



**Australian Government**

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**Department of the Environment and Energy**

Assessment of the  
**Queensland Gulf of Carpentaria Line Fishery**

November 2016

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This report should be attributed as '*Assessment of the Queensland Gulf of Carpentaria Line Fishery November 2016*, Commonwealth of Australia 2016'.

### **Disclaimer**

This document is an assessment carried out by the Department of the Environment and Energy of a commercial fishery against the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition*. It forms part of the advice provided to the Minister for the Environment and Energy on the fishery in relation to decisions under Parts 13 and 13A of the *Environment Protection and Biodiversity Conservation Act 1999*. The views expressed do not necessarily reflect those of the Minister for the Environment and Energy or the Australian Government.

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Table 4 contains a description of the issues identified by the Department with the current management regime for the fishery and outlines the proposed conditions and recommendations that would form part of the delegate's decision to declare the fishery an approved wildlife trade operation.

## **EXECUTIVE SUMMARY OF THE ASSESSMENT OF THE QUEENSLAND GULF OF CARPENTARIA LINE FISHERY**

The material submitted by the Queensland Department of Agriculture and Fisheries demonstrates that the management arrangements for the Queensland Gulf of Carpentaria Line Fishery continue to meet most of the requirements of the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.

### **Stock Status and Recovery**

The Department considers that overall the management regime for the Queensland Gulf of Carpentaria Line Fishery aims to ensure that fishing is conducted in a manner that does not lead to overfishing. The Queensland Department of Agriculture and Fisheries provides input into the Australian Government Status of Key Australian Fish Stocks process on a biennial basis. The Status of Key Australian Fish Stocks process, as well as the Queensland Department of Agriculture and Fisheries' stock status assessment program, does not consider any key target or byproduct species taken in the fishery to be overfished. Ongoing input into the Status of Key Australian Fish Stocks process provides a means to:

- identify species at risk of overfishing
- reduce the level of uncertainty in the stock status of key species.

Management measures in place in the fishery include:

- gear restrictions - number of lines and hooks (commercial and recreational fishery), size of boat and number of tenders that can be used (commercial fishery only)
- possession limits (species specific)
- limited entry
- closed area restrictions – South Mitchell River
- prohibition on retaining a number of species of significant interest to other fishing activities, such as barramundi.

### **Ecosystem Impacts**

Taking into account the management measures described above, the Department considers that the management regime for the Queensland Gulf of Carpentaria Line Fishery provides for fishing operations to be managed to minimise their impact on the structure, productivity, function and biological diversity of the ecosystem.


While the fishery is relatively well managed, the Department has identified a number of risks and uncertainties that must be addressed to ensure that impacts are minimised, including:

- the need to provide appropriate identification tools and education to enable fishers to accurately record sharks to the species level, and
- the need to collaborate with other jurisdictions to pursue consistent and complementary research needs and management arrangements for target species.

The Department considers that until it can be demonstrated that these issues have been adequately addressed, declaration of the harvest operations of the Queensland Gulf of Carpentaria Line Fishery as an approved wildlife trade operation for three years, until 22 November 2019, is appropriate. The Department considers that the declaration should be subject to the conditions listed in Table 4. To contain and minimise the risks in the longer term the recommendation outlined in Table 4 has been made.

Unless a specific time frame is provided, each condition and recommendation must be addressed within the period of the approved wildlife trade operation declaration for the fishery.

**TABLE 1: SUMMARY OF THE QUEENSLAND GULF OF CARPENTARIA LINE FISHERY**

<p><b>Key documents relevant to the fishery</b></p>	<ul style="list-style-type: none"> <li>• <i>Queensland Fisheries Act 1994</i></li> <li>• Queensland Fisheries Regulation 2008</li> <li>• <i>Nature Conservation Act 1992</i></li> <li>• <u>Summary of Stock Status for Queensland Species 2015</u></li> <li>• <u>Queensland Fisheries Summary Report (2015)</u></li> <li>• <u>2014 Annual Report to the Department of the Environment for fishery approvals under the EPBC Act</u></li> <li>• 2014 Species of Conservation Interest (SOCI) Report</li> <li>• 2015 Species of Conservation Interest (SOCI) Report</li> <li>• <u>Spanish mackerel stock assessment summary – July 2012</u></li> <li>• <u>Marine Bioregional Plan for the North Marine Region (2012)</u></li> <li>• <u>Ecological Indicators for the Exclusive Economic Zone of Australia's North and North West Marine Regions (November 2012)</u></li> <li>• <u>Fish stock assessment reports (various Queensland fisheries)</u></li> <li>• <u>Interim Performance Measurement System – Gulf of Carpentaria Fin Fish Fisheries (last revised 2008)</u></li> <li>• <u>Ecological Risk Assessment of Queensland-managed Fisheries in the Gulf of Carpentaria (2006)</u></li> <li>• <u>Reef line and Spanish mackerel industry development plan</u></li> <li>• <u>Queensland fisheries monitoring reports</u></li> </ul>
<p><b>Area</b></p>	<p>Fishing occurs in all tidal waters between Slade Point (at the tip of Cape York Peninsula) and the Queensland-Northern Territory border (Fig. 1). Part of the fishery's operation occurs in the North Marine Region.</p> <div style="text-align: center;">  <p>The map shows the Gulf of Carpentaria coastline, starting from Cape York Peninsula in the north and extending south to the Queensland-Northern Territory border. A shaded area indicates the fishery's operational zone. Labels for 'QUEENSLAND' and 'NORTHERN TERRITORY' are visible. A scale bar and north arrow are also present.</p> </div> <p><b>Figure 1:</b> Map of the Gulf of Carpentaria Line Fishery area (source: Queensland Government, <i>Annual status report 2008 Gulf of Carpentaria Line Fishery</i>).</p>
<p><b>Target Species</b></p>	<p>Spanish mackerel (<i>Scomberomorus commerson</i>) is targeted in the fishery. Approximately 144 tonnes (t) of Spanish mackerel was harvested in 2015.</p>

	<p>Overall, Spanish mackerel comprises approximately 20% of the total line catch among the five Queensland commercial line fisheries.</p> <p>Various fin fish species including trevally, small mackerels, tropical snappers, cods and emperors are also caught in the fishery in smaller catch quantities.</p>
<b>Fishery status</b>	<p>The <i>National Status of Australian Fish Stocks (SAFS) 2014</i>, classified the Gulf of Carpentaria stock of Spanish mackerel as being 'sustainable'. Reassessment of this species will be conducted through the SAFS process at the end of 2016.</p>
<b>Byproduct Species</b>	<p>Various fin fish species including trevally, grey mackerel, red snapper, emperors, sharks (including scalloped and great hammerhead species) and cobia can be retained in the fishery.</p>
<b>Gear</b>	<p>The fishery uses surface trolling and hand-lining harvest methods in the commercial fishery. Line fishing is used in the recreational fishery.</p> <p>Gear restrictions (involving number of lines and hooks) apply to the commercial and recreational fisheries.</p> <p>Boat (size) restrictions apply to the commercial fishery only.</p>
<b>Season</b>	<p>The fishery is open year-round. For management purposes, the fishing season is 1 January – 31 December.</p>
<b>Commercial harvest</b>	<p>Approximately 144 t of Spanish mackerel in 2015.</p>
<b>Value of commercial harvest</b>	<p>\$1.0 million in 2015.</p>
<b>Take by other sectors</b>	<p>The Queensland <i>Statewide Recreational Fishing Survey 2013-2014</i> indicates a total of 100,000 (individuals) mackerel species were harvested.</p> <p>Harvest by Indigenous fishers is unclear but considered to be small, given that Spanish mackerel tend to only be harvested incidentally when fishing for other species.</p>
<b>Commercial licences issued</b>	<p>There are 46 (L4 category) licences currently distributed. There were 14 active licences as of 2015 (see <a href="#">Queensland Fisheries Summary Report</a>).</p>
<b>Management arrangements</b>	<p>The fishery is managed by the Queensland Fisheries Joint Authority under the Queensland <i>Fisheries Act 1994</i> and the Fisheries Regulation 2008.</p> <p>The Queensland Department of Agriculture and Fisheries oversees the management of the fishery, on behalf of the Queensland Fisheries Joint Authority.</p> <p>The fishery uses catch effort logbooks and biological monitoring for Spanish mackerel.</p> <p><u>Commercial &amp; Recreational management measures:</u></p> <ul style="list-style-type: none"> <li>• gear restrictions (number of lines and hooks)</li> <li>• species specific size and possession limits apply.</li> </ul>

