



**Australian Government**

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**Department of the Environment and Energy**

# **Assessment of the Commonwealth Southern Bluefin Tuna Fishery**

**November 2019**

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#### **Disclaimer**

This document is an assessment carried out by the Department of the Environment and Energy of a commercial fishery against the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition*. It forms part of the advice provided to the Minister for the Environment 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 or the Australian Government.

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## EXECUTIVE SUMMARY OF THE ASSESSMENT OF THE COMMONWEALTH SOUTHERN BLUEFIN TUNA FISHERY

In July 2019, the Australian Fisheries Management Authority (AFMA) submitted an application for the Southern Bluefin Tuna Fishery (the fishery) to the Department of the Environment and Energy (the Department) for assessment as an approved wildlife trade operation (WTO) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The sustainability of the fishery's management arrangements have also been assessed against the Australian Government's 'Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition'. A public comment period was open from 2 August 2019 to 9 September 2019. The Department received one comment from a non-government organisation.

### Management arrangements

The area of the fishery includes Commonwealth waters within the Australian Fishing Zone (AFZ), and extending to the high seas of the Indian, Pacific, and Southern Oceans. However, the majority of fishing occurs off the coasts of South Australia (purse seining) and New South Wales (longlining).

The Commission for the Conservation of Southern Bluefin Tuna (CCSBT) was established to manage the global Southern Bluefin Tuna (SBT) stock due to historical overfishing for this species. The Australian component of the fishery is managed by AFMA in accordance with the *Southern Bluefin Tuna Fishery Management Plan 1995* made under the *Fisheries Management Act 1991* (Cth). Fishing is also regulated by the *Fisheries Management Regulations 2019* (Cth) and the *Fisheries Management (International Agreements) Regulations 2009* (Cth).

Harvesting is managed through a range of input (effort) and output (catch) controls. Statutory fishing rights (SFRs) control the catch and the amount and type of gear. The primary fishing methods are purse seine and longline, although minor line such as pole and line, trolling, and rod and reel are also used. The fishery has mandatory recording and reporting for target, bycatch and protected species, vessel monitoring systems, risk assessments, and strategies to manage bycatch and protected species. Compliance measures include tracking the global catch for this species via the SBT catch disposal scheme, and mandatory registration with CCSBT for all vessels seeking to land this species.

The CCSBT allocates quota to participating nation States for periods of three years in accordance with parameters in the Management Procedure. The total catch allocated to Australia is divided equally to each Australian-flagged vessel permitted to take SBT. The global catch is monitored via the CCSBT Catch Documentation Scheme (CDS), which provides for tracking and validation of legitimate catches from landing to point of sale, and includes farm and wild harvest operations. All vessels and farms must be registered with the CCSBT. Transshipment at sea and in port is also monitored by CCSBT. AFMA consider measures developed through the CCSBT, and the outcomes of stock assessments, and other information when making management decisions.

### Target stocks

Harvesting in this fishery is limited to the take of southern bluefin tuna only. Operators wanting to land other species must hold relevant permits to operate and catch those species in accordance with the management arrangements in place in other Australian fisheries.

The *Fishery Status Reports 2018* classified southern bluefin tuna biomass as 'overfished' and 'not subject to overfishing' in relation to fishing pressure. The *Status of Key Australian Fish Stocks Report 2018* classifies this species as 'recovering'.

The CCSBT's 2017 stock assessment estimated the spawning stock to be 13 per cent of this species unfished level, but still well below the level required to produce maximum sustainable yield. Importantly, effective management measures have helped to recover the stock over the past decade.

## **Protected species and ecosystems**

Operators have not reported any interactions with protected species in the purse seine sector since the 2016 assessment for this fishery. Longline vessels are known to interact with EPBC Act-listed marine turtles, seabirds, and sharks. These interactions are reported as part of fishing in the Eastern Tuna and Billfish Fishery. The Department recently completed an assessment for that fishery under the EPBC Act. That assessment determined that AFMA is actively managing interactions with protected species through management strategies, bycatch and discarding work plans aligned to the Commonwealth bycatch policy, and trigger limits that lead to management responses. The fishery does not harvest any shark species, including those listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Fishing methods used in this fishery are not considered to have a significant impact on the marine ecosystem. However, it is important that ranching operations monitor and manage risks associated with localised water quality, including the spread of invasive species and diseases.

Given the available information, the Department considers that the management regime for the fishery provides for fishing operations to be managed in a manner that minimises its impact on the structure, productivity, function, and biological diversity of the ecosystem.

## **Research and monitoring**

AFMA's five year strategic research plan 2017–2022 provides the framework for reviewing fishing operations. Research in this fishery is guided by the southern bluefin tuna five year strategic research plan. AFMA facilitates research and studies that are relevant to ensure the fishery is managed sustainably.

## **Conclusion**

The fishery meets most of the Guidelines (Section 2) and the majority of the requirements of the EPBC Act (Section 3). The key challenge for this fishery is the sustainable management of the target species, which is listed as conservation dependent under the EPBC Act.

Notwithstanding the progress made by AFMA to address this challenge, the Department considers that export approval be subject to a number of conditions to minimise the risks and uncertainties evident in the fishery, and to ensure that impacts are reduced. The conditions include implementing catch monitoring technologies to improve confidence in the estimates of southern bluefin tuna catch in the purse seine sector (Condition 4), account for all sources of mortality (commercial, Indigenous and recreational) in Australian waters (Condition 5), and continue to implement all relevant measures agreed by the CCSBT in the domestic fishery to support the recovery of this species stock to ecologically sustainable levels (Condition 6).

On this basis, the Department considers that the declaration of the harvest operations for this fishery as an approved WTO for three years, until 11 November 2022, is appropriate. The Department has also determined that product taken in the fishery should be included in the list of exempt native specimens under Part 13A of the EPBC Act while the declaration is in place. To ensure that this decision remains valid, the conditions listed at Section 4 will apply. Unless a specific timeframe is provided, each condition must be addressed within the period of the approved WTO declaration for the fishery.

**SECTION 1: ASSESSMENT SUMMARY OF THE COMMONWEALTH SOUTHERN BLUEFIN TUNA FISHERY AGAINST THE GUIDELINES FOR THE ECOLOGICALLY SUSTAINABLE MANAGEMENT OF FISHERIES (2ND EDITION), CONSISTENT WITH THE EPBC ACT**

Guidelines assessment	Meets	Partially meets	Does not meet	Details
Management regime	9 of 9			<p>The Department considers that overall the management regime for the Southern Bluefin Tuna Fishery (the fishery) aims to ensure that fishing is conducted in a manner that rebuilds the target stock to a level required to achieve maximum sustainable yield.</p> <p>The Australian Fisheries Management Authority (AFMA) manage the fishery in accordance with the <i>Southern Bluefin Tuna Fishery Management Plan 1995</i> made under the <i>Fisheries Management Act 1991</i> (Cth). Fishing is regulated by the Commonwealth <i>Fisheries Management Regulations 2019</i> (FM Regulations 2019). Fishing operations on the high seas is also regulated by the <i>Fisheries Management (International Agreements) Regulations 2009</i> (Cth).</p> <p>The management regime is well developed, precautionary, and effectively deals with the uncertainties and risks. Management arrangements include objectives, strategies, and performance measures.</p> <p>The Commission for the Conservation of Southern Bluefin Tuna (CCSBT) has overall management responsibility for this species stock across its distribution. AFMA continually review fishing practices, and develop and implement management arrangements that support sustainable fishing operations, including decisions made by the CCSBT.</p>
Principle 1 (target stocks)	8 of 11	3 of 11		<p>Southern bluefin tuna is the only permitted target species under the fishery management plan. This species is highly migratory, and considered to be a single biological stock across its range. While spawning is known to occur in subtropical waters, this species is harvested in temperate waters of southern and south-eastern Australia.</p> <p>Byproduct is prohibited under the fishery management plan. The take of any other species in this fishery must be covered by a valid concession from other fisheries. A wide range of baitfish species are harvested and used to attract schools of southern bluefin tuna to purse seine boats for capture. Baitfish occur largely in coastal regions in the same area of the fishery.</p>
Principle 2 (bycatch and TEPS)	9 of 12 N/a to 3 of 12			<p>Measures are in place to mitigate the impacts to bycatch and protected species. These measures include a bycatch action plan and strategies to mitigate protected species interactions.</p>

				<p>Purse seine fishing method is regarded as highly selective, and results in low bycatch that may include leatherjackets and other tuna species such as skipjack and albacore that often associate with the southern bluefin tuna.</p> <p>Electronic monitoring and observer data indicate interactions occur with seabirds and seals in the purse seine sector, and marine turtles, seabirds, and sharks in the longline sector. Protected species interactions in the longline sector are reported through the Western Tuna and Billfish Fishery and the Eastern Tuna and Billfish Fishery.</p>
Principle 2 (ecosystem impacts)	5 of 5			Based on the available information, and the management arrangements in place in the fishery, including the international standards imposed by the CCSBT, the Department considers that the fishing operations will be managed in a manner that minimises the impact on the structure, productivity, function, and biological diversity of the ecosystem.
<b>EPBC requirements</b>	<b>Meets</b>	<b>Partially meets</b>	<b>Does not meet</b>	<b>Details</b>
Part 12	All met			A number of conservation values (key ecological features and protected species) are identified in management plans for the South-west, and the Temperate East marine bioregions. Ongoing monitoring, assessment and management is required to ensure that fishing activities do not have an adverse impact on any of these conservation values.
Part 13	All met			The fishery is not likely to have any significant impact to Part 13 listed species in the short term.
Part 13A	All met			The fishery is consistent with the Objects of Part 13A. Declaration of the fishery as an approved wildlife trade operation for three years, until 11 November 2022, is recommended, subject to conditions detailed in Section 4 of this report.
Part 16	All met			Although the target species is 'conservation dependent' the management regime provides adequate measures, including a risk analysis, to ensure the fishery is conducted at a precautionary level.

