



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION – NORTHERN TERRITORY AQUARIUM FISHERY, JULY 2021

I, LAURA TIMMINS, Senior Director, Wildlife Trade Office, as Delegate of the Minister for the Environment, have considered in accordance with section 303FN of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the application from the Northern Territory Department of Primary Industry and Resources, 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, taken in the Northern Territory Aquarium Fishery as defined in the management regime in force under the *Fisheries Act 1988* (Northern Territory (NT)) and *Fisheries Regulations 1992* (NT), but not including

- (a) specimens that belong to taxa listed under section 209 of the EPBC Act (Australia's List of Migratory Species), or
- (b) specimens that belong to taxa listed under section 248 of the EPBC Act (Australia's List of Marine Species), or
- (c) specimens that belong to eligible listed threatened species, as defined under section 303BC of the EPBC Act, or
- (d) specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia's CITES List), except for specimens that belong to taxa listed in Schedule 2.

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 5 December 2022 and;
- b) is subject to the conditions applied under section 303FT specified in the Schedule 1.

Dated this 27 day of July 2021

Laura Timmins
Delegate of the Minister for the Environment

Notes:

1. 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 reasons may be made in writing to the Department of Agriculture, Water and the Environment 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, Wildlife Trade Assessments Section, Department of Agriculture, Water and the Environment, Telephone: (02) 6274 1917 Email: sustainablefisheries@environment.gov.au.
2. Australia's obligations under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) are met through Part 13A of the EPBC Act. Specimens of species listed in Appendix II of Australia's CITES list under section 303CA of the EPBC Act may only be exported, under a CITES export permit

issued under the EPBC Act, if Australia's CITES Scientific Authority has issued a non-detriment finding for that species. Further information, including a list of species for which non detriment findings have been issued and the fisheries from which they may be sourced, is available from <http://www.environment.gov.au/topics/biodiversity/wildlife-trade/internationally-endangered-plants-and-animals-cites/how-export>.

Declaration of the harvest operations of the Northern Territory Aquarium Fishery as an approved wildlife trade operation, July 2021

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), except for specimens collected in state waters, taken in the Northern Territory Aquarium Fishery subject to the following condition(s):

1. The Northern Territory Department of Primary Industry and Resources must ensure that the operation of the Northern Territory Aquarium Fishery is carried out in accordance with the management regime for the Northern Territory Aquarium Fishery in force under the *Fisheries Act 1988 (Northern Territory)*, and the *Fisheries Regulation 1992 (Northern Territory)*.
2. The Northern Territory Department of Primary Industry and Resources must inform the Department of Agriculture Water and the Environment of any intended material changes to the Northern Territory Aquarium Fishery management arrangements that may affect the assessment against which *Environment Protection and Biodiversity Conservation Act 1999* decisions are made.
3. The Northern Territory Department of Primary Industry and Resources must provide reports to the Department of Agriculture Water and the Environment annually as outlined in Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition (2007)*.
4. The Northern Territory Department of Primary Industry and Resources must:
 - a) limit harvest of CITES listed species, according to current non-detriment findings, for each species or species group;
 - b) consult with the Department of Agriculture Water and the Environment, prior to a change to the management arrangements for a CITES or EPBC Act listed species being implemented; and
 - c) ensure that specimens of CITES listed species that are not included on Schedule 2 of the current wildlife trade operation are not exported.
5. The Northern Territory Department of Primary Industry and Resources must:
 - a) publish the recent ecological risk assessment conducted for the Northern Territory Aquarium Fishery by February 2020.
 - b) undertake research into CITES species informed by the outcomes of the risk assessment, including species distribution and abundance, in areas of high fishing effort.
 - c) collaborate with relevant stakeholders, to conduct research and provide outcomes of research projects, to the Department of Agriculture Water and the Environment, when outcomes are finalised. Outcomes must also be made publicly available.
6. The Northern Territory Department of Primary Industry and Resources must:
 - a) Provide to the Department of Agriculture Water and the Environment, by 31 December 2021, a Draft Harvest Strategy.

The draft strategy must include performance indicators, acceptable levels of risk and decision rules.
 - b) Provide to the Department of Agriculture Water and the Environment, by 31 December 2021, a Draft Research and Monitoring Plan for the NT Aquarium Fishery.