	<p><u>Commercial only:</u></p> <ul style="list-style-type: none"> <li>• limited entry</li> <li>• gear restrictions - size of boat and number of tenders that can be used</li> <li>• closed area restrictions – South Mitchell River</li> <li>• prohibition on retaining species including: barramundi (<i>Lates calcarifer</i>), black jewfish (<i>Protonibea diacanthus</i>), blue and king threadfin (<i>Eleutheronema tetradactylum &amp; Polydactylus macrochir</i>), scaly jewfish (<i>Nibea squamosa</i>), giant queenfish (<i>Scomberoides commresonnianus</i>) and silver javelin (<i>Pomodasys argenteus</i>).</li> </ul>
<b>Export</b>	The majority of product is sold domestically.
<b>Bycatch</b>	<p>The <a href="#">Ecological Risk Assessment of Queensland-managed Fisheries in the Gulf of Carpentaria (2006)</a> indicates that there is negligible risk of capture/mortality of bycatch species, due to the precise targeting methods (use of line fishing with limited number of lines and hooks) and the gear restrictions in place for commercial and recreational fishing in the fishery.</p> <p>Bycatch species which might be caught in the fishery include longtail tuna, sharks and other species (reef species and barracuda).</p>
<b>Interaction with Protected Species<sup>1</sup></b>	<p>The Ecological Risk Assessment (ERA) completed in 2006 noted as with bycatch species described above, the risk of interactions with protected species was considered negligible, due to the high specificity of the fishing method.</p> <p>The fishery uses commercial logbooks and the collection of fishery dependant biological data for the monitoring of interactions with protected species.</p> <p>These are reported in annual Species of Conservation Interest (SOCI) reports. The 2013 SOCI report indicates there were no interactions of protected species with fishing operations in the Queensland Gulf of Carpentaria Line Fishery.</p>
<b>Ecosystem Impacts</b>	<p>The <i>Marine bioregional plan for the North Marine Region (2012)</i> has identified that there are key ecological features present in the area of the fishery.</p> <p>The marine bioregional plan also lists physical habitat modification, marine debris, noise pollution, extraction of living resources and bycatch as being of concern to some EPBC Act protected species (turtles, sawfish, dugong, syngnathids, cetaceans and seabirds) that inhabit the marine region.</p> <p>Key Ecological Features in the North Marine Region relevant to the Gulf of Carpentaria include:</p> <ul style="list-style-type: none"> <li>• the Gulf of Carpentaria basin (regional importance for biodiversity and aggregations of marine life) <ul style="list-style-type: none"> <li>- polychaetes, crustaceans, molluscs and echinoderms inhabit the area</li> <li>- supports pelagic species and top predators including shark,</li> </ul> </li> </ul>

<sup>1</sup> 'Protected species' means all species listed under Part 13 of the EPBC Act, including whales and other cetaceans and listed threatened, listed marine and listed migratory species.



snapper, tuna and mackerel

- the submerged coral reefs of the Gulf of Carpentaria (supports high aggregations of marine life, biodiversity and endemism - species unique to that region)
  - breeding and aggregation sites for various species including mackerel and snapper
  - refuge for sea snakes and sharks
  - possibility of smaller coral trout species being an endemic subspecies to the area
- the Gulf of Carpentaria coastal zone (supports high productivity, aggregations, biodiversity and endemism)
  - nutrient inflow from rivers supports high productivity and higher levels of abundance and diversity than other areas of the region
  - supports protected species including marine turtles, dugongs and sawfish
  - intact ecosystem processes
  - supports various species inhabiting both freshwater and saltwater environment, due to the largely uninterrupted river inflows.

Due to the precise targeting methods used in the fishery (surface trolling, handlines and use of line fishing with limited number of lines and hooks), impacts to the physical ecosystem are considered to be negligible.

In addition, impacts on the food web were also considered unlikely given that take of the target species is limited to ecologically sustainable levels.

The risks of impact to the general ecosystem from fishing activity in the Gulf of Carpentaria Line Fishery were assessed in the 2006 ERA. Those risks were considered to be 'low' to 'negligible'.

This was based on the assessment of impact on trophic levels (considering predator-prey interactions), ghost fishing (lost line, hooks) and risk to the benthic environment.

There was some potential risk of entanglements of marine turtles and sea birds identified but this was considered minimal due to the small size of rope parts lost. Generally it was found that most discarded fishing gear which might cause risk to marine species, originated from foreign vessels.

<p><b>Impacts on CITES species</b></p>	<p>The assessment also considered the possible impacts on species harvested in the Queensland Gulf of Carpentaria Line Fishery which are listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Two of these species, scalloped hammerhead shark (<i>Sphyrna lewini</i>) and great hammerhead shark (<i>S. mokarran</i>), are harvested at low levels in this fishery.</p> <p>As a party to the Convention, Australia must apply all CITES provisions of the EPBC Act to CITES listed species exports as appropriate. Under these provisions, export of CITES specimens may only occur where a permit, supported by a non-detriment finding (NDF), has been issued by the CITES Management Authority of the country of export.</p> <p>An NDF for the harvest of hammerhead sharks in Australia is currently in place (CITES Scientific Authority, 2014). This NDF found that an annual national catch of 200 tonnes (t) for scalloped hammerheads and an annual catch of 100 t for great hammerheads was not likely to be detrimental in Australian waters. This finding included consideration of catch of these species in the Queensland Gulf of Carpentaria Line Fishery, therefore this fishery is not considered to represent a significant impact to these species.</p>
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**Table 2: Progress in implementation of conditions and recommendations made in the previous assessment of the Queensland Gulf of Carpentaria Line Fishery**

