



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION – COMMONWEALTH CORAL SEA FISHERY, FEBRUARY 2024

I, BELINDA JAGO, Branch Head, Ocean and Wildlife Branch, as Delegate of the Minister for the Environment and Water, 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, taken in the Commonwealth Coral Sea Fishery as defined in the management regime in force under the:

- *Fisheries Management Act 1991* (Cth),
- Fisheries Management Regulations 2019 (Cth),

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 species belonging to the family Acroporidae, Humphead Maori wrasse (*Cheilinus undulatus*), Black teatfish (*Holothuria whitmaei*), Silvertip shark (*Carcharhinus albimarginatus*), Grey reef shark (*Carcharhinus amblyrhynchos*), Copper shark (*Carcharhinus brachyurus*), Common blacktip shark (*Carcharhinus limbatus*), Blacktip reef shark (*Carcharhinus melanopterus*), Australian blacktip shark (*Carcharhinus tilstoni*) and Whitetip reef shark (*Triaenodon obesus*),

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 7 February 2027, and
- b) is subject to the conditions applied under section 303FT specified in Schedule 1.

Dated this 16th day of February 2024

.....Belinda Jago

Delegate of the Minister for the Environment and Water

Notes: 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.

Declaration of the harvest operations of the Commonwealth Coral Sea Fishery as an approved wildlife trade operation, February 2024

ADDITIONAL PROVISIONS (section 303FT)

Relating to the harvesting of 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 Commonwealth Coral Sea Fishery:

Condition 1

Operation of the Commonwealth Coral Sea Fishery must be carried out in accordance with the management arrangements in force under the *Fisheries Management Act 1991* (Cth) and Fisheries Management Regulations 2019 (Cth).

Condition 2

The Australian Fisheries Management Authority must inform the Department of Climate Change, Energy, the Environment and Water of any intended material changes to the Commonwealth Coral Sea Fishery management arrangements that may affect the assessment against which *Environment Protection and Biodiversity Conservation Act 1999* decisions are made.

Condition 3

The Australian Fisheries Management Authority 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.

Condition 4

The Australian Fisheries Management Authority must produce and present reports on the Commonwealth Coral Sea Fishery to the Department of Climate Change, Energy, the Environment and Water by 30 November annually, as per Appendix B of the Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition.

Condition 5

The Australian Fisheries Management Authority must review and publish updated risk assessments for the aquarium and line sectors of the Coral Sea Fishery. The updated risk assessments must consider current risks to target, bycatch and protected species as well as habitats and ecological communities. These assessments must consider currently available science to ensure the target species and fishery as a whole are managed to ensure ecological sustainability.

These risk assessments must be completed by the following dates:

- a) aquarium sector – 30 January 2025
- b) line sector – 30 January 2026

Following the completion of these risk assessments, appropriate management strategies must be implemented by 30 July 2026 for any risks identified as being high or greater and a copy provided to the Department of Climate Change, Energy, the Environment and Water once complete.

Condition 6

By 1 July 2024, the Australian Fisheries Management Authority must establish enforceable, interim measures to ensure the harvest of prickly redfish (*Thelenota ananas*), amberfish (*T. anax*) and surf redfish (*Actinopyga mauritiana*) is appropriately conservative. Specifically, catch triggers must be implemented and the harvest of these species in a fishing season must not exceed:

- 12.3 tonnes for prickly redfish (*Thelenota ananas*)

- 1 tonne for amberfish (*T. anax*)
- 4 tonnes for surf redfish (*Actinopyga mauritiana*).

These interim measures must remain in place until the sea cucumber harvest strategy has been reviewed, updated and published, as required in condition 7a.

Condition 7

The Australian Fisheries Management Authority must review, update as necessary and publish harvest strategies for the following sectors:

- a) By 30 January 2025 the sea cucumber harvest strategy must be reviewed. In particular this review must consider:
 - whether the current biomass limit reference point is appropriate for the target species;
 - the effectiveness of the rotational zone strategy;
 - the effectiveness of voluntary minimum size limits.

The review must incorporate recommended changes to catch limits, specifically:

- reducing the total allowable catch of prickly redfish (*Thelenota ananas*) to 12.3 tonnes;
- reducing the total allowable catch of amberfish (*Thelenota anax*) to 1 tonne;
- reducing the total allowable catch of surf redfish (*Actinopyga mauritiana*) to 4 tonnes, with no more than 2 tonnes to be taken from any one reef per year;
- of the total allowable catch of white teatfish (*Holothuria fuscogilva*), no more than 2 tonnes can be taken from any one reef per year.

- b) By 30 January 2026 the aquarium harvest strategy must be reviewed and updated.

Condition 8

The Australian Fisheries Management Authority must:

- a) ensure the total allowable catch of species of the family Acroporidae does not exceed the catch limits in the Coral Sea Fishery – Aquarium Sector Harvest Strategy.
- b) by 1 July 2024,
 - revise the current Level 1 catch trigger for Acroporidae in the aquarium sector of the Coral Sea Fishery to include a limit of no more than 15 tonnes of *Acropora* spp. with the remaining 5 tonnes to be distributed between remaining genera in Acroporidae.
 - introduce an annual 10 tonne catch trigger for Acroporidae which requires a review of available information (including catch and effort data) and if either localised or broader sustainability concerns are identified, spatially appropriate management responses are implemented. Within three months of a review occurring, the outcome must be provided to the Department of Climate Change, Energy, the Environment and Water including what information was considered and any management responses required.
- c) by 1 July 2025, introduce effective management arrangements that distribute effort of coral harvest across different reefs in the Coral Sea to avoid localised depletion.
- d) The Australian Fisheries Management Authority must monitor the catch triggers within condition 8a and implement mechanisms that ensure timely reporting of coral catches.

Condition 9

The precautionary harvest limits described in conditions 7 and 8 must be maintained until there is enough independent scientific evidence to justify any increases in harvest levels.

Condition 10

By 1 July 2024, the Australian Fisheries Management Authority must require that all catch of CITES listed species (including discards) taken in the Commonwealth Coral Sea Fishery is recorded to a species level (or genus level where appropriate for Acroporidae corals) and that these catches are reported to the Department of Climate Change, Energy, the Environment and Water as part of the annual reporting requirement referred to in Condition 4.

Condition 11

By 13 December 2024, the Australian Fisheries Management Authority must develop, publish and distribute identification guides to licenced fishers for all shark species protected under the *Environment Protection and Biodiversity Conservation Act 1999* which the Coral Sea Fishery may interact with.

Condition 12

If, during the term of this Wildlife Trade Operation approval, the Coral Sea experiences conditions that are likely to cause severe heat stress and coral bleaching, indicated by six consecutive Degree Heating Weeks, the Australian Fisheries Management Authority must meet with the Department of Climate Change, Energy the Environment and Water and Parks Australia to discuss appropriate management responses. This meeting should be pre-emptive to:

- consider the extent and severity of impact over the Coral Sea; and
- Discuss and explore required fisheries management responses to reduce fishing pressure on sensitive target species and enable heat-sensitive target species to recover, particularly coral, marine aquarium fish and sea cucumbers.

Where it is determined by the Department of Climate Change, Energy, the Environment and Water (in consultation with Parks Australia and the Australian Fisheries Management Authority) that the declared bleaching event is unlikely to have severely impacted the Coral Sea, no restrictions to established fishery limits are required.