



Mr Scott Spencer  
Deputy Director-General Fisheries and Forestry  
Department of Agriculture and Fisheries  
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BRISBANE QLD 4001

Dear Mr Spencer

### **Submission to the current Fisheries reforms**

The Great Barrier Reef Marine Park Authority (the Authority) strongly supports the full implementation of the Queensland Sustainable Fisheries Strategy 2017-2027 (the Strategy) and acknowledges the excellent progress to date with this fundamental reform process. The Authority commends the inclusion in the Strategy of sustainable catch limits of 60 per cent unfished biomass by 2027 to build resilience. This measure, along with the full implementation of all 10 reform areas will provide for best practice fisheries management.

Recognising that the Great Barrier Reef Intergovernmental Agreement and Great Barrier Reef Marine Park legislation are critical parts of the operational and legislative contexts for Queensland's fisheries, it is paramount that our agencies collaborate to achieve consistency and complementarity between Marine Park and Fisheries legislation.

Managing for resilience is becoming the norm in the face of accumulating environmental pressures, including the direct impacts of climate change and associated coral bleaching that has occurred in recent years on the Great Barrier Reef. In light of the poor and worsening outlook for the Great Barrier Reef ecosystem there is some urgency to reaching higher standards of fisheries management. The Authority commends the Queensland Government for implementing the Strategy with the aim to rapidly achieve best practice fisheries management.

The Authority welcomes the development of harvest strategies for the trawl, east coast inshore, crab and coral reef line fisheries. We value this opportunity to provide a submission on the reforms being proposed for these fisheries and the proposed amendments to modernise the *Fisheries Act 1994*. Attached is the Authority's feedback that is aligned to the online survey questions for the discussion papers. Please contact Mr Tom Hatley, Acting Assistant Director, Sustainable Fishing and Partnerships should you wish to discuss our comments.

Yours sincerely

Bruce Elliot  
General Manager  
Reef Engagement

25 May 2018

## Attachment

### Great Barrier Reef Marine Park Authority response to the proposed fisheries reforms and management review discussion papers May 2018

#### East Coast Otter Trawl Fishery Discussion Paper Survey

##### Proposed objectives

Specifying fishery objectives is an important part of the fishery reforms, and the Authority supports the set of fishery objectives developed through the working group process. We strongly endorse the explicit recognition that ecological objectives will have priority over other objectives.

In the Great Barrier Reef Marine Park (GBRMP) and World Heritage Area (WHA) higher standards of demonstrable ecological sustainability compared to other areas are expected by the Australian Government and the wider community. Environmental and resource sustainability objectives have priority in the GBRMP and WHA, with social and economic objectives being critical, but next in line.

The objective of 45 - 50 per cent unfished biomass by 2020 and 60 per cent by 2027 is strongly supported. These biomass targets are essential to achieve all stock and fishery sustainability, socio-economic and other objectives outlined in the discussion paper, and to build resilience into fish stocks in the face of rapid climate change.

##### Smaller management regions

Smaller management regions are essential for implementing the strategy and better management of the trawl fishery, and the regionalised approach proposed is a practical solution appropriate for this fishery. The Authority strongly supports the development of harvest strategies and applauds the Queensland Department of Agriculture and Fisheries strategy, policy and guidelines for recognising the need for measures to reduce ecological risks from fishing. For the trawl fishery this needs to mitigate remaining risks to threatened, endangered and protected (TEP) species, at-risk sharks and rays, heavily trawled seabed communities in the southern Great Barrier Reef and also impacts on bycatch and the broader ecosystem.

##### Proposed boundaries for management regions

The Authority agrees with the proposed boundaries. The proposed reforms, including managing the trawl fishery at the proposed regional level, are required to deliver the Strategy and meet Wildlife Trade Operation conditions and recommendations, and provide for managing sustainability issues and ecological risks.

### Preferred options to manage the commercial catch of target species

The Authority's preferred option is Option 2. Individual Transferable Effort Units (ITEs) Allocated to Region. This is the only option presented that would be consistent with meeting the strategy objectives, and would allow effective harvest strategies to be developed for trawl.

Importantly, Option 2 should include allocation of all (active and inactive) effort units, as well as adjusting the conversion factor so the amount of fishing effort is kept within sustainable limits and ideally also builds up stocks to higher biomass levels to provide greater resilience to stocks. We agree with the benefits listed, and also note this option would reduce issues of:

- a) Effort transfer so competition is less likely to be an issue
- b) Pulse fishing, and
- c) Race to fish. By providing certainty to fishers and allowing for flexibility, this option sets the fishery up well for a viable future and the implementation of harvest strategies.

