



Australian Government

Department of the Environment and Energy

Assessment of the
**Take of Gould's Squid in the Tasmanian Scalefish
Fishery**

August 2016

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This report should be attributed as '*Assessment of the Take of Gould's Squid in the Tasmanian Scalefish Fishery August 2016*, Commonwealth of Australia 2016'.

Disclaimer

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

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SECTION 1: SUMMARY OF THE ASSESSMENT FOR THE TAKE OF GOULD'S SQUID IN THE TASMANIAN SCALEFISH FISHERY AGAINST THE GUIDELINES FOR THE ECOLOGICALLY SUSTAINABLE MANAGEMENT OF FISHERIES (2ND EDITION)

Purpose: To enable transparent articulation of which commercial fisheries assessed under the EPBC Act clearly meet all legislative requirements and all Guidelines, and those which may require further investigation or assessment to demonstrate requirements are met.

Overview of the take of Gould's Squid in the Tasmanian Scalefish Fishery against the relevant requirements of the Guidelines and the EPBC Act.

Guidelines	Meets	Partially meets	Does not meet	Details
Management regime	8 of 9 1 of 9 N/a			The management regime is effective. Management arrangements for the take of Gould's Squid in the Tasmanian Scalefish Fishery (the fishery) are regulated by the Fisheries (Scalefish) Rules 2015 and closely monitored by the Department of Primary Industries, Parks, Water and Environment (DPIPWE). Management is transparent, information is publically accessible, and the general public is involved in consultation processes.
Principle 1 (target stocks)	7 of 11 2 of 11 N/a	2 of 11		Target stocks are generally well managed. There is a reliable level of data collection and a robust assessment of the dynamics of the fishery. However, the productivity of the fished stock is currently being estimated and the reference points that would trigger a management response are currently under development. No biological bottom line or effort upper limit is specified in the management arrangements. Relatively low catch levels compared to historic catches together with the biological characteristics of the target species (short lived, highly fecund and fast growing) mean the stock is unlikely to be susceptible to overfishing in the near future. Additionally, the management arrangements are sufficient to maintain fishing pressure at a sustainable level which is unlikely to lead to overfishing.
Principle 2 (bycatch and TEPS)	3 of 12 8 of 12 N/a	1 of 12		Risks to bycatch and protected species are minimal. Bycatch is considered negligible due to the highly selective fishing method and gear (i.e. automatic squid jig/hand jig). Licensed automatic squid jig operators are prohibited from retaining any species other than Gould's Squid and the risk of interacting with threatened, endangered or protected species is considered low. However, there is no reporting mechanism in place to ensure bycatch remains negligible.
Principle 2 (ecosystem impacts)	2 of 5 3 of 5 N/a			Ecological risk is inherently low due to the fishing method used An ecological risk assessment (ERA) for the fishery has been finalised and is expected to be published in 2016. The ERA reports that the use of automatic squid jigs/hand jigs pose a negligible to low risk to species, habitats or

				communities. Due to the limited licences in the fishery, the highly selective fishing method and a relatively low catch comparative to historical quotas, the harvest of Gould's Squid in the fishery is considered to have no significant impact on the wider marine ecosystem.
EPBC requirements				
Part 12				Not applicable. There is no fishing activity within areas covered by a bioregional plan.
Part 13				Not applicable. No Part 13 assessment required as no fishing activity occurs in the Commonwealth marine area.
Part 13A	1 of 3 1 of 3 N/a	1 of 3		The Department considers that the amendment of the list of exempt native specimens to include Gould's Squid taken in the fishery would be consistent with the provisions of Part 13A. There is limited consultation if LENS is amended, although it is sufficient for strict requirements, as per advice to Minister in MS14-002367.
Part 16	1 of 1			The Department has accounted for the precautionary principle in the preparation of its advice.
<p>Conclusion: Gould's Squid (<i>Nototodarus gouldi</i>) is harvested by automatic squid jig machines and hand jigs. While there has been an overall decline in harvest levels across the Gould's Squid biological stock since the peak fishing effort in 1997, the decline is considered a result of economic factors. Gould's Squid is short lived, highly fecund, and fast growing. This means the species can rapidly increase in numbers during favourable environmental conditions and is therefore less susceptible to overfishing than longer lived species. Management arrangements control the level of take through input controls such as limiting the number of participants and enforcing vessel size limits. There are no bycatch, protected species or wider ecosystem concerns with this fishery, therefore it meets all environmental requirements of the EPBC Act and most of the Guidelines.</p>				
<p>Final recommendation for 2016 assessment of the take of Gould's Squid taken in the Tasmanian Scalefish Fishery: Low risk, eligible for 10 year approval (2016-2026).</p>				

