



Australian Government

Department of the Environment and Water Resources

Assessment of the
COMMONWEALTH
WESTERN TRAWL FISHERIES

November, 2007

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ISBN: 9 780 64255360 7

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This document is an assessment carried out by the Department of the Environment and Water Resources of a commercial fishery against the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries*. It forms part of the advice provided to the Minister for the Environment and Water Resources on the fishery in relation to decisions under Parts 13 and 13A of the *Environment Protection and Biodiversity Conservation Act 1999*. The views expressed do not necessarily reflect those of the Minister for the Environment and Water Resources or the Australian Government.

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Table 1A: Summary of the North West Slope Trawl Fishery (NWSTF)

<p>Publicly available information relevant to the fishery</p>	<ul style="list-style-type: none"> • <i>Fisheries Management Act 1991</i>; • <i>Fisheries Management Regulations 1992</i>; • <i>Statement of Management Arrangements, Feb 2004</i>; • Assessment of the Western Trawl Fisheries – November 2004 (the then Department of the Environment and Heritage - DEH); • Fishery Status Reports 2006 – Australian Government Bureau of Rural Sciences (BRS); • Draft export reassessment report – Western Trawl Fisheries – August 2007 (Australian Fisheries Management Authority); and • Australian Fisheries Management Authority (AFMA) Annual reports.
<p>Area</p>	<p>The NWSTF extends from 114°E to about 125°E of the Western Australian coast between the 200 m isobath and the outer limit of the Australian Fishing Zone (AFZ), taking into account Australian-Indonesian maritime boundaries.</p> <p>The western boundary adjoins the other fishery component of the Western Trawl Fisheries (WTFs), the Western Deepwater Trawl Fishery (WDWTF)</p>
<p>Fishery status</p>	<p>Uncertain (BRS, Fishery Status Reports 2006).</p> <p>This conclusion stems from a lack of data on the target species and the low effort in the NWSTF.</p>
<p>Target Species</p>	<p>Deepwater crustaceans (up to 41 commercial or potentially commercial crustacean species)– primarily scampi (<i>Metanephrops velutinus</i>, <i>M. australiensis</i> and <i>M. boschmai</i>)</p> <p>Biological information on the scampi species indicate that they are slow-growing and relatively long-lived (<i>M. australiensis</i> lives for over 10 years), have a low fecundity, a lengthy incubation period, short larval development period, require 3-5 years to reach maturity and recruit into the fishery. Therefore scampi are unlikely to sustain intensive, continuous fishing pressure.</p> <p>For further information refer to the 2004 DEH assessment report of the WTFs at:</p> <p>http://www.environment.gov.au/coasts/fisheries/commonwealth/western-trawl/pubs/western-trawl-assessment.pdf</p>
<p>Byproduct Species</p>	<p>Predominately four penaeid species: <i>Aristaeomorpha foliacea</i>; <i>Haliporoides siboga</i>; <i>Aristeus virilise</i>; and <i>Plesiopenaeus edwardsianus</i>, and two carid species: <i>Heterocarpus woodmasoni</i> and <i>Heterocarpus sibogae</i>(deepwater parwns) were previously the primary target species of the fishery, however they are currently only taken as byproduct.</p> <p>Take of byproduct species is limited through the maximum cod end mesh size (which is designed to limit the targeting of demersal finfish) and through the 100 kg trip limits for red emperor (<i>Lutjanus sebae</i>) and goldband snapper (<i>Pristipomoides multidens</i> and related <i>Pristimpomoides</i> species).</p>

Gear	<p>This is a trawl fishery although there is no limit on the gear type – although gear types are targeted at demersal waters/species.</p> <p>Generally they are all-steel construction 20-25 m prawn trawlers modified for deepwater trawling. Modifications include: large capacity winches, stern-towed twin or triple nets and product handling equipment (hoppers) capable of rapidly processing large volumes of fragile deepwater species. Generally, Florida flyer type nets are standard.</p> <p>Most vessels operating in the NWSTF freeze catch on board and typically have the capacity to store 30-50 t of product.</p> <p>Fishing duration is usually 4-5 weeks and limited by freezer space, fuel and freshwater reserves.</p>
Season	<p>No set season – part-time or opportunistic basis, predominantly during closures of the Northern Prawn Fishery (NPF).</p>
Commercial harvest	<p>2003/4 – 61.95 t</p> <p>2004/5 – 64.52 t</p> <p>2005/6 – 10.85 t</p> <p>Catches in the WTFs have declined in the past several years, as has effort. This is a result of the economic expense associated with fishing these fisheries versus the expected return.</p>
Value of commercial harvest	<p>2003/4 – A\$1 149 000</p> <p>2004/5 – A\$1 717 000</p> <p>2005/6 – A\$679 000</p>
Take by other sectors	<p>No recreational, indigenous or illegal fishing has any impact on the WTFs. There is a Memorandum of Understanding (1974) between Australia and Indonesia, which allows Indonesian fishermen to access 50 000 km² within the Australian Exclusive Economic Zone (EEZ). Within this area (called the MoU Box) are six coral reef systems, the northern most of which are Ashmore and Cartier Reefs but interaction between Indonesian fishers and the WTFs is thought to be low.</p>
Commercial licences issued	<p>Limited entry – max of 7 permits are issued, which are valid for 5 years. Currently only 1-2 boats are fishing in the NWSTF.</p> <p>Different vessels may fish on the same permit, providing only one vessel is fishing at a time.</p> <p>Vessels operate sporadically in the NWSTF because they also work in the adjacent NPF. In practice this will limit effort unless activities become full time.</p> <p>Attention should be given to the potential for latent effort to become active as a result of displaced NPF fishers (post the <i>Securing our Fishing Future</i> package) moving into the WTFs on a more regular basis.</p>
Management arrangements	<p>The NWSTF is managed under the <i>Western Trawl Fisheries Statement of Management Arrangements 2004</i> (the Management Plan), and the <i>Fisheries Management Act 1991</i>.</p>

