

QUEENSLAND FISHERIES JOINT AUTHORITY

REPORT FOR THE PERIOD

1 JULY 1997 TO 30 JUNE 1998

Commonwealth of Australia 1998

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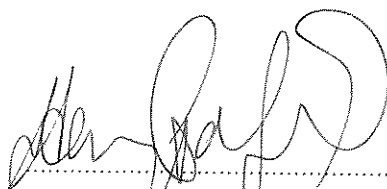
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Fisheries Management Act 1991 (Commonwealth)
Fisheries Act 1994 (Queensland)

Queensland Fisheries Joint Authority
Report of the Queensland Fisheries Joint Authority
for the period 1 July 1997 to 30 June 1998



.....
Hon Mark Vaile MP
Commonwealth Minister for Agriculture
Fisheries and Forestry
Parliament House
CANBERRA ACT 2600



.....
Hon Henry Palaszczuk MLA
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1. INTRODUCTION

This is the fourth report of the Queensland Fisheries Joint Authority (QFJA) and outlines its activities undertaken during the period 1 July 1997 to 30 June 1998. The QFJA was established to undertake management of all northern demersal and pelagic finfish in waters relevant to Queensland in the Gulf of Carpentaria excluding:

- (a) tuna and tuna like species;
- (b) inshore fin fish including barramundi, king and blue salmon, grey mackerel and others;
- (c) fish taken whilst trawling for prawns in the Northern Prawn Fishery; and
- (d) incidental catch of fishing operations for (a) and (c) above.

2. BACKGROUND

The *Fisheries Management Act 1991* (Commonwealth) provides for the Commonwealth to establish Joint Authorities comprised of the Commonwealth and the relevant State Minister(s) (subsection 61(1)). A corresponding subsection (section 126(1)) is also found in the *Fisheries Act 1994* (Queensland).

Under these provisions, the establishment of the QFJA was approved on 7 February 1995 by 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. A complete description of jurisdiction of species and area is contained in the Arrangement between the Commonwealth of Australia and the State of Queensland, published in the Australian Government Gazette on 8 February 1995 and the Queensland Government Gazette on 10 February 1995. A copy of the Queensland Gazette Notice (which is identical to the Commonwealth Gazette Notice) is at Annex A.

The Arrangement provides, amongst other things, that the fishery be managed under Queensland law.

3. MEMBERS OF THE QUEENSLAND FISHERIES JOINT AUTHORITY

The members of the QFJA for the reporting period were:

Senator the Hon Warwick Parer
Commonwealth Minister for Resources and Energy

Hon Trevor John Perrett, MLA
Queensland Minister for Primary Industries, Forestry and Fisheries (1 July 1997 to
15 February 1998)

Hon Marcus Hosking Rowell, MLA
Queensland Minister for Primary Industries, Forestry and Fisheries (16 February 1998 to 29 June 1998)

Hon Henry Palaszczuk, MLA
Queensland Minister for Primary Industries, Forestry and Fisheries (30 June 1998).

Deputies appointed for the reporting period were -

For the Commonwealth Minister

- Mr Richard Stevens - Managing Director, Australian Fisheries Management Authority (AFMA)
- Ms Mary Harwood, Assistant Secretary, Fisheries and Aquaculture Branch, Department of Primary Industries and Energy (DPIE)

For the Queensland Minister

- Mr John Tanzer - Chair, Queensland Fisheries Management Authority (QFMA) - 1 July 1997 to 14 November 1997.
- Mr James Miller - Chair, QFMA - 15 November 1997 to 8 June 1998.
- Dr Richard Crossing - Chief Executive, QFMA - 9 June 1998 to 30 June 1998.
- Mr John Pollock - Acting Executive Director (Fisheries), Queensland Department of Primary Industries (QDPI).

During the reporting period, policy development, licensing, permits, data collection and monitoring, administration and consultation services were provided to the QFJA by officers of the QFMA.

4. FUNCTIONS OF THE QUEENSLAND FISHERIES JOINT AUTHORITY

For a Joint Authority managing a fishery under Queensland law, the following functions apply under section 135 of the *Fisheries Act 1994* -

- "(a) keeping constantly under consideration the fishery's condition;
- (b) formulating policies and plans for the fishery's management;
- (c) exercising for the fishery's management powers conferred on the Joint Authority under this Act;

(d) co-operating and consulting with other entities on issues of common interest."

The activities of the QFJA are limited to commercial fisheries.