Notes:

Assessment history:

The assessment history, including agency application for the Gould's Squid Fishery is available on the Departments website at <http://environment.gov.au/marine/fisheries/tas/goulds-squid>.

1st assessment finalised June 2014 – Exempt from export provisions of Part 13A of the EPBC Act until 19 June 2019 (F2014L00822). Export approval was subject to five recommendations.

Fishery reporting:

Annual report – A formal assessment report is undertaken by the Institute for Marine and Antarctic Studies (IMAS) annually.

Protected species interactions – interactions are negligible due to the selective harvest method (automatic squid jig / hand jig).

Key links and references:

The fishery is managed in accordance with provisions in the following Tasmanian legislation and regulations, and is available at <https://www.legislation.tas.gov.au/>:

- *Tasmanian Living Marine Resources Management Act 1995*
- *Fisheries (Scalefish) Rules 2015*
- *Fisheries Rules 2009*

Department of Primary Industries, Parks, Water and Environment 'Commercial Scalefish Fishery' webpage – <http://dpiwwe.tas.gov.au/sea-fishing-aquaculture/commercial-fishing/scalefish-fishery/commercial-scalefish>.

Emery T, Bell J, Lyle J, and Hartmann K 2014 'Tasmanian Scalefish Fishery assessment 2013-14', Institute for Marine and Antarctic Studies, Hobart TAS, Available at http://www.imas.utas.edu.au/__data/assets/pdf_file/0011/778556/Scalefish-Assessment_2013_2014-Web.pdf.

Fisheries Research and Development Corporation (FRDC) 2014 'Status of Key Australian Fish Stocks Reports 2014', pp. 132-137, Available at http://www.fish.gov.au/Pages/SAFS_Report.aspx.

Department of the Environment and Heritage n.d '*Fishing risk assessment for the development of a representative system of Marine Protected Areas in the south-east marine region – report of the Technical Working Group*', unpublished report, Department of Environment and Heritage, Canberra ACT.

Bell JD, Lyle JM, Andre J and Harmann K 2016 'Tasmanian Scalefish Fishery: Ecological risk assessment, May 2016', Institute for Marine and Antarctic Studies, Hobart TAS, Available at http://www.imas.utas.edu.au/__data/assets/pdf_file/0003/868215/ERA_report_TasmanianScalefishFishery-FINAL-REPORT.pdf.

SECTION 2: DETAILED ANALYSIS OF THE TAKE OF GOULD'S SQUID IN THE TASMANIAN SCALEFISH FISHERY AGAINST THE GUIDELINES FOR THE ECOLOGICALLY SUSTAINABLE MANAGEMENT OF FISHERIES (2ND EDITION)