Condition	Progress	Recommended Action
<p>1. Operation of the Queensland Gulf of Carpentaria Line Fishery will be carried out in accordance with the management regime for the fishery in force under the Queensland <i>Fisheries Act 1994</i> and the Queensland Fisheries Regulation 2008.</p>	<p>The fishery continues to operate under the Queensland <i>Fisheries Act 1994</i> and the Fisheries Regulation 2008.</p>	<p>The Department of the Environment and Energy (the Department) considers that this condition has been met and is ongoing.</p> <p>The Department considers that a new approved wildlife trade operation declaration for the Queensland Gulf of Carpentaria Line Fishery specify a similar condition (see <b>Condition 1, Table 4</b>).</p>
<p>2. Fisheries Queensland to inform the DoE of any intended material changes to the Queensland Gulf of Carpentaria Line Fishery management arrangements that may affect the assessment against which <i>Environment Protection and Biodiversity Conservation Act 1999</i> decisions are based.</p>	<p>The Queensland Department of Agriculture and Fisheries has advised the Department that there have been no significant changes to the fishery's management regime since the previous (2013) assessment.</p>	<p>The Department considers that this condition has been met and is ongoing.</p> <p>The Department considers that a new approved wildlife trade operation declaration for the Queensland Gulf of Carpentaria Line Fishery specify a similar condition (see <b>Condition 2, Table 4</b>).</p>
<p>3. Fisheries Queensland to produce and present reports to the Department of the Environment annually as per Appendix B to the <i>Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition</i>.</p>	<p>The SAFS report (2014) is available on the Queensland Department of Agriculture and Fisheries website.</p> <p>Other species-specific reports are also available on the Queensland Department of Agriculture and Fisheries website.</p>	<p>The Department considers that this condition has been met and is ongoing.</p> <p>The Department considers that a new approved wildlife trade operation declaration for the Queensland Gulf of Carpentaria Line Fishery specify a similar condition (see <b>Condition 3, Table 4</b>).</p>

Recommendation	Progress	Recommended Action
<p>1. Fisheries Queensland to ensure that:</p> <ul style="list-style-type: none"> <li>• its PMS remains robust and has appropriate sustainability yield estimates for key target species, particularly Spanish mackerel; and</li> <li>• long-term monitoring of target species' stock status in the fishery continues.</li> </ul>	<p>The Queensland Department of Agriculture and Fisheries is currently conducting a management reform process. The Performance Measurement System (PMS) process is being reviewed as part of the reform process. Alternative catch and effort monitoring methods are also being considered.</p> <p>As part of the reform, a <i>Green Paper on Fisheries Management Reform in Queensland</i> was released in July 2016 and was available for public comment until 30 September 2016. The proposed reforms include managing target stocks, managing impacts on the ecosystem, sharing resources between sectors, harvest strategies and fisheries compliance.</p> <p>Long term monitoring of catch data, and assessing the biology of primary species, will continue to occur via the Long Term Monitoring Program (LTMP) and through the SAFS process (biennially). The Department notes that the next SAFS review of the fishery will occur in 2016.</p> <p>Also see the Queensland Department of Agriculture and Fisheries fishery assessment submission.</p>	<p>The Department considers the issues covered by this recommendation to be partially met and remain ongoing.</p> <p>The Department considers that a recommendation in relation to research needs and management arrangements for target species be included in the new wildlife trade operation declaration (see <b>Recommendation 1, Table 4</b>).</p>

**Table 3a: Assessment of the Queensland Gulf of Carpentaria Line Fishery against the *Guidelines for the Ecologically Sustainable Management of Fisheries (2nd edition)***

**Detailed analysis**

Guidelines for the Ecologically Sustainable Management of Fisheries (2nd edition)	Comment
<b>THE MANAGEMENT REGIME</b>	
The management regime does not have to be a formal statutory fishery management plan as such, and may include non-statutory management arrangements or management policies and programs. The regime should:	
Be documented, publicly available and transparent	<p><b>Meets</b> All relevant management documents including legislation, regulation, management strategy, environmental impact statements, and fishery resources reports are publicly available on the agency's website.</p>
Be developed through a consultative process providing opportunity to all interested and affected parties, including the general public	<p><b>Meets</b> The fishery management arrangements are prepared through consultation with the public and advisory committees, following a statutory process.</p>
Ensure that a range of expertise and community interests are involved in individual fishery management committees and during the stock assessment process	<p><b>Partially meets</b> Limited range of expertise and public interest involved. A SAFS assessment is carried out biennially, involving other relevant jurisdictions. Data is assessed by an expert panel.  Results are made publicly available on the Queensland Department of Agriculture and Fisheries website.</p>
Be strategic, containing objectives and performance criteria by which the effectiveness of the management arrangements are measured	<p><b>Partially meets</b> Has general objectives and performance criteria, not regularly used to assess effectiveness.  Objectives, performance indicators, and performance measures were assessed through the Performance Measurement System (PMS). The PMS process is being reviewed as part of the reform process. Alternative catch and effort monitoring methods are also being considered.  Long term monitoring of catch data, and assessing the biology of primary species, will continue to occur via the LTMP and through the SAFS process. The 2016 SAFS review of the fishery is currently being finalised.</p>
Be capable of controlling the level of harvest in the fishery using input and/or output controls	<p><b>Meets</b> Controls have some capacity to limit harvest. Input controls - limited entry, boat size restrictions, spatial closures, restriction on number of lines and hooks, legal size and number regulations. Fishery utilises line methods (handline, trolling).</p>
Contain the means of enforcing critical aspects of the management arrangements	<p><b>Meets</b> Effective enforcement capability. Legislation includes enforcement provisions, Queensland Boating and Fishing Patrol. Conduct compliance operations within the fishery.</p>
Provide for the periodic review of the performance of the fishery management arrangements and the management strategies, objectives and criteria	<p><b>Meets</b> Regular performance reviews built into management. The stock status assessments of target species are conducted annually.</p>

<p>Be capable of assessing, monitoring and avoiding, remedying or mitigating any adverse impacts on the wider marine ecosystem in which the target species lives and the fishery operates</p>	<p><b>Meets</b> Capable of effective management of impacts on wider marine ecosystem. While a PMS exists, the PMS process is being reviewed as part of the reform process. Alternative catch and effort monitoring methods are also being considered.</p> <p>As part of the reform, a <i>Green Paper on Fisheries Management Reform in Queensland</i> was released in July 2016 and is available for public comment until 30 September 2016. The green paper encourages the general community and stakeholders to provide their views on the future sustainable management of Queensland fisheries resources.</p> <p>Long term monitoring of catch data, and assessing the biology of primary species, will continue to occur via the LTMP and through the SAFS process. The next SAFS review of the fishery will occur in 2016.</p> <p>Periodic Ecological Risk Assessments (ERAs) are conducted.</p> <p>See <a href="#">ERA of Queensland managed fisheries in the Gulf of Carpentaria</a>.</p>
<p>Requires compliance with relevant threat abatement plans, recovery plans, the National Policy on Fisheries Bycatch, and bycatch action strategies developed under the policy</p>	<p><b>Meets</b> There is a sawfish recovery plan in place. See <a href="#">Sawfish and River Sharks – Multispecies Recovery Plan</a> (2015).</p>
<p><b>PRINCIPLE 1</b> - A fishery must be conducted in a manner that does not lead to over-fishing, or for those stocks that are over-fished, the fishery must be conducted such that there is a high degree of probability the stock(s) will recover.</p>	
<p><b>Objective 1</b> - The fishery shall be conducted at catch levels that maintain ecologically viable stock levels at an agreed point or range, with acceptable levels of probability.</p>	
<p><b>Information requirements</b></p>	
<p><b>1.1.1</b> There is a reliable information collection system in place appropriate to the scale of the fishery. The level of data collection should be based upon an appropriate mix of fishery independent and dependent research and monitoring.</p>	<p><b>Meets</b> Mandatory daily catch and effort logbooks. There is a catch quota management system in place for coral reef finfish and Spanish mackerel (under Fisheries Regulation 2008). Biological monitoring of target species also occurs.</p> <p>Queensland agency needs to continue to pursue, through collaboration with other jurisdictions, consistent and complementary research and management arrangements for stock species, to identify and address potential sustainability issues with target stocks.</p> <p>There is no observer program in place.</p>
<p><b>Assessment</b></p>	
<p><b>1.1.2</b> There is a robust assessment of the dynamics and status of the species/fishery and periodic review of the process and the data collected. Assessment should include a process to identify any reduction in biological diversity and /or reproductive capacity. Review should take place at regular intervals but at least every three years.</p>	<p><b>Meets</b> Annual stock assessments. Stock status of main target species (Spanish mackerel) is conducted annually. The data is used for the biennial SAFS report.</p> <p>The 2015 stock status report is available at <a href="https://www.daf.qld.gov.au/fisheries/monitoring-our-fisheries/data-reports/sustainability-reporting/stock-status-assessments/stock-status-assessment-2015">https://www.daf.qld.gov.au/fisheries/monitoring-our-fisheries/data-reports/sustainability-reporting/stock-status-assessments/stock-status-assessment-2015</a></p> <p>Also see reports at <a href="https://www.daf.qld.gov.au/fisheries/monitoring-our-fisheries/commercial-fisheries">https://www.daf.qld.gov.au/fisheries/monitoring-our-fisheries/commercial-fisheries</a></p>

