



Australian Government
Great Barrier Reef
Marine Park Authority

Policy on Managing Activities that include the Direct Take of a Protected Species from the Great Barrier Reef Marine Park

10 June 2005

Note: there were additions to appendix three and six in September 2008.

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**POLICY ON MANAGING ACTIVITIES THAT
INCLUDE THE DIRECT TAKE OF A PROTECTED SPECIES
FROM THE GREAT BARRIER REEF MARINE PARK**

10 June 2005

Table of Contents

POLICY.....	2
BACKGROUND.....	5
DEFINITIONS	7
JUSTIFICATION	10
Table 1: Species covered by this policy and their listing under Commonwealth and Queensland legislation.....	13
Appendix 1: Protected Species Activity Matrix.....	25
Appendix 2: Assessment Guidelines for Photography, Filming or Sound Recording	26
Appendix 3: Assessment Guidelines for the Removal from the Marine Park for Public Display for Education and Interpretation	29
Appendix 4: Assessment Guidelines for Tourism Education and Interpretation.....	34
Appendix 5: Assessment Guidelines for Research.....	37
Appendix 6: Assessment Guidelines for Broodstock Collection for Aquaculture	38
Appendix 7: Environmental Research Ethics Advisory Committee	44
Appendix 8: Protected Species Report Form	45

POLICY

Summary: To provide a framework for the consistent and effective management of activities that include the direct take of a Protected Species from the Great Barrier Reef Marine Park.

DISCLAIMERS

- *This Policy should be read in conjunction with, and subject to, the **Great Barrier Reef Marine Park Act 1975** and to the extent relevant, all instruments made thereunder, for example, the **Great Barrier Reef Marine Park Regulations 1983** and the **Policy on Managing Scientific Research in the Great Barrier Reef Marine Park**.*
- *Nothing in this policy and associated guidelines is intended to extinguish any native title rights and interests, and in particular, nothing in this policy and associated guidelines is intended to affect the operation of section 211 of the **Native Title Act 1993**.*
- *For the purposes of this policy the terms 'taking' and 'take' are interchangeable with both retaining the definition of 'taking' in the **Great Barrier Reef Marine Park Zoning Plan 2003**.*
- *This policy is designed to be read on a personal computer in conjunction with internet access as there are many hyperlinks throughout the document that direct readers to relevant further information.*

General

1. This Policy only applies to activities that include the direct take (see definitions) of a Protected Species (see definitions) from the Great Barrier Reef Marine Park (the Marine Park) and does not cover activities that include the direct take of a Restricted Species (see definitions). The Great Barrier Reef Marine Park Authority (the Authority) recognises the internationally, nationally and regionally threatened and iconic status of Protected Species occurring in the Marine Park. The Authority acknowledges their significance to the Great Barrier Reef World Heritage Area and aims to reduce detrimental human-related impacts on these species, and hence promote their recovery in the wild, in part by requiring written permission for activities that include the direct take of a Protected Species from the Marine Park, where the take will contribute to the conservation of the Protected Species.

Permissions

2. In assessing applications for activities that include the direct take of a Protected Species, the Authority must have regard to:
 - (i) Australian and Queensland government legislation, policies and programs;
 - (ii) the conservation status of the species, including the species' vulnerability to over-collecting and local depletion;
 - (iii) the ability of the applicant to take the species from a less protected Great Barrier Reef Marine Park zone;
 - (iv) the capacity of the applicant to collect, transport and / or handle the species to best practice standards; and
 - (v) the proposed use of the Protected Species, and the likely impacts of the method of take on the Protected Species.
3. The Authority considers that the take of a Protected Species may be appropriate in certain circumstances where the take will contribute to the conservation of the Protected Species, for the following activities:

- (i) Photography, filming or sound recording;
 - (ii) Public display for education and interpretation;
 - (iii) Tourism education and interpretation (e.g. touch tanks, touch & tell);
 - (iv) Research;
 - (v) Broodstock collection for aquaculture; and
 - (vi) Other activities on a case-by-case basis.
4. The Authority will only issue permissions for activities that include the direct take of a Protected Species in the categories of ‘Endangered’ and ‘Critically Endangered’ under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) where the activity will contribute significantly to the conservation of the species.
 5. The Authority may require that Protected Species be returned to the Marine Park if they are not injured or otherwise affected by removal for a specified permitted activity.
 6. The Authority will require written notification of the capture and fate of any Protected Species permitted to be taken from the Marine Park.
 7. The Authority may issue permissions for activities that include the direct take of a Protected Species for varying lengths of time depending on the purpose of the take.
 8. In line with Australian Government Cost Recovery Guidelines, the Authority may introduce permission application assessment fees for activities that include the direct take of a Protected Species, having regard to the level of assessment required.
 9. The Authority will require the purpose of the take of a Protected Species to be listed on the permission. Subsequent use of a Protected Species must be consistent with the purpose for which it was originally taken or other activities considered appropriate by the Authority.

Provision for sick, injured or at risk Protected Species

10. If necessary, the Authority will take appropriate measures to identify and protect, or otherwise deal with, individual Protected Species, or groups of Protected Species, which are of special interest.

Guidelines

11. The Authority may develop, review and amend guidelines for assessing applications for activities that include the direct take of a Protected Species from the Marine Park.

Photography, filming or sound recording

12. The Authority expects all photography, filming or sound recording activities that include the direct take of a Protected Species to be conducted to best practice standards.

Public display for education and interpretation

13. The Authority requires that activities that include the direct take of a Protected Species for public display be for the primary purpose of education and interpretation.

Tourism education and interpretation

14. The Authority encourages tourism operators to adopt, comply with and publicise best practices when undertaking activities that include the direct take of a Protected Species for the purpose of education and interpretation.

Research

15. The Authority will only consider activities that include the direct take of a Protected Species for research if the take contributes to the conservation of the species and is not inconsistent with relevant National Recovery Plans or Threat Abatement Plans.

Broodstock collection for aquaculture

16. Unless in exceptional circumstances, the Authority requires that activities that include the direct take of a Protected Species for supply as broodstock for aquaculture be for direct supply to licensed Australian aquaculture facilities.

BACKGROUND

TITLE

Managing activities that include the direct take of a Protected Species from the Great Barrier Reef Marine Park.

PREFACE

Policy maker and empowerment

Great Barrier Reef Marine Park Authority (by board decision, MPA 181/7)

Timing

MPA 195 - 2005

Editor's note

This policy implements a new management regime for activities that include the direct take of Protected Species and Strictly Protected Species in the Marine Park that is consistent with the Zoning Plan and associated Regulations.

Head notes

Conservation: Complementary Planning/Management: Protected Species: Strictly Protected Species: Endangered Species: Environment Impact Assessment: Take: Impacts of Use: Permit Matters: Fish: Management Guidelines: Research: Tourism: Turtles: Whales: Dolphins: Dugongs: Crocodiles: Sea Snakes.

PURPOSE

The purpose of this policy is to ensure consistent and effective use of, and management of, activities that include the direct take of a Protected Species or a Strictly Protected Species (see definitions) from the Marine Park.

The issues covered by this policy include: assessment considerations such as the conservation status of the species, zoning of the area of take, relevance to the conservation management of the Marine Park, permission information, provision for sick, injured or at risk animals, guidelines, photography, filming or sound recording, public display for education, tourism interpretation, research and broodstock collection for aquaculture.

The direct take of a Protected Species for the purpose of traditional use of marine resources is not addressed in this policy.

Relevant statute law, or other Authority policy, Ministerial decisions

Great Barrier Reef Marine Park Act 1975 (the Act)

Section 3: contains interpretation, including that “this Act” includes the regulations.

Section 5: states the object of this Act, which is to make provision for and in relation to the establishment, control, care and development of a marine park in the Great Barrier Reef Region in accordance with the provisions of this Act.

Section 7: states the functions of the Authority and provides that the Authority is responsible for the management of the Marine Park.

Specifically subsection 7(1)(b) states that among the functions of the Authority, the need to carry out, by itself or in co-operation with other institutions and persons, research and investigations relevant to the Marine Park.

- Section 8: empowers the Authority to do all things necessary or convenient to be done for or in connection with the performance of its functions.
- Section 38B prohibits a person from using or entering a zone for a purpose requiring the Authority's permission unless authorised by such a permission.
- Section 38C prohibits contravention of permission conditions.
- Section 61 empowers the Authority to delegate any of its powers under this Act, other than this power of delegation.
- Section 66 empowers the Authority with the capacity to create regulations that provide for the collection of specimens and the pursuit of research in the Marine Park for scientific purposes.

Great Barrier Reef Marine Park Regulations 1983 (the Regulations)

Regulation 29

defines, for the purposes of the *Great Barrier Reef Marine Park Zoning Plan 2003*, the species that are declared as protected species.

Regulation 69

allows for the taking of two species of syngnathids if the activity is done in accordance with the *Fisheries (East Coast Trawl) Management Plan 1999* of Queensland.

Regulation 74, 75, 76, 77

states how an application must be made, information required, additional information required for research applications and what the Authority must consider in applications for permission to use or enter into a zone in the Amalgamated Great Barrier Reef Section.

Regulation 110

states that the Authority may suspend a permission if it appears to the Authority that the permission holder is failing to comply with a condition of that permission.

Regulation 112

states that the Authority may revoke a permission if, 60 days after suspension of the permission, the permission holder continues to fail to comply with the condition.

Regulation 117

states that the Authority must not grant a permission to use or enter or carry on an activity in the Marine Park unless the Authority has made an assessment of the impact the use, entry or activity is likely to have on the Marine Park and the Great Barrier Reef.

Great Barrier Reef Marine Park Zoning Plan 2003 (the Zoning Plan)

Part 5, Section 5.3

Entry to zones for the purpose of taking Protected Species etc. states:
A zone may be used or entered for the purposes of taking an animal or plant of a protected species or a strictly protected species only:

- (a) in accordance with a permission granted for a provision of Part 2 of this Zoning Plan; or
- (b) in accordance with:
 - (i) an accredited traditional use of marine resources agreement, and any provisions of the Regulations applicable to the operation of the agreement; or
 - (ii) an accredited harvest fishery; or

- (c) for any other purpose prescribed in the Regulations for this paragraph, and in accordance with any limitation prescribed in the Regulations.

25 Year Strategic Plan for the Great Barrier Reef World Heritage Area

The 25 Year Strategic Plan recognised the importance of species conservation as a strategic management tool, and is identified as one of the main objectives:

- 25 year objective: to ensure the World Heritage Area persists as a diverse, resilient, productive ecosystem;
- 5 year objective: to pay special attention to conserving rare and endangered species;
- 5 year strategies to identify species and threats, and develop and implement coordinated management actions.

Marine Park Authority (MPA) Board policy

Key components of MPA policy are below:

- In 1996, MPA (161/8) adopted an interim policy on the traditional hunting of dugongs (essentially not recommending the granting of permissions for the take of dugongs for the purpose of traditional hunting in the area south of Cooktown).
- In 1999 and 2000, MPA (177A/5; 179/4) approved the Whale and Dolphin Conservation Policy and the addendum to that policy in relation to swimming with dwarf minke whales.

