



## Australian Government

### Department of the Environment and Water Resources

The Hon Tim Mulherin MP  
Minister for Primary Industries and Fisheries  
GPO Box 46  
BRISBANE QLD 4001

Dear Minister

I am writing to you as Delegate of the Minister for the Environment and Water Resources in relation to the re-assessment of the Queensland Finfish (Stout Whiting) Trawl Fishery (QFTF) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The QFTF was first assessed by the Australian Government Department of the Environment and Water Resources (formerly the Department of the Environment and Heritage) in November 2004 under Parts 13 and 13A of the EPBC Act in accordance with the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries*. This assessment was based on the submission provided by the Queensland Department of Primary Industries and Fisheries (DPI&F). In light of a number of concerns that needed to be addressed to manage environmental risks in the long term, the QFTF was declared an approved Wildlife Trade Operation (WTO) under Part 13A of the EPBC Act. This declaration allowed the export of product from the fishery for a period of three years. The Delegate also accredited the QFTF management regime in force under the Queensland *Fisheries Regulation 1995* and the Queensland *Fisheries Act 1994* and under Part 13 of the EPBC Act in relation to protected species interactions.

In October 2007, DPI&F submitted the 2005, 2006 and 2007 Annual Status Reports for the QFTF for assessment under the EPBC Act to allow continued export approval for this fishery. The submission 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.

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

Given there have been no significant changes to the management regime for the QFTF and there have been relatively few protected species interactions in the fishery since 2004, I consider that the existing Part 13 accreditation for this fishery, in relation to protected species provisions under the EPBC Act, still applies.

In considering these management arrangements for QFTF, along with the current regulations, I am satisfied that the operation of the fishery is consistent with the objects of the wildlife trade provisions in Part 13A of the EPBC Act. I am also satisfied that it 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 over the next three years.

Performance against the *Guidelines for the Ecologically Sustainable Management of Fisheries — 2<sup>nd</sup> Edition* is good, however there are several issues that need to be addressed to contain environmental risks in the longer term. Hence, I propose to declare the fishery an approved WTO under Part 13A of the EPBC Act. This declaration would allow the export of product from the fishery for the next three years. I have made the declaration subject to the conditions at **Attachment A**.

While there are some environmental risks associated with this fishery, I consider that DPI&F is committed to addressing these issues and is already making progress in some areas. Officers from our two departments have discussed key areas requiring ongoing attention. In addition to the conditions to the WTO declaration, I understand that they have agreed to several recommended actions, focusing on addressing key issues outstanding from the last assessment, to be implemented before the next Australian Government review of the fishery. The recommendations at **Attachment B** have been an important factor in my decision to declare the fishery a WTO and I look forward to receiving your confirmation that they will be implemented.

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

Yours sincerely

Andrew McNee  
Delegate of the Minister for the Environment and Water Resources

21 November 2007

**Conditions on the Wildlife Trade Operation Declaration for the  
Queensland Finfish (Stout Whiting) Trawl Fishery (QTF)**

1. Operation of the fishery will be carried out in accordance with the Queensland *Fisheries Regulation 1995* and the Queensland *Fisheries Act 1994*.
2. The Queensland Department of Primary Industries and Fisheries (DPI&F) to inform the Department of the Environment and Water Resources (DEW) of any intended amendments to the management arrangements that may affect the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) decisions are based.
3. DPI&F to continue to produce and present reports to DEW annually as per Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries — 2nd Edition*.

**Recommendations to the Queensland Department of Primary Industries and Fisheries (DPI&F) on the ecologically sustainable management of the Queensland Finfish (Stout Whiting) Trawl Fishery (QFTF)**

The QFTF is a relatively well-managed fishery with a range of management measures to promote the ecologically sustainable harvesting of species from the fishery. These measures include: limited entry, management arrangements include annual stock assessments and annual Total Allowable Catches (TAC) set under the Total Allowable Catch Table, relatively low limits on permitted by-catch species to prevent intentional targeting, seasonal closures, gear restrictions, vessel restrictions, Species of Conservation Interest logbooks, mandatory use of Turtle Excluder Devices, observer coverage, and a recently completed risk assessment for by-catch in the fishery.

The following recommendations have been made to further strengthen the effectiveness of the management arrangements for the QFTF and minimise environmental risks in the medium term. Unless a specific time frame is provided in the recommendation each recommendation must be addressed before the next review of the QFTF in 2010.

1. DPI&F to consider making the annual TAC enforceable DPI&F to review the description of the TAC in the *Queensland Finfish Trawl Fishery — Statement of Management Arrangements*. DPI&F to consider making the annual TAC enforceable.
2. DPI&F to review the current closures in the QFTF to ensure that protection is provided during the peak spawning period of stout whiting.
3. DPI&F to pursue a reduction in the amount of bycatch taken in the QFTF. Industry will be encouraged to immediately adopt any effective and appropriate methods of bycatch reduction.