<p><b>1.1.3</b> The distribution and spatial structure of the stock(s) has been established and factored into management responses.</p>	<p><b>Partially meets</b>          Spatial information unclear. There are several biological stocks of Spanish mackerel across northern Australia and commercially harvested in Queensland, Western Australia and the Northern Territory.</p> <p>Further genetic structuring within these stocks is apparent. Each jurisdiction will potentially have multiple biological management units within its boundaries (<i>Status of Australian Fish Stocks 2014</i>).</p> <p>Cross jurisdictional communication and collaboration between the management agencies responsible for the commercial harvest of this species is important, to identify and address potential sustainability issues for these stocks.</p>
<p><b>1.1.4</b> There are reliable estimates of all removals, including commercial (landings and discards), recreational and indigenous, from the fished stock. These estimates have been factored into stock assessments and target species catch levels.</p>	<p><b>Meets</b>          Reliable estimates of commercial take are provided through the log books. The data is considered in the stock assessment process.</p> <p>Long term monitoring of catch data, and assessing the biology of primary species, will continue to occur via the LTMP and through the SAFS process. The next SAFS review of the fishery will occur in 2016.</p> <p>The Queensland <i>Statewide Recreational Fishing Survey 2013-2014</i> indicates a total of 100,000 (individuals) mackerel species were harvested.</p> <p>Harvest by Indigenous fishers is unclear but considered to be small, given that Spanish mackerel tend to only be harvested incidentally when fishing for other species.</p>
<p><b>1.1.5</b> There is a sound estimate of the potential productivity of the fished stock/s and the proportion that could be harvested.</p>	<p><b>Partially meets</b>          Productivity is currently being estimated.</p> <p>A stock assessment is conducted annually. The data is used to determine productivity estimates for Spanish mackerel.</p>

<b>Management responses</b>	
<b>1.1.6</b> There are reference points (target and/or limit), that trigger management actions including a biological bottom line and/or a catch or effort upper limit beyond which the stock should not be taken.	<b>Partially meets</b> Reference points under development, or developed but trigger response is not prescribed. The PMS process is being reviewed through the reform process.
<b>1.1.7</b> There are management strategies in place capable of controlling the level of take.	<b>Meets</b> Limited entry, spatial closures and gear restrictions (trolling, handline only) restrict take. Formal direction to stop fishing can be implemented as necessary by the CEO.  Queensland agency needs to continue to pursue through collaboration with other jurisdictions, consistency and complementary research and management arrangements for stock species, so as to identify and address potential sustainability issues with target stocks.
<b>1.1.8</b> Fishing is conducted in a manner that does not threaten stocks of byproduct species.	<b>Meets</b> Effort is relatively low, take of byproduct species is low, or impacts on byproduct whole stock have been demonstrated to be low.  Take of byproduct is considered to be low and impacts on byproduct are considered low.



(Guidelines 1.1.1 to 1.1.7 should be applied to byproduct species to an appropriate level)	
1.1.9 The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.	<b>Meets</b> Considered likely to meet objective.
<b>If overfished, go to Objective 2:</b> <b>If not overfished, go to PRINCIPLE 2:</b>	
<b>Objective 2</b> - Where the fished stock(s) are below a defined reference point, the fishery will be managed to promote recovery to ecologically viable stock levels within nominated timeframes.	
<b>Management responses</b>	
1.2.1 A precautionary recovery strategy is in place specifying management actions, or staged management responses, which are linked to reference points. The recovery strategy should apply until the stock recovers, and should aim for recovery within a specific time period appropriate to the biology of the stock.	N/A. The target species, Spanish mackerel, is not considered overfished.
1.2.2 If the stock is estimated as being at or below the biological and / or effort bottom line, management responses such as a zero targeted catch, temporary fishery closure or a 'whole of fishery' effort or quota reduction are implemented.	N/A. See above.
<b>PRINCIPLE 2</b> - Fishing operations should be managed to minimise their impact on the structure, productivity, function and biological diversity of the ecosystem.	
<b>Objective 1</b> - The fishery is conducted in a manner that does not threaten bycatch species.	
<b>Information requirements</b>	
2.1.1 Reliable information, appropriate to the scale of the fishery, is collected on the composition and abundance of bycatch.	<b>Meets</b> Mandatory logbooks in the fishery. Bycatch low and includes longtail tuna (generally released alive, risk to stocks negligible), sharks (risk to stocks negligible) and other marine species, mainly barracuda species caught in shallow reefs and shoals, using troll lines (risk to stocks negligible).  See <a href="#">ERA of Queensland managed fisheries in the Gulf of Carpentaria</a> .

<b>Assessments</b>	
<b>2.1.2</b> There is a risk analysis of the bycatch with respect to its vulnerability to fishing.	<b>Meets</b> Risk analysis of bycatch vulnerability has been conducted. ERA completed in 2006. See <a href="#">ERA of Queensland managed fisheries in the Gulf of Carpentaria</a> .
<b>Management responses</b>	
<b>2.1.3</b> Measures are in place to avoid capture and mortality of bycatch species unless it is determined that the level of catch is sustainable (except in relation to endangered, threatened or protected species). Steps must be taken to develop suitable technology if none is available.	N/A. There is negligible risk to capture/mortality of bycatch species due to the fishing methods used (use of line fishing with limited number of lines and hooks).
<b>2.1.4</b> An indicator group of bycatch species is monitored.	N/A. There is negligible risk to capture/mortality of bycatch species due to the fishing methods used (use of line fishing with limited number of lines and hooks).
<b>2.1.5</b> There are decision rules that trigger additional management measures when there are significant perturbations in the indicator species numbers.	N/A. There is negligible risk to capture/mortality of bycatch species due to the fishing methods used (use of line fishing with limited number of lines and hooks).
<b>2.1.6</b> The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.	Likely to achieve the objective.
<b>Objective 2</b> - The fishery is conducted in a manner that avoids mortality of, or injuries to, endangered, threatened or protected species and avoids or minimises impacts on threatened ecological communities.	
<b>Information requirements</b>	
<b>2.2.1</b> Reliable information is collected on the interaction with endangered, threatened or protected species and threatened ecological communities.	<b>Meets</b> ERA completed in 2006, finding negligible risk to these species and communities.  Logbooks contain reliable records of interactions with endangered, threatened or protected species and threatened ecological communities.

