



Australian Government

Department of the Environment and Energy

Assessment of the
Queensland Coral Fishery

JUNE 2018

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This report should be attributed as '*Assessment of the Queensland Coral Fishery June 2018*, Commonwealth of Australia 2018'.

Disclaimer

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

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EXECUTIVE SUMMARY OF THE ASSESSMENT OF THE QUEENSLAND CORAL FISHERY

On 26 April 2018 the Queensland Department of Agriculture and Fisheries submitted an application for the Queensland Coral Fishery to the Department of the Environment and Energy for assessment under the EPBC Act as an approved wildlife trade operation (WTO), against the Australian Government 'Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition'. A public comment period was open from 4 May – 13 June 2018.

The fishery

The fishery operates in Queensland and Commonwealth waters, and within the Great Barrier Reef Marine Park. Harvest is by hand collection only and the fishery is managed using limited entry with a quota of 200 tonne total allowable catch, split between specialty coral (30 per cent) and other coral (70 per cent). An ecological risk assessment was completed for the fishery in 2013 and remains valid.

Target stocks

While there are no stock assessments in place due to the high number of species harvested, the fishery is managed through risk assessment. Impacts are considered likely to be low due to the harvesting methods employed, the amount harvested across a broad geographic range and the degree of protection of the resource from harvesting offered by the Great Barrier Reef Marine Park.

Protected species (including CITES-listed species) and ecosystems

Due to the highly selective fishing methods, the fishery has a low risk of causing damage to ecosystems and there are unlikely to be incidental interactions with protected species. CITES-listed coral species are harvested in relatively small amounts. Harvest is managed at sustainable levels through implementation of risk assessments, management plans, the Queensland Coral Policy and the Stewardship Action Plan. These policies guide the management of the fishery (including ensuring the resource is sustainably harvested), and put plans in place to respond to catastrophic events linked to global climate change and to minimise impacts on stressed coral reefs.

Conclusion

Following assessment against the Guidelines at Section 2, the Queensland Coral Fishery has been found to meet the requirements of the EPBC Act. This assessment has found the harvest of CITES-listed corals from this fishery to be not detrimental to the species.

Given the fishery's harvest includes appropriately managed CITES species for export, declaration of the harvest operations of the fishery as an approved wildlife trade operation for three years, under Part 13A of the *Environment Protection and Biodiversity Conservation Act 1999* until 18 June 2021 is appropriate. Unless a specific time frame is provided, each condition must be addressed within the period of the approved wildlife trade operation declaration for the fishery.

SECTION 1: ASSESSMENT SUMMARY OF THE QUEENSLAND CORAL FISHERY AGAINST THE GUIDELINES FOR THE ECOLOGICALLY SUSTAINABLE MANAGEMENT OF FISHERIES (2ND EDITION)

	Meets	Partially meets	Does not meet	Details
Guidelines				
Management regime	6 of 9	2 of 9	1 n/a	Generally robust management regime, although would be improved by more regular evaluation of performance.
Principle 1 (target stocks)	6 of 11	3 of 11 (1.1.2, 1.1.3, 1.1.6)	2 n/a	Generally robust management of target stocks. 1.1.2 – continued reporting would provide a more robust assessment of coral dynamics and distribution. 1.1.3 – finer scale spatial management would enable more responsive management interventions. 1.1.6 – Performance Management System not reviewed since 2008, updated reference points/triggers would enable more responsive management interventions.
Principle 2 (bycatch and TEPS)	6 of 12		6 n/a	No concerns for bycatch or protected species interactions due to the highly selective fishing method.
Principle 2 (ecosystem impacts)	4 of 5	1 of 5		Ecosystem impacts likely to be low due to highly selective fishing method. 2.3.4 - Performance Management System not reviewed since 2008, updated reference

				points/triggers would enable more responsive management interventions.
EPBC requirements				
Part 12	Met			Operates in the Coral Sea and the Temperate East Marine regions. Highly selective fishing method is unlikely to have an impact on ecological values.
Part 13	Met			Accreditation currently in place and remains valid.
Part 13A	Met			<p>The fishery harvests CITES-listed corals. Harvest is managed at sustainable levels through ERAs, stewardship plan, coral stress plan etc. This assessment has found the harvest of CITES-listed corals from this fishery to be not detrimental to the species.</p> <p>Based on outcomes of Guidelines assessment, the Objects of Part 13A are considered met, with EPBC consultation requirements also met.</p>
Part 16	Met			Appropriate precautionary measures are in place to prevent serious or irreversible environmental damage being caused by this fishery.

Notes:**Assessment history:**

1st assessment finalised June 2006 (amended in 2008) – 3 conditions and 9 recommendations

2nd assessment finalised June 2009 – 4 conditions and 2 recommendations

3rd assessment finalised June 2012 – 8 conditions and 3 recommendations

4th assessment finalised June 2015 – 6 conditions and 1 recommendation

Fishery reporting:

Queensland Department of Agriculture and Fisheries 2017 'Coral Fishery', – <https://www.daf.qld.gov.au/business-priorities/fisheries/monitoring-our-fisheries/commercial-fisheries/data-reports/sustainability-reporting/queensland-fisheries-summary/coral-fishery>, Sourced: 7 June 2018.

Key links**Queensland Coral Fishery information:**

Queensland Department of Agriculture and Fisheries 2018 'Coral Fishery', – <https://www.daf.qld.gov.au/business-priorities/fisheries/monitoring-our-fisheries/commercial-fisheries/data-reports/sustainability-reporting/queensland-fisheries-summary/coral-fishery>, Sourced: 7 June 2018.

