



Australian Government

Great Barrier Reef  
Marine Park Authority

Mr Scott Spencer  
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Dear Mr Spencer

**Great Barrier Reef Marine Park Authority submission on MRAG Asia-Pacific Fisheries Review – “Taking Stock: modernising fisheries management in Queensland” Report**

The Great Barrier Reef Marine Park Authority (GBRMPA) welcomes the opportunity to provide feedback on the report resulting from MRAG Asia Pacific's (MRAG) wide-ranging review of fisheries management arrangements in Queensland. The review provides a significant opportunity to enhance ecologically sustainable fishery management arrangements throughout the Great Barrier Reef Marine Park and World Heritage Area (GBRMP and WHA) and all Queensland managed waters.

GBRMPA recognises that fishing and the collection of fisheries resources are important socially and economically to Queensland and are long established and legitimate uses of the GBRMP and WHA. Viable and productive commercial fishing industries depend on a healthy marine ecosystem, just as Queenslanders rely on such a healthy ecosystem for recreation and as a source of local seafood.

GBRMPA, consistent with the views of Queensland fisheries stakeholders and Fisheries Queensland (as the MRAG report refers), strongly agrees with the MRAG report finding that fundamental change is required to the way fisheries in Queensland are managed. GBRMPA greatly values the positive working relationships that it has with all Queensland Government agencies, including the Department of Agriculture and Fisheries, and looks forward to working together to progress agreed recommendations of the MRAG report.

GBRMPA provides the following views on the eight fishery management system components and some other matters raised in the MRAG report:

Policy, legislation and effective decision-making

GBRMPA agrees that, building on report recommendations, there is a need to develop a clear policy statement on fisheries in Queensland. Somewhat consistent with the MRAG recommendations, GBRMPA supports the establishment of a new framework separating as much as practicable, strategic decisions that are the remit of government from technical decision-making by fisheries managers, in consultation with partners and stakeholders. GBRMPA strongly encourages an ecosystem-based approach to fisheries management. It desires and appreciates continued involvement in fishery policy development relevant to the GBRMP.

In developing and implementing future fisheries policy and management arrangements, GBRMPA advises that it is important to recognise the following:

A considerable portion of Queensland fisheries operate in the GBRMP and WHA. The primary object of the *Great Barrier Reef Marine Park Act 1975* (Marine Park Act) is long-term protection and conservation of the environment, biodiversity and heritage values of Great Barrier Reef (GBR) Region. Subject to meeting the requirements of the Marine Park Act, the Offshore Constitutional Settlement provides for fishing activities that occur within the GBR Region to be managed by the State of Queensland.

The Australian and Queensland Governments recently updated the Great Barrier Reef Intergovernmental Agreement (Intergovernmental Agreement), which is a formal and enduring intergovernmental collaborative agreement between the Commonwealth and Queensland Governments, which has been in place for over 35 years. An intergovernmental agreement is the highest level of cooperative agreement between a State and the Commonwealth, and the updated version was recently signed by the Prime Minister of Australia and the Premier of Queensland, reaffirming both governments' strong commitment to protection of the World Heritage Area.

Among other things, the Intergovernmental Agreement covers fishing. It reaffirms joint "ongoing commitment to... address significant threats to the health and biodiversity of the Great Barrier Reef ecosystem, including...ecologically unsustainable fishing activities and other resource extraction activities".

GBRMPA advises that any policy statement and subsequently revised Queensland fisheries legislation applying to the management of fisheries within the GBR Region must:

- 1) explicitly recognise that the Intergovernmental Agreement and Marine Park legislation are critical parts of the operational and legislative context for Queensland fisheries;
- 2) be consistent with the ecologically sustainable use requirements of the Marine Park Act (i.e.) (a) that is consistent with:
  - i) protecting and conserving the environment, biodiversity and heritage values of the GBR Region; and
  - ii) ecosystem based management; and(b) that is within the capacity of the Region and its natural resources to sustain natural processes while maintaining the life support systems of nature and ensuring the needs and aspirations of future generations; and
- 3) give highest priority to environmental and resource sustainability.

GBRMPA 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. GBRMPA suggests that such concepts should be more explicitly considered in any Queensland fisheries legislative reform.