## Notes:

### **Assessment history for the Commonwealth Southern Bluefin Tuna Fishery:**

Information on previous assessments are available on the Department's website – <http://environment.gov.au/marine/fisheries/commonwealth/southern-bluefin>.

- 1st assessment finalised December 2004 – Declared an approved wildlife trade operation (WTO) until 17 November 2007. List of exempt native specimens (LENS) amended to include specimens from the fishery while the WTO declaration is in place for the fishery. Export approval subject to three conditions. Fishery management plan accreditation granted pursuant to section 33 of the EPBC Act on 10 November 2004, and also accredited under Part 13 of the EPBC Act for interactions with protected species on 26 November 2004. Five month extension to LENS inclusion until 22 February 2008.
- 2nd assessment finalised February 2008 – Declared an approved WTO until 25 June 2010. LENS amended to include specimens from the fishery while the WTO declaration is in place. Export approval subject to five conditions. Fishery management plan accredited under Part 13 on 22 February 2008, and accreditation granted pursuant to section 33 of the EPBC Act on 8 September 2008. Two month extension to LENS inclusion until 25 August 2010 with a further two month LENS extension until 21 October 2010.
- 3rd assessment finalised October 2010 – Declared an approved WTO until 24 July 2013. LENS amended to include specimens from the fishery while the WTO declaration is in place. Export approval subject to nine conditions and three recommendations. Fishery management plan accredited under Part 13 on 19 October 2010.
- 4th assessment finalised July 2013 – Declared an approved WTO until 22 July 2016. LENS amended to include product from the fishery while the WTO declaration is in place. Export approval subject to seven conditions. Fishery management plan accredited under Part 13 on 23 July 2013. Four month LENS extension until 21 October 2016 with a further LENS extension until 16 December 2016.
- 5th assessment finalised December 2016 – Declared an approved WTO until 13 December 2019. LENS amended to include product from the fishery while the WTO declaration is in place. Export approval subject to six conditions.

### **Fishery reporting:**

- Annual reports for all Commonwealth-managed fisheries, AFMA – <https://www.afma.gov.au/about/corporate-publications>.

### **Key links:**

- Southern Bluefin Tuna Fishery webpage, AFMA – <https://www.afma.gov.au/fisheries/southern-bluefin-tuna-fishery>.
- Southern Bluefin Tuna Management Advisory Committee, AFMA – <https://www.afma.gov.au/fisheries/committees/southern-bluefin-tuna-management-advisory-committee>.
- Tropical Tuna Management Advisory Committee, AFMA – <https://www.afma.gov.au/fisheries/committees/tropical-tuna-management-advisory-committee-tropical-tuna-mac>.
- Tropical Tuna Resource Assessment Group, AFMA – <https://www.afma.gov.au/fisheries/committees/tropical-tuna-resource-assessment-group>.
- Science and research program information, AFMA – <https://www.afma.gov.au/research>.
- Southern bluefin tuna code of practice for recreational fishery – [http://www.imas.utas.edu.au/\\_data/assets/pdf\\_file/0007/799648/Appendix-10a-COP\\_DL.pdf](http://www.imas.utas.edu.au/_data/assets/pdf_file/0007/799648/Appendix-10a-COP_DL.pdf).
- *CCSBT Operational resolutions and other important documents* <https://www.ccsbt.org/en/content/operational-resolutions-and-other-important-documents>.
- Commission for the Conservation of Southern Bluefin Tuna – <https://www.ccsbt.org/>.

### **Management plan**

- *Southern Bluefin Tuna Fishery Management Plan 1995*, AFMA – <https://www.legislation.gov.au/Series/F2005B02464>.
- Southern Bluefin Tuna Fishery farm sector pre-season brief 2017–18, AFMA – <https://www.afma.gov.au/sites/default/files/uploads/2014/02/GBT-pre-season-brief-2017-18-Final.pdf>.



- Resolution on the adoption of a management procedure, CCSBT – [https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs\\_english/operational\\_resolutions/Resolution\\_Management\\_Procedure.pdf](https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/operational_resolutions/Resolution_Management_Procedure.pdf).

### **Enforcing legislation**

- *Fisheries Management Act 1991* (Cth) – <https://www.legislation.gov.au/Series/C2017C00363>.
- *Fisheries Management Regulations 2019* (Cth) – <https://www.legislation.gov.au/Series/F2019L00383>.
- *Commission for the Conservation of Southern Bluefin Tuna (Privileges and Immunities) Regulations 1996* (Cth) – <https://www.legislation.gov.au/Series/F2004C00351>.

### **Harvest strategy**

- CCSBT management procedure for southern bluefin tuna – <https://www.ccsbt.org/en/content/management-procedure>.
- Commonwealth fisheries harvest strategy policy and guidelines – 2<sup>nd</sup> edition – [http://www.agriculture.gov.au/fisheries/domestic/harvest\\_strategy\\_policy](http://www.agriculture.gov.au/fisheries/domestic/harvest_strategy_policy).
- Review of the harvest strategy policy and guidelines – [http://www.agriculture.gov.au/fisheries/domestic/harvest\\_strategy\\_policy/review](http://www.agriculture.gov.au/fisheries/domestic/harvest_strategy_policy/review).

### **Risk management**

- Guide to AFMA's ecological risk management framework – [https://www.afma.gov.au/sites/default/files/uploads/2017/08/Final-ERM-Guide\\_June-2017.pdf](https://www.afma.gov.au/sites/default/files/uploads/2017/08/Final-ERM-Guide_June-2017.pdf).
- Policy for AFMA's ecological risk management framework – <https://www.afma.gov.au/sites/default/files/uploads/2017/09/Attachment-A-ERM-FMP.pdf>.
- AFMA's ecological risk assessment reports – <https://www.afma.gov.au/sustainability-environment/ecological-risk-management-strategies>.
- Rapid quantitative risk assessment for fish species in seven Commonwealth fisheries – <https://www.afma.gov.au/sites/default/files/uploads/2014/11/Sustainability-Assessment-for-Fishing-Effect-SPF-April-2009.pdf>.
- Residual risk assessment for the Southern Bluefin Tuna Fishery – <https://www.afma.gov.au/sites/default/files/uploads/2014/11/FINAL-SBT-Residual-Risk-report-December-9-2009-.doc>.
- Environmental risk management for the Southern Bluefin Tuna Fishery – <https://www.afma.gov.au/sites/default/files/uploads/2014/11/SBTF-ERM-Final-December-2009.doc>.

### **Protected species**

- Seabirds – <https://www.afma.gov.au/environment-and-research/protected-species-management/protected-species/seabirds>

### **Stock assessments**

- Stock assessments for southern bluefin tuna – <https://www.ccsbt.org/en/content/latest-stock-assessment>.

## SECTION 2: DETAILED ANALYSIS OF THE COMMONWEALTH SOUTHERN BLUEFIN TUNA FISHERY AGAINST THE GUIDELINES FOR THE ECOLOGICALLY SUSTAINABLE MANAGEMENT OF FISHERIES (2ND EDITION)

Guidelines criteria	Comment
<b>THE MANAGEMENT REGIME</b>	
The management regime does not have to be a formal statutory fishery management plan as such, and may include non-statutory management arrangements or management policies and programs. The regime should:	
Be documented, publicly available and transparent.	<p><b>Meets</b></p> <p>In managing this fishery AFMA publish all management documents including the <i>Southern Bluefin Tuna Fishery Management Plan 1995</i> (Fishery Management Plan). All Commonwealth legislation is published on the Federal Register of Legislation (FRL), including the <i>Fisheries Management Act 1991</i> (FM Act), the <i>Fisheries Management Regulations 2019</i> (FM Regulations 2019), the <i>Fisheries Management (International Agreements) Regulations 2009</i> (Cth), and the <i>Fisheries Administration Act 1991</i> (FA Act).</p> <p>The Commonwealth has entered into Offshore Constitutional Settlement (OCS) agreements with each state and the Northern Territory to manage cross-jurisdictional species stocks. OCS arrangements are gazetted and published on the FRL.</p> <p>The CCSBT is the Regional Fishery Management Organisation (RFMO) with overall responsibility for managing the global southern bluefin tuna stock. The management arrangements in place in this fishery are also subject to decisions made by the CCSBT. CCSBT publish management decisions, stock assessments, and other documentation on its website. See Notes (Section 1) for links to further information.</p> <p>Published meeting minutes are available for the Southern Bluefin Tuna Management Advisory Committee (SBTMAC). AFMA publish the management arrangements booklet prior to the start of each fishing season.</p> <p>See Notes (Section 1) for links to publicly available documents, including legislation, regulations, fishery management plan, policy documents, and international treaty information.</p>
Be developed through a consultative process providing opportunity to all interested and affected parties, including the general public.	<p><b>Meets</b></p> <p>Management arrangements developed through a consultative process mandated by the FM Act. Under the FM Act, comment on draft fishery management plans are open to all interested and affected parties, including the public. AFMA advertise opportunities to comment on its website. The SBT Management Plan last underwent amendments in 2012–13 to accommodate changes to monitoring arrangements within the fishery and to allow AFMA the ability to implement decisions made by the CCSBT such as undercatch arrangements.</p>