Department of Agriculture and Fisheries 2016 'Policy for the management of the Coral Fishery 2016 – <https://publications.qld.gov.au/dataset/queensland-coral-fishery-policy-2016>, Sourced: 7 June 2018.

Department of Primary Industries and Fisheries 2009 'A Guide to the Queensland Marine Aquarium Fish Fishery and the Queensland Coral Fishery' – https://www.daf.qld.gov.au/data/assets/pdf_file/0005/59837/marine-aquarium-coral-fishery-Guide-QLD.pdf, Sourced: 7 June 2018.

Enforcing legislation:

The fishery is managed in accordance with provisions in the following Queensland legislation and regulations available at <https://www.legislation.qld.gov.au/> and Commonwealth legislation available at <https://www.legislation.gov.au/Details/C2017C00279> (Sourced: June 2018):

Queensland *Fisheries Act 1994*.

Queensland Fisheries Regulation 2008.

Queensland Marine Parks Act 1982.

Commonwealth *Great Barrier Reef Marine Park Act 1975*.

Harvest Strategy:

All Queensland fisheries are guided by harvesting policies developed by fishery working groups. These documents are available at <https://www.daf.qld.gov.au/fisheries/sustainable-fisheries-strategy/harvest-strategy>:

– Harvest Strategy Policy 2017, Department of Agriculture and Fisheries, and

– Guidelines for implementing the Queensland Harvest Strategy Policy 2017, Department of Agriculture and Fisheries.

Ecological Risk Assessment (ERA):

Roelofs A 2008 'Ecological risk assessment of the Queensland Coral Fishery, Department of Primary Industries and Fisheries, Brisbane QLD, Available at

https://www.daf.qld.gov.au/data/assets/pdf_file/0005/76577/EcolRiskAssess-Coral-Fishery.pdf,

Sourced: 7 June 2018.

Roelofs A 2013 'Coral Vulnerability Assessment' (2013 ERA) is not yet publically available.

Other relevant information:

Department of Agriculture and Fisheries 2017 '**Queensland Sustainable Fisheries Strategy 2017–2027**', Brisbane QLD, Available at <https://www.daf.qld.gov.au/fisheries/consultations-and-legislation/sustainable-fisheries-strategy>.

Donnelly R 2009 '**Stewardship action plan: A statement of operational standards and climate change contingency planning**', ProVision Reef Inc., Available at http://www.gbrmpa.gov.au/_data/assets/pdf_file/0015/4236/gbrmpa_StewardshipActionPlan2009.pdf.

SECTION 2: DETAILED ANALYSIS OF THE QUEENSLAND CORAL FISHERY AGAINST THE GUIDELINES FOR THE ECOLOGICALLY SUSTAINABLE MANAGEMENT OF FISHERIES (2ND EDITION)

Guidelines for the Ecologically Sustainable Management of Fisheries (2nd edition)	Comment
THE MANAGEMENT REGIME	
The management regime does not have to be a formal statutory fishery management plan as such, and may include non-statutory management arrangements or management policies and programs. The regime should:	
Be documented, publicly available and transparent	<p>Meets</p> <p>The Queensland Coral Fishery (the fishery) is managed by the Queensland Department of Agriculture and Fisheries (QDAF) under the Queensland <i>Fisheries Act 1994</i> and Fisheries Regulation 2008. Legislation can be found at www.legislation.qld.gov.au.</p> <p>The fishery operates in the Great Barrier Reef Marine Park, with permits to operate within the marine park issued by Great Barrier Reef Marine Park Authority (GBRMPA).</p> <p>QDAF has published a guide for the fishery (see weblink above) which describes the management arrangements. QDAF developed the Queensland Policy for the management of the Coral Fishery 2016 (weblink above) to guide the management for the fishery, including ensuring the resource is sustainably harvested, providing adequate monitoring and review of the fishery's performance, and manage risks posed by the fishery.</p>
Be developed through a consultative process providing opportunity to all interested and affected parties, including the general public	<p>Meets</p> <p>The management arrangements were developed with industry and relevant stakeholders. There is a statutory process in place for public consultation and for the involvement of advisory committees in managing the fishery. A Regulatory Impact Statement (RIS) process is used as the main mechanism for ongoing consultation. The Queensland RIS guidelines can be found on the Queensland Department of Treasury website.</p> <p>The Queensland Sustainable Fisheries Strategy 2017-2027 (see weblink above) sets out priorities for future engagement with stakeholders through working groups which includes membership from commercial, recreational, conservation and Indigenous representatives.</p>

