this risk. Given there no export approval is proposed for protected species (other than Conservation Dependent species), the risk of protected species being harvested is low and the fishery is unlikely to adversely affect the survival or recovery in nature of any protected species.</p>
<p>Section 303AA Conditions relating to accreditation of plans, regimes, and policies</p>	<p>Comment</p>
<p>(1) This section applies to an accreditation of a plan, regime or policy under section 208A, 222A, 245 or 265.</p>	<p>The Department recommends that the management regime for the Queensland Aquarium Fish Fishery be accredited under sections 208A, 222A, 245 and 265.</p>
<p>(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:</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 accreditation is to specify the period, circumstances or condition.</p>	<p>The Department considers that no conditions are required for the accreditation of the management regime for the fishery under Part 13.</p>

Part 13A – International movement of wildlife specimens

Section 303BA Objects of Part 13A	
<p>(1) The objects of this Part are as follows:</p> <ul style="list-style-type: none"> (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; and (h) to ensure the precautionary principle is taken into account in making decisions relating to the utilisation of wildlife. 	<p>The management arrangements for the fishery have been assessed as generally consistent with the general guidance provided in the objects of Part 13A as:</p> <ul style="list-style-type: none"> • the fishery will only harvest Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) listed species in accordance with conditions on the relevant CITES Non-Detriment Findings. • there are management arrangements in place to ensure that the resource is being managed in an ecologically sustainable way • the operation of the fishery is unlikely to be unsustainable and threaten biodiversity within the next three 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. <p>To ensure risks to all species can be effectively monitored and managed, reporting of catch should be undertaken to species level wherever possible. Where species-level reporting is not possible, these species must be monitored and managed in a precautionary way.</p> <p>Species-level reporting for any CITES-listed, Conservation Dependent or overfished species must be undertaken as a priority.</p> <p>The fishery’s previous Part 13A export approval allowed the take of CITES-listed hammerhead sharks, but QDAF does not require the catch of these species to be reported at species-level. Instead, any catch is reported under “sharks and rays” or “shark – unspecified” categories.</p> <p>Although the size of the sharks taken for live export are likely to be relatively small and few in number, CITES-listed species in particular must be accurately accounted for.</p> <p>The catch data provided by QDAF also reported that 232 CITES-listed Humphead Maori Wrasse were landed in the period 2011-2020, including 175 animals in 2019. QDAF has advised that the actual number was three Humphead Maori Wrasse, and all of these were caught in the Commonwealth Coral Sea Fishery, not the Queensland Aquarium Fish Fishery.</p> <p>Improvements to data reporting and data management are recommended to ensure risks to all species can be effectively managed.</p>

Section 303 CG Minister may issue permits (CITES species)	Comment
<p>(3) The Minister must not issue a permit unless the Minister is satisfied that:</p> <p>(a) the action or actions specified in the permit will not be detrimental to, or contribute to trade which is detrimental to:</p> <p>(i) the survival of any taxon to which the specimen belongs; or</p>	<p>Hammerhead sharks can be harvested in the Aquarium Fish Fishery using a single barbless hook or a small seine net. Catches must be reported using QDAF approved logbooks but are not required to be reported to species level. It is unclear how many hammerhead sharks have been reported under “sharks and rays” or “shark – unspecified” categories, but the total number of sharks reported under these two categories combined has averaged less than 116 animals per year (2011-2020). Given the maximum size limit of 1.5 metres that applies to hammerhead sharks in the Aquarium Fish Fishery, even if all of the unidentified sharks were hammerhead sharks, these catches are unlikely to have any significant impact on the overall sustainability of hammerhead stocks. Catches from the Aquarium Fish Fishery are also not deducted from the 150-tonne quota for hammerhead sharks that is applied to the Gulf of Carpentaria Inshore Fin Fish Fishery and the East Coast Inshore Fin Fish Fishery. Catches of hammerhead sharks in Queensland fisheries have been well below the annual 150 tonne quota for some time and so catches in the Aquarium Fish Fishery are not only consistent with the Australia’s non-detriment finding under CITES for hammerhead sharks (2014), but also unlikely to impact the conservation status of the species.</p> <p>The submission from QDAF also reported 232 Humphead Maori Wrasse were harvested in the period 2011-2020, with 175 reported in 2019. This species is not permitted to be taken in the Queensland Aquarium Fish Fishery at the level reported in 2019 significantly exceeded Australia’s catch limits. QDAF has since confirmed that all Humphead Maori Wrasse were caught in the Commonwealth Coral Sea Fishery. Up until 2019 QDAF was contracted by the Australian Fisheries Management Authority to collect records for the Coral Sea Fishery. QDAF advised that the records for Humphead Maori Wrasse had been incorrectly assigned to the Queensland Aquarium Fish Fishery. QDAF also clarified that the reported 175 Humphead Maori Wrasse in 2019 was actually only three animals, all taken from the Coral Sea Fishery. No Humphead Maori Wrasse had been taken from the Queensland Aquarium Fish Fishery and Australia’s catch limits had not been exceeded.</p> <p>QDAF has undertaken to correct these records and conditions six and eight outlined in Section 2 of this report seek to improve data collection, monitoring and management.</p>

