



NX allocation and operational requirements policy FIS/2024/6655

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Under the *Human Rights Act 2019* a decision maker has an obligation to act and make decisions in a way that is compatible with human rights, and when making a decision under this policy, to give proper consideration to human rights.

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1 Purpose

The intention of this policy is to help achieve the main purpose of the *Fisheries Act 1994* through management of the Queensland east coast net fisheries within the Great Barrier Reef World Heritage Area. The policy will achieve this purpose by establishing criteria and a decision-making process for the allocation of NX fishery symbols (net fishery no. NX) to eligible primary commercial fishing licences (PCFL) for the period of 1 February 2024 to 30 June 2027.

The policy provisions aim to protect the future sustainability of inshore fin fish and other animals, including threatened, endangered and protected (TEP) species by limiting the number of fishers taking particular species, restricting the fishing apparatus that can be used, and additional management arrangements to limit the potential impact on TEP species.

2 Background and context

The Fisheries and Other Legislation (Structural Reform) Amendment Regulation 2023 was made on 8 December 2023. This amendment subordinate legislation retired all N1, N2 and N4 commercial fishing symbols on 1 January 2024. The subordinate legislation introduced 2 new fishery symbols – the N15 and NX. This policy deals with the allocation of the NX fishery symbol for the period 1 February 2024 to 30 June 2027, after which time the symbol will be retired.

The NX is the replacement fishery symbol for commercial net fishers in management regions 2, 3 and 4 of the east coast inshore fishery who are impacted by the retirement of the N1, N2 and N4 symbols. The NX fishery was established to allow **limited and highly conditioned** net fishing to continue within the Great Barrier Reef World Heritage Area until 30 June 2027. It is not a new fishery symbol designed to be issued to new applicants without demonstrated commercial fishing history in the N1, N2 and N4 fisheries and meeting the eligibility criteria.

Note: Participation in the NX fishery does not automatically exclude the holder of a PCFL on which the symbol is written from claiming grants or payments as part of the structural adjustment, including symbol and quota payments, payment in lieu of probable loss of income, package buyouts, net buybacks and boat refit grants (when they become available).

Boat refit grants may include a condition that the NX symbol from a PCFL must be surrendered prior to payment. Boat refit grants will be available in the future, targeting refit of net reel boats and other costs associated with stranded assets. Gillnets used in the NX fishery must be surrendered to the Department of Agriculture and Fisheries by 14 July 2027, following the retirement of the NX symbol.

To provide certainty to applicants while details of the structural adjustment package are finalised, the holder of an NX symbol issued under this policy may elect to surrender the NX symbol and access further grants when they become available. Access to further grants and components of the structural adjustment scheme will be open for a limited period of time once released.

Note: After the NX symbol is retired on 30 June 2027, no further compensation will be provided to NX fishers as the symbol is limited-life in nature and there is no potential future income from fishing under this symbol following 30 June 2027.

A maximum of 40 NX symbols can be issued. Targeted consultation with stakeholders revealed concerns regarding concentrated effort and competition. To address these concerns, Fisheries Queensland may consider issuing NX symbols under the following structure:

- approximately 10 symbols issued in management region 2
- approximately 14 symbols issued in management region 3
- approximately 6 symbols issued in management region 4.

3 Scope

The scope of this policy is to establish criteria and a decision-making process for the allocation of the new NX fishery symbol (net fishery no. NX) as detailed under Schedule 4, Part 9B of the Fisheries (Commercial Fisheries) Regulation 2019.

Sections 11 and 12 of this policy provide applicants with the proposed draft operating conditions that will be implemented through licence conditions for the NX symbol, starting 1 February 2024.

3.1 In-scope

This policy will outline the total number of NX symbols, eligibility criteria and assessment process. The policy also includes a copy of draft operating conditions and information on independent onboard monitoring and reporting provisions that will apply to NX licences.

The policy requires all applications to be received by **11:59 pm, 29 January 2024**. This deadline may be extended due to extenuating circumstances (e.g. adverse weather events impacting areas of the Queensland coastline).