<p>Ensure that a range of expertise and community interests are involved in individual fishery management committees and during the stock assessment process</p>	<p>Meets</p> <p>Consultation is completed through a formal RIS and/or show cause process under Section 63 of the Queensland <i>Fisheries Act 1994</i>. There is ongoing scientific research and management expertise within QDAF.</p> <p>QDAF, GBRMPA and industry have collaborated to establish:</p> <ul style="list-style-type: none"> the Stewardship Action Plan (weblink above) to ensure that fisheries that supply to the aquarium industry in Queensland adhere to operational standards and have contingency plans in place to respond to catastrophic events linked to global climate change, and the Coral Stress Response Plan (weblink above) which outlines the strategy being adopted by this fishery to minimise impacts on coral reef systems showing signs of stress. <p>While there are no stock assessments in place the ecological risk assessment (ERA) process, which incorporated external expertise considered the fishery was a low risk to species stocks.</p> <p>The Queensland Coral Fishery Working Group, set up as part of the Sustainable Fisheries Strategy, includes representatives from QDAF, the fishery, GBRMPA and an independent scientist.</p>
<p>Be strategic, containing objectives and performance criteria by which the effectiveness of the management arrangements are measured</p>	<p>Partially meets</p> <p>Objectives and performance criteria are contained in the <i>Fisheries Act 1994</i> and the fishery Performance Measurement System (PMS). Currently, these are not regularly measured, although catch and effort data is reviewed annually against historic harvest.</p> <p>A condition on the existing declaration as an approved wildlife trade operation (WTO) for this fishery was to finalise the review and update the PMS. This review is currently underway as part of the Sustainable Fisheries Strategy. The development of a harvest strategy for this fishery is a priority and will integrate the PMS. Until this is complete, monitoring and reporting will continue against the PMS. Implementation of Condition 4 is anticipated to result in improved management arrangements.</p>
<p>Be capable of controlling the level of harvest in the fishery using input and/or output controls</p>	<p>Meets</p> <p>The level of harvest is controlled through input (effort) controls including limited entry and gear restrictions. Management arrangements such as area closures can be implemented if an issue is identified that has a detrimental impact on a target or byproduct stock. Commercial logbooks and real time monitoring of quota usage are undertaken. The Total Allowable Commercial Catch (TACC) is 200 tonne (split between specialty coral 30 per cent and other coral 70 per cent). Review of the harvest of CITES listed taxa in the fishery is reported to the Department annually under Condition 5 of the existing WTO.</p>
<p>Contain the means of enforcing critical aspects of the management arrangements</p>	<p>Meets</p> <p>The Queensland <i>Fisheries Act 1994</i> contains provisions for the enforcement of the management arrangements for the fishery. Compliance and enforcement activities are carried out by the Queensland Boating and Fisheries Patrol. Compliance capacity are likely increase in future, according to commitments made in the Sustainable Fisheries Strategy.</p>

<p>Provide for the periodic review of the performance of the fishery management arrangements and the management strategies, objectives and criteria</p>	<p>Partially meets – with condition</p> <p>When operational, the PMS regularly evaluated the performance of fishery management arrangements against specified objectives and criteria. However, while catch and effort data is still reviewed annually against historic harvest, the last PMS review of this fishery was undertaken in 2008.</p> <p>The Department included a condition in its 2015 assessment for the fishery that QDAF finalise the review and update the PMS, including improved measurements that respond to local depletions. This review is currently underway. Future performance review and monitoring will be integrated into the Harvest Strategy for this fishery, which has commenced development as part of the Sustainable Fisheries Strategy (weblink above). The development and final implementation of a harvest strategy under Condition 4 is expected to improve the periodic review of this fishery.</p>
<p>Be capable of assessing, monitoring and avoiding, remedying or mitigating any adverse impacts on the wider marine ecosystem in which the target species lives and the fishery operates</p>	<p>Meets</p> <p>An ERAs were conducted in 2008 and 2013 and assessed the impacts of the fishery on the ecosystem and target species. The fishing method used (hand collection) in this fishery poses a low risk to the wider marine ecosystem.</p> <p>The Sustainable Fisheries Strategy also outlines further monitoring and research to inform management needs and fill information gaps.</p>
<p>Requires compliance with relevant threat abatement plans, recovery plans, the National Policy on Fisheries Bycatch, and bycatch action strategies developed under the policy</p>	<p>Not applicable</p> <p>There are no relevant plans to be considered at this time.</p>
<p>PRINCIPLE 1 - A fishery must be conducted in a manner that does not lead to over-fishing, or for those stocks that are over-fished, the fishery must be conducted such that there is a high degree of probability the stock(s) will recover.</p>	
<p>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.</p>	
<p>Information requirements</p>	
<p>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.</p>	<p>Meets</p> <p>Coral authority holders are required to keep and provide logbook information and submit reports of quota usage for purposes of compliance and monitoring of the fishery. Operators are required to report catch and effort through daily logbooks, and are required to lodge a prior notice report before the conclusion of each fishing trip with quantities of coral taken.</p> <p>A mandatory Vessel Monitoring System will also be implemented in this fishery by 2020 as part of the Sustainable Fisheries Strategy.</p>
<p>Assessment</p>	