Guidelines	Meets	Partially meets	Does not meet	Comment
THE MANAGEMENT REGIME				
The management regime does not have to be a formal statutory fishery management plan as such, and may include non-statutory management arrangements or management policies and programs. The regime should:				
Be documented, publicly available and transparent	Meets.			Management arrangements are documented, publicly available and transparent. Fisheries under Tasmanian jurisdiction are administered through the provisions of the Tasmanian <i>Living Marine Resources Management Act 1995</i> (the LMRM Act) and its subordinate legislation. The Fisheries (Scalefish) Rules 2015 (Scalefish Rules) is the overarching legislation for take of Gould's Squid in the Tasmanian Scalefish Fishery (the fishery). All Tasmanian legislation is available at www.thelaw.tas.gov.au . Information on the fishery is also available on the Department of Primary Industries, Parks, Water and Environment (DPIPWE) website (see link above). DPIPWE's website contains information regarding the policy framework for the management of Tasmanian fisheries.
Be developed through a consultative process providing opportunity to all interested and affected parties, including the general public	Meets.			All changes to a management regime must be released for public consultation with all stakeholders and the wider public.
Ensure that a range of expertise and community interests are involved in individual fishery management committees and during the stock assessment process	Meets.			Advisory committees are formed under the LMRM Act to provide advice to the Tasmanian Minister on the management of Tasmanian fisheries, including considerations for stock viability. To ensure a range of expertise and community interests are represented, these advisory committees include a range of expertise from the recreational fishery, management, police, scientists and broader community. Relevant fishing industry representatives are also provided membership to the relevant advisory committee to ensure appropriate representation and consultative processes. The commercial sector is also represented by the Tasmanian Seafood Industry Council.
Be strategic, containing objectives and performance criteria by which the effectiveness of the management arrangements are measured	Meets.			The objectives and performance measures for assessing the effectiveness of management arrangements for harvesting Gould's Squid are contained in the annual Institute for Marine and Antarctic Studies (IMAS) fishery assessment reports. The performance measures are currently under review to further refine their effectiveness in assessing the management arrangements. This review is subject to assessment processes in the Commonwealth Southern Squid Jig Fishery (SSJF).
Be capable of controlling the level of harvest in the fishery using input and/or output controls	Meets.			The dedicated squid fishery—the auto jig sector—is input-control managed through limited entry and vessel size limits. There is a maximum of 18 fishing licences (automatic squid jig) granted in the fishery. The fishing

	licence authorises the holder to use not more than four automatic squid jig machines, fish attraction lamps and lines to take Gould's Squid. The licence is limited to the harvest of Gould's Squid and does not authorise the take and/or possession of any other type of fish or bycatch. Under the Scalefish Rules there are limits set for the length of vessels. The vessel length limits restrict the maximum number of squid jigs that can fit on a vessel and consequently cap the amount of effort that can be exerted in the fishery. Scalefish licence holders that do not hold a fishing licence (automatic squid jig) are restricted to the use of not more than four automatic squid jig machines and lights of no more than a total of 2000 watts.
Contain the means of enforcing critical aspects of the management arrangements	Meets. The Scalefish Rules contain a grade of penalty attached to each rule, which is imposed by the Court if an offence is proven. Also, provisions apply for infringement notices with mandated smaller penalties—which can be issued at discretion by a fisheries officer for lesser or first offences. Enforcement of these rules is undertaken by Tasmania Police, who are authorised fishery officers under the LMRM Act.
Provide for the periodic review of the performance of the fishery management arrangements and the management strategies, objectives and criteria	Meets. All fishery management rules are subject to periodical formal review – generally every ten years. However, if issues arise then more specific reviews can be undertaken and statutory management changes made as required. IMAS conduct annual fishery assessments and produce reports that include the performance measures in place for the fishery and reports against those measures using standardised methodology.
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	Meets. Given the highly selective nature of the fishing gear used, interactions with threatened, endangered or protected species (TEPS) is not a concern for this fishery. Available information suggests that the current take of Gould's Squid in Australian waters is very low in comparison to historical catch levels. Current management arrangements are sufficient and any adverse impacts on the wider marine ecosystem are unlikely (see section 1.1.5).
Requires compliance with relevant threat abatement plans, recovery plans, the National Policy on Fisheries Bycatch, and bycatch action strategies developed under the policy	Not applicable. There are no relevant plans or strategies relating to threat abatement, recovery or bycatch with which the fishery is required to be compliant.
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	Meets. There is no formal observer program, which is not inappropriate given the small size of the fishery. Instead, information gathered is based around fishing returns and the analysis of catch, effort, and catch per unit effort (CPUE).