3.2 Out-of-scope

This policy does not provide information about future alternative fishing methods or gear trials.

4 Acronyms and definitions

Term / acronym	Definition
Applicant	A PCFL holder applying for the temporary NX symbol (net fishery no. NX)
Authority holder	Reference to an authority with a PCFL attached
Fishing operation	Starts when the first net is deployed in the water and ends when the last net is removed from the water, and includes the setting, checking and retrieval of nets, and removal of catch, bycatch and protected species from fishing apparatus
NX	Fishery symbol 'NX'
PCFL	Primary commercial fishing licence
Relevant fisheries compliance	Reference to state fisheries, state and federal marine parks legislation
Relevant PCFL	A PCFL that meets the application criteria for a temporary NX symbol
Relevant period	September 2021 to 30 June 2023
Structural adjustment	The structural adjustment for the Great Barrier Reef and Great Sandy Marine Park rezoning
TEP species	Threatened, endangered and protected species are protected animals under the <i>Nature Conservation Act 1992</i> (Qld), or animals listed as a threatened species, listed migratory species or a listed marine species under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth)
IOM	Independent onboard monitoring
The department	Department of Agriculture and Fisheries, represented by Fisheries Queensland

Term / acronym	Definition
The policy	This <i>NX allocation and operational requirements policy</i> <i>FIS/2024/6655</i>
Management region 2	Refers to east coast inshore management region 2 in the Fisheries (Commercial Fisheries) Regulation 2019 – consists of tidal waters in the fishery area between latitude 15°13.56' south (at Cape Bedford) and latitude 19°00' south (near Balgal Beach)
Management region 3	Refers to east coast inshore management region 3 in the Fisheries (Commercial Fisheries) Regulation 2019 – consists of tidal waters in the fishery area between latitude 19°00' south (near Balgal Beach) and latitude 22°00' south (near Clairview)
Management region 4	Refers to east coast inshore management region 4 in the Fisheries (Commercial Fisheries) Regulation 2019 – consists of tidal waters in the fishery area between latitude 22°00' south (near Clairview) and latitude 24°30' south (Baffle Creek)

5 Consistency with relevant legislative and overarching policy objectives

The policy is in line with the *Fisheries Act 1994* and the objectives of the Fisheries and Other Legislation (Structural Reform) Amendment Regulation 2023. It is also consistent with the deliberations and intent of the Future Fishing Taskforce and the Queensland Government Future Fisheries Inter-Departmental Committee, to minimise disruption and authorise limited and highly conditioned fishing to continue until 30 June 2027.

6 Key principles

6.1 Ecological sustainability

All applicants for the NX symbol must:

- adhere and be committed to the ongoing ecological sustainability of commercial fisheries resources in line with the principles of ecological sustainable development
- ensure impacts to TEP species are minimised and accurately reported
- undertake commercial fishing in accordance with any relevant fisheries, marine or other relevant legislation and policies.

The chief executive (or authorised delegate) must ensure the objectives in Section 3 of the *Fisheries Act 1994* are met when issuing an NX symbol.

6.2 Transparent and consistent approach

This policy will establish transparent criteria and a decision-making process to allocate the NX symbol (net fishery no. NX) to eligible PCFLs.

6.3 Policy review

This policy will be reviewed after 12 months to ensure key principles of ecological sustainability are met.

7 Human rights

In accordance with section 58 of the *Human Rights Act 2019*, it is unlawful for any public servant to act or make a decision in a way that is not compatible with human rights or fails to give proper consideration to a human right relevant to the decision.

The policy may engage section 15 (recognition and equality before the law), section 24 (property rights), section 25 (privacy and reputation) and section 28 (cultural rights – Aboriginal peoples and Torres Strait Islander peoples) of the *Human Rights Act 2019*. These impacts have been clearly identified in the Human Rights Certificate issued under The Fisheries and Other Legislation (Structural Reform) Amendment Regulation 2023 and the Human Rights Statement of Compatibility issued under the Agriculture and Fisheries and Other Legislation Amendment Bill 2023.

