



# Impact Analysis Statement

A Summary Impact Analysis Statement (IAS) must be completed for all regulatory proposals. A Full IAS (see Box 1) must also be completed and attached for proposals that have significant impacts. Once completed, the IAS must be published.

## Summary IAS

### Details

<b>Lead department</b>	Department of Agriculture and Fisheries
<b>Name of the proposal</b>	Vessel tracking decision post implementation IAS
<b>Submission type</b> <i>(Summary IAS / Consultation IAS / Decision IAS)</i>	Decision IAS
<b>Title of related legislative or regulatory instrument</b>	Chapter 4, Part 1 of the Fisheries (General) Regulation 2019
<b>Date of issue</b>	October 2023

## What is the nature, size and scope of the problem? What are the objectives of government action?

In 2017, it was widely acknowledged that the existing management of the Queensland fisheries was too complex and inadequate for dealing with modern challenges faced by the fisheries. The *Queensland Sustainable Fisheries Strategy 2017-2027* (QSFS) identified ten specific problems with the existing legislation and management. Two of the ten problems were identified as:

1. Monitoring and research are inadequate to inform management decisions
2. Inherent challenges in current compliance approaches and limited capacity to enforce regulations.

Vessel tracking was identified as an effective method for collecting data which could then be used to improve monitoring and research activities and more effectively conduct compliance activities across the fisheries. Without the introduction of effective management practices, including vessel tracking on commercial fishing boats, the above problems would continue to exist leaving the sustainability of Queensland's fisheries at risk.

Since the initial identification of the above problems, additional problems have also been identified since the introduction of the vessel tracking regulations. Specifically:

1. Access to marine parks
  - Great Barrier Reef Marine Park (GBRMP) – The Great Barrier Reef Marine Park Authority (GBRMPA) has confirmed that high resolution vessel tracking data is essential for informing their compliance activities and in turn ensuring the protection of the marine park. GBRMPA has also indicated that if vessel tracking were not in place on commercial fishing vessels, access to the GBRMP would be difficult to maintain.
  - Australian Marine Parks – More recently, Parks Australia has indicated that it intends to require all commercial fishing vessels transiting or operating in Australian Marine Parks to carry a vessel monitoring system from mid-2024. To inform this process, Parks Australia released a Consultation Paper in February 2023 to seek feedback on the introduction of mandatory requirements for vessel tracking in Australian Marine Parks.
2. The ability to meet fishery approvals under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) approvals – the use of vessel tracking has assisted to meet certain accreditation requirements under Part 13 and Part 13A of the EPBC Act.
  - Part 13A of the EPBC Act relates to export. Failure to meet Part 13A requirements would mean fishers in the listed industries would not be able to export product to international markets.
  - Part 13 of the EPBC Act relates to interacting with threatened, endangered and protected species in Commonwealth areas. Without this accreditation, fishers who injure or kill these species would be committing an offence under the federal legislation.

The Fisheries (General) Regulation 2019 was introduced to regulate many aspects of Queensland's fisheries. When introduced in September 2019, the regulation included Chapter 4, Part 1, the vessel tracking regulation.

The vessel tracking regulation outlines the requirements for vessel tracking units to be operating on commercial fishing vessels in Queensland. Fishers are required to have installed and operate vessel tracking units on primary boats and tender boats when at sea. GPS data is polled from the vessel tracking units and provided to the Department of Agriculture and Fisheries (DAF). The data collected from vessel tracking units

across the commercial fleet is used to inform specific aspects of the fisheries management, assist with compliance activities and in turn ensure a sustainable resource going forward.

With respect to the objectives of the regulation, consultation has provided the following:

The data from vessel tracking provides a significantly richer data set which can be used to better understand effort by commercial fishers. This data is currently being used to develop more accurate models of total catch and fish stocks with the outcomes of these activities set to achieve a Total Allowable Catch (for commercial fishers) which is closer to the Recommended Biological Catch (RBC). The availability of vessel tracking data and real-time identification of the location of individual boats has enabled a more intelligent and proactive approach to compliance that also reduces the compliance burden on fishers (less compliance checks for those commercial fishers doing the right thing) and works with other measures to reduce compliance costs and increase compliance capacity.

Refer to Vessel Tracking Decision Post Implementation Impact Assessment Statement Full Report for more detail.