<p>appropriate mix of fishery independent and dependent research and monitoring.</p>	<p>The Commercial Catch, Effort and Disposal Record (formerly known as the General Fishing Returns and Scalefish Fishing Record) has been amended several times to provide finer spatial scales and greater operational detail. Current reporting practices are now aligned with the national methodology for reporting on fishery performance.</p> <p>The Gould's Squid chapter in the Status of Key Australian Fish Stocks (SAFS) Reports 2014 (FRDC 2014) reported on the state of Gould's Squid at a whole of stock level, providing a cross-jurisdictional stock analysis. The stock is currently reported as sustainable.</p>
<p>Assessment</p>	
<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>Meets.</p> <p>Fishery assessment reports are produced by IMAS and are the primary vehicle for reporting on Gould's Squid taken in Tasmanian waters. As suggested above, this report has now been aligned with the national methodology for reporting on fishery performance. The Australian Bureau of Agricultural and Resource Economics and Sciences also conduct an annual assessment of the Commonwealth SSJF that must account for catches taken in other jurisdictions, including Tasmania. The SAFS Report 2014 (FRDC 2014) provides a consistent format and approach for reporting on the performance of squid fisheries across jurisdictions. DPIPWE will utilise this information to inform local management practices.</p>
<p>1.1.3 The distribution and spatial structure of the stock(s) has been established and factored into management responses.</p>	<p>Meets.</p> <p>Distribution and spatial structure is not factored into management responses. However, there is assumed to be a single biological stock of Gould's Squid throughout southern Australian waters and harvest is managed accordingly. Genetic studies are limited, but support this hypothesis.</p>
<p>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.</p>	<p>Meets.</p> <p>Logbooks and catch disposal records give reliable estimates of removals from the Tasmanian fishery and catch from the Commonwealth SSJF is considered in stock assessments.</p> <p>A survey of recreational fishing in Tasmania is conducted every five years. The recreational harvest is factored into local stock assessment. Although no estimate of Indigenous harvest of Gould's squid has been provided, the catch is considered to be low.</p>
<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>Partially meets.</p> <p>No comprehensive stock assessment exists for Gould's Squid. However, Gould's Squid is short lived (<1 year), spawn multiple times during their life, and display highly variable growth and size/age at maturity. These characteristics mean that the species can rapidly increase in numbers during favourable environmental conditions and is therefore less susceptible to overfishing than longer lived species.</p> <p>There has been an overall decline in harvest levels by other fisheries across the Gould's Squid biological stock. The total fishing effort in the Commonwealth SSJF has decreased markedly since the peak fishing effort in 1997, to a historical low in 2014. Fishing effort from Commonwealth Trawl fisheries has also substantially decreased since 2000. The fall in fishing effort levels is considered a result of economic factors rather than long term changes in Gould's Squid catch rates. This indicates that the current level of fishing mortality is unlikely to cause the biological stock to become recruitment overfished.</p>

