



The Hon Jeremy Rockliff MP  
Minister for Primary Industries and Water  
Parliament House  
Hobart Tasmania 7000

Dear Minister

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

In October 2014, the then 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 then Minister for the Environment subsequently agreed to proceed with the proposal and I am pleased to advise that Tasmania is now able to benefit from the extended environmental approval timeframes. Officers from the Department of the Environment and Energy, the Tasmanian Department of Primary Industries, Parks, Water and Environment (DPIPWE) and the Tasmanian Inland Fisheries Service (IFS) have worked collaboratively over the last several months and determined that seven Tasmanian fisheries continue to meet all relevant EPBC Act requirements. I am therefore extending the export approval for these fisheries until July 2026.

These seven fisheries comprise six fisheries managed by the Tasmanian DPIPWE and one fishery managed by the Tasmanian IFS, the Freshwater Eel Fishery. I have written separately to the Hon Matthew Groom MP, Minister for Environment, Parks and Heritage, concerning the Freshwater Eel Fishery.

The six fisheries managed by the Tasmanian DPIPWE that I am extending export approval for are the:

1. Abalone Fishery
2. Commercial Dive Fishery
3. Freshwater Eel Fishery
4. Gould's Squid taken in the Scalefish Fishery
5. Native Oyster taken in the Shellfish Fishery
6. Rock Lobster Fishery
7. Scallop 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 DPIPWE 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.

The management regime for one of the fisheries has recently been revised in response to fluctuations in the target stock. The Tasmanian Abalone Fishery targets stocks that were recently classed as 'transitional-depleting'. Recent changes to the fishery's management regime should be positive for recovering abalone and the Department of the Environment and Energy supports the new approach. However, to ensure this new management regime is successful in reversing the negative trend in abalone stocks, the DPIPWE should review the performance of the Tasmanian Abalone Fishery within the next few years. Recognising the need to evaluate success of the revised management arrangements, officers from the DPIPWE have agreed to conduct a review of the Abalone Fishery in 2020 and provide a report of the results to the Department of the Environment and Energy. Maintaining export approval until 2026 is conditional on this 2020 review and report being completed, as the review will substantiate progress from the recent management developments and help ensure the Tasmanian Abalone Fishery continues to be sustainable in the long term.

I consider that all seven 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 25 July 2026.

It is important that reports be produced and presented to the Department of the Environment and Energy annually in order for the performance of these fisheries to be monitored and assessed throughout the life of the approval. Export approval is therefore contingent on the requirement for the DPIPWE to produce and present a report on each of the fisheries it has management responsibility for to the Department of the Environment and Energy annually as per Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.

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

Yours sincerely



Nathan Hanna

Delegate of the Minister for the Environment and Energy

9 August 2016