



**Australian Government**

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**Department of the Environment and Energy**

Assessment of the  
**South Australian Prawn Trawl Fisheries**

November 2015

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### **Disclaimer**

This document is an assessment carried out by the Department of the Environment and Energy of a commercial fishery against the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition*. It forms part of the advice provided to the Minister for the Environment and Energy on the fishery in relation to decisions under Parts 13 and 13A of the *Environment Protection and Biodiversity Conservation Act 1999*. The views expressed do not necessarily reflect those of the Minister for the Environment and Energy or the Australian Government.

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## SECTION 1: SUMMARY OF THE ASSESSMENT FOR THE SOUTH AUSTRALIAN PRAWN TRAWL FISHERIES AGAINST THE GUIDELINES FOR THE ECOLOGICALLY SUSTAINABLE MANAGEMENT OF FISHERIES (2ND EDITION)

**Purpose:** To enable transparent articulation of which commercial fisheries assessed under the EPBC Act clearly meet all legislative requirements and all Guidelines, and those which may require further investigation or assessment to demonstrate requirements are met.

Overview of SA Prawn Trawl Fisheries against the relevant requirements of the Guidelines and the EPBC Act.

Guidelines	Meets	Partially meets	Does not meet	Details
Management regime	All met			Readily available and developed with transparent process.
Principle 1 (target stocks)	All, but for 2	2		Robust and active management of target stocks, however a review of the harvest strategy is under development for Gulf St Vincent sector and impact on some byproduct species may be moderate. These risks are now under active management.
Principle 2 (bycatch and TEPS)	All met			TEPs evaluated annually, impacts on bycatch mitigated through BRDs and/or spatial closures.
Principle 2 (ecosystem impacts)	All, but 1	1		Ecosystem impacts are monitored, risk not considered high. Improvements to monitoring being considered.
<b>EPBC requirements</b>				
Part 12	All met			South-west Marine Bioregional plan considered, no impacts of concern.
Part 13	All met			Some interactions with syngnathids, mitigated through BRDs and/or spatial closures.
Part 13A	All, but for 1	1		Limited consultation if LENS is amended, although sufficient for strict requirements, as per advice to Minister in MS14-002367.
Part 16	All met			Precautionary management measures in place.
<p><b>Conclusion:</b> This collective of three fisheries targets western king prawns using benthic trawling gear in three fishery zones (Gulf St Vincent, Spencer Gulf, West Coast).</p> <p>The Gulf St Vincent fishery is considered depleted but not overfished and has been closed since 2012 while management arrangements are reconsidered ahead of reopening. The Spencer Gulf fishery has been accredited by the Marine Stewardship Council since 2010 and there are no stock concerns for this fishery or the West Coast Fishery. Bycatch across all three fisheries is well understood and considered to be relatively low. There are no concerns with protected species, therefore these fisheries meet all environmental requirements of the EPBC Act and most of the Guidelines.</p> <p><u>Outstanding issue 1:</u> Impact on bugs (by-product) under investigation.</p>				
<b>Final recommendation for 2015 assessment of SA Prawn Trawl Fisheries:</b> Low risk, eligible for 10 year approval (2015-2025).				

**Notes:****Assessment history:**

1<sup>st</sup> assessment finalised 2004 – LENS with 12 recommendations.

2<sup>nd</sup> assessment finalised 2009 – LENS with 9 recommendations, Part 13 open ended

One public comment received, from Greenpeace. Comments generally condemn trawling as a method.

**Fishery reporting:**

Annual report – last provided in July 2014

Protected species interactions – All SA fishery interactions provided publicly and annually at [Research Report Series](#) section on SARDI website. Last published February 2014 (fishing year of 2012/13):

[http://pir.sa.gov.au/\\_data/assets/pdf\\_file/0011/232400/Wildlife\\_Interactions\\_in\\_SA\\_Fisheries\\_2013\\_-\\_FINAL.pdf](http://pir.sa.gov.au/_data/assets/pdf_file/0011/232400/Wildlife_Interactions_in_SA_Fisheries_2013_-_FINAL.pdf)

**Key links:**

– [Gulf St Vincent Prawn Fishery](#) information page on PIRSA website, includes Gulf St Vincent management plan, stock assessment and status reports.