In developing future fisheries management arrangements, we also encourage due consideration to ensure the alignment and coordination of Australian and Queensland Government commitments for protecting the Great Barrier Reef. This includes the fisheries related components of the Reef 2050 Long-Term Sustainability Plan (Reef 2050 Plan), jointly released by the Australian and Queensland governments in March 2015. We welcome continued collaborative action and a partnership approach to deliver the outcomes and targets of the Reef 2050 Plan.

#### Allocation and harvest control systems

GBRMPA agrees that Queensland would benefit from a more strategic, stable and transparent approach to allocating and managing access to its fisheries resources, as well as prioritising its fisheries management efforts. It generally supports many aspects of the recommended approach, including explicit allocation of catch shares for the commercial, recreational and Indigenous sectors; development and implementation of a Queensland Fishery Harvest Strategy Policy; and subsequent Fisheries Harvest Strategies for respective fisheries covering all sectors. Such a strategic, science-based approach is important for setting fisheries catch and effort levels to manage fish stocks sustainably and profitably, minimise ecological risks, prevent overfishing and provide for recovery of overfished stocks within a reasonable timeframe. However GBRMPA does not believe that Individual Transferable Quotas (ITQ) under a Total Allowable Catch (TAC) setting is necessarily the way forward for all fisheries.

The identification of ecological risks and the implementation of actions to mitigate priority risks must be the starting point of any responsible fisheries management within the GBR Region. While the adoption of the suggested tiered approach may help prioritise management and monitoring of

fished species it must also incorporate steps to ensure fisheries-related ecological risks are explicitly identified and transparently considered and managed. A Harvest Strategy Policy for Queensland, therefore, should not only operationalise environmental and economic objectives for the target stocks, but also give due consideration to:

- a) broader environmental aspects beyond the target stock itself to minimise ecological risks / meet environmental objectives; and
- b) social aspects relevant to harvest strategy development.

Harvest strategies should explicitly manage catch and / or effort in order to:

- a) actively control exploitation rates and respond to fishing catches / pressure on a species or in a given area; and
- b) control and respond to environmental impacts and changes including minimising by-catch and protected species interactions.

GBRMPA believes that many existing fishery input controls positively reduce ecological risk for a range of species (and the GBR ecosystem), other than just target species. GBRMPA considers that all potential negative ecological impacts that may arise through reducing input controls, so as to increase fisheries efficiency in the GBRMP and WHA, must be evaluated and discussed before any action is taken to remove such input controls. Any action taken must not result in increased ecological risk.

Regional or localised spatial management is a priority issue and can foster stewardship / custodianship of marine resources. The current situation where licences and endorsements allow broad east coast or state wide roaming, though providing flexibility of fisheries access to commercial fishers, hinders the ability of managers and fishers to appropriately manage regional stocks and address environmental risks. GBRMPA through the Reef 2050 Plan is committed to exploring the development of Reef Recovery Plans at a regional scale and would welcome cooperative discussions on fisheries matters at this scale.

GBRMPA recommends that fished stocks in the GBR Region should be managed using conservative environmental safeguards, including consideration of a biomass target reference point of at least 60% virgin biomass. It would also be appropriate to consider the fisheries benefits of the maintenance of such levels of biomass in zones of the GBRMP where fishing is permitted. This is because regardless of any demonstrated spill-over and enhanced recruitment from reproductive adults in no-fishing zones to fished areas, for a number of target species in the GBRMP it is primarily the abundance of the stock in the fishable areas which will largely support viable and productive fisheries. GBRMPA strongly supports the development of agreed rules to maintain stocks at target levels, and acknowledge for some stocks this may be best on a regional basis. Total allowed catch / effort in fisheries should be reviewed as some are based on historical levels, with present permitted levels sometimes having little relevance to current fisheries capacity or identified ecological risk or sustainability criteria.

The *Great Barrier Reef Outlook Report 2014* identified five very high and high level fishing-related risks. These are illegal fishing and poaching, incidental catch of species of conservation concern, extraction of predators, extraction from spawning aggregations, and discarded catch. These risks apply to the commercial, Indigenous and recreational fishing sectors to varying degrees and GBRMPA has flagged its desire in discussions with Fisheries Queensland to address these risks in the future. Discussions and past actions to address such risks have mainly occurred in the context of commercial fisheries. GBRMPA believes that there are considerable emerging challenges with respect to the contribution of the recreational sector to these risks. Responsive and responsible management of recreational fishing effort, harvest and discards in the GBRMP and WHA should be considered a priority work area into the future.

