



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, GEOFF RICHARDSON, Assistant Secretary, Marine Biodiversity & Biosecurity 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 that is 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 specified in column 2 of Table 1.

Table 1

Operation	Class of Specimens
Western Australian Marine Aquarium Fish Managed Fishery, as defined in the <i>Western Australian Fish Resources Management Act 1994</i> and the <i>Western Australian Fish Resources Management Regulations 1995</i> , and in accordance with permits issued under the <i>Western Australian Fish Resources Management Act 1994</i>	Specimens that are, or are derived from, fish or invertebrates, other than: a) specimens that belong to species listed under Part 13 of the EPBC Act, and b) specimens that belong to taxa listed under section 303CA of the EPBC Act (Part 13A), except for specimens that belong to taxa listed in Schedule 2.

This declaration:

- a) is valid until 31 December 2013; and
- b) is subject to the conditions under section 303FT of the EPBC Act specified in the Schedule 1.

Dated this 21st day of December 2012

.....Geoff Richardson.....

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

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 Western Australian Marine Aquarium Fish Managed Fishery subject to the following conditions:

1. Operation of the fishery will be carried out in accordance with the management regime under the Western Australian *Fish Resources Management Act 1994* and the Western Australian Fish Resources Management Regulations 1995.
2. The Western Australian Department of Fisheries to advise the Department of Sustainability, Environment, Water, Population and Communities of any intended material change to the fishery's legislated management regime and management arrangements that could affect the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* decisions are based.
3. The Western Australian Department of Fisheries to produce and present reports to the Department of Sustainability, Environment, Water, Population and Communities annually as per Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.
4. In consultation with the Australian CITES Scientific Authority for Marine Species (Department of Sustainability, Environment, Water, Population and Communities), the Western Australian Department of Fisheries to review the management arrangements for all species listed on Appendix II of CITES, which are permitted to be retained in the Western Australian Marine Aquarium Fish Managed Fishery. The review should include, but not be limited to, the need for spatial effort indicators and a review of the process for setting performance measures and trigger reference points for each species with reference to CITES requirements.
5. The Western Australian Department of Fisheries to consult with the Department of Sustainability, Environment, Water, Population and Communities prior to a change to the management arrangements for a CITES or *Environment Protection and Biodiversity Conservation Act 1999* listed species being implemented.
6. The Western Australian Department of Fisheries to:
 - a) immediately inform the Department of Sustainability, Environment, Water, Population and Communities of any breaches of the voluntary agreement with licensees of the Western Australian Western Australian Marine Aquarium Fish Managed Fishery and consider the need to prohibit further harvest of affected species, and
 - b) to provide the department with quarterly updates on the progress on managing CITES limits and the development of the new consolidated legislative framework.

