



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION – TORRES STRAIT TROPICAL ROCK LOBSTER FISHERY, DECEMBER 2017

I, ILSE KIESSLING, Acting Assistant Secretary, Wildlife Trade and Biosecurity Branch, as Delegate of the Minister for the Environment and Energy, have considered in accordance with section 303FN of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the application from the Australian Fisheries Management Authority and advice on the ecological sustainability of the operation. I am satisfied on those matters specified in section 303FN of the EPBC Act. I hereby declare the operations for the harvesting of specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act (other than a species listed in the conservation dependent category), and specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia's CITES list), taken in the Torres Strait Tropical Rock Lobster Fishery as defined in the management regime in force under the *Torres Strait Fisheries Act 1984* (Cth) and the Torres Strait Fisheries Regulations 1985 (Cth), to be an approved wildlife trade operation, in accordance with subsection 303FN(2) and paragraph 303FN(10)(d), for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

- a) is valid until 18 December 2020 and;
- b) is subject to the conditions applied under section 303FT specified in the Schedule.

Dated this 20 day of December 2017

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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 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, Wildlife Trade Assessments Section, Department of the Environment and Energy, Telephone: (02) 6274 1917 Email: sustainablefisheries@environment.gov.au.

SCHEDULE

Declaration of the Harvest Operations of the Torres Strait Tropical Rock Lobster Fishery as an approved wildlife trade operation, December 2017

ADDITIONAL PROVISIONS (section 303FT)

Relating to the harvesting of specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act (other than a species listed in the conservation dependent category), and specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia's CITES list), taken in the Torres Strait Tropical Rock Lobster Fishery:

1. Operation of the Torres Strait Tropical Rock Lobster Fishery will be carried out in accordance with management arrangements in force under the *Torres Strait Fisheries Act 1984*.
2. The Torres Strait Protected Zone Joint Authority to inform the Department of the Environment and Energy of any intended material changes to the Torres Strait Tropical Rock Lobster Fishery management arrangements that may affect the assessment against which *Environment Protection and Biodiversity Conservation Act 1999* decisions are made.
3. The Torres Strait Protected Zone Joint Authority 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*.
4. The Torres Strait Protected Zone Joint Authority to implement a strategy to manage the risks of overfishing and localised depletion in the fishery.

This may include data collection and analysis protocols to manage risks, triggers and/or limits for managing harvest, and should also account for all sources of stock mortality, including commercial, recreational, Traditional and illegal harvest.