	The peak historical catch of Gould's Squid in south-eastern Australian waters is estimated at 7,914 tonnes for the 1979–80 fishing season. A preliminary analysis of biological stock depletion off western Victoria by foreign fishing during the early 1980s, and for the domestic fishery for the period 1995 to 2006, suggests that jigging or demersal trawling had not resulted in overfishing during these seasons. Comparative to these historical harvests, the total commercial catch of Gould's Squid in 2013 was 1,866 tonnes. These findings suggest that the current harvesting levels across the south-eastern Australian Gould's Squid biological stock is sustainable.
Management responses	
1.1.6 There are reference points (target and/or limit), that trigger management actions including a biological bottom line and/or a catch or effort upper limit beyond which the stock should not be taken.	Partially meets. The Tasmanian Gould's Squid Fishery has no biological bottom line or an effort upper limit specified in the management regime. Reference points are contained within the annual fishery assessment reports. The reference points are currently under review to further refine their effectiveness in assessing the management arrangements.
1.1.7 There are management strategies in place capable of controlling the level of take.	Meets. Management controls are in the form of input controls on the number of participants and vessel size limits. There are 18 licences that allow targeting of Gould's Squid using four or more automatic squid jig machines. Under the Scalefish Rules there are limits set for the length of vessels. The vessel length limits restrict the maximum number of squid jigs that can fit on a vessel and consequently cap the amount of effort that can be exerted in the fishery.
1.1.8 Fishing is conducted in a manner that does not threaten stocks of byproduct species.	Meets. There are no concerns for byproduct species identified in the fishery, due to the high selectivity of the fishing gear used for the target species (i.e. automatic squid jig/hand jig). This view is supported by the experience and data collected in the Commonwealth SSJF. The Commonwealth SSJF operates in adjacent waters with dual licensed (Commonwealth and Tasmanian) fishers operating in both fisheries.
(Guidelines 1.1.1 to 1.1.7 should be applied to byproduct species to an appropriate level)	
1.1.9 The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.	Meets. The capability of the management strategy to constrain the harvest of Gould's Squid to within sustainable levels is high.
If overfished, go to Objective 2:	
If not overfished, go to PRINCIPLE 2:	
Objective 2 - Where the fished stock(s) are below a defined reference point, the fishery will be managed to promote recovery to ecologically viable stock levels within nominated timeframes.	
Management responses	
1.2.1 A precautionary recovery strategy is in place specifying management actions, or staged management responses, which are	Not applicable.

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.	Stocks are considered robust and are not in a recovery state. Therefore, no specific management arrangements are in place to address a precautionary recovery response.
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.	Not applicable. Not currently classified as overfished.
PRINCIPLE 2 - Fishing operations should be managed to minimise their impact on the structure, productivity, function and biological diversity of the ecosystem.	
Objective 1 - The fishery is conducted in a manner that does not threaten bycatch species.	
Information requirements	
2.1.1 Reliable information, appropriate to the scale of the fishery, is collected on the composition and abundance of bycatch.	Partially meets. While bycatch is considered negligible due to the highly selective fishing method, i.e. automatic squid jig / hand jig, there is no reporting mechanism in place.
Assessments	
2.1.2 There is a risk analysis of the bycatch with respect to its vulnerability to fishing.	Meets. DPIPWE advise that an ecological risk analysis (ERA) has been finalised and is expected to be published in 2016 for the Tasmanian Scalefish Fishery, including the harvest of Gould's Squid (see Bell <i>et al.</i> 2016). An ERA conducted for the Commonwealth SSJF found no species, habitats or communities to be at risk from squid fishing activities in waters adjacent to the Tasmanian fishery. Similarly, the ERA for the Tasmanian Scalefish Fishery reported the use of automatic squid jigs/hand jigs pose a negligible to low risk to species, habitats or communities (Bell <i>et al.</i> 2016).
Management responses	
2.1.3 Measures are in place to avoid capture and mortality of bycatch species unless it is determined that the level of catch is sustainable (except in relation to endangered, threatened or protected species). Steps must be taken to develop suitable technology if none is available.	Not applicable. No management measures are in place to specifically address the capture or mortality of bycatch. However, bycatch in this fishery is considered negligible due to the highly selective fishing method, i.e. automatic squid jig / hand jig. Furthermore, licensed automatic squid jig operators are prohibited from retaining any species other than Gould's Squid and the risk of interacting with endangered, threatened or protected species is considered low.
2.1.4 An indicator group of bycatch species is monitored.	Not applicable.

