



Australian Government
Department of the Environment

Ref: 000633901

The Hon Leon Bignell MP
Minister for Agriculture, Food and Fisheries
GPO Box 1671
Adelaide SA 5001

Dear Minister

I am writing to you as the Delegate of the Minister for the Environment in relation to ongoing environmental approvals under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) for five South Australian commercial fisheries.

In October 2014, the Australian Government Minister for the Environment, the Hon Greg Hunt MP, wrote to you to seek your views on a reform proposal to extend the maximum timeframe for EPBC Act approvals from five years to ten years for commercial fisheries assessed as posing low environmental risk. These approvals are based on assessments of the fisheries' impacts on marine species protected under Part 13 of the EPBC Act, as well as evaluating fisheries for the purpose of export approval under Part 13A.

You responded in favour of this proposal in November 2014, consistent with the majority view of all parties consulted. The Minister for the Environment subsequently agreed to proceed with the proposal and I am pleased to advise that South Australia is now able to benefit from the extended environmental approval timeframes. Officers from the Department of the Environment and the Department of Primary Industries and Regions South Australia (PIRSA) have worked collaboratively over the last several months to determine which South Australian fisheries continue to meet all relevant EPBC Act requirements and can therefore have their export approval extended until July 2025. These fisheries are the:

1. Abalone Fishery
2. Blue Crab Fishery
3. Giant Crab Fishery
4. Prawn Trawl Fisheries
5. Rock Lobster Fishery

These extensions have been assessed for the purposes of the protected species provisions of Part 13 and the wildlife trade provisions of Part 13A of the EPBC Act. The assessments took into account all of the management arrangements implemented by PIRSA in these fisheries.

The management regimes for three of these fisheries are currently accredited under Part 13 of the EPBC Act, for interactions with protected species. I am satisfied that it remains unlikely that fishing operations conducted in accordance with these management regimes will adversely affect the conservation status of protected species or affect the survival or recovery in nature of listed threatened species or adversely affect the conservation status of listed migratory species, cetaceans or listed marine species. I also consider that under the current management regimes, operators are required to take all reasonable steps to avoid the killing or injuring of species listed under Part 13 of the EPBC Act.

I have therefore agreed to continue the accreditation of the management regimes for these three fisheries under Part 13 of the EPBC Act. Ongoing accreditation will ensure that individual fishers operating in accordance with the current management regime are not required to seek permits if they are at risk of killing or injuring listed species in Commonwealth waters.

I consider that all five fisheries operate in line with the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition*. Given the management arrangements and precautionary measures in place in each fishery, I have decided to amend the list of exempt native specimens to allow export of product from each fishery until 25 July 2025.

I would like to thank you for the constructive way in which your officials have approached this reform process and these assessments.

Yours sincerely



Paul Murphy

Delegate of the Minister for the Environment

27 November 2015