– [Spencer Gulf and West Coast prawn fisheries](#) information page, includes Spencer Gulf management plan, West Coast Prawn Fishery Management Policy, status reports (2), stock assessment (Spencer Gulf only) and ESD reports (Spencer Gulf – July 2014).

– FRDC Status of Key Australian Fish Stocks 2014 – Western king prawn

[http://fish.gov.au/reports/crustaceans/prawns/Pages/western\\_king\\_prawn.aspx](http://fish.gov.au/reports/crustaceans/prawns/Pages/western_king_prawn.aspx).

– Status in SA: Spencer Gulf (SG) = sustainable, Gulf St Vincent (GSV) = transitional depleting, West Coast (WC) = sustainable.

– South Australian Recreational Fishing Survey 2007/08 <http://recfishingresearch.org/south-australian-recreational-fishing-survey-200708/>

– Reporting framework for ecosystem-based assessment of Australian prawn trawl fisheries: a Spencer Gulf prawn trawl case study [http://www.pir.sa.gov.au/\\_data/assets/pdf\\_file/0007/237571/Ecosystem\\_Trawl\\_Fisheries\\_Report\\_-\\_FINAL.pdf](http://www.pir.sa.gov.au/_data/assets/pdf_file/0007/237571/Ecosystem_Trawl_Fisheries_Report_-_FINAL.pdf)

– Spencer Gulf Marine Stewardship Council accreditation information <http://www.spencergulfkingprawns.com.au/the-msc-certification/>

– Catch composition of a prawn trawl survey in Spencer Gulf

[www.fish.gov.au/reports/Documents/Currie\\_et\\_al\\_2009.pdf](http://www.fish.gov.au/reports/Documents/Currie_et_al_2009.pdf)

– Report on Giant Australian Cuttlefish activity in northern Spencer Gulf

[http://www.pir.sa.gov.au/\\_data/assets/pdf\\_file/0004/252751/Giant\\_Australian\\_Cuttlefish\\_FRDC\\_Report\\_-\\_FINAL.pdf](http://www.pir.sa.gov.au/_data/assets/pdf_file/0004/252751/Giant_Australian_Cuttlefish_FRDC_Report_-_FINAL.pdf)

## SECTION 2: DETAILED ANALYSIS OF THE SOUTH AUSTRALIAN PRAWN TRAWL FISHERIES AGAINST THE GUIDELINES FOR THE ECOLOGICALLY SUSTAINABLE MANAGEMENT OF FISHERIES (2ND EDITION)

Guidelines for the Ecologically Sustainable Management of Fisheries (2nd edition)	Comment
<b>THE MANAGEMENT REGIME</b>	
The management regime does not have to be a formal statutory fishery management plan as such, and may include non-statutory management arrangements or management policies and programs. The regime should:	
Be documented, publicly available and transparent	Managed through publicly available legislation. Additional information on management, including management plan for Spencer Gulf Fishery, and management policy for West Coast Fishery also available online (links above).
Be developed through a consultative process providing opportunity to all interested and affected parties, including the general public	Management plans developed through consultative process, including public consultation.
Ensure that a range of expertise and community interests are involved in individual fishery management committees and during the stock assessment process	Targeted consultation as identified through consultation during the development of the management plan. SG and WC have management committee and research committee, which include industry, scientists, conservation, other govt agencies and independent chair.
Be strategic, containing objectives and performance criteria by which the effectiveness of the management arrangements are measured	Yes, goals, objectives, strategies and performance indicators addressed in management plan (GSV & SG) and management policy (WC).
Be capable of controlling the level of harvest in the fishery using input and/or output controls	Yes, PIRSA can control harvest with variety of management tools. GSV – individual transferable quotas SG – mix of input and output controls, manage in real time based on performance indicators WC- limit on nights (input controls) and manage in real time based on performance indicators
Contain the means of enforcing critical aspects of the management arrangements	Compliance risk assessment conducted annually, followed by annual development of compliance plan.
Provide for the periodic review of the performance of the fishery management arrangements and the management strategies, objectives and criteria	Stock assessments (or stock status reports) reviewed annually. Management plans reviewed within regular statutory periods articulated in plan. Performance indicators regularly reviewed, as specified by the operational objective.
Be capable of assessing, monitoring and avoiding, remedying or mitigating any adverse impacts on the wider marine ecosystem in which the target species lives and the fishery operates	ERA for SG in 2014. Risks addressed in management plan (Goal 3). ERA for GSV under development, risks will be addressed under management plan.

