Australian Government
Department of Climate Change, Energy, the Environment and Water

Assessment of the Victorian Corner Inlet Fishery

September 2023

This report should be attributed as '*Assessment of the Victorian Corner Inlet Fishery August 2023*, Commonwealth of Australia 2023'.

Disclaimer

This document is an assessment carried out by the Department of Climate Change, Energy, the Environment and Water 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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EXECUTIVE SUMMARY

On 7 March 2023, the Victorian Fisheries Authority (VFA) submitted an application to the Department of Climate Change, Energy, the Enviroment and Water (the department) for assessment of the Corner Inlet Fishery under the provisions of Part 13A (wildlife trade) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

A public comment period was opened from 31 March 2023 to 4 May 2023. One public comment submission was received during this timeframe, and was broadly supportive of the current management of the fishery.

The fishery has been assessed against the EPBC Act and the Australian Government '*Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition'*.

The Fishery

The Corner Inlet Fishery is a multi-species, multi-gear fishery operating within the Corner Inlet–Nooramunga estuary on the eastern side of Wilsons Promontory in Victoria.

The fishery mainly targets King George whiting, rock flathead, southern sea garfish, and southern calamari.

The 2 primary methods of fishing in the Corner Inlet Fishery are seine nets and mesh nets. Seine nets are characterised by slow tow speeds, short tow duration, and operating in shallow depths. The fish are then retrieved using a dip net, with undersized and unwanted fish being released back into the water. This selective process allows for minimal bycatch. It is a requirement that one of the ends of the net is anchored, which prevents trawling in the fishery. Mesh netting is a passive form of fishing characterised by slow tow speeds, with nets that are designed to glide over the seagrass without causing any damage. The boat does not remain attached to the gear while fishing. When the net is hauled back to the boat and cleared by hand, bycatch is returned back to the water. The relatively short mesh nets used in this fishery have a degree of selectivity, as mesh size and netting construction determines the size and species of fish.

While the fishery has been operating for many years, there have been 2 assessments for export approval under the EPBC Act. These assessments were completed in 2016 and 2020.

Fishery management arrangements

The VFA are responsible for the management of Victorian fisheries. The Victorian *Fisheries Act 1995* provides the legislative framework to implement the management arrangements for this fishery. The fishery is managed under the Fisheries Regulations 2019 and the Corner Inlet Fishery Management Plan 2022. The management arrangements for the fishery include limited entry, gear requirements and specifications, species restrictions, size limits and temporal closures.

All commercial fishers are required to report interactions with threatened, endangered and protected species (TEPS) in catch and effort logbook returns lodged with VFA. If significant, the interaction is to also be immediately reported to the VFA duty officer.

Recreational and Indigenous fishing is managed using bag, size, and gear limits.

Target stocks

There are 12 key target species in the Corner Inlet Fishery: King George whiting; southern sea garfish; southern calamari; rock flathead; gummy shark; southern blue-spotted flathead; southern sand flathead; green back flounder; silver trevally; Australian salmon; snapper; and yellow-eyed mullet. Based on the Status of Australian Fish Stocks (SAFS) report conducted in 2020, 7 of the 12 key target species are sustainable, 4 of the key target species were not assessed or were undefined, and one species, yellow-eyed mullet, is recovering.

The SAFS report for yellow-eyed mullet indicates that fishing effort for this species is low enough to allow for the species to recover naturally without the need for a recovery plan.

Protected species and threatened ecological communities

The most recent ecological risk assessment (ERA) for the fishery was undertaken during the 2021-2022 financial year. The ERA was conducted by VFA using the *National Ecological Sustainable Development Reporting Framework for Australian Fisheries* (Fletcher et al 2002). While the ERA was not published, the outcomes of the ERA were used to inform the Corner Inlet Management Plan.

Between 2015 and 2022, 1556 TEPS interactions were reported, with most animals being released alive and unharmed. The TEPS most commonly interacted with include seahorses, pipefish and cormorants. 28 interactions resulted in death and mainly comprised pipefishes. VFA has outlined research projects that will increase fishers' knowledge of TEPS, as well as improve data collection for TEPS.

Ecosystem impacts

As the Corner Inlet-Nooramunga area contains large areas of seagrass, saltmarsh, and mangrove vegetation, and supports a significant migratory bird population including 26 international migratory species, the Corner Inlet-Nooramunga area was listed as a "Wetland of International Importance" under the Ramsar Convention in 1982. This listing resulted in the area being considered a matter of national environmental significance under the EPBC Act. VFA are committed to managing the Corner Inlet Fishery to ensure it operates in a manner compatible with the Ramsar sites ecological characteristics (Ecological Character Description 2011) and remains of low impact to the broader marine environment.

The Corner Inlet Marine Park was established in 2002 in which fishing is prohibited. The Victorian *Fisheries Act 1995* provides provisions that fishers are obliged to follow. These provisions protect the environment in the Marine Park.

The most recent ERA determined that non-retained species, comprised of discards and bycatch, were a key risk from the fishery. Actions and performance measures to mitigate unnecessary bycatch and minimise mortality of discards were identified including the development and implementation of a bycatch monitoring program. This program is set to commence in the 2023-24 financial year.

Other key ecological components assessed for which actions were identified included maintaining healthy fisheries habitat, seagrass restoration and minimising TEPS interactions. Since 2019, commercial fishers of the Corner Inlet Fishery have volunteered time and resources to support The Corner Inlet Broadleaf Restoration Project. The project aims to increase the health of native seagrass and recover important habitat for fish species within the Corner Inlet.

Due to the nature of seine net and mesh net fishing there is little or no impact on benthic habitats.

Research and monitoring

Commercial fishers are required to record catch and effort information in logbooks. This includes fishing information (area code), gear type used, net length or total number of gear used, number of shots, fishing time, and weight of fish for each species caught.

Biennial reviews are conducted through the Status of Australian Fish Stocks (SAFS) reports for 10 of the 12 target species. 7 of these stocks are currently classified as sustainable. One species, yellow-eye mullet, has been identified as in recovery and that fishing effort for this species is low enough to allow for it to recover naturally without the need for a recovery plan. The stock structures for the remaining 2 SAFS assessed species, southern sand flathead and snapper, is undefined, meaning there is limited information for assessment.

VFA also assess the stock status of all primary and most other key species every 2 years under the VFA Stock Status Review. The most recent review of key Victorian Fish stocks (2021) reached a consistent position on stock status with the 2020 SAFS report. The 2 target species not assessed by SAFS, rock flathead and southern blue-spotted flathead, were assessed. But due to limited data, VFA determined the stock status is currently unknown and uncertain, respectively.

VFA are working in collaboration with the Fisheries Research and Development Corporation (FRDC) to conduct futher research into rock flathead. Project 2020-003 'Understanding the stock structure of Rock Flathead and the role of movement dynamics in influencing the performance of the Corner Inlet Fishery', commenced May 2020 and is due for completion in 2023. VFA intend to undertake research on the blue-spotted flathead, sand flathead, King George whiting and snapper provided research funding can be sourced.

As an outcome of the ERA, VFA are working to develop and implement a bycatch monitoring program to mitigate mortality of non-retained catch. This project is set to commence in the 2023-24 financial year.

Public submissions

A public comment period was open from 31 March 2023 to 04 May 2023, a total of 22 business days. One public comment was received from an environmental not-for-profit. The submission was broadly supportive of the current management of the fishery.

Conclusion

The Victorian Corner Inlet has been found to meet most of the criteria set out in the guidelines (see Section 3) and the requirements of the EPBC Act (see section 4).
While the fishery is well managed the Department has identified some risks and uncertainties that must be managed through conditions as listed at Section 4. These conditions relate to:

- improved understanding of bycatch and discard reporting using independently sourced data
- the need for a published ecological risk assessment (ERA)
- the development and publication of an implementation plan to address the risks identified in the ERA.

On this basis, the department considers the declaration of the harvest operations of the Corner Inlet Fishery as an approved wildlife trade operation for 3 years is appropriate subject to the conditions

detailed in Section 2. Unless a specific timeframe is provided, each condition outlined in Section 2 of this report must be addressed within the period of the approved WTO declaration for the Corner Inlet Fishery.

