



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* (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 River and Inshore Beam Trawl Fishery, as defined in the Fisheries (East Coast Trawl) Management Plan 1999 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 15 February 2012 and;
- b) is subject to the conditions applied under section 303FT specified in the Schedule dated February 2009.

Dated this 11th day of February 2009

.....[signed].....

Delegate of the Minister for the Environment and 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, Water, Heritage and the Arts 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 the Queensland River and Inshore Beam Trawl Fishery (RIBTF) 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 RIBTF as defined in the Fisheries (East Coast Trawl) Management Plan 1999, 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 Fisheries (East Coast Trawl) Management Plan 1999 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 RIBTF 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. By 1 July 2009 DPI&F to:
 - (a) finalise and implement the Performance Measurement System (PMS) for the East Coast Trawl Fishery in consultation with the Trawl Management Advisory Committee; and
 - (b) ensure that the PMS incorporates performance measures, triggers and reference points that relate specifically to the RIBTF.