<p>1.1.2 There is a robust assessment of the dynamics and status of the species/fishery and periodic review of the process and the data collected. Assessment should include a process to identify any reduction in biological diversity and /or reproductive capacity. Review should take place at regular intervals but at least every three years.</p>	<p>Partially meets – with condition</p> <p>Rather than individual stock assessment, this fishery is managed through risk assessment and management. QDAF provide annual reports to the Department on species-specific harvest and spatial analysis of harvest by species groups. Logbook data entry checks, data extraction checks and range checks are undertaken. The logbook reporting system was recently revised to provide more detailed species information.</p> <p>There remains gaps in knowledge on the distributions of many coral species. ERAs are undertaken every three to five years for the fishery, depending on availability of new information. The 2013 ERA was based on a set of ecological values including accessibility, susceptibility to bleaching, abundance, growth rate and ecological niches. Continued implementation of Condition 5 will provide analysis on harvest of CITES-listed corals, including trends, spatial analysis and updated risk assessments.</p> <p>The Sustainable Fisheries Strategy outlines further monitoring and research that will inform management needs and fill information gaps.</p>
<p>1.1.3 The distribution and spatial structure of the stock(s) has been established and factored into management responses.</p>	<p>Partially meets – with condition.</p> <p>There are some gaps in knowledge on the distributions of many coral species. However, distribution and spatial structure of target stocks was incorporated into the 2013 coral vulnerability assessment (ERA) to inform risk ratings and subsequent management responses. Specifically, the results from the 2013 ERA were incorporated into the Stewardship Action Plan which ensured that fisheries that supply to the aquarium industry in Queensland have contingency plans to respond to catastrophic events linked to climate change.</p> <p>Management of this fishery currently focusses on two coral catchment areas, where spatially explicit trigger limits are managed. However, significant harvest occurs outside these areas. Condition 4 aims to ensure finer scale spatial management is incorporated into the new harvest strategy for this fishery.</p>
<p>1.1.4 There are reliable estimates of all removals, including commercial (landings and discards), recreational and indigenous, from the fished stock. These estimates have been factored into stock assessments and target species catch levels.</p>	<p>Meets</p> <p>Commercial fishers are required to complete a logbook at the end of each fishing trip and submit that to QDAF. Logbook data entry checks, data extraction checks and range checks are undertaken. The logbook reporting system was recently revised to provide more detailed species information.</p> <p>Relevant initiatives under the Sustainable Fisheries Strategy include the development of a Data Validation Plan and implementation of vessel monitoring on all commercial vessels by 2020.</p> <p>There are no estimates available on recreational and Indigenous take, however they are not expected to be significant.</p>
<p>1.1.5 There is a sound estimate of the potential productivity of the fished stock/s and the proportion that could be harvested.</p>	<p>Meets</p> <p>Rather than individual stock assessment, this fishery is managed through risk assessment and management. There are some gaps in knowledge on the distributions of many coral species. However, distribution and spatial structure of target stocks was incorporated into the 2013 coral vulnerability assessment (ERA) to inform harvest levels.</p>
<p>Management responses</p>	

<p>1.1.6 There are reference points (target and/or limit), that trigger management actions including a biological bottom line and/or a catch or effort upper limit beyond which the stock should not be taken.</p>	<p>Partially meets</p> <p>There is a 200 tonne TACC split between specialty coral (30 per cent) and other coral (70 per cent) for this fishery. The collection of data through logbooks enables QDAF to implement any appropriate management response, if a response was required.</p> <p>The PMS identified species-specific reference points and management response triggers, informed by the 2008 ERA. The PMS has not been reviewed in this fishery since 2008, however the Queensland Harvest Strategy Policy and Guidelines (weblink above) sets out how future management will include suitable reference points, decision rules and performance indicators. Implementation of Condition 4, the development of a harvest strategy with defined reference points and management actions, is expected to result in improved management arrangements.</p>
<p>1.1.7 There are management strategies in place capable of controlling the level of take.</p>	<p>Meets</p> <p>The level of take is controlled through limited entry, quota management, gear restrictions, and hand collection. There is a 200 tonne TACC split between specialty coral (30 per cent) and other coral (70 per cent) for this Fishery.</p>
<p>1.1.8 Fishing is conducted in a manner that does not threaten stocks of byproduct species.</p>	<p>Meets</p> <p>There are no byproduct species taken in the fishery due to the selective fishing methods used.</p>
<p>(Guidelines 1.1.1 to 1.1.7 should be applied to byproduct species to an appropriate level)</p>	
<p>1.1.9 The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.</p>	<p>Meets</p> <p>Given the fishing method, logbook reporting, and detailed risk assessments, the management response has a high chance of achieving the objective of maintaining ecologically viable stock levels.</p>
<p>If overfished, go to Objective 2: If not overfished, go to PRINCIPLE 2:</p>	
<p>Objective 2 - Where the fished stock(s) are below a defined reference point, the fishery will be managed to promote recovery to ecologically viable stock levels within nominated timeframes.</p>	
<p>Management responses</p>	
<p>1.2.1 A precautionary recovery strategy is in place specifying management actions, or staged management responses, which are linked to reference points. The recovery strategy should apply until the stock recovers, and should aim for recovery within a specific time period appropriate to the biology of the stock.</p>	<p>Not applicable</p> <p>No target stocks are currently considered to be overfished.</p>

<p>1.2.2 If the stock is estimated as being at or below the biological and / or effort bottom line, management responses such as a zero targeted catch, temporary fishery closure or a 'whole of fishery' effort or quota reduction are implemented.</p>	<p>Not applicable No target stocks are currently considered to be overfished.</p>
<p>PRINCIPLE 2 - Fishing operations should be managed to minimise their impact on the structure, productivity, function and biological diversity of the ecosystem.</p>	
<p>Objective 1 - The fishery is conducted in a manner that does not threaten bycatch species.</p>	
<p>Information requirements</p>	
<p>2.1.1 Reliable information, appropriate to the scale of the fishery, is collected on the composition and abundance of bycatch.</p>	<p>Meets There is no significant bycatch due to the highly selective fishing methods.</p>
<p>Assessment</p>	
<p>2.1.2 There is a risk analysis of the bycatch with respect to its vulnerability to fishing.</p>	<p>Meets The most recent ERA for this fishery was conducted in 2013 and assessed the impacts of the fishery on the ecosystem and target species.</p>
<p>Management responses</p>	
<p>2.1.3 Measures are in place to avoid capture and mortality of bycatch species unless it is determined that the level of catch is sustainable (except in relation to endangered, threatened or protected species). Steps must be taken to develop suitable technology if none is available.</p>	<p>Not applicable Due to the highly selective fishing methods, there is no capture of bycatch.</p>
<p>2.1.4 An indicator group of bycatch species is monitored.</p>	<p>Not applicable Monitoring of an indicator group of bycatch species is not necessary due to the low risk posed by the harvesting method.</p>
<p>2.1.5 There are decision rules that trigger additional management measures when there are significant perturbations in the indicator species numbers.</p>	<p>Not applicable There are no specific decision rules in place that trigger additional management measures - which is appropriate given the low risk posed to bycatch species.</p>
<p>2.1.6 The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.</p>	<p>Meets The management arrangements are likely to have a high chance of achieving the objective of fishing being conducted in a manner that does not threaten bycatch.</p>
<p>Objective 2 - The fishery is conducted in a manner that avoids mortality of, or injuries to, endangered, threatened or protected species and avoids or minimises impacts on threatened ecological communities.</p>	