	<p>Stakeholders provide input through the SBTMAC. Key stakeholders include commercial and recreational fishers, representative bodies for industry and recreational sectors, federal, state and territory government departments, fishery management agencies, and environmental non-government organisations.</p> <p>OCS agreements require regular cross-jurisdictional consultation regarding the management of key species stocks.</p> <p>The Department of Agriculture leads Australia's representation on the CCSBT. AFMA provides input to the CCSBT Scientific Committee regarding the development of complimentary management arrangements for this species across the region.</p>
Ensure that a range of expertise and community interests are involved in individual fishery management committees and during the stock assessment process.	<p><b>Meets</b></p> <p>A range of expertise and community interests are represented in management committees. The FA Act describes AFMA's responsibilities and specific functions for managing Commonwealth fisheries. The FA Act also allows AFMA to establish committees to provide scientific and economic advice that support the management of commercial fisheries.</p> <p>The SBTMAC is the principal forum by which AFMA engages with interested and affected parties in the fishery. Membership of the SBTMAC include representatives from industry, government agencies, fisheries scientists, and fishery economists.</p> <p>The CCSBT Scientific Committee is the key advisory body to CCSBT. The Scientific Committee assesses and analyses the status and trends of the SBT population, coordinates research and studies of SBT, and reports any findings, views, and recommendations to the Commission, and considers any other matters as required.</p>
Be strategic, containing objectives and performance criteria by which the effectiveness of the management arrangements are measured.	<p><b>Meets</b></p> <p>The fishery has strategic objectives and performance criteria to measure the effectiveness of the management arrangements. These described, with varying levels of detail, in the FM Act, the Fishery Management Plan, and fishery harvest strategy. AFMA's annual reports include a statement of the fishery's performance.</p> <p>Minimum standards for developing harvest strategies for Commonwealth-managed fisheries detailed in the <i>Commonwealth Fisheries Harvest Strategy Policy</i> (DAWR 2018d) and the <i>Guidelines for the Implementation of the Commonwealth Fisheries Harvest Strategy Policy</i> (DAWR 2018b). Although the harvest strategy policy is not prescribed for fisheries managed under international agreements it does provide AFMA with a framework for developing and implementing harvest control rules, and guides the development of harvest strategies for Commonwealth fisheries.</p>

	<p>All aspects of the management arrangements developed by AFMA must consider measures adopted by the CCSBT. An important agreement is the <i>Resolution on the adoption of a management procedure</i><sup>1</sup> for managing the global southern bluefin tuna stock. This Management Procedure contains a set of rules agreed by all parties to guide the setting of the global total allowable catch (TAC) for individual three-year periods. Australia's TAC is then apportioned by CCSBT according to the <i>Resolution on the allocation of the global TAC</i><sup>2</sup>. Individual transferable quota is then allocated by AFMA to all concession holders through statutory fishing rights (SFRs). The following management parameters are included in the current management procedure:</p> <ul style="list-style-type: none"> <li>• A 70 per cent probability of rebuilding the stock to the interim rebuilding target reference point (TRP) of 20 per cent of the original spawning stock biomass by 2035,</li> <li>• Any changes (increase or decrease) to the TAC will be limited to 100 tonnes below the original TAC, or 3,000 tonnes above.</li> </ul> <p>The existing Management Procedure is under review. Parties to the CCSBT discussed proposed changes to the Management Procedure At its 26th annual meeting (CCSBT26)<sup>3</sup>, the CCSBT agreed to adopt a new Management Procedure that includes a new interim TRP of 30 per cent of the original spawning stock biomass by 2035. CCSBT anticipate the new Management Procedure may be implemented for the 2020 fishing season.</p> <p>Links to key documents are available under Notes – Management arrangements (Section 1).</p>
Be capable of controlling the level of harvest in the fishery using input and/or output controls.	<p><b>Meets</b></p> <p>Both CCSBT and AFMA have effective input and output controls in place, including:</p> <p><u>Fishery area</u> – fishing for Southern Bluefin Tuna (<i>T. maccoyii</i>) permitted throughout the Australian Fishing Zone (AFZ), and the high seas (the area beyond the AFZ).</p> <p><u>Statutory Fishing Rights (SFRs)</u> – concession holders must have the appropriate amount of SFRs nominated to an Australian registered vessel to operate in the fishery. Vessel SFRs restrict the amount of gear carried and deployed in the fishery, while quota SFRs limit the amount of catch. Additional conditions (e.g. reporting obligations) attached to individual fishing permits. High seas permits renewed annually, and are not transferable.</p> <p>The majority of catch taken by purse seine. Once netted, the captured fish are transferred to floating tanks for transport (towed) to permanent fish pens for ranching (grow-out under controlled conditions).</p>

<sup>1</sup> Extended Commission for the CCSBT, *Resolution on the adoption of a management procedure*, Adopted at the 18th annual meeting, 10–13 October 2011, Available at [https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs\\_english/operational\\_resolutions/Resolution\\_Management\\_Procedure.pdf](https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/operational_resolutions/Resolution_Management_Procedure.pdf).

<sup>2</sup> Extended Commission for the CCSBT, *Resolution on the allocation of the global total allowable catch*, Adopted at the 24th annual meeting, 9–12 October 2017, Available at [https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs\\_english/operational\\_resolutions/Resolution\\_Allocation.pdf](https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/operational_resolutions/Resolution_Allocation.pdf).

<sup>3</sup> CCSBT, 26<sup>th</sup> annual meeting on 14–17 October 2019, Johannesburg, South Africa.

	<p>Longlining also used to target this species. Minor line such as poles, trolling, rod and reels, and handlines designed to catch only one fish at a time are also used.</p> <p><u>Mandatory catch records and reporting</u> – the catch documentation scheme (CDS) and catch documentation records (CDRs) are used by both fishing operators and fish receivers. All retained catches and discards recorded electronically, and reported to AFMA monthly. All fishery data reported to AFMA each month, although real-time records are achievable via electronic records.</p> <p><u>Harvest controls</u> – control rules, described in the management plan for this fishery, align with the harvest strategy policy Commonwealth fisheries. Quota and TACC reviewed annually.</p> <p><u>Quota management system (QMS)</u> – QMS is in place to manage the international and domestic harvesting for SBT. The CCSBT has allocated 6,165 tonne (t) per year for the period 2018–2020. Australian concession holders allocated equal shares of this overall quota as individual transferable quota (ITQ).</p> <p><u>No take species in the fishery</u> – the fishery management plan does not permit the take of any species other than southern bluefin tuna. Although the collection of baitfish is permitted for use in attracting the target species, and during transfer to permanent ranching facilities.</p> <p><u>Actions to reduce interactions with protected species</u> – a range of measures is in place to address protected species and bycatch issues. Measures include bycatch and discards work plan, independent on-board observers, mandatory reporting, and prohibited species. Operators are required, under the FM Act and Regulations, to take all reasonable steps to minimise impacts to protected species.</p> <p><u>Areas excluded from fishing operations</u> – fishing prohibited within state and federal marine reserves, including parts of the Great Barrier Reef Marine Park and Lord Howe Island, without authorisation.</p> <p><u>Fishing season</u> – fishing begins on 1 December, and continues until 30 November each year.</p> <p><u>Compliance measures</u> include:</p> <ul style="list-style-type: none"> <li>• mandatory reporting via the catch disposal system. Fishing records can be verified via e-monitoring and fish receiver records.</li> <li>• Independent observers randomly used according to analysis of intelligence data and identification of specific risks.</li> <li>• mandatory use of AFMA approved vessel monitoring system (VMS) for all vessels operating in this fishery. The VMS must be approved by AFMA.</li> </ul> <p><u>Research and monitoring</u> processes carried out under AFMA’s research policy, and in consultation with the CCSBT. AFMA continues to engage industry and research institutions in relation to domestic research and studies.</p>
Contain the means of enforcing critical aspects of the management arrangements.	<b>Meets</b>

	<p>The fishery has an effective enforcement capability in place. AFMA has a risk based compliance strategy (see links under Notes (above) for further information). High risks identified in the fishery include the potential for non-compliance with mandatory VMS and e-monitoring systems, and quota evasion. AFMA employs a number of measures to enforce critical aspects of the management arrangements, including:</p> <ul style="list-style-type: none"> <li>• Standard conditions on all fishing permits and SFRs (quota and gear). High seas permit conditions include mandatory pre-trip reporting.</li> <li>• Mandatory catch reporting via the CDS and CDR.</li> <li>• AFMA-approved VMS installed on all vessels.</li> <li>• On-board observers may be used to monitor and record catch (target and byproduct), bycatch and protected species interactions.</li> <li>• Compliance officers regularly engage with fishers and processors, including random vessel inspections (in-port or at-sea).</li> <li>• Financial penalties described in the FM Regulations.</li> </ul> <p>The CCSBT has developed monitoring, control and surveillance guidelines and procedures to regulate the effects of fishing for southern bluefin tuna. Measures include an action plan and compliance plan. CCSBT adopted a number of resolutions that are mandatory for all concession holders to follow. These resolutions include minimum standards for inspections, mandatory registration of vessels authorised to take southern bluefin tuna, mandatory use of VMS, mandatory reporting via the catch documentation scheme, a transshipment program for larger vessels, a record of authorised farms, and a list of vessels reported for illegal, unreported and unregulated fishing for southern bluefin tuna.</p> <p>See Notes (Section 1) for links to the AFMA and CCSBT websites for further information.</p>
<p>Provide for the periodic review of the performance of the fishery management arrangements and the management strategies, objectives and criteria.</p>	<p><b>Meets</b></p> <p>The management arrangements prescribe performance review timeframes. The Fishery Management Plan reviewed every five years, and has a range of objectives against which the performance of the fishery is regularly assessed.</p> <p>Ecological risk assessments (ERAs) and management strategies used to identify and address risks in the fishery. The guide to AFMA's ecological risk management describes the process for reviewing risks to non-target species and the marine environment AFMA review the TAC annually and adjust for any over- or under-catch. See Notes (Section 1) for links to further information about risk management.</p> <p>CCSBT has developed processes to review performance measures for managing the global stock. Key issues, including stock status, are also addressed by committees and working groups within the CCSBT. The tri-annual catch quota allocated following a review of the global stock. The CCSBT coordinates research and studies in collaboration with participating States. Current research includes investigating stock connectivity between national fisheries.</p>