Option 2 also addresses the risk associated with effort transfer south to north into the GBRMP and WHA. If alternate options are selected, the Authority considers they would need to adequately mitigate this risk.

### Preferred allocation options

Generally the Authority supports vessel monitoring history for allocation in this fishery, but is open to combined approaches provided that all effort units are allocated and risks and impacts to the GBRMP and WHA are reduced. Importantly, any proposed allocation processes and options should be consistent with legislated, requirements for protecting the GBRMP and WHA from trawling impacts, and with existing inter-governmental agreements and previous investments (structural adjustments) by the Commonwealth to help ensure ecological sustainability of the GBRMP and WHA.

### Additional comments

The 2016 quantitative assessment of the Queensland saucer scallop fishery provides an estimate that the spawning stock in 2015 was potentially as low as 5 – 6 per cent of 1977 levels, when the fishery was in its early development. The saucer scallop fishery occurs largely within the GBRMP and WHA and with such sustainability concerns the Authority strongly encourages the adoption of measures to ensure that the stock rebuilds in a timely manner.

## East Coast Inshore Fishery Discussion Paper Survey

### Proposed objectives

Specifying fishery objectives is an important part of the fishery reforms, and the Authority supports the set of fishery objectives developed through the working group process. We endorse the explicit recognition that ecological objectives will have priority over other objectives.

The Authority agrees with and supports all of the ecological objectives listed in the discussion paper. Understanding and addressing the east coast inshore fishery risks to TEP species and bycatch species and to the wider ecosystem is vital to demonstrating ecological sustainability of the fishery. This is of particular importance within GBRMP and WHA where conservation and minimising environmental risk is paramount, especially in the face of increased impacts from climate change. Demonstrating the fishery poses no unacceptable risks to TEP species is the most pressing issue for this fishery and must involve ensuring the number of interactions and fisheries induced mortalities do not pose a threat to populations. The Authority encourages the use of explicit mortality limits for fisheries that have a high risk of interaction with TEP species. This is RECOMMENDATION 7.3 of the *Productivity Commission report: Inquiry into regulation of the Australian marine fisheries and aquaculture sectors* and is supported by the Australian Government (see - <http://www.agriculture.gov.au/about/reporting/obligations/government-responses/regulation-marine-fisheries-aquaculture>).

The Authority supports all efforts to validate data on interactions and other risks, and encourages Fisheries Queensland to source fishery-independent data (both historic and into the future) to inform risk assessments. The objective of 45 - 50 per cent unfished biomass by 2020 and 60 per cent by 2027 is also strongly supported. These biomass targets are essential to achieve all stock and fishery sustainability, socio-economic and other objectives outlined in the discussion paper, and to build resilience into fish stocks in the face of rapid climate change.

### Management regions

The Authority views regional management as essential for the east coast inshore fishery to foster stewardship and reduce the potential for localised depletion and interactions with TEP species. The Independent Review Proposed Management Arrangements for Queensland's East Coast Inshore Fin Fish Fishery 2008 recommended that spatial management of the east coast inshore fishery be a priority (see - <https://www.environment.gov.au/system/files/pages/c5ce4081-6461-467e-a397-275b82a45307/files/east-coast-finish-review.pdf>).

The Authority strongly agrees that multiple management units (4-5) across the Great Barrier Reef Region are required. The proposed boundaries appear appropriate but they could be altered on the basis of stakeholder input and other information so long as multiple management units (4-5) are included for the Great Barrier Reef Region that are relatively evenly spaced.

## COMMERCIAL FISHERY

### Preferred options to manage the commercial catch of targeted species

The Authority views the management of the east coast fishery through effort units (Option 3. Individual Transferable Effort Units (ITEs) for commercial fishers) as preferable because control of netting effort is logically the most direct way to control for risk associated with TEP species interactions. Additionally, controlling effort appears most appropriate for the inshore east coast fishery which is highly variable, with productivity and stock abundance primarily driven by irregular seasonal rain events.