<p>(ii) the recovery in nature of any taxon to which the specimen belongs; or</p>	<p>Scalloped Hammerhead Sharks are currently listed in the Conservation Dependent Threatened Species category under the EPBC Act. Harvest limits are in place for all hammerhead sharks and catches in Queensland waters are well below the levels estimated to be sustainable. Although catches from the Aquarium Fishery are unlikely to contribute significantly to the total catch of hammerhead species or influence the species' sustainability, it is important that all catches be recorded in a way that allows all removals to be accounted for in managing the species.</p>
<p>(iii) any relevant ecosystem (for example, detriment to habitat or biodiversity); and</p>	<p>Recognising the nature of harvest and gear used in the fishery (e.g. hand collection), the potential for the fishery to impact unacceptably and unsustainably on any relevant ecosystem generally is considered quite low. The Department is satisfied that the fishery is conducted in a manner that minimises the impact of fishing operations on the ecosystem generally.</p>
<p>Section 303DC Minister may amend list (non-CITES species)</p>	<p>Comment</p>
<p>(1) The Minister may, by legislative instrument, amend the list referred to in section 303DB [list of exempt native specimens] by:</p> <p>(a) doing any of the following:</p> <p>(i) including items in the list;</p> <p>(ii) deleting items from the list;</p> <p>(iii) imposing a condition or restriction to which the inclusion of a specimen in the list is subject;</p> <p>(iv) varying or revoking a condition or restriction to which the inclusion of a specimen in the list is subject; or</p> <p>(b) correcting an inaccuracy or updating the name of a species.</p>	<p>The Department recommends that specimens that are or are derived from fish or invertebrates harvested in the Queensland Aquarium Fish Fishery, as defined in the management regime in force under the Queensland <i>Fisheries Act 1994</i>, Fisheries (General) Regulation 2019, Fisheries (Commercial Fisheries) Regulation 2019, Fisheries Declaration 2019, Fisheries Quota Declaration 2019, and the Queensland <i>Marine Parks Act 2004</i> and Marine Parks Regulations 2019. The Commonwealth <i>Great Barrier Reef Marine Park Act 1975</i> and Great Barrier Reef Marine Park Regulations 2019 also apply to operations in the Great Barrier Reef Marine Park, but not including</p> <p>(a) specimens that belong to taxa listed under section 209 of the EPBC Act (Australia's List of Migratory Species), or</p> <p>(b) specimens that belong to taxa listed under section 248 of the EPBC Act (Australia's List of Marine Species), or</p> <p>(c) specimens that belong to eligible listed threatened species, as defined under section 303BC of the EPBC Act, or</p> <p>(d) specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia's CITES List).</p> <p>be included in the list of exempt native specimens while the Queensland Aquarium Fish Fishery is subject to a declaration as an approved wildlife trade operation.</p>

<p>(1A) In deciding to amend the LENS, the Minister must rely primarily on outcomes an assessment under Part 10, Divisions 1 or 2</p>	<p>Not applicable. There has been no request or agreement to assess the fishery under Part 10 Division 1, and the fishery is not managed by the Commonwealth, so Part 10, Division 2 does not apply.</p>
<p>(1C) The above does not limit matters that may be considered when deciding to amend LENS.</p>	<p>Meets. Although there is no strategic assessment under Part 10 of the EPBC Act, the Department considers its assessment has taken into account all matters relevant to making an informed decision to amend the list of exempt native specimens to include product taken in this fishery.</p>
<p>(3) Before amending the LENS, the Minister must consult:</p> <ul style="list-style-type: none"> (a) other Minister or Ministers as appropriate; and (b) other Minister or Ministers of each State and self-governing Territory as appropriate; and (c) other persons and organisations as appropriate. 	<p>Meets. The submission from the Queensland Department of Agriculture and Fisheries was made available on the Department's website from 22 February 2021 until 25 March 2021. No comments were received.</p>
Section 303FN Approved wildlife trade operation	Comment
<p>(3) The Minister must not declare an operation as an approved wildlife trade operation unless the Minister is satisfied that:</p> <ul style="list-style-type: none"> (a) the operation is consistent with the objects of Part 13A of the Act; and (b) the operation will not be detrimental to: <ul 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 (ba) the operation will not be likely to threaten any relevant ecosystem including (but not limited to) any habitat or biodiversity; and 	<p>Partly meets. The fishery is consistent with Objects of 13A and unlikely to be detrimental to the survival or conservation status of a taxon to which it relates, nor will it threaten any relevant ecosystem, within the next 3 years, given the management measures in place, which include limits on the number of available fishing licences, gear, effort and access restrictions and size limits apply for some species. There are however no limits on the total number of fish that can be harvested and catch reporting could also be improved to more effectively monitor and manage risks to species. There is also no ecological risk assessment for the effects of fishing on the environment or ecosystem.</p>
<ul style="list-style-type: none"> (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>Not applicable. The Environment Protection and Biodiversity Conservation Regulations 2000 (EPBC Regulations) do not specify Crustacea or fish as a class of animal in relation to the welfare of live specimens.</p>
<ul style="list-style-type: none"> (d) such other conditions (if any) as are specified in the regulations have been, or are likely to be, satisfied. 	<p>Not applicable. 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>Meets. The fishery will not have a significant impact on any relevant ecosystem within the next 3 years, given the management measures currently in place, which include the arrangements described above at s303FN 3(ba).</p>
<p>(b) the effectiveness of the management arrangements for the operation (including monitoring procedures).</p>	<p>Meets. The management arrangements that will be employed for the fishery as outlined in the assessment against the Guidelines (above), 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>Meets. The fishery will be managed under the Queensland <i>Fisheries Act 1994</i>, Fisheries (General) Regulation 2019, Fisheries (Commercial Fisheries) Regulation 2019, Fisheries Declaration 2019, Fisheries Quota Declaration 2019, and the Queensland <i>Marine Parks Act 2004</i> and Marine Parks Regulations 2019. The Commonwealth <i>Great Barrier Reef Marine Park Act 1975</i> and Great Barrier Reef Marine Park Regulations 2019 also apply to operations in the Great Barrier Reef Marine Park. The Queensland <i>Fisheries Act 1994</i> applies throughout all Queensland waters. 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> <p>(a) the operation is a commercial fishery.</p>	<p>Meets. The Queensland Aquarium Fish Fishery is a commercial fishery.</p>

