



Australian Government



**Queensland
Government**

QUEENSLAND FISHERIES JOINT AUTHORITY

REPORT FOR THE PERIOD

1 JULY 2020 TO 30 June 2021

Fisheries Management Act 1991
(Commonwealth)

Fisheries Act 1994
(Queensland)

QUEENSLAND FISHERIES JOINT AUTHORITY
REPORT FOR THE PERIOD

1 July 2020 to 30 June 2021

Presented to the Commonwealth Parliament pursuant to section 70 of the *Fisheries Management Act 1991*.

Presented to the Queensland Parliament pursuant to section 127 of the *Fisheries Act 1994*.



Anna Willock, Executive Manager,
Fisheries, Australian Fisheries
Management Authority

**Deputy to the Commonwealth
Member,**

Senator the Hon. Jonathon Duniam,
Assistant Minister for Forestry and
Fisheries



Dallas D'Silva, Executive Director,
Fisheries and Forestry; Department of
Agriculture and Fisheries

**Deputy to the Queensland State
Member,**

The Hon. Mark Furner MP, Queensland
Minister for Agricultural Industry
Development and Fisheries and
Minister for Rural Communities

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1. Introduction

This report of the Queensland Fisheries Joint Authority (QFJA) outlines activities undertaken and decisions made during the period **1 July 2020 to 30 June 2021**, predominantly through the “record of decisions” from the QFJA annual meeting. It also reports the status of fisheries for this reporting period.

The QFJA is responsible for the management of certain fish species as prescribed under the Offshore Constitutional Settlement Agreement. The Queensland Government is responsible for managing a number of fisheries in the Gulf of Carpentaria that take these species. Table 1 provides a breakdown of the total catch of each QFJA managed species.

2. Enabling legislation

Sections 61-70 of the Commonwealth *Fisheries Management Act 1991* set out the establishment, functions, administration and reporting requirements for Joint Authorities.

Part 7 of the Queensland *Fisheries Act 1994* sets out complementary State legislation and other matters relating to the establishment, functions, administration and reporting requirements of the Joint Authority and the management of Joint Authority fisheries in Queensland.

The QFJA is established in the *Arrangement between the Commonwealth of Australia and the State of Queensland in relation to the Fishery for Northern Demersal and Pelagic Fish in the Gulf of Carpentaria (Annex A)*. The 1995 arrangement provides, among other things, that the relevant species be managed by the QFJA under Queensland law.

There is a further arrangement between the Commonwealth and the State of Queensland, in relation to commercial fishing for grey mackerel in the Gulf of Carpentaria (**Annex B**), under section 71 of the *Fisheries Management Act 1991* and section 132 of the *Fisheries Act 1994* of Queensland. The 2003 arrangement provides, among other things, that the commercial fishery for grey mackerel also be managed by the QFJA under Queensland law.

3. Report on the status of fisheries managed by the Joint Authority

Tables 1 and 2 present a summary of the catches and status of the fisheries managed by the QFJA. Detailed catch and effort statistics for each fishery are presented in the Queensland Fishery Summary Report, available for download on the Queensland Department of Agriculture and Fisheries website:

- <https://www.daf.qld.gov.au/business-priorities/fisheries/monitoring-research/data/queensland-fisheries-summary-report>

Table 1 shows an overview of the total commercial catches of fin fish species relevant to fishing under QFJA jurisdiction during the reporting period. These catches were taken using a combination of set mesh net, line and trawl fishing gear. Catch information has been drawn from the Queensland Commercial Fisheries Log Book System (CFISH) for waters adjacent to Queensland west of 142°31'49" east longitude (at Cape York). 'Shark' catch includes all catches of shark and ray species taken by operators in Queensland's Gulf of Carpentaria net and line fisheries, while 'other fin fish' and 'trawled fin fish' catch includes all fish species except barramundi and threadfin (and other species not managed by QFJA) and those species otherwise listed separately in the table.