SECTION 1: ASSESSMENT SUMMARY

Guidelines assessment	Meets	Partially meets	Does not meet	Details
Management regime	9 of 9	0 of 9	0 of 9	The Corner Inlet Fishery Management Plan is the first management plan for the Corner Inlet Fishery. The Management Plan is documented and publicly available, however, links to some of the management documents and relevant information are not published or publicly available. The plan was developed through a consultative process between the Victorian Fisheries Authority (VFA) and the Corner Inlet Fishery Management Plan Steering Committee. Strategic objectives, performance measures, and enforcement controls are in place to ensure the effectiveness of the management arrangements and is sustainably managed. These objectives also contain measures and strategies to help mitigate, monitor, and assess impacts on the broader marine ecosystems. The plan has been developed in accordance with the *Fisheries Act 1995* (Vic) and the Fisheries Regulations 2019 (Vic). The management plan is set to be reviewed after two and four years of operations.
Principle 1 (target stocks) *1 criterion not applicable	4 of 11*	5 of 11*	1 of 11*	Commercial fishers are required to report daily on all landed target species. The stock structures for 10 of the 12 key target species are available through the Status of Australian Fishery (SAFS) stocks report. 7 species are classified as sustainable. One species, yellow-eye mullet, has been identified as in recovery. The SAFS report indicates that fishing effort for this species is low enough to allow for it to recover naturally without the need for a recovery plan. The stock structures for the remaining 2 SAFS-assessed species, southern sand flathead and snapper, is undefined, meaning there is limited information for assessment.

				The 2 target species not assessed by SAFS, rock flathead and southern blue-spotted flathead, have been assessed by VFA in 2021. VFA determined the stock status for rock flathead is unknown and uncertain for southern blue-spotted flathead. The stock structure of the 12 key target species was taken into consideration when developing the Management Plan. VFA used the Review of key Victoria fish stocks – 2019 to declare that all target stocks were not in or near a depleted state. In the most recent review of key Victorian Fish stock (2021), there was a consistent consensus with the 2019 review conducted by VFA and the 2020 SAFS report. Catch and effort limits and other physical regulations can be found in the *Fisheries Act 1995* (Vic) and the Fisheries Regulations 2019 (Vic). There is minimal information on Indigenous and recreational harvest. VFA are working to address data gaps by conducting surveys and working closely with Traditional Owners and recreational fishers.
Principle 2 (bycatch and TEPS)	6 of 12	4 of 12	2 of 12	The ERA assesses the impact of the fishery on protected species and bycatch. However, bycatch reporting is not a mandatory requirement for this fishery under the Victorian fisheries management arrangements which limits the data available for assessment and monitoring. Available bycatch information is based on voluntary submissions by fishers. It is mandatory for commercial fishers to report on threatened, endangered or protected species (TEPS) interactions and there have been a total of 1556 interactions with threatened, endangered, and protected species between 2015 and 2022. Of these, 1,528 (98%) were returned to the water alive. The remaining 28 (2%) were reported as dead. Syngnathids (seahorses and other pipefish) accounted for 1386 (89%) of these interactions. There were 109 interactions with 3 species of cormorant, the great black cormorant, black-faced cormorant, and Australian pied

				cormorant. 10 cormorants were reported dead in 2021 and 2022. Between 2015 and 2019 there were 48 interactions with Australian fur seals, including one mortality. No interactions with Australian fur seals have been reported since 2019. During the ERA process, management actions were proposed to reduce TEPS interactions. The Corner Inlet Fishery uses 2 main methods of fishing, seine nets and mesh nets. Both methods of fishing are relatively selective and there are measures in place to ensure that bycatch and TEPS interactions are minimized. There are no performance measures that would trigger a management action. However, research into the effects of seine netting on non-target species determined the impact on non-target species is likely to be minor due to the generally high survival rates of released fish (Knuckey et al. 2002). Other methods of fishing applied in the commercial sector include longline/s, fishing lines, hoop nets and hand operated bait pumps. However, these methods are rarely used and catch is generally negligible. There is also a lack of species-specific information for byproduct species in the Corner Inlet fishery. Commonly retained byproduct species are known but managed under the category 'other'. Between 2011-2021, the total catch composition for byproduct species was low (15% for seine nets and 8% for mesh nets). The overall impact to these species is considered low.

Principle 2 (ecosystem impacts)	3 of 5	1 of 5	1 of 5	During the ERA process, all forms of mortality were considered. VFA have thoroughly detailed the fishing methods used in the Corner Inlet and have management arrangements to ensure that all reasonable steps have been taken to minimize the impact to ecosystems and the broader marine environment. There are no decision rules, performance indicators, or measures in place that would trigger a response to impacts of fishing operations on the environment. The Corner Inlet Fishery has been identified to have low impacts on the ecosystem. Intended actions produced in the ERA aim to improve the understanding of the environment that the Corner Inlet Fishery operates in and ensure that the fishery is conducted in accordance with long-term sustainability principles.

EPBC requirements	
Part 12 – Bioregional Plans	There is no Marine Bioregional Plan for the South-east Marine Region in which the Victorian Corner Inlet Fishery operates.
Part 13 – Protected species and communities	The fishery does not operate in Commonwealth waters, therefore no Part 13 accreditation is required.
Part 13A – International movement of wildlife specimens	The fishery is generally well managed. Conditions are proposed for inclusion in any Part 13A approval to increase understanding of the fishery's impact on bycatch and discards, and to review and implement risks identified in the 2021-22 Ecological Risk Assessment.
Part 16 – Precautionary principle	Although some risks and uncertainties have been identified, precautionary measures are in place to prevent serious or irreversible environmental damage being caused by this fishery. Where necessary, conditions have also been applied to manage uncertainties and risk.

SECTION 2: SUMMARY OF ISSUES REQUIRING CONDITIONS

Table 1: Conditions under Part 13A – International movement of wildlife specimens

Issue	Condition
General Management Export decisions relate to the management arrangements in force at the time of any decision(s) made under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). To ensure decision(s) remain valid and export approval continues uninterrupted, the Department of Climate Change, Energy, the Environment and Water (the department) needs to be advised of any changes that are made to the management regime. This will allow the department to assess whether the new arrangements are equivalent or better (in terms of ecological sustainability) to those in place at the time of the original decision. This includes operational and legislated amendments that may affect the sustainability of the target species; or negatively impact on byproduct, bycatch, protected species, or the broader ecosystem.	**Condition 1:** Operation of the Victorian Corner Inlet Fishery must be carried out in accordance with the Corner Inlet Fishery Management Plan in force under the Victorian *Fisheries Act 1995* (Vic) and Fisheries Regulations 2019 (Vic). **Condition 2**: The Victorian Fisheries Authority must inform the Department of Climate Change, Energy, the Environment and Water of any intended material changes to the Corner Inlet Fishery management arrangements that may affect the assessment against which *Environment Protection and Biodiversity Conservation Act 1999* decisions are made. **Condition 3:** The Victorian Fisheries Authority must inform the Department of Climate Change, Energy, the Environment and Water of any intended changes to fisheries legislation that may affect the legislative instruments relevant to this approval.
Annual Reporting It is important that the Victorian Fisheries Authority produces and presents 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 must be prepared in accordance with Appendix B to the *'Guidelines for the Ecologically Sustainable Management of Fisheries -*	**Condition 4:** The Victorian Fisheries Authority must produce and present reports on the Corner Inlet Fishery to the Department of Climate Change, Energy, the Environment and Water by 19 December annually as per Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition.* The first report is due 19 December 2024.

Issue	Condition
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 conditions described in the current assessment for the fishery. Electronic copies of the guidelines are available from the department's website at https://www.dcceew.gov.au/environment/marine/publications/guidelines-ecologically-sustainable-management-fisheries.	
<u>Monitoring and reporting – bycatch, discards and byproduct</u> Byproduct (retained as catch) is recorded in mandatory logbooks. Operators in the fishery use logbooks to record daily catch and effort for target species and protected species interactions. There is no mandatory reporting on the composition and abundance of bycatch in the fishery unless the species is listed as a protected species. Therefore, there is no reliable indication of the impact fishery operations have on non-protected bycatch species. As documented in the Management Plan, the most recent ERA conducted for the fishery identified a lack of monitoring of commercial bycatch as a key risk. To mitigate this risk, VFA identified a number of actions including the development and implementation of a Corner Inlet bycatch monitoring program for commercial and recreational fisheries. Using the findings of this program, VFA intend to work with industry and key stakeholders to determine feasible mitigation options and progress their implementation through voluntary or formal regulation where appropriate. Given the lack of current bycatch and discard data in the fishery (including the number and volume of undersized target species being discarded) the	**Condition 5:** The Victorian Fisheries Authority must review bycatch and discard reporting measures to ensure the information collected sufficiently and reliably demonstrates the accuracy of all catch (including bycatch and discards) and protected species interaction data. This review must incorporate some independent data validation against logbook data to confirm reliability and compliance with reporting requirements, particularly for protected species interactions. The Victorian Fisheries Authority must work with industry on investigating appropriate and cost-effective methods of reporting bycatch and discards. By 31 August 2025, the Victorian Fisheries Authority must provide advice to the Department of Climate Change, Energy, the Environment and Water on the review findings and any measures applied.