#### Monitoring, information collection and assessment

GBRMPA strongly encourages that explicit monitoring programs to assess the broader ecosystem effects of fishing be established and aligned with improved environmental reporting systems and processes. GBRMPA encourages incorporation of existing and improved fishing related

monitoring programs into the integrated ecological, social and economic monitoring program as described in the Reef 2050 Plan.

It is essential that systems are implemented to:

- a) provide robust independent verification of information reported in commercial catch and effort logbooks;
- b) collect catch receiver purchase information that can be cross-referenced against logbook data; and
- c) accurately identify and estimate the annual quantum of by-catch and discards by species, including species of conservation concern, for each major commercial fishery.

GBRMPA supports the recommendation to reinstate a statistically robust independent fisheries observer program and / or the use of new technologies to responsibly monitor each major commercial fishery.

GBRMPA supports enhanced investment in fishery-dependent and fishery independent data collection for exploited species to enable robust stock assessments to be undertaken, while the number of species on which robust stock assessment needs to be significantly increased. In recognising that the default unit for stock assessment for many species is the entire Queensland coast, more definitive determination of stock structure leading to all fisheries assessments being at a “stock level” is required. GBRMPA is aware that a Fisheries Research Development Corporation project is examining risk, cost and catch from tiered control systems for fish stocks, and encourages discussion with the relevant researchers of the project's findings to date, as this will likely be of particular interest in light of the MRAG recommendations.

#### Management of non-target species and ecosystems

In the GBRMP and WHA compared to other areas, higher standards of demonstrable ecological sustainability are expected by the Australian Government and the wider community. Fisheries management needs to adequately incorporate protection of the environment and apply an appropriate level of precaution in decision-making. This is especially pertinent given the GBR's World Heritage status, interactions between fishing and the marine environment, unfavourable conservation status of many protected species and concerns about at-risk species, cumulative impacts on the marine environment, lack of knowledge of the status of many fishery resources, and limited data available to gauge ecological sustainability.

GBRMPA supports an ecological risk assessment (ERA) approach and the development and implementation of risk mitigation plans to ensure timely actions to mitigate any unacceptable risks. Highest priority fisheries in this regard are the East Coast Inshore Fin Fish Fishery (ECIFFF), the East Coast Otter Trawl Fishery (ECOTF) and the Coral Reef Fin Fish Fishery (CRFFF). While GBRMPA supports the ERA approach, lack of an ERA or the considerable time taken to develop ERAs and risk mitigation plans should not delay responsible management interventions for those high fishing related risks which have been clearly described in past reviews and documents, including the *Great Barrier Reef Outlook Report 2014*. GBRMPA welcomes further opportunities to work with Fisheries Queensland and the fishing industry on assessments, recommended solutions and their implementation.

Explicit management of the interactions with non-target species that are captured in or interact with fisheries must be integral in the management of all fisheries. Management needs to explicitly consider all of the ecosystem components that fisheries interact with. This includes target, by-product, by-catch, and species of conservation concern that are protected by law or require special management, as well as habitats and ecosystem processes. Fisheries need to be demonstrably selective for species at low risk and which are ecologically sustainable. Further improvements are required to meet this selectivity principle and to mitigate identified risks for the ECIFFF and ECOTF in particular. The CRFFF, because of the broad range of species covered by the Other Species (OS) ITQ category and which are also caught by the significant recreational fishing sector also requires consideration in this regard. The incidental entanglement and mortality of species, including dugong and inshore dolphins within the ECIFFF, remains a focus of attention

in the GBRMP and WHA with respect to the GBR Outlook Report 2014 very high risk – Incidental catch of species of conservation concern.

### Compliance

GBRMPA strongly believes that the introduction of a vessel monitoring system / electronic position system covering all commercial fishing vessels operating in the GBR Region is the highest priority fishing related compliance initiative that should be pursued in the GBR region. GBRMPA is greatly appreciative of discussions with Queensland Government agencies in this regard and looks forward to cooperatively progressing this initiative in the near future. Vessel monitoring is critical to optimising the biodiversity, resilience and fisheries benefits from the joint Marine Parks zoning. It will provide significant benefit to fisheries management and industry stewardship, including providing finer scale data on fishing effort, likely removing the need for prior reporting of landings, allowing fishing businesses to improve their own efficiency and allowing the industry to demonstrate and champion improved environmental credentials. GBRMPA also encourages any reasonable means to ensure improved compliance with ITQ and TAC fishery management requirements. GBRMPA encourages all attempts to discourage recidivist offenders including strengthening of penalties.