	WC – no formal ERA, however given size of fishery (3 operators) not considered necessary. Fishers collecting data on bycatch etc.
Requires compliance with relevant threat abatement plans, recovery plans, the National Policy on Fisheries Bycatch, and bycatch action strategies developed under the policy	N/a, no significant intersection with Cwth plans.
<b>PRINCIPLE 1</b> - A fishery must be conducted in a manner that does not lead to over-fishing, or for those stocks that are over-fished, the fishery must be conducted such that there is a high degree of probability the stock(s) will recover.	
<b>Objective 1</b> - The fishery shall be conducted at catch levels that maintain ecologically viable stock levels at an agreed point or range, with acceptable levels of probability.	
<b>Information requirements</b>	
<b>1.1.1</b> There is a reliable information collection system in place appropriate to the scale of the fishery. The level of data collection should be based upon an appropriate mix of fishery independent and dependent research and monitoring.	Yes, mandatory logbooks record daily information on location, effort and total catch by species. Independent observers collect data during stock assessment surveys in SG, GSV and WC.
<b>Assessment</b>	
<b>1.1.2</b> There is a robust assessment of the dynamics and status of the species/fishery and periodic review of the process and the data collected. Assessment should include a process to identify any reduction in biological diversity and /or reproductive capacity. Review should take place at regular intervals but at least every three years.	SG - biennial stock assessments. Annual stock status report informs 'advice note' for management. GSV – annual stock status or stock assessment reports to inform annual advice note. WC – stock assessment provided for 2012/13 (SARDI 2014). Stock status report provided annually. All stock assessments/status reports consider fishery dependent and independent data.
<b>1.1.3</b> The distribution and spatial structure of the stock(s) has been established and factored into management responses.	Yes, distribution and spatial structure well understood in this long standing fishery. Stock is managed in three different zones to reflect spatial segregation, with fishery independent surveys conducted between 1 and 3 times per year in each zone.
<b>1.1.4</b> There are reliable estimates of all removals, including commercial (landings and discards), recreational and indigenous, from the fished stock. These estimates have been factored into stock assessments and target species catch levels.	Commercial harvest accounts for most removals, recreational and indigenous harvest very limited. Estimates of recreational removals available from 2007/08 (link above).
<b>1.1.5</b> There is a sound estimate of the potential productivity of the fished stock/s and the proportion that could be harvested.	Yes, annual/biennial stock assessments/stock status reports include consideration of fishery dependent and independent data.
<b>Management responses</b>	



<p><b>1.1.6</b> There are reference points (target and/or limit), that trigger management actions including a biological bottom line and/or a catch or effort upper limit beyond which the stock should not be taken.</p>	<p>Yes, harvest decision rules articulated in harvest strategy. SG - decision rules within management plan. WC - decision rules in management policy GSV - decision rules within 2007 management plan. A new management plan (including a new harvest strategy) is currently in development.</p>
<p><b>1.1.7</b> There are management strategies in place capable of controlling the level of take.</p>	<p>Yes, different strategies in each zone. SG - input and output controls. GSV - input controls and individually transferable effort system. WC - input controls and limit on total number of fishing nights.</p>
<p><b>1.1.8</b> Fishing is conducted in a manner that does not threaten stocks of by-product species.</p>	<p>Impact on byproduct species considered moderate. SG - main byproduct is southern calamari and bugs. SG ERA identified harvest of bugs as potential medium risk, now managed through input controls and size limits. SG ERA identified southern calamari as potential high risk, however, based on long-term stability of catch, additional measures have not been implemented. The status of southern calamari across SA is assessed annually against performance indicators (reported in Marine Scalefish Fishery status reports), including take from commercial prawn trawl. Catch of southern calamari by the prawn trawl sector is considered low compared to the marine scalefish sector and recreational sector. Fishing is conducted in a manner that does not threaten stocks of by-product species. GSV - main byproduct is southern calamari and bugs. Risks to both species under consideration for GSV, however not currently considered to be large given low effort. WC – permitted to take Gould's Squid, scallops and octopus.</p>
<p>(Guidelines 1.1.1 to 1.1.7 should be applied to by-product species to an appropriate level)</p>	
<p><b>1.1.9</b> The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.</p>	<p>Appears likely, based on historic performance.</p>
<p><b>If overfished, go to Objective 2:</b> <b>If not overfished, go to PRINCIPLE 2:</b></p>	
<p><b>Objective 2</b> - Where the fished stock(s) are below a defined reference point, the fishery will be managed to promote recovery to ecologically viable stock levels within nominated timeframes.</p>	
<p><b>Management responses</b></p>	

