

**COMMONWEALTH OF AUSTRALIA**

##### Environment Protection and Biodiversity Conservation Act 1999

**Amendment of List of Exempt Native Specimens – Commonwealth Coral Sea and Western Trawl Fisheries, Tasmanian King Island Cast Bull Kelp Fishery, Torres Strait Finfish, Prawn and Trochus Fisheries, and Western Australian South Coast Crustacean Fishery and Approved Aquaculture Operations, June 2017**

I, PAUL MURPHY, Assistant Secretary, Wildlife Trade and Biosecurity Branch, as Delegate of the Minister for the Environment and Energy, pursuant to subsection303DC(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), hereby amend the list of exempt native specimens established under section 303DB of the EPBC Act by deleting from the list specimens and any associated restrictions or conditions as set out in Schedule 1, and by including in the list specimens and associated restrictions or conditions as set out in Schedule 2.

# Dated this 28th day of June 2017

Paul Murphy

Delegate of the Minister for the Environment and Energy

**SCHEDULE 1**

Under the heading Freshwater and Marine Animals delete from the list the following items and any associated notations:

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| *Taxon/Item* | | *Common Name* | *Notation* |
| Specimens that are or are derived from fish or invertebrates, other than:  specimens that belong to species listed under Part 13 of the EPBC Act (other than a species listed in the conservation dependent category), and  specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia’s CITES list) taken in the Coral Sea Fishery, as defined in the *Commonwealth Fisheries Management Act 1991* and the Commonwealth Fisheries Management Regulations 1992. | | Coral Sea Fishery | the specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and  the specimens are included in the list until 30 June 2017. |
| Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the Act, taken in the Western Deepwater Trawl Fishery and North West Slope Trawl Fishery. | | Western Trawl Fisheries (Cth) | The specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and,  The specimens are included in the list until 30 June 2017. |
| Cast bull kelp (*Durvillaea potatorum*), harvested from specified beaches of King Island, Tasmania by a number of licensed harvesters under the Tasmanian *Living Marine Resources Management Act 1995* and processed by Kelp Industries Pty Ltd. | | Tasmanian King Island Cast Bull Kelp Fishery | The specimen, or the fish or invertebrate from which it is derived, was taken lawfully;  The specimens are included in the list until 4 August 2017. |
| Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the Torres Strait Finfish Fishery, as defined in the Torres Strait Finfish Fishery Management Plan 2013 in force under the Torres Strait Fisheries Act 1984. | Torres Strait Finfish Fishery (Cth) | | The specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and,  The specimens are included in the list until 4 August 2017. |
| Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the Torres Strait Prawn Fishery, as defined in the Torres Strait Prawn Fishery Management Plan 2009 in force under the Torres Strait Fisheries Act 1984. | Torres Strait Prawn Fishery (Cth) | | The specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and,  The specimens are included in the list until 4 August 2017. |
| Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the Act, taken in the Torres Strait Trochus Fishery. | Torres Strait Trochus Fishery | | The specimen, or the fish or invertebrate from which it is derived, was taken lawfully;  The specimens are included in the list until 4 August 2017. |
| Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the Western Australian South Coast Crustacean Fishery. | | Western Australian South Coast Crustacean Fishery | The specimen, or the fish or invertebrate from which it is derived, was taken lawfully;  The specimens are included in the list until 30 June 2017. |
| New South Wales - Specimens that are derived from fish or aquatic invertebrates or aquatic plants, other than specimens that belong to species listed under Part 13 of the EPBC Act and specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia’s CITES list), produced in aquaculture facilities operating in accordance with the New South Wales *Fisheries Management Act 1994* and subordinate legislation. | | Approved aquaculture programs in New South Wales | The specimen, or the fish or invertebrate from which it was derived, was produced lawfully in an aquaculture facility; and, The specimens are included in the list until 30 June 2017. |
| Northern Territory - Specimens that are derived from fish or aquatic invertebrates or aquatic plants, other than specimens that belong to species listed under Part 13 of the EPBC Act and specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia’s CITES list), produced in aquaculture facilities operating in accordance with the Northern Territory *Fisheries Act 1988* and subordinate legislation. | | Approved aquaculture programs in Northern Territory | The specimen, or the fish or invertebrate from which it was derived, was produced lawfully in an aquaculture facility; and,  The specimens are included in the list until 30 June 2017. |
| Specimens that are derived from fish or aquatic invertebrates or aquatic plants, other than specimens that belong to species listed under Part 13 of the EPBC Act and specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia’s CITES list), produced in aquaculture facilities operating in accordance with the Queensland *Fisheries Act 1994* and subordinate legislation. | | Approved aquaculture programs in Queensland | The specimen, or the fish or invertebrate from which it was derived, was produced lawfully in an aquaculture facility; and,  The specimens are included in the list until 30 June 2017. |
| Specimens that are derived from fish or aquatic invertebrates or aquatic plants, other than specimens that belong to species listed under Part 13 of the EPBC Act and specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia’s CITES list), produced in aquaculture facilities operating in accordance with the *South Australian Aquaculture Act 2001* and *Fisheries Management Act 2007* and subordinate legislation. | | Approved aquaculture programs in South Australia | The specimen, or the fish or invertebrate from which it was derived, was produced lawfully in an aquaculture facility; and,  The specimens are included in the list until 30 June 2017. |
| Specimens that are derived from fish or aquatic invertebrates or aquatic plants, other than specimens that belong to species listed under Part 13 of the EPBC Act and specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia’s CITES list), produced in aquaculture facilities operating in accordance with the Tasmanian *Living Resources Management Act 1995* and subordinate legislation. | | Approved aquaculture programs in Tasmania | The specimen, or the fish or invertebrate from which it was derived, was produced lawfully in an aquaculture facility; and,  The specimens are included in the list until 30 June 2017. |
| Specimens that are derived from fish or aquatic invertebrates or aquatic plants, other than specimens that belong to species listed under Part 13 of the EPBC Act and specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia’s CITES list), produced in aquaculture facilities operating in accordance with the Victorian *Fisheries Act 1995* and subordinate legislation. | | Approved aquaculture programs in Victoria | The specimen, or the fish or invertebrate from which it was derived, was produced lawfully in an aquaculture facility; and,  The specimens are included in the list until 30 June 2017. |
| Specimens that are derived from fish or aquatic invertebrates or aquatic plants, other than specimens that belong to species listed under Part 13 of the EPBC Act and specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia’s CITES list), produced in aquaculture facilities operating in accordance with the Western Australian Fish Resources Management Act 1994 and subordinate legislation. | | Approved aquaculture programs in Western Australia | The specimen, or the fish or invertebrate from which it was derived, was produced lawfully in an aquaculture facility; and,  The specimens are included in the list until 30 June 2017. |