DEFINITIONS

(from the Act, Regulations, Zoning Plan or Plans of Management)

- Animal*** In the Act, ***animal*** means any member, alive or dead, of the animal kingdom (other than man), and includes:
(a) eggs or part of eggs; and
(b) the skin, feathers, shell or any other part of an animal.
- Broodstock collection*** For the purposes of this policy, ***broodstock collection*** means the taking of adult breeders for aquaculture purposes, and not for consumption.
- Interfere with*** In the Cairns, Hinchinbrook and Whitsundays area and Shoalwater Bay (Dugong) Plans of Management, ***interfere with*** includes harass, chase, herd, tag mark and brand.
- Location*** In the Regulations, a ***location*** is defined as meaning a discrete, identified reef, or a continuous non-reef area of up to 10 square kilometres.
- Photography, filming or sound recording:*** In the Zoning Plan, ***photography, filming or sound recording*** means the recording of images or sounds in a way that has or is likely to have negligible impact on the Marine Park and does not involve any of the following:
(a) the use of a facility within 100 metres of a whale or within 50 metres of a dolphin;
(b) a person being in the water within 30 metres of a whale or dolphin;

	(c) the use of an aircraft (other than a helicopter) at a height lower than 1 000 feet within a horizontal radius of 300 metres of a whale or dolphin;
	(d) the use of a helicopter within 1 000 metres of a whale or a dolphin.
Protected Species	In the Zoning Plan, Protected Species means: a species declared for the purposes of this definition in the Regulations, and subject to any limitation prescribed in the Regulations.
	Regulation 29 Protected Species
	(1) For the definition of protected species in the Zoning Plan, the following species are declared:
	(a) each species that is a listed threatened species , a listed migratory species or a listed marine species (in each case within the meaning given by the <i>Environment Protection and Biodiversity Conservation Act 1999</i>);
	(b) each species of marine mammal, bird or reptile that is prescribed as ‘ endangered wildlife ’, ‘ vulnerable wildlife ’ or ‘ rare wildlife ’ under the <i>Nature Conservation Act 1992</i> of Queensland;
	(c) each species mentioned or referred to in Table 29.
	(2) An individual of a species of the genus <i>Epinephelus</i> (other than <i>E. tukula</i> or <i>E. lanceolatus</i>) is taken to be of a protected species if the individual is more than 1 000 millimetres long.
Public display for education and interpretation	For the purposes of this policy, the primary purpose of the facility must be education and interpretation (e.g. public aquaria or museum, not a restaurant or hotel foyer tank).
Research Project	In the Regulations, a research project means a diligent and systematic inquiry or investigation into a subject, in order to discover facts or principles that has its own objectives, sampling design and outcomes.
Restocking	For the purposes of this policy, restocking means the release of aquatic animals or plants reared in captivity (hatchery, nursery) or collected elsewhere.
Restricted Species	In the Regulations, Table 15 Restricted species for fishing or collecting , Part 1 lists specimens that cannot be taken or possessed at any time and Part 2 lists specimens where no more than 5 specimens can be taken or possessed at a time.
Strictly Protected Species	In the Zoning Plan, Strictly Protected Species means: a species (if any) prescribed for this definition in the Regulations, and subject to any limitation prescribed in the Regulations.
Taking	In the Zoning Plan taking an animal, plant or marine product includes: (a) removing, gathering, catching, capturing, killing, destroying, dredging for, raising, carrying away, bringing ashore, interfering with and obtaining (by any other means) the animal, plant or marine product; and

(b) attempting to do anything mentioned in paragraph (a).

This policy addresses activities that include the direct take of a Protected Species from the Marine Park and does not cover incidental take.

For the purposes of this policy, the terms *taking* and *take* are interchangeable with both retaining the definition of ‘taking’ in the Zoning Plan.

CONSULTATION

Two phases of consultation have occurred.

(1) As part of the Representative Areas Program for developing the Draft Zoning Plan. Of the 21,300 submissions received during that process, 520 responded specifically to the idea of protected species for the Marine Park.

(2) Subsequent to the formal public comment phase for the Draft Zoning Plan, discussions were held with the Queensland Department of Primary Industries and Fisheries, Environmental Protection Agency and the Australian Government Department of the Environment and Heritage, and the Fisheries and Conservation Reef Advisory Committees.

SUBSEQUENT DEVELOPMENTS

Under the *Great Barrier Reef Marine Park Regulations 1983*, Regulation 29 and Table 29 provide information on declared Protected Species. There are currently (as of May 2005) no Strictly Protected Species.

PROVISION FOR REVIEW

It is intended that this policy be reviewed as required.

REFERENCES

- [*25 Year Strategic Plan for the Great Barrier Reef World Heritage Area*](#)
- [*Environment Protection and Biodiversity Conservation Act 1999*](#)
- [*Great Barrier Reef Marine Park Act 1975*](#)
- [*Great Barrier Reef Marine Park Regulations 1983*](#)
- [*Great Barrier Reef Marine Park Zoning Plan 2003*](#)
- [*Cairns Area Plan of Management*](#)
- [*Hinchinbrook Area Plan of Management*](#)
- [*Whitsundays Area Plan of Management*](#)
- [*Shoalwater Bay \(Dugong\) Plan of Management*](#)
- [*Managing Scientific Research in the Great Barrier Reef Marine Park Policy Document 2004*](#)
- [*Nature Conservation Act 1992*](#)
- [*Whale and Dolphin Conservation in the Great Barrier Reef Marine Park Policy Document 2000*](#)

JUSTIFICATION

The aim of the Representative Areas Program (RAP) was to help protect biodiversity through protecting ‘representative’ examples of all the different habitats and communities in the Marine Park. In conjunction with this program, rezoning of the entire Marine Park provided an opportunity to develop consistent reef wide frameworks for managing use and entry, including managing activities that include the direct take of Protected Species and Strictly Protected Species.

The Protected Species list established under the Regulations is a list of species for which it is an offence to intentionally take unless in accordance with a permission granted by the Authority. Regulation 29 and Table 29 provide information on declared Protected Species.

The aim of this document is to outline the Authority’s approach to managing activities that include the direct take of Protected Species from the Marine Park.

Management Framework

A graded system of species protection, implemented through Schedules in the Regulations, was developed to allow the Authority to list species requiring special management arrangements on the basis of their conservation and/or iconic status.

The Schedule of Protected Species, includes:

- each species listed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) as a listed threatened species, a listed migratory species, or a listed marine species;
- each species of marine mammal, bird or reptile that is prescribed as ‘endangered wildlife’, ‘vulnerable wildlife’ or ‘rare wildlife’ under the *Nature Conservation Act 1992* (the NCA) of Queensland;
- an individual of a species of the genus *Epinephelus* (other than *E. tukula* or *E. lanceolatus*) if the individual is more than 1 000 millimetres long; and
- each species referred to in Table 29 of the regulations (see Table 1 below).

The Authority’s written permission is only required if an activity constitutes direct **taking** (see definitions) of a Protected Species or Strictly Protected Species from the Marine Park.

A permit from the Department of the Environment and Heritage will be required for any action affecting Cetaceans that would be in breach of the EPBC Act without the issue of a permit. This comes under the Delegation held by the Assistant Secretary, Wildlife Conservation Branch in the Department of the Environment and Heritage and must be considered via the usual permit process provided under the EPBC Act.

For matters pertaining to the trade, keeping or movement of EPBC Act listed threatened, migratory and marine species a permit will be required under the EPBC Act from the Department of the Environment and Heritage.

The written permission of other Government Agencies may also be required, in addition to the written permission of the Authority, to take a Protected Species. Other such agencies could include:

- The Queensland Environmental Protection Agency, in relation to the [Nature Conservation Act 1992](#) and the [Marine Parks Act 1982](#), which regulates activities in State coastal waters; and
- The Department of Primary Industries and Fisheries, in relation to the [Fisheries Act 1994](#), which regulates the use, conservation and enhancement of the community's fisheries resources and fish habitats.

Important Notes:

- Not all Protected Species listed under the Regulations are addressed in this policy.
- The Authority has concentrated on those species for which it considers it is likely to receive applications.
- Terrestrial flora and fauna have not been addressed in this policy because the Authority does not expect to receive applications for activities to take those species. If in the future the Authority recognises a need to develop specific policy for terrestrial Protected Species, then it will do so in accordance with approved procedures and protocols.
- Traditional uses of marine resources have not been addressed in this policy. The Authority will develop specific policy for Traditional use of marine resources in accordance with approved procedures and protocols.
- All other Protected Species will be covered on a case-by-case basis and activities that include the direct take of any Protected Species still require written permission from the Authority.
- Table 1 is a list of species covered by this policy.

The criteria used for listing threatened species under the EPBC Act are contained in the *EPBC Regulations 2000*, Division 7.01 and are reproduced below:

Item	Criterion	Category		
		Critically endangered	Endangered	Vulnerable
1	It has undergone, is suspected to have undergone or is likely to undergo in the immediate future:	a very severe reduction in numbers	a severe reduction in numbers	a substantial reduction in numbers
2	Its geographic distribution is precarious for the survival of the species and is:	very restricted	restricted	limited
3	The estimated total number of mature individuals is:	very low	low	limited
	and:			
	(a) evidence suggests that the number will continue to decline at:	a very high rate	a high rate	a substantial rate
	or			
	(b) the number is likely to continue to decline and its geographic distribution is:	precarious for its survival	precarious for its survival	precarious for its survival
4	The estimated total number of mature individuals is:	extremely low	very low	low
5	The probability of its extinction in the wild is at least:	50% in the immediate future	20% in the near future	10% in the medium-term future

The criteria used for listing threatened species under the NCA are contained in Part 5 Division 2 of the NCA and are reproduced below.

Note: The Queensland Parliament has passed amendments to change the five protected classes under the NCA to six. The six classes will be: extinct in the wild wildlife, endangered

wildlife, vulnerable wildlife, near threatened wildlife, and least concern wildlife. These changes have not yet taken effect (as of May 2005).

77 Native wildlife may be prescribed as endangered wildlife

(1) If the Governor in Council is of the opinion that—

(a) native wildlife is in danger of extinction; or

(b) the survival of native wildlife in the wild is unlikely if threatening processes continue; the wildlife may be prescribed as endangered wildlife.

(2) Native wildlife is taken to be in danger of extinction if— (a) its number has been reduced to a critical level or its habitat has been so drastically reduced that it may be in immediate danger of extinction; or (b) it has not been sighted in the wild for a period critical to its life cycle although no thorough search has been made for it.

78 Native wildlife may be prescribed as vulnerable wildlife

(1) If the Governor in Council is of the opinion that the survival of native wildlife in the wild is vulnerable if threatening processes continue, the wildlife may be prescribed as vulnerable wildlife.

(2) Native wildlife is taken to be vulnerable if— (a) its population is decreasing because of threatening processes; or (b) its population has been seriously depleted and its protection is not secured; or (c) its population, while abundant, is at risk because of threatening processes; or (d) its population is— (i) low or localised; or (ii) dependent on limited habitat that is at risk because of threatening processes.

79 Native wildlife may be prescribed as rare wildlife

(1) If the Governor in Council is of the opinion that native wildlife that is not threatened wildlife is rare, the wildlife may be prescribed as rare wildlife.

(2) Rare wildlife may include native wildlife whose population is represented by— (a) a relatively large population in a restricted range; or (b) smaller populations thinly spread over a wider range.

80 Native wildlife may be prescribed as common wildlife

(1) If the Governor in Council is of the opinion that— (a) native wildlife is common or abundant; and (b) the wildlife is likely to survive in the wild; the wildlife may be prescribed as common wildlife.

(2) Native wildlife may be prescribed as common wildlife even though the wildlife is the subject of a threatening process.

The other Protected Species covered by this Policy complement protection afforded under the Queensland *Fisheries Act 1994* and associated Regulations and Management Plans. Some of these same species are afforded protection under international conventions or treaties that Australia is a signatory to, and as such, requires special management arrangements for their export (e.g. Maori wrasse and giant clams are listed under Appendix II of [CITES](#); therefore, export approval is required under the EPBC Act).

Table 1: Species covered by this policy and their listing under Commonwealth and Queensland legislation.