Issue	Condition
department considers it is important the VFA progress options for introducing suitable bycatch and discard reporting for all licence holders. The information collected must be sufficient to reliable demonstrate the accuracy of all reported catch (including discards and bycatch) effort and protected species interaction data collected in logbooks.	
<u>Ecological Risk Assessment – assessing impacts of fishing on the general ecosystem</u> The Corner Inlet-Nooramunga site, covering approximately 86, 000 hectares, was designated as a Wetland of International Importance under the Ramsar Convention on Wetlands in 1982. An Ecological Risk Assessment (ERA) was undertaken to inform the development of the Corner Inlet Management Plan but this is unpublished and was not made available during the reassessment of the fishery. VFA have stated that close to 90 risks were identified during the ERA process however only those considered high risk relevant to the fishery are documented in the Management Plan. As ecosystem impacts were not considered high risk and are not documented, it is unclear what information was used to assess the fishery's general impact on the broader Ramsar ecosystem. Given the fishery operates in a Ramsar area and there is limited published information available on the general impacts of fishing on the ecosystem, the department considers it important for a review of the ERA to be made publicly available for the fishery. The published review should describe whole of fishery risks and species-specific risks, and follow the protocols described in the *National ESD Reporting Framework for Fisheries (2002).*. The Management Plan also considered the objectives contained in the *Fisheries Act 1995* (Vic) which require Victoria's fisheries to be managed in an efficient, effective and ecologically sustainable manner. The plan identifies a number of actions which have been developed to meet fishery objectives and strategies. Many of these include management responses to the key risks identified in the	**Condition 6:** The Victorian Fisheries Management Authority must: a) by 19 December 2024 publish a review of the Ecological Risk Assessment for the Corner Inlet Fishery, which describes fishery risks and species-specific risks. This should follow the protocols described in the *National ESD Reporting Framework for Fisheries (2002)* and consider risks to target, bycatch and protected species as well as the ecosystem more broadly. b) By 31 July 2025 develop and publish an implementation plan outlining actions to progress key priorities identified in the Ecological Risk Assessment.

Issue	Condition
ERA. To ensure VFA acts on its intention to implement identified actions in its annual work plans, the department considers it important for VFA to develop and publish an implementation plan outlining actions to progress the key priorities identified in the ERA.	

Assessment history:

Information on previous assessments for the Victorian Corner Inlet Fishery is available on the Department's website at Victorian Corner Inlet Fishery - DCCEEW.

1st assessment finalised August 2017 – WTO approval with 4 conditions and 2 recommendations.

2nd assessment finalised September 2020 – WTO approval with 6 conditions and no recommendations.

Fishery reporting:

Annual report

Victorian Fisheries Authority Annual Report 2021-2022

Key links:

Fishery information

Corner Inlet Fishery - Seafood industry Victoria

Corner Inlet Fishery Management Plan - VFA

Management plan

Corner Inlet Fishery Management Plan

Enforcing legislation

Fisheries Act 1995 (Victoria)

Fisheries Regulations 2019 (Victoria)
Fisheries (Fees, Royalties and Levies) Regulations 2017 (Victoria)
Victorian Fisheries Authority Act 2016 (Victoria)
National Parks Act 1975 (Victoria)
Environment Protection Act 1970 (Victoria)
Seafood Safety Act 2003 (Victoria)
Traditional Owner Settlement Act 2010 (Victoria)
Aboriginal Heritage Act 2006 (Victoria)
Marine (Drug, Alcohol and Pollution Control) Act 1988 (Victoria)
Marine and Coastal Act 2018 (Victoria)
Occupational Health and Safety Act 2004 (Victoria)

Ecological Risk Assessment

VFA have stated that an ecological risk assessment was completed for this fishery in the 2021 – 22 financial year, however this has not been published and is not publicly available. The identified risks and controls can be found at 3.2 Ecologically Sustainable Development Risk Assessment of the Corner Inlet Fishery management plan, Table 2.

Stock assessments

Status of Australian Fish Stocks - King George Whiting (*Sillaginodes punctatus*) 2020

Status of Australian Fish Stocks - Southern Garfish (*Hyporhamphus melanchir*) 2020
Status of Australian Fish Stocks - Southern Calamari (*Sepioteuthis australis*) 2020
Status of Australian Fish Stocks - Gummy Shark (*Mustelus antarcticus*) 2020
Status of Australian Fish Stocks - Greenback Flounder (*Rhombosolea tapirina*) 2020
Status of Australian Fish Stocks - Southern Sand Flathead (*Platycephalus bassensis*) 2020
Status of Australian Fish stocks - Silver Trevallies (*Pseudocaranx spp.*) 2020

Status of Australian Fish Stocks - Eastern Australian Salmon (*Arripis trutta*) 2020
Status of Australian Fish Stocks - Snapper (*Chrysophrys auratus*) 2020
Status of Australian Fish Stocks - Yelloweye Mullet (*Aldrichetta forsteri*) 2020
Victorian Fisheries Authority – Review of key Victorian fish stocks – 2021

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 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.** The Corner Inlet Fishery Management Plan (the plan) is managed by the Victorian Fisheries Authority (VFA) in accordance with the *Fisheries Act 1995* (Victoria). The plan is publicly available and can be found of the Victorian Fisheries Authority website. The plan came into effect in June 2022 following its declaration by the Minister for Fishing and Boating on the Victorian Government Gazette. The plan outlines specific policies, management objectives, and strategies for managing the fishery resources. It also outlines management direction for commercial, recreational, and Indigenous fishing sectors.
Be developed through a consultative process providing opportunity to all interested and affected parties, including the general public.	**Meets – The Management Plan was developed through a transparent public process with a range of expertise and public interest.** This management plan was developed through a consultative process between the Victorian Fisheries Authority and the Corner Inlet Fishery Management Plan Steering Committee under the *Fisheries Act 1995* (Vic). The steering committee was comprised of several representatives with a diverse range of knowledge and expertise. Representatives from Seafood Industry Victoria, commercial license holders, VRFish, Futurefish Foundation, Traditional Owners and other key stakeholders all participated in the preparation of the Corner Inlet Fishery Management Plan. The draft plan also went for public consultation which closed in February 2022. From this public consultation process 23 written submissions and 15 individual survey responses were received. Following this, VFA responded to these comments and made adjustments to the management plan.

Ensure that a range of expertise and community interests are involved in individual fishery management committees and during the stock assessment process.	**Meets – A range of expertise was involved during the stock assessment.** Stock assessments were conducted by both the Victorian Fisheries Authority (VFA) and the Fisheries Research and Development Corporation (FRDC). The VFA regularly analyses and reviews current data and scientific information of each key target species to gain an understanding of stock status. The Corner Inlet Fishery Management Advisory Committee was established in 2022 and includes representatives from a variety of relevant parties. Stock assessment workshops were attended by recreational and commercial fishers; representatives of the commercial and recreational fishing sectors including Seafood Industry Victoria and VRFish – the peak Victorian recreational fishing body; VFA managers, scientists, and compliance officers; an external scientist; and natural resources and catch management representatives including Parks Victoria and West Gippsland Catchment Management Authority, ensuring a range of expertise and community interests were involved in the stock assessment process.
Be strategic, containing objectives and performance criteria by which the effectiveness of the management arrangements are measured.	**Meets - Has strategic objectives and performance measures to measure effectiveness of the fishery.** The Corner Inlet Fishery has 6 overarching objectives outlined in the Management Plan. These objectives are based on an ecological sustainable development risk assessment. The objectives are: • Objective 1: Ensure sustainably of the Corner Inlet Fishery resource. • Objective 2: Maintain the ecological integrity of the fishery's ecosystem. • Objective 3: Ensure fishing practices are ethical, responsible, and respectful and promote harmony against stakeholders. • Objective 4: Protect Traditional Owner cultural heritage and values. • Objective 5: Ensure optimal economic utilisation of the Corner Inlet resource. • Objective 6: Cost-effective and participatory management. Each objective has outlined strategies, actions, and specific performance measures/targets. These actions are intended to be placed in an annual work plan. Annual plans will be developed in consultation with relevant stakeholders.