	<p>The 2nd independent performance review of the CCSBT (Garcia and Koehler 2014) assessed progress made since the first assessment in 2008, and the Commission's performance against best practice standards at the time of that assessment. The review also assessed the performance standards associated with the Kobe criteria, the marine stewardship council principles<sup>4</sup>, and best practice measures for regional fisheries management organisations<sup>5</sup> (Garcia and Koehler 2014). See Notes (Section 1) for links to CCSBT <i>Operational resolutions and other important documents</i>.</p> <p>The Australian Bureau of Agricultural and Resource Economics and Sciences (ABARES) review the fishery's ecological and economic performance, and publish this information in the annual <i>Fishery Status Reports</i> (ABARES 2018).</p> <p>The Fisheries Research and Development Corporation (FRDC) provide an independent assessment for the global southern bluefin tuna stock with information published in the <i>Status of key Australian fish stocks (SAFS) reports</i> (Stewardson et al. 2018).</p>
Be capable of assessing, monitoring and avoiding, remedying or mitigating any adverse impacts on the wider marine ecosystem in which the target species lives and the fishery operates.	<p><b>Meets</b></p> <p>The fishery is capable of effective management of impacts on wider marine ecosystem.</p> <p>Independent observers may be assigned to vessels as required under both Australian and CCSBT management arrangements. Observers monitor and report on impacts to protected species, bycatch, and the marine environment.</p> <p>At least 10 per cent of camera footage captured through e-monitoring is reviewed for each vessel to verify the accuracy of paper and electronic logs. AFMA is committed to revising and improving e-monitoring data collection. Human observers or bycatch officers will continue to be placed on vessels where specific bycatch issues have been identified.</p> <p>CCSBT has monitoring, control and surveillance guidelines and procedures in place to regulate the effects of fishing for southern bluefin tuna. Measures include an action plan and compliance plan. CCSBT has adopted a number of resolutions described above. .</p>
Requires compliance with relevant threat abatement plans, recovery plans, the National Policy on Fisheries Bycatch, and bycatch action strategies developed under the policy.	<p><b>Meets</b></p> <p>The fishery appears to be compliant with all relevant plans, including the following:</p> <ul style="list-style-type: none"> <li>Threat abatement plan for the impacts of marine debris on the vertebrate wildlife of Australia's coasts and oceans (DoEE 2018),</li> </ul>

<sup>4</sup> The Marine Stewardship Council fisheries standard, Marine Stewardship Council, Available at <https://www.msc.org/standards-and-certification/fisheries-standard>.

<sup>5</sup> See Info 02 – (New Zealand) Recommended best practices for Regional Fisheries Management Organisations, Provided to the 14th annual meeting of the Extended Commission, Canberra, Australia, 16-19 October 2007, Available at <https://www.ccsbt.org/en/past-meeting-documents/307>.



	<ul style="list-style-type: none"> <li>• Injury and fatality to vertebrate marine life caused by ingestion of, or entanglement in, harmful marine debris (TSSC 2001), and</li> <li>• Threat abatement plan for the incidental catch (or bycatch) of seabirds during oceanic longline fishing operations (CoA 2018).</li> </ul>
<b>PRINCIPLE 1</b> - A fishery must be conducted in a manner that does not lead to over-fishing, or for those stocks that are over-fished, the fishery must be conducted such that there is a high degree of probability the stock(s) will recover.	
<b>Objective 1</b> - The fishery shall be conducted at catch levels that maintain ecologically viable stock levels at an agreed point or range, with acceptable levels of probability.	
<b>Information requirements</b>	
<p><b>1.1.1</b> There is a reliable information collection system in place appropriate to the scale of the fishery. The level of data collection should be based upon an appropriate mix of fishery independent and dependent research and monitoring.</p>	<p><b>Partially meets</b></p> <p>The fishery only targets Southern Bluefin Tuna (<i>Thunnus maccoyii</i>). The Fishery Management Plan does not permit the harvesting of any other species.</p> <p>Mandatory reporting and catch verification measures are in place. AFMA and the CCSBT regularly receive and analyse fishery data, including catch records. AFMA and CCSBT share important information.</p> <p>There is limited data available for the recreational take of southern bluefin tuna. Recreational and Indigenous fishing in state waters is managed by the relevant jurisdiction. Management arrangements include daily catch limits. Surveys for the recreational sector have been undertaken off the coasts of western Victoria, and Tasmania. A 12-month survey of recreational fishing for southern bluefin tuna in Commonwealth waters is in progress until 30 November 2019.</p> <p>Although the commercial fishery has adequate data collection processes in place, the Department has previously reported the identified benefits of developing and implementing stereo-video technology (underwater cameras) for use in the purse seine sector of this fishery. Trials have shown that stereo video technology is a more effective way to estimate catch. A recent study supported the results from earlier trials, but also reported key limitations (Shafait et al. 2017). Further research is required to develop a fully automated system; although Shafait et al. (2017) reports that automated stereo-video technology remains a desirable and achievable aim. Following consultation with industry and academics,</p> <p>AFMA advised that the adoption of semi-automated stereo-video is not appropriate at this time due, in part, to cost and time constraints. Given the importance of accurate data collection, the Department still considers that export approval be subject to Condition 4, which requires AFMA to continue to investigate stereo-video technology with a view to implementation of a fully automated system.</p>
<b>Assessment</b>	
<p><b>1.1.2</b> There is a robust assessment of the dynamics and status of the species/fishery and periodic review of the process and the data collected. Assessment should include a process to identify any reduction in biological diversity and/or reproductive capacity. Review should</p>	<p><b>Meets</b></p> <p>There is a robust assessment of the dynamics and status of the species. The stock assessment process underpins the biological reference point set by the CCSBT Scientific Committee. Scientists from Australian government agencies contribute to the stock assessment process (i.e. CSIRO, ABARES, and AFMA).</p>



<p>take place at regular intervals but at least every three years.</p>	<p>The <i>Fishery Status Reports 2018</i> classified the southern bluefin tuna as 'overfished' with regard to biomass, and determined the fishing mortality to be 'not subject to overfishing'. Fishing effort is at a level that is unlikely to adversely impact on rebuilding the stock (Patterson et al. 2018).</p> <p>Further information on the status of the global stock, including assessment criteria, is available on the CCSBT website at <a href="https://www.ccsbt.org/en/content/latest-stock-assessment">https://www.ccsbt.org/en/content/latest-stock-assessment</a>.</p>
<p><b>1.1.3</b> The distribution and spatial structure of the stock(s) has been established and factored into management responses.</p>	<p><b>Meets</b></p> <p>The distribution and spatial structure of southern bluefin tuna is well known. This species has been a research focus due to it having been a high value for a number of decades. Information continues to be collected through ongoing research and studies. Patterson and Nicol (2018) provides a summary of the distribution and spatial structure for southern bluefin tuna.</p> <p>Southern bluefin tuna is a slow growing, highly migratory species occurring in the Indian, Southern, and Pacific Oceans, and waters adjacent to the Australian coastline. The species spawns in the Indian Ocean (from near Java to northern Western Australia) between September and April each year. Juveniles (one to four years of age) migrate south along Australia's western and southern coastlines. The majority of domestic purse seining occurs off the South Australian coast, and longlining off the New South Wales coast.</p> <p>AFMA systematically collects a range of information about the fishery and the species. This information is factored into the stock assessment processes undertaken within Australia and is provided to the stock assessment processes undertaken within the CCSBT. The data collection program is capable of collecting an array of spatial information. Mandatory reporting requirements provide additional information, including data collected through e-monitoring and VMS.</p> <p>Further information on the species biological and ecological characteristics is available in previous assessments and on the websites for AFMA and the CCSBT. See Notes (Section 1) for links.</p>
<p><b>1.1.4</b> There are reliable estimates of all removals, including commercial (landings and discards), recreational and indigenous, from the fished stock. These estimates have been factored into stock assessments and target species catch levels.</p>	<p><b>Partially meets</b></p> <p>Mandatory reporting requirements are in place for the commercial fishery. Measures are also in place to verify catch and effort data. However, there is very little information about the recreational take of southern bluefin tuna in Australian waters. In Commonwealth waters, the Department of Agriculture has initiated a survey to collect recreational fishing data for southern bluefin tuna. The survey began in December 2018 and will conclude in November 2019. State and Northern Territory governments are responsible for managing recreational and Indigenous fishing in coastal waters. The amounts caught in these sectors is not known.</p>
<p><b>1.1.5</b> There is a sound estimate of the potential productivity of the fished stock/s and the proportion that could be harvested.</p>	<p><b>Meets</b></p> <p>Available information from fishery dependent and independent data used to estimate the productivity of the fishery, and include regional and domestic assessments of key species stocks. Abundance data and</p>

	biological information is available to help estimate sustainable harvesting levels. Mandatory reporting of catch and effort and size data is a key aspect of the management arrangements.
<b>Management responses</b>	
<b>1.1.6</b> There are reference points (target and/or limit), that trigger management actions including a biological bottom line and/or a catch or effort upper limit beyond which the stock should not be taken.	<p><b>Meets</b></p> <p>Robust reference points are currently in place, with revised reference points under development. The primary objective of the CCSBT Management Procedure is to rebuild the stock to above the TRP of 20 per cent of the original spawning stock biomass is in place to rebuild stocks by 2035. The Management Procedure indicates the global fishery has a 70 per cent probability of achieving this objective by this date. Revised TRP proposed for inclusion in a new Management Procedure.</p>
<b>1.1.7</b> There are management strategies in place capable of controlling the level of take.	<p><b>Meets</b></p> <p>Management strategies including catch limits, mandatory reporting and monitoring procedures, and vessel registration and monitoring systems, are capable of controlling the level of take. The Fishery Management Plan has specific objectives and aims to manage the domestic component of the fishery.</p> <p>TAC determined by parameters in the CCSBT Management Procedure. Existing TAC set for three years (2018–2020). TAC apportioned according to the <i>Resolution on the allocation of the global total allowable catch</i><sup>6</sup>. The management procedure can specify any changes to the TAC based on updated monitoring data. The rules allow a minimum of 100 tonne change (increase or decrease) to the TACC, with a maximum of 3,000 tonnes.</p>
<b>1.1.8</b> Fishing is conducted in a manner that does not threaten stocks of byproduct species.	<p><b>Meets</b></p> <p>The management arrangements prohibit the capture and retention of byproduct species in the fishery. If concession holders incidentally catch a species other than southern bluefin tuna, they must hold appropriate permits and quotas in accordance with other fisheries to retain those species. Mandatory reporting of catch data can be verified by e-monitoring, catch disposal records, and AFMA's independent scientific observers.</p> <p>Purse seine fishing is very selective and results in low catches for non-target species. Skipjack tuna are sometimes associated with schools of southern bluefin tuna and may result in incidental capture. Line fishing, particularly longlining, is a less selective. For vessels targeting southern bluefin tuna, longlining accounts for much smaller amounts of byproduct. Take of baitfish is permitted without specified limits, but is not considered byproduct or bycatch in this fishery. There is very little information available to determine the impact on baitfish such as sardines and garfish.</p>
(Guidelines 1.1.1 to 1.1.7 should be applied to byproduct species to an appropriate level)	

<sup>6</sup> Resolution on the Allocation of the Global Total Allowable Catch, Commission for the Conservation of Southern Bluefin Tuna, Available at [https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs\\_english/operational\\_resolutions/Resolution\\_Allocation.pdf](https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/operational_resolutions/Resolution_Allocation.pdf).

