

COMMONWEALTH OF AUSTRALIA

##### Environment Protection and Biodiversity Conservation Act 1999

###### DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, PAUL MURPHY, Assistant Secretary, Wildlife Trade and Biosecurity Branch, as Delegate of the Minister for the Environment and Energy, having satisfied myself on the matters set out in section 303FN of the *Environment Protection and* *Biodiversity Conservation Act 1999* (EPBC Act), declare the operation that is specified in column 1 of Table 1, to be an approved wildlife trade operation under subsection 303FN (2) of the EPBC Act but only to the extent the operation relates to the class of specimens specified in column 2 of Table 1.

**Table 1**

|  |  |
| --- | --- |
| **Operation** | **Class of Specimens** |
| Queensland Gulf of Carpentaria Line Fishery, as defined in the management regime in force under the Queensland *Fisheries Act 1994* and theFisheries Regulation 2008. | Specimens that are, or are derived from, fish or invertebrates taken in the Queensland Gulf of Carpentaria Line Fishery, other than:   1. specimens that belong to species listed under Part 13 of the EPBC Act, and 2. specimens that belong to taxa listed under section 303CA of the EPBC Act (Part 13A), except for scalloped hammerhead shark (*Sphyrna lewini*) and great hammerhead shark (*S. mokarran*). |

Unless amended or revoked, this declaration:

1. is valid until 22 November 2019 and;
2. is subject to the conditions applied under section 303FT specified in the Schedule.

Dated this 22nd day of November 2016

………….…….…Paul Murphy……………………………

Delegate of the Minister for the Environment and Energy

A person whose interests are affected by this declaration may, within 28 days, make an application in writing to the Department of the Environment and Energy for the reasons for the decision.

An application for independent review of the decision (under section 303GJ (1) of the *Environment Protection and Biodiversity Conservation Act 1999*) may be made to the Administrative Appeals Tribunal (AAT), on payment of the relevant fee (currently $884 or reduced fee where applicable due to financial hardship) by the applicant, either within 28 days of receipt of the reasons for the decision, or within 28 days of this declaration if reasons for the decision are not sought. Applications should be made to the Deputy Registrar, AAT in your Capital City. Please visit the AAT’s website at <http://www.aat.gov.au/> for further information.

You may make an application under the *Freedom of Information Act 1982* (Cth) to access documents relevant to this decision. For further information, please visit <http://www.environment.gov.au/foi/index.html>.

Further enquiries should be directed to the Director, Sustainable Fisheries Section, Department of the Environment and Energy, Telephone: (02) 6274 1917 Email: sustainablefisheries@environment.gov.au.

# SCHEDULE

Declaration of the Harvest Operations of the Queensland Gulf of Carpentaria Line Fishery as an approved wildlife trade operation, November 2016

**ADDITIONAL PROVISIONS (section 303FT)**

Relating to the harvesting of fish specimens that are, or are derived from, fish or invertebrates taken in the Queensland Gulf of Carpentaria Line Fishery, other than specimens that belong to species listed under under Part 13 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and specimens that belong to taxa listed under section 303CA of the EPBC Act (Part 13A), except for scalloped hammerhead shark (*Sphyrna lewini*) and great hammerhead shark (*S. mokarran*):

1. Operation of the fishery will be carried out in accordance withthemanagement regimeunder the Queensland *Fisheries Act 1994* and the Fisheries Regulation 2008.
2. The Queensland Department of Agriculture and Fisheries to inform the Department of any intended material changes to the Queensland Gulf of Carpentaria Line Fishery

management arrangements that may affect the assessment against which *Environment Protection and Biodiversity Conservation Act 1999* decisions are made.

1. The Queensland Department of Agriculture and Fisheries to produce and present reports to the Department of the Environment and Energy annually as per Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.
2. The Queensland Department of Agriculture and Fisheries to provide appropriate identification tools and education to assist fishers in providing accurate identification and recording of sharks at the species level.