



Department of Fisheries
Government of Western Australia



**APPLICATION TO THE DEPARTMENT OF THE ENVIRONMENT AND
WATER RESOURCES ON THE PILBARA TRAP MANAGED FISHERY**

*Against the Guidelines for the Ecologically Sustainable Management of
Fisheries - 2007*

AUGUST 2007

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1. BACKGROUND

The purpose of this report is to update the Department of the Environment and Water Resources (DEW) on the progress of the Pilbara Trap Managed Fishery (the Fishery), conducted in accordance with *Pilbara Trap Managed Fishery Management Plan 1992*, against its Wildlife Trade Operation (WTO) declaration conditions and recommendations.

This report aims to enable the re-assessment of the Fishery against the *Guidelines for Ecologically Sustainable Management of Fisheries*, under Part 13 and 13A of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Previous Assessment

On 11 November 2004, the Delegate for the Minister, of the then, Department for the Environment and Heritage declared the Fishery a WTO under the *EPBC Act 1999* for a period of three years.

Re- Assessment Process

The Fishery's WTO certification is conditional and this report provides an update to DEW on the progress of the Fishery against the gazetted conditions and recommendations.

The documentation attached, to enable the re-assessment of the Fishery, consists of:

1. summary of the key changes in the Fishery since 2004; and
2. a report addressing the progress of the Fishery against each of the WTO conditions and recommendations; and
3. a copy of the Fishery's annual reports, published in the annual [State of the Fisheries Report](#) over the past three years (Appendix 1);

2. SUMMARY OF KEY CHANGES IN THE FISHERY SINCE 2004

- The Department is reviewing its consultative structures and processes with a view to more effective engagement of a broader range of stakeholder groups;
- The Department has altered the format of the catch and effort returns forms to provide a specific section for reporting any listed/protected species interactions in the Fishery;
- All licence holders have been provided with the 'Protected Marine Species Identification Guide', for reference when reporting any interactions with listed/protected species;
- Since 2004/05, State of the Fisheries Reports have reported on the annual performance of commercial fisheries subject to export approval under the EPBC Act;
- By matching trip data with Vessel Monitoring Systems position reporting, the spatial management of the Fishery has been improved; and
- A Section 43 Prohibition to Fishing Order, introduced into the Pilbara Line Fishery in 2006, has reduced fishing pressure on demersal scalefish target species.

3. REPORT AGAINST CONDITIONS FOR THE PILBARA TRAP MANAGED FISHERY

- 1. Operation of the fishery will be carried out in accordance with the *Pilbara Trap Managed Fishery Management Plan 1992* in force under the *Western Australian Fish Resources Management Act 1994*;**

The fishery has and will continue to operate in accordance with *Pilbara Trap Limited Entry Fishery Notice 1992* (management plan)

- 2. The Department of Fisheries, Western Australia (DFWA) will inform the Department of the Environment and Water Heritage of any material change to the fishery's legislated management plan and/or arrangements that could affect the criteria on which the EPBC decisions are based, within 3 months of the change being made;**

There have been no material changes to the fishery's management plan or arrangements that could affect the criteria on which the EPBC Act decisions are based.

- 3. Reports to be produced and presented to DEH annually, and to include:**

- Information sufficient to allow assessment of the progress of DFWA in implementing the recommendations made in the *Assessment of the Pilbara Trap Managed Fishery 2004*;**
- A description of the status of the fishery and catch and effort information;**
- A statement of the performance of the fishery against objectives, performance indicators and measures once developed; and**
- Research undertaken or completed relevant to the fishery.**

DFWA produces State of the Fisheries Reports (SoF) annually. SoF reports for the years 2003/04, 2004/05 and 2005/06, which include information required under the dot points of Condition 3, are attached and can be found at <http://www.fish.wa.gov.au>

REPORT AGAINST RECOMMENDATIONS FOR THE PILBARA TRAP MANAGED FISHERY

- 1. The Department of Fisheries, Western Australia (DFWA) to advise the Department of the Environment and Heritage (DEH) of any changes to the fishery's legislated management plan and/or arrangements that could affect the criteria on which EPBC decisions are based, within 3 months of the change being made.**

There have been no material changes in the legislated management regime for the Pilbara Fish Trap Managed Fishery.

- 2. DFWA, to ensure, where appropriate, that any relevant indigenous, conservation, world heritage and recreational interests in the fishery are considered through consultative mechanisms.**

The Department of Fisheries is currently reviewing its consultative structures and processes with a view to more effective engagement of a broader range of stakeholder groups.

- 3. The ESD report, including all performance measures, responses and information requirements, to be incorporated into the management regime and decision making process.**

The status of the Pilbara Trap Fishery is recorded in the Department's annual 'State of the Fisheries Report', based upon performance measures in the Pilbara Trap Managed Fishery and the Pilbara Trawl Interim Managed Fishery ESD reports. The catch and catch rate performance levels of the Fisheries are reviewed annually in March, with any triggered performance measures reviewed in April at the Pilbara Finfish Fisheries Annual Management Meeting.