### Stakeholder participation

GBRMPA supports the design and introduction of transparent consultative systems that enable all fisheries stakeholders to have a fair say and be given an opportunity to influence fisheries monitoring and management in Queensland.

GBRMPA questions the practicality and cost effectiveness of Fishery Councils as recommended by the MRAG review. GBRMPA also has concerns that it appears the MRAG report recommendations for the Fishery Councils provided little opportunity for GBRMPA or similar agencies to have input into fishery management policy and decisions except at a higher government level. GBRMPA has concerns that if such a consultation model was adopted, despite the best intentions of the likely membership of the proposed Fishery Councils, there will not be sufficient broad-based fisheries and Marine Parks expertise on these Councils, to ensure best available science is considered and appropriate legislative obligations and requirements are met. GBRMPA encourages the reformation of formal fisheries management advisory / consultative forums which include invited representation from the full range of fishing related stakeholder groups, including Traditional Owners, as well as the GBRMPA and appropriate environmental non-government organisations. The concept of regional co-management of fisheries and other marine resources is supported by GBRMPA and we encourage the consideration of incorporation of regional decision-making in these forums. GBRMPA would welcome the opportunity to provide input into the development of the future fisheries stakeholder participation models in Queensland.

The Intergovernmental Agreement in Schedule E includes agreement that relevant Australian and Queensland Government agencies (i.e. Fisheries Queensland, the GBRMPA, and the Department of the Environment) should discuss policy and management proposals for fishing, formulated by either government, at the earliest possible stage. GBRMPA, through its close working relationship with Fisheries Queensland in particular, reiterates its appreciation of the Queensland Government initiating discussions with GBRMPA about changes in fisheries management that are of relevance to the GBR. It is understood such arrangements will continue and GBRMPA in turn remains committed to discussing any proposals related to fishing at the earliest possible stage. GBRMPA advises that it will continue to promote a stewardship and partnership approach with all stakeholders in the GBR, including enhancement of the Reef Guardians Program of which fishers are an important component.

Despite the significant number of fisheries management advances promoted by the MRAG review, one of the elements of the review that GBRMPA is critical of is the apparent lack of dedicated engagement by the MRAG reviewers with Australian Traditional Owners in the GBR Region. This lack of engagement appears to have led to an absence of recommendations to deliver and improve on the marine and fisheries resource management and use aspirations of Traditional Owners in the GBR Region. There are more than seventy Aboriginal and Torres Strait Islander Traditional Owner

clan groups that have long continuing relationships with the GBR Region and its natural resources. These clan groups have relied on the sea to provide food for thousands of years. Fishing and collecting marine resources is an important part of Aboriginal and Torres Strait Islander culture and diet.

GBRMPA highly respects and values our relationships with these clan groups and through the Australian Government Reef Programme, we are delivering the Land and Sea Country Indigenous Partnerships Program worth \$10 million over a five-year period (2013-2018). GBRMPA believes that the fisheries review fails to identify the significant opportunity to responsibly progress fisheries management initiatives with Traditional Owners in the GBR Region. Such initiatives should be discussed, identified and progressed. GBRMPA is more than happy to provide advice to Fisheries Queensland on progressing such matters with GBR Traditional Owners.

#### Performance review

GBRMPA supports the need for Fishery Performance Measurement Systems for Queensland fisheries which include conservative triggers for target, non-target and broader ecological values that prompt immediate management responses. Performance measures aimed at reducing by-catch levels and plans to achieve this should be agreed. All agreed triggers should be monitored. The Reef 2050 Plan identifies an action to develop standards for ecosystem health that inform and support the Integrated Monitoring and Reporting Program. GBRMPA suggests that these aforementioned triggers and performance measures be included in these standards for ecosystem health. Future fisheries management needs to incorporate both long-term considerations of adaptation to climate change, and short-term flexibility for fisheries managers and fishers to respond to extreme weather events.

