



**Australian Government**  
**Department of the Environment**

Ref: 000103924

The Hon Ken Baston MLC  
Minister for Fisheries  
7<sup>th</sup> Floor, Dumas House  
2 Havelock Street  
West Perth WA 6005

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 twenty Western 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 Western Australia is the first jurisdiction that will benefit from the extended environmental approval timeframes. Officers from the Department of the Environment and the Western Australian Department of Fisheries have worked collaboratively over the last several months to determine which Western Australian fisheries continue to meet all relevant EPBC Act requirements and can therefore have their export approval extended until May 2025. These 20 fisheries are listed at **Attachment 1**.

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 the Western Australian Department of Fisheries, including recent developments made in response to the Marine Stewardship Council pre-assessment recommendations.

The management regimes for 16 of these 20 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 16 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 20 fisheries operate in line with the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries – 2<sup>nd</sup> 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 30 May 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

12 August 2015

**Western Australian fisheries eligible for ten year approval under the EPBC Act**

1. Abalone Managed Fishery
2. Albrolos Island and Mid West Trawl Managed Fishery
3. Broome Prawn Managed Fishery
4. Cocos (Keeling) Islands Marine Aquarium Fish Fishery
5. Exmouth Gulf Prawn Managed Fishery
6. Gascoyne Demersal Scalefish Managed Fishery
7. Kimberley Prawn Managed Fishery
8. Mackerel Managed Fishery
9. Nickol Bay Prawn Managed Fishery
10. Northern Demersal Scalefish Managed Fishery
11. Onslow Prawn Managed Fishery
12. Pearl Oyster Managed Fishery
13. South Coast Salmon Managed Fishery
14. South-West Coast Salmon Managed Fishery
15. Shark Bay Crab Interim Managed Fishery
16. Shark Bay Prawn Managed Fishery
17. Shark Bay Scallop Managed Fishery
18. Specimen Shell Managed Fishery
19. Trochus Fishery
20. West Coast Deep Sea Crustacean Managed Fishery