<p><b>1.1.9</b> The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.</p>	<p><b>Partially meets</b></p> <p>The global stock is at 17 per cent of the unfished biomass, which is below the level to produce maximum sustainable yield. Therefore, given the management arrangements in place and the anticipated timeframe to recover the stock, the fishery has a low chance to conduct the fishery at catch levels that maintain ecologically viable stock levels in the term of this declaration as an approved wildlife trade operation. However, this assessment has considered the available information that indicates noticeable stock improvements, and precautionary measures that are in place in the fishery.</p>
<p><b>If overfished, go to Objective 2: If not overfished, go to PRINCIPLE 2:</b></p>	
<p><b>Objective 2</b> - Where the fished stock(s) are below a defined reference point, the fishery will be managed to promote recovery to ecologically viable stock levels within nominated timeframes.</p>	
<p><b>Management responses</b></p>	
<p><b>1.2.1</b> A precautionary recovery strategy is in place specifying management actions, or staged management responses, which are linked to reference points. The recovery strategy should apply until the stock recovers, and should aim for recovery within a specific time period appropriate to the biology of the stock.</p>	<p><b>Meets</b></p> <p>A precautionary recovery strategy is in place through the Management Procedure introduced by the CCSBT. Management measures include stock assessments, quota management, mandatory reporting, and regular monitoring. In addition, legislation mandates that AFMA ensure precautionary measures are in place to minimise any impacts of fishing.</p> <p>In 2010, Australia's Threatened Species Scientific Committee (TSSC) found southern bluefin tuna to be eligible for listing as 'critically endangered' under the EPBC Act. The 'conservation dependent' category was considered more appropriate while the CCSBT continued to manage the species' recovery. Listing in the 'conservation dependent category' allows for some limited fishing to occur while an effective management regime is in place to halt further decline of the stock.</p> <p>CCSBT has proposed implementing the recently adopted Management Procedure during the 2020 fishing season. The proposed revisions to the Management Procedure include a commitment to rebuild the spawning stock to 30 per cent of the unfished biomass by 2035.</p>
<p><b>1.2.2</b> If the stock is estimated as being at or below the biological and / or effort bottom line, management responses such as a zero targeted catch, temporary fishery closure or a 'whole of fishery' effort or quota reduction are implemented.</p>	<p><b>Meets</b></p> <p>AFMA and the CCSBT implement adequate management responses. Revised goals are currently being considered (see above). The current objective is to rebuild the spawning stock to 20 per cent of its original biomass by 2035, with a 70% probability. Given the evidence that the stock has improved over the past decade, the CCSBT is considering a revised TRP and timeframe to recover the spawning stock biomass, with a similar probability for achieving the goal. This proposed measure is consistent with the notional 'maximum sustainable yield' level of 28 per cent described in Australia's fisheries harvest policy. CCSBT publish decisions on its website at <a href="https://www.ccsbt.org/en/content/home">https://www.ccsbt.org/en/content/home</a>.</p>
<p><b>PRINCIPLE 2</b> - Fishing operations should be managed to minimise their impact on the structure, productivity, function, and biological diversity of the ecosystem.</p>	
<p><b>Objective 1</b> - The fishery is conducted in a manner that does not threaten bycatch species.</p>	
<p><b>Information requirements</b></p>	

<b>2.1.1</b> Reliable information, appropriate to the scale of the fishery, is collected on the composition and abundance of bycatch.	<b>Meets</b>  Mandatory reporting includes bycatch data. E-monitoring and independent scientific observers are used to verify fishery data.
<b>Assessment</b>	
<b>2.1.2</b> There is a risk analysis of the bycatch with respect to its vulnerability to fishing.	<b>Meets</b>  Bycatch is assessed through the ERM framework, and managed in accordance with the bycatch policy and bycatch guidelines for Commonwealth fisheries (DAWR 2018a). Ecological risk assessments (ERAs) have been completed (AFMA 2009a; AFMA 2009b; Hobday et al. 2007; Zhou et al. 2009). AFMA advise that updated risk assessments will be conducted within the term of this declaration.  The available information indicates that purse seine fishing is very selective and results in very little bycatch. Purse seining for the target species may result in bycatch of other tuna species such as Skipjack ( <i>Katsuwonus pelamis</i> ) and Albacore ( <i>Thunnus alalunga</i> ).  Pelagic longline fishing is less selective. Bycatch is managed through arrangements in place for the Eastern Tuna and Billfish Fishery, which has recently been assessed under the EPBC Act, and export approval granted until 22 August 2019.
<b>Management responses</b>	
<b>2.1.3</b> Measures are in place to avoid capture and mortality of bycatch species unless it is determined that the level of catch is sustainable (except in relation to endangered, threatened or protected species). Steps must be taken to develop suitable technology if none is available.	<b>Meets</b>  Management responses are in place. AFMA has developed a bycatch strategy that contains guiding principles for identifying bycatch issues. A bycatch and discard work plan is in place for this fishery. The ERM framework is used to address the risks to bycatch (AFMA 2010).  The CCSBT also has measures in place to minimise the impact to bycatch species. Adopted resolutions include measures to protect seabirds, marine turtles, cetaceans, and sharks. Further information is available on the CCSBT website at <a href="https://www.ccsbt.org/en/content/bycatch-mitigation">https://www.ccsbt.org/en/content/bycatch-mitigation</a> .
<b>2.1.4</b> An indicator group of bycatch species is monitored.	<b>Not applicable</b>  Bycatch is very low, and therefore no indicator group is monitored.
<b>2.1.5</b> There are decision rules that trigger additional management measures when there are significant perturbations in the indicator species numbers.	<b>Meets</b>  AFMA use the ERM framework to assess risks to all species in which the fishery interacts. AFMA's ERM framework requires that AFMA respond to reduce risks to species identified as at high risk from fishing. Decision rules are in place for protected species such as sharks, seabirds, and marine turtles that may be taken as bycatch.
<b>2.1.6</b> The management response, considering uncertainties in the assessment and precautionary	<b>Meets</b>

management actions, has a high chance of achieving the objective.	The management arrangements have a high chance of achieving the objective to conduct the fishery in a manner that does not threaten bycatch species.
<b>Objective 2</b> - The fishery is conducted in a manner that avoids mortality of, or injuries to, endangered, threatened, or protected species and avoids or minimises impacts on threatened ecological communities.	
<b>Information requirements</b>	
<b>2.2.1</b> Reliable information is collected on the interaction with endangered, threatened or protected species and threatened ecological communities.	<p><b>Meets</b></p> <p>Protected species interactions are recorded via daily catch logs, e-monitoring, and AFMA's independent scientific observers. E-monitoring and on-board observers can be used to verify reported data. Reporting is species-specific where possible, species group (e.g. albatrosses). Any interactions reported to AFMA are published in quarterly protected species reports. See Notes for links to protected species reports.</p> <p>If used, on-board observers also report interactions with threatened ecological communities (TECs), although the risk to TECs is considered negligible.</p>
<b>Assessments</b>	
<b>2.2.2</b> There is an assessment of the impact of the fishery on endangered, threatened, or protected species.	<p><b>Meets</b></p> <p>Ecological risk assessments have been completed for the fishery. The analysis indicates that no protected species are at high risk from fishing under the existing management arrangements. The level 2 residual risk analysis indicates that risks are mitigated through management arrangements that include bycatch and discarding work plans, management strategies for protected species, and programs to improve best practice handling for captured species. Protected species interactions in the longline sector of the fishery are reported as part of the Eastern Tuna and Billfish Fishery, which was recently assessed by the Department and granted export approval under the EPBC Act until 19 August 2022.</p>
<b>2.2.3</b> There is an assessment of the impact of the fishery on threatened ecological communities.	<p><b>Not applicable</b></p> <p>The ERA considers impacts to habitats and communities. While the ERA did not specifically identify risks to threatened ecological communities (TECs), the likelihood of any significant impacts to TECs is considered low. This is because oceanic longline fishing occurs in deeper waters away from the presence of possible TECs.</p>
<b>Management responses</b>	
<b>2.2.4</b> There are measures in place to avoid capture and/or mortality of endangered, threatened, or protected species.	<p><b>Meets</b></p> <p>Protected species mitigation strategies are described in the management arrangements and management strategy for the fishery. Monitoring measures include mandatory recording and reporting of interactions on logbooks, and ongoing electronic monitoring.</p> <p>For the longline sector, the Department's recent assessment for the Eastern Tuna and Billfish Fishery found a number of protected species interactions, including sharks, seabirds, and marine turtles. The Department determined that although measures are in place to manage these interactions, the export</p>