8 Eligibility criteria

To apply for an NX symbol, the applicant must meet all the criteria below and score within the required cut-off in the order of merit.

8.1 Application criteria

All of the following 10 criteria must be met. The applicant must:

1. have held a relevant PCFL with a N1, N2 or N4 symbol written on it within the relevant period for a minimum of 6 months
and
2. have recorded and submitted catch and effort logbooks in the Queensland east coast net fishery, or shark and ray logbooks (EN, NC, SR and SRE), under the same PCFL in the N1, N2 or N4 fishery within management regions 1 to 4
and
3. reported catch during the relevant period equal to, or above, 2,200 kg and submitted catch and effort logbooks to the chief executive as required, which must have been received before 15 July 2023
and
4. have not had the relevant PCFL revoked, cancelled or surrendered
and
5. hold an active PCFL at the time of application to have a new NX issued to (written on)
and
6. have submitted a completed NX application form, including signing the declaration authorising the relevant department/s to review relevant fisheries compliance history (fisheries and state/federal marine parks legislation) for both the applicant and the nominated commercial fisher
and
7. not have a compliance history above 'moderate' as per the compliance matrix in section 13 of this policy (this also applies to the nominated commercial fisher)
and
8. complete the Master Fishers Training Program within 6 months of issue (or when it becomes available)
and
9. must work with the department to facilitate the installation and operation of independent onboard monitoring (IOM) equipment, including onboard cameras and onboard observers
and
10. must work with the department to facilitate biological monitoring of fish stocks by allowing access to fish for the collection of biological data and samples.

8.2 Order of merit

An order of merit will be established for all complete and eligible applications received by **11:59 pm, 29 January 2024 (pending extenuating circumstances)**. Late applications will not be accepted unless formally advised.

This order of merit will:

1. consider combined compliance history of the applicant/s and nominated commercial fisher, ranging from low, moderate, high and very high risk on the compliance matrix in section 13 of this policy (if applicant/s have different compliance rating, the highest rating will be considered for the entire application)
2. apply a multiplier of 1 for the low-risk category and 0.5 for the moderate risk category to the total harvest based on the combined compliance history ranking as per the compliance matrix
3. consider the reported harvest during the relevant period from most to least for each management region
4. prioritise regional allocation to specific management regions to ensure a spread of fishing effort and prevent localised impacts – the following regional allocations will be used as a guide:
 - approximately 10 symbols in management region 2
 - approximately 14 symbols in management region 3
 - approximately 6 symbols in management region 4
5. not issue an NX symbol to an applicant if the compliance rating is above moderate in the compliance matrix.

Note: If an applicant meets all the requirements for more than one region, an NX symbol will be issued for the region with most reported catch.

8.3 Regional allocation shortfall

If fewer symbols are issued than **those allocated** for each region:

1. the department **may** consider additional applications that failed to meet the reported catch during the relevant period of at least 2,200 kg, reducing the minimum required catch to 1,200 kg – all other eligibility criteria will be applied. The total number of NX symbols will not exceed 40.
2. the decision-maker must consider the spatial use of the current symbols, ecological risks and impacts to other fishery stakeholders (including NX symbol holders) when deciding whether to consider additional applications.

9 Special circumstances

If an applicant does not meet the minimum reported catch history of 2,200 kg in the relevant period in management regions 1–4, the applicant may submit evidence of a special circumstance to be considered.

An application for special circumstances must show that the applicant did not catch any fish reported under the N1, N2 and N4 symbol for at least 6 consecutive months during the relevant period starting on 1 September 2021 and ending on 30 June 2023.

Special circumstances include:

- illness of the applicant or one or more of the applicant's dependants
- natural disaster
- another circumstance that prevented the applicant from fishing during part of the period starting on 1 September 2021 and ending on 30 June 2023.

Special circumstances for catch history do not include:

- refitting a boat
- fishing in another fishery
- working in another industry.