SCHEDULE 2

Coral	<i>Acropora nana</i>	<i>Caulastraea curvata</i>	<i>Favites russelli</i>
<i>Acanthastrea bowerbanki</i>	<i>Acropora nasuta</i>	<i>Caulastraea tumida</i>	<i>Fungia concinna</i>
<i>Acanthastrea echinata</i>	<i>Acropora nobilis</i>	<i>Coscinaraea columna</i>	<i>Fungia costulata</i>
<i>Acanthastrea hemprichii</i>	<i>Acropora ocellata</i>	<i>Coscinaraea exesa</i>	<i>Fungia curvata</i>
<i>Acanthastrea hillae</i>	<i>Acropora palifera</i>	<i>Coscinaraea marshae</i>	<i>Fungia cyclolites</i>
<i>Acanthastrea lordhowensis</i>	<i>Acropora palmerae</i>	<i>Coscinaraea mcneilli</i>	<i>Fungia distorta</i>
<i>Acropora abrolhosensis</i>	<i>Acropora papillare</i>	<i>Cynarina lacrymalis</i>	<i>Fungia fragilis</i>
<i>Acropora abrotanoides</i>	<i>Acropora polystoma</i>	<i>Cyphastrea chalcidicum</i>	<i>Fungia fungites</i>
<i>Acropora aculeus</i>	<i>Acropora pulchra</i>	<i>Cyphastrea microphthalma</i>	<i>Fungia granulosa</i>
<i>Acropora acuminata</i>	<i>Acropora robusta</i>	<i>Cyphastrea serailia</i>	<i>Fungia horrida</i>
<i>Acropora anthocercis</i>	<i>Acropora russelli</i>	<i>Dendrophyllia alcocki</i>	<i>Fungia klunzingeri</i>
<i>Acropora aspera</i>	<i>Acropora samoensis</i>	<i>Dendrophyllia arbuscula</i>	<i>Fungia patelliformis</i>
<i>Acropora austera</i>	<i>Acropora sarmentosa</i>	<i>Dendrophyllia boschmai</i>	<i>Fungia paumotensis</i>
<i>Acropora brueggemanni</i>	<i>Acropora selago</i>	<i>Desmophyllum dianthus</i>	<i>Fungia repanda</i>
<i>Acropora bushyensis</i>	<i>Acropora seriata</i>	<i>Diploastrea heliopora</i>	<i>Fungia scruposa</i>
<i>Acropora cardenae</i>	<i>Acropora solitaryensis</i>	<i>Duncanopsammia axifuga</i>	<i>Fungia scutaria</i>
<i>Acropora caroliniana</i>	<i>Acropora spathulata</i>	<i>Echinophyllia aspera</i>	<i>Fungia sinensis</i>
<i>Acropora cerealis</i>	<i>Acropora spicifera</i>	<i>Echinophyllia echinata</i>	<i>Fungia tenuis</i>
<i>Acropora clathrata</i>	<i>Acropora stoddarti</i>	<i>Echinophyllia orpheensis</i>	<i>Galaxea astreata</i>
<i>Acropora cytherea</i>	<i>Acropora striata</i>	<i>Echinopora ashmorensis</i>	<i>Galaxea fascicularis</i>
<i>Acropora danai</i>	<i>Acropora subglabra</i>	<i>Echinopora gemmacea</i>	<i>Goniastrea aspera</i>
<i>Acropora dendrum</i>	<i>Acropora subulata</i>	<i>Echinopora hirsutissima</i>	<i>Goniastrea australensis</i>
<i>Acropora digitifera</i>	<i>Acropora tenuis</i>	<i>Echinopora horrida</i>	<i>Goniastrea edwardsi</i>
<i>Acropora divaricata</i>	<i>Acropora tortuosa</i>	<i>Echinopora lamellosa</i>	<i>Goniastrea favulus</i>
<i>Acropora donei</i>	<i>Acropora turaki</i>	<i>Euphyllia ancora</i>	<i>Goniastrea palauensis</i>
<i>Acropora elseyi</i>	<i>Acropora valenciennesi</i>	<i>Euphyllia cristata</i>	<i>Goniastrea pectinata</i>
<i>Acropora exquisita</i>	<i>Acropora valida</i>	<i>Euphyllia divisa</i>	<i>Goniastrea retiformis</i>
<i>Acropora florida</i>	<i>Acropora vauhani</i>	<i>Euphyllia glabrescens</i>	<i>Goniopora columna</i>
<i>Acropora formosa</i>	<i>Acropora verweyi</i>	<i>Favia favius</i>	<i>Goniopora djiboutiensis</i>