Information requirements	
2.2.1 Reliable information is collected on the interaction with endangered, threatened or protected species and threatened ecological communities.	Meets All operators are required to report any interactions with threatened, endangered or protected species and there are no threatened ecological communities in the area of the fishery. Species of Conservation Interest logbooks are considered reliable.
Assessments	
2.2.2 There is an assessment of the impact of the fishery on endangered, threatened or protected species.	Meets The 2013 ERA assessed the impacts of the fishery on the ecosystem and target species. Due to the highly selective fishing method, the risk of interactions with threatened, endangered and protected species is considered to be low.
2.2.3 There is an assessment of the impact of the fishery on threatened ecological communities.	Not applicable There are no threatened ecological communities in the area of the fishery.
Management responses	
2.2.4 There are measures in place to avoid capture and/or mortality of endangered, threatened or protected species.	Not applicable Threatened, endangered and protected species interactions are considered negligible therefore no specific management measures are considered required.
2.2.5 There are measures in place to avoid impact on threatened ecological communities.	Not applicable There are no threatened ecological communities in the area of the fishery.
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 arrangements are likely to have a high chance of achieving the objective of ensuring that fishing 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.
Objective 3 - The fishery is conducted, in a manner that minimises the impact of fishing operations on the ecosystem generally.	
Information requirements	
2.3.1 Information appropriate for the analysis in 2.3.2 is collated and/or collected covering the fisheries impact on the ecosystem and environment generally.	Meets Information is collected for some target species with no specific information collected on the fishery's impact on the ecosystem and environment generally. However, the impact on the ecosystem and environment is considered to be low due to the highly selective fishing method.

Assessment	
<p>2.3.2 Information is collected and a risk analysis, appropriate to the scale of the fishery and its potential impacts, is conducted into the susceptibility of each of the following ecosystem components to the fishery.</p> <ol style="list-style-type: none"> 1. Impacts on ecological communities <ul style="list-style-type: none"> • Benthic communities • Ecologically related, associated or dependent species • Water column communities 2. Impacts on food chains <ul style="list-style-type: none"> • Structure • Productivity/flows 3. Impacts on the physical environment <ul style="list-style-type: none"> • Physical habitat • Water quality 	<p>Meets</p> <p>The 2013 ERA assessed the impacts of the fishery on target species, but did not assess the impacts on ecological communities, food chains or the physical environment. However, the fishing methods as described in the ERA would pose very low risk to the environment, with no damaging collection activities permitted and highly selective harvesting.</p>
Management responses	
<p>2.3.3 Management actions are in place to ensure significant damage to ecosystems does not arise from the impacts described in 2.3.1.</p>	<p>Meets</p> <p>Although there is no ERA for the impact on ecosystems in place, due to the highly selective harvesting method (hand collection) it is likely that the fishery is not having an adverse impact on the ecosystem.</p>
<p>2.3.4 There are decision rules that trigger further management responses when monitoring detects impacts on selected ecosystem indicators beyond a predetermined level, or where action is indicated by application of the precautionary approach.</p>	<p>Partially meets</p> <p>There are decision rules in place that trigger further management responses in the PMS, however these are not regularly measured and the PMS has not been reviewed for this fishery since 2008. Future performance monitoring will be integrated into the anticipated Harvest Strategy for this fishery (see Condition 4).</p>
<p>2.3.5 The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.</p>	<p>Meets</p> <p>The management arrangements, considering any precautionary management actions, appear to have a high chance of achieving the objective of ensuring that the fishery is conducted in a manner that minimises the impact of fishing operations on the ecosystem generally.</p>

SECTION 3: ASSESSMENT OF THE QUEENSLAND CORAL FISHERY AGAINST THE REQUIREMENTS OF 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

Section 176 Bioregional Plans	Comment
(5) Minister must have regard to relevant bioregional plans	<p>Meets</p> <p>The fishery operates in the Coral Sea and the Temperate East Marine regions. There is no bioregional plan currently in place for the Coral Sea Marine Region.</p> <p>There is no evidence to suggest any systematic change to species diversity or richness caused by these fisheries, indicating fishing effort is not having a material impact on the food chain or trophic structure. Given the low impact fishing methods used in the fishery and the mitigation measures in place, impact to key ecological features is considered low.</p>

Part 13 - Accreditation currently in place and still valid.