	<p>Limited entry with conditions imposed on the fishing permits that include:</p> <ul style="list-style-type: none"> • Cod end mesh-size restrictions (maximum of 50 mm); • Compulsory daily fish log books (NWS03); • enforces the carriage of observers and associated collection of scientific data and samples as requested by AFMA; • spatial closures; and • mandatory use of a vessel monitoring system (VMS). <p>In July 2007, 100 kg trip limits for goldband snapper and red emperor were implemented due to information provided to AFMA stating that these species were overfished in the WA Kimberley Trap and Line Fishery. In October 2007, AFMA implemented a partial area closure in the north east corner of the NWSTF in depths less than 200 m to further address this issue. As this closure protects the goldband snapper and red emperor the trip limits are expected to be lifted.</p> <p>Additionally a reference point of 5 t per annum of reported deepwater dogfish species to trigger a review of management arrangements has recently been established.</p> <p>Observer program has been implemented with 2 observer trips in 2005-2006 and 2 trips to date in 2007.</p> <p>No output controls, except the trip limits mentioned above.</p> <p>Fishing is prohibited within marine parks and reserves within the confines of the NWSTF.</p> <p>A number of alternative management arrangements will be considered following the completion of the ecological risk assessment and inclusion of validated observer data. Harvest strategies are also currently under development by AFMA and CSIRO.</p>
Export	Majority of product is exported to the USA and Asia
Bycatch	<p>Low – (approximately 204 t reported from 2000-2006)</p> <p>Main bycatch is mixed prawns and mixed fish.</p> <p>Bycatch species are limited only through the maximum cod end mesh size (which is designed to limit the targeting of finfish).</p>
Interaction with Protected Species	<p>No interactions have been reported since 2004.</p> <p>No mitigation methods are employed, although fishers are required to report all interactions within their logbooks.</p>
Ecosystem Impacts	<p>No data on the impact of the NWSTF on the ecosystem is available.</p> <p>The nature of demersal trawling means that the potential for unacceptable and unsustainable impacts on the environment is generally high.</p> <p>Due to the low number of active operators, limited effort, and contained fishing grounds within the NWSTF, AFMA indicate that it is unlikely that the fishery has a major impact on the ecosystem.</p>

Table 1B: Summary of the Western Deepwater Trawl Fishery (WDWTF)

<p>Publicly available information relevant to the fishery</p>	<ul style="list-style-type: none"> • <i>Fisheries Management Act 1991</i>; • <i>Fisheries Management Regulations 1992</i>; • <i>Statement of Management Arrangements, Feb 2004</i>; • Assessment of the Western Trawl Fisheries – November 2004 (the then Department of the Environment and Heritage); • Fishery Status Reports 2006 – (BRS); • Draft export reassessment report – Western Trawl Fisheries – August 2007 (AFMA); and • AFMA Annual Reports.
<p>Area</p>	<p>The WDWTF is located in deep water off Western Australia, from the 200m isobath to the edge of the AFZ, to longitude 114°E and southern most point at the boundary of the AFZ to longitude 115°08'E.</p> <p>The northern boundary adjoins the NWSTF and the southern boundary abuts the Great Australian Bight Trawl Fishery.</p>
<p>Fishery status</p>	<p>Uncertain (BRS, Fishery Status Reports 2006).</p> <p>This conclusion stems from a lack of data on the target species and the low effort in the WDWTF.</p>
<p>Target Species</p>	<p>There is <u>no defined target species</u> although up to 50 species are targeted in waters exceeding 200 m depth (BRS, Fishery Status Reports 2006). Most target species are thought to be long-lived and slow to mature.</p> <p>The WDWTF began as a finfish fishery, then shifted to target primarily bugs, and recently has shifted back towards finfish again.</p> <p>Species routinely taken are: oreos (<i>Oreosomatidae</i>), big spine boarfish (<i>Pentaceros decacanthus</i>), alfonsino (<i>Beryx splendens</i>), mirror dory (<i>Zenopsis nebulosus</i>), gemfish (<i>Rexa solandri</i>), deepwater flathead (<i>Platycephalus</i>), ruby snapper (<i>Etelis carbunculus</i>), Tang's snapper (<i>Lipocheilus carnolabrum</i>), apsiline snappers (Lutjanidae: Apsilinae), sea bream (Lethrinidae) and deepwater 'bugs' (<i>Inacus spp.</i>).</p> <p>For further information refer to the 2004 DEH assessment report of the WTFs at:</p> <p>http://www.environment.gov.au/coasts/fisheries/commonwealth/western-trawl/pubs/western-trawl-assessment.pdf</p>
<p>Byproduct Species</p>	<p>As there is no defined target species for the WDWTF it can be defined as a byproduct fishery, due to the opportunistic nature of the catch. However the main byproduct species of the WDWTF are sharks and rays (chondrichthyans), which are taken in low numbers.</p>
<p>Gear</p>	<p>Although this is a trawl fishery, a diverse range of vessels have operated in the WDWTF (18 m converted tuna boats through to 85-90 m factory trawler ships). However either demersal fish trawls or demersal crustacean trawls are typically used. There are no restrictions on the gear used.</p>
<p>Season</p>	<p>WDWTF is open to fishing all year, with operators generally choosing to access the fishery on a part-time or opportunistic basis.</p>

Commercial harvest	<p>2003/04 – 108.09 t</p> <p>2004/05 – 67.48 t</p> <p>2005/06 – 5.04 t</p> <p>Catches in the WTFs have declined in the past several years, as has effort. This is a result of the economic expense associated with fishing these fisheries versus the expected return.</p>
Value of commercial harvest	<p>2003/04 –A\$980,000</p> <p>2004/05 –A\$829,000</p> <p>2005/06 –A\$3,000</p>
Take by other sectors	<p>No recreational, indigenous or illegal fishing has any impact on the WTFs. There is a Memorandum of Understanding (1974) between Australia and Indonesia, which allows Indonesian fishermen to access 50 000 km² within the Australian Exclusive Economic Zone (EEZ). Within this area (called the MoU Box) are six coral reef systems, the northern most of which are Ashmore and Cartier Reefs but interaction between Indonesian fishers and the WTFs is thought to be low.</p>
Commercial licences issued	<p>Limited entry – max of 11 permits are issued, and permits are valid for 5 years. Only three vessels were active in 2005-06, with minimal effort. Currently the effort in the WDWTF is zero.</p> <p>The WDWTF is predominately an off-season diversification for NPF vessels, which in practice should limit effort within the WDWTF.</p> <p>Attention should be given to the potential for latent effort to become active as a result of displaced NPF fishers (post the <i>Securing our Fishing Future</i> package) moving into the WTF on a more regular basis.</p>
Management arrangements	<p>The WDWTF is managed under the <i>Western Trawl Fisheries Statement of Management Arrangements 2004</i> (the Management Plan), and the <i>Fisheries Management Act 1991</i>.</p> <p>Limited entry with conditions imposed on the fishing permits that include:</p> <ul style="list-style-type: none"> • compulsory daily fish log books (EFT01 and SWT01); • enforces the carriage of observers and associated collection of scientific data and samples as requested by AFMA; • spatial closures; and • mandatory use of a VMS. <p>There is a daily limit of 100 kg per trip per vessel of deepwater dogfish. Additionally a reference point of 5 t per annum of reported deepwater dogfish species to trigger a review of management arrangements has recently been established.</p> <p>Observer program implemented with 1 observer trip in 2005-2006.</p> <p>No output controls other than the deepwater dogfish trip limit.</p> <p>A number of alternative management arrangements will be considered following the completion of the ecological risk assessment and inclusion</p>

	of validated observer data. Harvest strategies are also currently under development by AFMA and CSIRO.
Export	The majority of catch from the WDWTF is not exported.
Bycatch	Low- (approximately 430 t reported from 2000-2006) Main species are sponges, spurdog and mixed fish.
Interaction with Protected Species	No interactions have been reported since 2004. No mitigation methods are employed, although fishers are required to report all interactions within their logbooks. Orange roughy, a previous target species of the WDWTF, was listed as conservation dependent in 2006. No take of this species was reported in 2006. As per the orange roughy conservation programme, a precautionary trigger limit will be set and is anticipated to be implemented by the end of 2007. If this trigger is exceeded then management arrangements will be implemented to cease all targeted fishing for orange roughy.
Ecosystem Impacts	No data on the impact of the WDWTF on the ecosystem is available. The nature of demersal trawling means that the potential for unacceptable and unsustainable impacts on the environment is generally high. Due to the negligible active operators, limited effort, and contained fishing grounds within the WDWTF, AFMA indicate that it is unlikely that the fishery has a major impact on the ecosystem.

