



Environment Protection and Biodiversity Conservation Act 1999

**DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION –
QUEENSLAND SEA CUCUMBER FISHERY (EAST COAST), June 2023**

I, ADAM SINCOCK, Principal Director, Wildlife Trade, as Delegate of the Minister for the Environment and Water, hereby vary under paragraph 303FT(7)(b) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the declaration of an approved wildlife trade operation dated 2 December 2021 for the Queensland Sea Cucumber Fishery (East Coast), as defined in the management regime in force under the:

- *Fisheries Act 1994* (Qld)
- Fisheries (General) Regulations 2019 (Qld)
- Fisheries (Commercial Fisheries) Regulations 2019 (Qld)
- *Marine Parks Act 2004* (Qld)
- Marine Parks Regulations 2019 (Qld)
- *Great Barrier Reef Marine Park Act 1975* (Cth)
- Great Barrier Reef Marine Park Regulations 2019 (Cth),

such that the conditions specified in the Schedule to that declaration is varied as follows:

In Condition 2, delete the words

“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 Sea Cucumber Fishery (East Coast) management arrangements that may affect the assessment against which *Environment Protection and Biodiversity Conservation Act 1999* decisions are made.”

and replace with the words

“The Queensland Department of Agriculture and Fisheries must inform the Department of Climate Change, Energy, the Environment and Water of any intended material changes to the Queensland Sea Cucumber Fishery (East Coast) management arrangements that may affect the assessment against which *Environment Protection and Biodiversity Conservation Act 1999* decisions are made.”

In Condition 3, delete the words

“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.”

and replace with the words

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

In Condition 4, delete the words

“The Queensland Department of Agriculture and Fisheries must provide annual reports on the Queensland Sea Cucumber Fishery (East Coast) to the Department of Agriculture, Water and the Environment every 12 months, from the date of the approval of the Wildlife Trade Operation (WTO). These reports must be consistent with Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition*.”

and replace with the words

“The Queensland Department of Agriculture and Fisheries must provide annual reports on the Queensland Sea Cucumber Fishery (East Coast) to the Department of Climate Change, Energy, the Environment and Water every 12 months, from the date of the approval of the Wildlife Trade Operation (WTO). These reports must be consistent with Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition*.”

In Condition 5, delete the words

“The Queensland Department of Agriculture and Fisheries must commission a Management Strategy Evaluation (MSE) to evaluate the ability of the settings contained in the ‘*Queensland Sea cucumber fishery harvest strategy 2021–2026*’ and any other legislated and enforceable management arrangements to meet the fishery’s objectives of attaining maximum economic yield (defined in the harvest strategy as target biomass level of 60% of unfished biomass for stocks harvested in the fishery). The MSE must consider the risk posed to each individual species harvested in the fishery, identify information needs and make recommendations for any improvements to the management arrangements considered necessary for the management of the fishery to meet its objective.

- a) The scope and Terms of Reference for this review should be developed in consultation with the Department of Agriculture, Water and the Environment.
- b) The updated MSE must include all new data, including data from fishery independent surveys. The updated MSE must be published on the Queensland Department of Agriculture and Fisheries website, alongside the Harvest Strategy for the fishery by no later than the commencement of the 2023–24 fishing season.
- c) The outcomes of the MSE must be considered as part of an implementation plan to be provided to the Department of Agriculture, Water and the Environment by no later than six months before the end of the Wildlife Trade Operation. Any required changes to management of the fishery must also be implemented by that time.”

and replace with the words

“The Queensland Department of Agriculture and Fisheries must commission a Management Strategy Evaluation (MSE) to evaluate the ability of the settings contained in the ‘*Queensland Sea cucumber fishery harvest strategy 2021–2026*’ and any other legislated and enforceable management arrangements to meet the fishery’s objectives of attaining maximum economic yield (defined in the harvest strategy as target biomass level of 60% of unfished biomass for stocks harvested in the fishery). The MSE must consider the risk posed to each individual species harvested in the fishery, identify information needs and make recommendations for any improvements to the management arrangements considered necessary for the management of the fishery to meet its objective.