Accreditable plan, regime or policy (Division 1, Division 2, Division 3, Division 4)	Comment
s. 208A (1) (a-e) , s.222A (1) (a-e), s.245 (1) (a-e), s.265 (1) (a-e) Does the fishery have an accreditable plan of management, regime or policy?	<p>Yes there is an accreditable management regime.</p> <p>The Queensland Coral Fishery will be managed under the Queensland <i>Fisheries Act 1994</i> and Fisheries Regulation 2008.</p>
Division 1 Listed threatened species, Section 208A Minister may accredit plans or regimes	Comment
(f) Will the plan, regime or policy require fishers to take all reasonable steps to ensure that members of listed threatened species (other than conservation dependent species) are not killed or injured as a result of the fishing?	<p>Yes, there is an accreditable management regime.</p> <p>The management regime for the Queensland Coral Fishery was accredited in June 2012. The management arrangements for the fishery have not significantly changed since this accreditation was granted. Consequently, a new Part 13 declaration is not needed at this time.</p>
(g) And, is the fishery likely to adversely affect the survival or recovery in nature of the species?	<p>No. No interactions have been historically reported and the risk to threatened species is considered low due to the fishing method employed (hand collection).</p>
Division 2 Migratory species, Section 222A Minister may accredit plans or regimes	Comment
(f) Will the plan, regime or policy require fishers to take all reasonable steps to ensure that members of listed migratory species are not killed or injured as a result of the fishing?	<p>Yes, the management regime requires that all reasonable steps are taken to avoid interactions through gear limitations (hand collection) and any interactions are reported to the Department.</p>
(g) And, is the fishery likely to adversely affect the conservation status of a listed migratory species or a population of that species?	<p>No. No interactions have been historically reported and the risk to threatened species is considered low due to the fishing method employed (hand collection).</p>

Division 3 Whales and other cetaceans, Section 245 Minister may accredit plans or regimes	Comment
(f) Will the plan, regime or policy require fishers to take all reasonable steps to ensure that cetaceans are not killed or injured as a result of the fishing?	Yes , the management regime requires that all reasonable steps are taken to avoid interactions through gear limitations (hand collection) and any interactions are reported to the Department.
(g) And, is the fishery likely to adversely affect the conservation status of a species of cetacean or a population of that species?	No . No interactions have been historically reported and the risk to threatened species is considered low due to the fishing method employed (hand collection).
Division 4 Listed marine species, Section 265 Minister may accredit plans or regimes	Comment
(f) Will the plan, regime or policy require fishers to take all reasonable steps to ensure that members of listed marine species are not killed or injured as a result of the fishing?	Yes , the management regime requires that all reasonable steps are taken to avoid interactions through gear limitations (hand collection) and any interactions are reported to the Department.
(g) And, is the fishery likely to adversely affect the conservation status of a listed marine species or a population of that species?	No . No interactions have been historically reported and the risk to threatened species is considered low due to the fishing method employed (hand collection).
Section 303AA Conditions relating to accreditation of plans, regimes and policies	Comment
(1) This section applies to an accreditation of a plan, regime or policy under section 208A, 222A, 245 or 265.	The Department recommends that the accreditation of the Queensland Coral Fishery's management regime remain valid under sections 208A, 222A, 245 and 265.
(2) The Minister may accredit a plan, regime or policy under that section even though he or she considers that the plan, regime or policy should be accredited only: (a) during a particular period; or (b) while certain circumstances exist; or (c) while a certain condition is complied with. In such a case, the instrument of accreditation is to specify the period, circumstances or condition.	The Department considers that no conditions are required for the accreditation of the management regime for the Queensland Coral Fishery under Part 13.
(7) The Minister must, in writing, revoke an accreditation if he or she is satisfied that a condition of the accreditation has been contravened.	Not applicable.

Part 13A

Section 303BA Objects of Part 13A	
<p>(1) The objects of this Part are as follows:</p> <ul style="list-style-type: none"> (a) to ensure that Australia complies with its obligations under CITES and the Biodiversity Convention; (b) to protect wildlife that may be adversely affected by trade; (c) to promote the conservation of biodiversity in Australia and other countries; (d) to ensure that any commercial utilisation of Australian native wildlife for the purposes of export is managed in an ecologically sustainable way; (e) to promote the humane treatment of wildlife; (f) to ensure ethical conduct during any research associated with the utilisation of wildlife; and (h) to ensure the precautionary principle is taken into account in making decisions relating to the utilisation of wildlife. 	
Section 303 CG Minister may issue permits (CITES species)	Comment
<p>(3) The Minister must not issue a permit unless the Minister is satisfied that:</p> <ul style="list-style-type: none"> (a) the action or actions specified in the permit will not be detrimental to, or contribute to trade which is detrimental to: <ul style="list-style-type: none"> i. the survival of any taxon to which the specimen belongs; or 	<p>Given the fishery's management arrangements in place to monitor and control the level of harvest of CITES species and noting the minimal level of CITES species being exported from the fishery, the Department considers that the Queensland Coral Fishery will not be detrimental to the survival of any taxon to which the CITES specimen belongs in the short to medium term. A condition on the WTO declaration for the Queensland Coral Fishery includes annual reporting requirements, which will allow the Department to monitor the status of CITES specimens harvested in the fishery.</p>
<ul style="list-style-type: none"> ii. the recovery in nature of any taxon to which the specimen belongs; or 	<p>The harvest of CITES specimens from this fishery is managed at sustainable levels through implementation of management plans, ERAs, coral stress response plan and the Queensland coral policy. The management arrangements have a high likelihood of identifying any reduction in populations and implementing management actions to mitigate and improve recovery.</p>
<ul style="list-style-type: none"> iii. any relevant ecosystem (for example, detriment to habitat or biodiversity). 	<p>Recognising the nature of harvest and gear used in the fishery (hand collection), the potential for the fishery to impact unacceptably and unsustainably on any relevant ecosystem is considered low. The Department is satisfied that the fishery is conducted in a manner that minimises the impact of fishing operations on the ecosystem generally.</p>
Section 303FN Approved wildlife trade operation	Comment
<p>(2) The Minister may, by instrument published in the <i>Gazette</i>, declare that a specified wildlife trade operation is an approved wildlife trade operation for the purposes of this section.</p>	