	<p>approval should be subject to conditions requiring ongoing monitoring, particularly for marine turtles and sharks.</p> <p>CCSBT has developed measures to mitigate impacts to TEP species. Information on adopted bycatch mitigation resolutions is available on the CCSBT website at <a href="https://www.ccsbt.org/en/content/bycatch-mitigation">https://www.ccsbt.org/en/content/bycatch-mitigation</a>.</p>
<b>2.2.5</b> There are measures in place to avoid impact on threatened ecological communities.	<p><b>Not applicable</b></p> <p>Risk is considered low. See item 2.2.3 above.</p>
<b>2.2.6</b> The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.	<p><b>Meets</b></p> <p>The Department considers that the fishery has a high chance to conduct fishing in a manner that minimises impacts to TEPS and avoids or minimises impacts on TECs.</p>
<b>Objective 3</b> - The fishery is conducted, in a manner that minimises the impact of fishing operations on the ecosystem generally.	
<b>Information requirements</b>	
<b>2.3.1</b> Information appropriate for the analysis in 2.3.2 is collated and/or collected covering the fishery's impact on the ecosystem and environment generally.	<p><b>Meets</b></p> <p>There are mandatory data collection methods and mitigation measures in place. Due to the low impact harvesting methods used in the fishery, impacts to the physical ecosystem are likely to be low.</p> <p>The majority of catch is harvested by purse seining. The catch is then towed to holding pens for ranching. The fishery does harvest baitfish to feed captured tuna during towing and ranching. There has been no assessment of the fishery's impact on baitfish.</p> <p>Southern bluefin tuna is also harvested by longlining, with smaller amounts taken by minor line methods such as pole and line. Impacts of line fishing on seabed communities and ecosystem structures are likely to be negligible. However, there is some potential for the main line to catch on large, erect, and fragile epifauna in shallower waters.</p>
<b>Assessment</b>	
<p><b>2.3.2</b> Information is collected and a risk analysis, appropriate to the scale of the fishery and its potential impacts, is conducted into the susceptibility of each of the following ecosystem components to the fishery.</p> <p>1. Impacts on ecological communities</p> <ul style="list-style-type: none"> <li>• Benthic communities</li> <li>• Ecologically related, associated or dependent species</li> <li>• Water column communities</li> </ul>	<p><b>Meets</b></p> <p>The ERA accounts for the potential impacts of fishing on five components of the marine environment – target, byproduct, bycatch/discards, protected species, and the habitats and communities in which those species occur. The level 2 residual risk assessment indicates that existing management arrangements are capable of reducing the risk to the marine biota and the broader ecosystem.</p> <p>The majority of catch is harvested by purse seine, with the remainder taken by longlining or minor line methods such as poling and trolling. These harvesting methods are considered to have minimal impact on the marine environment. In general, purse seine nets are used at the surface. Operators need to consider the water depth and net length to avoid any impacts to the substrate.</p>



<p>2. Impacts on food chains</p> <ul style="list-style-type: none"> <li>• Structure</li> <li>• Productivity/flows</li> </ul> <p>3. Impacts on the physical environment</p> <ul style="list-style-type: none"> <li>• Physical habitat</li> <li>• Water quality</li> </ul>	
<b>Management responses</b>	
<p><b>2.3.3</b> Management actions are in place to ensure significant damage to ecosystems does not arise from the impacts described in 2.3.1.</p>	<p><b>Meets</b></p> <p>The ERA indicates the level of risk on the broader ecosystem is low. The management measures described in the Fishery Management Plan are underpinned by legislation and regulations, which increases AFMA's capacity to mitigate impacts. The ERA analysis includes data collected through mandatory reporting, e-monitoring, AFMA's independent on-board observer program, and the scientific research plan. There is no clear evidence to suggest this fishery causes any systematic change to species diversity or richness. AFMA employ an adaptive management approach to ensure the impacts of fishing is minimised. Given the management measures in place, the conservation values identified in the marine bioregional plan are not compromised by this fishery. It is important that the risks and uncertainties identified in the ERA, marine bioregional plan, and this assessment are regularly monitored, evaluated, and managed to ensure that fishing effort does not have a material impact on the food chain or trophic structure in the area of the fishery.</p>
<p><b>2.3.4</b> There are decision rules that trigger further management responses when monitoring detects impacts on selected ecosystem indicators beyond a predetermined level, or where action is indicated by application of the precautionary approach.</p>	<p><b>Meets</b></p> <p>The ERA provides an appropriate level of information required to determine if specific ecosystem indicators are necessary. The Fishery Management Plan includes measures to minimise ecosystem impacts that are identified through the risk analysis. Management resolutions adopted by the CCSBT are underpinned by the precautionary approach.</p>
<p><b>2.3.5</b> The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.</p>	<p><b>Meets</b></p> <p>The Department considers that the management arrangements have a good chance of achieving the objective to conduct the fishery in a manner that minimises the impact of fishing operations on the ecosystem generally.</p>

## SECTION 3: ASSESSMENT OF THE COMMONWEALTH SOUTHERN BLUEFIN TUNA FISHERY AGAINST THE REQUIREMENTS OF THE EPBC ACT

The table below is not a complete or exact representation of the EPBC Act. It is intended to show that the relevant sections and components of the EPBC Act have been taken into account in the formulation of advice on the fishery in relation to decisions under Part 13 and Part 13A.

### Part 12 – Identifying and monitoring biodiversity and making bioregional plans

Section 176 Bioregional Plans	Comment
(5) Minister must have regard to relevant bioregional plans.	<p><b>Meets</b></p> <p>The area of the fishery partially overlaps with all marine bioregions within the AFZ. However, fishing effort is predominantly concentrated in the South-west Marine Region and the Temperate East Marine Region. This species is not targeted in the North-west Marine Region, and there is no marine bioregional plan in place for the South-east Marine Region or the Coral Sea Region.</p> <p>Marine bioregional plans describe the marine environment and conservation values of the respective regions, identifies and characterises the pressures affecting these conservation values, identifies regional priorities and outlines strategies to address them. Conservation values are defined as those elements of the region that are key ecological features of the Commonwealth marine area or species listed under Part 13 of the EPBC Act that occur in each marine area, or protected places including marine reserves or heritage places.</p> <p>There is 23 conservation values of regional priority identified in the <b>Marine Bioregional Plan for the South-west Marine Region</b>. These include 10 protected species, eight key ecological features, and five pressures. Protected species include White Shark, School Shark, and seabirds. The key ecological features present in the area of the fishery, including Kangaroo Island Pool, canyons and adjacent shelf break, and Eyre Peninsula upwellings, and small pelagic fishes. Small pelagic fishes are considered important for ecological functioning and integrity, and are prone to overfishing without adequate management. Pressures of potential concern to these conservation values include the extraction of living resources and bycatch by commercial fisheries. Extraction of living resources places pressure on Australian Sea Lions and seabirds by reducing the availability of prey species.</p> <p>In the <b>Marine Bioregional Plan for the Temperate East Marine Region</b>, there are 16 conservation values of regional priority. These include five protected species, seven key ecological features, and four pressures. Protected species of concern include White Shark, Grey Nurse Shark, and foraging seabirds. The key ecological features present in the area of the fishery include the Tasman front and eddy field, and the Tasmanid seamount chain. The key features support highly diverse marine life, and provide important habitat for a range of commercially important species. Relevant pressures of regional concern include bycatch and extraction of living resources, climate change factors (e.g. acidification and water</p>



	<p>temperature), and impacts caused by marine debris. A number of species are prone to bycatch. This concern is particularly relevant to seabird bycatch in longline fishing operations.</p> <p>The fishery has in place mitigation measures that have proven effective in minimising interactions with protected species and ecological features. Given the management strategies and mitigation measures, and the fishing methods used, the Department considers the impacts to key ecological features in the area of the fishery to be low.</p>
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## Part 13 – Species and communities

Accreditable plan, regime or policy (Division 1, Division 2, Division 3, Division 4)	Comment
<p>s. 208A (1) (a-e) , s.222A (1) (a-e), s.245 (1) (a-e), s.265 (1) (a-e)</p> <p>Does the fishery have an accreditable plan of management, regime or policy?</p>	<p><b>Meets</b></p> <p><b>Yes</b>, there is an accreditable management regime. The Southern Bluefin Tuna Fishery will be managed in accordance with the <i>Southern Bluefin Tuna Management Plan 1995</i> made under the <i>Fisheries Management Act 1991</i> (Cth), and the <i>Fisheries Management Regulations 2019</i> (Cth).</p>
Division 1 Listed threatened species, Section 208A Minister may accredit plans or regimes	Comment
<p>(f) Will the plan, regime or policy require fishers 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?</p>	<p><b>Meets</b></p> <p><b>Yes</b>, there are specific measures in place to mitigate the risk to listed threatened species, which has been demonstrated to be effective.</p> <p>The <i>Southern Bluefin Tuna Management Plan 1995</i> was accredited in July 2013. The management arrangements for the fishery have not significantly changed since this accreditation was granted. Consequently, a new Part 13 declaration is not needed at this time.</p> <p>Given the legislation in force, the Department considers that all reasonable steps continue to be taken to prevent the killing or injuring of members of listed threatened species.</p>
<p>(g) And, is the fishery likely to adversely affect the survival or recovery in nature of the species?</p>	<p><b>Meets</b></p> <p><b>No</b>, there were no interactions reported since the most recent assessment in December 2016.</p> <p>The report provided by AFMA indicates that there has been minimal recorded interactions with listed threatened species in the fishery. The Department considers that AFMA is taking appropriate actions to minimise the impact of fishing to listed threatened species, and that the current operation of the fishery is not likely to adversely affect the survival or recovery in nature of the species.</p>
Division 2 Migratory species, Section 222A Minister may accredit plans or regimes	Comment