Species	Common name	Commonwealth <u>Environment Protection and Biodiversity Conservation Act 1999</u>	Queensland <u>Nature Conservation (Wildlife) Regulation 1994</u>	Queensland <u>Fisheries Act 1994</u> (including subordinate legislation) †
<u>Invertebrates</u>				
<i>Cassis cornuta</i>	Helmet Shell	NS	NS	Restricted by species
<i>Charonia tritonis</i>	Giant Triton Shell	NS	NS	Restricted by species (Referred to as Trumpet Shell)
Family Tridacnidae (all species)	Giant Clams	NS*	NS	Restricted by species (Referred to by common name 'clam')
<u>Fish</u>				
Families Syngnathidae and Solenostomidae (all species)	Seahorses, pipefish, seadragons Ghost pipefish	Listed Marine Species (<i>Hippocampus sp.*</i>)	NS	Permitted fish Restricted by number Fisheries (East Coast Trawl) Management Plan 1999
<i>Epinephelus tukula</i>	Potato cod (all sizes)	NS	NS	Restricted by species
<i>Epinephelus lanceolatus</i>	Queensland grouper (all sizes)	NS	NS	Restricted by species
All species of the Genus <i>Epinephelus</i> greater than 1000mm long except <i>Epinephelus tukula</i> <i>Epinephelus lanceolatus</i>	Cods and groupers Potato Cod Queensland grouper	NS	NS	Restricted by size (Note: only camouflage rock cod, flowery cod and greasy rock cod)
<i>Cromileptes altivelis</i>	Barramundi cod	NS	NS	Restricted by species
<i>Cheilinus undulatus</i>	Maori wrasse	NS*	NS	Restricted by species
<i>Pristidon microdon</i>	Freshwater Sawfish	Vulnerable	NS	NS
<i>Rhincodon typus</i>	Whale shark	Vulnerable	NS	NS
<i>Carcharias taurus</i>	Grey nurse Shark	Critically Endangered	Endangered	Restricted by species
<i>Carcharias carcharias</i>	Great white Shark	Vulnerable*	NS	Restricted by species
<u>Marine Reptiles</u>				
Families Hydrophiidae and Laticaudidae (all species)	Sea snakes	Listed Marine Species	NS	NS

Species	Common name	Commonwealth <u>Environment Protection and Biodiversity Conservation Act 1999</u>	Queensland <u>Nature Conservation (Wildlife) Regulation 1994</u>	Queensland <u>Fisheries Act 1994</u> (including subordinate legislation) †
Genus <i>Crocodylus</i> (all species)	Crocodiles	Listed Migratory Species Listed Marine Species	Estuarine crocodile (<i>Crocodylus porosus</i>) Vulnerable	NS
Family Cheloniidae (all species)	All species	Listed Migratory Species Listed Marine Species		NS
	Flatback turtle	Vulnerable	Vulnerable	
	Green turtle	Vulnerable	Vulnerable	
	Hawksbill turtle	Vulnerable	Vulnerable	
	Loggerhead turtle	Endangered	Endangered	
	Olive Ridley	Endangered	Endangered	
Family Dermochelyidae (all species)	Leatherback turtle	Listed Marine Species Listed Marine Species Vulnerable	Endangered	NS
Birds				
Class Aves (all species)	Birds	Some Listed Marine Species Some Listed Migratory Species	All species are listed as 'Common' except as noted below	NS
	Grey-headed albatross	Vulnerable		
	Herald petrel	Critically endangered	Endangered	
	Little tern	NS	Endangered	
	Northern giant petrel	Vulnerable		
	Red-tailed tropicbird	NS	Vulnerable	
	Sooty albatross	Vulnerable		
	Southern giant petrel	Endangered		
	Wandering albatross	Vulnerable		
Marine Mammals				
Families Otariidae and Phocidae (all species)	Seals	Listed Marine Species	Common	NS
	Subantarctic fur seal	Vulnerable	Common	
<i>Dugong dugon</i>	Dugong	Listed Marine Species Listed Migratory Species	Vulnerable	NS
Order Cetacea (all species)	Whales & dolphins	Listed Cetaceans Some Listed Migratory Species	All species are listed as 'Common' except as noted below	NS
	Blue whale	Endangered		

Species	Common name	Commonwealth <i><u>Environment Protection and Biodiversity Conservation Act 1999</u></i>	Queensland <i><u>Nature Conservation (Wildlife) Regulation 1994</u></i>	Queensland <i><u>Fisheries Act 1994</u> (including subordinate legislation) †</i>
	Fin whale	Vulnerable	Vulnerable	
	Humpback whale	Vulnerable	Vulnerable	
	Indo-pacific hump-backed dolphin	NS	Rare	
	Irrawaddy dolphin	NS	Rare	
	Sei whale	Vulnerable		

NS = Not Scheduled.

† Queensland [Fisheries Act 1994](#) and subordinate legislation lists species that may be taken in each commercial fishery (e.g. net, trawl, line). In the case of the recreational fishery restrictions are imposed only if the fish is specifically regulated (e.g. by size, number, gender or area).

* [CITES](#) (Convention on International Trade in Endangered Species of Wilde Fauna and Flora) listed species require an EPBC Act permit, accompanied by a non-detriment finding, for export of specimens taken from the wild.

Note: This table is subject to change as a result of changes to species lists under relevant pieces of legislation.

Implementation

This policy will be implemented in accordance with the existing [Goal and Aims](#) of the Authority and in collaboration with the appropriate Australian Government and Queensland agencies.

Potential adverse impacts on Protected Species in the Marine Park due to human activities will be reduced primarily through education and by regulation, permission or best environmental practices and codes of conduct.

Background Information

The Authority will base management decisions concerning Protected Species on the available information about the species and human activities and other factors that may affect them, and on prudent application of the precautionary principle¹ where there are potential threats of serious or irreversible harm to Protected Species populations.

General

- This Policy only applies to activities that include the direct take (see definitions) of a Protected Species (see definitions) from the Great Barrier Reef Marine Park (the Marine Park) and does not cover activities that include the direct take of a Restricted Species (see definitions). The Great Barrier Reef Marine Park Authority (the Authority) recognises the internationally, nationally and regionally threatened and iconic status of Protected Species occurring in the Marine Park. The Authority acknowledges their significance to the Great Barrier Reef World Heritage Area and aims to reduce detrimental human-related impacts on these species, and hence promote their recovery in the wild, in part by requiring written permission for activities that include the direct take of a Protected Species from the Marine Park, where the take will contribute to the conservation of the Protected Species.***

In the *Great Barrier Reef Marine Park Zoning Plan 2003* (Zoning Plan) Part 5, Section 5.3 Entry to zones for the purpose of taking Protected Species etc. states:

A zone may be used or entered for the purposes of taking an animal or plant of a protected species or a strictly protected species only:

- in accordance with a permission granted for a provision of Part 2 of this Zoning Plan; or
- in accordance with:
 - an accredited traditional use of marine resources agreement, and any provisions of the Regulations applicable to the operation of the agreement; or
 - an accredited harvest fishery; or
- for any other purpose prescribed in the Regulations for this paragraph, and in accordance with any limitation prescribed in the Regulations.

Furthermore, in the Regulations Part 2, Division 2.2, Regulation 69 Entry to zones for purpose of taking certain Protected Species states:

For paragraph 5.3 (c) of the Zoning Plan:

- the following purpose is prescribed, that is, the taking of an animal of the species *Solegnathus hardwickii* or *S. dunckeri*; and

¹ defined in the *Intergovernmental Agreement on the Environment* (1992), which states that in the application of the precautionary principle, public and private decisions should be guided by:

- careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment; and
- an assessment of the risk-weighted consequences of various options.

(b) the following limitation is prescribed, that is, that the taking must be in accordance with the *Fisheries (East Coast Trawl) Management Plan 1999* of Queensland.

Note The two species mentioned are pipefish, of the family Syngnathidae. All species of that family are otherwise protected – see Regulation 29.

All applications for permissions to conduct activities that include the direct take of a Protected Species in the Marine Park must be assessed in accordance with the Regulations. Regulation 74 lists the matters to which the Authority must have regard in considering applications for activities that include the direct take of a Protected Species or Strictly Protected Species. Regulation 117 states that an assessment of the impact of activities in the Marine Park must be made before granting a permission. In undertaking an assessment where the potential impacts of an activity are unknown, the precautionary principle will be applied.

Permissions

2. In assessing applications for activities that include the direct take of a Protected Species, the Authority must have regard to:

(i) Australian and Queensland government legislation, policies and programs.

The Authority has obligations under the provisions of future act notification under the *Native Title Act 1993* to notify and provide Land Councils, registered Native Title Representative Bodies and Native Title representative claimants with the opportunity to comment on any proposal to issue a permission under Great Barrier Reef Marine Park Legislation.

Many of the Protected Species covered by this policy are migratory and therefore cross State, national and international jurisdictional boundaries. As such, at least within the Great Barrier Reef World Heritage Area, complementary approaches to the species' conservation and management should be developed. As such, the Authority will not be inconsistent with the following documents in making decisions on applications for activities that include the direct take of Protected Species from the Marine Park and will incorporate these practices into guidelines and best environmental practices.

- Recovery Plans and Threat Abatement Plans developed by the Department of the Environment and Heritage under the EPBC Act;
- Requirements for the take of listed threatened, listed migratory and listed marine species under the EPBC Act; and
- Australian Government or Queensland Conservation or Management Plans or policies.

The Australian Government Department of the Environment and Heritage (DEH) develop and implement recovery plans for threatened species (other than conservation dependent species) and threatened ecological communities and threat abatement plans for key threatening processes listed under the EPBC Act. Recovery plans set out the management actions necessary to stop the decline of, and support the recovery of, listed threatened species or threatened ecological communities. Threat abatement plans are developed in response to the listing of a key threatening process rather than aimed at species directly.

For further information refer to:

<http://www.deh.gov.au/biodiversity/threatened/recovery/index.html>

and

<http://www.deh.gov.au/biodiversity/threatened/tap/index.html>

Under the EPBC Act section 268 states that a Commonwealth agency must not take any action that contravenes a recovery plan or a threat abatement plan. Therefore, the Authority must be consistent in its approach to management of the activities covered by these plans.

The Queensland Environmental Protection Agency (EPA) also develop and implement recovery plans, which set out the research and management actions necessary to stop the decline, support the recovery and enhance the chance of long-term survival in the wild, of a particular species or community of protected wildlife, and conservation plans, which allow for the ecologically sustainable taking and use of protected wildlife from the wild for commercial and non-commercial purposes.

For further information refer to:

http://www.epa.qld.gov.au/nature_conservation/wildlife/endangered_animals/recovery/conservation_plans/

The Queensland Department of Primary Industries and Fisheries (DPIF) develop and implement [fisheries management plans](#), which set out controls such as the number of boats that can operate in a fishery, the time and place of fishing, the type and specifications (e.g. length) of boat and fishing gear, the amount of catch (e.g. “total allowable catch”), the size, sex or maturity of fish (e.g. berried crabs, lobsters or various fin fish) that can be taken on board, held, landed or offered for sale.

(ii) *the conservation status of the species, including the species’ vulnerability to over-collecting and local depletion;*

Many of the Protected Species covered by this policy are listed threatened species under Commonwealth or Queensland legislation (refer Table 1).

International conventions or treaties agreed to by the Australian Government also cover many of the Protected Species in this policy (Stokes *et al.* 2005²), which places obligations on the Authority to conserve the species either for its role in the ecosystem, or as an iconic species.

The susceptibility of marine wildlife to impacts varies by species and the nature of the impacts. For example, species or populations with few individuals, or that are confined to limited geographic areas, are generally more vulnerable than those that are common or cosmopolitan in distribution. This is because the effects are concentrated on individuals or a specific area and they are likely to be less resilient as common or widely distributed species. In addition, species may be more vulnerable at certain times in their life cycle (for example when they are very young), at certain times of the year such as during breeding seasons, or when they are engaged in particular behaviours such as feeding. Species with limited geographic areas and limited abilities to spawn across substantial distances are more at risk and unlikely to recover from overexploitation. Species may also be more vulnerable to certain impacts because of physiological, behavioural, or other factors, such as breeding aggregations.

² Stokes, T., Dobbs, K., Mantel, P., and Pierce, S. 2005. ‘[Flora and Fauna of the Great Barrier Reef World Heritage Area: A compendium of information and basis for the Species Conservation Program of the Great Barrier Reef Marine Park Authority](#)’, GBRMPA, Townsville.

Furthermore, exposure to some impacts may lead to habituation, so that the effect of an impact on the animal declines with time as the animal becomes ‘accustomed’ to the impact. However, habituation does not always occur and is difficult to measure.

Some Protected Species have life history characteristics that can make individuals, genetic stock or entire populations vulnerable to removal from the Marine Park. Some of these characteristics include long-lived, late maturation, low reproductive rate (or low survivorship of young) and high adult survivorship required for stable populations. These characteristics mean that human-related mortality of key age classes (e.g. breeding animals) or large numbers being removed from particular locations can severely impact the species’ population and resilience and ability to recover.

