



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

VARIATION TO A DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, NATHAN HANNA, Acting Assistant Secretary, Marine Biodiversity Policy Branch, as Delegate of the Minister for Sustainability, Environment, Water, Population and Communities, hereby vary under paragraph 303FT(7)(b) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the declaration of an approved wildlife trade operation dated 17 December 2010 for the operation that is specified in column 1 of Table 1, in relation to the class of specimens specified in column 2 of Table 1:

Table 1

Operation	Class of Specimens
Queensland East Coast Otter Trawl Fishery which comprises the 'M1', 'M2', 'T1' and 'T2' areas of the 'east coast trawl fishery' as defined in the <i>Fisheries (East Coast Trawl) Management Plan 2010</i> in force under the <i>Queensland Fisheries Act 1994</i> .	Specimens that are, or are derived from, fish or invertebrates, including the listed marine species <i>Solegnathus dunckeri</i> and <i>Solegnathus hardwickii</i> but excluding all other specimens of species listed under Part 13 of the EPBC Act.

1. Revoke condition b) and the Schedule (dated December 2010)
"is subject to the conditions applied under section 303FT specified in the Schedule".
2. Include a new condition b) and Schedule (dated January 2011)
"is subject to the conditions applied under section 303FT specified in the Schedule".

Dated this 17th day of January 2011

Nathan Hanna

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Delegate of the Minister for Sustainability, Environment, Water, Population and Communities

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 the Department of the Environment, Water, Heritage and the Arts 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 Section.

SCHEDULE

Declaration of the Harvest Operations of the East Coast Otter Trawl Fishery as an approved Wildlife Trade Operation, January 2011.

ADDITIONAL PROVISIONS (section 303FT)

Relating to the harvesting of specimens that are, or are derived from, fish or invertebrates, including the listed marine species *Solegnathus dunckeri* and *Solegnathus hardwickii* but excluding all other specimens of species listed under Part 13 of the EPBC Act, taken in the East Coast Otter Trawl Fishery:

1. Operation of the East Coast Otter Trawl Fishery will be carried out in accordance with the Queensland *Fisheries Act 1994*, *Fisheries Regulation 2008* and *Queensland Fisheries (East Coast Trawl) Management Plan 2010*.
2. Fisheries Queensland to inform the Department of Sustainability, Environment, Water, Population and Communities of any intended amendments to the management arrangements for the East Coast Otter Trawl Fishery that may affect the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* decisions are based.
3. Fisheries Queensland to produce and present reports to the Department of Sustainability, Environment, Water, Population and Communities annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.
4. Fisheries Queensland to complete the review of east coast trawl fishery management arrangements and implement the outcomes in the East Coast Otter Trawl Fishery.