



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION – QUEENSLAND OCEAN BEACH FISHERY, MAY 2021

I, SIMON BANKS, Acting First Assistant Secretary, Heritage, Reef Wildlife Trade Division, 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 Ocean Beach Fishery as defined in the management regime in force under the *Queensland Fisheries Act 1994*, Fisheries (General) Regulation 2019, Fisheries (Commercial Fisheries) Regulation 2019, Fisheries Declaration 2019, and the Fisheries Quota Declaration 2019, but not including:

- (a) specimens that belong to taxa listed under section 209 of the EPBC Act (Australia's List of Migratory Species), or
- (b) specimens that belong to taxa listed under section 248 of the EPBC Act (Australia's List of Marine Species), or
- (c) specimens that belong to eligible listed threatened species, as defined under section 303BC of the EPBC Act, or
- (d) specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia's CITES List), except for *Sphyrna lewini* (Scalloped Hammerhead Shark), *S. mokarran* (Great Hammerhead Shark) and *S. zygaena* (Smooth Hammerhead Shark).

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 1 May 2024 and;
- b) is subject to the conditions applied under section 303FT specified in Schedule 1.

Dated this 21 day of May 2021

.....[Signed].....
Simon Banks

Delegate of the Minister for the Environment

Notes:

1. Under the Administrative Appeals Tribunal Act 1975, a person whose interests are affected by this decision may apply for a statement of reasons and for independent review of the decision. An application for a statement of reasons may be made in writing to the Department of Agriculture, Water and the Environment within 28 days of the date of the declaration. An application for independent review may be made to the Administrative Appeals Tribunal on payment of the relevant fee within 28 days of the date of the declaration, or if reasons are sought, within 28 days of receipt of reasons. Further information may be obtained from the Director, Wildlife Trade Assessments Section, Department of Agriculture, Water and the Environment, Telephone: 0449 947 394 Email: sustainablefisheries@awe.gov.au.
2. Australia's obligations under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) are met through Part 13A of the EPBC Act. Specimens of species listed in Appendix II of Australia's CITES list under section 303CA of the EPBC Act may only be exported, under a CITES export permit issued under the EPBC Act, if Australia's CITES Scientific Authority has issued a non-detriment finding for that species. Further information, including a list of species for which non detriment findings have been issued and the fisheries from which they may be sourced, is available from <http://www.environment.gov.au/topics/biodiversity/wildlife-trade/internationally-endangered-plants-and-animals-cites/how-export>.

Part 13A conditions to the Queensland Department of Agriculture and Fisheries on the approved wildlife trade operation declaration for the Queensland Ocean Beach Fishery - May 2021

Condition 1

The Queensland Department of Agriculture and Fisheries must ensure the operation of the Queensland Ocean Beach Fishery is carried out in accordance with the management arrangements specified in the Queensland *Fisheries Act 1994*, Fisheries (General) Regulation 2019, Fisheries (Commercial Fisheries) Regulation 2019, Fisheries Declaration 2019, and the Fisheries Quota Declaration 2019.

Condition 2

The Queensland Department of Agriculture and Fisheries must inform the Department of Agriculture, Water and the Environment of any intended material changes to the Queensland Ocean Beach Fishery management arrangements, so the Department of Agriculture, Water and the Environment can determine if these changes affect the assessment against which *Environment Protection and Biodiversity Conservation Act 1999* decisions are made.

Condition 3

The Queensland Department of Agriculture and Fisheries must inform the Department of Agriculture, Water, and the Environment of any intended changes to fisheries legislation that may affect the legislative instruments relevant to this approval.

Condition 4

The Queensland Department of Agriculture and Fisheries must provide annual reports on the Ocean Beach Fishery to the Department of Agriculture, Water, and the Environment every 12 months, from the date of the approval of the wildlife trade operation. These reports must be consistent with Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition (2007)*.