



## 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 Sustainability, Environment, Water, Population and Communities, having satisfied myself on the matters set out in section 303FN of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), declare the operation specified in column 1 of Table 1 to be an approved wildlife trade operation under subsection 303FN (2) of the EPBC Act, but only to the extent the operation relates to the class of specimens in column 2 of Table 1.

**Table 1**

<b>Operation</b>	<b>Class of Specimens</b>
The Queensland Fin Fish (Stout Whiting) Trawl Fishery comprising:  (a) the 'commercial trawl fishery (fin fish)' (as defined in the <i>Fisheries Regulation 2008</i> (Qld)); and  (b) the activities by way of fishing:  (i) carried out in the area described in Schedule 2; and  (ii) authorised under a valid general fisheries permit issued pursuant to section 204 of the <i>Fisheries Regulation 2008</i> (Qld) to the holder of a valid Fin Fish (Stout) Whiting Trawl Fishery Licence endorsed with a 'T4' symbol.	Specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act.

This declaration:

- a) is valid until 15 August 2014 and;
- b) is subject to the conditions under section 303FT of the EPBC Act specified in the Schedule 1.

Dated this

16<sup>th</sup>

day of

August

2011

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Delegate of the Minister for Sustainability, Environment, Water, Population and Communities

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 Sustainability, Environment, Water, Population and Communities 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 1**

### **Declaration of the harvest operations of the Queensland Fin Fish (Stout Whiting) Trawl Fishery as an approved wildlife trade operation, August 2011**

#### **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 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), taken in the Queensland Fin Fish (Stout Whiting) Trawl Fishery:

1. Operation of the Queensland Fin Fish (Stout Whiting) Trawl Fishery will be carried out in accordance with the management regime for the fishery in force under the *Queensland Fisheries Act 1994* and the *Queensland Fisheries Regulation 2008*.
2. Fisheries Queensland to inform the Department of Sustainability, Environment, Water, Population and Communities of any intended amendments to the Queensland Fin Fish (Stout Whiting) Trawl Fishery management arrangements that may affect the assessment of the fishery against the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* decisions are based.
3. Fisheries Queensland to produce and present reports to the Department of Sustainability, Environment, Water, Population and Communities annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries – 2<sup>nd</sup> Edition*.

## SCHEDULE 2

The '*defined Trial Expansion Area*' for the Queensland Fin Fish (Stout Whiting) Trawl Fishery area consists of all tidal waters within the following boundary –

- from the 20 fathom depth contour east of Caloundra Head (26.800 South, 153.234 East), east to the 50 fathom depth contour (26.800 South, 153.524 East),
- along the 50 fathom depth contour to east of the New South Wales state border (28.135 South, 153.758 East),
- west to the 20 fathom depth contour (28.135 South, 153.601 East), and
- along the 20 fathom depth contour to east of Caloundra Head (26.800 South, 153.234 East).