



## Australian Government

### Department of the Environment, Water, Heritage and the Arts

The Hon Norman Moore  
Minister for Fisheries  
PERTH WA 6000

Dear Minister

I am writing to you as Delegate of the Minister for the Environment, Heritage and the Arts in relation to the re-assessment of the Western Australian (WA) Shark Bay Snapper Fishery (SBSF) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

An initial assessment of the WA SBSF Fishery was completed in June 2004, resulting in the then Delegate of the Minister for the Environment and Heritage declaring the fishery exempt from the export controls of the EPBC Act until 30 June 2009. The *Shark Bay Snapper Management Plan 1994* was also accredited at this time under the relevant protected species provisions of Part 13 of the EPBC Act.

In July 2009, the Department of Fisheries Western Australia (DFWA) submitted their submission for assessment under the EPBC Act. However, as there was not sufficient time for the reassessment to be completed, the SBSF was granted a short-term three month extension to export approval, which expires on 30 September 2009. The submission has now 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.

I am pleased to advise that assessment of the fishery is now complete. The assessment report will be available on the Department of Environment, Water, Heritage and the Arts (DEWHA) website at:

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

I am satisfied that for the purposes of the wildlife trade provisions of Part 13A of the EPBC Act, the management arrangements provide the basis for the fishery to be managed in an ecologically sustainable way. I therefore propose to amend the List of Exempt Native Specimens, to include specimens that are or are derived from fish taken in the WA SBSF Fishery, excluding specimens that are listed under Part 13 of the EPBC Act, for a period of five years. Such listing will serve to exempt the fishery from the export controls of the EPBC Act, providing the fishery operates in accordance with the *Shark Bay Snapper Management Plan 1994*, made under the *Western Australian Fish Resources Management Act 1994* and continues not to involve the export of specimens listed on the Convention on the International Trade in Endangered Species.

Additionally, as there have been no significant changes to management arrangements since our last assessment of the fishery in 2004 and noting the level of reported interactions with protected species in the fishery remains very low, I consider that the WA SBSF continues to comply with the protected species provisions of the EPBC Act. For this reason I have decided to reaccredit the fishery's management arrangements under Part 13.

The management arrangements for the WA SBSF meet the Australian Government's *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition*. The WA SBSF is a relatively low impact fishery that is appropriately precautionary. The combination of management arrangements, data gathering, proposed strategies and the nature of the fishery allows confidence that the fishery managers will maintain low bycatch levels, minimise interactions with protected species and manage impacts on the wider ecosystem.

While there are some environmental risks associated with this fishery, I believe that DFWA is committed to addressing these issues. Officers from our two departments have discussed key areas requiring ongoing attention. I understand they have agreed to a number of recommended actions, focusing on ensuring the continuation of good management practices, to be implemented before the next Australian Government review of the fishery. The recommendations at **Attachment A** have been an important factor in my decision to exempt the fishery and I look forward to receiving your confirmation that they will be implemented.

I would also like to reiterate EPBC Act approvals are given to the WA SBSF's management regime in place at the time of the decision and as such DEWHA must be advised of any management changes, to ensure that accreditations remain valid. I ask that you ensure your officers are aware of this requirement and keep my Department appropriately informed.

Yours sincerely

*[signed]*

Nigel Routh  
Delegate of the Minister for the Environment, Heritage and the Arts  
29 September 2009

## Attachment A

### Recommendations to DFWA on the ecologically sustainable management of the WA Shark Bay Snapper Fishery (SBSF).

Unless a specific time frame is provided in the recommendation each recommendation must be addressed before the next assessment of the WA SBSF September 2014.

1. Operation of the fishery will be carried out in accordance with the management arrangements for the WA SBSF in force under the *WA Fish Resources Management 1994*.
2. The Department of Fisheries Western Australia (DFWA) to inform the Department of the Environment, Water, Heritage and the Arts (DEWHA) of any intended amendments to the WA SBSF's management arrangements that may affect the assessment of the fishery against the criteria on which the *Environment Protection and Biodiversity Conservation Act 1999 Act* (EPBC Act) decisions are based.
3. DFWA to produce and present reports to DEWHA annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.
4. DFWA to continue with the key management objective of recovering the pink snapper stock to the target reference level of 40% of the unfished biomass by 2014.
5. DFWA, in collaboration with industry and relevant stakeholders, to continue the long-term monitoring program for bycatch species, sufficient to identify impacts and long-term trends in their composition and quantity.
6. DFWA to review and update the Ecologically Sustainable Development (ESD) report for the SBSMF including:
  - a review of risk levels; and,
  - update or development of new objectives, performance measures, management responses and information requirements as appropriate, for target species, byproduct, bycatch (including protected species) and impacts on the marine environment.DFWA to implement appropriate management measures to ensure identified risks are addressed and minimised.
7. DFWA to pursue and support ongoing research for target species, byproduct, bycatch (including protected species) and impacts on the ecosystem as appropriate to continue to improve the ecologically sustainable management of the fishery.
8. DFWA to continue to ensure that any relevant community, conservation and recreational interests in the fishery are consulted in a timely and ongoing manner.
9. DFWA to develop and implement appropriate performance measure(s) which provides the basis for monitoring and responding to future ecosystem changes in the fishery.