



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

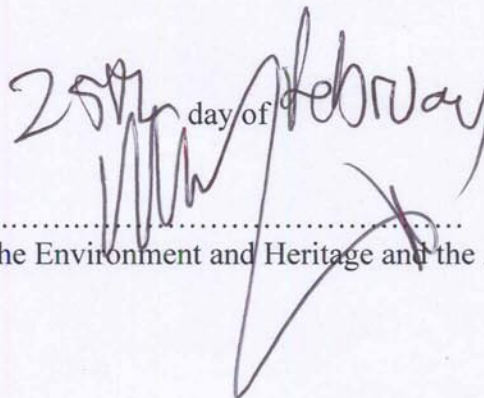
DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, PETER GARRETT, Minister for the Environment, Heritage and the Arts, 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 Primary Industries 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, other than specimens of species listed under Part 13 of the EPBC Act, taken in the Queensland East Coast Inshore Fin Fish Fishery, as defined in the management regime for the fishery, made under the Queensland *Fisheries Act 1994* and the Queensland Fisheries Regulation 2008 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 28 February 2012 and;
- b) is subject to the conditions applied under section 303FT specified in the Schedule dated February 2009.

Dated this

25th day of February


2009

.....
Minister for the Environment and Heritage and the Arts

SCHEDULE

Declaration of the Harvest Operations of the Queensland East Coast Inshore Fin Fish Fishery as an approved Wildlife Trade Operation February 2009

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 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), taken in the Queensland East Coast Inshore Fin Fish Fishery, made under the Queensland *Fisheries Act 1994* and the Queensland Fisheries Regulation 2008.

1. Operation of the fishery will be carried out in accordance with the Queensland East Coast Inshore Fin Fish Fishery (ECIFFF) management regime in force under the Queensland *Fisheries Act 1994* and the Queensland Fisheries Regulation 2008.
2. The Queensland Department of Primary Industries and Fisheries (DPI&F) to inform the Department of the Environment, Water, Heritage and the Arts (DEWHA) of any intended amendments to the ECIFFF management arrangements that may affect the assessment of the fishery against the criteria on which EPBC Act decisions are based.
3. DPI&F to produce and present reports to DEWHA annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.
4. DPI&F to introduce a logbook for 'S' symbol holders by 1 July 2009, that will provide information on all catches, better recording of effort and species-specific data on chondrichthyan catch (linked to new Shark Identification Guide for Queensland Fishers), including as a minimum:
 - blacktip (*Carcharhinus tilstoni* and *C. limbatus*);
 - spot-tail (*C. sorrah*);
 - milk and Australian sharpnose (*Rhizoprionodon acutus* and *R. taylori*); and
 - hammerhead (*Sphyrna* spp)and where necessary the product form of retained catch.
5. By 1 July 2009, DPI&F to implement a statistically robust observer program for 'S' symbol holders.
6.
 - a) By 30 March 2010, DPI&F is to investigate and report to DEWHA on an appropriate catch validation system, with monitoring to provide confidence in these data, to verify sales against landings and to cross check logbook catch data with catch landing data.
 - b) By 1 July 2011, DPI&F is to implement the outcomes of the investigation in Condition 6a).

7. By 1 July 2009, DPI&F to set a total allowable commercial catch (TAC) of no more than 600 tonnes for chondrichthyans.
8.
 - a) DPI&F to conduct annual reviews of the management arrangements for the shark fishery, including the TAC, and report to DEWHA by 1 December each year. Reports will include at a minimum:
 - analysis of catch composition;
 - analysis of spatial distribution of catch by species;
 - update of risk assessments for individual species; and
 - once sufficient data is available, stock assessments for species caught in the fishery.
 - b) DPI&F to revise management arrangements as appropriate following annual reviews.
9. By 1 December 2010, DPI&F to report to DEWHA on the implementation and continued improvement of the harvest strategy for sharks, including progress towards species-based management.
10. By 1 July 2009, DPI&F to close the Bizant, Normanby and Kennedy Rivers to netting.
11. By 1 July 2009, DPI&F to introduce a requirement for high risk chondrichthyan species which are permitted to be retained, to be landed with the fins naturally attached. High risk species include: white spotted guitar fish (*Rhynchobatus* spp), whitetip reef sharks (*Triaenodon obesus*) and grey reef sharks (*C. amblyrhynchos*).
12. By 1 December 2009, DPI&F to examine and report on the significance of conservation benefits of spatial closures in:
 - a) areas where fishing effort overlaps with important habitats for spartooth shark, sawfish, dugong and inshore dolphins; and
 - b) waters north of Cooktown to mesh net fishing to provide additional protection to these species.
13. By 1 July 2009, DPI&F to finalise and implement the performance measurement system for the ECIFFF.
14. By 1 July 2009, DPI&F to review and lower the proposed trigger for effort from 34,000 net days to more closely reflect the average level of effort in the fishery over the last two years.
15. By 1 July 2009, DPI&F to determine an appropriate management response to be implemented if the effort trigger as identified by Condition 14 is reached.
16. By 1 December 2010, DPI&F to review management arrangements for the ECIFFF and investigate additional management measures to control catch and effort, including consideration of regional management.

17. By 31 December 2011, DPI&F to implement the outcomes of the review described in Condition 16.
18. By 1 July 2009, DPI&F to set a precautionary commercial TAC for grey mackerel (*Scomberomorus semifasciatus*), taking into account all sources of mortality.