Table 2: Progress in implementation of conditions and recommendations made in initial assessment of the Western Trawl Fisheries

Condition	Progress	Recommended Action
<p>Operation of the fishery will be carried out in accordance with the <i>Western Trawl Fisheries (WTFs) Statement of Management Arrangements 2004</i></p>	<p>Completed and ongoing. The WTFs has operated in accordance with the legislated management regime and the current export approval.</p>	<p>None. This condition has been complied with to date. Department of the Environment and Water Resources (DEW) requires that AFMA notify DEW of any future amendments to the WTF management regime, such as the proposed development of the management plan in 2008. This condition will be continued under Condition 1 (see Table 4)</p>
<p>The Australian Fisheries Management Authority will inform the Department of the Environment and Heritage (DEH) of any proposed amendment to the management regime for the WTF to enable DEH to evaluate any impacts on the ecological sustainability of the fishery.</p>	<p>Completed and ongoing. DEW was notified of the following amendments to the management regime:</p> <ul style="list-style-type: none"> • Deepwater Dogfish limits and reference points; • the NWSTF goldband snapper and red emperor trip limits; and • the partial area closure in the north east corner of the NWSTF in depths less than 200 m. 	<p>None. This condition has been complied with to date. DEW requires that AFMA notify DEW of any future amendments to the WTF management regime, such as the proposed development of the management plan in 2008. This condition will be continued under Condition 2 (see Table 4)</p>
<p>Reports to be produced and presented to DEH annually, and to include:</p> <p>a) Information sufficient to</p>	<p>Completed and ongoing</p> <p>AFMA has provided information to DEW through their Annual Reports and also through their</p>	<p>None. This condition has been complied with to date. DEW requires AFMA to continue providing annual reports, in line with Appendix B of the <i>Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition</i>. Therefore this condition will be revised and continued under Condition 3</p>

<p>allow assessment of the progress of AFMA in implementing the recommendations made in the DEH Assessment of the Western Trawl Fisheries 2004;</p> <p>b) Information regarding the status of each of the WTF;</p> <p>c) a statement of the performance of each of the WTF against objectives, performance measures and triggers once developed; and</p> <p>d) Research undertaken or completed relevant to each of the WTF.</p>	<p>submission for this assessment, and through Environment Committee meetings.</p>	<p>(see Table 4).</p> <p>DEW recommends that AFMA continue to focus on developing and then reporting against appropriate objectives, performance measures and triggers, in line with implementation of the <i>Commonwealth Fisheries Harvest Strategy Policy</i> and the ecological risk management framework.</p>
Recommendation	Progress	Recommended Action
<p>AFMA to inform DEH of any proposed amendment to the management regime for the Western Trawl Fisheries to enable DEH to evaluate any impacts on the ecological sustainability of the fisheries</p>	<p>Completed. See above</p>	<p>None. This recommendation has been complied with to date. DEW recommends that AFMA notify DEW of any future amendments to the WTF management regime, such as the proposed development of the management plan in 2008 (see Condition 2, Table 4)</p>
<p>AFMA to actively pursue representation of conservation interests on the Western Trawl Fisheries Management Advisory</p>	<p>Completed. WESTMAC now has an environment/conservation member</p>	<p>None as this recommendation has been completed.</p>

Committee (WESTMAC) by July 2005.	from WWF.	
AFMA to implement an ongoing independent observer program in the Western Trawl Fisheries to validate catch and effort information collected in the fisheries and collect information on key components of the fisheries, including but not limited to, bycatch taken in the fisheries, interactions with protected species and biological information on target and by-product species.	<p>Completed and ongoing.</p> <p>An ongoing observer program has been instigated in the WTFs, although observer coverage has been limited due to the minimal fishing occurring within the WTFs.</p>	<p>This recommendation has partially been completed. DEW acknowledges that AFMA have implemented an ongoing observer program, however the minimal coverage and limited analysis of the information collected has hindered the ability for the observer program to be able to effectively validate the information. As such this recommendation will be revised and included as Recommendation 1 (see Table 4).</p> <p>DEW suggests that should effort increase, the level of observer coverage should also increase. However in the interim, priority should be given to developing mechanisms to improve verification methods and also to educating fishers to improve logbook data being submitted.</p>
AFMA to review the research information needs and priorities to meet the management information, decision making and performance measurement needs of the fishery. AFMA to develop a research strategy to address identified priority areas and to explore ways to cooperatively share in or take advantage of research done in adjacent fisheries with shared stocks.	<p>Ongoing.</p> <p>Some preliminary work on research data collection has been completed in the Western Trawl Observer Project Plan. This issue was further refined in light of strategic assessment and harvest strategy recommendations at WESTMAC 13 in October 2006.</p>	<p>DEW recommends that further work on developing a research strategy should continue as a priority once the implementation of the implementation of the <i>Commonwealth Fisheries Harvest Strategy Policy</i> and the ecological risk management framework have been completed.</p> <p>To date a research strategy has not been established.</p>
By December 2006, AFMA to develop fishery specific objectives, linked to performance indicators and performance	<p>Ongoing.</p> <p>Progress has been made on implementing harvest strategies</p>	<p>DEW urges that AFMA, should as a priority, develop fishery specific objectives, linked to performance indicators and measures for the target/byproduct species within the WTF's. These should be developed as part of the harvest strategy being</p>