10 Annual renewal review

PCFLs with an NX symbol will be subject to an annual renewal review between 1 January and 30 January. The department will conduct the review including using the following assessment criteria:

- reported catch over 500 kg to ensure participation in the fishery
and
- moderate or low-risk compliance history, including the commercial fisher in control
and
- appropriate operation in compliance with the conditions attached to the authority.

If a PCFL fails to meet the assessment criteria, the chief executive will review whether it will retain the NX symbol.

11 Draft operating conditions

The proposed licence conditions have been included below to allow applicants the opportunity to review and decide whether they wish to take part in this new **limited and highly conditioned** net fishery. The conditions must be read in conjunction with the relevant fisheries and marine parks legislation and are non-negotiable.

11.1 Nominated authority

The symbol is not transferable.

The applicant must nominate the commercial fisher in control and acting under the authority for the duration of the fishery (until 30 June 2027). If an applicant (the relevant authority holder) also holds a commercial fisher licence, both the applicant and nominated commercial fisher in control may be listed under the authority. A maximum of 1 commercial fisher in control can be listed. Nominated fishers under the licence will not be able to be amended/changed more than once in a 6 month period. If a nominated commercial fisher in control changes, the compliance eligibility criteria will be assessed against the amendment.

11.2 Area of operation

NX symbols will be issued for **either** east coast inshore management region 2, 3 **or** 4. No symbols will allow fishing in more than one region.

In addition to regulations in the Fisheries (Commercial) Regulation 2019 and Fisheries Declaration 2019, the following dugong protection areas listed in the Fisheries Declaration 2019 will be referenced by defined maps:

- Port of Gladstone–Rodds Bay (dugong protection area)
- Clairview Bluff–Carmilla Creek (dugong protection area)
- Llewellyn Bay (dugong protection area)
- Ball Bay–Sand Bay (dugong protection area)
- Repulse Bay (dugong protection area)
- Edgecumbe Bay–Bowen (dugong protection area)
- Bowling Green Bay (dugong protection area)
- Lucinda to Allingham–Halifax Bay (dugong protection area)

The defined maps may be subject to change in response to interactions with TEP species. Maps will be provided on issue of NX symbols.

11.3 Fishing operation and nets

In addition to all relevant fisheries legislation the authority holder or nominated commercial fisher in control is required to operate as follows while fishing under the NX symbol:

- **Set mesh net –**

A set mesh net is a mesh net that has —

2 or more points that are each fixed to the ground, the bed of a body of water or a thing to prevent the net from moving from the position in which it is set.

- **A ring or partially fixed net –**

A ring or partially fixed net is –

a mesh net shot in a way that allows it to encircle the fish being targeted or;

a mesh net that is fixed to a vessel not at anchor and another point that is fixed to the ground, the bed of a body of water or a thing.

- **A net that is neither fixed nor hauled –**

A net that is neither fixed nor hauled is a mesh net that, while it is being used for taking fish, is –

allowed to move freely in the water; and

is not fixed to a place or otherwise restricted in its movement by the person using the net.

- **For the purpose of a way fish may be taken under the authority, the following conditions are to be followed:**

Unless otherwise stated a mesh net that is a set mesh net, a ring or partially fixed net or a net that is neither fixed nor hauled must -

- be handled from one end of the net to the other end by vessel within 2 hours of the use of that particular net, and again every two hours for the duration of time the net is being used to take fish.
- all Threatened, Endangered and Protected Species and regulated species are removed from the net during handling
- not be set within 400m of a jetty or wharf.
- not be set within 100m of another net that is being used.
- be only one net that may be used at the same time to take fish under the authority.

