



## COMMONWEALTH OF AUSTRALIA

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

#### **Revocation of Accreditation of a Plan, Regime or Policy for the purposes of Part 13 Accreditation of a Plan, Regime or Policy for the purposes of Part 13**

I, TONY BURKE, Minister for Sustainability, Environment, Water, Population and Communities:

- (a) revoke, under subsection 33(3) of the *Acts Interpretation Act 1901*, the accreditation of the management plan for the Southern and Eastern Scalefish and Shark Fishery dated 2 February 2010, and
- (b) being satisfied that:
  - (i) the management plan for the Southern and Eastern Scalefish and Shark Fishery, in force under the *Fisheries Management Act 1991* and the Fisheries Management Regulations 1992, requires persons engaged in fishing under the management plan to take all reasonable steps to ensure that members of listed threatened species (except a conservation dependent species), listed migratory species, cetaceans and listed marine species are not killed or injured as a result of the fishing, and
  - (ii) the fishery to which the management plan relates does not, or is not likely to, adversely affect:
    - (a) the survival or recovery in nature of any listed threatened species, or
    - (b) the conservation status of a listed migratory species, cetacean, or listed marine species or a population of that species,

accredit the management plan for the Southern and Eastern Scalefish and Shark Fishery, in force under the *Fisheries Management Act 1991* and the Fisheries Management Regulations 1992 under sections 208A, 222A, 245 and 265 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) for the purposes of Divisions 1, 2, 3 and 4 respectively of Part 13 of the EPBC Act.

Unless amended or revoked, this accreditation is subject to the following conditions applied under section 303AA:

#### **Condition A**

The Australian Fisheries Management Authority to:

- a) maintain management measures clearly directed toward limiting the impact of fishing activity on Australian sea lions to levels which will assist in enabling the recovery of the species, including all subpopulations.
- b) In consultation with marine mammal experts, continue to monitor and review on an annual basis the adequacy of its Australian sea lion management measures.

**Condition B**

The Australian Fisheries Management Authority to determine the extent of the impact of fishing on dolphins, including identifying the species impacted, and develop appropriate management measures to minimise the impact. This should include ongoing monitoring and appropriate review of these measures, in consultation with marine mammal experts.

**Condition C:**

The Australian Fisheries Management Authority to continue to develop and implement management measures to minimise mortality of seals in the Commonwealth Trawl Sector of the fishery.

**Condition D:**

The Australian Fisheries Management Authority to:

- a) ensure efficient and effective Seabird Management Plans remain in place for vessels in the fishery using otter trawl gear
- b) consider the introduction of Seabird Management Plans for other methods of fishing to reduce the risk of seabird interactions
- c) continue to investigate methods for improving data collection on seabird interactions, particularly interactions with trawl gear and longlines, and
- d) implement management measures to ensure seabird mortality in all sectors of the fishery is minimised. Where appropriate, this should include implementing offal management measures that have been demonstrated to be highly effective in reducing seabird mortality.

Dated this

25

day of

February

2013

Tommy Burke

Minister for Sustainability, Environment, Water, Population and Communities