Initially it may be necessary to manage this fishery with course effort units (e.g. time (day) / net length) but future management should require effort units to be measured and managed with increased detail (e.g. kilometre-net-hours / total net length and soak time, plus height and mesh-size) to quantify and control the real 'catching power'. With an improved understanding of catch and effort relationships, effort may be set at appropriately precautionary levels for low productivity years. Once in place this may allow for increased landings in high productivity years. This could be less challenging than setting Total Allowable Commercial Catch (TACCs) across multiple species in a dynamic fluctuating system, which is a requirement of the other options. The Authority recognises the significant challenges associated in establishing appropriate effort units, allocation and compliance. The establishment of vessel monitoring systems across this fishery will be invaluable to measuring and understanding effort in this fishery.

Under an effort control system, if effort constraints are required to protect certain species, spatial or temporal closures may be required along with measures such as a total allowable catch for vulnerable species. Recognising that discarded catch may suffer high post release mortality, the issue of protecting species more vulnerable to fishing mortality is not unique to the effort control management option.

### Regulating better gear technology to improve selectivity and encourage innovation

The Authority strongly agrees that regulations should require not only better gear technology but also improved practices. The commercial netting changes in Bowling Green Bay Species Conservation (Dugong Protection) Special Management Area are an example of where changes can be developed collaboratively to reduce the risk of incidental catch of TEP species (see - <http://www.qbrmpa.gov.au/managing-the-reef/how-the-reefs-managed/fisheries-in-the-marine-park/east-coast-inshore-finish/commercial-netting-changes-in-bowling-green-bay-species-conservation-dugong-protection-special-management-area>).

Given the concern about the level of interaction with TEP species, independent monitoring of the east coast inshore fishery is essential. The potential impact of just a single interaction can be extreme and ideally coverage should be 100 per cent across the large mesh net sector, to have the best chance of recording all interactions. Therefore, the Authority strongly supports the development and implementation of innovative technology in the form of 'digital observers' that would be required on all vessels.

### New net type trials

The Authority encourages the trial of new net types to determine if more selective gear and sustainable practices may be developed. Should new net types prove more selective and have a lower overall impact, it is suggested they may be adopted but caution is required so as not to increase fishing effort in a way that is not sustainable. Any potential licencing of new net types should require the retirement of existing licences and/or endorsements so as not to increase overall effort in the east coast inshore fishery.

### Temporary closures

The Great Barrier Reef Outlook Report 2014 identifies the incidental catch of species of conservation concern as a very high fishing related risk and extraction from spawning aggregations as a high risk. For this reason the Authority strongly supports temporary closures to protect TEP species and fish spawning aggregations.

### Preferred allocation options

Generally the Authority supports validated catch history for allocation in this fishery but is open to other allocation approaches provided that risks and impacts to the GBRMP and WHA are reduced. As a fishery management action, the Authority would defer to the desires of industry and fishery managers in deciding on a commercial allocation option.

## *RECREATIONAL FISHERY*

### Review of inshore species size limits using latest science

The Authority strongly supports a review of inshore species size limits.

The minimum sizes for grey mackerel and both king and blue threadfin salmon may not be sufficiently precautionary to protect a proportion of the breeding stock from harvest prior to first maturity (see Great Barrier Reef Marine Park Authority Vulnerability assessments for these species - <http://www.gbrmpa.gov.au/about-the-reef/biodiversity/biodiversity-conservation-strategy-2013/vulnerability-assessments>).

Best available science should be used to ensure size limits are appropriate for all species.

### Bag limits

Possession limits that ensure sustainable harvest while allowing for recreational enjoyment are supported. The Authority strongly supports a total possession limit for all fin fish, a general possession limit for every species to cover species with no specific possession limit and boat limits. All of these limits are responsible measures that promote sustainable recreational harvest.

The proposal for bag limits to change up and down in line with a harvest strategy is responsible and necessary for the east coast inshore fishery where there is significant recreational take.

### Additional comments

There is a statement made in the discussion paper for this fishery that 'there are currently no significant sustainability concerns for most target species'. The Authority's view is that insufficient information is available for many species to draw this conclusion.

The Authority looks forward to working collaboratively with the Queensland Department of Agriculture and Fisheries to promote best practice fisheries in the Great Barrier Reef Region. The implementation of measures to address the incidental capture of species of conservation interest in the large mesh net component of this fishery is of primary concern to the Authority.

## **Queensland Crab (mud and blue swimmer) Fishery Discussion Paper Survey**

### Proposed objectives

Specifying fishery objectives is an important part of the fishery reforms and the Authority supports the set of fishery objectives developed through the working group process. We strongly endorse the explicit recognition that ecological objectives will have priority over other objectives.

