



Australian Government



**Queensland
Government**

QUEENSLAND FISHERIES JOINT AUTHORITY

REPORT FOR THE PERIOD

1 JULY 2018 TO 30 JUNE 2019

Fisheries Management Act 1991
(Commonwealth)

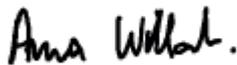
Fisheries Act 1994
(Queensland)

QUEENSLAND FISHERIES JOINT AUTHORITY
REPORT FOR THE PERIOD

1 July 2018 to 30 June 2019

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
Agriculture



Claire Andersen, 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

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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 2018 to 30 June 2019**, 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/fisheries/monitoring-our-fisheries/data-reports/sustainability-reporting/queensland-fisheries-summary>

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 2012 and 2014, the stock status of six QFJA stocks was assessed using the national Status of Key Australian Fish Stocks Framework. (Table 2). Fisheries Queensland has now adopted the Australian Government's framework for assessing stock status each year. 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 2009-2018. 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	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19
Shark	151 (7)	243 (3)	261 (0)	148 (0)	222 (0)	265 (0)	186 (0)	166 (0)
Grey mackerel	747 (3)	791 (0.5)	522 (0)	557 (0)	687 (0)	668 (0)	565 (0)	741 (0)
Spanish mackerel	282 (0.7)	255 (0.04)	248 (0)	236 (0)	182 (0)	228 (0)	241 (0)	167 (0)
Other fin fish (Line)	4.5 (0)	3.5 (0)	0.3 (0)	1 (0)	2.4 (0)	2.9 (0)	1.6 (0)	0.2 (0)
Other fin fish (Net)	93 (0)	95 (0)	90 (0)	62 (0)	79 (0)	79 (0)	55 (0)	22 (0)
Trawled fin fish	447 (447)	25 (25)	0 (0)	5 (5)	230 (230)	0 (0)	0 (0)	0 (0)
Grand Total	1725 (458)	1413 (29)	1121 (0)	1008 (5)	1403 (231)	1243 (0)	1048 (0)	1096 (0)

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 live weight as a standard reporting approach. Data have been revised and updated since harvest estimates were presented in the 2015-16 QFJA Annual Report.

Table 2 – Summary of status of assessed stocks in QFJA Fisheries²

Gulf of Carpentaria Stock	Sustainable (Qld Stock Status 2016)
Grey mackerel (GOCIFFF)	Undefined (Qld Stock Status 2016)
Sharks (GOCIFFF)	Sustainably (Qld Stock Status 2016)
Spanish mackerel (GOCLF)	Undefined (Qld Stock Status 2016)
Red emperor (GOCLF; GOCDFFTF)	Sustainable (Qld Stock Status 2016)
Crimson snapper (GOCLF; GOCDFFTF)	Sustainable (Qld Stock Status 2016)
Saddletail snapper (GOCLF; GOCDFFTF)	Transitional recovering (Qld Stock Status 2017)
Mangrove Jack (GOCDFFTF)	
Stock Status	

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

An annual meeting of the QFJA is held in the first or second quarter of each financial year (reporting period). At each meeting key issues within the QFJA fisheries are discussed and decisions regarding these issues may be made. A record of decisions for the 2016 meeting is provide in Annex C. Table 3 lists the Commonwealth and State members of the QFJA for each reporting period. The deputies of these members are stated in the Annexes (Record of decisions for each meeting).

² The updated status of these stocks is expected to be published in late 2018 as part of the 'Status of Key Australian Fish Stocks Reports 2018' (to be published online at www.fish.gov.au).