Be capable of controlling the level of harvest in the fishery using input and/or output controls.	**Meets – Effective controls in place, with sufficient means of control.** The Corner Inlet Fishery Management Plan has a variety of mechanisms to ensure management arrangements for both the commercial and recreational fishing sectors are monitored and control harvest. For the commercial sector the management plan outlines a number of management controls including limited entry (maximum of 18 licenses available), management zones, temporal closures, gear restrictions and conditions of use, and a list of species for which take is prohibited or limited (wrasse only). Vessel Monitoring System (VMS) is mandatory for all commercial fishing vessels and must be turned on during all commercial fishing trips. For the recreational sector the management plan outlines a combination of input controls including, requirements to possess recreational fishing licences, management zones, gear restrictions and conditions of use and, size and bag limits.
Contain the means of enforcing critical aspects of the management arrangements.	**Meets – Contains means of enforcing aspects of the management arrangements.** Fisheries officers from VFA have been stationed in Yarram and are responsible for enforcement and education activities conducted in the Corner Inlet. The primary focus for the group is compliance within the following sections of the fisheries legislations: • licensing requirements; • equipment limits and permitted use; • species size and catch limits; • bycatch – safe return of unwanted fish; • accurate protected species interaction reporting (commercial fishery only); • accurate catch and effort reporting (commercial fishery only); • VMS requirements (commercial fishery only); and • prohibition on fishing in the Corner Inlet Marine National Park.

Provide for the periodic review of the performance of the fishery management arrangements and the management strategies, objectives and criteria.	**Meets – Regular performance reviews are built into management.** The Management Plan came into effect following its declaration by the Minister for Fishing and Boating in the Victorian Government Gazette. It remains in effect until a new plan is declared or until it is revoked, in accordance with the *Fisheries Act 1995* (Vic). Amendments can be made to the management plan by notice published in the Victorian Government Gazette. This is the first management plan for the Corner Inlet fishery. The plan is to be reviewed after 2 and 4 years of operation. After the 4-year review, the plan will be reviewed if issues are identified.
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 – Capable of effective management of impacts on wider marine ecosystem.** Based on the ecological risk assessment (ERA) undertaken to inform the Corner Inlet Fishery Management Plan, VFA have responded to key risks by establishing objectives, strategies, and actions to avoid, remedy, or mitigate impacts on the wider marine ecosystem. VFA use several strategies to monitor the fishery's impact on broader marine ecosystems. These strategies include catch and effort logbooks, mandatory threatened, endangered, and protected species reporting, commercial catch sampling, vessel monitoring systems, boat ramp cameras, recreational catch surveys and a digital recreational catch app. These monitoring systems ensure that the fishery's impacts on the ecosystem can be determined. Objective 2 of the plan is dedicated to maintaining the ecological integrity of the fishery's ecosystems. VFA intend to do this by applying practices to minimise protected species interactions, maintaining a healthy fishery habitat, supporting seagrass restoration through the Corner Inlet Broadleaf Restoration Project and minimising the impact fishing has on the ecosystem. VFA will also work closely with the Department of Energy, Environment, and Climate Action (DEECA), Birdlife Australia, West Gippsland Catchment Authority (WGCMA), Parks Victoria and key industry stakeholders to ensure actions are met.

Requires compliance with relevant threat abatement plans, recovery plans, the National Policy on Fisheries Bycatch, and bycatch action strategies developed under the policy.	**Meets – Compliant with all relevant policies and legislation.** The Corner Inlet Fishery is compliant with the National Policy on Fisheries Bycatch and bycatch action strategies. The fishery has developed education and training programs for fishers aimed at reducing bycatch, plans to conduct further research into identifying the impacts of the fishery on bycatch, and mitigation techniques. There are no relevant recovery plans for the Corner Inlet Fishery. The fishery acts consistently with the *Threat Abatement Plan for the impacts of marine debris on the vertebrate wildlife of Australia's coast and oceans*. This is reflective in the different gear regulations, including, that seine nets must be anchored at one end, attended to at all times, and be less than 100m in length. These regulations prevent trawling and the ability for the nets to get lost and become debris. The Corner Inlet Fishery is managed in accordance with the Victorian *Marine (Drug, Alcohol and Pollution Control) Act 1988* which prohibits the release of oils, oily mixtures, liquid substances, mixtures containing a liquid substance, or undesirable substances (rubbish, gravel, dangerous substances, hazardous material etc.).

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.	**Partially Meets – Logbooks information collected however no independent data validation and a data gap remains for the recreational and Indigenous sectors.** It is a requirement for commercial fisheries to complete catch and effort logbooks for each day of activity. A hardcopy of these records must also be provided to VFA monthly. Recorded information includes location, gear type and specifications, number of shots, fishing, time and weight of fish, by species, for fish caught. Protected species reporting is mandatory and incorporated into logbook reports. Currently there is no independent data validation of logbooks to indicate what is interacted with and caught is reflective of what is reported. Vessel Monitoring Systems (VMS) are equipped on all commercial vessels and logs the vessels' positions. This information is automatically uploaded to a secure database and provides information on location of fishing activities, supporting operational spatial compliance and enforcement activities. Logbook reporting is not mandatory for recreational fishers and data on the total number of fish taken by the recreational sector is unknown. Creel (catch) surveys conducted by VFA provide information on catch and effort in the recreational sector. Recreational fishers may also use the GoFishVic app to voluntarily record their fishing trips and catches. These tools provide vital information on how the Corner Inlet Fishery is performing and improve data validation in the recreational sector. Boat ramp cameras also contribute information on fishing efforts and provide a cost-effective method of data-collection. Currently, there are no data on the catch history for Indigenous fishing in the Corner Inlet. VFA plan to improve Traditional Owner input into the management of the fishery by identifying important cultural sites and/or species in the fishery. Beyond this VFA will work with Traditional Owners to improve surveying of species and their traditional uses.

Assessment	
1.1.2 There is a robust assessment of the dynamics and status of the species/fishery and periodic review of the process and the data collected. Assessment should include a process to identify any reduction in biological diversity and /or reproductive capacity. Review should take place at regular intervals but at least every three years.	**Meets – Stock assessments are completed for target stocks every two years.** The stock status of key target species is assessed every 2 to 5 years by VFA and FRDC. VFA assesses target species every 2 years, with the most recent assessment available in the Review of key Victorian fish stocks 2021. 10 of the 12 target species are assessed through the FRDC led SAFS assessment process which occurs every two years. In the most recent SAFS report (2020), 7 of the 12 target species stock status was classified as sustainable. One species, yellow-eyed mullet, was classified as recovering. Fishing effort for yellow-eyed mullet is considered low enough to allow for the species to naturally recover without the need for a recovery plan. The remaining two species assessed, southern sand flathead and snapper, were classified as undefined meaning there is not enough information to assess the species. Rock flathead and southern blue-spotted flathead are not SAFS assessed. VFAs most recent stock assessment of target species occurred in 2021. The findings of this review were consistent with the stock determinations of the 2020 SAFS reports. VFA also assessed the two species not assessed by SAFS and determined the stock status of rock flathead is unknown and blue-spotted flathead is uncertain. VFA are currently working with FRDC to conduct a survey on the stock status of rock flathead in the Corner Inlet. This research project is expected to be completed by the end of 2023 and findings presented to industry. Any research priorities identified from this work will be progressed over the next 5 years.

