



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

VARIATION TO DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, PETER GARRETT, Minister for the Environment, Heritage and the Arts, hereby vary under subsection 303FT (7)(b) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the Declaration of an Approved Wildlife Trade Operation dated 27 July 2006, and amended 10 December 2007 and 26 June 2008, for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens listed under Part 13 of the EPBC Act, taken in the New South Wales Ocean Trap and Line Fishery, as defined in Schedule 1 of the New South Wales *Fisheries Management Act 1994* by:

1. Revoke condition b) and the Schedule (June 2008):
is subject to the conditions applied under section 303FT specified in the June 2008 Schedule.
2. Include a new condition b) and Schedule (dated March 2009):
is subject to the conditions applied under section 303FT specified in the March 2009 Schedule.

Dated this 26 day of March 2009

.....Peter Garrett.....

Minister for the Environment, Heritage and the Arts

SCHEDULE

March 2009

Declaration of the Harvest Operations of the New South Wales (NSW) Ocean Trap and Line Fishery (OTLF) 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 EPBC Act, taken in the NSW Ocean Trap and Line Fishery.

1. Operation of the fishery will be carried out in accordance with the restricted entry management regime in force under the NSW *Fisheries Management Act 1994*.
2. The NSW Department of Primary Industries (DPI) to advise the Department of the Environment, Water, Heritage and the Arts of any intended amendments to the OTLF management arrangements that may affect the assessment of the fishery against the criteria on which EPBC Act decisions are based.
3. A report to be produced and presented to the Department of the Environment, Water, Heritage and the Arts by 27 March 2009, and to include:
 - a) information sufficient to allow assessment of the progress of NSW DPI in implementing the conditions and recommendations; and
 - b) the status of the OTLF performance indicators compared to the trigger points.
4. NSW DPI, in conjunction with OTLF stakeholders, to continue to develop and implement:
 - a) further measures to cap active effort in the OTLF; and
 - b) a strategy, including effort targets, milestones and associated trigger points, for reducing the level of fishing effort for each sector of the fishery.
5. NSW DPI to continue to collect and further analyse information from the scientific observer program in the line fishing sector and fishery-dependent logbooks on grey nurse shark interactions, with a view to reporting to the Department of the Environment, Water, Heritage and the Arts by 31 December 2009.