



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, JOANNE BEATH, A/g Assistant Secretary, Wildlife Trade and Biosecurity Branch, as Delegate of the Minister for the Environment, have considered in accordance with section 303FN of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the application from the New South Wales Department of Primary Industries, public comments on the proposal as required under section 303FR and advice on the ecological sustainability of the operation. I am satisfied on those matters specified in section 303FN of the EPBC Act. I hereby declare the operations for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act (other than species in the conservation dependant category), taken in the New South Wales Ocean Trawl Fishery, as defined in the New South Wales Fisheries Management (Ocean Trawl Share Management) Regulation 2006 in force under the New South Wales *Fisheries Management Act 1994*, to be an approved wildlife trade operation, in accordance with subsection 303FN(2) and paragraph 303FN(10)(d), for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

- a) is valid until 23 June 2017 and;
- b) is subject to the conditions applied under section 303FT specified in the Schedule.

Dated this 20th day of June 2014

.....Joanne Beath.....
Delegate of the Minister for the Environment

1. Under the *Administrative Appeals Tribunal Act 1975*, a person whose interests are affected by this decision may apply for a statement of reasons and for independent review of the decision. An application for a statement of reason may be made in writing to the Department of the Environment within 28 days of the date of the declaration. An application for independent review may be made to the Administrative Appeals Tribunal on payment of the relevant fee within 28 days of the date of the declaration, or if reasons are sought, within 28 days of receipt of reasons. Further information may be obtained from the Director, Sustainable Fisheries Section.
2. Australia's obligations under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) are met through Part 13A of the EPBC Act. Specimens of species listed in Appendix II of Australia's CITES list under section 303CA of the EPBC Act may only be exported, under a CITES export permit issued under the EPBC Act, if Australia's CITES Scientific Authority has issued a non detriment finding for that species. Further information, including a list of species for which non detriment findings have been issued and the fisheries from which they may be sourced, is available from <http://www.environment.gov.au/topics/biodiversity/wildlife-trade/internationally-endangered-plants-and-animals-cites/how-export>.

SCHEDULE

Declaration of the Harvest Operations of the New South Wales Ocean Trawl Fishery as an approved wildlife trade operation, March 2014

ADDITIONAL PROVISIONS (section 303FT)

Relating to the harvesting of fish specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), taken in the New South Wales Ocean Trawl Fishery:

1. Operation of the New South Wales Ocean Trawl Fishery will be carried out in accordance with the management arrangements in force under the *New South Wales Fisheries Management Act 1994*.
2. The New South Wales Department of Primary Industries to advise the Department of the Environment of any proposed substantive changes to the New South Wales Ocean Trawl Fishery management arrangements that may affect the assessment of the fishery against the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* decisions are based.
3. The New South Wales Department of Primary Industries to produce and present reports to the Department of the Environment annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.
4. Taking into consideration the Australian Government *Listing Advice for Centrophorus harrissoni (Harrisson's dogfish)* and *Listing Advice for Centrophorus zeehaani (southern dogfish)* and any recommendations made by the Threatened Species Scientific Committee, the New South Wales Department of Primary Industries, in consultation with the Australian Fisheries Management Authority, to:
 - a) maintain long-term management measures that are clearly directed towards stopping the decline and supporting the recovery of Harrisson's dogfish and southern dogfish, and
 - b) continue, in consultation with relevant experts, to monitor and review the adequacy of management measures designed to stop the decline and support the recovery of Harrisson's dogfish and southern dogfish.
5. The New South Wales Department of Primary Industries to continue to improve understanding of the stock status of primary and key secondary species which have been identified as at high risk in ecological risk assessment processes.
6. The New South Wales Department of Primary Industries to continue to develop and implement recovery programs for species taken in the Ocean Trawl Fishery classified as recruitment overfished, overfished, and where appropriate, growth overfished.