1.1.3 The distribution and spatial structure of the stock(s) has been established and factored into management responses.	**Meets – The stock(s) structure has been factored into the management arrangement with aims to conduct further research on secondary target species.** The Management Plan has identified data deficiencies relating to the structure and distribution for rock flathead, southern blue-spotted flathead, southern sand flathead and snapper. The stock structures for other key species in the Corner Inlet Fishery are outlined in the *Review of key Victorian fish stocks* (2019). The report was developed by the Victorian Government and contributes towards assessing biological sustainability objectives and the performance of management arrangements. In the most *recent Review of key Victorian fish stocks* (2021), there was a consistent consensus with the 2019 review conducted by VFA and the 2020 SAFS report. VFA are working closely with the FRDC to conduct research of the stock structure of rock flathead in the Corner Inlet fishery. This is a two-year project, and the research will involve the use of acoustic tracking alongside modern genetic techniques and otolith chemistry to understanding the dynamic stock of flathead in the Corner Inlet. The projected is expected to be completed by the end of 2023. VFA also intends to do further stock research on blue-spotted flathead, sand flathead, King George whiting, and snapper. However, there future research endeavours will be subject to funding received. VFA intend to use an array surveying methods including frequent sampling of key flathead species in the Corner Inlet, a tagging project for blue-spotted flathead, and using biological sampling and tagging to better understand the stock and life cycle of King George whiting.

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.	**Partially meets – Minimal data on catch and effort data for the Indigenous and recreational sectors.** VFA use logbooks to collect reliable data for commercial sector landings. However, there is a lack of data for discards within the commercial sector and limited catch and effort data for the recreational and Indigenous sectors. *Commercial discards* Data on bycatch discards is lacking for the fishery, as commercial fishers are not required to record this information. Common bycatch discard species are porcupine fish (Diodontidae spp.), toad fish (*Tetractenos hamiltoni*), cobblers (*Cnidoglanis macrocephalus*), black stingrays (*Dasyatis thetidis*), banjo shark (*Trygonorrhina* spp.), Port Jackson sharks (*Heterodontus portusjacksoni*) and sand crabs (*Ovalipes australiensis*). VFA have identified several actions which aim to mitigate unnecessary bycatch (bycatch monitoring program), minimise mortality of discards (implementing feasible strategies, to mitigate unnecessary bycatch and mortalities), as well as improving understanding of catch methods to reduce mortality of discarded species (for commercial and recreational sectors). Condition 5 seeks to increase understanding of the fishery's impacts on bycatch stocks through an independent review of bycatch and discard reporting. *Recreational catch* Recreational catch in the Corner Inlet is managed using output controls such as daily bag limits, possession limits, minimum size limits and closed seasons. As reporting is voluntary, VFA has limited understanding of the total fish caught annually by the recreational sector. VFA are working on improve understanding of this sector through ongoing creel surveys and continuing support of the GoFishVic app. *Indigenous catch* There is no data on catch removals for Indigenous fishing in the Corner Inlet. VFA is working to improve Traditional Owner input to the management of the fishery, including identifying cultural sites and species, and to undertake surveys to better understand Traditional Owner take in the Corner Inlet.

1.1.5 There is a sound estimate of the potential productivity of the fished stock/s and the proportion that could be harvested.	**Partially meets – Productivity is currently being estimated for some target species.** The Corner Inlet Fishery has productivity estimates for most of the key target species. VFA conducts regular assessments of the status of the key target species. These assessments occur every 2 years and cover 4 aspects of the stocks' condition and sustainability. They are: • biomass status using commercial catch per unit effort (CPUE) as a proxy; • fishing pressure using total catch and effort or proxies from each sector; • fishing mortality trends inferred using length composition data; and • recruitment measured using fishery independent sampling of pre-recruits. As per the most recent SAFS report 7 of the 12 key target species are listed as sustainable in the Victorian region (King George whiting, southern sea garfish, southern calamari, gummy sharks, greenback flounder, silver trevally, and Australian salmon). One target species, (yellow-eyed mullet) was assessed as 'in recovery' and fishing effort is considered low enough to allow for the species to recover naturally without the need for a recovery plan. The remaining 4 target stocks (rock flathead, southern blue-spotted flathead, sand flathead and snapper) have undefined stock status meaning there is not currently enough information to determine stock status. Using available data and latest scientific information, VFA have assessed the stocks for all key target species in 2021 and have determined that the species are not considered to be in or near depletion. Although, the SAFS assessments have been based on the biological status of the key target species there is limited information for the Corner Inlet and more broadly the Victorian region. The status of these stocks are based on landings in the Corner Inlet, Port Phillip Bay, and Commonwealth fisheries. The stock assessments have also indicated difficulties with trying to estimate the biological structure and mortality from other sectors (recreational and Indigenous). VFA are working closely with the FRDC to conduct research of the stock structure of the rock flathead in the Corner Inlet fishery. This is a two-year research project that will involve the use of acoustic tracking alongside modern genetic techniques and otolith chemistry to understand the stock structure of rock flathead in the Corner Inlet. This research is due for completion by the end of 2023.

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.	**Does not meet – No reference points in place, however, catch and effort limits apply.** There are no reference points or catch and effort limits that would trigger management actions. However, the VFA have indicated that they use input controls (number of shots recording and weight of fish) to manage this fishery. If, in the instance, that the number of shots or weight of fish (effort) were to increase drastically, VFA have stated a review of the management and stocks of the fishery would be undertaken.

1.1.7 There are management strategies in place capable of controlling the level of take.	**Meets – VFA have sufficient management strategies in place to control the level of take by using input controls in the fishery.** The Corner Inlet uses the following management controls to ensure there is an appropriate level of take: <u>For Commercial Fishery:</u> • Limited entry – limited to 18 licenses holders • Gear controls – Type and size • Size limits – Minimum size • Time restrictions – closed from midnight Friday – 5pm Sunday <u>For Recreational Fishery:</u> • Gear controls – Type and size/amount • Size and bag limits Catch and effort reporting is mandatory for commercial fisheries and must be recorded each day fishing activity takes place under a fishery license. A hard copy of monthly catch must be sent to VFA by the 18th of the following month. For the commercial fishing sector, it is important to note that input controls are the primary method of controlling and managing the level of take. These are seen to be sufficient control methods as they can constrain specific fishing activities. In combination with the monitored and regulated fishing methods (seine and mesh nets) used within the fishery, the input controls effectively control the fishery's level of take. Recreational fishing data is validated using creel surveys on approximately 25 days of the year between November and April. VFA have continued to develop and promote the GoFishVic app as a means to allow recreational fishers to record their trips and catches.

1.1.8 Fishing is conducted in a manner that does not threaten stocks of byproduct species.	**Meets – Effort is moderate, impacts on by-product stocks are low.** Byproduct species caught in the Corner Inlet include various species of ray, elephant fish (*Callorhinchus milii*), cockles (*Katelysia* spp.*; Anadara* spp.*)*, blue weed whiting (*Haletta semifasciata)*, snook (*Centropomus undecimalis*), leatherjacket (*Oligoplites saurus)*, tailor (*Pomatomus saltatrix)*, mackerel (*Trachurus* spp.; *Scomber* spp.*)*, estuary perch (*Percolates colonorum)* and sand crabs (*Ovalipes australiensis*). Most byproduct is caught in mesh nets. These nets are set and attended to by fishers and are dependent on the tides. Knowledge of fish movement and the seasons is key in the positioning of the nets. SAFS reports have shown that elephant fish and mackerel are both fished sustainably in Victoria. VFA has implements several restrictions for the other species to ensure the integrity of the stock. For rays, blue weed whiting, tailor, and snook there are minimum size rules, bag limits and fisheries management zones in which they can be taken. For cockles, leatherjackets, estuary perch, and sand crabs only bag limits apply.
(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.	**Partially meets – the management response, has a medium chance of achieving the object.** The management response has proven a strong capability to assess and monitor the fishery, with mandatory logbook reporting, management strategies to control take, and stock assessments for target and by-product species, showing that the fishery's take is sustainable and is not impacting the sustainability of target stocks. However, there are data gaps in the Indigenous and recreational sectors and due to there being limited data on the productivity of stocks there is uncertainty that the management actions are suitable in the Corner Inlet. In addition, there are no biological reference points, or catch and effort targets which would trigger a management action.
If overfished, go to Objective 2: **If not overfished, go to PRINCIPLE 2:**	

Objective 2 - Where the fished stock(s) are below a defined reference point, the fishery will be managed to promote recovery to ecologically viable stock levels within nominated timeframes.	
Management responses	
1.2.1 A precautionary recovery strategy is in place specifying management actions, or staged management responses, which are linked to reference points. 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.	**Partially meets– Yelloweye mullet are a recovering stock, however no formal recovery strategy is in place.** In the 2020 SAFS report, yelloweye mullet was found to be a recovering stock and that it had likely previously been depleted to the point of being recruitment impaired. The same report indicates 'that the current level of fishing mortality should allow the stock to recover from its recruitment impaired state'. No formal recovery strategy is in place for the yelloweye mullet. However as stated in the SAFS report, evidence indicates that the stock is recovering under the current management arrangements of the fishery.
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.** The fished stock is not considered to be at or below the biological and/or effort bottom line.