<b>1.2.1</b> A precautionary recovery strategy is in place specifying management actions, or staged management responses, which are linked to reference points. The recovery strategy should apply until the stock recovers, and should aim for recovery within a specific time period appropriate to the biology of the stock.	Not applicable. Not overfished. GSV stocks identified in 2014 FRDC Status of Key Australian Fish Stocks (link above) as being 'transitional - depleting', but not yet overfished. Management measures to limit fishing effort are in place.
<b>1.2.2</b> If the stock is estimated as being at or below the biological and / or effort bottom line, management responses such as a zero targeted catch, temporary fishery closure or a 'whole of fishery' effort or quota reduction are implemented.	Not applicable. Not overfished
<b>PRINCIPLE 2</b> - Fishing operations should be managed to minimise their impact on the structure, productivity, function and biological diversity of the ecosystem.	
<b>Objective 1</b> - The fishery is conducted in a manner that does not threaten bycatch species.	
<b>Information requirements</b>	
<b>2.1.1</b> Reliable information, appropriate to the scale of the fishery, is collected on the composition and abundance of bycatch.	Yes, mandatory daily logbooks, data summarised in annual reports. Targeted bycatch surveys conducted for both SG and GSV to inform ERA assessment. Most recent SG bycatch report published in 2009 (link above).
<b>Assessments</b>	
<b>2.1.2</b> There is a risk analysis of the bycatch with respect to its vulnerability to fishing.	Not applicable. Yes, ERA reports (including draft in development for GSV) consider vulnerability of bycatch species.
<b>Management responses</b>	
<b>2.1.3</b> Measures are in place to avoid capture and mortality of bycatch species unless it is determined that the level of catch is sustainable (except in relation to endangered, threatened or protected species). Steps must be taken to develop suitable technology if none is available.	Yes, primarily through gear modifications. Hoppers in place in majority of vessels across all three fisheries, to minimise mortality of bycatch. In addition: GSV – BRDs and T90 cod end mesh. SG – BRDs being are being trialled and spatial closures are in place to mitigate risk to protected species, including syngnathids and cuttlefish. Some boats pass catch over sorting grids to return non-target species to water with minimal handling. SG ERA identified potential impact of fishery on giant cuttlefish as medium risk. However, fishery independent research into status of giant cuttlefish indicated the SG prawn trawl fleet has not adversely affected the population in the northern SG (link above).
<b>2.1.4</b> An indicator group of bycatch species is monitored.	Indicator species not specifically monitored, however bycatch monitored holistically. SG - second bycatch survey recently completed, analysis underway.

	GSV - bycatch surveys conducted in 2013 with analysis to be finalised. WC - fishery dependent data collected
<b>2.1.5</b> There are decision rules that trigger additional management measures when there are significant perturbations in the indicator species numbers.	Not applicable. Significant perturbations in indicator species not detected.
<b>2.1.6</b> The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.	Appears likely based on historic performance. Despite being a benthic trawl fishery, bycatch recognised as being low compared with other prawn fisheries due to habitat.
<b>Objective 2</b> - The fishery is conducted in a manner that avoids mortality of, or injuries to, endangered, threatened or protected species and avoids or minimises impacts on threatened ecological communities.	
<b>Information requirements</b>	
<b>2.2.1</b> Reliable information is collected on the interaction with endangered, threatened or protected species and threatened ecological communities.	Interactions with protected species reported in wildlife interaction logbooks and reported annually (link above) Most recent bycatch survey for SG provides information on interactions with syngnathids (link above)
<b>Assessments</b>	
<b>2.2.2</b> There is an assessment of the impact of the fishery on endangered, threatened or protected species.	Yes, SG ERA in 2014 assessed potential risk to syngnathids. All species ranked as low risk, except tiger pipefish which was ranked as medium risk. Reports from wildlife interaction logbooks confirm that syngnathids are the main TEP taxa these fisheries interact with (link above). In the 2012/13 there were 195 syngnathids caught as bycatch in the SG and 58 in the WC, with the majority releases alive. No interactions were recorded in GSV in the same period as this sector was closed during that time,.
<b>2.2.3</b> There is an assessment of the impact of the fishery on threatened ecological communities.	Not applicable. No overlap of fishery with any EPBC listed ecological community.
<b>Management responses</b>	
<b>2.2.4</b> There are measures in place to avoid capture and/or mortality of endangered, threatened or protected species.	Yes, spatial closures to protect particular syngnathids and cuttlefish. Gear modifications to reduce bycatch include BRDs and T90s in GSV. BRDs are being trialled in SG.
<b>2.2.5</b> There are measures in place to avoid impact on threatened ecological communities.	Not applicable.
<b>2.2.6</b> The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.	Appears likely based on historic performance.
<b>Objective 3</b> - The fishery is conducted, in a manner that minimises the impact of fishing operations on the ecosystem generally.	
<b>Information requirements</b>	