(iii) the ability of the applicant to take the species from a less protected Great Barrier Reef Marine Park zone;

The Authority uses zoning as a tool to manage for the protection and wise use of the Marine Park. The Zoning Plan sets out the purpose for which each zone may be used or entered without permission, and the purposes for which each zone may be used or entered only with the written permission of the Authority.

The Preservation Zone has been established to provide for the preservation of the natural integrity and values of areas of the Marine Park, generally undisturbed by human activities. The Zoning Plan provides for research (including limited impact research (non-extractive) and limited impact research (extractive)) (with the written permission of the Authority) provided that it can be demonstrated to the Authority that:

- (a) the research is relevant to, and a priority for, the management of the Marine Park; and
- (b) the research cannot reasonably be conducted elsewhere.

The Buffer Zone and the Marine National Park Zone are also highly protected. In both of these zones, extractive activities are generally considered inconsistent with the objectives of the zone. However, in recognising the needs of specific stakeholders to take Protected Species, the Authority will consider applications where there is demonstrated justification relevant to, and a priority for, the management of the Marine Park; or the take cannot reasonably be conducted elsewhere.

The Public Appreciation Special Management Area (PA SMA) were established to provide for restrictions on access to, or use of, specified areas of the Marine Park for conservation or management purposes for appreciation by the public. A PA SMA must not be used or entered for any of the following purposes:

- (a) limited spearfishing;
- (b) the conduct of a harvest fishery;
- (c) aquaculture operations (this does not apply to the Fitzroy Island Reef PA SMA).

Based on this objective, for the purposes of this Policy, it is not appropriate to allow activities that include the direct take of a Protected Species from within a PA SMA unless the activity is a priority for management of the Marine Park and the activity cannot reasonably be conducted elsewhere.

(iv) the capacity of the applicant to collect, transport and / or handle the species to best practice standards;

Currently, only researchers, on request, are required to provide proof of university/institution animal ethics approval to the Authority when they apply for a

permission to conduct research in the Marine Park. The Authority does not intend to extend this requirement to all applicants who apply to undertake an activity that includes the direct take of a Protected Species from the Marine Park. However, the Authority needs to be assured that not more than the required number of Protected Species is taken from the Marine Park (and that numbers are not inflated because of known or suspected mortality that might occur as a result of capture or transport for their final use). Also, some of the Protected Species covered by this policy are dangerous (e.g. crocodiles), susceptible to capture and transport requirements (e.g. syngnathids) or are subject to stress when attempts are made to capture or transport them (e.g. fish). Therefore, to minimise impacts to both the Protected Species and the overall Marine Park, the Authority needs assurance from the applicant that they have the suitable suite of skills and equipment to manage the direct take of Protected Species from the Marine Park. This can be by way of industry or government training programs or a demonstrated past experience in conducting the specified activity.

(v) the proposed use of the Protected Species, and the likely impacts of the method of take on the Protected Species;

The Authority acknowledges that not all activities are appropriate for all Protected Species, and the Protected Species Activity Matrix (Appendix 1) indicates what activities are most likely to be considered, depending on the Protected Species involved. Other activities will be assessed on a case-by-case basis. Activity specific controls will be applied through Regulation, permissions, codes of conduct or best environmental practices, whichever is deemed most suitable for protecting the species to be taken. The Authority also acknowledges that different methods of take will have different degrees of impact on the Protected Species. For example, the act of capturing or attempting to capture animals can involve repeated chasing, trapping or netting of individuals or groups, until the desired animals are successfully captured. These activities can generate noise, cause physical disturbance and behavioural modification, and can be stressful and disruptive. Other methods of capture can be more selective, such as line fishing, however are only appropriate for some Protected Species and are associated with other issues such as damage from hooks. The method of take and other appropriate alternatives will be considered during permission assessment.

3. *The Authority considers that the take of a Protected Species may be appropriate in certain circumstances where the take will contribute to the conservation of the Protected Species, for the following activities:*

- (i) Photography, filming or sound recording;***
- (ii) Public display for education and interpretation;***
- (iii) Tourism education and interpretation (e.g. touch tanks, touch & tell);***
- (iv) Research;***
- (v) Broodstock collection for aquaculture; and***
- (vi) Other activities on a case-by-case basis.***

The Authority anticipates that the above activities are likely to be the requested activities that include the direct take of a Protected Species. The Authority acknowledges that not all of the activities are appropriate for all of the Protected Species, and the Protected Species Activity Matrix (Appendix 1) indicates what activities are most likely to be considered, depending on the Protected Species involved. Activity specific controls will be applied through Regulation, permissions, codes of conduct or best environmental practices, whichever is deemed most suitable for protecting the species to be taken.

4. ***The Authority will only issue permissions for activities that include the direct take of a Protected Species in the categories of ‘Endangered’ and ‘Critically Endangered’ under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) where the activity will contribute significantly to the conservation of the species.***

The Authority will assess applications for activities that include the direct take of Protected Species in the above categories on a case-by-case basis. For a permission to be granted for a species listed as ‘Endangered’ or ‘Critically Endangered’ under the EPBC Act the activity must contribute significantly to the conservation of the species.

5. ***The Authority may require that Protected Species be returned to the Marine Park if they are not injured or otherwise affected by removal for a specified permitted activity.***
The Authority may require under the terms of a permission the return of a Protected Species to the Marine Park. Examples of situations where this is likely to be requested are when a Protected Species has been removed from the Marine Park:
- for display in a touch tank on a pontoon for part of one day; or
 - for filming in an aquarium and held in captivity for a short term.

The terms of removal and subsequent replacement of the species will be dealt with on a case-by-case basis but will have regard to issues such as the length of time the animal has been removed from the Marine Park, the conditions under which it was held, and any other health, welfare or quarantine issues that may be relevant, including potential impact on wild stock. Where possible, the return of a Protected Species to the Marine Park should be at the same location from where it was taken.

6. ***The Authority will require written notification of the capture and fate of any Protected Species permitted to be taken from the Marine Park.***

The Authority will require, under the terms of a permission, written notification of the capture and fate of any Protected Species. A Protected Species Report Form (Appendix 8) has been developed for this purpose and should be attached to permissions allowing the take of a Protected Species. The timeframe for submitting written notification will be assessed on a case-by-case basis, but will generally be within ten (10) days of the take of a Protected Species.

7. ***The Authority may issue permissions for activities that include the direct take of a Protected Species for varying lengths of time depending on the purpose of the take.***

The Authority is able to issue permissions for varying lengths of time, ranging from several days to fifteen (15) years, depending on the type of activity. For example, filming *in situ* for a documentary could be permitted for several weeks, whereas dedicated tourism watching of a Protected Species could be permitted for fifteen (15) years in the case of an appropriately certified 15-year tourism operator. Research permissions are normally issued for up to three (3) years. Essentially, the period in the permit issued will be assessed on a case-by-case basis.

8. ***In line with Australian Government Cost Recovery Guidelines, the Authority may introduce permission application assessment fees for activities that include the direct take of a Protected Species, having regard to the level of assessment required.***

The Australian Government has adopted Cost Recovery Guidelines for government activities. The Authority in adopting these guidelines may introduce permission application assessment fees for applications to undertake activities that include the direct

take a Protected Species. The assessment fee will be in line with the permitted activity and reflect the level of assessment required.

- 9. *The Authority will require the purpose of the take of a Protected Species to be listed on the permission. Subsequent use of a Protected Species must be consistent with the purpose for which it was originally taken or other activities considered appropriate by the Authority.***

Protected Species have been listed because of their conservation concern and iconic status. As such, it is important that activities that include the direct take of these species be identified on permissions (e.g. ‘*The take of a Protected Species for tourism education and interpretation*’). This will further inform the permittee that the conduct of their permitted activity includes the take of a Protected Species and will assist enforcement agencies by identifying the purpose of the take.

Subsequent use of a Protected Species must be consistent with the purpose for which it was originally taken or other activities considered appropriate by the Authority. For example, a protected fish that can no longer be used for broodstock for aquaculture could be donated to public aquaria for public display.

Provision for sick, injured or at risk Protected Species

- 10. *If necessary, the Authority will take appropriate measures to identify and protect, or otherwise deal with, individual Protected Species, or groups of Protected Species, which are of special interest.***

These measures are reserved for an animal(s) within the Marine Park that is/are judged to be at particular risk of harassment, injury or death from humans (e.g. morphological or colour-variant individuals, and sick, injured, trapped or entangled individuals). These measures would be implemented in rare cases and to an extent commensurate with the benefit to the conservation of the species or populations, and would not generally be used to interfere with natural processes.

Guidelines

- 11. *The Authority may develop, review and amend guidelines for assessing applications for activities that include the direct take of a Protected Species from the Marine Park.***

The development of future guidelines, approved by the Chair, will provide a consistent and transparent framework for making decisions about activities that include the direct take of Protected Species in addition to the terms and conditions under which that take may occur. These guidelines will be developed, reviewed and amended from time to time as required.

The Protected Species Activity Matrix at Appendix 1 gives an overview of the activities the Authority is likely and unlikely to issue a permission for the take of a Protected Species.

Photography, filming or sound recording

- 12. *The Authority expects all photography, filming or sound recording activities that include the direct take of Protected Species to be conducted to best practice standards.***

An awareness of any impact on the surrounding environment when conducting photography, filming or sound recording needs to be uppermost in a person’s mind. Every attempt should be made to photograph, film or sound record Protected Species without taking (i.e. moving, touching, carrying away or interfering) them. In recognition of the

environmental significance and World Heritage status of the Marine Park, and the threatened or iconic status of the Protected Species covered by this policy, the Authority expects all permittees to adopt best environmental practices when conducting all activities in the Marine Park. [Best environmental practice guidelines](#) have been prepared for a range of activities.

These guidelines should be considered by persons undertaking photography, filming or sound recording when taking Protected Species from the Marine Park and the Authority can promote these to prospective Permittees at the time of application.

For specific guidelines relating to photography, filming or sound recording refer to Appendix 2.

Public display for education and interpretation

13. The Authority requires that activities that include the direct take of a Protected Species for public display be for the primary purpose of education and interpretation.

The Authority anticipates requests for activities that include the direct take of a Protected Species for public display in facilities such as commercial public aquaria and museums. The Authority appreciates that Protected Species are listed because of concern about their conservation and/or iconic value and therefore requires that the take of a Protected Species for the purpose of public display be for the benefit of public education and interpretation. Education presents the facts, while interpretation uses those facts to increase appreciation and positively influence behaviour. It is recommended that appropriate interpretation (e.g. status, threats, biology, physiology, origin) accompany the display of a Protected Species through mechanisms such as signage on the display or presentations by facility guides.

For guidelines relating to the removal from the Marine Park for public display for education refer to Appendix 3.

Tourism education and interpretation

14. The Authority encourages tourism operators to adopt, comply with and publicise best practices when undertaking activities that include the direct take of a Protected Species for the purpose of education and interpretation.

Tourism industry education and interpretation is one of the most effective ways to increase people's awareness of the environment. Education presents the facts, while interpretation uses those facts to increase appreciation and positively influence behaviour.

Health of the animals and all of the other organisms that make up the Marine Park is in the interests of both the industry and management, for now and for the future.

The definition of take is quite broad and includes a range of activities (from killing to interference). For the purposes of this Policy, so long as tourism operators do not interfere with the Protected Species (e.g. harass, chase, herd, tag, mark, brand) or do any of the other activities mentioned under the definition of 'taking', then no written permission is required from the Authority.

The matter of touching a Protected Species is a sensitive one. The touching of any Protected Species for the purposes of tourism interpretation is not supported, other than possible consideration of the careful handling of triton and helmet shells by an

appropriately trained tourist guide, because for many species touching is likely to be hazardous for the animal, in terms of potential physical damage and the possibility of two-way disease transfer. Touching is explicitly prohibited for some species (e.g. cetaceans) through Regulations, however for most of the other Protected Species there are no Regulations. Alternative options are available for viewing these animals such as appreciating them in their natural ecosystem. Tourism operators provide the public with the opportunity to encounter up close the natural living system of the Great Barrier Reef and learn first hand about its World Heritage values. One of the sustainable methods of maintaining the diversity, integrity and productivity of the Great Barrier Reef is to restrict the take of Protected Species.