- **Use of set mesh nets in rivers and creeks**

- A set mesh net used in a river or creek must have all parts of the net in the river or creek while the net is being used, however this does not limit part of the net from being out of the water.
- A set mesh net must not be used from 1 November to 31 January in a river or creek.
- A set mesh net must -
 - be no longer than 120m; and
 - have a mesh size of at least 150mm but no more than 215mm; and
 - be made of monofilament no more than 1.85mm in diameter; and
 - have a drop of no more than 50 meshes.
- Up to 3 set mesh nets may be set if their combined length is no more than 360m and the distance between the first and last net is no more than 800m.
- A total of 3 set mesh nets may be set in combination of a river or creek and nearshore waters provided each net does not exceed 120m and the distance between first and last net is 800m.
- A set mesh net must not be used in addition to a ring or partially fixed net or a net that is neither fixed nor hauled.

- A person using a set mesh net must remain on board a boat floating on the water and must be within 100m of the net, however a person may be further than 100m if they are in the process of setting another net.
- A person using more than one set mesh net must remain on board a boat floating on the water and remain between the first and last net.
- **Use of set mesh nets in nearshore waters**
 - A set mesh net used in any nearshore waters must have 1 part of the net in nearshore waters or on a foreshore, and no part in a river or creek while the net is being used.
 - A set mesh net used in nearshore waters must —
 - be no longer than 600m; and
 - have a mesh size of at least 100mm but no more than 215mm; and
 - be made of monofilament no more than 1.85mm in diameter.
 - However, if a set mesh net is used from 1 November to 31 January in nearshore waters, the mesh size of the net must be no more than 115mm.
 - Up to 3 set mesh nets may be set if their combined length is no more than 600m and the distance between the first and last net is no more than 800m.
 - A total of 3 set mesh nets may be set in combination of rivers and creeks and nearshore waters provided -
 - each net does not exceed 120m; and
 - the distance between first and last net is 800m; and
 - a set mesh net is not used in a river or creek between 1 November to 31 January.
 - A set mesh net must not be used in addition to a ring or partially fixed net or a net that is neither fixed nor hauled.
 - A person using a set mesh net must remain on board a boat floating on the water and must be within 100m of the net, however a person may be further than 100m if they are in the process of setting another net.
 - A person using more than one set mesh net must remain on board a boat floating on the water and remain between the first and last net.
- **Use of set mesh nets in offshore waters**
 - A set mesh net may be used in the offshore waters only if—
 - the single net—
 - is used completely within offshore waters; and
 - is no longer than 600m; and
 - has a mesh size of at least 160mm but no more than 165mm; and
 - is made of monofilament that is no more than 1.25mm in diameter; and
 - the commercial fisher using the net remains on a boat floating on the water and within 100m of the net while the net is being used.
 - A set mesh net used in offshore waters cannot be used in any combination with setting in a river or creek and nearshore waters.
 - A set mesh net must not be used in addition to a ring or partially fixed net or a net that is neither fixed nor hauled.
- **Use of a ring or partially fixed net in rivers and creeks, nearshore and offshore waters**
 - A ring or partially fixed net may be used in a river or creek, nearshore waters or offshore waters only if the single net—
 - is no longer than 400m; and
 - has a mesh size of at least 50mm but no more than 165mm; and
 - is made of monofilament that is no more than 1.85mm in diameter.
 - However, From 1 November to 31 January a ring or partially fixed net may be used in a river or creek or in nearshore waters only if the single net—