<p><b>2.3.1</b> Information appropriate for the analysis in 2.3.2 is collated and/or collected covering the fisheries impact on the ecosystem and environment generally.</p>	<p>Information about bycatch location and composition collected and compared across regions.</p> <p>Ecosystem Monitoring Framework for prawn trawl fisheries recently completed by SARDI (link above).</p>
<p><b>Assessment</b></p>	
<p><b>2.3.2</b> Information is collected and a risk analysis, appropriate to the scale of the fishery and its potential impacts, is conducted into the susceptibility of each of the following ecosystem components to the fishery.</p> <p>1. Impacts on ecological communities</p> <ul style="list-style-type: none"> <li>• Benthic communities</li> <li>• Ecologically related, associated or dependent species</li> <li>• Water column communities</li> </ul> <p>2. Impacts on food chains</p> <ul style="list-style-type: none"> <li>• Structure</li> <li>• Productivity/flows</li> </ul> <p>3. Impacts on the physical environment</p> <ul style="list-style-type: none"> <li>• Physical habitat</li> <li>• Water quality</li> </ul>	<p>Yes, ERA for SG completed (2014). In draft for GSV.</p> <p>Composition of bycatch across area of fishery (including high and low intensity trawled areas) showed that difference in assemblage more related to latitude not fishing effort (link above to SG bycatch composition report)</p>
<p><b>Management responses</b></p>	
<p><b>2.3.3</b> Management actions are in place to ensure significant damage to ecosystems does not arise from the impacts described in 2.3.1.</p>	<p>Significant damage to ecosystems considered unlikely. Footprint in SG has reduced significantly from historic levels, spatial management arrangements in place to protect habitats/ communities of concern. No fishing permitted in waters shallower than 10m.</p>
<p><b>2.3.4</b> There are decision rules that trigger further management responses when monitoring detects impacts on selected ecosystem indicators beyond a predetermined level, or where action is indicated by application of the precautionary approach.</p>	<p>Performance indicators for ecosystems under consideration for SG, dependent on work underway to define footprint and indicator species.</p>
<p><b>2.3.5</b> The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.</p>	<p>Appears likely based on historic performance. Likely to further improve in the future with more information on footprint etc.</p>

### SECTION 3: ASSESSMENT OF THE SOUTH AUSTRALIAN PRAWN TRAWL FISHERIES AGAINST THE REQUIREMENTS OF THE EPBC ACT

**Please Note** – the table below is not a complete or exact representation of the EPBC Act. It is intended as a checklist of relevant sections and components of the EPBC Act to provide advice on the fishery in relation to decisions under Part 13 and Part 13A.

#### Part 12

	Comment
<b>Section 176 Bioregional Plans</b>	
(5) Minister must have regard to relevant bioregional plans	Only minimal fishing effort overlaps with South-west Marine Bioregion. SW MBP considered, KEFs and BIAs not compromised by fishing activity.