<b>Assessments</b>	
<b>2.2.2</b> There is an assessment of the impact of the fishery on endangered, threatened or protected species.	<b>Meets</b> ERA completed in 2006, finding negligible risk to these species.
<b>2.2.3</b> There is an assessment of the impact of the fishery on threatened ecological communities.	<b>Meets</b> ERA completed in 2006, finding negligible risk to these communities.
<b>Management responses</b>	
<b>2.2.4</b> There are measures in place to avoid capture and/or mortality of endangered, threatened or protected species.	N/A. There is negligible risk to capture/mortality of these species due to the fishing methods used (use of line fishing with limited number of lines and hooks).
<b>2.2.5</b> There are measures in place to avoid impact on threatened ecological communities.	<b>Meets</b> ERA completed in 2006, finding negligible risk to these species and communities.
<b>2.2.6</b> The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.	<b>Meets</b> Considered likely to achieve objectives.
<b>Objective 3</b> - The fishery is conducted, in a manner that minimises the impact of fishing operations on the ecosystem generally.	
<b>Information requirements</b>	
<b>2.3.1</b> Information appropriate for the analysis in 2.3.2 is collated and/or collected covering the fisheries impact on the ecosystem and environment generally.	<b>Meets</b> Robust methods of data collection in place. ERA completed in 2006. Line and surface trolling considered to have low impact on ecosystem.

<b>Assessment</b>	
<p><b>2.3.2</b> Information is collected and a risk analysis, appropriate to the scale of the fishery and its potential impacts, is conducted into the susceptibility of each of the following ecosystem components to the fishery.</p> <ol style="list-style-type: none"> <li>1. Impacts on ecological communities <ul style="list-style-type: none"> <li>• Benthic communities</li> <li>• Ecologically related, associated or dependent species</li> <li>• Water column communities</li> </ul> </li> <li>2. Impacts on food chains <ul style="list-style-type: none"> <li>• Structure</li> <li>• Productivity/flows</li> </ul> </li> <li>3. Impacts on the physical environment <ul style="list-style-type: none"> <li>• Physical habitat</li> <li>• Water quality</li> </ul> </li> </ol>	<p><b>Meets</b> ERA completed in 2006. Impacts considered low due to trolling method.</p>
<b>Management responses</b>	
<p><b>2.3.3</b> Management actions are in place to ensure significant damage to ecosystems does not arise from the impacts described in 2.3.1.</p> <p><b>Factors to consider (Is there an ERM based on high risk species? Adequate management of gear?)</b></p>	<p>N/A – Due to low impact of trolling method</p>
<p><b>2.3.4</b> There are decision rules that trigger further management responses when monitoring detects impacts on selected ecosystem indicators beyond a predetermined level, or where action is indicated by application of the precautionary approach.</p>	<p>N/A – Due to low impact of trolling method.</p>
<p><b>2.3.5</b> The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.</p>	<p><b>Meets</b> No outcome required. Likely to be effective.</p>

**Table 3b: The Department of the Environment and Energy’s assessment of the Queensland Gulf of Carpentaria Line Fishery against the requirements of the EPBC Act related to decisions made under Part 13 and Part 13A.**

**Please Note** – the table below is not a complete or exact representation of the EPBC Act. It is intended as a summary of relevant sections and components of the EPBC Act to provide advice on the fishery in relation to decisions under Part 13 and Part 13A. A complete version of the EPBC Act can be found at <http://www.comlaw.gov.au/>.

**Part 13**

<p><b>Division 1 Listed threatened species Section 208A Minister may accredit plans or regimes</b></p>	<p><b>The Department’s assessment of the Queensland Gulf of Carpentaria Line Fishery</b></p>
<p>(1) Minister may, by instrument in writing, accredit for the purposes of this Division:</p> <p>(c) a plan of management, or a policy, regime or any other arrangement, for a fishery that is:</p> <p>i. made by a State or self-governing Territory; and</p> <p>ii. in force under a law of the State or self-governing Territory;</p> <p>if <b>satisfied</b> that:</p> <p>(f) the plan, regime or policy requires persons engaged in fishing under the plan, regime or policy to take all reasonable steps to ensure that members of listed threatened species (other than conservation dependent species) are not killed or injured as a result of the fishing; and</p>	<p>The Queensland Gulf of Carpentaria Line Fishery will be managed under the Queensland <i>Fisheries Act 1994</i> and the Fisheries Regulation 2008.</p> <p>The management regime for the Queensland Gulf of Carpentaria Line Fishery was most recently accredited in November 2013. The management arrangements for the fishery have not significantly changed since this accreditation was granted.</p> <p>The Department therefore considers that the management regime still requires persons engaged in fishing to take all reasonable steps to ensure that members of listed threatened species are not killed or injured.</p>

<p>(g) the fishery to which the plan, regime or policy relates does not, or is not likely to, adversely affect the survival or recovery in nature of the species.</p>	<p>While the fishery has been identified as potentially having interactions with listed threatened marine turtles, no interactions have been recorded in recent years and an ecological risk assessment has assessed the risk to listed threatened species as negligible, given the specificity of the fishing method.</p> <p>Therefore, the Department considers the current operation of the Queensland Gulf of Carpentaria Line Fishery is unlikely to adversely affect the survival or recovery in nature of any listed threatened species.</p>
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**Part 13 (cont.)**

<p><b>Division 2 Migratory species</b></p> <p><b>Section 222A Minister may accredit plans or regimes</b></p>	<p><b>The Department's assessment of the Queensland Gulf of Carpentaria Line Fishery</b></p>
<p>(1) Minister may, by instrument in writing, accredit for the purposes of this Division:</p> <p>(c) a plan of management, or a policy, regime or any other arrangement, for a fishery that is:</p> <ul style="list-style-type: none"> <li>i. made by a State or self-governing Territory; and</li> <li>ii. in force under a law of the State or self-governing Territory;</li> </ul> <p>if <b>satisfied</b> that:</p> <p>(f) the plan, regime or policy requires persons engaged in fishing under the plan, regime or policy to take all reasonable steps to ensure that members of listed migratory species are not killed or injured as a result of the fishing; and</p>	<p>The Queensland Gulf of Carpentaria Line Fishery will be managed under the Queensland <i>Fisheries Act 1994</i> and the Fisheries Regulation 2008.</p> <p>The management regime for the Queensland Gulf of Carpentaria Line Fishery was most recently accredited in November 2013. The management arrangements for the fishery have not significantly changed since this accreditation was granted.</p> <p>Therefore, the Department considers that the management regime still requires persons engaged in fishing to take all reasonable steps to ensure that members of listed migratory species are not killed or injured.</p>

<p>(g) the fishery to which the plan, regime or policy relates does not, or is not likely to, adversely affect the conservation status of a listed migratory species or a population of that species.</p>	<p>While the fishery has been identified as potentially having interactions with listed marine turtles, an ecological risk assessment has assessed the risk to these species as negligible, given the specificity of the fishing method.</p> <p>The Department considers the current operation of the Queensland Gulf of Carpentaria Line Fishery is unlikely to adversely affect the conservation status of a listed migratory species or a population of that species.</p>
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**Part 13 (cont.)**