For guidelines relating to tourism education and interpretation refer to Appendix 4.

Research

15. The Authority will only consider activities that include the direct take of a Protected Species for research if the take contributes to the conservation of the species and is not inconsistent with relevant National Recovery Plans or Threat Abatement Plans.

Research plays an important role in the management of the Marine Park and World Heritage Area and the Authority is committed to ensuring that management decisions are based on the best scientific information available. The Authority also appreciates that Protected Species are listed because of concern about their conservation and/or their iconic value. This means that proposed research needs to have been identified as contributing to the conservation of the species in the Marine Park or identified as one of the Authority's research priorities and is not inconsistent with national recovery plans or threat abatement plans, as amended from time to time. For further information refer to: http://www.gbrmpa.gov.au/corp_site/info_services/science/research_priorities/index.html

For guidelines relating to research refer to Appendix 5.

Some research applications may be referred to the Authority's Environmental Research Ethics Advisory Committee (EREAC). For guidelines relating to the EREAC refer to Appendix 7.

Broodstock collection for aquaculture

16. Unless in exceptional circumstances, the Authority requires that activities that include the direct take of a Protected Species for supply as broodstock for aquaculture be for direct supply to licensed Australian aquaculture facilities.

There is a demand for the take of some Protected Species as broodstock for aquaculture from the Marine Park. Industry and Government resources have been earmarked and allocated to the development of reef fish species aquaculture in Australia. To ensure the conservation of the species and to safe guard the growth of the Australian aquaculture industry, it is recommended that restricted take of relevant Protected Species be allowed for the benefit of the Australian aquaculture industry.

For guidelines relating to broodstock collection for aquaculture refer to Appendix 6.

Appendix 1 - Protected Species Activity Matrix

	<i>in situ</i> activities ^{∇#} (e.g. filming)	Filming removal ^x	Public display for education	Tourism interpretation (e.g. touch & tell, touch tank)*	Research**	Broodstock collection for aquaculture
Helmet shells	L	L	L	L	L	U
Triton shells	L	L	L	L	L	U
Giant clams	L	L	L	Dead only (for shell display)	L	L
Syngnathids	L	L	L	U	L	L
Potato cod	L	U	L	U	L	U
Queensland Grouper	L	U	L	U	L	U
<i>Epinephelus</i> > 100cm	L	U	L	U	L	U
Barramundi cod	L	U	L	U	L	L
Maori wrasse	L	U	L	U	L	U
Freshwater sawfish	L	U	U	U	L	U
Whale shark	L	U	U	U	L	U
Grey nurse shark	L	U	U	U	L	U
Great white shark	L	U	U	U	L	U
Sea snakes	L	L	L	U	L	U
Crocodiles	L	U	U	U	L	U
Flatback turtle	L	U	U	U	L	U
Green turtle	L	U	U	U	L	U
Hawksbill turtle	L	U	U	U	L	U
Leatherback turtle	L	U	U	U	L	U
Loggerhead turtle	L	U	U	U	L	U
Olive Ridley turtle	L	U	U	U	L	U
Birds	L	U	U	U	L	U
Seals	L	U	U	U	L	U
Dugongs	L	U	U	U	L	U
Cetaceans	L	U	U	U	L	U

L = 'Likely' means the Authority may grant a permission for the take of the Protected Species for the particular activity noted after assessment that is in accordance with the Regulations, this policy and the associated guidelines, and appropriate conditions to manage the activity are developed.

U = 'Unlikely' means the Authority is unlikely to grant a permission for the take of the Protected Species, however exceptional circumstances may be considered.

∇ Permission only required if activity constitutes 'take' as defined in the Zoning Plan # Research requires a permission for this activity regardless of whether take occurs ^xTemporary removal or holding, one off events *Does not include fish feeding activities, **Non-lethal research only, lethal research would require substantial justification.

Appendix 2 – Assessment Guidelines for Photography, Filming or Sound Recording

A permission is only required if the activity of photography, filming or sound recording constitutes take of a Protected Species under the Zoning Plan or is not in accordance with the Regulations.

Removal in the context of the activity photography, filming or sound recording refers to the temporary removal or one off take events of a Protected Species. Regard should be given to [Best Environmental Practices](#) if take of a Protected Species from the Marine Park is permitted.

In assessing applications for activities that include the direct take of a Protected Species, the Authority will have regard to the capacity of the applicant to collect, transport and / or handle the species to best practice standards. A statement may be requested from applicants detailing this information and their qualifications.

The Authority is likely to consider appropriate activities that include the direct take of the following Protected Species for photography, filming or sound recording, providing all other requirements are satisfied:

IN SITU and REMOVAL

Every attempt should be made to photograph, film or sound record *in situ* the following Protected Species without taking (i.e. moving, touching, carrying away or interfering with) them in the process. However, permission applications for take will be considered for the following Protected Species, as it is unlikely that moving, touching, carrying away or interfering with them will be an unacceptable risk to them.

The Authority is likely to require replacement of the following Protected Species back to the location of their collection, as soon as is practical after the photography, filming or sound recording and before the permission expires.

- Helmet shell (*Cassis cornuta*)
- Triton shell (*Charonia tritonis*)
- Giant clams (Family Tridacnidae)
- Seahorses, pipefish and ghost pipefish (Families Syngnathidae and Solenostomidae)
- Sea snakes (Families Hydrophiidae and Laticaudidae)
 - *In situ* preferred.
 - The sourcing of specimens from alternative sources (e.g. trawled specimens, captive bred) would be preferable to additional specific take from the Marine Park.

IN SITU ONLY

As it is likely to be hazardous for the animal, in terms of potential physical damage, and alternative options are available, the removal of the following fish from the Marine Park for the purpose of photography, filming or sound recording is not supported. This activity should either be performed *in situ* where there are many reliable locations or permission sought to film inside commercial public aquaria that already displays them for education.

- Potato Cod (*Epinephelus tukula*) – all sizes
- Queensland Grouper (*Epinephelus lanceolatus*) – all sizes
- All species of the Genus *Epinephelus* (cods and groupers) greater than 100cm
- Barramundi cod (*Cromileptes altivelis*)
- Maori wrasse (*Cheilinus undulatus*)

- Freshwater Sawfish (*Pristis microdon*)

The Authority should avoid the granting of a permission to photograph, film or sound record *in situ* any coral reef fish during the fish spawning closed seasons implemented by the DPIF, unless the purpose of the application is to photograph, film or sound record a spawning aggregation site, and provided that no suitable stock footage is available. Further information on these closures can be found at: <http://www.dpi.qld.gov.au/fishweb/11416.html#Closedseasons>

- Whale shark (*Rhincodon typus*)
 - *In situ* only, no removal.
 - Ensure consistent with the [Draft Whale Shark \(*Rhincodon typus*\) Recovery Plan 2004-2009](#) (Department of the Environment and Heritage) and Western Australia's [Code of Conduct for Swimming with Whale Sharks](#).
- Grey Nurse shark (*Carcharias taurus*)
 - *In situ* only, no removal.
 - Ensure consistent with the [Recovery Plan for the Grey Nurse Shark \(*Carcharias Taurus*\) in Australia](#) (Department of the Environment and Heritage 2002).
 - Ensure consistent with the [Code of Conduct for diving with Grey Nurse Sharks](#).
 - Remain as consistent as possible with the restrictions at [declared Grey Nurse Shark Areas](#) in Moreton Bay Marine Park.
- Great white shark (*Carcharias carcharias*)
 - *In situ* only, no removal.
 - Ensure consistent with the [White Shark \(*Carcharodon carcharias*\) Recovery Plan](#) (Department of the Environment and Heritage 2002).
- Crocodiles (Genus *Crocodylus*)
 - *In situ* only, no removal as there is easy access to specimens in crocodile farms.
 - In accordance, where possible, with the EPA's [Wildlife Conservation – Crocodile in Queensland](#) document.
- Marine turtles (Families Cheloniidae and Dermochelyidae)
 - *In situ* only, no removal as the act of capturing or attempting to capture turtles can involve repeated chasing of individuals or groups, until the desired turtles are successfully captured. These activities generate noise, cause physical disturbance and behavioural modification, and are stressful and disruptive. Permission to film inside commercial public aquaria that already display them for education is an alternative option.
 - Ensure consistent with the [Recovery Plan for Marine Turtles in Australia](#).
 - Ensure consistent with the [Draft National Code of Conduct for turtle tourism](#) (Department of the Environment and Heritage 2004).
 - The Authority's [Whitsundays](#) and [Hinchinbrook](#) Plans of Management prohibit interference with turtles, and for the purpose of this guideline 'interference' means harass, chase, herd, tag, mark or brand.
 - Commonwealth Islands constitute part of the Marine Park and need to be considered for matters relating to turtle nesting.
- Birds (Class Aves)
 - *In situ* only, no removal as the act of capturing or attempting to capture birds can involve repeated chasing, trapping or netting of individuals or groups, until the desired birds are successfully captured. These activities generate noise, cause physical disturbance and behavioural modification, and are stressful and disruptive.
 - Ensure consistent with [The Action Plan for Australian Birds](#) (Department of the Environment and Heritage 2000).

- Ensure consistent with the [Draft Recovery Plan for Ten Species of Seabird 2004-2009](#) (Department of the Environment and Heritage 2004).
- Ensure consistent with the [Wildlife Conservation Plan for Migratory Shorebirds](#) being developed by the Department of the Environment and Heritage 2004.
- Remain as consistent as possible with the document [Guidelines for Managing Visitation to Seabird Breeding Islands](#).
- Remain as consistent as possible with the [Guidelines on Recreational Bird Watching](#).
- Seals (Families Otariidae and Phocidae)
 - *In situ* only, no removal.
 - Seals are rare visitors, in low numbers, to the Marine Park and as such it is not suitable to remove them from the Marine Park for the purpose of photography, filming or sound recording.
 - Ensure consistent with [The Action Plan for Australian Seals](#) (Department of the Environment and Heritage 1999).
- Dugong (*Dugong dugon*)
 - *In situ* only, no removal.
 - Ensure consistent with the [Draft National Code of Conduct for dugong tourism](#) (Department of the Environment and Heritage 2004).
 - The Authority's four [Plans of Management](#) prohibit interference with dugong, and for the purpose of this guideline 'interference' means harass, chase, herd, tag, mark and brand.
- Whales and dolphins (Order Cetacea)
 - *In situ* only, no removal.
 - A permission is not required if the activity of photography, filming or sound recording is conducted in accordance with Regulation 28.
 - Ensure consistent with relevant [Draft Whale Recovery Plans](#) (Department of the Environment and Heritage 2005).

The Authority does not support the touching of any of the above mentioned fish, marine reptiles, birds or marine mammals when conducting the activity of photography, filming or sound recording because touching is likely to be hazardous for both the animal and the person, in terms of potential physical damage and the possibility of two-way disease transfer.

Appendix 3 – Amended Assessment Guidelines for the Removal from the Marine Park for Public Display for Education and Interpretation

The Authority requires that the take of a Protected Species for public display be for the primary purpose of education and interpretation (see definitions). The Authority encourages facilities to include appropriate interpretation (e.g. status, threats, biology, physiology, origin) to accompany the display of a Protected Species.

Regard should be given to [Best Environmental Practices](#) if take of a Protected Species from the Marine Park is permitted.

In assessing applications for activities that include the take of a Protected Species, the Authority will have regard to the capacity of the applicant to collect, transport and / or handle the species to best practice standards. A statement may be requested from applicants detailing this information and their qualifications.

The Authority is likely to consider appropriate activities that include the direct take of the following Protected Species for public display for education and interpretations, providing all other requirements are satisfied:

The following invertebrates are highly prized by shell collectors and issues such as localised depletion need to be considered if permission is granted to take them. The triton and helmet shells are also known predators of the crown-of-thorn starfish and removal from natural ecosystems is discouraged. Permission applications for the take of these invertebrates for the purpose of public display for education will be considered, as it is unlikely that the removal of a restricted number of specimens will adversely affect natural ecosystems.

