



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, TONY BURKE, Minister for Sustainability, Environment, Water, Population and Communities, have considered in accordance with section 303FN of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the application from the Australian Fisheries Management Authority, 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 Coral Sea Fishery, as defined in the management regime in force under the Commonwealth *Fisheries Management Act 1991* and the *Fisheries Management Regulations 1992*, 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 19 November 2013 and;
- b) is subject to the conditions applied under section 303FT specified in the Schedule (dated November 2010).

Dated this

17

day of

17 November 2010

Minister for Sustainability, Environment, Water, Population and Communities

SCHEDULE

Declaration of the Harvest Operations of the Coral Sea Fishery as an approved Wildlife Trade Operation, November 2010**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 Coral Sea Fishery:

Condition 1

Operation of the fishery will be carried out in accordance with the management regime in force under the *Fisheries Management Act 1991* and the *Fisheries Management Regulations 1992*.

Condition 2

The Australian Fisheries Management Authority to inform the Department of Sustainability, Environment, Water, Population and Communities of any intended amendments to Coral Sea Fishery management arrangements that may affect the assessment of the fishery against the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* decisions are based.

Condition 3:

The Australian Fisheries Management Authority to produce and present reports to the Department of Sustainability, Environment, Water, Population and Communities annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries- 2nd Edition*.

Condition 4:

The Australian Fisheries Management Authority to:

- a) by July 2011, convene a panel of experts to determine the risks to target, bycatch and discard species in the Coral Sea Fishery;
- b) by July 2011 address concerns raised by the *Independent Comment on the Methodology used for the Coral Sea Fishery qualitative risk analysis—Part 1* with particular considerations to the recommendations arising from this review; and
- c) develop and commence the implementation of appropriate risk mitigation strategies for high risks identified through the risk assessment processes for the Coral Sea Fishery.

Condition 5:

The Australian Fisheries Management Authority to:

- a) implement species specific identification and reporting of chondrichthyan species taken in the Coral Sea Fishery;
- b) should species grouping be required, the Australian Fisheries Management Authority to provide scientific justification;
- c) implement management measures that limit the take of chondrichthyans in the Coral Sea Fishery to levels that are sufficiently precautionary to assist the Australian Fisheries Management Authority in ensuring ecologically sustainable management of the take of chondrichthyans in the Coral Sea Fishery.

Condition 6:

The Australian Fisheries Management Authority to manage the take of school shark (*Galeorhinus galeus*) and eastern gemfish (*Rexea solandri*) in the Coral Sea Fishery in a manner that is complementary to the management strategies outlined in the *School Shark Stock Rebuilding Strategy 2008* and *Eastern Gemfish Stock Rebuilding Strategy 2008*.

Condition 7:

The Australian Fisheries Management Authority, in consultation with Australia's CITES¹ Scientific Authority, to develop and implement a long term monitoring program for humphead Maori wrasse (*Cheilinus undulates*) stocks related to the fishery. The monitoring program should be capable of identifying, at a minimum, species specific catch levels, size of specimens collected and any areas at risk of localised and/or serial depletion in the area of the fishery.

Condition 8:

By 30 September 2011, the Australian Fisheries Management Authority to review the data validation program for the Coral Sea Fishery and consider an appropriate data validation system for the aquarium sector.

Condition 9:

Consistent with the recommendations made in the Commonwealth Scientific and Industrial Research Organisation *Coral Sea Fishery – Review of harvest strategies 2009*, the Australian Fisheries Management Authority to:

- a) validate and justify the triggers contained in the harvest strategies for all sectors of the Coral Sea Fishery; and
- b) report annually on the analysis of catches against these triggers and any management responses implemented as a result.

¹ Convention on International Trade in Endangered Species of Wild Fauna and Flora