- has a mesh size of at least 50mm but no more than 115mm; and
 - is made of monofilament that is no more than 1.85mm in diameter
 - The commercial fisher using the net remains on a boat floating on the water and within 100m of the net while the net is being used.
 - A ring or partially fixed net must not be used in addition to a set mesh net or a net that is neither fixed nor hauled.
- **Use of nets that are neither fixed nor hauled in offshore waters**
 - A net that is neither fixed nor hauled may be used in offshore waters only if—
 - The single net—
 - is used completely within offshore waters; and
 - is no longer than 600m; and
 - has a mesh size of at least 160mm but no more than 165mm; and
 - is made of monofilament that is no more than 1.25mm in diameter.
 - the commercial fisher using the net remains on a boat floating on the water and within 100m of the net while the net is being used.
 - A net that is neither fixed nor hauled must be not used in addition to a set mesh net or a ring or partially fixed net.
 - **Marking nets**
 - A ring or partially fixed net used during the day must be marked by—
 - light coloured floats no more than 20m apart along its length; and
 - a solid, white float—
 - no less than 15cm in all dimensions; and
 - with the commercial fisher's name and the primary boat mark for the net written on it at both ends of the net; or
 - with the commercial fisher's name and the primary boat mark for the net written on it at one end of the net not at the vessel.
 - A set mesh net used during the day must be marked by—
 - light coloured floats no more than 20m apart along its length; and
 - a solid, white float—
 - no less than 15cm in all dimensions; and
 - with the commercial fisher's name and the primary boat mark for the net written on it at both ends of the net.
 - Also, a net that is neither fixed nor hauled used in offshore waters used during the day must also be marked by—
 - a pole, with an orange-coloured flag no less than 15cm in two dimensions on it at least 2m above the water, attached to one end of the net; and
 - solid, light-coloured floats, no less than 15cm in all dimensions, no more than 100m apart along the length of the net.
 - A ring or partially fixed net used at night must also be marked by—
 - a white light, visible at least 400m in all directions from the light, at both ends of the net or;
 - if attached to the vessel, a white light, visible at least 400m in all directions from the light, at one end of the net not at the vessel.
 - A set mesh net or a net that is neither fixed nor hauled is used at night must also be marked by—
 - a white light, visible at least 400m in all directions from the light, at both ends of the net.
 - Also, a net that is neither fixed nor hauled used in offshore waters used at night must also be marked by—
 - a white light, visible at least 400m in all directions from the light, at both ends of the net or;
 - if attached to the vessel, a white light, visible at least 400m in all directions from the light, at one end of the net not at the vessel.

12 IOM for a fishing operation acting under the NX fishery symbol

12.1 Overview

Independent onboard monitoring (IOM) is used to verify that catch and effort data provided by fishers are accurate and can be relied upon to make evidence-based management decisions. This includes the validation of interactions with TEP species. IOM achieves this process by comparing data from 2 different sources – for example, data provided by fishers (e.g. logbook records) and data provided by a third party or another independent source (e.g. onboard observer records or onboard camera footage).

Each vessel used in a fishing operation acting under the NX fishery symbol will require IOM to validate the entire fishing operation.

There are 2 types of IOM that will be deployed on vessels acting under the NX fishery symbol. A vessel will require one or both forms of IOM, which include the following:

- onboard cameras – video camera equipment installed onboard a vessel and footage of catch retrieval, sorting and discard operations is recorded for review after the fishing trip is completed
- independent observers – independent observers board commercial fishing operations and manually record information on catch and effort, as well as biological data that can't be collected by cameras.

Important: Although onboard camera systems are used in other national and international fisheries to independently validate commercial fishing operations, their deployment on small gillnet fishing vessels is challenging. As such, operation of the NX IOM program is subject to change as improvements are made during implementation.

12.2 When IOM is required

For a vessel acting under the NX symbol, **a monitored fishing operation starts when the first net is deployed in the water and ends when the last net is removed from the water.**

For example, if 3 separate nets are set during a fishing operation, the onboard camera equipment, or observer(s), must record the entire fishing operation from the time the first net is deployed. The camera operation and monitoring continues until the last net is removed. If a single net is shot and retrieved several times, the fishing operation starts when the net is first shot and ends when the final shot has been retrieved.

This ensures all components of the fishing operation that have the potential to interact with target, bycatch and TEP species are recorded, including the deployment, checking, servicing and retrieval of fishing gear. Traveling to and from fishing grounds does not require the onboard camera equipment to be active and recording if no fishing apparatus is deployed.

Operational guides will be developed to detail the times when a system's camera must be operational during a fishing operation, as the battery life and video storage space of each camera system varies.

12.3 Onboard camera equipment

As each onboard camera system is different in its features and operation, the department will provide operational guides specific to the relevant camera system installed on a vessel acting under the NX fishery symbol. The operational guides will provide a summary of the camera systems technical specifications and the steps and processes that must be followed before, during and after a fishing operation, including troubleshooting information.