It is important to note that Table 1 presents a summary of the total catches in Gulf fisheries. Detailed information on catches of individual species within a particular fishery is available from the Queensland Fishery Summary Report (refer to previous web links) that are available for a range of fisheries through the DAF Queensland website.

In 2014, Fisheries Queensland adopted the Australian Government's national Status of Key Australian Fish Stocks Framework for assessing stock status (Table 2). For the most current assessment outcomes see the Status of Australian Fish Stocks Report by the Fisheries Research and Development Corporation at www.fish.gov.au or visit the Queensland Department of Agriculture and Fisheries website for specific species at www.fisheries.qld.gov.au

Table 1 - Commercial catches¹ of QFJA managed fish species in the Gulf during the period 2014-2021. Catches in brackets represent those taken under permit authorities. Note: All permits other than finfish trawl have now been transitioned to regulated authorities.

Species Group	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Sharks and rays	148 (0)	222 (0)	265 (0)	186 (0)	166 (0)	145 (0)	122 (0)
Grey mackerel	557 (0)	687 (0)	668 (0)	565 (0)	743 (0)	653 (0)	628 (0)
Spanish mackerel	236 (0)	182 (0)	228 (0)	241 (0)	167 (0)	221 (0)	189 (0)
Other fin fish (Line)	1 (0)	2.4 (0)	2.9 (0)	1.6 (0)	0.2 (0)	0.4 (0)	0.6 (0)
Other fin fish (Net)	62 (0)	79 (0)	79 (0)	55 (0)	22 (0)	28 (0)	29 (0)
Other fin fish (Trawl)	5 (5)	230 (230)	0 (0)	0 (0)	0 (0)	0 (0)	216 (216)
Grand Total	1009 (5)	1403 (230)	1243 (0)	1048 (0)	1098 (0)	1047 (0)	1185 (216)

¹ Harvest estimates are rounded to nearest tonne based on reports from compulsory commercial fisheries logbooks. Weights are converted from reported product forms (fillets, gilled and gutted, trunk) to reflect whole weight as a standard reporting approach. Data have been revised and updated since harvest estimates were presented in the 2019-20 QFJA Annual Report.

Table 2 – Summary of status of assessed stocks in QFJA Fisheries

Gulf of Carpentaria Stock	Stock Status
Grey mackerel (GOCIFFF)	Sustainable (SAFS 2021)
Sharks (GOCIFFF)	Undefined (Qld Stock Status 2016)
Spanish mackerel (GOCLF)	Sustainably (SAFS 2021)
Red emperor (GOCLF; GOCDFFTF)	Undefined (SAFS 2021)
Crimson snapper (GOCLF; GOCDFFTF)	Sustainable (SAFS 2021)
Saddletail snapper (GOCLF; GOCDFFTF)	Sustainable (SAFS 2021)
Mangrove Jack (GOCDFFTF)	Recovering (SAFS 2021)

4. Report on the activities of the Joint Authority during the reporting periods

An annual meeting of the QFJA is generally held in the first or second quarter of each financial year (reporting period). At each meeting key issues within the QFJA fisheries and discussed and decisions regarding these issues may be made. A record of decision from the 2021 meeting is provided at Annex C. Table 3 lists the Commonwealth and State members deputies of the QFJA for the reporting period. The deputies of these members are stated in the Annexes (Record of decisions for each meeting).

Table 3 – QFJA Members and deputies for the period 2020/21

Role	Commonwealth	Queensland
Members	Senator the Hon. Jonathon Duniam, Assistant Minister for Forestry and Fisheries (29 May 2019 – 30 June 2021)	The Hon. Mark Furner MP, Minister for Agricultural Industry Development and Fisheries 12 Dec 2017 - – 30 June 2021
Deputy	Anna Willock, Executive Manager Fisheries, AFMA (3 December 2018 – 30 June 2021)	Jacqui King, Executive Director Fisheries, 27/07/2020 to 20/08/2021

Annex A - Arrangement Between The Commonwealth Of Australia And The State Of Queensland In Relation To The Fishery For Northern Demersal And Pelagic Fin Fish In The Gulf Of Carpentaria, 8 February 1995

