



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

REVOCATION OF A DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

**DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION
SOUTH AUSTRALIAN MARINE SCALEFISH FISHERY, DECEMBER 2018**

I, PAUL MURPHY, Assistant Secretary, Wildlife Trade and Biosecurity Branch, as Delegate of the Minister for the Environment:

- a) hereby revoke under subsection 303FT(10) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), the Declaration of an Approved Wildlife Trade Operation dated 22 July 2016, for the harvesting of specimens taken in the South Australian Marine Scalefish Fishery, and

having considered the information from the South Australian Department of Primary Industries and Regions, and advice on the ecological sustainability of the operation, including those matters specified in section 303FN of the EPBC Act,

- b) declare the operation for the harvesting of specimens that are, or are derived from fish or invertebrates, taken in the South Australian Marine Scalefish Fishery as defined in the management regime in force under the *Fisheries Management Act 2007* (SA), the *Fisheries Management (Marine Scalefish Fisheries) Regulations 2017* (SA), and the *Fisheries Management (General) Regulations 2017* (SA), but not including:
- i. specimens that belong to eligible listed threatened species, as defined under section 303BC of the EPBC Act (other than a species listed in the conservation dependent category), or
 - ii. specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia's CITES list) except for smooth hammerhead shark (*Sphyrna zygaena*).

Unless amended or revoked, this declaration:

- a) is valid until 15 March 2019 and;
b) is subject to the conditions applied under section 303FT specified in the Schedule.

Dated this 18th day of December 2018

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Delegate of the Minister for the Environment

A person whose interests are affected by this declaration may, within 28 days, make an application in writing to the Department of the Environment and Energy for the reasons for the decision.

An application for independent review of the decision (under section 303GJ(1) of the *Environment Protection and Biodiversity Conservation Act 1999*) may be made to the Administrative Appeals Tribunal (AAT), on payment of the relevant fee by the applicant, either within 28 days of receipt of the reasons for the decision, or within 28 days of this declaration if reasons for the decision are not sought. Applications should be made to the Deputy Registrar, AAT in your Capital City. Please visit the AAT's website at <http://www.aat.gov.au/> for further information.

You may make an application under the *Freedom of Information Act 1982* (Cth) to access documents relevant to this decision. For further information, please visit <http://www.environment.gov.au/foi/index.html>.

Further enquiries should be directed to the Director, Wildlife Trade Assessments Section, Department of the Environment and Energy, Telephone: (02) 6274 1917 Email: sustainablefisheries@environment.gov.au.

SCHEDULE

Declaration of the Harvest operations of the South Australian Marine Scalefish Fishery, as an approved wildlife trade operation, December 2018

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 and Part 13A of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), taken in the South Australian Marine Scalefish Fishery:

1. Operation of the fishery will be carried out in accordance with the management regime under the *SA Fisheries Management Act 2007*, the Fisheries Management (Marine Scalefish Fisheries) Regulations 2017 and the Fisheries Management (General) Regulations 2017.
2. PIRSA to inform the Department of the Environment and Energy of any intended material changes to the SA Marine Scalefish Fishery management arrangements that may affect the assessment against which EPBC Act decisions are made.
3. PIRSA to produce and present reports to the Department of the Environment and Energy annually as per Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition* (the Guidelines).
4. Following the updated scientific assessments of stock levels for snapper, King George Whiting and Garfish (expected in 2016, 2017 and 2018 respectively) and in response to findings in those assessments, PIRSA to:
 - a) ensure findings of the updated scientific assessments are publicly available, and include an evaluation of the success of changes to management arrangements implemented since the last fishery assessments
 - b) finalise, publicly release and implement recovery strategies to rebuild primary species stocks to ecologically viable levels, within a specific time period, appropriate to the biology of the stocks, and
 - c) continue to ensure that stock levels of these species are well understood.