**SCHEDULE 2**

Under the heading Freshwater and Marine Animals include in the list the following items and associated notations:

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| Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act (other than a species listed in the conservation dependent category) and specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia’s CITES list), taken in the Commonwealth Coral Sea Fishery, as defined in the Fisheries Management Regulations 1992 (CTH) made under the *Fisheries Management Act 1991* (CTH). | Commonwealth Coral Sea Fishery | The specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and  The specimens are included in the list until 22 December 2017. |
| Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act (other than a species listed in the conservation dependent category) and specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia’s CITES list), taken in the Commonwealth Western Deepwater Trawl Fishery and North West Slope Trawl Fishery, as defined in the Fisheries Management Regulations 1992 (CTH) made under the *Fisheries Management Act 1991* (CTH). | Commonwealth Western Trawl Fisheries | The specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and  The specimens are included in the list until 22 December 2017. |
| Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act (other than a species listed in the conservation dependent category) and specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia’s CITES list), taken in the Tasmanian Marine Plant Fishery, as defined in the management regime made under the *Living Marine Resources Management Act 1995* (TAS) and subordinate legislation. | Tasmanian King Island Cast Bull Kelp Fishery | The specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and  The specimens are included in the list until 22 December 2017. |
| Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the Torres Strait Finfish Fishery, as defined in the Torres Strait Finfish Fishery Management Plan 2013 in force under the Torres Strait Fisheries Act 1984. | Torres Strait Finfish Fishery (Cth) | The specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and,  The specimens are included in the list until 22 December 2017. |
| Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the Torres Strait Prawn Fishery, as defined in the Torres Strait Prawn Fishery Management Plan 2009 in force under the Torres Strait Fisheries Act 1984. | Torres Strait Prawn Fishery (Cth) | The specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and,  The specimens are included in the list until 22 December 2017. |
| Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the Act, taken in the Torres Strait Trochus Fishery. | Torres Strait Trochus Fishery | The specimen, or the fish or invertebrate from which it is derived, was taken lawfully;  The specimens are included in the list until 22 December 2017. |
| Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the Western Australian South Coast Crustacean Fishery. | Western Australian South Coast Crustacean Fishery | The specimen, or the fish or invertebrate from which it is derived, was taken lawfully;  The specimens are included in the list until 4 August 2017. |
| Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act (other than a species listed in the conservation dependent category) and specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia’s CITES list), produced in aquaculture facilities operating in New South Wales in accordance with the *Fisheries Management Act 1994* (NSW) and subordinate legislation. | Approved aquaculture programs in New South Wales | The specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and  The specimens are included in the list until 21 December 2018. |
| Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act (other than a species listed in the conservation dependent category) and specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia’s CITES list), produced in aquaculture facilities operating in Northern Territory in accordance with the *Fisheries Act 1988* (NT) and subordinate legislation. | Approved aquaculture programs in Northern Territory | The specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and  The specimens are included in the list until  21 December 2018. |
| Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act (other than a species listed in the conservation dependent category) and specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia’s CITES list), produced in aquaculture facilities operating in Queensland in accordance with the *Fisheries Act 1994* (QLD) and subordinate legislation. | Approved aquaculture programs in Queensland | The specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and  The specimens are included in the list until  21 December 2018. |
| Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act (other than a species listed in the conservation dependent category) and specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia’s CITES list), produced in aquaculture facilities operating in South Australia in accordance with the *Aquaculture Act 2001* (SA) and *Fisheries Management Act 2007* (SA) and subordinate legislation. | Approved aquaculture programs in South Australia | The specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and  The specimens are included in the list until 21 December 2018. |
| Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act (other than a species listed in the conservation dependent category) and specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia’s CITES list), produced in aquaculture facilities operating in Tasmania in accordance with the *Living Resources Management Act 1995* (TAS) and subordinate legislation. | Approved aquaculture programs in Tasmania | The specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and  The specimens are included in the list until 21 December 2018. |
| Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act (other than a species listed in the conservation dependent category) and specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia’s CITES list), produced in aquaculture facilities operating in Victoria in accordance with the *Fisheries Act 1995* (VIC) and subordinate legislation. | Approved aquaculture programs in Victoria | The specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and  The specimens are included in the list until 21 December 2018. |
| Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act (other than a species listed in the conservation dependent category) and specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia’s CITES list), produced in aquaculture facilities operating in Western Australia in accordance with the *Fish Resources Management Act 1994* (WA) and subordinate legislation. | Approved aquaculture programs in Western Australia | The specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and  The specimens are included in the list until 21 December 2018. |