- Helmet shell (*Cassis cornuta*)
- Triton shell (*Charonia tritonis*)
- Giant clams (Family Tridacnidae)
- Seahorses, pipefish and ghost pipefish (Families Syngnathidae and Solenostomidae)

Seahorses and pipefish are commonly displayed in public aquaria and it is unlikely that the removal of a restricted number of specimens will adversely affect natural ecosystems. Seahorses have specialised animal husbandry requirements, such as their requirement for live prey and exceptional water quality, so applicants are likely to be requested to detail their qualifications and/or experience with maintaining these animals.

The Authority should have regard to the following issues when assessing applications for the take of the following protected fish species from the Marine Park for the purpose of public display for education, or other identified activities.

- Potato Cod (*Epinephelus tukula*) – all sizes
- Queensland Grouper (*Epinephelus lanceolatus*) – all sizes
- All species of the Genus *Epinephelus* (cods and groupers) greater than 100cm
- Barramundi cod (*Cromileptes altivelis*)
- Maori wrasse (*Cheilinus undulatus*)

Whether the applicant:

- (i) holds a current fisheries licence with an A1 endorsement under the *Fisheries Act 1994* of Queensland; and
- (ii) can demonstrate their ability to catch, hold and transport these fish in such a way as to ensure long term survival. This may include demonstration of current ability and/or by producing Queensland fishery logbook records that the applicant has a history of taking the protected fish species in the Marine Park.

The Authority should also consider the following when considering the ecological sustainability of take of these protected fish species from the Marine Park.

- Unless in exceptional circumstances, a maximum of ten (10) individuals of each protected fish species be permitted per permission per financial year for the purposes of public display for education;
- Unless in exceptional circumstances, a permission must not be granted if doing so would result in there being more than twenty (20) individuals of each protected fish species being taken from the Marine Park per financial year for the purpose of public display for education¹;
- A maximum of two (2) individuals of each protected fish species be permitted per permission per location (see definitions) for the purposes of public display for education; and
- Protected fish species collected under permission should not be returned to the Marine Park.

- Sea snakes (Families Hydrophiidae and Laticaudidae)

The Authority would prefer sea snakes to be sourced from the by-catch of trawler operators or from rehabilitated/rescued specimens, however applications will be considered for the take of sea snakes from the Marine Park for the purpose of public display for education as sea snakes are often displayed in public aquaria. Sea snakes have specialised animal husbandry requirements, such as collecting techniques and water quality during transport, so applicants are likely to be requested to details their qualifications and/or experience with maintaining these animals.

- Marine turtles (Families Cheloniidae and Dermochelyidae)

- Ensure consistent with the [Recovery Plan for Marine Turtles in Australia](#).

The Authority requires the direct take of turtle species for public display for education and interpretation to contribute to the conservation of the species and that the take is from the least threatened status as possible and from populations that are not in decline (e.g. take from the east coast flatback population would be preferable to hawksbill turtles). This means consideration should be given to species in the following order of preference: green turtles, flatback turtles, and then hawksbill turtles. The Authority does not support the take of olive ridley turtles, loggerhead turtles or leatherback turtles because of their endangered status either nationally under the EPBC Act or in Queensland under the NCA. The eastern Australian loggerhead turtle nesting beaches support the only significant stock of the species in the South

¹ Unallocated individuals remaining within this quota may be redistributed to other activity types identified in the Policy based on an assessment of the conservation value of the application and a 'first-come, first-served' permit application basis.

Pacific Ocean. The population has declined by 50-80% since the 1970s, from about 1000 breeding females, to a few hundred. An annual loss of only a few loggerhead turtles could result in the extinction of the Queensland population. Olive ridley and leatherback turtles are also rare visitors to the Marine Park and leatherback turtles have complicated animal husbandry requirements.

The Authority is unlikely to consider appropriate activities that include the direct take of the following Protected Species for public display for education and interpretation:

- Freshwater Sawfish (*Pristis microdon*)
 - The Authority would prefer that non-threatened species of sawfish, rather than the freshwater sawfish, be taken from the Marine Park for the purpose of public display for education.
- Whale shark (*Rhincodon typus*)
 - The [Draft Whale Shark \(*Rhincodon typus*\) Recovery Plan 2004-2009](#) (Department of the Environment and Heritage) suggests that commercial harvest in range states, not including Australia, is a direct threat to the survival of Whale sharks. As such it is not suitable to remove them from the Marine Park for the purpose of public display for education.
- Grey Nurse shark (*Carcharias taurus*)
 - The [Recovery Plan for the Grey Nurse Shark \(*Carcharias Taurus*\) in Australia](#) (Department of the Environment and Heritage 2002) recommends a nationwide moratorium on taking Grey Nurse Sharks from the wild for aquaria. There is concern that with Grey Nurse Shark populations at such low numbers, it is unsustainable for the species to be taken from the wild for aquaria.
- Great white shark (*Carcharias carcharias*)
 - The [White Shark \(*Carcharodon carcharias*\) Recovery Plan](#) (Department of the Environment and Heritage 2002) suggests that the keeping of White Sharks in captivity may hamper the species viability and recovery if carried out along the Australian coastline between Mackay, Queensland around the southern coastline and to the North West Cape in Western Australia. White Sharks north of Mackay, Queensland are rare visitors, in low numbers, and as such it is not suitable to remove them from the Marine Park for the purpose of public display for education.
- Crocodiles (Genus *Crocodylus*)
 - The Queensland Environmental Protection Agency coordinates the relocation of [problem crocodiles](#) to crocodile farms where possible. Crocodile farms also perform closed-cycle captive breeding programs. Obtaining a specimen from a crocodile farm, rather than removal from the Marine Park, is preferable.
- Birds (Class Aves)
 - The act of capturing or attempting to capture birds can involve repeated chasing, trapping or netting of individuals or groups, until the desired birds are successfully captured. These activities generate noise, cause physical disturbance and behavioural modification, and are

stressful and disruptive. As such, it is not suitable to remove them from the Marine Park for the purpose of public display for education.

- For further information refer to:
 - [The Action Plan for Australian Birds](#) (Department of the Environment and Heritage 2000).
 - [Draft Recovery Plan for Ten Species of Seabird 2004-2009](#) (Department of the Environment and Heritage 2004).
 - [Wildlife Conservation Plan for Migratory Shorebirds](#) being developed by the Department of the Environment and Heritage 2004.
- Seals (Families Otariidae and Phocidae)
 - Seals are rare visitors, in low numbers, to the Marine Park and as such it is not suitable to remove them from the Marine Park for the purpose of public display for education.
 - For further information refer to [The Action Plan for Australian Seals](#) (Department of the Environment and Heritage 1999).
- Dugong (*Dugong dugon*)
 - The act of capturing or attempting to capture dugongs can involve repeated chasing, trapping or netting of individuals or groups, until the desired animals are successfully captured. These activities generate noise, cause physical disturbance and behavioural modification, and are stressful and disruptive. As such, it is not suitable to remove them from the Marine Park for the purpose of public display for education.
 - The Authority's four [Plans of Management](#) prohibit interference with dugong, and for the purpose of this guideline 'interference' means harass, chase, herd, tag, mark and brand.
 - High-speed vessel manoeuvring in close proximity to animals poses the additional risk of boat strikes.
 - A permit under the *Nature Conservation Act 1992* is required to capture dugongs in Queensland waters, but under the [Conservation and management of the dugong in Queensland 1999-2004](#), capture for purposes of public display is not discussed.
- Whales and dolphins (Order Cetacea)
 - Capturing cetaceans affects not only individual animals, but also to some extent the population from which they are removed. Further, the act of capturing or attempting to capture animals can involve repeated chasing and trapping or netting of individuals or groups of animals, until the desired animals are successfully captured. These activities generate noise, cause physical disturbance and behavioural modification, and are stressful and disruptive to the animals.
 - High-speed vessel manoeuvring in close proximity to animals poses the additional risk of boat strikes.
 - Under the EPBC Act 1999 the Minister must not grant a permit authorising its holder to take a cetacean for live display.
 - Ensure consistent with relevant [Draft Whale Recovery Plans](#) (Department of the Environment and Heritage 2005).
 - A permit under the *Nature Conservation Act 1992* is required to capture whales and dolphins in Queensland waters, but under the [Conservation and management of whales and dolphins in Queensland 1997-2001](#), capture for purposes of public display is not permitted. The Plan provides for permissions to be issued for the rescue of sick or

injured animals, conditional upon the animals not being made available for public display and on the animals being released into the wild when fully recovered.

Appendix 4 – Assessment Guidelines for Tourism Education and Interpretation (e.g. touch & tell, touch tanks)

The definition of take is quite broad and includes a range of activities (from killing to interference). Written permission should not be required from the Authority if there is no interference (e.g. harass, chase, herd, tag, mark, brand) with a Protected Species or any of the other activities mentioned under the definition of take (see definitions).

Note: These guidelines do not consider fish feeding as the Authority already has fish feeding guidelines for tourism operators.

The matter of touching a Protected Species is a sensitive one. The touching of any Protected Species for the purposes of tourism education and interpretation is not supported, other than possible consideration of the careful handling of triton and helmet shells by an appropriately trained tourist guide, because for many species touching is likely to be hazardous for the animal, in terms of potential physical damage and the possibility of two-way disease transfer. Touching is explicitly prohibited for some species (e.g. cetaceans) through Regulations, however for most of the other Protected Species there are no Regulations. Alternative options are available for viewing these animals such as appreciating them in their natural ecosystem. Tourism operators provide the public with the opportunity to encounter up close the natural living system of the Great Barrier Reef and learn first hand about its World Heritage values. One of the sustainable methods of maintaining the diversity, integrity and productivity of the Great Barrier Reef is to restrict the take of Protected Species.

Regard should be given to [Best Environmental Practices](#) if take of a Protected Species from the Marine Park is permitted.

Tourism program permissions are usually granted for six (6) years, however there is the possibility for a maximum of fifteen (15) years if the operator has achieved appropriate [eco-certification](#).

In assessing applications for activities that include the direct take of a Protected Species, the Authority will have regard to the capacity of the applicant to collect, transport and / or handle the species to best practice standards. A statement may be requested from applicants detailing this information and their qualifications.

The Authority is likely to consider appropriate activities that include the direct take of the following Protected Species for tourism education and interpretation, providing all other requirements are satisfied:

Of all the Protected Species, the following invertebrates are the most likely category of interest for use in tourism interpretation. As these species can be handled without the likelihood of damage they provide an excellent opportunity for public interaction.

The Authority is likely to require replacement of the following Protected Species back to the location of their collection, as soon as is practicable and within the same day.

- Helmet shell (*Cassis cornuta*)
- Triton shell (*Charonia tritonis*)
- Dead Giant clams (Family Tridacnidae)

The Authority is unlikely to consider appropriate activities that include the direct take of the following Protected Species for tourism education and interpretation:

- Live giant clams (Family Tridacnidae)
 - The Authority considers it more appropriate for tourism interpretation to focus on a live giant clam in its natural ecosystem rather than it being placed in a temporary holding facility at a tourism operators site.
 - Touching giant clams (either in the wild or in a temporary holding facility) is likely to lead to altered behaviour from the clam, such as the closing of its shell unnecessarily, which may lead to undesirable energetic expenditure. If a giant clam is being caused to close its shell multiple times by having a hand waved above it, there is a chance that it won't respond when a predator is present. As such, it is not suitable to take (e.g. interfere, harass or remove) them from the Marine Park for the purpose of tourism interpretation.

As it is likely to be hazardous for the following animals, in terms of potential physical damage, and alternative options are available, the removal of the following animals from the Marine Park for the purpose of tourism interpretation is not supported. As an alternative, the viewing of these animals, where appropriate, should be performed *in situ*.