AN ARRANGEMENT entered into between the Commonwealth of Australia (the Commonwealth) of the one part and the State of Queensland (the State) of the other part.
Whereas –

- (a) Part 5 of the *Fisheries Management Act 1991* of the Commonwealth (the Management Act), which provides for co-operation with the States and Northern Territory in the management of fisheries, commenced on 3 February 1995 upon the ceasing to have effect of the *Fisheries Act 1952* of the Commonwealth;
- (b) Paragraph 7(4)(b) of the *Fisheries Legislation (Consequential Provisions) Act 1991* (the Consequential Provisions Act) provides that upon the commencement of Part 5 of the Management Act, any Arrangement made with a State or Territory under subsection 12H(1) of (4) of the *Fisheries Act 1952* that was in force immediately before that commencement continues in force as if it had been made under Part 5 of the Management Act;
- (c) an Arrangement was entered into under section 12H(4) between the Commonwealth and the State of Queensland in relation to the Demersal Gillnet Fishery, published in the Commonwealth of Australia Gazette No. S104 on 1 June 1987;
- (d) subsection 75(1) of the Management Act provides that an Arrangement under Division 3 of Part 5 of the Management Act may be terminated by instrument approved by the Governor-General and the Governor or Governors of the State or States concerned;
- (e) subsection 236(1) of the *Fisheries Act 1994* of Queensland (the State Act) provides that an arrangement in force under Part 6A of the *Fisheries Act 1976* of Queensland has effect as if it had been entered into under Part 7 of the State Act on the commencement of Part 7;
- (f) subsection 133(1) of the State Act provides that the State may terminated, under Part 5 of the Management Act, an arrangement;
- (g) subsection 61(1) of the Management Act provides that the Commonwealth may make an arrangement with a State or States for the establishment of a Joint Authority consisting of the Commonwealth Minister together with the appropriate Minister of Ministers of the State or States
- (h) subsection 61(2) of the Management Act provides that each arrangement under subsection 61(1) is to be made by instrument approved by the Governor-General and the Governor or Governors of the State or States represented on the Joint Authority
- (i) subsection 71(1) of the Management Act provides that the Commonwealth may make an arrangement with the State or States represented on a Joint Authority that the Joint Authority is to have the management of a particular fishery in waters relevant to that State or any of those States;
- (j) subsection 71(2) of the Management Act provides that an Arrangement with only one State may provide that the fishery is to be managed in accordance with the law of the State;

- (k) subsection 74(1) of the Management Act provides that an arrangement under, inter alia, section 71 is to be made by instrument approved by the Governor-General and the Governor or Governors of the States or States concerned;
- (l) subsection 132(1) of the State Act empowers the State to make an arrangement, under Part 5 of the Management Act, for the management of a particular fishery; and
- (m) both the Commonwealth and the State are desirous of exercising their powers to make a further Arrangement in relation to the fishery referred to in clause 2 of this Arrangement.

NOW THEREFORE, in pursuance of the Management Act and the State Act and of all other powers so enabling, it is mutually arranged as follows;

