



**Australian Government**

**Department of Sustainability, Environment, Water, Population and Communities**

Our reference: 2011/03894

The Hon Craig Wallace MP  
Minister for Main Roads, Fisheries and Marine Infrastructure  
PO Box 15456  
CITY EAST QLD 4002

Dear Minister

I am writing to you as Delegate of the Minister for Sustainability, Environment, Water, Population and Communities in relation to the reassessment of the Queensland Fin Fish (Stout Whiting) Trawl Fishery under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

In April 2011, Fisheries Queensland provided a submission to the Department of Sustainability, Environment, Water, Population and Communities for assessment, seeking continued export approval for this fishery.

The submission received from Fisheries Queensland has been assessed for the purposes of the protected species provisions of Part 13 and the wildlife trade provisions of Part 13A of the EPBC Act. The assessment also took account of measures that have been developed by Fisheries Queensland in response to the conditions and recommendations made in the previous EPBC Act assessment of the fishery.

I am pleased to advise that the assessment of the fishery is now complete. The new assessment report will be available on the Department of Sustainability, Environment, Water, Population and Communities' website at <http://www.environment.gov.au/coasts/fisheries/qld/stout-whiting/index.html>.

I consider that the management arrangements for the Queensland Fin Fish (Stout Whiting) Trawl Fishery meet most of the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries - 2<sup>nd</sup> Edition*. Given the management arrangements currently in place, which include limited entry, gear restrictions, compulsory use of turtle excluder devices in otter trawl gear, seasonal closures, a total allowable commercial catch and possession limits for byproduct 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, or threaten any relevant ecosystem.

Accordingly, I have decided to declare the Queensland Fin Fish (Stout Whiting) Trawl Fishery an approved wildlife trade operation for three years, until 15 August 2014. The declaration will be subject to the conditions at **Attachment A**.



INVESTOR IN PEOPLE

GPO Box 787 Canberra ACT 2601 Telephone 02 6274 1111 Facsimile 02 6274 1666

[www.environment.gov.au](http://www.environment.gov.au)



CERTIFIED  
ENVIRONMENTAL  
MANAGEMENT SYSTEM  
ISO 14001:2005

Officers from Fisheries Queensland and the Department of Sustainability, Environment, Water, Population and Communities 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 B**) to be implemented before the next Australian Government assessment of the fishery. The recommendation focuses on the completion of a review of future management directions for the fishery, ensuring the implementation of appropriate measures to ensure sustainability of bycatch species and developing performance measures related to the minimisation of bycatch species.

The management regime for the Queensland Fin Fish (Stout Whiting) Trawl Fishery was first accredited under Part 13 of the EPBC Act in 2004 and was reaccredited in April 2008 following the replacement of the Queensland *Fisheries Regulation 1995* with the Queensland *Fisheries Regulation 2008*. I am satisfied that it continues to be unlikely that fishing operations conducted in accordance with the current management regime will adversely 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 Fin Fish (Stout Whiting) Trawl 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.

Please note that my decisions under the EPBC Act relate to the management arrangements in force at the time of the assessment decision. To ensure that the decisions remain valid, the Department of Sustainability, Environment, Water, Population and Communities needs to be advised of any intended changes to the management arrangements 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 legislative amendments and operational changes that may affect the impact of the fishery in relation to target species, byproduct, bycatch, protected species or the ecosystem.

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

Yours sincerely



Nigel Routh  
Delegate of the Minister for Sustainability, Environment, Water, Population  
and Communities

16 August 2011

**Conditions on the approved wildlife trade operation declaration for the  
Queensland Fin Fish (Stout Whiting) Trawl Fishery**

1. Operation of the Queensland Fin Fish (Stout Whiting) Trawl Fishery will be carried out in accordance with the management regime for the fishery in force under the Queensland *Fisheries Act 1994* and the Queensland *Fisheries Regulation 2008*.
2. Fisheries Queensland to inform the Department of Sustainability, Environment, Water, Population and Communities of any intended amendments to the Queensland Fin Fish (Stout Whiting) Trawl Fishery management arrangements that may affect the assessment of the fishery against the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* decisions are based.
3. Fisheries Queensland to produce and present reports to the Department of Sustainability, Environment, Water, Population and Communities annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries – 2<sup>nd</sup> Edition*.



**Recommendation to Fisheries Queensland on the ecologically sustainable management of the Queensland Fin Fish (Stout Whiting) Trawl Fishery.**

1. Taking into account all available information, including, but not limited to:
  - relevant risk assessments for bycatch species; and
  - the results of analyses of bycatch data from the Fishery Observer Program,Fisheries Queensland to complete the review of future management directions for the Fin Fish (Stout Whiting) Trawl Fishery and:
  - i. ensure that appropriate measures to ensure sustainability of bycatch species are implemented; and
  - ii. develop and implement appropriate performance measures related to the minimisation of bycatch of species determined to be at risk of adverse impacts from fishing.