<p>measures for the target and by-product species (Scampi, deepwater prawns, squid and deepwater slipper lobster (bug) species) taken in the North West Slope Trawl Fishery and for those species consistently harvested by the Western Deepwater Trawl Fishery (Deepwater flathead, Bar rock cod, Mirror Dory, Scampi, Slipper lobster, Ruby snapper, Amber jack and Bight redfish). Objectives to minimise bycatch, interactions with protected species and the ecological impacts of fishing activities should also be developed for both fisheries.</p>	<p>for the WTFs, however these will be further developed after the final release of the ERA results and the project report on Harvest strategies for small fisheries being completed.</p>	<p>developed in line with the implementation of the <i>Commonwealth Fisheries Harvest Strategy Policy</i>. This recommendation will be reworked and included as part of Condition 4 (see Table 4).</p> <p>DEW also considers that actions to minimise bycatch should also be developed to reduce the level of bycatch within the WTFs, noting that bycatch roughly makes up half the total catch of the WTFs.</p>
<p>AFMA to take into account the harvest of shared stock species by other fisheries and to cooperate with other relevant jurisdictions to pursue complementary management of shared stocks for all target and by-product species, which may be affected by cross-jurisdictional issues.</p>	<p>Ongoing.</p> <p>AFMA as a member of the Northern Australian Fisheries Managers Forum is involved in a strategic risk assessment of shared northern stocks. AFMA, with the Department of Agriculture, Fisheries and Forestry, are also reviewing the current Offshore Constitutional Settlement arrangements with Western Australia.</p>	<p>Ongoing. DEW acknowledges AFMA's efforts to address this recommendation to date, particularly through the trip limit and subsequent partial closure in the NWSTF, to address the shared resource concerns surrounding red emperor and goldband snapper.</p> <p>DEW suggests that AFMA continue efforts to ensure management arrangements are complementary with relevant jurisdiction management arrangements.</p>

<p>AFMA to develop a management strategy for the harvesting of Slipper lobster in the Western Trawl Fisheries, which includes clearly defined management measures and performance measures, to ensure that harvesting of this species is conducted within sustainable limits.</p>	<p>Ongoing.</p> <p>AFMA, in line with the <i>Commonwealth Fisheries Harvest Strategy Policy</i> is developing harvest strategies for all Commonwealth fisheries.</p> <p>The foundations of a harvest strategy for the fishery were developed in October 2006 and will be further refined pending the results of the Commonwealth Scientific and Industrial Research Organisation (CSIRO) 'harvest strategy for small fisheries' and the results of the CSIRO ERA project.</p>	<p>DEW urges that finalisation and implementation of a harvest strategy for all target/byproduct species (including slipper lobster) in the WTF be completed as a priority. As such this recommendation has been rolled into Condition 4 (see Table 4).</p>
<p>By December 2005, AFMA to implement a system for the ongoing monitoring of catches of deepwater shark species in the Western Trawl Fisheries, in particular Southern dogfish and Endeavour dogfish, to ensure that fishing activities do not negatively impact upon the populations or important habitats of these species.</p>	<p>Completed.</p> <p>Logbooks amended to facilitate collection of this data. Data summaries will be developed and analysed. This data will be provided to the relevant authorities.</p> <p>Permit conditions were also amended in May 2005 to ensure whole sharks are retained. Trip limits have been implemented for the both fisheries (goldband</p>	<p>None. DEW considers that this recommendation has been completed although suggests data validation through the observer program should continue and appropriate management actions undertaken if evidence of negative impacts towards deepwater shark species are determined.</p>

	<p>snapper/red emperor - NWSTF and deepwater dogfish - WDWTF). A sampling program has been developed for species identification, but minimal effort in the fishery is hampering sample collection.</p>	
<p>AFMA, in cooperation with relevant fisheries management agencies to develop and implement a precautionary and biologically meaningful limit for squid harvest based on best available information about the species ability to withstand fishing pressure, within 3 years.</p>	<p>Ongoing.</p> <p>AFMA, in line with the <i>Commonwealth Fisheries Harvest Strategy Policy</i> is developing harvest strategies for all Commonwealth fisheries.</p> <p>The foundations of a harvest strategy for the fishery were developed in October 2006 and will be further refined pending the results of the CSIRO 'harvest strategy for small fisheries' and the results of the CSIRO ERA project.</p>	<p>DEW urges that finalisation and implementation of a harvest strategy for all target/byproduct species in the WTF be completed as a priority. As such this recommendation has been rolled into Condition 4 (see Table 4).</p>
<p>Within two years of completion of the ecological risk assessment of the Western Trawl Fisheries, AFMA to identify and implement appropriate management strategies to address/mitigate impacts identified.</p>	<p>Ongoing.</p> <p>Completion of this recommendation has been delayed due to delays with the completion of the ERA.</p>	<p>DEW urges that implementation of management strategies to address/mitigate impacts identified through the WTFs ERA should be completed as a priority. As such this recommendation has been rolled into Condition 5 (see Table 4).</p>

Table 3: The Department of the Environment and Water Resources' (DEW) assessment of the North West Slope Trawl Fishery (NWSTF) and the Western Deepwater Trawl Fishery (WDWTF), collectively known as the Western Trawl Fisheries, against the requirements of the EPBC Act related to decisions made under Parts 13 and 13A

Part 13

Listed threatened species

Section 208A Minister may accredit plans or regimes	DEW assessment of the NWSTF and the WDWTF
<p>Minister may, by instrument in writing, accredit for the purposes of this Division:</p> <p>(d) a regime determined in writing by the Australian Fisheries Management Authority under the <i>Fisheries Administration Act 1991</i> for managing a fishery for which a plan of management (within the meaning of section 17 of the <i>Fisheries Management Act 1991</i>) is not in force;</p> <p>if satisfied that:</p> <p>(f) the plan, regime or policy requires persons engaged in fishing under the plan, regime or policy to take all reasonable steps to ensure that members of listed threatened species (other than conservation dependent species) are not killed or injured as a result of the fishing; and</p> <p>(g) the fishery to which the plan, regime or policy relates does not, or is not likely to, adversely affect the survival or recovery in nature of the species.</p>	<p>The NWSTF and the WDWTF will be managed under the <i>Western Trawl Fisheries Statement of Management Arrangements 2004</i> in force under the <i>Fisheries Management Act 1991</i> and the <i>Fisheries Management Regulations 1992</i>.</p> <p>The management regime for the Western Trawl Fisheries (WTFs) was assessed in November 2004, and subsequently accredited under Part 13 of the EPBC Act, in September 2005 following completion of the 15 day disallowance period of the notice of intent which was tabled in February 2005. The management arrangements for the WTFs have not significantly changed since this accreditation was granted. Consequently, a new Part 13 declaration is not needed at this time.</p> <p>The submission provided by AFMA states that the WTFs have minimal interactions with listed threatened species. Therefore, DEW considers the current operation of the WTFs is not likely to adversely affect the survival or recovery in nature of any threatened species.</p>