<p><b>Division 3 Whales and other cetaceans</b></p> <p><b>Section 245 Minister may accredit plans or regimes</b></p>	<p><b>The Department's assessment of the Queensland Gulf of Carpentaria Line Fishery</b></p>
<p>Minister may, by instrument in writing, accredit for the purposes of this Division:</p> <p>(c) a plan of management, or a policy, regime or any other arrangement, for a fishery that is:</p> <ol style="list-style-type: none"> <li>i. made by a State or self-governing Territory; and</li> <li>ii. in force under a law of the State or self-governing Territory;</li> </ol> <p>if <b>satisfied</b> that:</p> <p>(f) the plan, regime or policy requires persons engaged in fishing under the plan, regime or policy to take all reasonable steps to ensure that cetaceans are not killed or injured as a result of the fishing; and</p>	<p>The Queensland Gulf of Carpentaria Line Fishery will be managed under the Queensland <i>Fisheries Act 1994</i> and the Fisheries Regulation 2008.</p> <p>The management regime for the Queensland Gulf of Carpentaria Line Fishery was most recently accredited in November 2013. The management arrangements for the fishery have not significantly changed since this accreditation was granted. The Department therefore considers that the management regime still requires persons engaged in fishing to take all reasonable steps to ensure that cetaceans are not killed or injured.</p>

<p>(g) the fishery to which the plan, regime or policy relates does not, or is not likely to, adversely affect the conservation status of a species of cetacean or a population of that species.</p>	<p>While the area of the fishery overlaps with the range of some dolphin species, no risk has been identified.</p> <p>Therefore, the Department considers the current operation of the Queensland Gulf of Carpentaria Line Fishery is unlikely to adversely affect the conservation status of a species of cetacean or a population of that species.</p>
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**Part 13 (cont.)**

<p><b>Division 4 Listed marine species</b></p> <p><b>Section 265 Minister may accredit plans or regimes</b></p>	<p><b>The Department's assessment of the Queensland Gulf of Carpentaria Line Fishery</b></p>
<p>(1) Minister may, by instrument in writing, accredit for the purposes of this Division:</p> <p>(c) a plan of management, or a policy, regime or any other arrangement, for a fishery that is:</p> <ol style="list-style-type: none"> <li>i. made by a State or self-governing Territory; and</li> <li>ii. in force under a law of the State or self-governing Territory;</li> </ol> <p>if <b>satisfied</b> that:</p> <p>(f) the plan, regime or policy requires persons engaged in fishing under the plan, regime or policy to take all reasonable steps to ensure that members of listed marine species are not killed or injured as a result of the fishing; and</p>	<p>The Queensland Gulf of Carpentaria Line Fishery will be managed under the Queensland <i>Fisheries Act 1994</i> and the Fisheries Regulation 2008.</p> <p>The management regime for the Queensland Gulf of Carpentaria Line Fishery was most recently accredited in November 2013. The management arrangements for the fishery have not significantly changed since this accreditation was granted. The Department therefore considers that the management regime still requires persons engaged in fishing to take all reasonable steps to ensure that members of listed marine species are not killed or injured.</p> <p>While the area of the fishery overlaps with the range of some turtles, dugong and syngnathids, an ecological risk assessment has identified that there is negligible risk to listed marine species.</p>



<p>(g) the fishery to which the plan, regime or policy relates does not, or is not likely to, adversely affect the conservation status of a listed marine species or a population of that species.</p>	<p>The Department considers the current operation of the Queensland Gulf of Carpentaria Line Fishery is unlikely to adversely affect the conservation status of a listed marine species or a population of that species.</p>
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**Part 13 (cont.)**

<p><b>Section 303AA Conditions relating to accreditation of plans, regimes and policies</b></p>	<p><b>The Department's assessment of the Queensland Gulf of Carpentaria Line Fishery</b></p>
<p>(1) This section applies to an accreditation of a plan, regime or policy under section 208A, 222A, 245 or 265.</p>	<p>The Department considers that the accreditation of the Queensland Gulf of Carpentaria Line Fishery management regime remains valid under sections 208A, 222A, 245 and 265.</p>
<p>(2) The Minister may accredit a plan, regime or policy under that section even though he or she considers that the plan, regime or policy should be accredited only:</p> <ul style="list-style-type: none"> <li>(a) during a particular period; or</li> <li>(b) while certain circumstances exist; or</li> <li>(c) while a certain condition is complied with.</li> </ul> <p>In such a case, the instrument of accreditation is to specify the period, circumstances or condition.</p>	<p>The Department considers that no conditions are required for the accreditation of the management regime for the Queensland Gulf of Carpentaria Line Fishery under Part 13.</p>
<p>(7) The Minister must, in writing, revoke an accreditation if he or she is satisfied that a condition of the accreditation has been contravened.</p>	

## Part 13A

### Section 303BA Objects of Part 13A

(1) The objects of this Part are as follows:

- (a) to ensure that Australia complies with its obligations under CITES<sup>2</sup> and the Biodiversity Convention;
- (b) to protect wildlife that may be adversely affected by trade;
- (c) to promote the conservation of biodiversity in Australia and other countries;
- (d) to ensure that any commercial utilisation of Australian native wildlife for the purposes of export is managed in an ecologically sustainable way;
- (e) to promote the humane treatment of wildlife;
- (f) to ensure ethical conduct during any research associated with the utilisation of wildlife; and
- (h) to ensure the precautionary principle is taken into account in making decisions relating to the utilisation of wildlife.

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<sup>2</sup> Convention on International Trade in Endangered Species of Wild Fauna and Flora

**Part 13A**

Section 303CG Minister may issue permits (CITES species)	The Department's assessment of the Queensland Gulf of Carpentaria Line Fishery
<p>(3) The Minister must not issue a permit unless the Minister is satisfied that:</p> <p>(a) the action or actions specified in the permit will not be detrimental to, or contribute to trade which is detrimental to:</p> <p>i. the survival of any taxon to which the specimen belongs; or</p> <p>ii. the recovery in nature of any taxon to which the specimen belongs; or</p> <p>iii. any relevant ecosystem (for example, detriment to habitat or biodiversity).</p>	<p>Given the fishery's management arrangements in place to monitor and control the level of harvest of CITES species and noting the minimal level of CITES species being harvested in the fishery, the Department considers that the Queensland Gulf of Carpentaria Line Fishery will not be detrimental to the survival of any taxon to which the CITES specimens belong in the short to medium term. A condition on the wildlife trade operation declaration for the Queensland Gulf of Carpentaria Line Fishery includes annual reporting requirements, which will allow the Department to monitor the status of CITES specimens harvested in the fishery.</p> <p>Annual harvest limits specified in the NDF currently in place for CITES species harvested in the fishery, assist in ensuring their ecologically sustainable harvest.</p> <p>Recognising the nature of harvest and gear used in the fishery (surface trolling and hand-lining harvest methods) the potential for the Queensland Gulf of Carpentaria Line Fishery to impact unacceptably and unsustainably on any relevant ecosystem generally is considered low.</p> <p>The Department is satisfied that the fishery is conducted in a manner that minimises the impact of fishing operations on the ecosystem generally.</p>