The *Fisheries Act 1994* provides that a Joint Authority managing a fishery under Queensland law has "to the exclusion of the fisheries agencies (defined as either the Chief Executive, Queensland Department of Primary Industries (QDPI) or the QFMA), all the functions and powers of the fisheries agencies for the fishery" (subsection 136[3]). Such functions and powers are provided at sections 20, 21, 25, 26, 27 and 28 of the *Fisheries Act 1994*.

5. ACTIVITIES OF THE QUEENSLAND FISHERIES JOINT AUTHORITY

The fourth, fifth and sixth meetings of the QFJA were convened on 8 August 1997, 6 November 1997 and 21 May 1998. A complete list of decisions of those meeting is provided at Annex B.

6. CONSULTATIVE COMMITTEE

The QFJA, in undertaking its responsibilities, is required under Queensland law to consult with stakeholders in developing fishery management plans and regulations.

The *Fisheries Act 1994* provides the power for a Joint Authority to establish Advisory Committees consisting of such persons as it thinks fit to provide information and advice to the Joint Authorities.

The QFJA resolved to establish a fisheries advisory committee to meet and to provide advice to the QFJA on management of fish stocks under its jurisdiction at its second meeting. The terms of reference of that committee, requirements of the Chair, manager and secretariat, operating procedures, and composition were also determined at the second meeting. At its third meeting the QFJA appointed the following committee:

- Dr J Baker - Independent Chair
- Mr M Elmer - Fishery Manager QFMA
- Mr D Donald - Recreational Fishing Interests
- Mr M Willis - Commercial Line Fishing Interests
- Mr B Davey - Commercial Line Fishing Interests
- Mr G Ward - Commercial Net Fishing Interests
- Mr A Vickers - Commercial Net Fishing Interests
- Mr R Davies - Commercial Fisheries Under Permit Arrangements
- Mr F Pascoe - Indigenous Fishing Interests.

The inaugural meeting of the Advisory Committee was held on 4 December 1997. A second meeting was held on 17 April 1998. Matters dealt with by the Committee included:

- the time required to develop fishery management plans;

- cost recovery;
- best management practice in minimising unintentional catches;
- effort reduction in the Gulf of Carpentaria shark fishery;
- the use of vessel monitoring systems;
- compliance;
- fisheries research;
- membership;
- boat replacement policy in established and developmental fisheries; and
- the developmental finfish trawl fishery for red snappers.

7. CONDITION OF THE FISHERY

The principal target fish stocks which are managed by the QFJA include mackerels, shark and demersal finfish. Biological information on fisheries for those species in the Gulf of Carpentaria is limited.

To assist in examining the condition of the fishery, the QFJA has implemented formal arrangements for the collection of catch and effort information from commercial participants. Once a time series of these data has been collected, the data, together with available research information, will be used to establish the condition of the fishery. At the present time, it is not considered that stocks are at risk of over-exploitation given the constraints on levels of participation provided by the limited access licensing regime adopted by QFJA at its inaugural meeting.

Commercial catches of finfish under QFJA jurisdiction reported to the CFISH logbook system for 1997 were as follows:

- | | |
|--------------------|------------|
| • shark | 203 tonnes |
| • grey mackerel | 464 tonnes |
| • Spanish mackerel | 227 tonnes |
| • other mackerel | 9 tonnes |
| • other fishes | 40 tonnes |

These catches include landings by operators in the inshore gill net fishery administered by QFMA.

The QFJA has acknowledged the need to undertake fisheries assessment and status reports for demersal finfish, shark, mackerels and similar pelagics. Such reports are to be prepared in consultation with adjacent jurisdictions. To facilitate such an approach, the Northern Territory and Queensland governments agreed to a Memorandum of Understanding about co-operative management of stocks in the Gulf of Carpentaria which provides, amongst other matters, for consultation and co-operation about:

- catch and effort data;
- results of scientific research;
- monitoring and surveillance; and

- proposed management regimes.

The Memoranda of Understanding between the Commonwealth, Queensland and Northern Territory Governments associated with the Offshore Constitutional Settlement (OCS) place obligations on those Governments, and thus the QFJA, to co-operate and consult on a variety of issues and to make available information on matters of mutual interest.

Those Governments have also agreed on an approach to formal consultation between the parties and with stakeholders, having released a joint statement in August 1995 on how such consultation is to occur. Matters covered in the statement include:

- research;
- management;
- monitoring;
- surveillance; and
- consultation with stakeholders.