### **What options were considered?**

Three options were considered:

#### **Option A: Repealing the Legislation**

It is evident that the original problem for which the regulation was otherwise introduced has only become more apparent. That is, it is more apparent than ever that improved management practices are required to ensure sustainable fisheries (i.e. improved management strategies that improve the ability to ensure efficient and effective monitoring and research and compliance activities for the fisheries).

If the regulation were to be repealed, the data which is currently collected would be lost. As this data is used for a myriad of different reasons, the benefits derived by the use of this data would also be lost if the regulation were to be repealed.

#### **Option B: Alternative Options**

Observers on boats may have the potential to provide a similar or higher resolution of relevant data akin to the data produced by vessel tracking systems. However, it is unlikely to deliver real-time data or the breadth of data at a reduced cost to stakeholders than current vessel tracking systems. As such, while this approach might provide additional benefits for the purposes of monitoring and research activities (i.e. a richer data set that could potentially further improve stock assessment models), it is unlikely that such an approach would provide the suite of benefits observed with respect to compliance activities given the lack of real-time information generated by such an approach. It is also likely that these outcomes would be realised at a significantly higher cost than alternative options, including the current vessel tracking approach.

A mobile application may have the potential to provide a similar resolution of relevant data akin to the data produced by vessel tracking systems. However, it is unlikely to deliver real-time data. As such, this approach might provide similar benefits to those identified from vessel tracking for the purposes of monitoring and research activities (i.e. a richer data set that could potentially further improve stock assessment models), it is unlikely that such an approach would provide the full suite of benefits observed with respect to compliance activities given the lack of real-time information generated by such an approach. Moreover, without real-time vessel tracking data, relaxation, or removal of other regulations (i.e. removal of the requirement to give prior notice 1, 3, or 6 hours before landing) will need to be rolled back. Polling frequency of 5 minutes or 15 minutes may increase the phone battery consumption rate and may affect the performance of the phone, and the reliability and consistency of data. This option would likely be at a reduced or nil cost to industry, however a higher cost to fisheries management. Similar to other costs incurred for the management of the fisheries, there is the potential that fisheries management could pass these costs on to industry through an increase in licence

fees (it is worth noting however that the DAF does not adopt a net cost model for managing the fisheries: this means that there is the potential that the costs remain with management and are not passed on to the fishers).

Logbook data is currently used in areas of fisheries management. However, for the purposes of providing the resolution, real-time and independent data sought for the purpose of informing/driving intelligent compliance activities and more accurate monitoring and research activities, its application is limited (as demonstrated by its historical use). Further, it is expected that significant costs would be incurred by fishers in order to improve the current limitations of logbook data which would otherwise be onerous to fishers.

The use of a drone to collect vessel location information could easily provide independent data on boat location. However, the incomplete nature of the data set is likely to reduce the benefit of such an approach. Specifically, given the information would be incomplete (not all boats) and of a lower resolution (i.e., only provide the position of a boat while it is in the view of the drone rather than for the entire trip and for a specific individual boat) it is unlikely that this information could provide similar benefits under the monitoring and research stream that more consistent and higher resolution data could provide. Further, despite the real-time nature of the information, its lack of accuracy, completeness, and inability to identify specific boats would also offer limited compliance benefits. This is consistent with the reported challenges already experienced by the authorities that use such techniques for compliance purposes.

#### Option C: Improving the legislation

Feedback from stakeholders to date did not identify any material gaps in the regulation such that expanding the scope of the regulation should be considered with merit. In response to concerns about costs and unit malfunctions, the vessel tracking working group suggested that DAF consider key information and learnings from other jurisdictions that have implemented similar programs to help inform their approach. A malfunction exemption was deemed to be appropriate and an ongoing exemption process should be established to allow fishers to continue fishing in the event of a unit malfunction.

### What are the impacts?

#### Costs

Annual costs to industry and government were considered and were estimated at \$4.5 million. This included costs to industry including financial costs regarding the purchase, installation and polling, and the opportunity costs of not being allowed to fish if the unit was malfunctioning were calculated. Costs to the government, which included: managing vessel tracking, rebate payments and once off payments from GBRMPA were included in the analysis.

#### Benefits

The annual aggregated cost saving benefit to both government and industry through the introduction of the vessel tracking regulation is estimated to be approximately \$1.65 million. Other benefits of vessel tracking include contributing to maintaining commercial access to GBRMP fishing ground and maintaining fisheries export (Part 13A of *EPBC Act*) approval. These two benefits combined account for an adjusted net economic return of approximately \$12.1 million. Overall, vessel tracking contributes to the sustainability of Queensland's \$254 million commercial fishery.