The review of triggered performance measures considers whether the biological reference points are being compromised and if fishing effort needs to be adjusted. Mechanisms for effort adjustment are in place in the management plan, whereby the effort allocation to each licence holder can be adjusted by changing the value of the effort units.

- 4. DFWA to:**

- a. Within 2 years, incorporate into the management regime, fishery specific objectives, performance indicators and performance measures for major byproduct species or species groups.**

There is no significant byproduct caught in the Pilbara Trap Fishery, and therefore no performance measures or indicators are necessary. All catch and catch rates of the Fishery are reviewed annually prior to the Pilbara Fishery Annual Management Meeting.

- b. Within 1 year, incorporate into the management regime, an objective to minimise protected/listed species interactions, to minimise or maintain at sustainable levels the take of other non-retained species and to minimise impacts on the marine environment.**

There are minimal listed/protected species interactions in the Pilbara Trap Fishery. With only the occasional catch of sygnathids and sea snakes during trap retrieval, there is no need to incorporate interaction management into the management regime. However, the Department has altered the format of the Fishery's monthly statutory return forms to provide a specific section for reporting any listed/protected species interaction in the fishery.

5. DFWA, in its annual State of the Fisheries Report, to report on the performance of the fishery against performance measures that relate to the sustainability of the fishery.

In the 2004/05 and 2005/06 State of the Fisheries Report, the Department of Fisheries Western Australia reported on the annual performance for Commercial Fisheries subject to export approval under the Australian Governments *EPBC Act 1999*.

The major performance measure for the fish stocks in the Pilbara demersal fisheries is breeding stock levels (spawning biomass) of the long-lived indicator species, including rankin cod, red emperor, scarlet perch, goldband snapper, red snapper, and spangled emperor.

Although the increased trap catch in 2004 caused performance indicators to be triggered for some species, the increasing trend in catch rates (as a measure of abundance) is considered to be the result of increasing stock levels of those species. Breeding stock levels of all indicator species are adequate.

6. DFWA to review the fishery monitoring and research information needs and priorities to meet the stock assessment and management information requirements for the demersal finfish fisheries in the Pilbara region, and develop a research strategy to address and implement priority needs.

DFWA reviewed the fishery's monitoring and research information needs and identified the need for improved spatial resolution of catch and effort data as a priority in the Fishery. As a result, in 2005, all Pilbara Trap Fishery operators were required to report catch details on a trip-by-trip basis, submitted to the Department monthly. Each trip's information was then matched with the position recorded from the Vessel Monitoring System (VMS), providing sufficient catch and effort data resolution for the effective spatial management of the Fishery.

The Department has also recognised a need to collect age composition data on long lived, slow growing species of the Pilbara Fishery, including goldband snapper, red emperor, bluespot emperor, and rankin cod. This information is utilised in the age-structured model run every 3 – 4 years. The trawl fishery observer program continues to collect age composition samples for one of each of the four species every four years on a rotational basis.

7. DFWA to review the status of goldband snapper stocks in the Pilbara region and work towards more refined yield estimates for this species. In the interim, by the end of 2006, the DFWA to implement a precautionary performance measure for goldband snapper to apply to all commercial demersal finfish fisheries across the Pilbara region.

The goldband snapper stock status is reviewed annually against the performance indicators of catch and catch rates. In 2005, Goldband snapper otoliths were collected in the Pilbara Fish Trawl Fishery observer program to enable a more

comprehensive evaluation of the status of the stock. The sectioning and analysis of these otoliths commenced in March 2006.

The annual review of performance measures determines whether biological reference points are being compromised and if fishing effort needs to be adjusted. Mechanisms for effort adjustment are in place for the trap and trawl fisheries through the management plans whereby the effort allocation to each licence holder can be adjusted by changing the value of the effort units.

An Order to prohibit line fishing in the Pilbara, with exception given to nine fishers with demonstrated history in the Fishery, was implemented in August 2006. Another five fishers are undergoing an appeals process. Previously an unregulated fishery, this precautionary performance measure has been put into place to cap the level of catch in the Pilbara line fishery and reduce additional fishing pressure on scalefish target species, including goldband snapper.

8. DFWA will provide a mechanism by which fishers are able to record interactions with those non-retained species that are at risk from the fishery.

Reporting forms have been altered to allow Pilbara Fish Trap fishers to report all catch, including interactions with bycatch and byproduct species. This data is reviewed annually to assess whether fishing effort requires adjustment.

9. DFWA to provide a mechanism, which allows fishers to record interactions with protected/listed species. DFWA to implement an education program to ensure that industry has the capacity to make these reports at an appropriate level of accuracy.

In June 2006, the Department altered the format of the Fishery's monthly statutory return forms to allocate a specific section for reporting any listed/protected species interactions in the Fishery.

All licence holders in the Fishery have been given the Natural Heritage Trust Published 'Protected Marine Species Identification Guide' for reference when reporting any interactions with listed/protected species.

This report and supporting documentation should provide sufficient information for DEW to re-assess the Fishery.