- Seahorses, pipefish and ghost pipefish (Families Syngnathidae and Solenostomidae)
- Potato Cod (*Epinephelus tukula*) – all sizes
- Queensland Grouper (*Epinephelus lanceolatus*) – all sizes
- All species of the Genus *Ephinephelus* (cods and groupers) greater than 100cm
- Barramundi cod (*Cromileptes altivelis*)
- Maori wrasse (*Cheilinus undulatus*)
- Freshwater Sawfish (*Pristis microdon*)
- Whale shark (*Rhincodon typus*)
 - When viewing *in situ* remain consistent with Western Australia's [Code of Conduct for Swimming with Whale Sharks](#).
 - For further information refer to the [Draft Whale Shark \(Rhincodon typus\) Recovery Plan 2004-2009](#) (Department of the Environment and Heritage).
- Grey Nurse shark (*Carcharias taurus*)
 - When viewing *in situ* remain consistent with the [Code of Conduct for diving with Grey Nurse Sharks](#).
 - When viewing *in situ* remain consistent with the restrictions at [declared Grey Nurse Shark Areas](#) in Moreton Bay Marine Park.
 - For further information refer to the [Recovery Plan for the Grey Nurse Shark \(Carcharias Taurus\) in Australia](#) (Department of the Environment and Heritage 2002).
- Great white shark (*Carcharias carcharias*)
 - For further information refer to the [White Shark \(Carcharodon carcharias\) Recovery Plan](#) (Department of the Environment and Heritage 2002).
- Sea snakes (Families Hydrophiidae and Laticaudidae)
- Crocodiles (Genus *Crocodylus*)
- Marine turtles (Families Cheloniidae and Dermochelyidae)
 - For further information refer to the [Draft National Code of Conduct for turtle tourism](#) (Department of the Environment and Heritage 2004). Once finalised these

codes will form the basis for the Authority's management arrangements for these species in partnership with the tourism industry.

- For further information refer to the [Recovery Plan for Marine Turtles in Australia](#).
- Birds (Class Aves)
 - When viewing *in situ* remain consistent with the document [Guidelines for Managing Visitation to Seabird Breeding Islands](#).
 - When viewing *in situ* remain consistent with the [Guidelines on Recreational Bird Watching](#).
 - For further information refer to [The Action Plan for Australian Birds](#) (Department of the Environment and Heritage 2000).
 - For further information refer to the [Draft Recovery Plan for Ten Species of Seabird 2004-2009](#) (Department of the Environment and Heritage 2004).
 - For further information refer to the [Wildlife Conservation Plan for Migratory Shorebirds](#) being developed by the Department of the Environment and Heritage 2004.
- Seals (Families Otariidae and Phocidae)
 - Seals are rarely encountered within the Marine Park, and are usually sighted hauled out on coastal beaches.
 - For further information refer to [The Action Plan for Australian Seals](#) (Department of the Environment and Heritage 1999).
- Dugong (*Dugong dugon*)
 - For further information refer to the [Draft National Code of Conduct for dugong tourism](#) (Department of the Environment and Heritage 2004). Once finalised these codes will form the basis for the Authority's management arrangements for these species in partnership with the tourism industry.
- Whales and dolphins (Order Cetacea)
 - Under the EPBC Regulations, Part 8 describes interacting with cetaceans and whale watching and expressly prohibits interference with cetaceans as part of a whale watching venture. In addition, Regulation 8.07 says that a person must avoid touching a cetacean or making sudden movements when within 2 metres of a cetacean. The Authority, in the interests of ensuring complementary management approaches, adopts a similar stance.
 - Ensure consistent with relevant [Draft Whale Recovery Plans](#) (Department of the Environment and Heritage 2005).
 - Ensure consistent with the Authority's [Whale and Dolphin Conservation Policy](#).

Capturing fish, marine reptiles, birds, or marine mammals affects not only individual animals, but also to some extent the population from which they are removed. Further, the act of capturing or attempting to capture animals can involve repeated chasing and trapping or netting of individuals or groups of animals, until the desired animals are successfully captured. These activities generate noise, cause physical disturbance and behavioural modification, and are stressful and disruptive to the animals. In addition, the animal husbandry requirements of many of the above mentioned animals are complex and require expert knowledge and experience.

Appendix 5 – Assessment Guidelines for Research

Research permissions are usually granted for one (1) to three (3) years, however there is the possibility for a maximum of six (6) years if necessary.

The Authority, in considering a permission for research that includes the take of a Protected Species, will have regard to the level of environmental impact associated with the activity and the issues raised in the Protected Species Policy. The Authority is likely to approve the take of a Protected Species for research only if the taking contributes to the conservation of the species in the Marine Park and is not inconsistent with National Recovery Plans or Threat Abatement Plans and can be justified against the guidelines below.

This means that proposed research needs to have been identified:

1. as contributing to the conservation of the species in the Marine Park; or
2. as one of the Authority's research priorities (Green et al. 2001), as amended from time to time http://www.gbrmpa.gov.au/corp_site/info_services/science/research_priorities/index.html; and
3. is not inconsistent with a National Recovery Plan or Threat Abatement Plan <http://www.deh.gov.au/biodiversity/threatened/recovery/index.html> and <http://www.deh.gov.au/biodiversity/threatened/tap/index.html>

For a research application to be accepted and registered the researcher is required to demonstrate that it is a *bona fide research project* (see definitions).

Research may be of three types:

- Non-manipulative/ non-extractive;
- Manipulative or extractive research non-lethal; or
- Manipulative or extractive research lethal.

In order to conduct non-manipulative/non-extractive and manipulative or extractive research non-lethal the researcher must demonstrate to the Authority that:

- the research is relevant to, and a priority for, the management and long term conservation of the Protected Species; and
- the research will be conducted in a humane and ethical manner.

In order to conduct manipulative or extractive lethal research of a protected species the researcher must demonstrate to the Authority that:

- the research is relevant to, and a priority for, the management and long term conservation of the Protected Species; and
- the research cannot be reasonably conducted in a non-lethal manner; and
- the research will be conducted in a humane and ethical manner.

When a choice is available among captive-bred or propagated specimens or wild or free-ranging stock for research not detrimental to the survival of a Protected Species, it is recommended the option contributing most positively to sustaining wild populations of the species be chosen. There are additional restrictions for researchers under the Regulations. In particular, refer to [Table 19-1 Animal species limited by number for limited research sampling](#) and to the [Best Environmental Practices](#).

In all cases an Ethics Approval from an appropriate body will need to be forwarded to the research assessor with the application for a research permission. All research involving Protected Species will be referred to the [Environmental Research Ethics Advisory Committee](#), which may cause the assessment period to exceed 8 weeks.

Appendix 6 – Amended Assessment Guidelines for Broodstock Collection for Aquaculture

The Authority's current [Position Statement on Aquaculture within the Great Barrier Reef Marine Park](#) states that the Authority is unlikely to permit restocking (see definitions) as a method of resource management.

In assessing applications for activities that include the direct take of a Protected Species, the Authority will have regard to the capacity of the applicant to collect, hold and transport the species to best practice standards. A statement may be requested from applicants detailing this information and their qualifications. For all species, a permittee who has already collected broodstock must have very good justification for further collection.

The Authority is likely to consider appropriate activities that include the direct take of the following Protected Species for broodstock collection for aquaculture, providing all other requirements are satisfied:

- Giant clams (Family Tridacnidae)

Giant clams are vulnerable to collection for the South-East Asian food market and for the aquarium trade. However, some species are now cultured for these markets and consideration would be given for the limited collection of broodstock for aquaculture.

The giant clam population at Orpheus Island (resulting from a research project conducted by James Cook University) will be considered as a special case and take for the supply of broodstock for aquaculture may be considered appropriate.

Information on abundance and distribution of giant clams is generally poor, therefore a precautionary approach to setting levels of take is necessary. Further, it is believed that *Tridacna gigas* is relatively rare south of 19°S. The Authority should consider the best available information and the following requirements when assessing applications for activities that include the direct take of giant clams from the Marine Park for the purpose of supply as broodstock for aquaculture.

Whether the applicant:

- (i) holds a current Australian aquaculture facility licence; and
- (ii) nominates fishers, with details of fishing boat mark(s) and boat name(s) to take and supply giant clam broodstock;
- (iii) can demonstrate that nominated fishers have ability to catch, hold and transport these animals, or animals with similar life histories, in such a way as to ensure long term survival for the purpose of providing broodstock for aquaculture; and
- (iv) can demonstrate their ability to hold these animals, or animals with similar life histories, or has recently completed appropriate approved training to ensure long term survival of animals used as broodstock for aquaculture.

The Authority should also consider the following when considering the ecological sustainability of take of giant clam from the Marine Park:

- Unless in exceptional circumstances, a maximum of 50 individuals of giant clam of the species *Tridacna crocea* be permitted per permission for supply as broodstock for aquaculture;
- Unless in exceptional circumstances, a permission must not be granted if doing so would result in there being more than 150 individuals of giant clam of the species *Tridacna crocea* being taken from the Marine Park per financial year for supply as broodstock for aquaculture;
- Unless in exceptional circumstances, a maximum of 20 individuals per species of giant clam of the species *Tridacna derasa*, *Tridacna gigas*, *Tridacna maxima*, *Tridacna squamosa* and *Hippopus hippopus* be permitted per permission for supply as broodstock for aquaculture;
- Unless in exceptional circumstances, a permission must not be granted if doing so would result in there being more than 60 individuals per species of giant clam of the species *Tridacna derasa*, *Tridacna gigas*, *Tridacna maxima*, *Tridacna squamosa* and *Hippopus hippopus* being taken from the Marine Park per financial year for supply as broodstock for aquaculture;
- If additional specimens of giant clams are requested for biosecurity testing, specific justification of proposed numbers would be required, including details from the requesting agency.
- The Authority seeks to minimise wild take of giant clams from the Marine Park through implementation of best practice methods.
- For the burrowing clam species (*T. crocea*, *T. maxima* and *T. squamosa*) collection must minimise impact on surrounding substrate, and the only tools to be used are hammer and chisel. Animals should be sourced, wherever possible, from small pieces of loose, dead coral substrate;
- A maximum of five (5) individuals of *Tridacna crocea* or two (2) individuals of other species of giant clam be permitted per permission per location (see definitions) for supply as broodstock for aquaculture;
- Giant clam collected under permission should not be returned to the Marine Park, and aquaculture facilities must ensure no possibility of accidental release into the Marine Park; and
- Collection must only be from General Use Zones and Habitat Protection Zones.

Best Practice Methods

The following suggestions should also be considered for the take of giant clam:

- Minimise damage to the surrounding habitat from collection operations;
- A temporal and spatial spread to avoid local depletion issues;
- Avoid high use areas of the Marine Park (e.g. known tourist / dive sites)
- Consider the life history of the species;
- Consider known distribution of the species;
- Justification of numbers required;
- Inform applicant that other approvals may be required (such as from the Department of Primary Industries and Fisheries);
- Precautionary approach needs to be adopted to ensure cumulative impact is considered adequately; and
- Removal must not have a detrimental effect on the species.

- Seahorses, pipefish and ghost pipefish (Families Syngnathidae and Solenostomidae)

Seahorses are vulnerable to collection for medicinal purposes for the South-East Asian market and for the marine aquarium trade. Some species have been bred successfully in captivity for these markets, consequently, it is likely that restricted removal of some species from the Marine Park for the purpose of supply as broodstock for aquaculture may be seen as appropriate. Despite the absence of stock assessments, it is unlikely that the removal of a restricted number of specimens will adversely affect natural ecosystems.

- Barramundi cod (*Cromileptes altivelis*)

Research indicates that there are about 0.2 Barramundi cod per 1000m² of reef habitat in the Great Barrier Reef making these fish one of the rarer species found on the Great Barrier Reef (Choat pers. comm. 2005).

The Authority should consider the following requirements when assessing applications for activities that include the direct take of barramundi cod from the Marine Park for the purpose of supply as broodstock for aquaculture.