1. The Arrangement entered into between the Commonwealth and the State as listed in paragraph (c) of the recitals to this Arrangement is, pursuant to subsection 75(1) of the Management Act and subsection 133(1) of the State Act, terminated of the date of publication referred to in clause 6.
2. The Commonwealth and the State hereby arrange for the establishment of the Queensland Fisheries Joint Authority consisting of the Commonwealth Minister and the State Minister to manage the fishery to which Arrangement applies in accordance with the law of the State.
3. The fishery to which this Arrangement applies is the fishery (which in accordance with Section 9 of the Management Act does not extend to or in relation to the Protected Zone as defined in the *Torres Strait Fishery Act 1984* or to the area adjacent to the Protected Zone to which area the *Torres Strait Fisheries Act 1984* applies by virtue of a Proclamation under subsections 15(1) or (2) of that Act) in the waters relevant to the State, being coastal waters and waters of the Australian fishing zone that lie within the area described in Schedule 2 to the Petroleum (Submerged Lands) Act 1967 under the heading “Area that includes the Adjacent Area in respect of Queensland”, west of Longitude 142°31’49” East, for all species of the Class Osteichthyes and Class Chondrichthyes, except for:
 - (a) the following fish taken in the fishery for tuna and tuna like species
 - (i) *Thunnus albacore* (yellowfin tuna)
Thunnus maccoyii (southern bluefin tuna)
Thunnus obesus (bigeye tuna)
Thunnus tonggol (longtail tuna)
Thunnus alalunga (albacore tuna)
Thunnus thynnus (northern bluefin tuna)
Katsuwonus pelamis (skipjack tuna);
 - (ii) fish of the family Bramidae (pomfrets);
 - (iii) fish of the families Istiophoridae and Xiphiidae (billfish);
 - (iv) those fish taken in the exercise of a right conferred by a fishing concession granted by the Australian Fisheries Management Authority under the Management Act allowing the taking of the fish specified in paragraphs (i), (ii) and (iii)
 - (v) excluding the fish specified in paragraphs (i), (ii) and (iii) when taken in the exercise of a right conferred by a licence or other authority granted by the State;

- (vi) fish taken as bait (dead or alive) by a person for his or her own use in the exercise of a right conferred by a fishing concession granted by the Australian Fisheries Management Authority under the Management Act to take tuna and tuna like species as listed above.
- (b) Fish of the following species:
- (i) *Lates calcarifer* (barramundi)
 - (ii) *Polydactylus sheridani* (king salmon)
 - (iii) *Eleutheronema tetradactylum* (blue salmon)
 - (iv) *Scomberomorus semifasciatus* (grey mackerel)
 - (v) *Nibea squamosa*, *Protonibea diacanthus* (jewfish)
 - (vi) *Pomadasys kaakan* (spotted grunter-bream)
 - (vii) *Scomberoides lysan*, *S. commersonianus* (queenfish);
- (c) Fish taken whilst trawling for prawns in the exercise of a right conferred by a fishing concession granted by the Australian Fisheries Management Authority under the Management Act for the Norther Prawn Fishery, which is described as the fishery for:
- (i) Decapod crustacea of the families Peneidae, Aristeidae, Solenoceridae (prawns), Nephropidae (Scampi), Scyllaridae (bugs) and Infraorder Caridae (shrimps) and Mollusca of the family Pectinidae (Scallops) other than when a bait net or a haul net, m set from the shore and drawn to the shore without the use of a boat, is used;
 - (ii) Mollusca of the family Lonliginidae (squid) when prawn trawl apparatus is used; and
 - (iii) all fish taken in the exercise of a right conferred by a fishing concession granted by the Australian Fisheries Management Authority under the Management Act for the fish to which paragraph (c)(i) applies, but excluding pearl shell (*Pinctada* spp), trochus (*Trochus niloticus*), and fish listed in paragraph (b) of this Arrangement;
- (d) all fish specified in paragraph (a) taken in the exercise of a right conferred by a licence or other authority granted by the State for the fish to which this Arrangement applies;
- (e) but excluding those fish to which this Arrangement applies taken in the exercise of a right conferred by a fishing concession granted by the Australian Fisheries Management Authority under the Management Act for the fisheries described in paragraphs (a) and (c).
4. Where for the purposes of this Arrangement it it necessary to determine the position of the durface of the Earth of a point, line or area, that position shall be determined by reference to the Australian Geodetic Datum, that is, by reference to the spheroid having its centre of the centre of the Eart and a major (equatorial) radius of 6,387,160 metres and a flattening of 1/298.25 and by reference to the Johnston Geodetic Station in the State of Queensland of Australia. That station shall be taken to be situated at

Latitude 25° 56'54.5515'' South and at Longitude 133° 12'30.0771'' East and to have a ground level of 571.2 metres above the spheroid referred to above.