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 – Voluntary reporting of composition and abundance of bycatch.** Commercial fishers are not required to report bycatch (including unwanted fish that fishers were legally entitled to retain). All reports of bycatch have occurred through voluntary notification. Some commonly discarded species are porcupine fish, toad fish, cobblers, black string ray, banjo shark, Port Jackson shark and sand crab. The fishery is small, and its main methods of fishing are moderately selective (seine nets and mesh nets). In the Corner Inlet, seine nets are characterised by slow tow speeds, short tow duration, and operating in shallow depths. The fish are then retrieved using a dip net, with undersized and unwanted fish being released back into the water. This selective process allows for minimal bycatch. It is a requirement that one of the ends of the net is anchored which prevents trawling in the fishery. Mesh netting is a passive form of fishing characterised by slow tow speeds with nets that are designed to glide over the seagrass without causing any damage. The boat does not remain attached to the gear while fishing. When the net is hauled back to the boat and cleared by hand, bycatch is returned to the water. Mesh nets have a degree of selectivity, as the mesh size and netting construction determines the size and species caught. A report conducted in 2002 identified that the fishery has low impact to bycatch species and considering that additional regulation has been implemented since the report was conducted the fishery's impacts are likely to continue to be low. Although minimal data collected on bycatch species within the fishery the data collected indicated a low number of bycatch species present in the fishery. Independent data validation would increase the reliability of this measure to inform the appropriateness and effectiveness of fisheries management arrangements.

Assessment	
2.1.2 There is a risk analysis of the bycatch with respect to its vulnerability to fishing.	**Partially meets – Risk analysis of bycatch vulnerability has been conducted. However, more information is required to ensure that all risks are identified and appropriately mitigated.** A risk assessment was undertaken to inform the development of the Corner Inlet Fishery Management Plan. The plan identified a lack of monitoring of commercial bycatch, including dead discards that result in unforeseen and unacceptable decline of non-retained species, as a high risk. To address data gaps, the management plan indicates the implementation of a bycatch monitoring program for both commercial and recreational sectors and transition to electronic reporting. This is intended to commence in 2023-24. This will guide the identification of appropriate and feasible mitigation strategies to reduce unnecessary bycatch and minimise the mortality of discards.

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.	**Meets – The fishery has been determined to have low/minimal impact to bycatch species.** In the Corner Inlet, seine nets are characterised by slow tow speeds, short tow duration, and operating in shallow depths. Fish are retrieved using a dip net, sorted with the bag or cod end in the water, allowing for juvenile and unwanted species to return to the water with minimal stress. It is a requirement that one to the ends of the net is anchored which prevents trawling in the fishery. To help reduce bycatch mortality, the Fisheries Regulations 2019 (Vic) requires that all commercial and recreational fishers ensure that any unauthorised or unwanted catch (except noxious species) is immediately returned to the water with the least possible injury or damage. There is limited information on bycatch species, as reporting bycatch is not mandatory. The management plan aims to address this by implementing a bycatch monitoring program for both commercial and recreational sectors. To minimise mortality of bycatch the Corner Inlet Management Plan proposes the below actions: • Develop and implement a Corner Inlet bycatch monitoring program for commercial and recreational fisheries to support consideration of feasible bycatch minimisation strategies. • Implement feasible strategies (in consultation with stakeholders) to mitigate unnecessary bycatch and minimise mortality of discards while minimising economic impacts. • Improve understanding of efficiency of mesh netting operations and discard mortality associated with soak time. • Corner Inlet Fishery Management Advisory Committee (CIFMAC) to investigate the feasibility of a maximum soak time for mesh netting and consider including in the voluntary code of practice for commercial fishers. • Support further education of recreational and commercial fish handling.
2.1.4 An indicator group of bycatch species is monitored.	**Does not meet – No monitoring of indicator group of bycatch species in place.** There are no bycatch indicator groups in the Corner Inlet Fishery as the level of bycatch is considered low.

2.1.5 There are decision rules that trigger additional management measures when there are significant perturbations in the indicator species numbers.	**Does not meet – There are no current performance measures.** There are no performance measures that would trigger a management action regarding significant perturbations of an indicator species, due to there being no indicator groups with the Corner Inlet Fishery. However, the primary fishing method used in the commercial sector, seine netting, has minimal impact on bycatch species.
2.1.6 The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.	**Partially meets – concerns regarding data to monitor and manage risks to bycatch species.** Given the available information, including fishery independent stock assessments, the management response has a medium to high chance of achieving the objective. It is difficult to determine the overall impact of the fishery on bycatch species due to bycatch reporting being voluntary. As a result of the internal ERA process, it was determined a bycatch monitoring program for both commercial and recreational sectors and transition to electronic reporting is required. These reforms are intended to commence in 2023-24. This will assist in implementing feasible mitigation strategies to decrease unnecessary bycatch and minimise the mortality of discards. The Fisheries Regulations 2019 (Vic) provide standards to which the fishers must comply when handling bycatch species. VFA intends to develop mandatory bycatch reporting as part of their management actions.

Objective 2 - The fishery is conducted in a manner that avoids mortality of, or injuries to, endangered, threatened or protected species and avoids or minimises impacts on threatened ecological communities.	
Information requirements	
2.2.1 Reliable information is collected on the interaction with endangered, threatened or protected species and threatened ecological communities.	**Partially meets – Mandatory logbook reporting for interactions with endangered, threatened, or protected species and threatened ecological communities, however no independent data validation.** All commercial fishers in the Corner Inlet are required to report all interactions with threatened, endangered, and protected species (TEPS) in logbooks. An interaction is defined as a fishing vessel, gear or operator coming into contact with a protected species, regardless of the outcome and include taking, destroying, disposing of, or possessing threatened, endangered, and protected species. There were a total of 1556 reported interactions with threatened, endangered, and protected species between 2015 and 2022. Of the 1556, 1528 where returned to the water alive. The remaining 28 were reported as dead. Independent validation of logbook reporting is not in place and would strengthen the reliability of information. Condition 5 has been added to provide an independent review against logbook data to confirm reliability and compliance with reporting requirements. Interactions with intent, or as a result of a negligent act will be subject to prosecution.

Assessments	
2.2.2 There is an assessment of the impact of the fishery on endangered, threatened or protected species.	**Meets – An ERA has been conducted and risks identified as low and suitable management practices in place.** TEPS reporting over 7 years indicates there were 28 TEPS interactions resulting in mortality. Over this same time period 1528 TEPS were released alive indicating the fishery methods and techniques result in high survivorship of TEP species. An ERA was conducted to inform the development of the management plan which concluded the risk to TEPS populations is low. Actions intended to minimise interactions with TEPS include: • Undertake a new project to improve understanding of TEPS interactions and mortality risk from fishing methods in the Corner Inlet. • Ensure data collection methods accurately capture fishing interactions with TEPS and risks associated with fishing methods are acceptable. • Revamp education materials for all Corner Inlet fishers in relation to TEPS interactions and minimisation.
2.2.3 There is an assessment of the impact of the fishery on threatened ecological communities.	**Meets – Robust ERA conducted, and risks identified as low, or suitable management practices in place.** The subtropical and temperate coastal saltmarsh ecological community is adjacent to the Corner Inlet estuary. The 2022 fishery submission indicates that fishing operations and methods used in the fishery are not likely to directly impact the ecological community. The potential for the risk of indirect impact by fishing operations (such as boat launching and waste disposal) is considered low.
Management responses	
2.2.4 There are measures in place to avoid capture and/or mortality of endangered, threatened or protected species.	**Meets – Mitigation strategy in place to avoid interactions with protected species.** The Corner Inlet has minimal TEPS interactions. Their primary method of fishing is via seine netting, which is a slow and selective method, and allows for minimal interactions to occur. Most interactions occurred when using mesh nets. <u>Seahorses and Pipefish (syngnathids)</u> From 2015 – 2020 the number of interactions with syngnathids remained consistent. However, from 2021 that has been a decrease in interactions and deaths. Management arrangements appear to result in low mortality rates. There have been declining rates of both interactions and mortalities in recent years. This should be