Consistent with the provisions of the joint statement, States of northern Australia and the Commonwealth scheduled and conducted their third workshop during the reporting period. The third Northern Australia Fisheries Management Workshop was held in Darwin on 20 and 21 May 1998 with representatives of all the fisheries jurisdictions of northern Australia present. Representatives presented situation reports on the various fisheries including inshore fisheries, shark fisheries and offshore demersal finfish fisheries. The Workshop was comprised of three sessions, one focusing on research matters, another on management and the third on compliance. Those matters subsequently comprised a comprehensive agenda at which all participants reviewed the status of a range of fisheries across northern Australia including beche-de-mer, trochus, Spanish mackerel, shark and demersal finfish. Arrangements for joint approaches to the management of these fish stocks were agreed by participants.

Logbook data from commercial operators are being collected on behalf of the QFJA by QFMA under its QFISH system. Surveillance and enforcement has been integrated with other existing tasks of the Queensland Boating and Fisheries Patrol (part of QDPI). Prioritisation of fisheries research and monitoring needs will be undertaken by the QFJA on the advice of its Fisheries Advisory Committee.

8. MANAGEMENT ARRANGEMENTS

The formation of the QFJA on 8 February 1995 coincided with the new fisheries legislation in Queensland proclaimed on 27 January 1995.

That legislation, the *Fisheries Act 1994*, heralded sweeping changes to the framework underpinning fisheries management arrangements in Queensland. Specifically, this legislation provides statutory requirements to ensure fair access rights and ecologically sustainable use of fisheries resources having regard to optimum community benefit from those resources. That same statutory framework applies to the QFJA.

At its inaugural meeting, the QFJA adopted policies which provide for continuance of commercial fishing activities under its jurisdiction by those persons who were actively involved in the relevant fisheries under the previous management arrangements. In particular, the QFJA:

- (a) continued the developmental fishery status for access to resources under its jurisdiction in the Central Gulf of Carpentaria (beyond 25 nautical miles of the territorial sea baseline);
- (b) continued access to resources now under QFJA jurisdiction for those Queensland licence holders who participated in the fishery during the year prior to the changeover day; and
- (c) determined that no additional or new access authorisations be granted for commercial harvesting of fish stocks under QFJA jurisdiction pending:
 - (i) in the case of harvesting activities for presently licensed or permitted activities - completion of a fishery assessment and status report; and
 - (ii) in the case of new activities - consideration only under an exploratory or developmental fishery policy framework approved by the QFJA.

Those policies were strengthened with additional policies adopted at the QFJA meeting of 26 May 1997 as follows:

- Boat replacement policy and licensing of tender boats.
- Licensing of shark fisheries in adjacent jurisdictions.
- Data collection from authority holders.

Details of those policies are contained in the Record of Decisions of the meeting of 26 May 1997 and reported in the previous Annual Report of the QFJA.

The QFJA, at its meeting on 26 May 1997, approved a developmental trawl fishery for finfish under a range of strict conditions. Full details of that policy decision are contained in the Decisions of the meeting of 26 May 1997. Five authorities were subsequently approved for operators to undertake activities in the developmental fishery during the year under review. Two of those operators commenced fishing in 1998.

9. DELEGATION OF POWERS

For effective functioning, licensing and permit issuing powers have been delegated to those QFMA staff associated with QFJA processes. Powers were also delegated for the detention, seizure, forfeiture and disposal of fisheries resources and other things such as equipment.

In particular, the QFJA at its inaugural meeting delegated the following powers to the QFMA under section 130 of the *Fisheries Act 1994*. QFMA has sub-delegated those powers to

11. FINANCIAL ARRANGEMENTS

The financial basis for management of QFJA fisheries is that a policy of cost recovery should apply to QFJA activities and that fees charged for authorisations should reflect that philosophy. Fees payable are to be based on recovery of attributable management costs. Fee levels implemented on the recommendation of the QFJA by the Queensland Minister for Primary Industries in the Queensland *Fisheries Regulation 1995* gave effect to these principles. Those fees have been varied in line with the consumer price index increases in subsequent periods.

The QFJA at its meeting on 26 May 1997 identified specific items and determined that their costs were attributable costs of management and were to be recovered from authority holders as beneficiaries of those managed fisheries. Those items were:

- Logbook data collection and analysis;
- Observer system;
- Monitoring, including VMS;
- Consultation;
- Administration;
- Contribution to research;
- Compliance costs; and
- Fisheries agency (QFMA) overheads

In the 1997-98 financial year, total revenue received by the QFJA was \$45,179. This was received from licence holders where the licence contained an authorisation (fishery symbol) and from permits granted by the QFJA. These monies were used to defray the costs incurred by the QFJA, which included licensing and administration costs as well as meeting expenses.

