



Australian Government

Department of the Environment and Water Resources

The Hon Rory McEwen
Minister for Agriculture, Food and Fisheries
Minister for Forests
GPO Box 668
ADELAIDE SA 5001

Dear Minister

Thank you for your letter of 20 August 2007 concerning the declaration of the South Australian Scallop and Turbo Fisheries (STF) as an approved Wildlife Trade Operation (WTO) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

I note your concerns in meeting the two year timeframe for Recommendation 2, due to the recent changes to the South Australian fisheries legislation. I understand that these changes to the governance of South Australia's fisheries will cause delays in developing management plans for South Australia's fisheries, and therefore, I have agreed to extend the timeframe for Recommendation 2, to three years.

Recommendation 2: *Within three (3) years, PIRSA Fisheries to complete the Management Plan for the Miscellaneous Dive Fishery. This document is to include precautionary fishery specific objectives linked to performance indicators and performance measures for the target species and impacts on the ecosystem.*

In making these changes to the decision, it was noted that the South Australian Fisheries (*Scheme of Management – Miscellaneous Fishery*) Regulations 2000 was incorrectly referenced in the STF submission and therefore, incorrectly referenced in the Part 13A instrument. New Part 13A instruments have been signed and gazetted as a result of this administrative error.

Upon gazettal, the STF will be an approved Wildlife Trade Operation (WTO), under Part 13A of the EPBC Act. This declaration allows the export of product from the STF for the next three years. The declaration was made subject to the conditions at Attachment A.

Product from the STF has also been placed on the List of Exempt Native Specimens, so that exporters do not require EPBC Act individual export permits. The STF will continue to operate as a WTO for the period of the declaration (3 years)

The assessment report will now be available on the Department of the Environment and Water Resource's website at:

<http://www.environment.gov.au/coasts/fisheries/sa/index.html>.

The recommendations (Attachment B) have been an important factor in my decision to declare the STF a WTO and I look forward to receiving annual reports detailing progress of their implementation.

Yours sincerely

Andrew McNee

Delegate of the Minister for the Environment and Water Resources

28 September 2007

Attachment A

**CONDITIONS ON THE APPROVED WILDLIFE TRADE OPERATION (WTO)
DECLARATION FOR THE SOUTH AUSTRALIAN SCALLOP AND TURBO
FISHERIES (STF)**

1. Operation of the STF will be carried out in accordance with the *Fisheries (Scheme of Management –Miscellaneous Fishery) Regulations 2000* and the *Fisheries (General) Regulations 2000*, in force under the *South Australian Fisheries Act 1982*.
2. The Fisheries Division of the Department of Primary Industries and Resources, South Australia (PIRSA Fisheries) to inform the Department of the Environment and Water Resources (DEW) of any material change to the STF's management arrangements that could affect the criteria on which the *Environment Protection and Biodiversity Conservation Act 1999* decisions are based, within three months of that change being made.
3. Reports to be produced and presented to DEW annually, and to include:
 - information sufficient to allow assessment of the progress of PIRSA Fisheries in implementing the recommendations made in the *Assessment of the South Australian Scallop and Turbo Fisheries 2007*;
 - a description of the fishery management arrangements in place, recent catch data for all sectors of the STF, status of target stock, interactions with protected species, impacts of the STF on the ecosystem in which they operate and research and monitoring outcomes.

Information need only be provided on those aspects that are relevant to the STF and that articulate “changes” since the last annual report.

Attachment B

**RECOMMENDATIONS ON THE APPROVED WILDLIFE TRADE OPERATION
(WTO) DECLARATION FOR THE SOUTH AUSTRALIAN SCALLOP AND TURBO
FISHERIES (STF)**

Recommendation 1: PIRSA Fisheries to advise DEW of any material change to the STF's management arrangements that could affect the criteria on which EPBC decisions are based, within three (3) months of that change being made.

Recommendation 2: Within three (3) years, PIRSA Fisheries to complete the Management Plan for the Miscellaneous Dive Fishery. This document is to include precautionary fishery specific objectives linked to performance indicators and performance measures for the target species and impacts on the ecosystem.

Recommendation 3: Within two (2) years, PIRSA Fisheries to develop and implement a system to validate commercial logbook reporting of catch and effort in the STF.

Recommendation 4: Within two (2) years, PIRSA Fisheries to develop a process to improve estimates of recreational and Indigenous take and factor these into management arrangements to ensure overall catch levels are sustainable.

Recommendation 5: Within two (2) years, PIRSA Fisheries to develop and implement a research strategy to gather further information on the biology and ecology of scallop and turbo. PIRSA Fisheries to develop and implement management strategies to address any key risks identified as a result of this process and to use the outcomes of the research strategy to inform the performance indicators and performance measures in the Management Plan.