<p>(f) Will the plan, regime or policy require fishers to take all reasonable steps to ensure that members of listed migratory species are not killed or injured as a result of the fishing?</p>	<p><b>Meets</b></p> <p>There are specific and effective measures in place to mitigate the risk to migratory species.</p> <p>The <i>Southern Bluefin Tuna Management Plan 1995</i> was accredited in July 2013. The management arrangements for the fishery have not significantly changed since this accreditation was granted. Consequently, a new Part 13 declaration is not needed at this time.</p> <p>Given the legislation in force, the Department considers that all reasonable steps continue to be taken to prevent the killing or injuring of members of listed migratory species or a population of that species.</p>
<p>(g) And, is the fishery likely to adversely affect the conservation status of a listed migratory species or a population of that species?</p>	<p><b>Meets</b></p> <p>There were no interactions reported since the most recent assessment in December 2016.</p> <p>The Department considers that AFMA is taking appropriate actions to minimise the impact of fishing to listed migratory species, and that the current operation of the fishery is not likely to adversely affect the conservation status of a listed migratory species or a population of that species.</p>
<p><b>Division 3 Whales and other cetaceans, Section 245</b> <b>Minister may accredit plans or regimes</b></p>	<p><b>Comment</b></p>
<p>(f) Will the plan, regime or policy require fishers to take all reasonable steps to ensure that cetaceans are not killed or injured as a result of the fishing?</p>	<p><b>Meets</b></p> <p>There are specific measures in place to mitigate the risk to species of cetacean or a population of that species, which has been demonstrated to be effective.</p> <p>The <i>Southern Bluefin Tuna Management Plan 1995</i> was accredited in July 2013. The management arrangements for the fishery have not significantly changed since this accreditation was granted. Consequently, a new Part 13 declaration is not needed at this time.</p> <p>Given the legislation in force, the Department considers that all reasonable steps continue to be taken to prevent the killing or injuring of cetaceans and the capture of any cetaceans would be incidental to and not the purpose of the operation of the fishery.</p>
<p>(g) And, is the fishery likely to adversely affect the conservation status of a species of cetacean or a population of that species?</p>	<p><b>Meets</b></p> <p>There were no interactions reported since the most recent assessment in December 2016.</p> <p>The report provided by AFMA indicates that there has been no recorded interactions with a species of cetacean in the fishery. The Department considers that AFMA is taking appropriate actions to minimise the impact of fishing to a species of cetacean, and that the current operation of the fishery is not likely to adversely affect the conservation status of a species of cetacean or a population of that species.</p>
<p><b>Division 4 Listed marine species, Section 265</b> <b>Minister may accredit plans or regimes</b></p>	<p><b>Comment</b></p>

<p>(f) Will the plan, regime or policy require fishers to take all reasonable steps to ensure that members of listed marine species are not killed or injured as a result of the fishing?</p>	<p><b>Meets</b></p> <p>The prescribed harvesting methods, including purse seining for ranching and seasonal and area restrictions for longline vessels, reduces the risk of interaction to extremely low level.</p> <p>The <i>Southern Bluefin Tuna Management Plan 1995</i> was accredited in July 2013. The management arrangements for the fishery have not significantly changed since this accreditation was granted. Consequently, a new Part 13 declaration is not needed at this time.</p> <p>Given the legislation in force, the Department considers that all reasonable steps continue to be taken to prevent the killing or injuring of listed marine species.</p>
<p>(g) And, is the fishery likely to adversely affect the conservation status of a listed marine species or a population of that species?</p>	<p><b>Meets</b></p> <p>There were no interactions reported since the most recent assessment in December 2016.</p> <p>The report provided by AFMA indicates that there has been no recorded interactions with a listed marine species in the fishery.</p> <p>The Department considers that AFMA is taking appropriate actions to minimise the impact of fishing to listed marine species, and that the current operation of the fishery is not likely to adversely affect the conservation status of a listed marine species or a population of that species.</p>
<p><b>Section 303AA Conditions relating to accreditation of plans, regimes and policies</b></p>	<p><b>Comment</b></p>
<p>(1) This section applies to an accreditation of a plan, regime, or policy under section 208A, 222A, 245 or 265.</p>	<p>The Department considers that the accreditation of the SBT Fishery Management Plan remains valid under sections 208A, 222A, 245, and 265.</p>
<p>(2) 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> <p>(a) during a particular period; or</p> <p>(b) while certain circumstances exist; or</p> <p>(c) while a certain condition is complied with.</p> <p>In such a case, the instrument of accreditation is to specify the period, circumstances or condition.</p>	<p><b>Not applicable.</b></p> <p>The Department considers that no conditions are required for the accreditation of the management regime for the Southern Bluefin Tuna Fishery under Part 13.</p>
<p>(7) The Minister must, in writing, revoke an accreditation if he or she is satisfied that a</p>	<p><b>Not applicable.</b></p> <p>No condition has been contravened since the 2016 assessment for this fishery.</p>

condition of the accreditation has been contravened.	
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## Part 13A – International movement of wildlife specimens

Section 303BA Objects of Part 13A	Comment
<p>(1) The objects of this Part are as follows:</p> <ul style="list-style-type: none"> <li>(a) to ensure that Australia complies with its obligations under CITES and the Biodiversity Convention;</li> <li>(b) to protect wildlife that may be adversely affected by trade;</li> <li>(c) to promote the conservation of biodiversity in Australia and other countries;</li> <li>(d) to ensure that any commercial utilisation of Australian native wildlife for the purposes of export is managed in an ecologically sustainable way;</li> <li>(e) to promote the humane treatment of wildlife;</li> <li>(f) to ensure ethical conduct during any research associated with the utilisation of wildlife; and</li> <li>(h) to ensure the precautionary principle is taken into account in making decisions relating to the utilisation of wildlife.</li> </ul>	<p>The management arrangements for the Southern Bluefin Tuna Fishery have been assessed as consistent with the general guidance provided in the objects of Part 13A as:</p> <ul style="list-style-type: none"> <li>• the fishery will not harvest any Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) listed species</li> <li>• there are management arrangements in place to ensure that the resource is being managed in an ecologically sustainable way (see Table 1)</li> <li>• the operation of the Southern Bluefin Tuna Fishery is unlikely to be unsustainable and threaten biodiversity within the next three years, and</li> <li>• the Environment Protection and Biodiversity Conservation Regulations 2000 (EPBC Regulations) do not specify fish as a class of animal in relation to the welfare of live specimens.</li> </ul>
Section 303CG Minister may issue permits (CITES species)	Comment
<p>(3) The Minister must not issue a permit unless the Minister is satisfied that:</p> <ul style="list-style-type: none"> <li>(a) the action or actions specified in the permit will not be detrimental to, or contribute to trade which is detrimental to: <ul style="list-style-type: none"> <li>(i) the survival of any taxon to which the specimen belongs; or</li> </ul> </li> </ul>	<p><b>Not applicable.</b></p> <p>The fishery does not harvest species listed under CITES.</p>

(ii) the recovery in nature of any taxon to which the specimen belongs; or	<p><b>Not applicable.</b></p> <p>See above. The fishery does not harvest species listed under CITES.</p>
(iii) any relevant ecosystem (for example, detriment to habitat or biodiversity); and	<p><b>Not applicable.</b></p> <p>See above. The fishery does not harvest species listed under CITES.</p>
<b>Section 303DC Minister may amend list (non CITES species)</b>	<b>Comment</b>
<p>(1) The Minister may, by legislative instrument, amend the list referred to in section 303DB [list of exempt native specimens] by:</p> <p>(a) doing any of the following:</p> <p>(i) including items in the list;</p> <p>(ii) deleting items from the list;</p> <p>(iii) imposing a condition or restriction to which the inclusion of a specimen in the list is subject;</p> <p>(iv) varying or revoking a condition or restriction to which the inclusion of a specimen in the list is subject; or</p> <p>(b) correcting an inaccuracy or updating the name of a species.</p>	<p>The Department recommends that specimens that are or are derived from fish or invertebrates harvested in the Commonwealth Southern Bluefin Tuna Fishery, as defined in the <i>Southern Bluefin Tuna Fishery Management Plan 1995</i> in force under the <i>Fisheries Management Act 1991</i> (Cth), but not including</p> <ul style="list-style-type: none"> <li>specimens that belong to eligible listed threatened species, as defined under section 303BC of the EPBC Act, or</li> <li>specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia's CITES list).</li> </ul> <p>be included in the list of exempt native specimens while the Southern Bluefin Tuna Fishery is subject to a declaration as an approved wildlife trade operation.</p>
<p>(1A) In deciding to amend the LENS, the Minister must rely primarily on the outcomes of an assessment under Part 10, Divisions 1 or 2</p>	<p><b>Meets</b></p> <p>The fishery was assessed under Part 10 of the EPBC Act in November 2004. In conducting this assessment, the Department considered that actions taken in the fishery would not have an unacceptable or unsustainable impact on the environment in a Commonwealth marine area. Consequently, the <i>Southern Bluefin Tuna Fishery Management Plan 1995</i> (as amended) was accredited under section 33 of the EPBC Act.</p> <p>AFMA has informed the Department of amendments to the fishery's management arrangements since that accreditation. The Department's previous assessments for this fishery (2007, 2010, 2013, and 2016) took into account more recent amendments to the fishery's management arrangements. AFMA has advised that no further amendments have been made to the fishery's management arrangements since 2013.</p>