ANNEX A: Queensland Government Gazette No 23, Friday 10 February 1995, pp 445-450

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

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) or (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 or Ministers of that 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 State 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 on 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 this 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 Fisheries 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 fish 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 albacares* (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) *Nibeas squamosa*, *Protonibeas diacanthus* (jewfish)
 - (vi) *Pomadasyds 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 Northern Prawn Fishery, which is described as the fishery for:
- (i) decapod crustacea of the families Penaeidae, 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, set from the shore and drawn to the shore with or without the use of a boat, is used;
 - (ii) Mollusca of the family Loliginidae (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 on 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 at the centre of the Earth and a major (equatorial) radius of 6,378,160 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, the subject of paragraphs 3(d) and 3(e), that may be taken from time to time 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 on the date of publication in the Gazette.
 7. Without affecting the construction which this Arrangement would have if no provision of this 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 this 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

D P Beddall

in the presence of

P Steven

Signed for and on behalf of the
State of Queensland by the
Honourable EDMUND DENIS
CASEY, Minister for Primary
Industries

E D Casey

in the presence of

A B Peake

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 7th February 1995

Bill Hayden
Governor-General

By His Excellency's command

D P Beddall
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 2nd day of February 1995

Leneen Forde
Governor

By Her Excellency's command

E D Casey
Minister for Primary Industries.

ANNEX B: Decisions of the Queensland Fisheries Joint Authority 1997/1998

NOTE: Reference to details which would identify individual licence holders or applicants has been omitted from the text of the following decisions.

Meeting Number 4 – 8 August 1997 Brisbane

Assessment of Applications for Finfish Trawl Developmental Fishing Permits in the Gulf of Carpentaria

Notwithstanding the provision of the Policy Statement of the QFJA on the Developmental Finfish Trawl Fishery in the Gulf of Carpentaria limiting the number of boats to operate in the fishery to a maximum of five (5), and given the assessment of the applications set out above, the QFJA resolved to allow a maximum number of six (6) boats to operate in the fishery and extend an offer of the grant of a developmental fishing permit with an equal allocation of quota to each of six applicants.

The QFJA resolved to write to Mr David Hall, Director, Northern Territory Department of Primary Industries and Fisheries (NTDPIF), and confirm that it was satisfied with the provisions of its policy for the Gulf of Carpentaria Developmental Finfish Trawl Fishery and that a proper consultation process had been undertaken in relation to the implementation of the policy, including consultation with the NTDPIF. The QFJA also resolved to advise Mr Hall that there was provision within the policy for annual review of the operation of the fishery and appropriate action if any problems were determined to exist.

Meeting Number 5 – 6 November 1997 Brisbane

Consideration of Responses Received Following Notification of Results of Assessment of Applications for Finfish Trawl Development Fishing Permits

The QFJA resolved to agree to a proposal from one licensed operator-

- (a) for the substitution of a different boat for operations in the fishery from that which was proposed for use in the original application; and
- (b) an assurance that the boat could also be used to fish in the Northern Prawn Fishery and that it would not have to be dedicated to operating solely in the finfish trawl fishery; and
- (c) a request for the boat to be permitted to use twin rig trawl apparatus.

The QFJA resolved to amend conditions attaching to the developmental fishing permit for a boat in the fishery providing for a total annual catch limit of 250 tonnes.

Meeting Number 6 – 21 May 1998 Darwin

ADMINISTRATIVE ARRANGEMENTS

Appointment of Replacement Deputy (Queensland)

Members noted that the Queensland Minister had

- (i) rescinded the appointment of the person occupying the position of Chair, Queensland Fisheries Management Authority as Deputy for the member of the Queensland Fisheries Joint Authority;
- (ii) approved the appointment, pursuant to Section 126 of the *Fisheries Act 1994*, of a Deputy for the member of the Queensland Fisheries Joint Authority, namely the person occupying the position of Chief Executive, Queensland Fisheries Management Authority, instead.

Appointment of Secretary, QFJA

The QFJA approved the appointment of the person occupying the position of Fishery Manager QFMA (responsible for QFJA matters) as Secretary QFJA in accordance with Section 69(1) of the *Fisheries Management Act 1991*.

Report of Chair, QFJA Fisheries Advisory Committee

The QFJA noted the reports of the Chair of the QFJA Fisheries Advisory Committee and commended the Committee for its diligence in addressing critical issues in the Gulf of Carpentaria affecting the fisheries resources under QFJA jurisdiction.

The QFJA approved the extension of membership of its Fisheries Advisory Committee to include Mr Kim Parkinson, Australian Fisheries Management Authority, or his nominee.