Listed Migratory Species

Section 222A Minister may accredit plans or regimes	DEW assessment of the NWSTF and the WDWTF
<p>Minister may, by instrument in writing, accredit for the purposes of this Division:</p> <p>(d) a regime determined in writing by the Australian Fisheries Management Authority under the <i>Fisheries Administration Act 1991</i> for managing a fishery for which a plan of management (within the meaning of section 17 of the <i>Fisheries Management Act 1991</i>) is not in force;</p> <p>if satisfied that:</p> <p>(d) the plan, regime or policy requires persons engaged in fishing under the plan, regime or policy to take all reasonable steps to ensure that members of listed migratory species are not killed or injured as a result of the fishing; and</p> <p>(g) the fishery to which the plan, regime or policy relates does not, or is not likely to, adversely affect the conservation status of a listed migratory species or a population of that species.</p>	<p>The NWSTF and the WDWTF will be managed under the <i>Western Trawl Fisheries Statement of Management Arrangements 2004</i> in force under the <i>Fisheries Management Act 1991</i> and the <i>Fisheries Management Regulations 1992</i>.</p> <p>The management regime for the WTFs was assessed in November 2004, and subsequently accredited under Part 13 of the EPBC Act, in September 2005 following completion of the 15 day disallowance period of the notice of intent which was tabled in February 2005. The management arrangements for the WTFs have not significantly changed since this accreditation was granted. Consequently, a new Part 13 declaration is not needed at this time.</p> <p>There were no migratory species interactions reported in the WTFs submission. Therefore, DEW considers the current operation of the WTFs is not likely to adversely affect the survival or recovery in nature of any listed migratory species.</p>

Cetaceans

Section 245 Minister may accredit plans or regimes	DEW assessment of the NWSTF and the WDWTF
<p>Minister may, by instrument in writing, accredit for the purposes of this Division:</p> <p>(d) a regime determined in writing by the Australian Fisheries Management Authority under the <i>Fisheries Administration Act 1991</i> for managing a fishery for which a plan of management (within the meaning of section 17 of the <i>Fisheries Management Act 1991</i>) is not in force;</p> <p>if satisfied that:</p> <p>(f) the plan, regime or policy requires persons engaged in fishing under the plan, regime or policy to take all reasonable steps to ensure that cetaceans are not killed or injured as a result of the fishing; and</p> <p>(g) the fishery to which the plan, regime or policy relates does not, or is not likely to, adversely affect the conservation status of a species of cetacean or a population of that species.</p>	<p>The NWSTF and the WDWTF will be managed under the <i>Western Trawl Fisheries Statement of Management Arrangements 2004</i> in force under the <i>Fisheries Management Act 1991</i> and the <i>Fisheries Management Regulations 1992</i>.</p> <p>The management regime for the WTFs was assessed in November 2004, and subsequently accredited under Part 13 of the EPBC Act, in September 2005 following completion of the 15 day disallowance period of the notice of intent which was tabled in February 2005. The management arrangements for the WTFs have not significantly changed since this accreditation was granted. Consequently, a new Part 13 declaration is not needed at this time.</p> <p>There were no cetacean interactions reported in the WTFs submission. Therefore, DEW considers the current operation of the WTFs is not likely to adversely affect the survival or recovery in nature of a species of cetacean or a population of that species.</p>

Listed Marine Species

Section 265 Minister may accredit plans or regimes	DEW assessment of the NWSTF and the WDWTF
<p>Minister may, by instrument in writing, accredit for the purposes of this Division:</p> <p>(d) a regime determined in writing by the Australian Fisheries Management Authority under the <i>Fisheries Administration Act 1991</i> for managing a fishery for which a plan of management (within the meaning of section 17 of the <i>Fisheries Management Act 1991</i>) is not in force;</p> <p>if satisfied that:</p> <p>(f) the plan, regime or policy requires persons engaged in fishing under the plan, regime or policy to take all reasonable steps to ensure that members of listed marine species are not killed or injured as a result of the fishing; and</p> <p>(g) the fishery to which the plan, regime or policy relates does not, or is not likely to, adversely affect the conservation status of a listed marine species or a population of that species.</p>	<p>The NWSTF and the WDWTF will be managed under the <i>Western Trawl Fisheries Statement of Management Arrangements 2004</i> in force under the <i>Fisheries Management Act 1991</i> and the <i>Fisheries Management Regulations 1992</i>.</p> <p>The management regime for the WTFs was assessed in November 2004, and subsequently accredited under Part 13 of the EPBC Act, in September 2005 following completion of the 15 day disallowance period of the notice of intent which was tabled in February 2005. The management arrangements for the WTFs have not significantly changed since this accreditation was granted. Consequently, a new Part 13 declaration is not needed at this time.</p> <p>Currently, evidence suggests that the WTFs only has minimal interactions with listed marine species (including syngnathids and seasnakes). Therefore, DEW considers the current operation of the WTFs is not likely to adversely affect the conservation status of a listed marine species or a population of that species.</p>

Section 303AA Conditions relating to accreditation of plans, regimes and policies	DEW assessment of the NWSTF and the WDWTF
This section applies to an accreditation of a plan, regime or policy under section 208A, 222A, 245 or 265.	DEW recommends that NWSTF and the WDWTF continue to be accredited under sections 208A, 222A, 245 and 265.
<p>The Minister may accredit a plan, regime or policy under that section even though he or she considers that the plan, regime or policy should be accredited only:</p> <ul style="list-style-type: none"> (a) during a particular period; or (b) while certain circumstances exist; or (c) while a certain condition is complied with. <p>In such a case, the instrument of accreditation is to specify the period, circumstances or condition.</p>	No condition has been imposed on NWSTF and the WDWTF to satisfy section 208A, 222A, 245 or 265 under Part 13.
The Minister must, in writing, revoke an accreditation if he or she is satisfied that a condition of the accreditation has been contravened.	

Part 13A

Section 303DC Minister may amend list	DEW assessment of the NWSTF and the WDWTF
<p>Minister may, by instrument in published in the Gazette, amend the list referred to in section 303DB (list of exempt native specimens) by:</p> <ul style="list-style-type: none"> (a) including items in the list; 	
(1A) In deciding whether to amend the list referred to in section 303DB (list of exempt native specimens) to include a specimen derived from a commercial fishery, the Minister must rely primarily on the outcomes of any assessment in relation to the fishery carried out for the purposes of Division 1 or 2 of Part 10.	The NWSTF and the WDWTF were assessed under Part 10 of the EPBC Act in November 2004. In conducting this assessment, DEW considered that actions taken in the fishery would not have an unacceptable or unsustainable impact on the environment in a Commonwealth marine area while AFMA implemented recommendations to improve the management of the fishery.