5. The Minister responsible for administering the Management Act and the Minister responsible for administering the State Act may agree in writing to the maximum quantity of other fish under a licence or other authority referred to in that paragraph and on matters of mutual interest in relation to the fishery.
6. This arrangement shall, upon being executed on behalf of the Commonwealth and of the State and upon being approved by the Governor-General of the Commonwealth and the Governor of the State, take effect of the date of publication in the Gazette.
7. Without affecting the construction which this Arrangement would have if no provision of the Arrangement or part thereof is invalid, it is the intention of this Arrangement that if any provision of this Arrangement or part thereof is invalid, the remainder of the Arrangement and of that provision shall be construed as if that provision or part therefore was not included in this Arrangement even if the result is to extend the fishery described by this Arrangement.

Dated the 3rd day of February 1995

Signed for and on behalf of the
Commonwealth of Australia by the
Honourable DAVID PETER BEDDALL,
Minister for Resources
in the presence of

Signed for an on behalf of the State of
Queensland by the Honourable EDMUND
DENIS CASEY Minister for Primary
Industries
in the presence of

I, THE GOVERNOR-GENERAL, of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, in pursuance of paragraph subsections 74(1) and 75(1) of the *Fisheries Management Act 1991*, hereby approve this instrument.

Dated 7-2-1995

Bill Hayden
Governor-General

By His Excellency's command

David Peter Beddal
Minister for Resources

I, LENEEN FORDE, the Governor of the State of Queensland, acting by and with the advice of the Executive Council in pursuance of the provisions of the *Fisheries Act 1994* hereby approve this instrument.

Given under my hand this 2 day of February 1995

Leneen Forde
Governor

By His Excellency's command

Edmund Dennis Casey
Minister for Primary Industries

Annex B - Arrangement between the Commonwealth and the State of Queensland, under section 71 of the Fisheries Management Act 1991 and Section 132 of the Fisheries Act 1994 of Queensland, in relation to the Gulf of Carpentaria grey mackerel fishery, 4 July 2003

Arrangement between the Commonwealth and the State of Queensland, under section 71 of the Fisheries Management Act 1991 and section 132 of the Fisheries Act 1994 of Queensland, in relation to the Gulf of Carpentaria grey mackerel fishery made under the *Fisheries Management Act 1991* and the *Fisheries Act 1994* of Queensland

1 Commencement

This arrangement commences on gazettal

2 Origin of geographical coordinate

For this arrangement, the origin of the geographical coordinates is the Australian Geodetic Datum 1996 (AGD66).

3 Arrangement

(1) This arrangement is made under subsection 71(1) of the *Fisheries Management Act 1991* and subsection 132(1) of the *Fisheries Act 1994* of Queensland.

(2) The fishery specified in section 4 is to be managed by Queensland Fisheries Joint Authority in accordance with the law of Queensland.

4 The fishery

The fishery:

- (a) is commercial fishing for grey mackerel (*Scomberomorus semifasciatus*); and
- (b) includes the taking of incidental catch of finfish by a person fishing for grey mackerel under an authority granted under Queensland law;

In that part of the area described as 'The adjacent area in respect of Queensland' in Schedule 2 to the *Petroleum (Submerged Lands) Act 1967* that is west of 142° 31' 49''.

Note The fishery does not include Protected Zone, within the meaning given in the *Torres Strait Fisheries Act 1984*, or an area adjacent to the Protected Zone: see section 9 of the *Fisheries Management Act 1991*.

5 Ministers may make agreement

The Commonwealth and State Ministers may agree in writing about:

- (a) the amount of fish that may be taken by a person under an authority of a kind mentioned in paragraph 4 (b); and
- (b) other matters in relation to the fishery.

I, GUY STEPHEN MONTAGUE GREEN, Administrator of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, approve this instrument.

Dated 25 June 2003

Guy Stephen Montague Green
Administrator

By His Excellency's Command

Ian MacDonald
Minister for Fisheries, Forestry and Conservation

I, MAJOR GENERAL PETER ARNISON, General of the State of Queensland, acting by and with the advice of the Executive Council of that State, approve this instrument.