The Authority agrees with and supports all of the ecological objectives listed in the discussion paper. Understanding and addressing crab fishery risks to TEP and bycatch species and to the wider ecosystem is vital to demonstrating its ecological sustainability - particularly within the GBRMP and WHA where conservation and minimising environmental risk is of paramount importance, especially in the face of increased impacts from climate change. The Authority supports all efforts to validate data on interactions and other risks, and encourages Fisheries Queensland to source fishery-independent data (both historic and in to the future) to inform risk assessments.

The objective of 45 - 50 per cent unfished biomass by 2020 and 60 per cent by 2027 is also strongly supported, so as to achieve all stock and fishery sustainability, socio-economic and other objectives outlined in the discussion paper, and to ensure that these benefits are maintained into the future.

### Management units

The Authority agrees the Gulf of Carpentaria mud crab and All Queensland Waters blue swimmer crab regions are appropriate management units.

In regard to the proposed East Coast mud crab unit, the Authority believes this unit is too large to effectively manage for excess effort in particular areas, localised depletions, competition and conflict arising from fishers travelling. While the Authority acknowledges crab catches can be impacted by environmental factors and this may pose challenges to operational viability, finer scale regional management is viewed as appropriate and necessary. If further regionalisation of the east coast mud crab fishery is considered, alignment with any regions finalised for the east coast inshore fishery is suggested - as many crabbers also net in that fishery.

## **COMMERCIAL FISHERY**

### Preferred options to manage the commercial catch of crabs

Option 1. Individual Transferable Quotas (ITQs) should apply for the crab fishery. ITQs will enable fishery managers to set a TACC, which can be adjusted over time as needed. It will also provide surety and security to fishers and encourage only the take of 'A Grade' crab and therefore promote higher profitability. It will enable fishers to buy and sell quota as needed and ultimately enable the fishery to reach a level of stability. Although there are issues around implementing and managing ITQs, and other reform options do have benefits, the Authority views ITQs as the best way to implement effective management of the crab fishery. Resource sustainability could be enhanced if ITQs were implemented in combination with the other options such as tagging mud crabs but any options that are completely reliant on effort control for this pot fishery, such as individual transferable effort and pot unitisation, may be prohibitively challenging to monitor and enforce.



### Preferred allocation options

The Authority prefers the following commercial allocation options:

- Base equal allocation
- Historical catch
- A mixture of the above

Generally the Authority supports allocation based upon catch history, recognising those fishers who have been established in the fishery and have had businesses based upon it for some time. Investment warnings should also be taken into account so that those who have disregarded the warnings are not benefited over those that complied with them. However, given that investment warnings occurred many years ago, and as there are likely many fishers who have been in the industry for many years despite entering after the initial investment warning, a base allocation seems a fair way of recognising investment. But as a fishery management action, the Authority would defer to the desires of industry and fishery managers in deciding on a commercial allocation option.

### *RECREATIONAL FISHERY*

#### In-possession limits – rules to be reviewed and simplified

To address sustainability and black marketing risk, the Authority supports the introduction of a recreational possession limit for blue swimmer crabs and a boat possession limit for mud crabs. The Authority also supports a reduction of the mud crab possession limit from the current 10 per person. Ten is a large number of legal size mud crabs for one person or family, they do not freeze well, and they are a high value fishery product readily amenable to black marketing.

For practical purposes any boat possession limit for mud crabs should be divisible by the in-possession limit for a single person (e.g. if the in-possession limit was to be reduced to 7 an appropriate boat limit may be  $2 \times 7 = 14$  or  $3 \times 7 = 21$ ). While the Authority does not see a particular need to reduce the current crab pot limit of 4 per person, it would be responsible to review the situation where children under the age of 12 qualify as a 'person' with regard to the use of crabbing apparatus and be in possession of crabs. This is because an adult person or persons may take several children on a vessel or to a creek or shore and be able to use 4 pots each for themselves and all children - thereby greatly increasing their fishing power and in-possession limits. Noting the high commercial value of mud crab this lends itself to black marketing activity.

#### Additional comments

The Authority believes the existing size limits and protection of female crabs should be maintained. Any move to alter these existing arrangements should only occur if best available science indicates stock and broader ecosystem sustainability would be enhanced.