	No specific indicator group has been identified as the ERA for the Commonwealth SSJF has indicated this method of fishing poses low risk to bycatch species. Recorded catch is continually monitored by DPIPWE for any noticeable change.
2.1.5 There are decision rules that trigger additional management measures when there are significant perturbations in the indicator species numbers.	Not applicable. Bycatch rates have been negligible for this fishery. Therefore management is focussed on target species only.
2.1.6 The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.	Not applicable. No management response is necessary, given the risk to bycatch species has been identified as low.
Objective 2 - The fishery is conducted in a manner that avoids mortality of, or injuries to, endangered, threatened or protected species and avoids or minimises impacts on threatened ecological communities.	
Information requirements	
2.2.1 Reliable information is collected on the interaction with endangered, threatened or protected species (TEPS) and threatened ecological communities (TECs).	Meets. Any interactions with TEPS is required to be recorded in the mandatory logbooks.
Assessments	
2.2.2 There is an assessment of the impact of the fishery on endangered, threatened or protected species.	Meets. Interactions with TEPS is considered negligible to zero. However, fishers are legally required to record any interactions in the mandatory logbooks and DPIPWE continually monitor the fishing operations.
2.2.3 There is an assessment of the impact of the fishery on threatened ecological communities.	Not applicable. The harvest of Gould's Squid occurs in waters between 58 m and 65 m in depth. Therefore, there is limited interaction with the Giant Kelp Marine Forests of South East Australia ecological community that occurs in shallower waters.
Management responses	
2.2.4 There are measures in place to avoid capture and/or mortality of endangered, threatened or protected species.	Not applicable. As per 2.2.2
2.2.5 There are measures in place to avoid impact on threatened ecological communities.	Not applicable. As per 2.2.3
2.2.6 The management response, considering uncertainties in the assessment	Not applicable.

and precautionary management actions, has a high chance of achieving the objective.	No management response necessary due to the fishery having negligible to zero interactions with protected species or ecological communities.
Objective 3 - The fishery is conducted, in a manner that minimises the impact of fishing operations on the ecosystem generally.	
Information requirements	
2.3.1 Information appropriate for the analysis in 2.3.2 is collated and/or collected covering the fisheries impact on the ecosystem and environment generally.	Meets. The take of Gould's Squid has minimal impacts on the wider ecosystem due to the relatively benign nature of the harvesting method (i.e. automatic squid jig/hand jig). However, information collected to conduct an ERA for the Commonwealth SSJF has been considered by DPIPWE in the establishment of the Gould's Squid management regime.
Assessment	
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: 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. 	Meets. An ERA for the Commonwealth SSJF was completed in 2006 and did not identify any indicators of threat to the environment from jig fishing. It is considered that this information is also indicative of the adjacent Tasmanian Scalefish Fishery that uses the same gear type (i.e. automatic squid jigs). Furthermore, a revised ERA for the Tasmanian Scalefish Fishery is due to be published in 2016 (see Bell <i>et al.</i> 2016). DPIPWE report that the revised ERA determined the risks from the use of automatic squid jigs/hand jigs remains negligible to low. Due to the limited number of licences in the fishery, the highly selective fishing method and a relatively low catch comparative to historical quotas, the harvest of Gould's Squid in the Tasmanian Scalefish Fishery is considered to have no significant impact on physical habitat or water quality. There is no contact on benthic or water column communities in the fishery. However, due to the relatively small size of the fishery and fluctuating nature of the Gould's Squid, there is no specific research available regarding broader food chain impacts.
Management responses	
2.3.3 Management actions are in place to ensure significant damage to ecosystems does not arise from the impacts described in 2.3.1.	Not applicable. As described in 2.3.2, there is no evidence of significant damage to ecosystems caused by this fishery.
2.3.4 There are decision rules that trigger further management responses when monitoring detects impacts on selected ecosystem indicators beyond a	Not applicable. As per 2.3.3