Dated 8 May 2003

Peter Arnison
Governor

By His Excellency' Command
Henry Palaszczuk
Minister for Primary Industries and Rural Communities.

Annex C - QUEENSLAND FISHERIES JOINT AUTHORITY Minutes of 2021 meeting of the QFJA (Meeting 30) 8 April 2021 Teleconference

Attendance

Members;

Anna Willock, Executive Manager, Fisheries, Australian Fisheries Management Authority; Deputy for the Commonwealth Minister for Fisheries (Chair).

Dr Jacqui King, Executive Director, Fisheries Queensland, Queensland Department of Agriculture and Fisheries (DAF); Deputy for the Queensland Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities.

The Chair opened the meeting at 2:05 pm. Ms Willock and Dr King confirmed they hold the relevant approvals to act as deputies for their respective Ministers.

Secretary; Darci Wallis (AFMA)

Observers;

Tony Ham (Department of Agriculture and Fisheries)

1. Procedural Matters

1.1 Draft agenda

The Draft Agenda as circulated was adopted with minor amendments.

1.2 Secretary

Darci Wallis was appointed Secretary for meeting.

1.3 Confirmation of Minutes of the previous meeting

Members noted that no formal meeting had been held during 2019-20 and therefore there were no minutes provided.

2. Policy Matters

2.1 Update on the Gulf of Carpentaria Finfish Trawl Fishery

Members noted that Queensland had issued development fishery permits in 2021 to industry participants.

Three developmental fishery permits have been issued:

- ABS Queensland Pty Ltd
- Australia Bay Seafoods Pty Ltd
- A Raptis & Sons Pty Ltd

The permits are issued from 19/10/2020 and are valid until 30 June 2023. Permit conditions are enclosed at Attachment 1.

Included in the conditions are a requirement to complete a Fishery Independent Survey by 31 December 2021 to allow an estimate of population biomass and density of target species.

Prior to the expiry of the permit period, the developmental fishery participants must provide:

- a) A Cost Benefit Analysis that can be used in a Regulatory Impact Statement to undergo public consultation on the viability of the fishery considering sustainability, economic and social factors for the fishery.
- b) A DAF approved stock assessment model or stock assessment report (based on the independent survey) that can be used to assess the status of the key target species, including biomass estimates and allowable harvest levels based on achieving a target biomass.
- c) A Draft Harvest Strategy for review by DAF that meets the requirements of the Queensland Harvest Strategy Policy and Guidelines.

Fisheries Queensland advised that a General Fisheries Permit (GFP) has been issued to Australia Bay Seafoods Pty Ltd to undertake the Fisheries Independent Survey sampling. The sampling will be conducted without the inclusion of the turtle exclusion device (TED) and bycatch reduction device (BRD), normally required for the fishery, to enable representative sample to be collected.

The GFP conditions are included at Attachment 2.

2.2 Future of QFJA arrangements

Members noted that the aim of both jurisdictions remained the abolition of the QFJA with Queensland to take over jurisdiction for the QFJA fisheries. The package to transition the QFJA fisheries to Queensland was with the Commonwealth Minister and AFMA would advise once this had been sent to the Queensland Minister.

AFMA advised that once the QFJA fisheries are transitioned to Queensland jurisdiction, the QFJA then needs to be formally dissolved. This will be progressed once the transition of the QFJA fisheries is finalised.

ACTION: AFMA to advise Queensland fisheries of any updates on the QFJA transition.

3. Administration matters

3.1 Annual report

Members noted the QFJA Annual Report for the year ending 30 June 2020 and suggested some minor amendments. Following these amendments, members endorsed the annual report and agreed to sign this out of session.

It was noted an annual report will be required for the year ended 30 June 2021. Whether there will be a final report required after this will depend on the actual date of abolition of the QFJA.

No further business was raised and the Chair closed the meeting at 2:30pm.

