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# NOMINATION OF ENDANGERED ECOLOGICAL COMMUNITIES

## Sections of the *Fisheries Management Act 1994* (as amended in 2006) relating to threatened species conservation, and additional information required for the nomination of endangered ecological communities.

### A: FISHERIES MANAGEMENT ACT 1994

“**Fish**” means any marine, estuarine or freshwater fish or other aquatic animal (including invertebrates) at any stage of their life cycle **except** mammals, birds, reptiles and amphibians.

“**Marine vegetation**” means any species of plant that at any time in its life must inhabit water (other than fresh water).

“**Ecological Community**” means an assemblage of species of fish or marine vegetation (or both) occupying a particular area.

### SECTION 220FB Listing of ecological communities

- (1) An ecological community is eligible to be listed as a ***critically endangered ecological community*** if, in the opinion of the Fisheries Scientific Committee, it is facing an extremely high risk of extinction in New South Wales in the immediate future, as determined in accordance with criteria prescribed by the regulations.
- (2) An ecological community is eligible to be listed as an ***endangered ecological community*** if, in the opinion of the Fisheries Scientific Committee:
  - (a) it is facing a very high risk of extinction in New South Wales in the near future, as determined in accordance with criteria prescribed by the regulations, and
  - (b) it is not eligible to be listed as a critically endangered ecological community.
- (3) An ecological community is eligible to be listed as a ***vulnerable ecological community*** if, in the opinion of the Fisheries Scientific Committee:
  - (a) it is facing a high risk of extinction in New South Wales in the medium-term future, as determined in accordance with criteria prescribed by the regulations, and
  - (b) it is not eligible to be listed as an endangered or critically endangered ecological community.

### SECTION 220I Making a nomination for inclusion in or omission from threatened species lists

Any person may nominate an amendment to Schedules 4, 4A, 5 or 6.

**It is an OFFENCE to make a vexatious nomination.**

### B: ADDITIONAL INFORMATION

A nomination of an ecological community for listing in Schedule 4; Part 3, Schedule 4A; Part 2 or Schedule 5; Part 2 of the *Fisheries Management Act 1994* must include the following information:

- a) a description of the ecological community that is sufficient to distinguish it from any other ecological community by reference to its biological components and its non-biological components, and the processes by which those components interact, that are known to the person or persons making the nomination;
- b) evidence that the classification of the ecological community is conventionally accepted;
- c) the reasons why the ecological community is considered by the person or persons making the nomination to meet the criteria specified for the purposes of the definition of “ecological community” in Section 220B (1) of the Act;
- d) the reasons why the ecological community is considered by the person or persons making the nomination to be endangered within the meaning of section 220FB of the Act. Any specific threats or threatening processes should be identified;
- e) the best estimation that is available to the person or persons making the nomination of the current distribution of the ecological community, including a map of the area/s occupied by the community;
- f) in cases of a de-listing, the reasons why the ecological community is no longer considered threatened within the meaning of the Act; and
- g) references to any scientific literature that supports the information provided in the nomination.