



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, NIGEL ROUTH, Assistant Secretary, Marine Biodiversity Policy Branch, as Delegate of the Minister for the Environment, Heritage and the Arts, have considered in accordance with section 303FN of the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) the application from PQ Aquatics, 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 harvest of *Phycodurus eques* (leafy seadragon) from South Australian waters, *Phyllopteryx taeniolatus* (weedy seadragon), *Hippocampus breviceps* (short headed seahorse) and *Hippocampus abdominalis* (pot bellied seahorse) from Victorian waters, by PQ Aquatics in accordance with relevant State permits, to be an approved Wildlife Trade Operation in accordance with section 303FN (2) and (10)(b), for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

- a) is valid until 20 December 2012 and;
- b) is subject to the conditions applied under section 303FT specified in the Schedule.

Dated this

21st

day of

December

2009

Delegate of the Minister for the Environment, Heritage and the Arts

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 reason may be made in writing to Department of the Environment and Heritage 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.

SCHEDULE

**Declaration of the Harvest Operations of PQ Aquatics as an approved Wildlife Trade Operation,
December 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*, taken from PQ Aquatics:

1. Export of syngnathid species is restricted to specimens held or taken under permits issued by Fisheries Victoria Division of the Department of Primary Industries, or Primary Industries and Resources South Australia and their offspring.
2. PQ Aquatics to advise the Department of the Environment, Water, Heritage and the Arts (DEWHA) of any intended change to the legislated permit conditions or operating arrangements of the facility that could affect the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) decisions are based.
3. Harvest of syngnathids is prohibited in Commonwealth waters.
4. Wild caught and cultured syngnathids are not to be returned to the wild.
5. PQ Aquatics to breed *Hippocampus breviceps* and *Hippocampus abdominalis* in captivity as specified by the *Environment Protection and Biodiversity Conservation Regulations 2000*.
6. Annual reports are to be provided by PQ Aquatics to DEWHA and should include:
 - total harvest; including species, location, quantities, size, reproductive state and sex of individuals collected;
 - results of spawning, mating and rearing trials and the number of mortalities that have occurred;
 - quantities and numbers of specimens for each species sold or held as stocks; and
 - details of the reproductive success of the operation as agreed between PQ Aquatics and DEWHA.