	<p>Consequently, the draft <i>Western Trawl Fisheries Statement of Management Arrangements 2004</i> was accredited under section 33 of the EPBC Act.</p> <p>In July 2007, 100 kg trip limits for goldband snapper and red emperor were implemented due to information provided to AFMA stating that these species were overfished in the WA Kimberley Trap and Line Fishery. In October 2007, AFMA implemented a partial area closure (<i>North West Slope (Partial Closure) Direction 2007</i>) in the north east corner of the NWSTF in depths less than 200 m to further address this issue.</p> <p>Additionally in WDWTF there is a daily limit of 100 kg per trip per vessel of deepwater dogfish to further complement the 5 t annual deepwater reference point for both the NWSTF and the WDWTF.</p>
<p>(1C) The above does not limit the matters that may be taken into account in deciding whether to amend the list referred to in section 303DB (list of exempt native specimens) to include a specimen derived from a commercial fishery.</p>	<p>It is not possible to list exhaustively the factors that you may take into account in amending the List of Exempt Native Specimens (LENS). The objects of Part 13A, which are set out below this table, provide general guidance in determining factors that might be taken into account. A matter that is relevant to determining whether an amendment to the list is consistent with those objects is likely to be a relevant factor.</p> <p>DEW considers that the amendment of the LENS to include product taken in the NWSTF and the WDWTF Wildlife Trade Operation (WTO) would be consistent with the provisions of Part 13A as:</p> <ul style="list-style-type: none"> ▪ the fishery will not harvest any Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) listed species; ▪ there are management arrangements in place to ensure that the resource is being managed in an ecologically sustainable way (see

	<p>Table 1);</p> <ul style="list-style-type: none"> ▪ the operation of the NWSTF and the WDWTF is unlikely to be unsustainable and threaten biodiversity within the next 16 months; and ▪ the EPBC Regulations 2000 do not specify fish as a class of animal in relation to the welfare of live specimens.
<p>(3) Before amending the list referred to in section 303DB (list of exempt native specimens), the Minister:</p> <p>(a) must consult such other Minister or Ministers as the Minister considers appropriate; and</p> <p>(b) must consult such other Minister or Ministers of each State and self-governing Territory as the Minister considers appropriate; and</p> <p>(c) may consult such other persons and organisations as the Minister considers appropriate.</p>	<p>DEW considers that the consultation requirements have been met. On 10 August 2004, the Minister wrote to Fisheries Ministers seeking their views on inclusion of WTOs on the Exempt List (see sub 04/1543). Responses in support of the proposal were received from all State, Territory and Commonwealth Fisheries Ministers.</p> <p>The public comment period on the AFMA submission sought comment on the submission for the NWSTF and the WDWTF and provided sufficient opportunity for consultation with other persons and organisations.</p> <p>Letters to the Senator the Hon Eric Abetz, Minister for Fisheries, Forestry and Conservation, and the Hon Tony Rundle, Chairman, AFMA advises them of the intention to declare the fishery an approved short term WTO under the EPBC Act.</p>
Section 303FN Approved wildlife trade operation	DEW assessment of the NWSTF and the WDWTF
<p>The Minister may, by instrument published in the <i>Gazette</i>, declare that a specified wildlife trade operation is an <i>approved wildlife trade operation</i> for the purposes of this section.</p>	
<p>The Minister must not declare an operation as an approved wildlife trade operation unless the Minister is satisfied that:</p> <p>(a) the operation is consistent with the objects of Part 13A of</p>	<p>The NWSTF and the WDWTF are consistent with objects of Part 13A</p>

<p>the Act; and</p> <p>(b) the operation will not be detrimental to:</p> <p>i. the survival of a taxon to which the operation relates; or</p> <p>ii. the conservation status of a taxon to which the operation relates; and</p> <p>(ba) the operation will not be likely to threaten any relevant ecosystem including (but not limited to) any habitat or biodiversity; and</p> <p>(c) if the operation relates to the taking of live specimens that belong to a taxon specified in the regulations – the conditions that, under the regulations, are applicable to the welfare of the specimens are likely to be complied with; and</p> <p>(d) such other conditions (if any) as are specified in the regulations have been, or are likely to be, satisfied.</p>	<p>(listed after this table) as:</p> <ul style="list-style-type: none"> ▪ the fishery will not harvest any CITES listed species; ▪ there are management arrangements in place to ensure that the resource is being managed in an ecologically sustainable way (see Table 1); ▪ the operation of the NWSTF and the WDWTF is unlikely to be unsustainable and threaten biodiversity within the next 16 months; and ▪ the EPBC Regulations 2000 do not specify fish as a class of animal in relation to the welfare of live specimens. <p>DEW considers that the NWSTF and the WDWTF will not be detrimental to the survival or conservation status of a taxon to which it relates within the next 16 months, given the management measures currently in place, which include: limited entry; deep water shark reference points, limits and closure; orange roughy reference points; and observer coverage.</p> <p>DEW considers that the NWSTF and the WDWTF will not threaten any relevant ecosystem within the next 16 months, given the management measures currently in place, which include limited entry and observer coverage.</p> <p>The EPBC Regulations 2000 do not specify fish as a class of animal in relation to the welfare of live specimens.</p> <p>No other conditions are specified in relation to commercial fisheries in the EPBC Regulations 2000.</p>
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<p>(4) In deciding whether to declare an operation as an approved wildlife trade operation the Minister must have regard to:</p> <p>(a) the significance of the impact of the operation on an ecosystem (for example, an impact on habitat or biodiversity); and</p> <p>(b) the effectiveness of the management arrangements for the operation (including monitoring procedures).</p>	<p>DEW considers that the NWSTF and the WDWTF will not have a significant impact on any relevant ecosystem within the next 16 months, given the management measures currently in place, which include: limited entry; deep water shark reference points, limits and closure; the development of orange roughy reference points; and observer coverage.</p> <p>The management arrangements that will be employed for the NWSTF and the WDWTF are likely to be effective. This is demonstrated through limited entry, current minimal effort (1-2 vessels operating), implementation of an ongoing observer program, and impending finalisation and implementation of the ecological risk assessment and subsequent management response, as well as the roll out of the harvest strategy.</p>
<p>(5) In deciding whether to declare an operation as an approved wildlife trade operation the Minister must have regard to:</p> <p>(a) whether legislation relating to the protection, conservation or management of the specimens to which the operation relates is in force in the State or Territory concerned; and</p> <p>(b) whether the legislation applies throughout the State or Territory concerned; and</p> <p>(c) whether, in the opinion of the Minister, the legislation is effective.</p>	<p>The NWSTF and the WDWTF will be managed under the <i>Western Trawl Fisheries Statement of Management Arrangements 2004</i> in force under the <i>Fisheries Management Act 1991</i> and the <i>Fisheries Management Regulations 1992</i>.</p> <p>The Commonwealth <i>Fisheries Management Act 1991</i> applies throughout Commonwealth waters.</p> <p>As stated above the management arrangements that will be employed for the NWSTF and the WDWTF under the <i>Fisheries Management Act 1991</i> are likely to be effective.</p>

<p>(10) For the purposes of section 303FN, an operation is a wildlife trade operation if, and only if, the operation is an operation for the taking of specimens and:</p> <p>(d) the operation is a commercial fishery.</p>	<p>The NWSTF and the WDWTF are commercial fisheries.</p>
<p>(10A) In deciding whether to declare that a commercial fishery is an approved wildlife trade operation for the purposes of this section, the Minister must rely primarily on the outcomes of any assessment in relation to the fishery carried out for the purposes of Division 1 or 2 of Part 10.</p>	<p>The NWSTF and the WDWTF were assessed under Part 10 of the EPBC Act in November 2004. In conducting this assessment, DEW considered that actions taken in the fishery would not have an unacceptable or unsustainable impact on the environment in a Commonwealth marine area while AFMA implemented recommendations to improve the management of the fishery. Consequently, the draft <i>Western Trawl Fisheries Statement of Management Arrangements 2004</i> was accredited under section 33 of the EPBC Act.</p> <p>In July 2007, 100kg trip limits for goldband snapper and red emperor were implemented due to information provided to AFMA stating that these species were overfished in the WA Kimberley Trap and Line Fishery. In October 2007, AFMA implemented a partial area closure (<i>North West Slope (Partial Closure) Direction 2007</i>) in the north east corner of the NWSTF in depths less than 200m to further address this issue.</p>
<p>(10B) Subsection (10A) does not limit the matters that may be taken into account in deciding whether to declare that a fishery is an approved wildlife trade operation for the purposes of this section.</p>	