<p>(3) The Minister must not declare an operation as an approved wildlife trade operation unless the Minister is satisfied that:</p> <p>(a) the operation is consistent with the objects of Part 13A of the Act; and</p>	<p>Meets</p> <p>The fishery is consistent with the objects of part 13A – see assessment against the Guidelines at Section 2 above.</p>
<p>(b) the operation will not be detrimental to:</p> <p>i. the survival of a taxon to which the operation relates; or</p> <p>ii. the conservation status of a taxon to which the operation relates; and</p> <p>(ba) the operation will not be likely to threaten any relevant ecosystem including (but not limited to) any habitat or biodiversity; and</p>	<p>Meets</p> <p>The fishery will not 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 limited entry, a total allowable commercial catch, and collection by hand only.</p>
<p>(c) if the operation relates to the taking of live specimens that belong to a taxon specified in the regulations – the conditions that, under the regulations, are applicable to the welfare of the specimens are likely to be complied with; and</p>	<p>Not applicable</p> <p>The Environment Protection and Biodiversity Conservation Regulations 2000 (EPBC Regulations) do not specify crustacea or fish as a class of animal in relation to the welfare of live specimens.</p>
<p>(d) such other conditions (if any) as are specified in the regulations have been, or are likely to be, satisfied.</p>	<p>Not applicable</p> <p>No other conditions are specified in relation to commercial fisheries in the EPBC Regulations.</p>
<p>(4) In deciding whether to declare an operation as an approved wildlife trade operation the Minister must have regard to:</p> <p>(a) the significance of the impact of the operation on an ecosystem (for example, an impact on habitat or biodiversity); and</p>	<p>Meets</p> <p>The fishery will not have a significant impact on any relevant ecosystem within the next 3 years, given the management measures currently in place, which include the arrangements described above.</p>
<p>(b) the effectiveness of the management arrangements for the operation (including monitoring procedures).</p>	<p>Meets</p> <p>The management arrangements that will be employed for the fishery as outlined in the assessment against the Guidelines (above), are likely to be effective.</p>
<p>(5) In deciding whether to declare an operation as an approved wildlife trade operation the Minister must have regard to:</p> <p>(a) whether legislation relating to the protection, conservation or management of the specimens to which the operation relates is in force in the State or Territory concerned; and</p>	<p>Meets</p> <p>The fishery will be managed under the Queensland <i>Fisheries Act 1994</i> and the Fisheries Regulation 2008, which apply throughout Queensland waters and is considered to be effective.</p>

<p>(b) whether the legislation applies throughout the State or Territory concerned; and</p> <p>(c) whether, in the opinion of the Minister, the legislation is effective.</p>	
<p>(10) For the purposes of section 303FN, an operation is a wildlife trade operation if, and only if, the operation is an operation for the taking of specimens and:</p> <p>(a) the operation is a commercial fishery.</p>	<p>Meets</p> <p>The Queensland Coral Fishery is a commercial fishery.</p>

Section 303FR Public consultation	Comment
<p>(1) Before making a declaration under section 303FN, the Minister must cause to be published on the Internet a notice:</p> <p>(a) setting out the proposal to make the declaration; and</p> <p>(b) setting out sufficient information to enable persons and organisations to consider adequately the merits of the proposal; and</p> <p>(c) inviting persons and organisations to give the Minister, within the period specified in the notice, written comments about the proposal.</p> <p>(2) A period specified in the notice must not be shorter than 20 business days after the date on which the notice was published on the Internet.</p>	<p>Meets</p> <p>A public notice, which set out the proposal to declare the Queensland Coral Fishery an approved wildlife trade operation and included the application from QDAF, was released for public comment on 4 May 2018 and closed 13 June 2018, a total of 29 business days.</p>
<p>(3) In making a decision about whether to make a declaration under section 303FN, the Minister must consider any comments about the proposal to make the declaration that were given in response to the invitation in the notice.</p>	<p>Not applicable</p> <p>No public comments about the proposal were received.</p>

Section 303FT Additional provisions relating to declarations	Comments
<p>(1) This section applies to a declaration made under section 303FN, 303FO or 303FP.</p>	<p>Meets</p> <p>A declaration as an approved WTO for the Queensland Coral Fishery will be made under section 303FN.</p>
<p>(4) The Minister may make a declaration about a plan or operation even though he or she considers that the plan or operation should be the subject of the declaration only:</p>	<p>Meets</p> <p>The standard conditions applied to commercial fishery WTO include:</p>

<p>(a) during a particular period; or (b) while certain circumstances exist; or (c) while a certain condition is complied with.</p> <p>In such a case, the instrument of declaration is to specify the period, circumstances or condition.</p>	<ul style="list-style-type: none"> • operation in accordance with the management regime • notifying the Department of changes to the management regime, and • annual reporting in accordance with the requirements of the Australian Government Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition. <p>The WTO instrument for the Queensland Coral Fishery specifies the standard and any additional conditions applied.</p>
<p>(8) A condition may relate to reporting or monitoring.</p>	<p>Meets One of the standard conditions relates to reporting.</p>
<p>(9) The Minister must, by instrument published in the <i>Gazette</i>, revoke a declaration if he or she is satisfied that a condition of the declaration has been contravened.</p>	
<p>(11) A copy of an instrument under section 303FN, or this section is to be made available for inspection on the internet.</p>	<p>Meets The WTO instrument for the Queensland Coral Fishery made under sections 303FN and the conditions under section 303FT will be registered as a notifiable instrument and made available through the Department's website.</p>