The draft plan must include a strategy to collect data, monitor and manage impacts on target species (including protected species).

- c) Provide to the Department of Agriculture Water and the Environment, by 30 June 2022, a Draft Management Framework.
- d) Implement a Harvest Strategy for the Northern Territory Aquarium Fishery by 31 December 2022. The Harvest Strategy must include decision rules and reference points that trigger management actions to ensure the fishery remains ecologically sustainable.

SCHEDULE 2

<u>Scleractinian coral</u>	<i>Acropora nasuta</i>	<i>Echinophyllia orpheensis</i>	<i>Goniastrea stelligera</i>
<i>Acanthastrea bowerbanki</i>	<i>Acropora nobilis</i>	<i>Euphyllia ancora</i>	<i>Goniopora columna</i>
<i>Acanthastrea echinata</i>	<i>Acropora palifera</i>	<i>Euphyllia cristata</i>	<i>Goniopora djiboutiensis</i>
<i>Acanthastrea hemprichii</i>	<i>Acropora palmerae</i>	<i>Euphyllia divisa</i>	<i>Goniopora eclipsensis</i>
<i>Acanthastrea hillae</i>	<i>Acropora papillare</i>	<i>Euphyllia glabrescens</i>	<i>Goniopora lobata</i>
<i>Acanthastrea lordhowensis</i>	<i>Acropora polystoma</i>	<i>Euphyllia paraancora</i>	<i>Goniopora minor</i>
<i>Acanthastrea maxima</i>	<i>Acropora pulchra</i>	<i>Favia favius</i>	<i>Goniopora norfolkensis</i>
<i>Acanthastrea maxima</i>	<i>Acropora robusta</i>	<i>Favia helianthoides</i>	<i>Goniopora pandoraensis</i>
<i>Acanthastrea micromussa</i>	<i>Acropora russelli</i>	<i>Favia laxa</i>	<i>Goniopora pendulus</i>
<i>Acropora abrotanoides</i>	<i>Acropora samoensis</i>	<i>Favia lizardensis</i>	<i>Goniopora somaliensis</i>
<i>Acropora aculeus</i>	<i>Acropora sarmentosa</i>	<i>Favia maritima</i>	<i>Goniopora stokesi</i>
<i>Acropora acuminata</i>	<i>Acropora selago</i>	<i>Favia matthaii</i>	<i>Goniopora stutchburyi</i>
<i>Acropora anthocercis</i>	<i>Acropora solitaryensis</i>	<i>Favia maxima</i>	<i>Goniopora tenuidens</i>
<i>Acropora aspera</i>	<i>Acropora spicifera</i>	<i>Favia pallida</i>	<i>Heliofungia actiniformis</i>
<i>Acropora austera</i>	<i>Acropora stoddarti</i>	<i>Favia rotumana</i>	<i>Herpolitha limax</i>
<i>Acropora brueggemanni</i>	<i>Acropora subglabra</i>	<i>Favia speciosa</i>	<i>Hydnophora exesa</i>
<i>Acropora bushyensis</i>	<i>Acropora subulata</i>	<i>Favia stelligera</i>	<i>Hydnophora microconos</i>
<i>Acropora cardenae</i>	<i>Acropora tenuis</i>	<i>Favia truncatus</i>	<i>Hydnophora pilosa</i>
<i>Acropora cerealis</i>	<i>Acropora tortuosa</i>	<i>Favia veroni</i>	<i>Hydnophora rigida</i>
<i>Acropora clathrata</i>	<i>Acropora turaki</i>	<i>Favites abdita</i>	<i>Leptastrea purpurea</i>
<i>Acropora cytherea</i>	<i>Acropora valenciennesi</i>	<i>Favites chinensis</i>	<i>Leptastrea transversa</i>
<i>Acropora danai</i>	<i>Acropora valida</i>	<i>Favites complanata</i>	<i>Leptoria phrygia</i>
<i>Acropora dendrum</i>	<i>Acropora vaughani</i>	<i>Favites flexuosa</i>	<i>Leptoseria explanata</i>
<i>Acropora digitifera</i>	<i>Acropora verweyi</i>	<i>Favites halicora</i>	<i>Leptoseria scabra</i>