<i>Acropora gemmifera</i>	<i>Acropora willisae</i>	<i>Favia helianthoides</i>	<i>Goniopora eclipsensis</i>
<i>Acropora glauca</i>	<i>Acropora yongei</i>	<i>Favia laxa</i>	<i>Goniopora lobata</i>
<i>Acropora grandis</i>	<i>Alveopora allingi</i>	<i>Favia lizardensis</i>	<i>Goniopora minor</i>
<i>Acropora granulosa</i>	<i>Alveopora catalai</i>	<i>Favia matthaii</i>	<i>Goniopora norfolkensis</i>
<i>Acropora horrida</i>	<i>Alveopora fenestrata</i>	<i>Favia maxima</i>	<i>Goniopora pandoraensis</i>
<i>Acropora humilis</i>	<i>Alveopora gigas</i>	<i>Favia pallida</i>	<i>Goniopora pendulus</i>
<i>Acropora hyacinthus</i>	<i>Alveopora spongiosa</i>	<i>Favia rotumana</i>	<i>Goniopora somaliensis</i>
<i>Acropora indiana</i>	<i>Alveopora tizardi</i>	<i>Favia rotundata</i>	<i>Goniopora stokesi</i>
<i>Acropora insignis</i>	<i>Alveopora verrilliana</i>	<i>Favia speciosa</i>	<i>Goniopora stutchburyi</i>
<i>Acropora intermedia</i>	<i>Australomussa rowleyensis</i>	<i>Favia stelligera</i>	<i>Goniopora tenuidens</i>
<i>Acropora latistella</i>	<i>Balanophyllia bairdiana</i>	<i>Favia truncatus</i>	<i>Herpolitha limax</i>
<i>Acropora listeri</i>	<i>Balanophyllia buccina</i>	<i>Favia veroni</i>	<i>Hydnophora exesa</i>
<i>Acropora loisetteae</i>	<i>Balanophyllia carinata</i>	<i>Favites abdita</i>	<i>Hydnophora microconos</i>
<i>Acropora longicyathus</i>	<i>Balanophyllia cornu</i>	<i>Favites chinensis</i>	<i>Hydnophora pilosa</i>
<i>Acropora lovelli</i>	<i>Balanophyllia elliptica</i>	<i>Favites complanata</i>	<i>Hydnophora rigida</i>
<i>Acropora lutkeni</i>	<i>Balanophyllia generatrix</i>	<i>Favites flexuosa</i>	<i>Leptoria phrygia</i>
<i>Acropora microclados</i>	<i>Balanophyllia gigas</i>	<i>Favites halicora</i>	<i>Lithophyllon mokai</i>
<i>Acropora microphthalma</i>	<i>Balanophyllia imperialis</i>	<i>Favites paraflexuosa</i>	<i>Lithophyllon undulatum</i>
<i>Acropora millepora</i>	<i>Blastomussa merleti</i>	<i>Favites pentagona</i>	<i>Lobophyllia corymbosa</i>
<i>Acropora monticulosa</i>	<i>Blastomussa wellsi</i>	<i>Platygyra pini</i>	<i>Lobophyllia diminuta</i>
<i>Lobophyllia hataii</i>	<i>Montipora monasteriata</i>	<i>Platygyra ryukyuensis</i>	<i>Porites vauhani</i>
<i>Lobophyllia hemprichii</i>	<i>Montipora nodosa</i>	<i>Platygyra sinensis</i>	<i>Scolymia australis</i>
<i>Lobophyllia pachysepta</i>	<i>Montipora peltiformis</i>	<i>Platygyra verweyi</i>	<i>Seriatopora caliendrum</i>
<i>Merulina ampliata</i>	<i>Montipora spongodes</i>	<i>Plerogyra sinuosa</i>	<i>Seriatopora hystrix</i>
<i>Merulina scabricula</i>	<i>Montipora spumosa</i>	<i>Plesiastrea versipora</i>	<i>Stylophora pistillata</i>
<i>Montastrea curta</i>	<i>Montipora stellata</i>	<i>Pocillopora damicornis</i>	<i>Symphyllia agaricia</i>
<i>Montastrea magnistellata</i>	<i>Montipora tuberculosa</i>	<i>Pocillopora eydouxi</i>	<i>Symphyllia radians</i>
<i>Montastrea valenciennesi</i>	<i>Montipora turgescens</i>	<i>Pocillopora meandrina</i>	<i>Symphyllia recta</i>
<i>Montipora aequituberculata</i>	<i>Montipora turtlensis</i>	<i>Pocillopora verrucosa</i>	<i>Symphyllia valenciennesii</i>
<i>Montipora angulata</i>	<i>Montipora undata</i>	<i>Pocillopora woodjonesi</i>	<i>Symphyllia wilsoni</i>
<i>Montipora australiensis</i>	<i>Montipora venosa</i>	<i>Polyphyllia talpina</i>	<i>Trachyphyllia geoffroyi</i>

<i>Montipora calcarea</i>	<i>Montipora verrucosa</i>	<i>Porites annae</i>	<i>Tubastraea coccinea</i>
<i>Montipora caliculata</i>	<i>Moseleya latistellata</i>	<i>Porites aranetai</i>	<i>Tubastraea diaphana</i>
<i>Montipora capricornis</i>	<i>Oxypora glabra</i>	<i>Porites australiensis</i>	<i>Turbinaria bifrons</i>
<i>Montipora crassituberculata</i>	<i>Oxypora lacera</i>	<i>Porites cylindrica</i>	<i>Turbinaria conspicua</i>
<i>Montipora danae</i>	<i>Pavona cactus</i>	<i>Porites eridani</i>	<i>Turbinaria frondens</i>
<i>Montipora digitata</i>	<i>Pavona clavus</i>	<i>Porites evermanni</i>	<i>Turbinaria mesenterina</i>
<i>Montipora efflorescens</i>	<i>Pavona decussata</i>	<i>Porites heronensis</i>	<i>Turbinaria patula</i>
<i>Montipora floweri</i>	<i>Pavona duerdeni</i>	<i>Porites lichen</i>	<i>Turbinaria peltata</i>
<i>Montipora foliosa</i>	<i>Pavona explanulata</i>	<i>Porites lobata</i>	<i>Turbinaria radicalis</i>
<i>Montipora foveolata</i>	<i>Pavona maldivensis</i>	<i>Porites lutea</i>	<i>Turbinaria reniformis</i>
<i>Montipora grisea</i>	<i>Pavona varians</i>	<i>Porites murrayensis</i>	<i>Turbinaria stellulata</i>
<i>Montipora hispida</i>	<i>Pavona venosa</i>	<i>Porites nigrescens</i>	Giant Clams
<i>Montipora hoffmeisteri</i>	<i>Pectinia lactuca</i>	<i>Porites rus</i>	<i>Tridacna squamosa</i>
<i>Montipora incrassata</i>	<i>Pectinia paeonia</i>	<i>Porites solida</i>	<i>Tridacna maxima</i>
<i>Montipora informis</i>	<i>Pectinia teres</i>	<i>Porites stephensoni</i>	Other
<i>Montipora millepora</i>	<i>Platygyra daedalea</i>		Live Rock
<i>Montipora mollis</i>	<i>Platygyra lamellina</i>		