



East Coast Otter Trawl Fishery: Draft Conditions for the Wildlife Trade Operation (WTO) approval

Information Pack

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1. Background

The East Coast Otter Trawl Fishery (ECOTF) is currently undergoing reassessment of the Wildlife Trade Operation (WTO) approval under the *Environmental Protection and Biodiversity Conservation Act 1999*.

WTO approvals allow product to be exported from a fishery and contain conditions that must be met to ensure the export approval remains in place. As part of the reassessment process, Fisheries Queensland, Queensland Department of Primary Industries (QDPI [formerly known as QDAF]), have received draft conditions that may form part of the new WTO approval for the ECOTF.

WTO approvals are provided to the Queensland Government by the Australian Government. This is the first time licence holders operating in the ECOTF have been consulted directly by the Queensland Government on draft conditions proposed for inclusion in a WTO approval for this fishery. It is important to note that the final conditions will be decided by the Australian Government Minister for Environment and Water or their delegate and are subject to change or may differ from the draft conditions attached.

The current WTO approval for the ECOTF expires on 17 December 2024.

2. Objective

Fisheries Queensland is working closely with industry and the Australian Government to get the WTO conditions right and we understand how important this is given the potential of the conditions to impact on the livelihood and the way fishers operate in the ECOTF.

The primary objective of this consultation process is to seek feedback from ECOTF licence holders on the draft WTO so that it may be considered when Fisheries Queensland provides a response to the Australian Government on the draft conditions.

3. Consultation process

The draft conditions, while still subject to change, are now being provided to all T1, T2, M1 and M2 licence holders, with a request for feedback by **5pm, Wednesday, 27 November 2024**. This date allows adequate time for responses to be collated and considered prior to further negotiations with the Australian Government.

Due to the interest from industry in the WTO process, QDPI have provided all the draft conditions in Section 4. However, as conditions 1 to 4 (inclusive) are considered 'standard' conditions relating to export approval which are consistent across all WTOs, Fisheries Queensland are only seeking industry feedback on conditions 5 to 11.

3.1 Online webinar

All recipients of this information package are also invited to join an online webinar that will be held at **9am on 25 November 2024**. Details of the online information session, including the link, will be provided in coming days via email and also the eHub consultation platform: <https://dpi.engagementhub.com.au/east-coast-trawl-export-approval>.

The webinar will overview the conditions and provide some background and contextual information for the conditions, while also providing an opportunity to answer questions raised throughout the consultation process.

To facilitate the webinar, and in order to keep within the designated time allocated for the session, there will only be a selected number of speakers presenting the information and answering questions. It won't be an open forum as such, and while attendees will be muted and cameras turned off, there will be the chance to hear from Fisheries Queensland and have your questions raised through the process answered during the session.

3.2 Survey

After reading through and considering the draft conditions below in Section 4, to facilitate the process of providing your feedback, QDPI request that licence holders provide feedback through the [online survey](https://dpi.engagementhub.com.au/east-coast-trawl-export-approval) available at: <https://dpi.engagementhub.com.au/east-coast-trawl-export-approval>

Feedback on the conditions and the survey will close at **5pm on 27 November 2024**.

4. Draft WTO Conditions

The draft WTO conditions are set out in the table below.

Again, it is important to note that these are draft conditions that have not been finalised and are subject to change. The final conditions will be decided by the Australian Government Minister for Environment and Water or their delegate.

Draft Condition [<i>*Subject to change</i>]	Additional Information
<p>Condition 1</p> <p>Operation of the Queensland East Coast Otter Trawl Fishery must be carried out in accordance with the management framework, including any relevant harvest strategy for the fishery, in force under the <i>Fisheries Act 1994</i> (Qld), <i>Fisheries (General) Regulation 2019</i> (Qld), <i>Fisheries (Commercial Fisheries) Regulation 2019</i> (Qld), <i>Fisheries Declaration 2019</i> (Qld) and <i>Fisheries Quota Declaration 2019</i> (Qld).</p>	<p>This is a standard condition of the WTO and as a result, QDPI are not seeking industry feedback on this wording.</p>
<p>Condition 2</p> <p>The Queensland Department of Primary Industries must inform the Department of Climate Change, Energy, the Environment and Water of any intended material changes to the Queensland East Coast Otter Trawl Fishery management arrangements that may affect the assessment against which <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth) decisions are made.</p>	<p>This is a standard condition of the WTO and as a result, QDPI are not seeking industry feedback on this wording.</p>
<p>Condition 3</p> <p>The Queensland Department of Primary Industries must inform the Department of Climate Change, Energy, the Environment and Water of any intended changes to fisheries legislation that may affect the legislative instruments relevant to this approval.</p>	<p>This is a standard condition of the WTO and as a result, QDPI are not seeking industry feedback on this wording.</p>
<p>Condition 4</p> <p>The Queensland Department of Primary Industries must produce and present reports on the Queensland East Coast Otter Trawl Fishery to the Department of Climate Change, Energy, the Environment and Water by 30 September each year, commencing September 2025, as per Appendix B of the <i>Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition</i>.</p>	<p>This is a standard condition of the WTO and as a result, QDPI are not seeking industry feedback on this wording.</p>