<i>Acropora divaricata</i>	<i>Acropora willisae</i>	<i>Favites paraflexuosa</i>	<i>Lithophyllon edwardsi</i>
<i>Acropora donei</i>	<i>Acropora yongei</i>	<i>Favites pentagona</i>	<i>Lithophyllon repanda</i>
<i>Acropora echinata</i>	<i>Alveopora allingi</i>	<i>Favites rotundata</i>	<i>Lithophyllon undulatum</i>
<i>Acropora efflorescence</i>	<i>Alveopora spongiosa</i>	<i>Favites russelli</i>	<i>Lobophyllia corymbosa</i>
<i>Acropora elseyi</i>	<i>Alveopora tizardi</i>	<i>Fungia concinna</i>	<i>Lobophyllia diminuta</i>
<i>Acropora exquisita</i>	<i>Alveopora verrilliana</i>	<i>Fungia costulata</i>	<i>Lobophyllia hataii</i>
<i>Acropora florida</i>	<i>Astreopora expansa</i>	<i>Fungia cyclolites</i>	<i>Lobophyllia hemprichii</i>
<i>Acropora formosa</i>	<i>Astreopora gracilis</i>	<i>Fungia distorta</i>	<i>Lobophyllia pachysepta</i>
<i>Acropora gemmifera</i>	<i>Astreopora myriophthalma</i>	<i>Fungia fragilis</i>	<i>Lobophyllia robusta</i>
<i>Acropora glauca</i>	<i>Astreopora ocellata</i>	<i>Fungia fungites</i>	<i>Merulina sp</i>
<i>Acropora grandis</i>	<i>Astreopora randalli</i>	<i>Fungia granulosa</i>	<i>Micromussa amakusensis</i>
<i>Acropora granulosa</i>	<i>Australogyra zelli</i>	<i>Fungia horrida</i>	<i>Micromussa diminuta</i>
<i>Acropora horrida</i>	<i>Australomussa rowleyensis</i>	<i>Fungia klunzingeri</i>	<i>Montastrea curta</i>
<i>Acropora humilis</i>	<i>Balanophyllia cornu</i>	<i>Fungia patelliformis</i>	<i>Montastrea magnistellata</i>
<i>Acropora hyacinthus</i>	<i>Balanophyllia generatrix</i>	<i>Fungia paumotensis</i>	<i>Montastrea valenciennesi</i>
<i>Acropora Indiana</i>	<i>Blastomussa merletti</i>	<i>Fungia scruposa</i>	<i>Montipora aequituberculata</i>
<i>Acropora intermedia</i>	<i>Blastomussa wellsi</i>	<i>Fungia scutaria</i>	<i>Montipora angulata</i>
<i>Acropora latistella</i>	<i>Caulastrea sp</i>	<i>Fungia sinensis</i>	<i>Montipora australiensis</i>
<i>Acropora listeri</i>	<i>Catalaphyllia jardinei</i>	<i>Fungia tenuis</i>	<i>Montipora calcarea</i>
<i>Acropora loisetteae</i>	<i>Ctenactis albitentaculata</i>	<i>Galaxea astreata</i>	<i>Montipora caliculata</i>
<i>Acropora longicyathus</i>	<i>Ctenactis echinata</i>	<i>Galaxea fascicularis</i>	<i>Montipora capricornis</i>
<i>Acropora lovelli</i>	<i>Cynarina lacrymalis</i>	<i>Goniastrea aspera</i>	<i>Montipora crassituberculata</i>
<i>Acropora lutkeni</i>	<i>Cyphastrea chalcidicum</i>	<i>Goniastrea australensis</i>	<i>Montipora danae</i>
<i>Acropora microclados</i>	<i>Cyphastrea microphthalma</i>	<i>Goniastrea edwardsi</i>	<i>Montipora digitata</i>
<i>Acropora microphthalma</i>	<i>Cyphastrea seralia</i>	<i>Goniastrea favulus</i>	<i>Montipora efflorescens</i>
<i>Acropora millepora</i>	<i>Dendrophyllia arbuscula</i>	<i>Goniastrea palauensis</i>	<i>Montipora floweri</i>
<i>Acropora monticulosa</i>	<i>Duncanopsammia axifuga</i>	<i>Goniastrea pectinata</i>	<i>Montipora foliosa</i>
<i>Acropora nana</i>	<i>Echinophyllia aspera</i>	<i>Goniastrea retiformis</i>	<i>Montipora foveolata</i>