<p>predetermined level, or where action is indicated by application of the precautionary approach.</p>	
<p>2.3.5 The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.</p>	<p>Not applicable. No management response necessary due to no evidence of significant damage to ecosystems caused by this fishery.</p>

SECTION 3: ASSESSMENT OF THE TAKE OF GOULD'S SQUID IN THE TASMANIAN SCALEFISH FISHERY AGAINST THE REQUIREMENTS OF THE EPBC ACT

Please Note – the table below is not a complete or exact representation of the EPBC Act. It is intended as a checklist of relevant sections and components of the EPBC Act to provide advice on the fishery in relation to decisions under Part 13 and Part 13A.

Part 12

	Meets	Partially meets	Does not meet	Comment
Section 176 Bioregional Plans				
(5) Minister must have regard to relevant bioregional plans				Not applicable. There is no fishing activity within areas covered by a bioregional plan.

Part 13

No Part 13 assessment is required as no fishing activity occurs in the Commonwealth marine area.

Part 13A

Section 303BA Objects of Part 13A				
(1) The objects of this Part are as follows: (a) to ensure that Australia complies with its obligations under CITES and the Biodiversity Convention; (b) to protect wildlife that may be adversely affected by trade; (c) to promote the conservation of biodiversity in Australia and other countries; (d) to ensure that any commercial utilisation of Australian native wildlife for the purposes of export is managed in an ecologically sustainable way; (e) to promote the humane treatment of wildlife; (f) to ensure ethical conduct during any research associated with the utilisation of wildlife; and (h) to ensure the precautionary principle is taken into account in making decisions relating to the utilisation of wildlife.				
	Meets	Partially meets	Does not meet	Comment
Section 303DC Minister may amend list (non CITES species)				
(1) The Minister may amend the LENS by: (a) doing any of the following: (i) including items in the list;				The Department recommends that specimens that are or are derived from Gould's Squid, taken in the Tasmanian Scalefish Fishery as defined in the management regime in force under the Tasmanian <i>Living Marine Resources Management Act 1995</i> and Fisheries (Scalefish) Rules 2015, but not including

<ul style="list-style-type: none"> (ii) deleting items from the list; (iii) imposing a condition or restriction to which the inclusion of a specimen in the list is subject; (iv) varying or revoking a condition or restriction to which the inclusion of a specimen in the list is subject 	<ul style="list-style-type: none"> • specimens that belong to eligible listed threatened species, as defined under section 303BC of the EPBC Act, or • specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia's CITES list) <p>be included in the list of exempt native specimens until 25 July 2026.</p>
<p>(1A) In deciding to amend LENS, Minister must rely primarily on outcomes of Part 10, Div 1 Or 2 assessment</p>	<p>Not applicable. No assessment under Part 10 of the EPBC Act has been completed as the Tasmanian Scalefish Fishery is not a Commonwealth fishery.</p>
<p>(1C) The above does not limit matters that may be considered when deciding to amend LENS.</p>	<p>Meets. The Department considers that the amendment of the list of exempt native specimens to include product derived from the fishery would be consistent with the provisions of Part 13A as:</p> <ul style="list-style-type: none"> • the fishery will not harvest any Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) listed species • there are management arrangements in place to ensure that the resource is being managed in an ecologically sustainable way, and • the operation of the fishery is unlikely to be unsustainable and threaten biodiversity within the next ten years.
<p>(3) Before amending LENS, 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>Partially meets. General consultation with the (TAS) Minister for Fisheries in October 2014 (MS14-002367).</p>

Part 16

	Meets	Partially meets	Does not meet	Comment
Section 391 Minister must consider precautionary principle in making decisions				
<ul style="list-style-type: none"> (1) Minister must take account of precautionary principle (2) The precautionary principle is that lack of full scientific certainty should 	<p>Precautionary management measures in place The precautionary principle has been considered by the Department when making its recommendation to the delegate to include specimens in the list of exempt native specimens.</p>			

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.