	investigated and incorporated into the ERA review to determine if other factors are affecting Syngnathids abundance and ensure future fishing pressure will not contribute to the decline of syngnathids in the wild. Australian Fur Seal (*Arctocephalus pusillus)* Australian fur seal interactions varied between 5 and 14 interactions between 2015 and 2019, however no interactions have been reported since 2019. The absence of reported interactions suggests that current mitigation strategies may be effective. However independent data validation is required to confirm this. Giant/ Great Black Cormorant (*Phalacrocorax carbo)* 58 interactions with giant/great black cormorants were reported in 2015, and 2 interactions were reported in 2022. No interactions were reported between these years. VFA are determined to work with Birdlife Australia to develop guidance to minimise TEP bird interactions. Black Faced Cormorant (*Phalacrocorax fuscescens)* In 2015 40 cormorant interactions were reported, with no interactions reported since. As with the giant/great black cormorant, VFA are working with Birdlife Australia to reduce TEP bird interactions. (Australian) Pied Cormorant *(Phalacrocorax varius)* There have been a total of 9 pied cormorant interactions reported between 2015 and 2022, however 8 of these have been mortalities in 2021 and 2022. To ensure that the capture and/or mortality of pied cormorants is mitigated VFA are determined to work with Birdlife Australia to develop guidance to minimise TEP bird interactions. Grey Nurse Shark (*Carcharias taurus)* A single mortality of a grey nurse shark was reported in 2016. While grey nurse sharks are rare in Victoria, VFA have provided guidance on how to treat the shark if contact is made, thereby reducing the likelihood of capture and/or mortality if another grey nurse shark interacts with the fishery in the future.

2.2.5 There are measures in place to avoid impact on threatened ecological communities.	**Meets – Mitigation strategy in place to avoid impact on threatened ecological communities.** The Corner Inlet Fishery has sufficient strategies in place to mitigate and avoid impact of threatened ecological communities. The subtropical and temperate coastal saltmarsh ecological community is adjacent to the Corner Inlet. The fishery is not known to have an impact on the wider marine ecosystem. The two main fishing methods within the fishery; mesh netting and seine netting, are not likely to have a direct impact on the adjacent saltmarshes.
2.2.6 The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.	**Meets – the management response has a high chance of achieving the objective**. Due to the selective fishing methods used in the fishery, and mandatory TEPS reporting, the Corner Inlet fishery has a low chance of impacting protected species or 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 fishery's impact on the ecosystem and environment generally.	**Meets – Robust methods of data collection in place**. The information is appropriately collated and collected for analysis in 2.3.2. The information that is collected covers the fishery's impact on the ecosystems and the environment more generally. This includes: • SAFS reports, • VFA's assessments of the Corner Inlet Fishery, and • scientific research (Victorian Marine and Coastal Council, CSIRO, and WGCMA).
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 • Benthic communities • Ecologically related, associated or dependent species • Water column communities 2. Impacts on food chains • Structure • Productivity/flows 3. Impacts on the physical environment • Physical habitat • Water quality	**Partially meets – An internal ERA has been conducted, however the impacts on the food chain are unable to be assessed due to lacking information.** An ecological risk assessment was completed and used to develop the Corner Inlet Fishery Management Plan. The ERA is not published and was not provided to the department, therefore cannot be considered directly as part of this assessment. Within the Management Plan (which is public) the following has been addressed: 1. <u>Impacts on ecological communities.</u> VFA state in their WTO application and management plan that the risk of the fishery's having a substantial impact on ecological communities has been identified as low. However, noting that the department has not been provided the ERA, it is not possible to determine what information was considered to reach this conclusion. The Corner Inlet Fishery operates in the Corner Inlet – Nooramunga area, which contains numerous seagrass beds. There are 2 native species that form these seagrass beds. These are the broad leaf seagrass (*Posidonia australis*) and the fine-leaf seagrass (*Zostera nigracaulis*). The seagrass beds are one of the main drivers for the commercial and recreational sectors of the fishery. To ensure the ecological community is not impacted consideration has been given to the fishery's potential impacts on habitat including fishing methods and their potential impacts on water column and benthic communities. It is important to note that external factors were considered when assessing the impact on ecological communities including climate change, invasive species and onshore run-off (urban and agricultural) which is managed and monitored by the West Gippsland Catchment Management Authority (WGCMA). 2. <u>Impacts on food chain</u> The impacts the fishery has on the stock structure and productivity of key target stocks was assessed using a combination of information source from the SAFS reports and the VFA's assessment of the Corner Inlet Fishery. It was identified that the Corner Inlet Fishery would have low impact on structure and the productivity of the fishery. The 2020 SAFS reported indicated that the effort of the fishery is unlikely to drastically impact to the key target species stock structures. This is also reflective in the VFA fisheries assessment (State Government Victoria, 2023). However, due to the lack of data for bycatch and discard species, and Indigenous and recreational sector data the cumulative impact on the food chain is unable to be assessed.

	3. <u>Impacts on the physical environment</u> VFA have stated that the risk assessment considered impacts the Corner Inlet Fishery may have on the physical environment, including anchoring of vessels, fishing gear impacts, and waste. These factors were considered to have little impact and pose a low risk to the ecosystem. However, noting that the department has not been provided the ERA, it is not possible to determine what information was considered to reach this conclusion.
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.	**Meets – Management actions are in place to ensure significant damage does not occur to ecosystems.** The Corner Inlet Fishery has management actions in place to ensure that significant damage to the ecosystem does not arise. The management plan details each of the primary fishing methods used by commercial fishers within the Inlet (seine nets and mesh nets). In the Corner Inlet, seine nets are characterised by slow tow speeds, short tow duration, and operating in shallow depths. The fish are then retrieved using a dip net, with undersized and unwanted fish being released back into the water. This selective process allows for minimal bycatch. It is a requirement that one of the ends of the net is anchored which prevents trawling in the fishery. Mesh netting is a passive form of fishing characterised by slow tow speeds with nets that are designed to glide over the seagrass without causing any damage. The boat does not remain attached to the gear while fishing. When the net is hauled back to the boat and cleared by hand, bycatch is returned to the water. The relatively short mesh nets used in this fishery have a degree of selectivity, as the mesh size and netting construction determines the size and species caught. The fishery has a low impact on the broader marine environment, but the VFA intends to work with key agencies and stakeholder to address some of the external impacts to the Corner Inlet such as urban and agricultural run-off, climate change, invasive marine pests, and Commonwealth licensed trawling impacting shared fish stocks. The Corner Inlet Broadleaf Restoration project is also working to increase the health of native seagrass and recover important habitat for fish species within the Corner Inlet. Landcare, commercial fishers, recreational anglers and other interested parties and volunteers have been assisting in this restoration program. The WGCMA developed the West Gippsland Waterway Strategy (2014-2022). This document sets out a program of activities to ensure appropriate environmental conditions to support a range of environmental, social, cultural and economic values.

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.	**Does not meet– There are no current performance measures.** The management plan outlines intended actions which include measures to manage the risk of damage to the ecosystem (such as seagrass, key target species, bycatch and TEPS) and a review process. However, currently there are no decision rules, performance indicators, or measures in place that would trigger a response to impacts of fishing operations on the environment. VFA intend to develop ecological triggers where action is required. Some of these actions include: • Improving quantitative monitoring of the performance of higher risk species; • Adjusting the *Fisheries Act 1995* (Vic), Fisheries Regulations 2019 (Vic) and any Fisheries Notices as required to implement best-practice management appropriate for the fishery; and • Quantitatively monitoring the fishery for significant changes in fishing effort or catch.
2.3.5 The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.	**Meets – High chance of achieving the objective.** The management plan is likely to achieve the objective. The fishery is being conducted in a manner that minimises the impact of fishing operations on the ecosystem generally. However, further understanding of the condition of seagrass habitat, including the rate of deterioration should be developed to facilitate appropriate management responses.

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
(5) Minister must have regard to relevant bioregional plans	**Meets** There is no Marine Bioregional Plan for the South-east Marine Region in which the Victorian Corner Inlet Fishery operates.

