



## COMMONWEALTH OF AUSTRALIA

### *Environment Protection and Biodiversity Conservation Act 1999*

#### **Revocation of Accreditation of a Plan, Regime or Policy for the purposes of Part 13 Accreditation of a Plan, Regime or Policy for the purposes of Part 13 of the EPBC Act South Australian Sardine Fishery, March 2022**

I, ADAM SINCOCK, Principal Director, Wildlife Trade Office, as Delegate of the Minister for the Environment:

- a) revoke the accreditation of the management regime for the South Australian Sardine Fishery dated 18 December 2018, and
- b) being satisfied that:
  - i) the South Australian Sardine Fishery, in accordance with the management arrangements specified in the Management Plan for the South Australian Commercial Marine Scalefish Fishery 2014, in force under the *Fisheries Management Act 2007 (SA)*; the Fisheries Management (Sardine Fishery) Regulations 2021 (SA); and the Fisheries Management (General) Regulations 2017, requires persons engaged in fishing under the management regime to take all reasonable steps to ensure that members of eligible listed threatened species, listed migratory species, cetaceans and listed marine species are not killed or injured as a result of the fishing, and
  - ii) the fishery to which the management regime relates does not, or is not likely to, adversely affect:
    - a) the survival or recovery in nature of any listed threatened species, or
    - b) the conservation status of a listed migratory species, cetacean, or listed marine species or a population of that species,

accredit the management regime for the South Australian Sardine Fishery, in accordance with the management arrangements specified in the Management Plan for the South Australian Commercial Marine Scalefish Fishery 2014, in force under the *Fisheries Management Act 2007 (SA)*; Fisheries Management (Sardine Fishery) Regulations 2021 (SA); and the Fisheries Management (General) Regulations 2017, under sections 208A, 222A, 245 and 265 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) for the purposes of Divisions 1, 2, 3 and 4 respectively of Part 13 of the EPBC Act.

Unless amended or revoked, this accreditation is subject to the following conditions applied under section 303AA:

#### **Condition A:**

The operation of the fishery must be carried out in accordance with the management arrangements specified in the *Fisheries Management Act 2007 (SA)*; the Fisheries Management (Sardine Fishery) Regulations 2021 (SA); the Fisheries Management (General) Regulations 2017; and the Management Plan for the South Australian Commercial Marine Scalefish Fishery 2014.

#### **Condition B:**

The Department of Primary Industries and Regions South Australia must inform the Department of Agriculture, Water and the Environment of any intended material changes to the South Australian Sardine Fishery management arrangements that may affect the assessment against which *Environment Protection and Biodiversity Conservation Act 1999* decisions are made.

**Condition C:**

The Department of Primary Industries and Regions South Australia must inform the Department of Agriculture, Water and the Environment of any intended changes to fisheries legislation that may affect the legislative instruments relevant to this approval.

**Condition D:**

The Department of Primary Industries and Regions South Australia must produce and present reports to the Department of Agriculture, Water and the Environment annually, as per Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*

**Condition E:**

The Department of Primary Industries and Regions South Australia must ensure the most effective measures to mitigate or eliminate interactions with protected species are adopted in the South Australian Sardine Fishery.

This should include working with fishing operators and other relevant parties to consider and, where appropriate, trial any suitable technologies or practices identified in the global literature review of mitigation measures in small pelagic fisheries project (FRDC Project 2020-049).

**Condition F:**

By June 2022, the Department of Primary Industries and Regions South Australia must consider and respond to the outcomes of the “Assessment of the sustainability of common dolphin interactions with the South Australian Sardine Fishery” report (FRDC Project 2019-063).

This should include an assessment of any required changes or improvements to existing fishery management arrangements and protected species mitigation/monitoring methods.

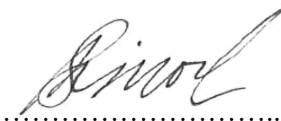
**Condition G:**

By April 2024, the Department of Primary Industries and Regions South Australia must implement suitable measures to ensure accurate information on protected species mortality levels is collected in the fishery and that underreporting is not occurring.

In satisfying this condition, the Department of Primary Industries and Regions South Australia must:

- a) by June 2022, publish a plan detailing how it will respond to this issue, including any systems, controls, or management arrangements that will be implemented and associated timeframes. The plan will need to be made publicly available and a copy provided to the Department of Agriculture, Water and the Environment.
- b) by April 2024, provide evidence that suitable systems have been implemented to ensure accurate information on protected species mortality levels is collected in the fishery and that underreporting is not occurring.

Dated this 7<sup>th</sup> day of March 2022



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Delegate of the Minister for the Environment