In light of the poor and worsening outlook for the Great Barrier Reef, there is some urgency in improving fisheries management in Queensland. Future arrangements for fisheries need to take account of substantial (non-fishing) pressures on fished resources and supporting habitats. Arrangements also need to consider external influences on fisheries (e.g. fuel costs, exchange rates, social trends, technology, market demands) and how these might change in the future. Future conditions for fisheries will be different and uncertainty will increase as the climate changes. In being cognisant of anticipatory and adaptive management principles, the future fisheries framework should seek to enable Queensland's fisheries to overcome likely challenges and flexibly respond to opportunities.

#### Resourcing

GBRMPA agrees that any revised Queensland fisheries management system needs to be adequately resourced.

GBRMPA recognises, consistent with the MRAG review recommendations, that fisheries management reforms proposed will “work” without a Recreational Fishing Licence, but would work considerably better with one. GBRMPA would be supportive in principle of efforts, as the MRAG review recommends, to undertake more detailed examination of the costs and benefits of introducing a Recreational Fishing Licence which would apply throughout Queensland.

Other relevant matters:

#### Freshwater fisheries

GBRMPA believes that stocking in impoundments and riverine environments connected to GBRMP and WHA needs to be approached with considerable caution. The risks of such activities with respect to maintenance of natural genetic diversity, likely reduced population fitness, or disease introduction needs to be fully assessed.

### Aquaculture

The MRAG Review makes statements and recommendations regarding the management of land-based aquaculture facilities in Queensland by GBRMPA that are factually and materially incorrect.

GBRMPA has:

- No net environmental benefit policy as stated by the Review Team. The Australian and Queensland Governments have made a commitment, through the Reef 2050 Long-Term Sustainability Plan, that all new developments impacting on the Great Barrier Reef World Heritage Area must achieve a net environmental benefit.
- No jurisdiction over land-based aquaculture facilities that discharge to coastal waterways as stated by the Review Team. Applications for the development of land-based aquaculture facilities in this region are assessed by the Australian and Queensland Governments. GBRMPA has no regulatory role in the approval of these aquaculture facilities.
- No policy that states that there must be no net discharge from aquaculture facilities to the Great Barrier Reef World Heritage Area as stated by the Review Team. The only approval granted that contained such a requirement was issued by the Australian Government's Minister for the Environment under the *Environment Protection and Biodiversity Conservation Act 1999*.
- A legislative requirement to assess all applications for development on their individual merit and in accordance with the criteria described in the Great Barrier Reef Marine Park Act 1975 and *Great Barrier Reef Marine Park Regulations 1983*. The environmental impact assessment process is risk based and already meets all of the recommendations made by the Review Team. Publically available information demonstrating this approach is available at <http://www.gbrmpa.gov.au/zoning-permits-and-plans/environmental-assessment-management/environmental-impact-assessment-process>.

### The management of Fish Habitat Areas and marine plants

GBRMPA supports strong continued management of Fish Habitat Areas and marine plants by the Queensland Government that are essential to the sustainability of environmental systems within the GBR Region.

### Interactions between marine parks and fisheries

There are demonstrated benefits from the network of no-take areas established by the *Great Barrier Reef Marine Park Zoning Plan 2003* and the *Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004*. The benefits to fisheries management of the GBR network of no-take areas are publicised by Fisheries Queensland in various documents.

In relation to specific "marine parks" matters covered in the review, it was clearly communicated in the terms of reference and throughout the initial consultation phase of the fisheries review that specific "marine parks" matters were not within the scope of the review. GBRMPA, therefore, did not make any attempt to consult with our broad base of stakeholders and partners (including governments) in this regard, nor did the fisheries review consultants explicitly discuss these matters with GBRMPA. For these reasons GBRMPA advises that it considers the two recommendations of the MRAG review applying to "interactions between marine parks and fisheries" are invalid review recommendations.

GBRMPA did explicitly discuss with the MRAG reviewers the need for revised fisheries legislation to give precedence to resource sustainability and particularly in the context of increased responsibility of fisheries operating in the GBRMP and WHA, to more explicitly prioritise consideration of broader marine ecosystem biodiversity and health.

GBRMPA does not consider that the reviewers adequately considered these requirements in their report and recommendations.

I thank you for the opportunity to make this submission to you on the MRAG Asia-Pacific Fisheries Review – “Taking Stock: modernising fisheries management in Queensland” Report and look forward to working with you in the management of fisheries occurring in the Great Barrier Reef.

Yours sincerely

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