Section 303FR Public consultation	DEW assessment of the NWSTF and the WDWTF
<p>(1) Before making a declaration under section 303FN, the Minister must cause to be published on the Internet a notice:</p> <ul style="list-style-type: none"> (a) setting out the proposal to make the declaration; and (b) setting out sufficient information to enable persons and organisations to consider adequately the merits of the proposal; and (c) inviting persons and organisations to give the Minister, within the period specified in the notice, written comments about the proposal. 	<p>DEW considers that consultation requirements of the EPBC Act for declaring a WTO have been met. A public notice, which set out the proposal to declare the NWSTF and the WDWTF a WTO and included the submission, was released for public comment which closed on 1 November 2007. Two submissions were received.</p>
<p>(2) A period specified in the notice must not be shorter than 20 business days after the date on which the notice was published on the Internet.</p>	<p>A public notice, which included the submission was released for public comment on 4 October 2007 and closed on 1 November 2007, a total of 20 business days.</p>
<p>(3) In making a decision about whether to make a declaration under section 303FN, the Minister must consider any comments about the proposal to make the declaration that were given in response to the invitation in the notice.</p>	<p>The DEW assessment has considered the public comments received on the submission.</p>
Section 303FT Additional provisions relating to declarations	DEW assessment of the NWSTF and the WDWTF
<p>(1) This section applies to a declaration made under section 303FN, 303FO or 303FP.</p>	<p>A declaration for the NWSTF and the WDWTF will be made under section 303FN.</p>
<p>(4) The Minister may make a declaration about a plan or operation even though he or she considers that the plan or operation should be the subject of the declaration only:</p> <ul style="list-style-type: none"> (a) during a particular period; or (b) while certain circumstances exist; or (c) while a certain condition is complied with. 	<p>The standard conditions applied to commercial fishery WTOs include:</p> <ul style="list-style-type: none"> • operation in accordance with the management regime; • notifying DEW of changes to the management regime; and • annual reporting in accordance with the Guidelines. <p>It is recommended the standard conditions are applied to the NWSTF and the WDWTF WTO declaration.</p>

<p>In such a case, the instrument of declaration is to specify the period, circumstances or condition.</p>	<p>It is recommended that two additional conditions be applied to the short-term WTO declaration. These are:</p> <ul style="list-style-type: none"> • completion of the ecological risk assessment and implementation of the harvest strategy for the Western Trawl Fisheries by 31 July 2008; and • implementation of the management response to the ERA by 19 December 2008. <p>The WTO instrument for the NWSTF and the WDWTF specifies the conditions applied.</p>
<p>(8) A condition may relate to reporting or monitoring.</p>	<p>One of the standard conditions relates to reporting.</p>
<p>(9) The Minister must, by instrument published in the <i>Gazette</i>, revoke a declaration if he or she is satisfied that a condition of the declaration has been contravened.</p>	
<p>(11) A copy of an instrument under section 303FN, 303FO or 303FP or this section is to be made available for inspection on the Internet.</p>	<p>The instrument for the NWSTF and the WDWTF made under sections 303FN and 303FT, will be gazetted and made available on the DEW website.</p>

Part 16

Section 391 Minister must consider precautionary principle in making decisions	DEW assessment of the NWSTF and the WDWTF
<p>(1) The Minister must take account of the precautionary principle in making a decision under section 303DC and/or section 303FN, to the extent he or she can do so consistently with the other provisions of this Act.</p>	<p>The precautionary principle must be considered when making a decision to include specimens on the LENS.</p>
<p>(2) The precautionary principle is that lack of full scientific certainty should not be used as a reason for postponing a measure to prevent</p>	

degradation of the environment where there are threats of serious or irreversible environmental damage.	
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Objects of Part 13A

- (a) to ensure that Australia complies with its obligations under CITES and the Biodiversity Convention;
- (b) to protect wildlife that may be adversely affected by trade;
- (c) to promote the conservation of biodiversity in Australia and other countries;
- (d) to ensure that any commercial utilisation of Australian native wildlife for the purposes of export is managed in an ecologically sustainable way;
- (e) to promote the humane treatment of wildlife;
- (f) to ensure ethical conduct during any research associated with the utilisation of wildlife; and
- (h) to ensure the precautionary principle is taken into account in making decisions relating to the utilisation of wildlife.

Final conditions and recommendation to AFMA for the North West Slope Trawl Fishery and the Western Deepwater Trawl Fishery – collectively known as the Western Trawl Fisheries (WTFs)

The material submitted by AFMA for the assessment of the WTFs suggests the fishery generally operates in accordance with the Australian Government's *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition*.

The Western Trawl Fisheries (WTFs) are made up of two fisheries - the North West Slope Trawl Fishery (NWSTF) and the Western Deepwater Trawl Fishery (WDWTF). The WTFs are limited entry fisheries with seven permits issued for the NWSTF and eleven permits issued for WDWTF. NWSTF is primarily a scampi fishery, whereas WDWTF is an opportunistic byproduct fishery which currently is primarily targeting a range of finfish species.

The WTFs do not limit the volume of catch, however in recent years catches have significantly declined, (approximately 16t harvested in 2005-2006) as has effort in the past several years, (current effort in WDWTF is zero and 1-2 boats fishing in the NWSTF), which is thought to be attributed largely to the economic expenses versus the economic return. There are a number of permit conditions on the WTFs which include: daily completion of logbooks; observer requirements; mandatory use of vessel monitoring systems; shark carcass landing requirements; a mesh size requirement in NDWTF to deter targeting of finfish and a 100kg deepwater dogfish trip limit for the WDWTF. Additional management measures include a trip limit and a partial spatial closure in the NWSTF to protect overfished stocks of goldband snapper and red emperor; and a 5t annual reference point for the take of deepwater dogfish.

Despite the management arrangements in place in the WTFs, DEW has identified a number of risks and uncertainties that must be managed in the WTFs to ensure that impacts are minimised:

- lack of finalised harvest strategy, which has specific objectives linked to performance indicators and performance measures for target, and by-product (this includes the need to set a precautionary trigger level for the incidental take of orange roughy as per the orange roughy conservation programme);
- need for the Ecological Risk Assessment (ERA) to be finalised to enable the implementation of management strategies to address/mitigate impacts identified, with particular focus to be given to impact on bycatch, protected species and the ecosystem; and
- need to validate catch and effort information being gathered in the WTF data summaries, noting that to date they are solely based on un-validated logbook data.