12.4 Installation of onboard camera equipment

Fisheries Queensland will cover reasonable costs associated with the purchasing, installation and maintenance of onboard camera equipment on a vessel acting under the NX symbol.

NX authority holders must attend at a nominated location and time to facilitate installation of onboard camera equipment onto their vessel(s). Departmental officers and relevant technicians will work with the fisher in the development of a vessel monitoring plan, which includes the following:

- details of the fishing operation, including vessel(s) used, species targeted, gear used, fishing methods and locations fished
- type of camera equipment to be installed and method(s) for transfer of video footage
- location on the vessel(s) where the onboard camera equipment will be installed
- field of view of installed camera(s) for observing the fishing operation.

The authority holder must maintain fishing operations and camera installation in line with the approved vessel monitoring plan.

Generally, onboard camera systems will be hard-mounted to available superstructure and elevated above the stern of a fishing vessel. If no superstructure exists, the fabrication of structures may be required to ensure the camera(s) can be installed with a field of view that includes the entire fishing operation. **In most cases, cameras must be hard-mounted** to ensure the field of view includes the entire fishing operation and can record all fishing activities and interactions with catch, bycatch and TEP species.

To ensure an effective view of fishing operations that occur at night, some systems will require the installation and operation of onboard lights.

12.5 Operation of onboard camera equipment

The department will provide training on how to use and operate the camera equipment installed on a vessel acting under the NX symbol.

12.5.1 Before a fishing operation

Before departing for a fishing operation, a fisher must check the onboard camera system:

- is functioning and operational and
- has sufficient battery and hard-drive storage space to record the planned fishing operation.

If the onboard camera system is not operational before you depart land, you cannot go fishing.

A fisher will be required to follow the processes in the relevant operational guide and ensure the onboard camera system is working and operational before departing.

12.5.2 During a fishing operation

Although each operation will vary, during the fishing operation fishers must ensure (at a minimum):

- the camera(s) on the vessel involved in the fishing operation are recording during the entire fishing operation
- the camera lens is kept clean from encrusted salt, water droplets and debris during each fishing operation
- adequate lighting of the vessel deck and water near the vessel is provided during fishing periods of low light such as at night and dawn/dusk (required for some camera systems)
- all bycatch and TEP species released after an interaction with fishing apparatus are visible by the camera before they are discarded or released.

If a camera system stops working during a fishing operation or while at sea, a fisher must immediately remove all fishing apparatus from the water and consult the operational guide. A fisher must follow all relevant steps and processes in the operational guide before fishing can commence. This may require the fisher to contact the department.

12.5.3 After a fishing operation

As each camera system and vessel across the fleet is different, the steps required after a fishing operation will differ between vessels. Depending on the camera system installed and individual vessel components (e.g. onboard power and access to Wifi or 4G), a fisher may be required to:

- charge the camera equipment before the next fishing operation
- remove the camera or camera components, and upload video footage via 4G or Wifi connection
- clean the camera lens.

The operational guides for each camera system and vessel monitoring plan will provide further information on the steps to be followed after each fishing operation.

12.6 Uploading onboard camera footage

Each camera system transfers recorded video footage electronically via cellular or 4G. The footage is uploaded to cloud-based storage sites, where the independent reviewer can access and review the footage against the submitted logbooks.

During a fishing operation, each camera system has an internal hard drive where video footage is saved before it is uploaded. The size and storage capacity of each camera system varies. As such, this will impact the frequency that video footage will need to be uploaded from each system.

At a minimum, each NX fisher will be required to upload recorded camera footage within 3 days of the end of the fishing operation. This may be more frequent for some camera systems – more information on the internal storage space and upload frequency of video footage will be provided in the relevant operational guide and vessel monitoring plan.