Many of the impacts were difficult to quantify. Several reforms have been introduced through recent changes to legislation and regulations. It is difficult to appreciate the quantum of the impacts realised from the introduction of the vessel tracking regulation given this was not the sole change introduced over the reform period. In addition to this, as the various fisheries reform items introduced seek to ensure the future of these resources, it is difficult to attribute the value of the resource without in fact considering the resource as a whole and the value that is derived from this. While it is not correct to attribute the entire value of the

resource to any one initiative or act of management, collectively these acts are done for the purpose of ensuring the value and benefit of the resource into the future.

Refer to Vessel Tracking Decision Post Implementation Impact Assessment Statement Full Report for more detail.

### **Who was consulted?**

This Decision PI-IAS has been informed by stakeholder views obtained via two phases of stakeholder engagement.

#### **Phase 1 – Preliminary consultation with vessel tracking working group members**

The vessel tracking working group comprising commercial industry members, departmental staff and other federal government entities was the primary stakeholder group that had provided feedback during preliminary consultation to inform the Consultation PIR via:

1. Vessel tracking working group monthly meetings (from July 2021 to December 2021)
2. Further targeted consultation with vessel tracking working group members. This included one-on-one sessions with those willing to participate in this consultation (offer for consultation was extended to all members).

#### **Phase 2 – Public consultation**

Formal public consultation occurred following the release of the Consultation PIR from 27 October to 14 December 2022. Feedback was obtained from stakeholders that were able to comment on the impacts of vessel tracking and recommendations of the Consultation PIR through the following channels:

1. Online survey
2. Written submissions with additional comments
3. Face-to-face consultations
4. Phone calls

In addition, DAF held a vessel tracking working group meeting in December 2022 to seek further feedback from working group members about the Consultation PIR.

The Office of Best Practice Regulation (OBPR) provided advice and review for the Decision IAS report including the calculation of costs and benefits in the report. OBPR feedback was incorporated into the report.

### **What is the recommended option and why?**

Largely, feedback from the consultation process to date has identified that the vessel tracking regulation has achieved the objectives it sought to achieve. In other words, it has been reported that the vessel tracking regulation has successfully provided meaningful data that is now used to improve the modelling and research, and compliance aspects of fisheries management.

Commercial fishers have realised additional benefits beyond the original objectives of the project. These include the relaxation or repeal of other regulations, providing them with greater flexibility in their fishing operations. Improved data availability has also helped them to monitor their commercial fishing operations. Additionally, vessel tracking has assisted to maintain current fishery approvals under Part 13A of the EPBC Act, which enables fishers to sell their products in export markets. Vessel tracking also helps to maintain fishery approval under Part 13 of the EPBC Act that relates to interacting with threatened, endangered, and protected species. Without this approval, fishers who injure or kill these species would be committing an

offence under the federal legislation. Finally, continued use of vessel tracking on commercial fishing vessels is expected to support ongoing access to the GBRMP for commercial fishing activities.

An overall net benefit has been quantified, and is sufficient to continue vessel tracking, with improvements made regarding an ongoing exemption process, continuous market scanning and activities to continue to implement information security.

Refer to Vessel Tracking Decision Post Implementation Impact Assessment Statement Full Report for more detail.

## Impact assessment

	First full year	First 10 years**
<b>Direct costs – Compliance costs*</b>	<b>\$3,007,806</b>	<b>\$23,586,064</b>
<b>Direct costs – Government costs</b>	<b>\$1,344,725</b>	<b>\$ 11,547,030</b>

\* The *direct costs calculator tool* (available at [www.treasury.qld.gov.au/betterregulation](http://www.treasury.qld.gov.au/betterregulation)) should be used to calculate direct costs of regulatory burden. If the proposal has no costs, report as zero. \*\*Agency to note where a longer or different timeframe may be more appropriate.

### **Significant proposals – also complete this table and a full IAS (refer box 1 below):**

	First full year	First 10 years
<b>Total costs***</b>	<b>\$ 4,352,532</b>	<b>\$ 35,133,093</b>
<b>Total benefits***</b>	<b>\$ 13,748,402</b>	<b>\$ 103,322,435</b>
<b>Final Net present value***</b>	<b>\$ 9,395,870</b>	<b>\$ 68,189,342</b>

\*\*\* Detail and assumptions should be recorded in the Full IAS.

## Signed



Director-General  
Date: 10/11/2023



Minister  
Date: 10/11/2023