



Australian Government

Department of Sustainability, Environment, Water, Population and Communities

CONSULTATION NOTICE

Interim (Small Pelagic Fishery) Declaration (No.2) 2013

The Minister for Sustainability, Environment, Water, Population and Communities made the *Interim (Small Pelagic Fishery) (No.2) Declaration 2013* (the **Second Interim Declaration**) under section 390SD of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (the **EPBC Act**), which entered into force on 27 February 2013.

The Second Interim Declaration provides that for the purposes of Chapter 5B of the EPBC Act, either of the following commercial fishing activities are the **Declared Commercial Fishing Activities**:

1. Mid-water trawl activity

A commercial fishing activity that:

- (a) is in the Small Pelagic Fishery;* and
- (b) uses the mid-water trawl method;* and
- (c) uses a specified vessel.*

2. Fish processing activity

A commercial fishing activity that:

- (a) is in the Small Pelagic Fishery;* and
- (b) uses a specified vessel;* and
- (c) consists of receiving or processing* fish or fish products that are quota species* that have been taken* in the Small Pelagic Fishery.*

* Note that the following terms are defined in the Second Interim Declaration:

- mid-water trawl method;
- processing;
- quota species
- Small Pelagic Fishery;
- specified vessel; and
- taken.

The Second Interim Declaration is in force from 27 February 2013 for a period of 60 days.

A copy of the Second Interim Declaration is available at: <http://www.comlaw.gov.au/Details/F2013L00294>.

Each person who:

- holds a fishing concession (as defined in the *Fisheries Management Act 1991* (Cth)), and
- 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 Activities,

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 Activities. In making a submission, declaration affected persons are also invited to address:

- whether there is uncertainty about the environmental impacts of the Declared Commercial Fishing Activities, and
- whether it is appropriate that the Declared Commercial Fishing Activities 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 Monday, 8 April 2013:

Email: sustainablefisheries@environment.gov.au

Post: Sustainable Fisheries Section
Department of Sustainability, Environment, Water, Population and Communities
GPO Box 787
CANBERRA ACT 2601

Please note that submissions will not receive a response.