#### Part 13

	Comment
<b>Accreditable plan, regime or policy (Division 1, Division 2, Division 3, Division 4)</b>	
s. 208A (1) (a-e) , s.222A (1) (a-e), s.245A (1) (a-e), s.265 (1) (a-e) Does the fishery have an accreditable plan of management, regime or policy?	The South Australian Prawn Trawl Fisheries will be managed under the Fisheries Management (Prawn Fisheries) Regulations 2006 and the Fisheries Management (General) Regulations 2007, in force under the <i>Fisheries Management Act 2007 (SA)</i> .
<b>Division 1 Listed threatened species, Section 208A Minister may accredit plans or regimes</b>	
(f) Will the plan, regime or policy require fishers to take all reasonable steps to ensure that members of listed threatened species (other than conservation dependent species) are not killed or injured as a result of the fishing?	Yes, gear modifications to mitigate potential impact to all bycatch species. Interactions to listed threatened species highly unlikely. The Department of the Environment and Energy considers that the management regime requires that all reasonable steps are taken to avoid the killing or injuring of protected species, and the risk of interaction under current fishing operations is low. On this basis, the Department is satisfied that an action taken by an individual fisher, acting in accordance with the management regime, would not be expected to have a significant impact on a listed threatened species protected by the EPBC Act.
(g) And, is the fishery likely to adversely affect the survival or recovery in nature of the species.	No, only one interaction with a white shark (released alive) recorded. The Department of the Environment and Energy considers that the fishery to which the management regime relates does not, or is not likely to, adversely affect the survival in nature of a listed threatened species or population of that species.
<b>Division 2 Migratory species, Section 222A Minister may accredit plans or regimes</b>	

<p>(f) Will the plan, regime or policy require fishers to take all reasonable steps to ensure that members of listed migratory species are not killed or injured as a result of the fishing?</p>	<p>Yes, gear modifications to mitigate potential impact to all bycatch species. Interactions to listed migratory species highly unlikely.</p> <p>The Department of the Environment and Energy considers that the management regime requires that all reasonable steps are taken to avoid the killing or injuring of migratory species, and the risk of interaction under current fishing operations is low. On this basis, the Department is satisfied that an action taken by an individual fisher, acting in accordance with the management regime, would not be expected to have a significant impact on a listed migratory species protected by the EPBC Act.</p>
<p>(g) And, is the fishery likely to adversely affect the conservation status of a listed migratory species or a population of that species?</p>	<p>No, only one interaction with a white shark (released alive) recorded.</p> <p>The Department of the Environment and Energy considers that the fishery to which the management regime relates does not, or is not likely to, adversely affect the survival in nature of a listed migratory species or population of that species.</p>
<p><b>Division 3 Whales and other cetaceans, Section 245 Minister may accredit plans or regimes</b></p>	
<p>(f) Will the plan, regime or policy require fishers to take all reasonable steps to ensure that cetaceans are not killed or injured as a result of the fishing?</p>	<p>Yes, gear modifications to mitigate potential impact to all bycatch species. Interactions to cetacean species highly unlikely.</p> <p>The Department of the Environment and Energy considers that the management regime requires that all reasonable steps are taken to avoid the killing or injuring of whales and cetaceans, and the risk of interaction under current fishing operations is low. On this basis, the Department is satisfied that an action taken by an individual fisher, acting in accordance with the management regime, would not be expected to have a significant impact on a whale or cetacean species protected by the EPBC Act.</p>
<p>(g) And is the fishery likely to adversely affect the conservation status of a species of cetacean or a population of that species?</p>	<p>No, interactions highly unlikely.</p> <p>The Department of the Environment and Energy considers that the fishery to which the management regime relates does not, or is not likely to, adversely affect the survival in nature of a whale or cetacean or population of that species.</p>
<p><b>Division 4 Listed marine species, Section 265 Minister may accredit plans or regimes</b></p>	
<p>(f) Will the plan, regime or policy require fishers to take all reasonable steps to ensure that members of listed marine species are not killed or injured as a result of the fishing?</p>	<p>Yes, gear modifications to mitigate impact to all bycatch species, but specifically seeking to minimise catch of listed marine species, mainly syngnathids. BRDs required in GSV, spatial restrictions in SG to protect syngnathids.</p> <p>The Department of the Environment and Energy considers that the management regime requires that all reasonable steps are taken to avoid the killing or injuring of listed marine species, and the risk of interaction under current fishing operations is low. On this basis, the Department is satisfied that an action taken by an individual fisher, acting in accordance with the</p>