DEW is satisfied that the WTFs will not be detrimental to the survival or conservation status of the taxa to which they relate in the short term. Similarly, it is not likely to threaten any relevant ecosystem in the short term. To minimise the risks in the longer term, conditions and recommendations listed in Table 4 have been made.

DEW considers that, due to the delay in finalising the ERA for the WTFs, which has also delayed finalisation of the WTFs harvest strategy, a 16 month Wildlife Trade

Operation (WTO) declaration is appropriate for the WTFs to enable AFMA to finalise and implement the WTFs harvest strategy and management response to the ERA.

Conditions and recommendations are provided below with a brief explanation of the related issue/intent. Unless a specific time frame is provided, each condition and recommendation must be addressed within the life of the declaration (16 months). Note that a standard condition of a WTO is an annual reporting requirement, the details of which are provided in Condition 3.

Table 4: North West Slope Trawl Fishery and the Western Deepwater Trawl Fishery (collectively known as the Western Trawl Fisheries) Assessment– Summary of Issues, Conditions and Recommendation November 2007

	Issue	Conditions
1	<p><u>General Management</u> Export decisions relate to the arrangements in force at the time of the decision. In order to ensure that these decisions remain valid, the Department of the Environment and Water Resources (DEW) needs to be advised of any changes that are made to the management regime 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 decision. This includes amendments that may affect sustainability of the target species or negatively impact on by-product, bycatch, protected species or the ecosystem.</p>	<p>Condition 1 -<i>Operation of the North West Slope Trawl Fishery and the Western Deepwater Trawl Fishery will be carried out in accordance with the Western Trawl Fisheries Statement of Management Arrangements 2004 made under the Fisheries Management Act 1991.</i></p> <p>Condition 2 - <i>The Australian Fisheries Management Authority (AFMA) to inform the Department of the Environment and Water Resources (DEW) of any intended amendments to the management arrangements that may affect the criteria on which EPBC Act decisions are based.</i></p> <p>[Generic Conditions]</p>
2	<p><u>Annual Reporting</u> It is important that reports be produced and presented to DEW annually in order for the performance of the fishery and progress in implementing the recommendations in this report and other managerial commitments to be monitored and assessed throughout the life of the declaration. Annual reports should follow Appendix B to the <i>Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition</i> (the Guidelines) and include a description of the fishery, management arrangements in place, research and monitoring outcomes, recent catch data for all sectors of the fishery, status of target stock, interactions with protected species, impacts of the fishery on the ecosystem in which it operates and progress in implementing DEW recommendations. Electronic copies of the Guidelines are available from the DEW website at http://www.environment.gov.au/coasts/fisheries/publications/guidelines.html</p>	<p>Condition 3 - <i>AFMA to produce and present reports to DEW annually as per Appendix B to the Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition.</i></p> <p>[Generic Condition]</p>

3	<p><u>Finalisation of key management documents</u></p> <p>As highlighted in the 2007 WTFs submission, limited progress has been achieved against a number of key recommendations made during the 2004 assessment, due to the delay in finalising the key management documents for the WTF, namely the ERA and the fisheries harvest strategy. This has further delayed the implementation of management responses to the ERA.</p> <p>DEW acknowledges the progress made to date on these key documents and notes that AFMA states that these documents are to be finalised in the end of 2007 (noting that already some of these dates have slipped).</p> <p>As DEW considers finalisation and implementation of these documents critical to the ongoing sustainable management of this fishery, it is crucial that priority is given to this work. As such, DEW has made two additional conditions as part of the short-term WTO declaration for AFMA to ensure the finalisation and implementation of the ERA and harvest strategy, and subsequently implement the management response to the ERA.</p>	<p>Condition 4 - By 31 July 2008 AFMA to:</p> <p>a) <i>finalise the Ecological Risk Assessment (ERA); and</i></p> <p>b) <i>finalise and implement the harvest strategy, for both the North West Slope Trawl Fishery and the Western Deepwater Trawl Fishery.</i></p> <p>Condition 5 - By 19 December 2008 AFMA to <i>finalise and implement the management response to the risks identified in the North West Slope Trawl Fishery ERA and the Western Deepwater Trawl Fishery ERA.</i></p>
	<p>Issue</p> <p>4 <u>Validation of logbook data</u></p> <p>DEW identified in the 2004 assessment of the WTFs (Recommendation 3) that an observer program should be implemented as a means of verifying data being collected through compulsory WTFs logbooks.</p> <p>This initial recommendation was made due to the concerns that there was not any of any form of ongoing validation of the data collected through the logbooks, upon which significant monitoring reliance is placed.</p> <p>DEW recognises that an ongoing observer program has now been implemented within the WTFs, noting that due to minimal fishing effort, few observer trips have been undertaken since its inception in 2005-06 (five trips in total have occurred across the fisheries with only one of those occurring within the WDWTF).</p>	<p>Recommendation</p> <p>Recommendation 1 - <i>AFMA to validate catch and effort information collected in the North West Slope Trawl Fishery and the Western Deepwater Trawl Fishery and continue to collect information on key components of the fisheries, including but not limited to, bycatch taken in the fisheries, interactions with protected species and biological information on target and by-product species.</i></p>

<p>Notwithstanding this DEW understands that the 2007 data summaries for the WTFs are based solely on logbook data, and it is unclear how the observer data or vessel monitoring data is being used to validate the logbook information.</p> <p>DEW acknowledges the current low fishing effort within the WTFs, however due to the reliance placed upon logbook data, ensuring data validation mechanisms are in place is critical to the ongoing sustainable management of the fishery, particularly if effort increases. As such, emphasis needs to be placed on using the observer and VMS data, and any additional mechanisms, to validate the information being provided by fishers within their logbooks.</p>	
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References

Fishery Status Reports 2006, Australian Government Bureau of Rural Sciences

Acronyms

AFMA	Australian Fisheries Management Authority
AFZ	Australian Fishing Zone
BRS	Australian Government Bureau of Rural Sciences
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CSIRO	Australian Commonwealth Scientific and Research Organisation
DEH	The then Australian Government Department of the Environment and Heritage
DEW	Australian Government Department of the Environment and Water Resources
EPBC Act	The Environment Protection and Biodiversity Conservation Act 1999
ERA	Ecological Risk Assessment
LENS	List of Exempt Native Specimens
NPF	Northern Prawn Fishery
NWSTF	North West Slope Trawl Fishery
OCS	Offshore Constitutional Settlement
WA	Western Australia
WESTMAC	Western Trawl Fisheries Management Advisory Committee
WDWTF	Western Deepwater Trawl Fishery
WTFs	Western Trawl Fisheries
WTO	Wildlife Trade Operation
VMS	Vessel Monitoring System