12.7 Troubleshooting of onboard camera equipment

The operational guides for each camera system will include the steps and processes a fisher is required to follow in the event of any operational issues with the operation of onboard camera equipment. These will differ between each camera system and may require the fishers to contact Fisheries Queensland. Fisheries Queensland will provide operational support to NX fishers during business hours.

If your camera system is not working, you will not be able to go fishing. For this reason, fishers are encouraged to undertake system checks during business hours when technical support is available to assist with any issues. Exceptions may be allowed in some circumstances and these will be addressed in the relevant operational guide.

12.8 Deployment of independent onboard observers

If instructed by the department, the authority holder must accommodate and facilitate monitoring by an independent onboard observer(s) to observe the fishing operation. This may involve the attendance on a relevant boat or the shadowing of an operation from another vessel. The independent onboard observer will validate TEP species interactions as a priority and may collect information on retained catch, discards, bycatch and any required biological samples during a fishing operation.

The independent onboard observer will enable the validation of a fishing operation that does not have an operational onboard camera and help NX fishers understand the performance of the onboard camera systems.

12.9 Reporting

NX fishers will be required to report retained catch and TEP species interactions electronically using the Qld eFisher app. Reporting digitally with the Qld eFisher app ensures real-time records are available for the independent reviewer to compare with the onboard camera footage.

If the app or your device malfunctions and you can't report electronically:

- keep a record of your reporting details in another format (e.g. hard copy or electronically) so you can provide them for inspection if requested by a fisheries officer
- report via the AIVR system
- email efisher@daf.qld.gov.au or call 13 25 23 to provide your contact details and a description of the issue.

Note: Make sure you have manual reporting details on hand in case a critical malfunction of the app or your device occurs.

13 Related and reference documents

Allocation of NX fishery symbols – compliance matrix

Risk of offending	Compliance profile over the last 5 years
Low risk <ul style="list-style-type: none"> No obvious consistency or habitualness Offences do not show a disregard for fisheries legislation 	Typical profile: <ul style="list-style-type: none"> Low number of offences dealt with by infringement notices or cautions (as a guide < 5) No findings of guilt in court prosecutions Offences dealt with are scattered rather than continuous in time sequence No offences relating to fishing in closed waters or marine national park zones (or similar). No offences relating to obstruction of an inspector or authorised person
Moderate risk <ul style="list-style-type: none"> Some frequency in low level offending Offences do not relate to clear misuse or disregard for fisheries legislation 	Typical profile: <ul style="list-style-type: none"> Moderate number of offences (as a guide 6–15) Offences are more regular (average of 1–3 per year) Some offences dealt with by infringement notice and court prosecutions No offences relating to obstruction of an inspector or authorised person
High risk <ul style="list-style-type: none"> Clear disregard for complying with fisheries legislation Previous penalties are not having a deterrent effect 	Typical profile: <ul style="list-style-type: none"> Considerable number of offences (as a guide >15 total instances of non-compliance) Repetition in both number and type of non-compliances (average over 4 offences per year) Up to one obstruction related offence or one trafficking of priority species offence 10 or more offences impacting quota integrity
Very high risk <ul style="list-style-type: none"> Complete disregard for complying with fisheries legislation 	Typical profile: <ul style="list-style-type: none"> Continues to re-offend despite all measures described above Excessive number of offences (as a guide >20 total instances of non-compliance) 2 or more obstruction related offences One or more trafficking of priority species offence
Term	Meaning
Fisheries offence	An offence against fisheries legislation or the <i>Planning Act 2016</i> within the last 5 years – refers to all records of noncompliance that include being found guilty of fisheries offences, offending that has been addressed by issuing a monetary fine or other means, and offending that has been addressed by an official caution
Fisheries legislation	Includes the <i>Fisheries Act 1994</i> , the Commonwealth Fisheries Act or the <i>Fisheries Act 1952</i> (Cth), the <i>Marine Parks Act 2004</i> and the <i>Great Barrier Reef Marine Park Act 1975</i> (Cth), and any other another law of Queensland, the Commonwealth or another state relating to fishing, closed areas or zones, fisheries resources or fish habitats