	management regime, would not be expected to have a significant impact on a listed marine species protected by the EPBC Act.
(g) And is the fishery likely to adversely affect the conservation status of a listed marine species or a population of that species?	No, interactions with syngnathids minimised through management arrangements above. The Department of the Environment and Energy considers that the fishery to which the management regime relates does not, or is not likely to, adversely affect the survival in nature of a listed marine species or population of that species.
<b>Section 303AA Conditions relating to accreditation of plans, regimes and policies</b>	
(1) This section applies to an accreditation of a plan, regime or policy under section 208A, 222A, 245 or 265.	The Department of the Environment and Energy recommends that the South Australian Prawn Trawl Fisheries be accredited under sections 208A, 222A, 245 and 265.
(2) The Minister may accredit a plan, regime or policy under that section even though he or she considers that the plan, regime or policy should be accredited only: (a) during a particular period; or (b) while certain circumstances exist; or (c) while a certain condition is complied with. In such a case, the instrument of accreditation is to specify the period, circumstances or condition.	No condition has been imposed on the South Australian Prawn Trawl Fisheries under Part 13.
(7) The Minister must, in writing, revoke an accreditation if he or she is satisfied that a condition of the accreditation has been contravened.	Not applicable.

**Part 13A**

<b>Section 303BA Objects of Part 13A</b>	
(1) The objects of this Part are as follows: (a) to ensure that Australia complies with its obligations under CITES and the Biodiversity Convention; (b) to protect wildlife that may be adversely affected by trade; (c) to promote the conservation of biodiversity in Australia and other countries; (d) to ensure that any commercial utilisation of Australian native wildlife for the purposes of export is managed in an ecologically sustainable way; (e) to promote the humane treatment of wildlife; (f) to ensure ethical conduct during any research associated with the utilisation of wildlife; and (h) to ensure the precautionary principle is taken into account in making decisions relating to the utilisation of wildlife.	
	<b>Comment</b>



<b>Section 303DC Minister may amend list (non CITES species)</b>	
<p>(1) The Minister may amend the LENS by:</p> <p>(a) doing any of the following:</p> <ol style="list-style-type: none"> <li>(i) including items in the list;</li> <li>(ii) deleting items from the list;</li> <li>(iii) imposing a condition or restriction to which the inclusion of a specimen in the list is subject;</li> <li>(iv) varying or revoking a condition or restriction to which the inclusion of a specimen in the list is subject</li> </ol>	<p>The Department <b>recommends</b> that specimens that are or are derived from fish or invertebrates, taken in the South Australian Prawn Trawl Fisheries as defined in the management regime in force under the South Australian <i>Fisheries Management Act 2007</i>, but not including</p> <ul style="list-style-type: none"> <li>specimens that belong to eligible listed threatened species, as defined under section 303BC of the EPBC Act, or</li> <li>specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia's CITES list)</li> </ul> <p>be included in the list of exempt native specimens until 25 July 2025.</p>
<p>(1A) In deciding to amend LENS, Minister must rely primarily on outcomes of Part 10, Div 1 Or 2 assessment</p>	<p>Not applicable. No assessment under Part 10 of the EPBC Act has been completed as the South Australian Prawn Trawl Fisheries is not a Commonwealth fishery.</p>
<p>(1C) The above does not limit matters that may be considered when deciding to amend LENS.</p>	<p>The Department considers that the amendment of the list of exempt native specimens to include product derived from the fishery would be consistent with the provisions of Part 13A (listed above) as:</p> <ul style="list-style-type: none"> <li>the fishery will not harvest any Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) listed species</li> <li>there are management arrangements in place to ensure that the resource is being managed in an ecologically sustainable way (see links above)</li> <li>the operation of the fishery is unlikely to be unsustainable and threaten biodiversity within the next ten years.</li> </ul>
<p>(3) Before amending LENS, Minister must consult:</p> <ol style="list-style-type: none"> <li>other Minister or Ministers as appropriate; and</li> <li>other Minister or Ministers of each State and self-governing Territory as appropriate; and</li> <li>other persons and organisations as appropriate.</li> </ol>	<p>General consultation with the (SA) Minister for Fisheries in October 2014 (MS14-002367).</p>

## Part 16

	<b>Comment</b>
<b>Section 391 Minister must consider precautionary principle in making decisions</b>	
<p>(1) Minister must take account of precautionary principle</p> <p>(2) The precautionary principle is that lack of full scientific certainty should not be used as a reason for postponing a measure to prevent</p>	<p>Precautionary management measures in place. The precautionary principle has been considered by the Department when making its recommendation to the delegate to include specimens in the list of exempt native specimens.</p>



degradation of the environment where there are threats of serious or irreversible environmental damage.	
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