Draft Condition [*Subject to change]	Additional Information
<p>Condition 5</p> <p>By 1 December 2025, the Queensland Department of Primary Industries (QDPI) must:</p> <ol style="list-style-type: none"> a. review the strategies in place for recovery of the identified depleted stock of saucer scallops (<i>Ylistrum balloti</i>) that occurs south of 22 degrees south; and b. publish and implement a formal rebuilding strategy for this identified depleted stock in accordance with the Queensland harvest strategy policy and ensure there are mechanisms to monitor and manage the ongoing performance of the strategy to facilitate recovery of the depleted stock. 	<p>The 2023 stock assessment for saucer scallop estimated the stock biomass to be 15% unfished biomass, which identifies the stock as depleted.</p> <p>Recent genetic work has identified the existence of two populations of saucer scallops on the east coast of Queensland. One of these is the identified depleted stock, which occurs south of 22 degrees south. The other is a population north of 22 degrees south that occurs within the Central Trawl Management Region. The stock status of this central trawl region population is undefined.</p> <p>This condition requires the publication of a formal rebuilding strategy for the identified depleted stock that occurs south of 22 degrees south. The scallop population that occurs within the Central Trawl Management Region will not to be included in the rebuilding strategy.</p> <p>The 2023 stock assessment for saucer scallop is available at: https://era.daf.qld.gov.au/id/eprint/9458/.</p> <p>Recent genetic work on the population structure of saucer scallop for east coast Queensland is available at: https://era.daf.qld.gov.au/id/eprint/13984/.</p>
<p>Condition 6</p> <p>The Queensland Department of Primary Industries (QDPI) must not allow the harvest of saucer scallops (<i>Ylistrum balloti</i>) from any area of the East Coast Otter Trawl Fishery other than the Southern Offshore Trawl Management Region unless evidence is provided to demonstrate the stock(s) can support a level of take that will not contribute to overfishing and depletion of the saucer scallop stock(s).</p>	<p>Currently, the Southern Offshore Trawl Management Region has a limited seasonal opening for the harvest of saucer scallop, while the Southern Inshore and Central Trawl Management Regions are closed to the harvest of saucer scallop.</p> <p>It is understood that this condition allows for the continued harvest of saucer scallop from the Southern Offshore Trawl Management Region. However, it also requires the Southern Inshore and Central Trawl Management Regions to remain closed to saucer scallop harvest unless evidence can be provided to demonstrate either or both of the east coast Queensland saucer scallop stocks (see genetic population reference above) can support a level of take that will not contribute to overfishing.</p> <p>If such evidence is available and can be provided, the harvest of saucer scallop from trawl regions outside of the Southern Offshore Trawl Management Region may be possible. Any such harvest is likely to be limited and precautionary.</p>

Draft Condition [*Subject to change]	Additional Information
<p>Condition 7</p> <p>The Queensland Department of Primary Industries (QDPI) must:</p> <ol style="list-style-type: none"> a. By 30 April 2025, provide an implementation plan to the Department for the establishment of an ongoing independent monitoring and validation program across the East Coast Otter Trawl Fishery. The plan must demonstrate how the ongoing program will: <ol style="list-style-type: none"> I. Provide independent data that is reliable and representative across all regions of the fishery; II. independently monitor and validate data collected via logbooks, with a particular focus on protected species interactions demonstrated within this Wildlife Trade Operation approval period. b. By 15 December 2025 the Queensland Department of Primary Industries must commence implementation of the independent monitoring and validation program. c. By 30 September 2026 and 2027, as part of annual reporting, provide a summary of the level of independent monitoring coverage across the fishery, protected species interactions and the validation of TEP logbooks with independent data. 	<p>Condition 7 of the existing WTO approval required the commencement of development and implementation of an independent monitoring program and data validation program by 30 September 2024.</p> <p>To achieve this, Fisheries Queensland commenced the delivery of an onboard camera field trial to test the ability of onboard cameras, control systems and software to detect interactions with threatened, endangered and protected species, and other bycatch during commercial trawl fishing activities. Amendments to the <i>Fisheries Act 1994</i> were also approved to provide for a regulatory framework that will support the establishment of an independent monitoring program.</p> <p>The field trial will end in December 2024 and the outcomes will be evaluated to support the design and establishment of an ongoing independent monitoring program. Further consultation will be undertaken with industry as this occurs. More information about the field trial is available online at: https://dpi.engagementhub.com.au/onboard-camera-trial.</p> <p>This new condition relates to the establishment of an ongoing independent data validation program, with a primary focus on the validation of protected species interactions reported in the Threatened Endangered and Protected animal (TEP) Logbook.</p> <p>Part 'a' of the condition requires the submission of an implementation plan by 30 April 2025 that includes information on the establishment of an ongoing program that:</p> <ul style="list-style-type: none"> - will provide independent data that is representative across all regions of the fishery; and - provides for the independent validation of logbook data, with a primary focus on protected species interactions reported in the Threatened Endangered and Protected animal (TEP) Logbook. <p>Part 'b' of the condition requires that implementation of the independent data validation program commences by 15 December 2025.</p> <p>Part 'c' of the condition requires annual reporting on the commercial fishing data that is validated as part of the program.</p>

