



Australian Government

Department of the Environment

Ref: 2013/07084

The Hon John McVeigh MP
Minister for Agriculture, Fisheries and Forestry
GPO Box 46,
BRISBANE QUEENSLAND 4001

Dear Minister

I am writing to you as the Delegate of the Minister for the Environment in relation to the reassessment of the Queensland Gulf of Carpentaria Line Fishery under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The Queensland Gulf of Carpentaria Line Fishery was most recently assessed under the international wildlife trade provisions of Part 13A of the EPBC Act in August 2010. As a result of the 2010 assessment, the Delegate of the then Minister for Environment Protection, Heritage and the Arts, declared the Queensland Gulf of Carpentaria Line Fishery an approved wildlife trade operation under Part 13A of the EPBC Act for a period of three years, until 30 August 2013. This allowed export of product from the fishery to continue during the period of the declaration.

In July 2013, Fisheries Queensland provided an application to the Department of the Environment seeking continued export approval for the Queensland Gulf of Carpentaria Line Fishery.

The application has been assessed for the purposes of the wildlife trade provisions of Part 13A of the EPBC Act. The assessment took into account measures that have been developed by Fisheries Queensland in response to the conditions and recommendations made in the 2010 assessment under the EPBC Act.

I am pleased to advise that the assessment is now complete. The new assessment report will be available on the Department of the Environment's website at:
<http://www.environment.gov.au/topics/marine/fisheries/qld/line>.

The assessment 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). As a party to the Convention, Australia must apply all CITES provisions of the EPBC Act to CITES imports and exports as appropriate. Specimens of species listed under Appendix II of CITES may be exported commercially provided the CITES Scientific Authority of the country of export has found that the export will not be detrimental to the survival of the species (a non detriment finding).

I consider that the management arrangements for the Queensland Gulf of Carpentaria Line Fishery meet most of the Australian Government 'Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition'.

Taking into account: boat size restrictions and regulations (for commercial and recreational sectors), limited entry for the commercial sector, area closures in parts of the South Mitchell River, prohibition on retaining barramundi, black jewfish, blue and king threadfin, scaly jewfish, giant queenfish and silver javelin (commercial sector), restrictions on the number of lines and hooks for commercial and recreational fishing sectors, and species-specific size (size limits) and number (of fish) regulations (in commercial and recreational sectors) applicable to various in-possession species, I am satisfied that the operation of the fishery remains consistent with the objects of the wildlife trade provisions of Part 13A of the EPBC Act.

I am also satisfied that the operation of the fishery over the period of the declaration as an approved wildlife trade operation is unlikely to be detrimental to the survival or conservation status of any taxon to which the fishery operation relates, including any CITES listed taxon, or threaten any relevant ecosystem.

Accordingly, I have decided to declare the Queensland Gulf of Carpentaria Line Fishery an approved wildlife trade operation until 24 November 2016. The declaration will apply only to those classes of specimens specified in the instrument of declaration, available from the department's website, and will be subject to the conditions (**Attachment 1**) specified in the instrument of declaration.

Note that CITES specimens listed under Appendix II or Appendix III may only be exported under a permit issued under section 303GC of the EPBC Act. Hence, any proposed export of specimens of scalloped hammerhead shark from the fishery must seek a permit prior to exporting from Australia's CITES Management Authority within the Australian Government Department of the Environment.

Officers from Fisheries Queensland and the Department have discussed key areas requiring ongoing attention. While there are some environmental risks associated with this fishery, I believe that Fisheries Queensland is committed to addressing these issues and has already taken proactive measures.

Fisheries Queensland and the Department's officers have agreed to an additional recommendation (**Attachment 2**) to be implemented before the next Australian Government assessment of the fishery.

The management regime for the Queensland Gulf of Carpentaria Line Fishery was most recently accredited under Part 13 of the EPBC Act, for interactions with protected species, in August 2010. I am satisfied that it is unlikely that fishing operations conducted in accordance with the management regime will adversely affect the conservation status of protected species or affect the survival or recovery in nature of listed threatened species or adversely affect the conservation status of listed migratory species, cetaceans or listed marine species. I also consider that under the current management regime, operators are required to take all reasonable steps to avoid the killing or injuring of species listed under Part 13 of the EPBC Act.

I have therefore reaccredited the management regime for the Queensland Gulf of Carpentaria Line Fishery under Part 13 of the EPBC Act. Accreditation will ensure that individual fishers operating in accordance with the current management regime are not required to seek permits if they are at risk of killing or injuring listed species in Commonwealth waters.

I would like to thank you for the constructive way in which your officials have approached this assessment.

As the Queensland Gulf of Carpentaria Line Fishery operates within the Great Barrier Reef Marine Park, I have copied this letter to Dr Russell Reichelt, Chairman and Chief Executive of the Great Barrier Reef Marine Park Authority, for his information.

Yours sincerely



Paul Murphy

Delegate of the Minister for the Environment

26 November 2013

**Conditions on the approved wildlife trade operation declaration for the
Queensland Gulf of Carpentaria Line Fishery – November 2013**

1. Operation of the Queensland Gulf of Carpentaria Line Fishery will be carried out in accordance with the management regime in force under the Queensland *Fisheries Act 1994* and the Queensland Fisheries Regulation 2008.
2. Fisheries Queensland to inform the Department of the Environment of any intended material changes to the Queensland Gulf of Carpentaria Line Fishery management arrangements that may affect the assessment against which *Environment Protection and Biodiversity Conservation Act 1999* decisions are made.
3. Fisheries Queensland to produce and present reports to the Department of the Environment annually as per Appendix B of the 'Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition'.

Recommendations to Fisheries Queensland on the ecologically sustainable management of the Queensland Gulf of Carpentaria Line Fishery – November 2013

1. Fisheries Queensland to ensure that:
 - its Performance Measurement System remains robust and has appropriate sustainability yield estimates for key target species, particularly Spanish mackerel; and
 - long-term monitoring of target species' stock status in the fishery continues.