



Australian Government

Department of Sustainability, Environment, Water, Population and Communities

Ref: 2011/10607

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 Delegate of the Minister for Sustainability, Environment, Water, Population and Communities in relation to the reassessment of the Queensland Coral Reef Fin Fish Fishery under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The Coral Reef Fin Fish Fishery was most recently assessed under the international wildlife trade provisions of Part 13A of the EPBC Act in October 2008. The Delegate of the then Minister for the Environment, Heritage and the Arts subsequently declared the Coral Reef Fin Fish Fishery an approved wildlife trade operation under Part 13A of the EPBC Act for a period of three years, until 4 November 2011. This allowed export of product from the fishery to continue during the period of the declaration. A number of short term extensions have been made to the export approval, which was to expire on 5 July 2013.

In February 2013, Fisheries Queensland provided updated applications to the Department of Sustainability, Environment, Water, Population and Communities seeking continued export approval for the Coral Reef Fin Fish Fishery and the Deep Water Fin Fish Fishery.

The department has previously maintained separate assessments of these fisheries. However, given the significant overlap of species harvested, the common management framework (*Fisheries (Coral Reef Fin Fish) Management Plan 2003*) and the increasing shift of effort from multiple hook gear to target these species, the department has integrated the assessment and EPBC Act decisions for these activities and will henceforth refer to them as the Coral Reef Fin Fish Fishery. Fisheries Queensland has agreed to this approach.

The applications received from Fisheries Queensland have 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 2008 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 Sustainability, Environment, Water, Population and Communities' website at: <http://www.environment.gov.au/coasts/fisheries/qld/coral-reef-fin-fish/index.html>.

I consider that the management arrangements for the Coral Reef Fin Fish Fishery meet most of the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*. Taking into account the management arrangements currently in place in the fishery, which include limited entry, vessel and gear restrictions, seasonal (spawning) closures, species specific minimum legal size limits and total allowable commercial catch limits, 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.

Accordingly, I have decided to declare the Coral Reef Fin Fish Fishery an approved wildlife trade operation until 6 May 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.

Officers from Fisheries Queensland and the department have also 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 additional recommendations (**Attachment 2**) to be implemented before the next Australian Government assessment of the fishery.

The management regime for the Coral Reef Fin Fish Fishery was most recently accredited under Part 13 of the EPBC Act, for interactions with protected species, in February 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 protected under Part 13 of the EPBC Act.

I have therefore reaccredited the management regime for the Coral Reef Fin Fish 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 protected 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 decisions. To ensure that these 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 decisions. This includes legislated amendments and operational changes that may affect the sustainability of the target species or negatively impact on 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.

As the Coral Reef Fin Fish 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

A handwritten signature in black ink, appearing to read 'Joanne Nathan', with a stylized, cursive script.

Joanne Nathan

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

12 June 2013

**Conditions on the approved wildlife trade operation declaration for the Queensland
Coral Reef Fin Fish Fishery – June 2013**

1. Operation of the Queensland Coral Reef Fin Fish Fishery will be carried out in accordance with the Queensland *Fisheries (Coral Reef Fin Fish) Management Plan 2003* in force under the Queensland *Fisheries Act 1994* and the Fisheries Regulation 2008.
2. Fisheries Queensland to advise the Department of Sustainability, Environment, Water, Population and Communities of any intended material change to the Coral Reef Fin Fish 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 Sustainability, Environment, Water, Population and Communities annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition*.
4. Fisheries Queensland, taking into consideration the outputs of the coral trout stock assessment and in consultation with the department and relevant stakeholders, to review the Performance Measurement System for the Coral Reef Fin Fish Fishery within twelve months of the delivery of the final stock assessment report.
5. Fisheries Queensland to ensure that, based on stock indicators, appropriate management actions are implemented to ensure the ongoing sustainability of target stocks.

Recommendations to Fisheries Queensland on the ecologically sustainable management of the Queensland Coral Reef Fin Fish Fishery – June 2013

1. Fisheries Queensland, taking into consideration the outputs of the Reef Line Working Group, the coral trout stock assessment and the Fisheries Research and Development Project 2011/030, to investigate the implementation of total allowable commercial catch setting based on fishery dependent and independent stock indicators.
2. As part of the review of the Performance Measurement System, Fisheries Queensland to consider measures to minimise the risk of localised depletion of coral trout.
3. Prior to any reduction or removal of the current spawning closures, Fisheries Queensland to conduct an independent review of the 2009 spawning closure risk assessment and its supporting documentation.
4. Fisheries Queensland to review current strategies used to address the information reporting compliance risks in the fishery.
5. Fisheries Queensland to investigate the use of electronic vessel monitoring systems for motherships and tenders operating in the fishery.
6. Fisheries Queensland to, as appropriate, review the performance measures for 'other species' incorporating the outcomes of the project: *Assessing technology changes and risks to the sustainable management of deepwater line fisheries in southern Queensland.*