## Part 13A

Section 303DC Minister may amend list	The Department's assessment of the Queensland Gulf of Carpentaria Line Fishery
<p>(1) The Minister may, by legislative instrument, amend the list referred to in section 303DB by:</p> <p>(a) doing any of the following:</p> <ul style="list-style-type: none"> <li>(i) including items in the list;</li> <li>(ii) deleting items from the list;</li> <li>(iii) imposing a condition or restriction to which the inclusion of a specimen in the list is subject;</li> <li>(iv) varying or revoking a condition or restriction to which the inclusion of a specimen in the list is subject; or</li> </ul> <p>(b) correcting an inaccuracy or updating the name of a species.</p>	<p>Product harvested in the Queensland Gulf of Carpentaria Line Fishery, excluding species listed under CITES, has been included in the list of exempt native specimens since November 2013, subject to the fishery remaining the subject of a declaration as an approved wildlife trade operation. No amendment to the list of exempt native specimens is proposed.</p>
Section 303FN Approved wildlife trade operation	The Department's assessment of the Queensland Gulf of Carpentaria Line Fishery
<p>(2) The Minister may, by instrument published in the <i>Gazette</i>, declare that a specified wildlife trade operation is an <b>approved wildlife trade operation</b> for the purposes of this section.</p>	
<p>(3) The Minister must not declare an operation as an approved wildlife trade operation unless the Minister is <b>satisfied</b> that:</p> <p>(a) the operation is consistent with the objects of Part 13A of the Act; and</p>	<p>The Department considers that the operation of the Queensland Gulf of Carpentaria Line Fishery is consistent with the objects of Part 13A (listed above this table) as:</p> <ul style="list-style-type: none"> <li>• there are management arrangements in place to ensure that the resource is being managed in an ecologically sustainable way (see Table 1)</li> <li>• there are management arrangements in place to ensure that the harvest of CITES species from the fishery will not be detrimental to the survival of the taxon to which the specimen belongs in the short term</li> </ul>

<p>(b) the operation will not be detrimental to:</p> <ol style="list-style-type: none"> <li>i. the survival of a taxon to which the operation relates; or</li> <li>ii. the conservation status of a taxon to which the operation relates; and</li> </ol> <p>(ba) the operation will not be likely to threaten any relevant ecosystem including (but not limited to) any habitat or biodiversity; and</p> <p>(c) if the operation relates to the taking of live specimens that belong to a taxon specified in the regulations – the conditions that, under the regulations, are applicable to the welfare of the specimens are likely to be complied with; and</p> <p>(d) such other conditions (if any) as are specified in the regulations have been, or are likely to be, satisfied.</p>	<ul style="list-style-type: none"> <li>• the operation of the Queensland Gulf of Carpentaria Line Fishery during the period of the recommended declaration as an approved wildlife trade operation is unlikely to be unsustainable or threaten biodiversity</li> <li>• the Environment Protection and Biodiversity Conservation Regulations 2000 (EPBC Regulations) do not specify fish as classes of animals in relation to the welfare of live specimens.</li> </ul> <p>The Department considers that the operation of the Queensland Gulf of Carpentaria Line Fishery during the period of the recommended declaration as an approved wildlife trade operation will not be detrimental to the survival or conservation status of a taxon to which it relates, nor will it threaten any relevant ecosystem, given the management measures currently in place, which include:</p> <ul style="list-style-type: none"> <li>• limited entry</li> <li>• gear restrictions (number of lines and hooks)</li> <li>• size and possession limits (species specific)</li> <li>• closed area restrictions</li> <li>• prohibition on retaining various species.</li> </ul> <p>The EPBC Regulations do not specify fish as a class of animal in relation to the welfare of live specimens.</p> <p>No other conditions are specified in relation to commercial fisheries in the EPBC Regulations.</p>
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<p>(4) In deciding whether to declare an operation as an approved wildlife trade operation the Minister must have <b>regard</b> to:</p> <p>(a) the significance of the impact of the operation on an ecosystem (for example, an impact on habitat or biodiversity); and</p> <p>(b) the effectiveness of the management arrangements for the operation (including monitoring procedures).</p>	<p>The Department considers that the operation of the Queensland Gulf of Carpentaria Line Fishery will not have a significant impact on an ecosystem within the next 3 years, given the management measures currently in place, which include:</p> <p><u>Commercial &amp; Recreational:</u></p> <ul style="list-style-type: none"> <li>• Gear restrictions including restrictions on type of apparatus that can be used (numbers of lines and hooks)</li> <li>• Species specific size and possession limits apply.</li> </ul> <p><u>Commercial only:</u></p> <ul style="list-style-type: none"> <li>• Limited entry</li> <li>• Gear restrictions - size of boat and number of tenders that can be used</li> <li>• Closed area restrictions – South Mitchell River</li> <li>• Prohibition on retaining various species significant to other sectors, such as barramundi.</li> </ul> <p>The Department considers that the management arrangements that will be employed for the Queensland Gulf of Carpentaria Line Fishery, as outlined in Table 1, are likely to be effective.</p>
<p>(5) In deciding whether to declare an operation as an approved wildlife trade operation the Minister must have <b>regard</b> to:</p> <p>(a) whether legislation relating to the protection, conservation or management of the specimens to which the operation relates is in force in the State or Territory concerned; and</p> <p>(b) whether the legislation applies throughout the State or Territory concerned; and</p> <p>(c) whether, in the opinion of the Minister, the legislation is effective.</p>	<p>The Queensland Gulf of Carpentaria Line Fishery will be managed under the Queensland <i>Fisheries Act 1994</i> and the Fisheries Regulation 2008.</p> <p>The Queensland <i>Fisheries Act 1994</i> applies throughout Queensland waters.</p> <p>The Department considers that the legislation is likely to be effective.</p>

<p>(10) For the purposes of section 303FN, an operation is a wildlife trade operation if, and only if, the operation is an operation for the taking of specimens and:</p> <p>(d) the operation is a commercial fishery.</p>	<p>The Queensland Gulf of Carpentaria Line Fishery is a commercial fishery.</p>
<p><b>Section 303FR Public consultation</b></p>	<p><b>The Department's assessment of the Queensland Gulf of Carpentaria Line Fishery</b></p>
<p>(1) Before making a declaration under section 303FN, the Minister must cause to be published on the Internet a notice:</p> <p>(a) setting out the proposal to make the declaration; and</p> <p>(b) setting out sufficient information to enable persons and organisations to consider adequately the merits of the proposal; and</p> <p>(c) inviting persons and organisations to give the Minister, within the period specified in the notice, written comments about the proposal.</p>	<p>The Department considers that the consultation requirements of the EPBC Act for declaring a fishery an approved wildlife trade operation have been met.</p> <p>A public notice, which set out the proposal to declare the Queensland Gulf of Carpentaria Line Fishery an approved wildlife trade operation and included the submission, was released for public comment which closed on 14 September 2016 with no public comments received.</p>
<p>(2) A period specified in the notice must not be shorter than 20 business days after the date on which the notice was published on the Internet.</p>	<p>A public notice, which set out the proposal to declare the Queensland Gulf of Carpentaria Line Fishery an approved wildlife trade operation and included the submission was released for public comment on 15 August 2016 and closed on 14 September 2016, a total of 23 business days.</p>
<p>(3) In making a decision about whether to make a declaration under section 303FN, the Minister must consider any comments about the proposal to make the declaration that were given in response to the invitation in the notice.</p>	<p>No public comments about the proposal were received.</p>

Section 303FT Additional provisions relating to declarations	The Department's assessment of the Queensland Gulf of Carpentaria Line Fishery
(1) This section applies to a declaration made under section 303FN, 303FO or 303FP.	A declaration for the Queensland Gulf of Carpentaria Line Fishery will be made under section 303FN.
<p>(4) The Minister may make a declaration about a plan or operation even though he or she considers that the plan or operation should be the subject of the declaration only:</p> <p>(a) during a particular period; or  (b) while certain circumstances exist; or  (c) while a certain condition is complied with.</p> <p>In such a case, the instrument of declaration is to specify the period, circumstances or condition.</p>	<p>The standard conditions applied to commercial fishery wildlife trade operations include:</p> <ul style="list-style-type: none"> <li>• operation in accordance with the management regime</li> <li>• notifying the Department of changes to the management regime</li> <li>• annual reporting in accordance with the requirements of the <i>Australian Government Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition</i>.</li> </ul> <p>The wildlife trade operation declaration instrument for the Queensland Gulf of Carpentaria Line Fishery specifies the standard and any additional conditions applied.</p>
(8) A condition may relate to reporting or monitoring.	One of the standard conditions relates to reporting.
(9) The Minister must, by instrument published in the <i>Gazette</i> , revoke a declaration if he or she is satisfied that a condition of the declaration has been contravened.	
(11) A copy of an instrument under section 303FN, or this section is to be made available for inspection on the Internet.	The instrument for the Queensland Gulf of Carpentaria Line Fishery made under sections 303FN and the conditions under section 303FT will be registered as a notifiable instrument and made available through the Department's website.