The Authority strongly supports efforts to clean up lost and derelict crabbing apparatus that litters waterways, are responsible for ghost fishing and increase the potential for TEP species entanglement. Coordinated clean-up efforts at a regional scale with multi stockholder involvement is suggested. Agreed closure periods where crabbing apparatus is not used may also be useful to allow derelict gear to be identified and removed.

In relation to specific crabbing apparatus, the Authority suggests the use of rectangle crab pots with a wide net funnel at each end should be reviewed owing to risks of marine turtles entering these pots and drowning. These lightweight pots are also the most likely to be moved by tidal currents and become lost, posing further risks of ghost fishing and entanglement. The use of negatively buoyant rope to reduce the entanglement risk posed by floating rope may also be an option in reducing risks to TEP species, and is worth considering given the numbers of marine turtles and other TEP species that are known to become entangled in crab pot ropes. A review of past work investigating the use of escape funnels for undersize crabs and bycatch may also offer benefits in reducing potential damage to crabs less than legal size, including females.

## **Coral Reef Fin Fish Fishery Discussion Paper Survey**

### *COMMERCIAL FISHERY*

#### Changes to the maximum commercial vessel size limit

The Authority does not wish to promote inefficiencies in the commercial component of the coral reef fin fish fishery (CRFFF) and supports removal of the maximum 20m primary vessel limit at some time in the future. This is the lowest risk of all relaxation of the input controls proposed in the discussion paper. However, removal of the maximum 20m primary vessel limit should only occur after there is a fishery harvest strategy in place for the fishery and there is appropriate data collection and monitoring in place to inform such a fishery harvest strategy. This includes specific management and associated decision rules to set and alter the total allowable catches for both commercial and recreational fisheries, including revised decision rules for coral trout, for red-throat emperor and all other coral reef category species (OS), especially larger and long lived, higher ecological risk species, including red emperor, saddletail snapper, crimson snapper and spangled emperor. Such rules need to consider and incorporate regular fishery independent data on abundance of all target species including the ability to detect effects of major habitat and ecosystem disturbances (e.g. large-scale coral bleaching) on recruitment success of key CRFFF species.

#### Removal of RQ and/or L symbol

The Authority supports the maintenance of the L and RQ symbols until a fishery harvest strategy is introduced. The Authority understands that the commercial components of the CRFFF are quota managed but that a fishery harvest strategy needs to be in place for the fishery to be demonstrably ecologically sustainable and for such quota management to be considered effective. This includes specific enforcement and compliance considerations, data reporting and monitoring of CRFFF harvests from both commercial and recreational fishing sectors. After the implementation of a responsible fishery harvest strategy, and subject to there being no demonstrable increased compliance and ecological risk to the GBRMP, the Authority does not have a specific opinion on the removal of RQ and/or L symbols and believes it is an administrative matter for Fisheries Queensland and the commercial fishing industry to determine.

#### Changes to the maximum tender vessel size limit

The Authority does not wish to promote inefficiencies in the commercial component of the CRFFF and supports removal of the 7m maximum tender vessel limit at some time in the future. Removal of the 7m maximum tender vessel limit should only occur after there is a fishery harvest strategy in place for the fishery (as outlined above for removing of the 20m primary vessel limit). The Authority believes that there are significantly enhanced risks to OS category species, including red emperor, saddletail snapper, crimson snapper and spangled emperor, should relaxation of such input controls occur before a fishery harvest strategy is put in place.

#### Limits on the number of tender vessels that can be used

The Authority does not wish to promote inefficiencies in the commercial component of the CRFFF however it has concerns that an increase in the numbers of tender vessels used per primary fishing operation poses too great a risk of increased localised depletion of CRFFF stocks. There may be a case for allowing an increase in numbers of tender vessels used per primary fishing operation in remote and healthy reef areas not frequented by small vessel

recreational fishers (e.g. Swains Reef) but until localised depletion adjacent to urban centres is discussed and managed, and there is fishery harvest strategy in place for the fishery, the Authority is not in favour of relaxing existing management arrangements in this regard.

#### Restrictions on how far a commercial tender can fish from the main commercial vessel

The Authority is not aware of workplace health and safety risks associated with relaxing tender to main vessel distance restrictions but believes that the mandatory introduction of vessel monitoring systems on all commercial vessels in the fishery, including tenders, negates the needs for such restrictions from a zoning compliance perspective.