- a) The scope and Terms of Reference for this review should be developed in consultation with the Department of Climate Change, Energy, the Environment and Water.
- b) The updated MSE must include all new data, including data from fishery independent surveys. The updated MSE must be published on the Queensland Department of Agriculture and Fisheries website by 30 May 2024.

- c) The outcomes of the MSE must be considered as part of an implementation plan to be provided to the Department of Climate Change, Energy, the Environment and Water by 30 May 2024. The implementation plan must outline how and when any required changes to the management of the fishery will be delivered.”

In condition 7, delete the words

“The Queensland Department of Agriculture and Fisheries must:

- a) Ensure data from fishery independent surveys of Burrowing Blackfish at the Lizard, Gould and Bunker Reef Burrowing Blackfish Zones are representative of the fishery and used to inform a stock assessment for the species.
- b) Undertake and publish the stock assessment for Burrowing Blackfish. The stock assessment must be independently peer reviewed and must be completed by no later than six months prior to the expiry of the Wildlife Trade Operation approval.
- c) For the 2024–25 fishing season and beyond, implement any necessary changes to the total allowable catch (TAC) to ensure that rate of fishing mortality does not exceed that required to achieve the biomass target of 60% of unfished biomass for this species as detailed in the harvest strategy for the fishery.”

and replace with the words

“The Queensland Department of Agriculture and Fisheries must:

- a) Ensure data from fishery independent surveys of Burrowing Blackfish at the Lizard, Gould and Bunker Reef Burrowing Blackfish Zones are representative of the fishery and used to inform a stock assessment for the species.
- b) Undertake and publish the stock assessment for Burrowing Blackfish. The stock assessment must be independently peer reviewed and must be completed by 30 May 2024.
- c) The outcomes of the stock assessment must be incorporated into the updated MSE. Implement any necessary changes to the total allowable catch (TAC) to ensure that rate of fishing mortality does not exceed that required to achieve the biomass target of 60% of unfished biomass for this species as detailed in the harvest strategy for the fishery.”

In condition 8, delete the words

“The Queensland Department of Agriculture and Fisheries must:

- a) Implement species-specific reporting for Curryfish for the 2022–23 fishing season and beyond.
- b) Undertake and publish stock assessments for Prickly Redfish and Curryfish that incorporate fishery independent surveys, that are representative of the fishery, for these species. The stock assessment must be independently peer reviewed and must be completed no later than six months prior to the expiry of the Wildlife Trade Operation approval.
- c) For the 2024–25 fishing season and beyond, use information from 8a and 8b above to determine and implement the appropriate level of fishing mortality rate to be applied to these species to achieve the 60% biomass target as detailed under decision rule 3.2 of the harvest strategy for this fishery.”

and replace with the words

“The Queensland Department of Agriculture and Fisheries must:

- a) Implement species-specific reporting for Curryfish for the 2022–23 fishing season and beyond.

- b) Undertake and publish peer reviewed stock assessments for Prickly Redfish and Curryfish that incorporate fishery independent surveys, that are representative of the fishery, for these species by 30 May 2024.
- c) The outcomes of the stock assessments must be incorporated into the updated MSE. Use information from 8a and 8b above to determine and implement the appropriate level of fishing mortality rate to be applied to these species to achieve the 60% biomass target as detailed under decision rule 3.2 of the harvest strategy for this fishery.”

Dated this 16th day of June 2023

Adam Sincock

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Delegate of the Minister for the Environment and Water

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 Climate Change, Energy, the Environment and Water 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, Sustainable Fisheries Section, Department of Climate Change, Energy, the Environment and Water, Email: sustainablefisheries@dcceew.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 is available at <https://www.dcceew.gov.au/environment/wildlife-trade/cites>.