QFJA FISHERIES ADVISORY COMMITTEE MEETINGS

Resolutions and Action Sheet - Meeting 1 - 4 December 1997

The QFJA noted the resolutions and action sheet of the inaugural meeting of its Fisheries Advisory Committee on 4 December 1997.

Resolutions and Action Sheet - Meeting 2 - 17 April 1998

The QFJA noted the resolutions and action sheet of the second meeting of its Fisheries Advisory Committee on 17 April 1998.

The QFJA resolved to write to the Chair of the Committee expressing appreciation for the Committee's contribution and to advise the Committee that it would progress the matters raised in respect of simplifying licensing for the QFJA shark fishery and advise accordingly at a

future time.

Minimising Unintentional Catch

The QFJA noted that advice had been circulated to all net fishers in the Gulf of Carpentaria about the need for them to minimise unintentional catch of protected species in their fishing operations.

Boat Replacement Policy Review

The QFJA noted progress of its Fisheries Advisory Committee in reviewing boat replacement policy in use in QFJA fisheries.

GULF OF CARPENTARIA FINFISH TRAWL - MANAGEMENT SCIENTIFIC COMMITTEE

Resolutions and Action Sheet - Meeting 1 - 30 April 1998

The QFJA:

- (i) noted the resolutions and action sheet of its Management/Scientific Committee for the Gulf of Carpentaria Developmental Finfish fishery;
- (ii) agreed that a common expiry date be adopted for permits granted for that fishery; and
- (iii) agreed that the TAC period commence from 1 July 1998.

Status of Program

The QFJA:

- (i) noted progress in each of the elements of the developmental fishing program for finfish trawling in the Gulf of Carpentaria namely:
 - data collection;
 - observer program;
 - vessel monitoring systems;
 - consultation;
 - analysis and assessment;
 - cost recovery; and
 - fishing operations.

and that the program will start from 1 July 1998.

- (ii) determined that the Fisheries Advisory Committee be involved in the annual assessment of the developmental fishery.

POLICY MATTERS

Policy on the Exploratory and Developmental Fisheries

The QFJA determined to restate its current policy on exploratory and developmental fisheries, whilst awaiting the advice of its Fisheries Advisory Committee on a new draft policy for these fisheries.

Licensing/Permits in the Gulf of Carpentaria Developmental Shark Fishery

The QFJA:

- (i) agreed that licences or other authorities, or endorsements to such authorities, issues by the QFJA should be linked where possible to similar authorities issued by the Northern Territory Fisheries Joint Authority:
 - (a) to avoid splitting of such authorities as the stocks involved are one and the same; and
 - (b) to avoid an increase in effort on these stocks as a result of trading in authorities.
- (ii) determined that the relevant legislation [S136(7)] be further investigated to give effect to (i) above;
- (iii) agreed to investigate how offences in each jurisdiction in fisheries of mutual interest might be dealt with; and
- (iv) agreed that consideration of the matter of whether the status of the offshore shark fishery should change from its present developmental status to an open licensed fishery with fully transferable authorities be deferred pending resolution of (ii) above.

Consultation with Adjacent Jurisdictions

The QFJA noted that Deputies for the Commonwealth and Queensland Ministers, and other fisheries officers from those jurisdictions, attended the Third Northern Australia Fisheries Manager's Workshop in Darwin on 20-21 May 1998; the workshop having been scheduled as part of the formal consultative arrangements set out in the Memorandum of Understanding accompanying the Offshore Constitutional Settlement of February 1995 in which the QFJA was formed.

ADMINISTRATION AND FINANCIAL MATTERS

Annual Report 1997/98

The QFJA noted arrangements for preparation of the Annual Report for the current year.

Fees and Charges

The QFJA:

- (i) noted that the prescribed fees for licences and authorities currently in force for QFJA;
- (ii) agreed not to seek further variation to those fees consistent with Queensland government policy to only increase fees in line with CPI increases, of which more had occurred in the preceding year; and
- (iii) endorsed its previous policy on cost recovery, noting that any proposals for fee increases resulting from the implementation of that policy requires the approval of the Queensland government.

Budget

The QFJA endorsed an interim budget for the 1998/99 year.

Report of Working Group on Cost Recovery

The QFJA noted the report of its Working Group on Cost Recovery and agreed that:

- (i) the costs of administration of the QFJA be incorporated in its budget; and
- (ii) in the case of QFJA overheads, the costs of attendance at meetings be incorporated in those overheads.

ANNEX C: Freedom of Information Act Statement

Information relating to the *Freedom of Information Act 1982* with respect to Queensland joint authority fishery is contained within the annual report issued by the Queensland Fisheries Management Authority.