



## Australian Government

Department of Sustainability, Environment, Water, Population and Communities

### CONSULTATION NOTICE

#### *Interim (Small Pelagic Fishery) Declaration 2012*

The Minister for Sustainability, Environment, Water, Population and Communities has made the *Interim (Small Pelagic Fishery) Declaration 2012* (the **Interim Declaration**) under section 390SD of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (the **EPBC Act**).

The Interim Declaration provides that a commercial fishing activity that:

- a) is in the Small Pelagic Fishery;\*
- b) uses the mid-water trawl method; and
- c) uses a vessel which is greater than 130 metres in length, has an on-board fish processing facility and has storage capacity for fish or fish products in excess of 2000 tonnes,

is a declared commercial fishing activity for the purposes of Chapter 5B of the EPBC Act (the **Declared Commercial Fishing Activity**). The Interim Declaration is in force from 21 September 2012 for a period of 60 days.

\* Note that the Small Pelagic Fishery is defined in the Interim Declaration as the total of the sub-areas described in clauses 1, 2 and 3 of Schedule 1 to the *Small Pelagic Fishery Management Plan 2009*.

A copy of the Interim Declaration is available here:

<http://www.comlaw.gov.au/Details/F2012L01901>.

Each person who:

- a) holds a fishing concession (as defined in the *Fisheries Management Act 1991* (Cth)); and
- b) considers that they would be detrimentally affected by the making of a final declaration under section 390SF of the EPBC Act in relation to the Declared Commercial Fishing Activity,

is invited to make a written submission about the impact on their rights or interests in relation to fishing if a final declaration were to be made for the Declared Commercial Fishing Activity. In making a submission, declaration affected persons are also invited to address:

- a) whether there is uncertainty about the environmental impacts of the Declared Commercial Fishing Activity; and
- b) whether it is appropriate that the Declared Commercial Fishing Activity be prohibited while an expert panel conducts an assessment.

Written submissions must be received at the following email or postal address, no later than 5pm, Canberra time on 16 October 2012:

Email: [sustainablefisheries@environment.gov.au](mailto:sustainablefisheries@environment.gov.au)

Post: Sustainable Fisheries Section  
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