



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

**DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION –
QUEENSLAND OCEAN BEACH FISHERY, APRIL 2024**

I, BELINDA JAGO, Branch Head, Ocean 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 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 Queensland Ocean Beach 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 1 May 2027, and
- b) is subject to the conditions applied under section 303FT specified in Schedule 1.

Dated this 23rd day of April 2024

BELINDA JAGO

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@dcecew.gov.au.

Declaration of the harvest operations of the Queensland Ocean Beach Fishery as an approved wildlife trade operation, April 2024

Condition 1

The operation of the Queensland Ocean Beach Fishery must be carried out in accordance with the *Fisheries Act 1994* (Queensland) and Fisheries (General) Regulation 2019, Fisheries (Commercial Fisheries) Regulation 2019, Fisheries Declaration 2019, and Fisheries Quota Declaration 2019 (Queensland).

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 Ocean Beach 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 Ocean Beach Fishery to the Department of Climate Change, Energy, the Environment and Water by 30 September annually, as per Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition*.

Condition 5

By 30 September 2024, the Queensland Department of Agriculture and Fisheries must provide a report to the Department of Climate Change, Energy, the Environment and Water, which includes all available data on discarded catch from the Ocean Beach Fishery and any information on the post release survival of discarded catch.

Condition 6

The Queensland Department of Agriculture and Fisheries must ensure that any retained or discarded catch of CITES-listed species in the Queensland Ocean Beach Fishery is recorded and reported to a species level wherever possible, and that this catch data is included in annual reports to the Department of Climate Change, Energy, the Environment and Water as required by Condition 4.

Condition 7

The Queensland Department of Agriculture and Fisheries must continue efforts to work with the New South Wales Department of Primary Industries to ensure shared stocks of sea mullet (*Mugil cephalus*) and tailor (*Pomatomus saltatrix*) remain sustainable.

An update on collaborative management efforts is to be included in annual reports due to the Department of Climate Change, Energy, the Environment and Water as part of the Condition 4.