#### Commercial filleting at sea

The Authority understands that to enable highest probability of compliance with quota monitoring and reporting requirements, minimum and maximum size requirements for all species and ensuring no-take of protected species (e.g. Maori wrasse and barramundi cod) all filleting of CRFFF species at sea should be prohibited. However, the Authority recognises such a requirement would pose economic hardship on some fishing operations and also effect the supply of such fish product to local consumers. The Authority therefore supports consideration of a range of additional arrangements to address the above concerns under which such filleting at sea arrangements can still occur.

#### Management arrangements of other coral species

The Authority in its membership of past and present fisheries management consultation fora for the CRFFF has for several years expressed its concerns regarding the lack of species specific quota or TACCs for the OS category species, especially larger and long lived, higher ecological risk species, including red emperor, saddletail snapper, crimson snapper and spangled emperor. The Authority encourages such management changes to be introduced prior to any relaxation of input controls and prior to the introduction of a fishery harvest strategy.

#### Finer spatial management measures

The decision rules to set a TACC for a CRFFF presently only apply to the coral trout species complex. The Authority in supporting the concept of these decision rules and the anticipated fishery harvest strategy, which it is expected will effectively further refine such decision rules, is concerned that such decision rules do not consider the well documented influence of regional scale impacts including severe tropical cyclones on the fishery. Nor does it consider the lesser known effects of regional scale impacts such as widespread coral bleaching on fish stocks. It is critical to ensure that regional fisheries and regional environmental data are drivers of such TACC decision rules into the future. It is also critical that fisheries management responses for the commercial component of the CRFFF are able to be applied and directed on a regional basis. In taking into consideration well documented concerns about localised depletion and the above concerns, the Authority strongly believes that finer spatial management needs to be implemented for coral trout, red throat emperor and other key coral reef finfish species.

### Review of current spawning closure for the fishery

Fishing of spawning aggregations is identified as one of the highest threats to the Great Barrier Reef ecosystem in the Great Barrier Reef Outlook Report 2014. The Authority supports consideration and a review of research to increase the duration of the existing CRFFF spawning closures, including appropriateness of the timing of the closures for coral trout at all latitudes along the Great Barrier Reef, and also to consider the appropriateness of existing spawning closures to protected spawning of all important CRFFF species, other than coral trout.

### *RECREATIONAL FISHERY*

#### Possession limits

The Authority believes that the present mechanism of having individual in-possession limits applying to key CRFFF target species, with a total possession limit is appropriate, however boat limits should be considered as well. The Authority believes that the quantum of the existing limits requires review and the rules to increase and decrease the quantum and the data used to inform such decisions should be part of the discussion in introducing a fishery harvest strategy for the fishery.

#### Additional comments

In general, the Authority is not supportive of any relaxation of commercial fishery input controls until a fishery harvest strategy is implemented. This harvest strategy should incorporate finer spatial management for all key coral reef finfish species, incorporation of catch data on all discards and explicit consideration of regional scale impacts such as widespread coral bleaching. The TACC decision rules for coral trout should be reviewed as a priority. Species specific quota or TACCs for OS category species, especially larger and long lived, higher ecological risk species, including red emperor, saddletail snapper, crimson snapper and spangled emperor based on average historical harvest levels should be introduced as a matter of a priority prior to development and implementation of fishery harvest strategy.

## Great Barrier Reef Marine Park Authority response to the proposed amendments to modernise the *Fisheries Act 1994*

### Update to Fisheries Act objectives

The Authority agrees that the objectives of the Fisheries Act should be updated to reflect the vision of the Sustainable Fisheries Strategy. In addition to the objectives presented, the Authority encourages inclusion of an objective that gives highest priority to environmental and resource sustainability.

The Authority considers that South Australia's *Fisheries Management Act 2007*, particularly Section 7(2) is one of the best examples of contemporary fisheries legislation that gives highest precedence to resource sustainability. Section 7(4)(d) of this legislation also explicitly seeks to further marine parks objectives applying to fisheries that operate in marine parks.

### Ministerial and Chief Executive Responsibilities

The Authority agrees the Queensland Government should oversee and set frameworks / bounds of responsibilities and direction of fisheries management including endorsement of harvest strategies and pre-determined management actions. Government should not be required to approve or disallow specific and detailed technical fisheries science and management decisions. Specific fisheries management, responses, quota setting etc., should be determined by fisheries managers within pre-determined frameworks in direct consultation with fisheries stakeholders and marine park managers.