Part 16

Section 391 Minister must consider precautionary principle in making decisions	Comment
<p>(1) Minister must take account of precautionary principle (2) The precautionary principle is that lack of full scientific certainty should not be used as a reason for postponing a measure to prevent degradation of the environment where there are threats of serious or irreversible environmental damage.</p>	<p>Meets Given the controlled catch and effort in the fishery, the highly selective fishing method, the annual monitoring of harvest against historic catch and effort data, the industry stewardship action plan and the fishery-specific ERA, precautionary measures are in place to prevent serious or irreversible environmental damage being caused by this fishery. The precautionary principle is identified in the Queensland <i>Fisheries Act 1994</i> and the EPBC Act.</p>

SECTION 4: QUEENSLAND CORAL FISHERY – SUMMARY OF ISSUES REQUIRING CONDITIONS, JUNE 2018

Issue	Condition
<p><u>General Management</u></p> <p>Export decisions relate to the arrangements in force at the time of the decision. To ensure that these decisions remain valid and export approval continues uninterrupted, the Department of the Environment and Energy (the Department) needs to be advised of any changes that are made to the management regime and make an assessment that the new arrangements are equivalent or better, in terms of ecological sustainability, than those in place at the time of the original decision. This includes operational and legislated amendments that may affect sustainability of the target species or negatively impact on byproduct, bycatch, EPBC Act protected species or the ecosystem.</p>	<p>Condition 1:</p> <p>Operation of the Queensland Coral Fishery will be carried out in accordance with the management regime in force under the Queensland <i>Fisheries Act 1994</i>.</p> <p>Condition 2:</p> <p>The Queensland Department of Agriculture and Fisheries to inform the Department of the Environment and Energy of any intended material changes to the Queensland Coral Fishery management arrangements that may affect the assessment against which <i>Environment Protection and Biodiversity Conservation Act 1999</i> decisions are made.</p>
<p><u>Annual Reporting</u></p> <p>It is important that reports be produced and presented to the Department annually in order for the performance of the fishery and progress in implementing the conditions in this report and other managerial commitments to be monitored and assessed throughout the life of the declaration. Annual reports should follow Appendix B to the 'Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition' and include a description of the fishery, management arrangements in place, research and monitoring outcomes, recent catch data for all sectors of the fishery, status of target stock, interactions with EPBC Act protected species, impacts of the fishery on the ecosystem in which it operates and progress in implementing the Department's conditions. Electronic copies of the guidelines are available from the Department's website at http://www.environment.gov.au/resource/guidelines-ecologically-sustainable-management-fisheries.</p>	<p>Condition 3:</p> <p>The Queensland Department of Agriculture and Fisheries to produce and present reports to the Department of the Environment and Energy annually as per Appendix B of the <i>Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition</i>.</p>
<p><u>Harvest Strategy</u></p> <p>The Queensland Department of Agriculture and Fisheries implemented a Performance Measurement System (PMS) for the Queensland Coral Fishery (the fishery) in 2008, and had progressed a review of the PMS in 2015. A revised PMS was expected within the existing WTO period, however it was delayed due to the priority development of the Queensland Sustainable Fisheries Strategy.</p>	<p>Condition 4:</p> <p>The Queensland Department of Agriculture and Fisheries to finalise and implement a new harvest strategy by the end of 2020. The harvest strategy should:</p> <p>a) incorporate and replace the existing performance management system for this fishery;</p>

Issue	Condition
<p>The applicability and suitability of the PMS is now being reviewed again. The development of a harvest strategy is a priority for the fishery, which aims to incorporate and replace the PMS. It is critical that the revised harvest strategy include suitable reference points, decision rules and performance indicators.</p> <p>The harvest strategy should also consider finer scale spatial management. Within the very large area of the fishery, spatial management measures are in place in some regions. Two areas where historical effort has been concentrated have been spatially defined as high use Coral Collection Areas (CCAs). Harvest within both CCAs is limited by spatially explicit quota and monitored through the PMS. While the two CCAs have historically encompassed most of the effort in the fishery, there has been significant spatial diversification in recent years, most notably in the Mackay region, where there has been a steady increase in effort since 2011-12. The harvest strategy for this fishery should include consideration of finer scale spatial management to address this.</p>	<p>b) implement a finer scale spatial management system.</p>
<p><u>Annual review of management of CITES listed taxa</u></p> <p>To ensure that EPBC Act requirements continue to be met in relation to CITES-listed taxa, it is important that the Queensland Department of Agriculture and Fisheries continues to advise the Department about ongoing harvest of CITES-listed corals, as well as any changes to the management arrangements for a CITES listed species before such changes are implemented.</p> <p>The Department considers that annual reviews of the harvest of CITES listed taxa from the fishery should continue, with revision of management arrangements as appropriate following each review. Reviews should consider catch composition and spatial distribution of catch, and should be used to update risk assessments for individual taxa.</p> <p>Detailed analysis on CITES species of concern should also continue, with these species being those identified in the most recent ecological risk assessment for the fishery as being at greater than negligible risk.</p>	<p>Condition 5:</p> <p>The Queensland Department of Agriculture and Fisheries to continue annual reviews of the harvest of CITES listed taxa in the Queensland Coral Fishery and to report the results of the review to the Department of the Environment and Energy during the following fishing season. The report should include:</p> <ul style="list-style-type: none"> • analysis of harvest and harvest trends by species/species group • spatial analysis of harvest by species/species group • updated risk assessments for species/ groups as they become available, and • any changes to management arrangements for CITES listed species