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<p>Condition 8</p> <p>By 30 June 2027, QDPI to review the outputs of FRDC project 2023-009 to determine how it may guide the reduction of ecological impacts, including through the approval of additional bycatch reduction devices for the ECOTF.</p>	<p>The FRDC project 2023-009 'Reducing impacts on threatened, endangered, and protected species in the Queensland ECOTF' is a QDPI-led research initiative. Spanning over three years, this project aims to:</p> <ul style="list-style-type: none"> • Quantify the effect of bycatch reduction devices on sea snakes in Queensland's trawl fishery and facilitate the uptake of these devices by industry. • Develop strategies to reduce the number of threatened skates, rays and demersal sharks caught by prawn trawls in southern Queensland. • Implement a pilot crew-member observer program to train interested fishers in collecting valuable information on threatened species including sea snakes, skates, rays, and sharks. • Develop protocols for the safe handling of sea snakes, skates, rays and sharks that improves post-trawl survival. <p>This condition requires the outputs of this project to be reviewed. The approval of additional bycatch reduction devices for the ECOTF, where supported by the outputs of this project, are identified as a specific action.</p> <p>For more information on the project see: https://www.frdc.com.au/project/2023-009.</p>
<p>Condition 9</p> <p>By 30 June 2027, provide updated information on bycatch composition and work towards providing representative data across all regions of the fishery.</p>	<p>Australian Government fisheries assessments are conducted against the Guidelines for the ecologically sustainable management of fisheries - Edition 2. These guidelines stipulate information requirements, including in relation to the composition of bycatch. Previously, bycatch composition information has been collected for the ECOTF. This condition requires updated bycatch information to be provided.</p> <p>The Guidelines for the ecologically sustainable management of fisheries - Edition 2 are available at: https://www.dcceew.gov.au/environment/marine/publications/guidelines-ecologically-sustainable-management-fisheries.</p>
<p>Condition 10</p> <p>By 30 November 2026, the Queensland Department of Primary Industries must review the harvest strategies for the East Coast Otter Trawl Fishery.</p>	<p>As outlined within the Queensland harvest strategy policy, all harvest strategies will remain in place for a period of five years, after which time they will be fully reviewed in accordance with the <i>Fisheries Act 1994</i>.</p> <p>The five ECOTF regional harvest strategies were published in 2021, and thereby require reviewing in 2026.</p> <p>For more information on the harvest strategy review process, refer to the Queensland harvest strategy policy available at: https://www.daf.qld.gov.au/business-priorities/fisheries/manage/harvest-strategies.</p>

Draft Condition [<i>*Subject to change</i>]	Additional Information
<p>Condition 11</p> <p>By 30 June 2026, the Queensland Department of Primary Industries must consider the outcomes and implications from the Fisheries Research and Development Corporation project 2020-026 (Habitat ecological risk assessment for eco-regions with high trawl footprints, in southern Queensland and northern NSW) to the ECOTF and provide summary advice to the Department of Climate Change, Energy, the Environment and Water on any actions to address identified risks.</p>	<p>The FRDC project 2020-026 'Habitat ecological risk assessment for eco-regions with high trawl footprints, in southern Queensland and northern NSW' – FRDC project number 2020-026' is a CSIRO-led research project. This project aims to:</p> <ul style="list-style-type: none"> • Map the distribution and abundance of habitats and bycatch species in southern Queensland and northern NSW, with focus on trawl-exposed eco-regions. • Complete quantitative risk assessments for seabed habitats and bycatch species. • If required, use an objective MSE-type approach to evaluate any risk-management options proposed for sensitive habitats and bycatch species. <p>This condition requires summary advice to be provided on any actions to address risks identified through project.</p> <p>For more information on the project see: https://www.frdc.com.au/project/2020-026.</p>