### Enforcement Powers and penalties for serious fishery offences

The Authority supports all enhancements to fisheries inspector powers to strengthen the ability to effectively and sustainably manage Queensland's fisheries resources, and to effectively enforce fisheries legislation. Improved deterrence through increased penalties is also important. Accordingly, all of the proposed amendments detailed under this section of the discussion paper are supported.

The following considerations are provided in relation to specific proposed amendments:

#### *11. Increased penalties for failing to comply with vessel tracking*

- Increased penalties for failing to comply with vessel tracking requirements are critical. Long-term monitoring indicates that coral reefs in Great Barrier Reef no-take zones are more resilient to impacts, and that they recover 20 per cent faster than nearby reefs that are open to fishing. Ensuring compliance with marine parks zoning to protect these no-take areas is thus crucial to the health and future of the Great Barrier Reef - particularly considering the recent major impacts and ongoing pressures. There are also many species of conservation interest and habitats within the GBRMP and WHA that can be impacted by illegal fishing activity. Vessel tracking is a valuable tool for monitoring and ensuring compliance with marine park zoning, fisheries and other legislation designed to protect and conserve Queensland's environment and fisheries resources. Accordingly, intentional failure to comply with vessel tracking requirements should be considered a serious offence, and penalties should be increased to reflect this.

In addition, given that there are likely to be large numbers of unintentional technical / less serious failures to comply with vessel monitoring requirements following the expansion of vessel monitoring systems over the coming years, particularly in relation to small and tender fishing vessels, there may also be benefits in creating an

infringement notice offence, of appropriate deterrent amount, to address such matters as an alternative to prosecution.

*13. Provide Magistrates alternatives to fines to deter repeat offenders*

- Express provision for Magistrates to be able to take into account prior offences against Commonwealth and Queensland Marine Park legislation should be considered.

*16. Information sharing between Queensland Government agencies*

- The expansion of information sharing to include obtaining information from Commonwealth entities should be considered. The Authority in particular may hold information that will assist in assessing a person's suitability to hold an authority and to assess the risk to safety of inspectors.

Simplify Fisheries Act and remove redundant provisions

Promotion of simplicity and streamlining of regulatory and management arrangements is recognised in the Great Barrier Reef Intergovernmental Agreement, and current priorities of both governments. Accordingly, the Authority agrees with simplification and removal of redundant provisions from the *Fisheries Act 1994*.

Additional comments

In addition to those above the Authority wishes to communicate the following considerations:

*Complementarity between Marine Park and Fisheries legislation*

- While recognising that the Great Barrier Reef Intergovernmental Agreement and Great Barrier Reef Marine Park legislation are critical parts of the operational and legislative contexts for Queensland's fisheries, it is paramount that our agencies collaborate to achieve consistency and complementarity between Great Barrier Reef Marine Park and Queensland Fisheries legislation.

*Input controls provide important fisheries resource and environmental protection and/or sustain fishery resources*

- In reviewing existing regulatory and management arrangements for fishing, it is important that the management intent of existing arrangements is clearly understood. For example, some of the existing fishing efficiency constraints (such as many fishery input controls) provide important fisheries resource and environmental protection and/or sustain fishery resources (e.g. by limiting the environmental footprint or protecting juveniles). Important fishery input controls should not automatically be discarded because a fishery proceeds to an output control mechanism.

*Temporary Transfers of Fisheries Authorities*

- Registration of temporary transfers of fisheries authorities will enable both fisheries and marine park inspectors to identify the operator of a fishing vessel when, for example, a report is received in which only a vessel registration or boat mark is provided (e.g. a report from aerial surveillance or from a member of the public). On-line availability of this authority to transfer information (e.g. through FishNet) would also be beneficial.

*Marine Parks offences that are 'serious fisheries offences'*

- Under the current Queensland Fisheries Regulation 2008, at r625(4), offences against several sections of Great Barrier Reef Marine Park and Queensland Marine Parks legislation also constitute 'serious fisheries offences' under the Queensland Fisheries Act. However, these currently only apply to the commercial reef line fishery. The same provisions apply for offences by operators in the East Coast Trawl Fishery – under the Fisheries (East Coast Trawl) Management Plan 2010, which the Authority understands is to be rescinded and its provisions incorporated into the Queensland Fisheries Regulation. These provisions, in which the relevant offences against marine parks legislation also qualify as serious fisheries offences for the Fisheries Act, should apply to all commercial fisheries, not only the reef line and east coast trawl fisheries.