



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

VARIATION TO DECLARATION OF APPROVED WILDLIFE TRADE OPERATION

I, ANDREW McNEE, Acting First Assistant Secretary, Marine and Biodiversity Division, as Delegate of the Minister for the Environment and Water Resources, hereby vary under subsection 303FT(7b) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), the Declaration of an Approved Wildlife Trade Operation dated 29 November 2005 for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than species listed under Part 13 of the EPBC Act, taken in the Western Australia South Coast Trawl Fishery, as defined through Conditions 73 and 79 on Fishing Boat Licences, made under the Western Australian *Fisheries Act 1905* and transitioned under the *Fish Resources Management Act 1994*:

1. Revoke condition b) and the Schedule (dated February 2006):
Is subject to the conditions applied under section 303FT specified in the February 2006 Schedule.
2. Include a new condition b) and Schedule (dated August 2007):
Is subject to the conditions applied under section 303FT specified in the August 2007 Schedule.

Dated this 30 day of August 2007

Andrew McNee

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Delegate of the Minister for the Environment and Water Resources

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 Department of the Environment and Water Resources 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 Policy and Assessment Section.

SCHEDULE

August 2007

Declaration of the Harvest Operations of the Western Australia South Coast Trawl Fishery as an approved Wildlife Trade Operation

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 Act, taken in the Western Australia South Coast Trawl Fishery.

1. By 29 February 2008, Department of Fisheries, Western Australia to develop and implement a formal interim management plan for the South Coast Trawl Fishery that includes the management commitments contained within the Discussion Paper *Management of the Proposed South Coast Trawl Fishery – a Discussion Paper*, and improves the ecological sustainability of the fishery.
2. Operation of the fishery will be carried out in accordance with the management regime in force under the Western Australian *Fish Resources Management Act 1994*.
3. The Department of Fisheries, Western Australia to advise the Department of the Environment and Water Resources of any material change to the South Coast Trawl Fishery's legislated management regime that could affect the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* decisions are based, within three months of that change being made.
4. Annual reporting on the following:
 - progress on implementation of the recommendations;
 - annual catch and catch-per-unit-effort trends and data;
 - performance against objectives, performance indicators and measures once developed; and
 - research undertaken or completed relevant to the fishery.