



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

**DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION –
QUEENSLAND COMMERCIAL TRAWL (FIN FISH) FISHERY, AUGUST 2023**

I, BELINDA JAGO, Branch Head, Oceans and Wildlife Branch, as Delegate of the Minister for the Environment and Water, 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 Agriculture and Fisheries 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 Queensland Commercial Trawl (Fin Fish) Fishery as defined in the management regime in force under the:

- *Fisheries Act 1994* (Qld)
- Fisheries (General) Regulation 2019 (Qld)
- Fisheries (Commercial Fisheries) Regulation 2019 (Qld)
- Fisheries Declaration 2019 (Qld)
- Fisheries Quota Declaration 2019 (Qld),

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),

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 31 August 2026, and
- b) is subject to the conditions applied under section 303FT specified in Schedule 1.

Dated this 29th day of August 2023

Belinda Jago

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Delegate of the Minister for the Environment and Water

Notes: 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 Climate Change, Energy, the Environment and Water 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, Department of Climate Change, Energy, the Environment and Water, Email: sustainablefisheries@dcceew.gov.au.

Declaration of the harvest operations of the Queensland Commercial Trawl (Fin Fish) Fishery as an approved wildlife trade operation, August 2023

Condition 1

Operation of the Queensland Commercial Trawl (Fin Fish) Fishery must be carried out in accordance with the *Queensland Fisheries Act 1994*, Fisheries (General) Regulation 2019, Fisheries (Commercial Fisheries) Regulation 2019, Fisheries Declaration 2019, and the Fisheries Quota Declaration 2019.

Condition 2

The Queensland Department of Agriculture and Fisheries must inform the Department of Climate Change, Energy, the Environment and Water of any intended material changes to the Queensland Commercial Trawl (Fin Fish) Fishery management arrangements that may affect the assessment against which *Environment Protection and Biodiversity Conservation Act 1999* decisions are made.

Condition 3

The Queensland Department of Agriculture and Fisheries must inform the Department of Climate Change, Energy, the Environment and Water of any intended changes to fisheries legislation that may affect the legislative instruments relevant to this approval.

Condition 4

The Queensland Department of Agriculture and Fisheries must produce and present reports on the Queensland Commercial Trawl (Fin Fish) Fishery to the Department of Climate Change, Energy, the Environment and Water by November annually, as per Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition*.

Condition 5

If Queensland Department of Agriculture and Fisheries implement its proposed expansion to the area of the Queensland Commercial Trawl (Fin Fish) Fishery, the Queensland Department of Agriculture and Fisheries must:

- a) within 30 days of implementing any management changes, inform the Department of Climate Change, Energy, the Environment and Water of the management changes to the Queensland Commercial Trawl (Fin Fish) Fishery.
- b) within 12 months of implementing any management changes, review and update the Queensland Commercial Trawl (Fin Fish) Fishery Environmental Risk Assessment to include the new areas of the fishery.

Condition 6

By 31 August 2024, the Queensland Department of Agriculture and Fisheries must develop and implement an annual robust, independent, quantitative, and validated monitoring and data collection program in the Queensland Commercial Trawl (Fin Fish) Fishery. This may involve the use of electronic monitoring, onboard observers, or other means.

The information collected must be sufficient to reliably demonstrate the accuracy of all reported catch, effort and protected species interaction data collected via logbooks. This program needs to gather suitable data on the level of catch, discards and interactions in the fishery to inform the sustainable management of target, byproduct and bycatch species (including protected species).

Performance of the program, including comparative analyses of fishery dependent and independent data sources must be included in annual reports provided to the Department of Climate Change, Energy, the Environment and Water as part of condition 4.

Condition 7

The Queensland Department of Agriculture and Fisheries must:

- a) By 30 September 2024, provide a report on the preliminary analysis of current independent observer datasets (bycatch composition and volumes), which also considers option for bycatch monitoring and feasibility of indicator species.
- b) By 28 February 2026, consider, and if appropriate include bycatch monitoring trigger points and risk mitigation measures in the harvest strategy.