<p>(10A) In deciding whether to declare that a commercial fishery is an approved wildlife trade operation for the purposes of this section, the Minister must rely primarily on the outcomes of any assessment in relation to the fishery carried out for the purposes of Division 1 or 2 of Part 10.</p> <p>(10B) Subsection (10A) does not limit the matters that may be taken into account in deciding whether to declare that a fishery is an approved wildlife trade operation for the purposes of this section.</p>	<p>Although there is no strategic assessment under Part 10 of the EPBC Act, the Department considers its assessment has taken into account all matters relevant to making an informed decision to amend the list of exempt native specimens to include product taken in this fishery.</p> <p>Not applicable. There has been no request or agreement to assess the fishery under Part 10 Division 1, and the fishery is not managed by the Commonwealth, so Part 10 Division 2 does not apply.</p>
<p>Section 303FR Public consultation</p>	<p>Comment</p>

<p>(1) Before making a declaration under section 303FN, the Minister must cause to be published on the Internet a notice:</p> <p>(a) setting out the proposal to make the declaration; and</p> <p>(b) setting out sufficient information to enable persons and organisations to consider adequately the merits of the proposal; and</p> <p>(c) inviting persons and organisations to give the Minister, within the period specified in the notice, written comments about the proposal.</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>(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>Meets.</p> <p>The submission from the Queensland Department of Agriculture and Fisheries was made available on the Department's website from 22 February 2021 until 25 March 2021.</p> <p>No comments were received.</p>
Section 303FT Additional provisions relating to declarations	Comments
<p>(1) This section applies to a declaration made under section 303FN, 303FO or 303FP.</p>	<p>A declaration for the Queensland Aquarium Fish Fishery will be made under section 303FN.</p>
<p>(4) The Minister may make a declaration about a plan or operation even though he or she considers that the plan or operation should be the subject of the declaration only:</p> <p>(a) during a particular period; or</p> <p>(b) while certain circumstances exist; or</p> <p>(c) while a certain condition is complied with.</p> <p>In such a case, the instrument of declaration is to specify the period, circumstances or condition.</p>	<p>The standard conditions applied to commercial fishery wildlife trade operations include:</p> <ul style="list-style-type: none"> • operation in accordance with the management regime • notifying the Department of changes to the management regime, and • annual reporting in accordance with the requirements of the Australian Government Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition. <p>The wildlife trade operation instrument for the Queensland Aquarium Fish Fishery specifies the standard and any additional conditions applied.</p>
<p>(8) A condition may relate to reporting or monitoring.</p>	<p>One of the standard conditions relates to reporting.</p>
<p>(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.</p>	

Part 16 – Precautionary principle and other considerations in making decisions

Section 391 Minister must consider precautionary principle in making decisions	Comment
<p>(1) Minister must take account of the precautionary principle in making a decision, to the extent that the decision is consistent with other provisions under 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>Partly meets.</p> <p>Given the measures proposed for introduction this year, under the harvest strategy for the fishery and 2021, including: monitoring of stocks against prescribed performance measures and the used of highly selective fishing methods, precautionary measures are considered to be in place to prevent serious or irreversible environmental damage being caused by this fishery. These measures would be improved by improving species-level reporting and updating the ecological risk assessment for the fishery. These improvements have been recommended as conditions on the proposed Part 13 and 13A approvals.</p> <p>The management regime, when supported by these conditions is expected to be sufficient to prevent serious or irreversible environmental damage being caused by this fishery.</p>

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