<i>Montipora grisea</i>	<i>Pavona explanata</i>	<i>Porites australiensis</i>	<i>Symphyllia radians</i>
<i>Montipora hispida</i>	<i>Pavona maldivensis</i>	<i>Porites cylindrica</i>	<i>Symphyllia recta</i>
<i>Montipora hoffmeisteri</i>	<i>Pavona varians</i>	<i>Porites evermanni</i>	<i>Symphyllia valenciennesii</i>
<i>Montipora incrassata</i>	<i>Pavona venosa</i>	<i>Porites heronensis</i>	<i>Trachyphyllia geoffroyi</i>
<i>Montipora informis</i>	<i>Pectinia lactuca</i>	<i>Porites lichen</i>	<i>Tubastraea diaphana</i>
<i>Montipora millepora</i>	<i>Pectinia paeonia</i>	<i>Porites lobata</i>	<i>Tubastraea faulkneri</i>
<i>Montipora mollis</i>	<i>Pectinia teres</i>	<i>Porites lutea</i>	<i>Tubastraea micranthus</i>
<i>Montipora monasteriata</i>	<i>Physogyra lichtensteini</i>	<i>Porites murrayensis</i>	<i>Tubipora musica</i>
<i>Montipora nodosa</i>	<i>Platygyra daedalea</i>	<i>Porites nigrescens</i>	<i>Tubipora musica</i>
<i>Montipora peltiformis</i>	<i>Platygyra lamellina</i>	<i>Porites rus</i>	<i>Turbinaria bifrons</i>
<i>Montipora spongodes</i>	<i>Platygyra pini</i>	<i>Porites solida</i>	<i>Turbinaria conspicua</i>
<i>Montipora spumosa</i>	<i>Platygyra ryukyuensis</i>	<i>Porites stephensoni</i>	<i>Turbinaria frondens</i>
<i>Montipora stellata</i>	<i>Platygyra sinensis</i>	<i>Porites vaughani</i>	<i>Turbinaria mesenterina</i>
<i>Montipora tuberculosa</i>	<i>Platygyra verweyi</i>	<i>Psammocora contigua</i>	<i>Turbinaria patula</i>
<i>Montipora turgescens</i>	<i>Plerogyra sinuosa</i>	<i>Psammocora digitata</i>	<i>Turbinaria peltata</i>
<i>Montipora turtlensis</i>	<i>Plesiastrea versipora</i>	<i>Psammocora explanulata</i>	<i>Turbinaria radicalis</i>
<i>Montipora undata</i>	<i>Pocillopora damicornis</i>	<i>Psammocora haimeana</i>	<i>Turbinaria reniformis</i>
<i>Montipora venosa</i>	<i>Pocillopora eydouxi</i>	<i>Psammocora nierstraszi</i>	<i>Turbinaria stellulata</i>
<i>Montipora verrucosa</i>	<i>Pocillopora meandrina</i>	<i>Psammocora profundacella</i>	<u>Giant clams</u>
<i>Moseleya latistellata</i>	<i>Pocillopora verrucosa</i>	<i>Psammocora superficialis</i>	<i>Tridacna maxima</i>
<i>Mycedium elephantotus</i>	<i>Pocillopora woodjonesi</i>	<i>Scolymia vitiensis</i>	<i>Tridacna squamosa</i>
<i>Oxypora lacera</i>	<i>Podabacia crustacea</i>	<i>Seriatopora hystrix</i>	<u>Live rock</u>
<i>Oxypora sp</i>	<i>Polyphyllia talpina</i>	<i>Stylophora pistillata</i>	
<i>Pavona cactus</i>	<i>Porites annae</i>	<i>Stylophora subseriata</i>	
<i>Pavona decussata</i>	<i>Porites aranetai</i>	<i>Symphyllia agaricia</i>	