**Part 16**

<b>Section 391 Minister must consider precautionary principle in making decisions</b>	<b>The Department's assessment of the Queensland Gulf of Carpentaria Line Fishery</b>
<p>(1) The Minister must take account of the precautionary principle in making a decision under section 303DC and/or section 303FN, to the extent he or she can do so consistently with the other provisions of this Act.</p>	<p>The Department has accounted for the precautionary principle in the preparation of its advice. Recognising the potential risks to biodiversity from the operation of the Queensland Gulf of Carpentaria Line Fishery identified in the ERA for the fishery (2006), the Queensland Department of Agriculture and Fisheries has implemented precautionary management measures which reduce the risks of adverse impacts, for example, gear restrictions, closed area restrictions and limited entry.</p> <p>Through the implementation of the conditions and recommendation outlined in <b>Table 4</b>, any potential risks to biodiversity will be further reduced.</p>
<p>(2) The precautionary principle is that lack of full scientific certainty should not be used as a reason for postponing a measure to prevent degradation of the environment where there are threats of serious or irreversible environmental damage.</p>	

**Part 12**

<b>Section 176 Bioregional Plans</b>	<b>The Department's assessment of the Queensland Gulf of Carpentaria Line Fishery</b>
<p>(5) Subject to this Act, the Minister must have regard to a bioregional plan in making any decision under this Act to which the plan is relevant.</p>	<p>The <i>Marine bioregional plan for the North Marine Region</i> (2012) has been considered in the preparation of advice in relation to decisions under section 303DC and section 303FN.</p> <p>The marine bioregional plan has identified that there are key ecological features present in the area of the fishery, as outlined in Table 1.</p> <p>The marine bioregional plan also lists physical habitat modification, marine debris, noise pollution, extraction of living resources and bycatch as being of concern to some EPBC Act protected species (turtles, sawfish, dugong, syngnathids, cetaceans and seabirds) that inhabit the marine region.</p> <p>The Department considers that overall, due to the targeted fishing methods used in the Queensland Gulf of Carpentaria Line Fishery (surface trolling and hand-lining) the impact of the fishery on the conservation values identified in the marine bioregional plan is low.</p>

**Table 4: Queensland Gulf of Carpentaria Line Fishery Assessment – Summary of Issues, Conditions and Recommendations  
November 2016**

Issue	Condition
<p><u>General Management</u></p> <p>Export decisions relate to the arrangements in force at the time of the decision. To ensure that these decisions remain valid and export approval continues uninterrupted, the Department of the Environment and Energy (the Department) needs to be advised of any changes that are made to the management regime and make an assessment that the new arrangements are equivalent or better, in terms of ecological sustainability, than those in place at the time of the original decision. This includes operational and legislated amendments that may affect sustainability of the target species or negatively impact on byproduct, bycatch, protected species or the ecosystem.</p>	<p><b>Condition 1:</b></p> <p>Operation of the fishery will be carried out in accordance with the management regime under the Queensland <i>Fisheries Act 1994</i> and the Fisheries Regulation 2008.</p> <p><b>Condition 2:</b></p> <p>The Queensland Department of Agriculture and Fisheries to inform the Department of any intended material changes to the Queensland Gulf of Carpentaria Line Fishery management arrangements that may affect the assessment against which <i>Environment Protection and Biodiversity Conservation Act 1999</i> decisions are made.</p>
<p><u>Annual reporting</u></p> <p>It is important that reports be produced and presented to the Department annually in order for the performance of the fishery and progress in implementing the conditions and recommendations in this report and other managerial commitments, to be monitored and assessed throughout the life of the declaration. Annual reports should follow Appendix B to the <i>Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition</i> and include a description of the fishery, management arrangements in place, research and monitoring outcomes, recent catch data for all sectors of the fishery, status of target stock, interactions with EPBC Act protected species, impacts of the fishery on the ecosystem in which it operates and progress in implementing the Department's conditions and recommendations. Electronic copies of the guidelines are available from the Department's website at <a href="http://www.environment.gov.au/resource/guidelines-ecologically-sustainable-management-fisheries">http://www.environment.gov.au/resource/guidelines-ecologically-sustainable-management-fisheries</a>.</p>	<p><b>Condition 3:</b></p> <p>The Queensland Department of Agriculture and Fisheries to produce and present reports to the Department of the Environment and Energy annually as per Appendix B of the <i>Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition</i>.</p>

Accurate reporting of sharks to species level

The Queensland Gulf of Carpentaria Line Fishery harvests a number of shark species. Sharks worldwide are generally considered vulnerable to fishing pressure, due to their slow growth, late maturation and low reproductive output. Correct identification and reporting of sharks to species level is important to assess the impact of a fishery on shark populations and determine appropriate levels of shark harvest.

A number of shark (and ray) species have been listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) in recent years. This includes scalloped hammerheads (*Sphyrna lewini*) and great hammerheads (*S. mokarran*) which are harvested at low levels in this fishery.

A Non-Detriment Finding (NDF) for the harvest of hammerhead sharks in Australia is in place (CITES Scientific Authority, 2014). This NDF found that an annual catch of 200 tonnes (t) for scalloped hammerheads and an annual national catch of 100 t for great hammerheads was not likely to be detrimental in Australian waters. This finding included consideration of catch of these species in the Queensland Gulf of Carpentaria Line Fishery.

The NDF is due for renewal in 2017 when the harvest levels for these species will be reviewed. In the meantime, the 2014 NDF recommends particular reporting requirements for the harvest of hammerhead shark species. The Queensland Department of Agriculture and Fisheries has held education programs and targeted workshops since 2012 to improve the identification and reporting of key species in Queensland fisheries, including sharks. These efforts should continue, so that shark species can be identified correctly and accurate catch data can be used to inform stock assessments.

All CITES listed specimens will require a CITES export permit to allow export of the specimens.

**Condition 4:**

The Queensland Department of Agriculture and Fisheries to provide appropriate identification tools and education to assist fishers in providing accurate identification and recording of sharks at the species level.

Issue	Recommendation
<p><u>Cross jurisdictional cooperation</u></p> <p>There are at least three biological stocks of Spanish mackerel across northern Australia, which are commercially harvested in Queensland, Western Australia and the Northern Territory. Further genetic structuring within the three identified stocks is apparent and each jurisdiction is likely to have multiple biological management units within its boundaries (<i>Status of Australian Fish Stocks 2014</i>). Cross jurisdictional communication and collaboration between the management agencies responsible for the commercial harvest of this species is therefore important to identify and address potential sustainability issues for these stocks.</p>	<p><b>Recommendation 1:</b></p> <p>The Queensland Department of Agriculture and Fisheries to continue to collaborate with other jurisdictions to pursue consistent and complementary research needs and management arrangements for target species.</p>