



Australian Government
Department of the Environment

Ref: 2013/00817

Senator the Hon. Richard Colbeck
Parliamentary Secretary for Agriculture
Parliament House
CANBERRA ACT 2600

Dear Parliamentary Secretary

I am writing to you in relation to the reassessment of the Commonwealth Northern Prawn Fishery under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

In October 2013, the Australian Fisheries Management Authority provided an application to the Department of the Environment, seeking continued export approval for the Northern Prawn Fishery.

The application has 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 assessment took into account measures that have been developed by the Australian Fisheries Management Authority in response to the recommendations made at the time of the 2009 export assessment of the fishery.

I am pleased to advise that the assessment of the Northern Prawn Fishery is now complete. The new assessment report will be available on the Department of the Environment's website at: <http://www.environment.gov.au/topics/marine/fisheries/commonwealth/northern-prawn>.

The Northern Prawn Fishery Management Plan 1995 was accredited under Part 13 of the EPBC Act, for interactions with protected species, in January 2006. I am satisfied that it continues to be unlikely that fishing operations conducted in accordance with the plan will adversely affect the conservation status of listed marine species, listed migratory species or cetaceans, or adversely affect the survival or recovery in nature of listed threatened species. I also consider that under the plan, operators are required to take all reasonable steps to avoid the killing or injuring of species protected under Part 13 of the EPBC Act.

I have therefore re-accredited the Northern Prawn Fishery Management Plan 1995 under Part 13 of the EPBC Act. Accreditation will ensure that individual fishers operating in accordance with the management plan are not required to seek permits if they are at risk of killing or injuring protected species in Commonwealth waters.

I consider that the Northern Prawn Fishery operates in accordance with the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition*. Given the management arrangements for the fishery including limited entry, spatial and temporal closures, defined fishing seasons, ecological risk assessment, harvest strategy and compulsory turtle excluder devices and bycatch reduction devices, I have decided to amend the list of exempt native specimens to allow export of product from the Northern Prawn Fishery for a period of five years, until 9 January 2019.

While there are some environmental risks associated with the Northern Prawn Fishery, I believe that the Australian Fisheries Management Authority has in place measures to address these issues. Officers from the Australian Fisheries Management Authority and this Department have discussed and agreed to four recommendations focussing on ensuring the continuation of good management practices and improved monitoring and mitigation of impacts on bycatch species. These recommendations can be found at **Attachment 1**.

Please note that my decisions under the EPBC Act relate to the management arrangements in force at the time of the decisions. To ensure that these decisions remain valid, the Department of the Environment needs to be advised of any intended changes to the management arrangements and make an assessment that the new arrangements are equivalent or better, in terms of ecological sustainability, than those in place at the time of the original decisions. This includes legislated amendments and operational changes that may affect the sustainability of the target species or negatively impact on byproduct, bycatch, protected species or the ecosystem.

I would like to thank you for the constructive way in which your officials have approached this assessment. I have written to the Hon. Michael Egan FAICD, Chairman of the Australian Fisheries Management Authority Commission, in similar terms.

Yours sincerely



Paul Murphy
Delegate of the Minister for the Environment
20 December 2013

Recommendations to the Australian Fisheries Management Authority on the ecologically sustainable management of the Northern Prawn Fishery, December 2013

1. Operation of the Northern Prawn Fishery will be carried out in accordance with the management regime in force under the *Fisheries Management Act 1991*, *Fisheries Management Regulations 1992* and the *Northern Prawn Fishery Management Plan 1995*.
2. The Australian Fisheries Management Authority to inform the Department of the Environment of any intended amendments to the Northern Prawn Fishery management arrangements that may affect the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* decisions are based.
3. The Australian Fisheries Management Authority to produce and present reports to the Department of the Environment annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.
4. The Australian Fisheries Management Authority to continue to:
 - a. work with industry on extending the results of recent bycatch reduction research relevant to the Northern Prawn Fishery with a particular focus on reducing interactions with species protected under the *Environment Protection and Biodiversity Conservation Act 1999*, and
 - b. improve the accuracy of estimates of protected species interactions in the fishery, including species level identification. Particular attention should be given to increasing the accuracy of information on interactions with sawfish and sea snake species.