Whether the applicant:

- (v) holds a current Australian aquaculture facility licence; and
- (vi) nominates fishers, with details of fishing boat mark(s) and boat name(s) to take and supply barramundi cod broodstock;
- (vii) can demonstrate that nominated fishers have the ability to catch, hold and transport these fish, or fish with similar life histories, in such a way as to ensure long term survival for the purpose of providing broodstock for aquaculture; and
- (viii) can demonstrate their ability to hold these fish, or fish with similar life histories, or has recently completed appropriate approved training to ensure long term survival as broodstock for aquaculture.

The Authority should also consider the following when considering the ecological sustainability of take of barramundi cod from the Marine Park:

- Unless in exceptional circumstances, a maximum of 50 individuals of barramundi cod be permitted per permission per financial year for supply as broodstock for aquaculture;
- Unless in exceptional circumstances, a permission must not be granted if doing so would result in there being more than 200 individuals of barramundi cod being taken from the Marine Park per financial year for supply as broodstock for aquaculture;
 - o The Authority encourages completion of research into closing the life cycle of the barramundi cod within a captive breeding facility.
- A maximum of two (2) individuals of barramundi cod be permitted per permission per location (see definitions) for supply as broodstock for aquaculture; and
- Barramundi cod collected under permission should not be returned to the Marine Park.

Best Practice Methods

The following suggestions should also be considered for the take of barramundi cod:

- Avoid take in pairs as scientific advice suggests that if a pair is taken from an area, there is likely to be no spawning in that area for a long time;
- A temporal and spatial spread;
- The larger the fish the greater the temporal and spatial spread;
- Consider the life history of the species;
- Consider known distribution of the species;
- Justification of numbers required;
- Inform applicant that other approvals may be required (such as from DPIF);
- Precautionary approach needs to be adopted to ensure cumulative impact is considered adequately; and
- Removal must not have a detrimental effect on the species.

The Authority is unlikely to consider appropriate activities that include the direct take of the following Protected Species for broodstock collection for aquaculture:

If a permit application is received for the direct take of the following Protected Species for broodstock collection for aquaculture, the Authority requires the following information, in addition to all other requirements, to adequately assess the application:

- Adequate information on population status and abundance of the species in question;
- Ecological risk posed by the proposed level of take on the local population, species and broader ecosystem; and
- Potential impacts on other users of the Marine Park.

The following two shells were protected under the *Queensland Fisheries Act 1994* due to the discovery that they were predators of the crown-of-thorn starfish. The shells of these animals are also highly prized by shell collectors. As such, the take of these species for the purpose of broodstock collection is unlikely to be supported.

- Helmet shells
- Triton shells

The Authority has protected the following fish species because of conservation concern and their iconic value:

- Freshwater Sawfish (*Pristis microdon*)
- Potato Cod (*Epinephelus tukula*) – all sizes
- Queensland Grouper (*Epinephelus lanceolatus*) – all sizes
- All species of the Genus *Epinephelus* (cods and groupers) other than *E. tukula* and *E. lanceolatus*, if the individuals are greater than 100cm
 - Brood stock collection from specimens less than 100cm should be possible, therefore take of animals greater than 100cm is unlikely to be supported.
- Maori wrasse (*Cheilinus undulatus*)

The commercial take of these species would need to provide a benefit to the conservation of the species. One sector that has been identified as possibly requesting the take of these fish species is the Asian aquaculture industry for the supply of large

numbers of reef fish for broodstock, however this is inconsistent with the intent of the Protected Species status. Should the demand arise, and all relevant information is provided to adequately assess a permit application, appropriate guidelines may be developed in the future to assist the Australian aquaculture industry.

- Whale shark (*Rhincodon typus*)
 - The Authority believes that there would be little interest for aquaculture ventures to focus on whale sharks. There are no known demands for aquaculture purposes at this time.
 - For general information refer to the [Whale Shark \(*Rhincodon typus*\) Recovery Plan 2004-2009](#) (Department of the Environment and Heritage)
- Grey Nurse shark (*Carcharias taurus*)
 - The Authority believes that there would be little interest for aquaculture ventures to focus on grey nurse sharks. There are no known demands for aquaculture purposes at this time.
 - For general information refer to the [Recovery Plan for the Grey Nurse Shark \(*Carcharias Taurus*\) in Australia](#) (Department of the Environment and Heritage 2002).
- Great white shark (*Carcharias carcharias*)
 - The Authority believes that there would be little interest for aquaculture ventures to focus on great white sharks. There are no known demands for aquaculture purposes at this time.
 - For general information refer to the [White Shark \(*Carcharodon carcharias*\) Recovery Plan](#) (Department of the Environment and Heritage 2002).
- Sea snakes (Families Hydrophiidae and Laticaudidae)
 - Although with expertise, sea snakes can be captured and returned to the mainland, there are no known demands for aquaculture purposes at this time.
- Crocodiles (Genus *Crocodylus*)
 - Crocodiles can be successfully bred in captivity. However, the primary purpose for which they are removed is for human safety, not broodstock collection for aquaculture. The Authority, in the interests of ensuring complementary management approaches with the Queensland Environmental Protection Agency, adopts a similar stance and would not support the removal of crocodiles from the Marine Park for the purpose of broodstock collection for aquaculture.
- Marine turtles (Families Cheloniidae and Dermochelyidae)
 - The lack of success by headstarting programs highlights logistic and maintenance problems associated with keeping and rearing turtles in captivity. Although the concept of headstarting is appealing, there is insufficient evidence of success. As such, it is not suitable to take marine turtles from the Marine Park for broodstock collection for aquaculture.
 - For further information refer to [Marine Turtles in the Great Barrier Reef World Heritage Area](#) (Dobbs 2001).
 - For general information refer to the [Recovery Plan for Marine Turtles in Australia](#).
- Birds (Class Aves)

- The Authority believes that there would be little interest for aquaculture ventures to focus on birds. There are no known demands for aquaculture purposes at this time.
- For general information refer to [The Action Plan for Australian Birds](#) (Department of the Environment and Heritage 2000).
- For general information refer to the [Recovery Plan for Ten Species of Seabird 2004-2009](#) (Department of the Environment and Heritage 2004).
- For general information refer to the [Wildlife Conservation Plan for Migratory Shorebirds](#) being developed by the Department of the Environment and Heritage 2004.
- Seals (Families Otariidae and Phocidae)
 - Seals are rare visitors, in low numbers, to the Marine Park and as such it is not suitable to remove them from the Marine Park for the purpose of broodstock collection.
 - For general information refer to [The Action Plan for Australian Seals](#) (Department of the Environment and Heritage 1999).
- Dugong (*Dugong dugon*)
 - The Authority believes that there would be little interest for aquaculture ventures to focus on dugongs. There are no known demands for aquaculture purposes at this time.
 - The Authority's four [Plans of Management](#) prohibit interference with dugong, and for the purpose of this guideline 'interference' means harass, chase, herd, tag, mark and brand.
- Whales and dolphins (Order Cetacea)
 - The Authority believes that there would be little interest for aquaculture ventures to focus on whales and dolphins. There are no known demands for aquaculture purposes at this time.
 - For general information refer to the relevant [Whale Recovery Plans](#) (Department of the Environment and Heritage 2005).

Appendix 7 – Environmental Research Ethics Advisory Committee

Objective

The [Environmental Research Ethics Advisory Committee](#) (EREAC) provides advice to the Authority in regard to the appropriateness of the conduct of manipulative research proposals in the Marine Park where the proposals trigger one or more of the referral criteria.

Some applications may require review by the EREAC. **Note:** This is not the equivalent of a university ethics approval, since the EREAC considers whether the proposed activity is appropriate in the Marine Park. Some applications may also require referral to the Authority's Conservation, Biodiversity & World Heritage Group and/or Fisheries Issues Groups or other internal referees.

Criteria for Referral

The Authority shall refer to the EREAC research permission applications that involve one or more of the following:

1. Rare or threatened species or populations.
1. Introduction into the Marine Park of biological material of a type not already present in the area.
2. Relocation or release within the Marine Park of biological material in or to areas in which it is not normally found (e.g. individuals of a different genetic stock).
3. Introduction or release of genetically modified material.
4. Habitats of particular importance to the biology of rare, threatened or commercially important species.
5. Destruction and/or intrusion of the following nature:
 - deliberate damage,
 - taking of plants and animals, and
 - behaviour manipulation or use of intrusive techniques, at a significant scale in space and/or time and relative to the size of populations and habitats affected, and ecological and geophysical processes applying in the area.
6. Use of toxic/radioactive/cumulative/persistent chemicals.
7. Use of a preservation zone.
8. A significant impact on use(s) and value of area concerned and would require new or changed zoning provisions and regulations.
9. Controversial or sensitive issues (culturally/socially), or seen to be cruel, or to involve the infringement of privacy and property rights.

Further information may be obtained from the [Animal Care and Protection Act 2001](#). The purposes of this Act are to:

- (a) promote responsible care and use of animals;
- (b) provide standards for the care and use of animals that -
 - (i) achieve a reasonable balance between the welfare of animals and the interests of persons whose livelihood is dependent on animals; and
 - (ii) allow for the effect of advancements in scientific knowledge about animal biology and changes in community expectations about practices involving animals;
- (c) protect animals from unjustifiable, unnecessary or unreasonably pain; and
- (d) ensure the use of animals for scientific purposes is accountable, open and responsible.

Appendix 8 – Protected Species Report Form

PROTECTED SPECIES REPORT FORM

Date:

Time:

Latitude: 'S

Longitude: 'E

Protected Species List

Giant clam
Helmet shell
Triton shell
Seahorse, pipefish, seadragons
Potato cod
Queensland grouper
Maori wrasse
Barramundi cod
Other Epinephelus sp. >100cm
Freshwater sawfish
Whale shark
Grey Nurse shark
Great White shark
Crocodile
Sea snake
Marine turtle *
Birds *
Dugong
Dolphin *
Whale *
Seal
Unidentified

* A more detailed list of species is outlined over the page

	Number	Sex (M, F, ?)	Maturity (A, I, ?)	Length (cm)	Released Alive/Dead (see over page for codes)
Species:					
Species:					
Species:					
Species:					
Species:					

Tag number:

Sketch damage, distinguishing marks or insert photos:

Location (detailed description):

Gear or bait type used:

Disposal of animal (if applicable):

Name:

Phone Number:

Address:

Email:

Return to: Manager Species Conservation, Great Barrier Reef Marine Park Authority; Fax 07 4772 6093 or email to species@gbmpa.gov.au

<u>Turtle Species:</u>	<u>Length measurements:</u>
Green turtle	Curved carapace length cm
Flatback turtle	Tail cm
Hawksbill turtle	Head width cm
Loggerhead turtle	
Olive ridley turtle	
Leatherback turtle	
<u>Whale and Dolphin Species</u> (likely species)	
Blue whale	Total length cm
Fin whale	
Humpback whale	
Sei whale	
Indo-pacific hump-backed dolphin	
Irrawaddy dolphin	
<u>Bird Species</u> (likely species)	
Grey-headed albatross	
Herald petrel	
Little tern	
Northern giant petrel	
Red-tailed tropicbird	
Sooty albatross	
Southern giant petrel	
Wandering albatross	

<u>Released Alive/Dead</u>
The following coding can be used to code animals released alive and carcasses:
A1 Excellent (no obvious damage from capture and handling, minimal time out of water, swam away strongly)
A2 Good (slight gear or handling damage, short time out of water, swam away well)
A3 Fair (moderate gear or handling damage, moderate scale loss or skin damage, slow to swim away)
A4 Poor (long time out of water, major scale loss or skin damage, long time to recover, animal upside down)
A5 Very Poor (no sign of recovery on release, floated away on surface, very unlikely to survive)
D1 Live but subsequently died
D2 Carcass in good condition (fresh/edible)
D3 Carcass fair (decomposed but organs intact)
D4 Carcass poor (advanced decomposition)
D5 Mummified carcass (skin holding bones)
D6 Disarticulated bones (no soft tissue remaining)

<u>Sex:</u>	<u>Maturity:</u>
M = Male	A = Adult
F = Female	I = Immature
? = Unknown	? = Unknown

Return to: Manager Species Conservation, Great Barrier Reef Marine Park Authority; Fax 07 4772 6093 or email to species@gbrmpa.gov.au