Part 13A – International movement of wildlife specimens

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.	The management arrangements for the Corner Inlet Fishery have been assessed as consistent with the general guidance provided in the objects of Part 13A as: • the fishery will not harvest any Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) listed species • there are management arrangements in place to ensure that the resource is being managed in an ecologically sustainable way (see Table 1) • the operation of the Corner Inlet Fishery is unlikely to be unsustainable and threaten biodiversity within the next 3 years, and • the Environment Protection and Biodiversity Conservation Regulations 2000 do not specify fish as a class of animal in relation to the welfare of live specimens.

Section 303 CG Minister may issue permits (CITES species)	Comment
(3) The Minister must not issue a permit unless the Minister is satisfied that: (a) the action or actions specified in the permit will not be detrimental to, or contribute to trade which is detrimental to: (i) the survival of any taxon to which the specimen belongs; or	**Not applicable** The Corner Inlet Fishery does not harvest any CITES listed species.
(ii) the recovery in nature of any taxon to which the specimen belongs; or	**Not applicable** The Corner Inlet Fishery does not harvest any CITES listed species.
(iii) any relevant ecosystem (for example, detriment to habitat or biodiversity); and	**Not applicable** The Corner Inlet Fishery does not harvest any CITES listed species.
Section 303DC Minister may amend list (non CITES species)	**Comment**
(1) The Minister may, by legislative instrument, amend the list referred to in section 303DB [list of exempt native specimens] by: (a) doing any of the following: (i) including items in the list; (ii) deleting items from the list; (iii) imposing a condition or restriction to which the inclusion of a specimen in the list is subject; (iv) varying or revoking a condition or restriction to which the inclusion of a specimen in the list is subject; or (b) correcting an inaccuracy or updating the name of a species.	The Department recommends that specimens that are or are derived from fish or invertebrates harvested in the Corner Inlet Fishery, as defined in the management plan in force under the Fisheries Act 1995 (Victoria), and the Fisheries Regulations 2019 (Victoria), but not including: • Specimens that belong to taxa listed under section 209 of the EPBC Act (Australia's list of migratory species), or • Specimens that belong to taxa listed under section 248 of the EPBC Act (Australia's list of marine species), or • 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)

	be included in the list of exempt native specimens while the Victorian Corner Inlet Fishery is subject to a declaration as an approved wildlife trade operation.
(1A) In deciding to amend the LENS, the Minister must rely primarily on outcomes an assessment under Part 10, Divisions 1 or 2	**Not applicable** The Corner Inlet Fishery is not managed under the Fisheries Management Act 1991 or Torres Strait Fisheries Act 1984 and is therefore not subject to assessment under Part 10.
(1C) The above does not limit matters that may be considered when deciding to amend LENS	**Meets** The department considers it has considered all matters relevant to making an informed decision to amend the list of exempt native specimens to include product taken in the Corner Inlet Fishery.
(3) Before amending the LENS, the Minister must consult: (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.	**Meets** The submission from VFA was made available on the department's website for public comment on 31 March 2023 to 04 May 2023, a total of 22 business days. One public comment about the proposal was received. The public comment received was broadly supportive of the management of the fishery. The public comment was taken into consideration and no concerns or issues were raised.
(5) A copy of an instrument made under section 303DC is to be made available for inspection on the internet	**Meets** The instrument made under section 303DC(1)(a) for the Corner Inlet Fishery will be registered on the Federal Register of Legislation, and a link to the instrument made available through the department's website. Under subsection 56(1) of the Legislation Act 2003 (Cth), registration on the Federal Register of Legislation meets the requirements for gazettal.

Section 303FN Approved wildlife trade operation	Comment
(3) The Minister must not declare an operation as an approved wildlife trade operation unless the Minister is **satisfied** that: (a) the operation is consistent with the objects of Part 13A of the Act; and (b) the operation will not be detrimental to: (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	**Meets** The fishery is consistent with Objects of 13A – see above assessment against the Guidelines. It is highly unlikely the fishery will 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 currently in place, which include: • licensing requirements; • equipment limits and permitted use; • species size and catch limits; • bycatch – safe return of unwanted fish; • accurate protected species interaction reporting (commercial fishery only); • accurate catch and effort reporting (commercial fishery only); • VMS requirements (commercial fishery only); and • prohibition on fishing in the Corner Inlet Marine National Park area.
(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	**Not applicable** The Environment Protection and Biodiversity Conservation Regulations 2000 (EPBC Regulations) do not specify invertebrates or fish as a class of animal in relation to the welfare of live specimens.
(d) such other conditions (if any) as are specified in the regulations have been, or are likely to be, satisfied.	**Not applicable** No other conditions are specified in relation to commercial fisheries in the EPBC Regulations.

(4) In deciding whether to declare an operation as an approved wildlife trade operation the Minister must have **regard** to: (a) the significance of the impact of the operation on an ecosystem (for example, an impact on habitat or biodiversity); and	**Meets** It is highly unlikely the Corner Inlet Fishery will 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(b).
(b) the effectiveness of the management arrangements for the operation (including monitoring procedures).	**Meets** The management arrangements that will be employed for the Corner Inlet Fishery as outlined in the assessment against the Guidelines (above), are likely to be effective.
(5) In deciding whether to declare an operation as an approved wildlife trade operation the Minister must have **regard** to: (a) whether legislation relating to the protection, conservation or management of the specimens to which the operation relates is in force in the State or Territory concerned; and (b) whether the legislation applies throughout the State or Territory concerned; and (c) whether, in the opinion of the Minister, the legislation is effective.	**Meets** The fishery will be managed under the Corner Inlet Fishery Management Plan, the *Fisheries Act 1995* (Vic) and Fisheries Regulations 2019 (Vic). The Victorian *Fisheries Act 1995* and Fisheries Regulations 2019 apply throughout Victorian waters. The legislation is likely to be effective.
(10) For the purposes of section 303FN, an operation is a wildlife trade operation if, an only if, the operation is an operation for the taking of specimens and: (a) the operation is a commercial fishery.	**Meets** The Corner Inlet Fishery is a commercial fishery.

Section 303FR Public consultation	Comment
(1) Before making a declaration under section 303FN, the Minister must cause to be published on the Internet a notice: (a) setting out the proposal to make the declaration; and (b) setting out sufficient information to enable persons and organisations to consider adequately the merits of the proposal; and (c) inviting persons and organisations to give the Minister, within the period specified in the notice, written comments about the proposal. (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. (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.	**Meets** A public notice, which set out the proposal to declare the Corner Inlet Fishery an approved wildlife trade operation and included the application from VFA, was released for public comment on 31 March 2023 to 04 May 2023, a total of 22 business days. One public comment about the proposal was received. The public comment received was broadly supportive of the management of the fishery. The public comment was taken into consideration and no concerns or issues were raised.
Section 303FT Additional provisions relating to declarations	**Comments**
(1) This section applies to a declaration made under section 303FN, 303FO or 303FP.	A declaration for the Corner Inlet Fishery will be made under section 303FN.
(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: (a) during a particular period; or (b) while certain circumstances exist; or (c) while a certain condition is complied with. In such a case, the instrument of declaration is to specify the period, circumstances or condition.	The standard conditions applied to commercial fishery wildlife trade operations include: • operation in accordance with the management regime; • notifies the department of changes to the management regime; • annual reporting in accordance with the requirements of the Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition; and • notifying the department of any intended changes to fisheries legislation that may affect the legislative instruments relevant to this approval. The wildlife trade operation instrument for the Victorian Corner Inlet Fishery specifies standard conditions and any additional conditions applied.

(8)	A condition may relate to reporting or monitoring.	Two of the standard conditions (conditions 3 and 4) relates to reporting.
(9)	The Minister must, by instrument published in the Gazette, revoke a declaration if he or she is satisfied that a condition of the declaration has been contravened.	**Not applicable** No conditions have been contravened.

Part 16 – Precautionary principle and other considerations in making decisions

Section 391 Minister must consider precautionary principle in making decisions		Comment
(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.	**Meets** Having regard to: • the management measures in place in the Corner Inlet Fishery, including the Corner Inlet Fishery Management Plan • conditions proposed for inclusion on the Part 13A approval, the department considers the precautionary principle has been accounted for in the preparation of advice in relation to a decision under section 303DC and section 303FN. No threats of irreversible damage were determined to be present in this assessment. This assessment found no instance where a lack of scientific uncertainty resulted in the delay of appropriate management to mitigate against the risk of serious of irreversible damage to the environment.
(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.	

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