Table 3 – QFJA Members and deputies for the period 2018/19

Role	Commonwealth	Queensland
Members	<p>Senator the Hon. Anne Ruston, Assistant Minister for Agriculture (1 July 2018 – 28 August 2018)</p> <p>Senator the Hon. Richard Colbeck, Assistant Minister for Agriculture and Water Resources (28 August 2018 – 29 May 2019)</p> <p>Senator the Hon. Jonathon Duniam, Assistant Minister for Forestry and Fisheries (29 May 2019 – 30 June 2019)</p>	<p>The Hon. William (Bill) Byrne, Queensland Minister for Agriculture and Fisheries and Minister for Rural Economic Development (1 July 2017 – 24 November 2017)</p> <p>The Hon. Mark Furner MP, Minister for Agricultural Industry Development and Fisheries (12 December 2017 – 30 June 2018)</p>
Deputy	<p>Dr Nick Rayns, Executive Manager, Fisheries, Australian Fisheries Management Authority (AFMA) (1 July 2018 – 30 November 2018)</p> <p>Anna Willock, Executive Manager Fisheries, AFMA (3 December 2018 – 30 June 2019)</p>	<p>Bernadette Ditchfield, Deputy Director General, Fisheries and Forestry; Department of Agriculture and Fisheries</p> <p>Graeme Bolton, Deputy Director General, Fisheries and Forestry; Department of Agriculture and Fisheries</p> <p>Claire Andersen, Executive Director Fisheries Queensland Department of Agriculture and Fisheries</p>

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 terminate, 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 is necessary to determine the position of the surface 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 Earth 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 thereof 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 - Record of decisions of the Queensland Fisheries Joint Authority 2018

QUEENSLAND FISHERIES JOINT AUTHORITY
Minutes of 2018 meeting of the QFJA (Meeting 28)
18 October 2018
AFMA, Canberra

Attendance

Members;

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

Claire Andersen, Executive Director (Fisheries and Forestry), Queensland Department of Agriculture and Fisheries; Deputy for the Queensland Minister for Agriculture and Fisheries.

The Chair opened the meeting at 10:15. Dr Rayns and Ms Andersen confirmed they hold the relevant approvals to act as deputies for their respective Ministers. Ms Andersen tabled the letter from Minister Furner which delegated responsibility to the Deputy Director General, Fisheries and Forestry and the Executive Director of Fisheries Queensland.

Secretary; Claire Andersen

Observers;

Gabrielle Miller (AFMA), Ian Curnow, David McKey (NT), Rebecca Oliver (WA), Tony Harman (DAWR)

1. Procedural Matters

1.1 Draft agenda

The Draft Agenda as circulated was adopted.

1.2 Secretary

Claire Andersen was appointed Secretary for meeting

1.3 Confirmation of Minutes of the previous meeting

Members confirmed that the draft minutes of meeting 27 as circulated were a true and accurate record of that meeting.

1.4 Actions arising from the previous meeting

Members noted the Actions Arising as circulated. It was agreed the action item from 2007 about the development trawl fishery had been superseded and could be removed. There were no other action items.

2. Policy Matters

2.1 Update on direction for the Gulf of Carpentaria Finfish Trawl Fishery

Members noted that Queensland had issued permits to industry participants designed to allow continued operation in the fishery while addressing a number of issues that had arisen in the Queensland section of the fishery regarding sustainability, bycatch and protected species interactions.

Members noted that both the Commonwealth and Queensland remained committed to pursuing reform of existing OCS arrangements to provide for single jurisdiction management of the fishery but that the issues arising in the fishery needed to be addressed. It was noted that the developmental fisheries permits expire in late 2019 and Queensland would make a determination on whether to continue the fishery or not.

Queensland agreed to keep the Commonwealth and Northern Territory informed of progress with this process.

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 proposed amendments to the offshore constitutional settlement arrangements have been drafted and reviewed by Queensland and are currently with the Australian Government for final review and legal advice. It was noted that the intention is for the agreement to be forwarded to Ministers for approval and signature in early 2019.

It was noted that AFMA and Queensland would need to meet again to sign off on the final QFJA annual report for 2018/19 in late 2019.

3. Administration matters

3.1 Annual report

Members noted the QFJA Annual Report for the year ending 30 June 2018 is currently being finalised for out of session endorsement by authorised delegates of respective Ministers. It was noted that the report is to be tabled in the Commonwealth Parliament prior to being tabled in the Queensland Parliament.

There being no further business the Chair closed the meeting at 10:25am.