



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

**DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION –
QUEENSLAND EAST COAST INSHORE FIN FISH FISHERY, SEPTEMBER 2018**

I, PAUL MURPHY, Assistant Secretary, Wildlife Trade and Biosecurity Branch, as Delegate of the Minister for the Environment, have considered in accordance with section 303FN of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the application from the Queensland Department of Agriculture and Fisheries, public comments on the proposal as required under section 303FR 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, taken in the Queensland East Coast Inshore Fin Fish Fishery as defined in the management regime in force under the *Fisheries Act 1994* (Queensland) and Fisheries Regulation 2008 (Queensland), but not including:

- specimens that belong to eligible listed threatened species, as defined under section 303BC of the EPBC Act, or
- specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia's CITES list) except for scalloped hammerhead shark (*Sphyrna lewini*) smooth hammerhead (*S. zygaena*) and great hammerhead shark (*S. mokarran*).

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 subject to the conditions applied under section 303FT specified in the Schedule.

Dated this 26th day of September 2018

Paul Murphy

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Delegate of the Minister for the Environment

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 Queensland East Coast Inshore Fin Fish Fishery as an approved wildlife trade operation, September 2018

ADDITIONAL PROVISIONS (section 303FT)

Relating to the harvesting of fish specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 and Part 13A of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), taken in the Queensland East Coast Inshore Fin Fish Fishery.

1. Unless otherwise amended or revoked, this declaration is valid until 14 December 2018, to allow for the Department's assessment of the fishery, for a longer term wildlife trade operation approval period, to be finalised.
2. Operation of the Queensland East Coast Inshore Fin Fish Fishery will be carried out in accordance with the management regime in force under the *Queensland Fisheries Act 1994*.
3. The Queensland Department of Agriculture and Fisheries to inform the Department of the Environment and Energy of any intended material changes to the Queensland East Coast Inshore Fin Fish Fishery management arrangements that may affect the assessment against which *Environment Protection and Biodiversity Conservation Act 1999* decisions are made.
4. 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*.
5. The Queensland Department of Agriculture and Fisheries to continue to develop a strategy for the harvest of key fish and shark species taken in the Queensland East Coast Inshore Fin Fish Fishery in consultation with relevant experts and stakeholders. The strategy should include decision rules and reference points that trigger management actions to ensure catch limits remain ecologically sustainable. Performance against this strategy to be included in annual reports specified at Condition 3.
6. The Queensland Department of Agriculture and Fisheries to continue to develop an improved data collection and validation approach that supports the strategy outlined in Condition 4, and facilitates monitoring and management of all target, bycatch and protected species impacted by the fishery.
7. The Queensland Department of Agriculture and Fisheries to:
 - a. Continue to provide the necessary support for fishers to accurately identify and record sharks at the species level. This may involve further consultation with stakeholders and should include some assessment and monitoring of reporting performance to identify and target improvements where necessary.
 - b. Continue to develop options to ensure shark catch can be readily and reliably be identified. This may include introducing a prohibition on the removal of fins and filleting sharks prior to landing.
8. The Queensland Department of Agriculture and Fisheries to:
 - a. Continue to improve understanding of stock status of recreationally and commercially important species which are currently classified as 'undefined'. This should include biological monitoring for these species, and publication of this information, along with catch and effort data, in stock status reports.

- b. Continue to work to validate catch composition of shark species and to review hammerhead shark stock status and management arrangements.
- 9. The Queensland Department of Agriculture and Fisheries to continue work to complete and publish an ecological risk assessment for the Queensland East Coast Inshore Fin Fish Fishery.