



## COMMONWEALTH OF AUSTRALIA

### *Environment Protection and Biodiversity Conservation Act 1999*

#### **VARIATION TO A DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION**

I, CLAIRE HOWLETT, Acting Assistant Secretary, Marine Biodiversity Policy Branch, as Delegate of the Minister for the Environment, Heritage and the Arts, 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 10 April 2008 for the harvesting of 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 Queensland East Coast Otter Trawl Fishery, as defined in the *Fisheries (East Coast Otter Trawl) Management Plan 1999* in force under Queensland's *Fisheries Act 1994* and *Fisheries Regulation 2008*:

1. Revoke condition b) and the Schedule (dated April 2008):  
Is subject to the conditions applied under section 303FT specified in the Schedule dated April 2008.
2. Include a new condition b) and Schedule (dated November 2008):  
Is subject to the conditions applied under section 303FT specified in the Schedule dated November 2008.

Dated this 28<sup>th</sup> day of November 2008

[signed]

.....Claire Howlett.....

Delegate of the Minister for the Environment, Heritage and the Arts

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 Queensland East Coast Otter Trawl Fishery (ECOTF) as an approved Wildlife Trade Operation, November 2008**

#### **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 *Environment Protection and Biodiversity Conservation Act 1999*, taken in the ECOTF.

1. Operation of the ECOTF will be carried out in accordance with the *Fisheries (East Coast Otter Trawl) Management Plan 1999* in force under Queensland's *Fisheries Act 1994* and *Fisheries Regulation 2008*.
2. The Queensland Department of Primary Industries and Fisheries (DPI&F) will inform the Department of the Environment, Water, Heritage and the Arts (DEWHA) of any intended amendments to the management arrangements that may affect sustainability of the target species or negatively impact on bycatch, protected species or the ecosystem.
3. Reports to be produced and presented to DEWHA annually, and to include:
  - i. information sufficient to allow assessment of the progress of DPI&F in implementing the recommendations made in the *Assessment of the Queensland East Coast Otter Trawl Fishery 2006*;
  - ii. a description of the status of the fishery and catch and effort information;
  - iii. a statement of the performance of the fishery against objectives, performance indicators and measures once developed; and
  - iv. research undertaken or completed relevant to the fishery.
4. By 1 July 2009 DPI&F to finalise and implement the Performance Measurement System for the ECOTF in consultation with the Trawl Management Advisory Committee ensuring that performance measures aiming for a reduction in bycatch levels, protected species interactions and ecosystem impacts are incorporated.