(1C) The above does not limit matters that may be considered when deciding to amend LENS.	<p><b>Meets</b></p> <p>The Department considers that it has taken into account all matters relevant to making an informed decision to amend the list of exempt native specimens to include product taken in this fishery.</p>
<p>(3) Before amending the LENS, the Minister must consult:</p> <p>(a) other Minister or Ministers as appropriate; and</p> <p>(b) other Minister or Ministers of each State and self-governing Territory as appropriate; and</p> <p>(c) other persons and organisations as appropriate.</p>	<p><b>Meets</b></p> <p>The submission from AFMA was made available on the Department's website from <b>2 August 2019 to 9 September 2019</b>. One comment was received.</p>
(5) A copy of an instrument made under section 303DC is to be made available for inspection on the internet.	<p><b>Meets</b></p> <p><b>Yes</b>, the instrument made under section 303DC(1)(a) for the fishery will be registered on the Federal Register of Legislation, and a link to the instrument made available through the Department's website at <a href="http://environment.gov.au/marine/fisheries/commonwealth/southern-bluefin">http://environment.gov.au/marine/fisheries/commonwealth/southern-bluefin</a>.</p> <p>Under subsection 56(1) of the <i>Legislation Act 2003</i> (CTH), registration on the FRL meets the requirements for gazettal.</p>
<b>Section 303FN Approved wildlife trade operation</b>	<b>Comment</b>
(2) The Minister may, by instrument published in the <i>Gazette</i> , declare that a specified wildlife trade operation is an <b>approved wildlife trade operation</b> for the purposes of this section.	<p><b>Meets</b></p> <p><b>Yes</b>, the instrument to declare the fishery as an approved wildlife trade operation under section 303FN will be registered on the Federal Register of Legislation and a link to the instrument made available through the Department's website at <a href="http://environment.gov.au/marine/fisheries/commonwealth/southern-bluefin">http://environment.gov.au/marine/fisheries/commonwealth/southern-bluefin</a>.</p> <p>Under subsection 56(1) of the <i>Legislation Act 2003</i> (CTH), registration on the FRL meets the requirements for gazettal.</p>
<p>(3) The Minister must not declare an operation as an approved wildlife trade operation unless the Minister is <b>satisfied</b> that:</p> <p>(a) the operation is consistent with the objects of Part 13A of the Act; and</p>	<p><b>Meets</b></p> <p>The fishery is consistent with Objects of 13A – see above assessment against the Guidelines.</p>
(b) the operation will not be detrimental to:	<p><b>Meets</b></p> <p>The fishery will not be detrimental to the survival or conservation status of a taxon to which it relates, nor will it threaten any relevant ecosystem, within the next <b>three years</b>, given the</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>management measures currently in place, which include the arrangements described above (see Guidelines assessment).</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><b>Meets</b></p> <p>The EPBC Regulations do not specify Crustacea or fish as a class of animal in relation to the welfare of live specimens.</p>
<p>(d) such other conditions (if any) as are specified in the regulations have been, or are likely to be, satisfied.</p>	<p><b>Meets</b></p> <p>No other conditions are specified in relation to commercial fisheries in the EPBC Regulations.</p>
<p>(4) In deciding whether to declare an operation as an approved wildlife trade operation the Minister must have <b>regard</b> 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>Meets</b></p> <p>The Department considers that the operation of the fishery will not have a significant impact on any relevant ecosystem within the next <b>three years</b>, given the management measures currently in place, which include the arrangements described above (see Guidelines assessment).</p>
<p>(b) the effectiveness of the management arrangements for the operation (including monitoring procedures).</p>	<p><b>Meets</b></p> <p>The management arrangements that will be employed for the fishery as outlined in the assessment against the Guidelines (above) are likely to be effective.</p>
<p>(5) In deciding whether to declare an operation as an approved wildlife trade operation the Minister must have <b>regard</b> 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><b>Meets</b></p> <p>The fishery will be managed under the <i>Southern Bluefin Tuna Fishery Management Plan 1995</i>, made under the <i>Fisheries Management Act 1991</i> (Cth).</p> <p>The Fisheries Management Act applies throughout Commonwealth waters.</p> <p>The Department considers that the legislation is likely to be effective.</p>

(c) whether, in the opinion of the Minister, the legislation is effective.	
(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:  (a) the operation is a commercial fishery.	<b>Meets</b>  The Southern Bluefin Tuna Fishery is a commercial fishery.
(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.	<b>Meets</b>  The fishery was assessed under Part 10 of the EPBC Act in November 2004. In conducting this assessment, the Department considered that actions taken in the fishery would not have an unacceptable or unsustainable impact on the environment in a Commonwealth marine area in the short to medium term. Consequently, the <i>Southern Bluefin Tuna Fishery Management Plan 1995</i> was accredited under section 33 of the EPBC Act.  There have been no changes to the management plan since the Department's 2013 assessment for this fishery under the EPBC Act. Therefore, the Department considers the operation of the fishery is unlikely to result in impacts that are significantly greater on the environment in a Commonwealth area than those previously strategically assessed
(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.	
<b>Section 303FR Public consultation</b>	<b>Comment</b>
(1) Before making a declaration under section 303FN, the Minister must cause to be published on the Internet a notice:  (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.	<b>Meets</b>  A public notice, which set out the proposal to declare the Southern Bluefin Tuna Fishery an approved wildlife trade operation and included the application from AFMA, was released for public comment on 2 August 2019 until 9 September 2019, a total of 25 business days.



(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.	
(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><b>Meets</b></p> <p>One public comment was received on the submission. The public comment expressed concerns about the sustainability of the target species.</p> <p>The Department's assessment has considered the public comments received on the submission and addressed the issues raised through <b>Condition 5</b> (Accounting for all sources of mortality) and <b>Condition 6</b> (Implementing agreed CCSBT measures) (Section 4).</p>
<b>Section 303FT Additional provisions relating to declarations</b>		<b>Comments</b>
(1)	This section applies to a declaration made under section 303FN, 303FO or 303FP.	A declaration for the Southern Bluefin Tuna Fishery will be made under section 303FN.
(4)	<p>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> <p>(a) during a particular period; or</p> <p>(b) while certain circumstances exist; or</p> <p>(c) while a certain condition is complied with.</p> <p>In such a case, the instrument of declaration is to specify the period, circumstances or condition.</p>	<p>The standard conditions applied to commercial fishery wildlife trade operations include:</p> <ul style="list-style-type: none"> <li>operation in accordance with the management regime</li> <li>notifying the Department of changes to the management regime, and</li> <li>annual reporting in accordance with the requirements of the Australian Government Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition.</li> </ul> <p>The WTO instrument for this fishery specifies the standard and any additional conditions applied.</p>
(8)	A condition may relate to reporting or monitoring.	One of the standard conditions relates to reporting.
(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><b>Not applicable.</b></p> <p>No conditions have been revoked.</p>
(11)	A copy of an instrument under section 303FN, or this section is to be made available for inspection on the internet.	The instrument for the Southern Bluefin Tuna Fishery made under sections 303FN and the conditions under section 303FT will be registered as a notifiable instrument and made available through the Department's website.

## Part 16 – Precautionary principle and other considerations in making decisions

Section 391 Minister must consider precautionary principle in making decisions	Comment
<p>(1) Minister must take account of the precautionary principle in making a decision, to the extent that the decision is consistent with other provisions under this Act.</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 degradation of the environment where there are threats of serious or irreversible environmental damage.</p>	<p><b>Meets</b></p> <p>A precautionary approach is reflected in the management arrangements established by the CCSBT, and in the fishery management plan and domestic legislation administered by AFMA.</p> <p>Given the management arrangements, precautionary measures are considered to be in place to prevent serious or irreversible environmental damage being caused by this fishery. Management arrangements described above include annual monitoring of stocks against prescribed performance measures, harvest strategy, restrictions applicable to fishing gear, fishing methods, and area fished, and measures to mitigate risks to protected species, bycatch, and the marine environment in which the fishery operates.</p>

## SECTION 4: COMMONWEALTH SOUTHERN BLUEFIN TUNA FISHERY – SUMMARY OF ISSUES REQUIRING CONDITIONS, NOVEMBER 2019

Issue	Condition
<p><b><u>General Management</u></b></p> <p>Export decisions relate to the management arrangements in force at the time of any decisions made under the EPBC Act. To ensure that the decisions remain valid and export approval continues uninterrupted, the Department needs to be advised of any changes that are made to the management regime in order to assess whether 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 operational and legislated amendments that may affect the sustainability of the target species or negatively impact on byproduct, bycatch, EPBC Act protected species or the ecosystem.</p> <p>This fishery is managed by AFMA in accordance with the <i>Southern Bluefin Tuna Fishery (SBT) Management Plan 1995</i>, made under the <i>Fisheries Management Act 1991</i> (Cth) (see <b>Condition 1</b>).</p> <p>There has been no changes to the fishery management plan since the 2016 assessment for this fishery. In October 2019, the <i>Fisheries Management Regulations 2019</i> (Cth) replaced the <i>Fisheries Management Regulations 1992</i> (Cth) and <i>Fisheries Management (Southern Bluefin Tuna Fishery) Regulations 1995</i> (Cth). Changes include a definition for VMS, and clarify operators' obligations to ensure the nominated vessel has an approved VMS fitted. The changes also clarify definitions and language in relation to catch limits for species managed under OCS agreements, and introduce measures that allow for the processing of swordfish and striped marlin whilst at sea. The amendments also allow AFMA to enforce electronic reporting requirements for fish receivers, and provides for a more streamlined process for AFMA to dispose of marine debris.</p>	<p><b>Condition 1:</b></p> <p>Operation of the Commonwealth Southern Bluefin Tuna Fishery will be carried out in accordance with the <i>Southern Bluefin Tuna Fishery Management Plan 1995</i> in force under the <i>Fisheries Management Act 1991</i> (Cth).</p> <p><b>Condition 2:</b></p> <p>The Australian Fisheries Management Authority to inform the Department of the Environment and Energy of any intended material changes to the Commonwealth Southern Bluefin Tuna Fishery management arrangements that may affect the assessment against which <i>Environment Protection and Biodiversity Conservation Act 1999</i> decisions are made.</p>
<p><b><u>Annual Reporting</u></b></p> <p>It is important that AFMA produce and present reports to the Department annually in order for the performance of the fishery and progress in implementing the conditions described in this report and other managerial commitments to be monitored and assessed throughout the life of the export approval. Annual reports should follow Appendix B to the 'Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition'. They should also include a description of the fishery, the management arrangements in place, research and monitoring outcomes, recent catch data for all sectors of the fishery, status of target stock, interactions with EPBC Act protected species, impacts of the fishery on the ecosystem in which it operates and progress in implementing the Department's conditions described in the previous assessment for the fishery. Electronic copies of the guidelines are available from the Department's website at</p>	<p><b>Condition 3:</b></p> <p>The Australian Fisheries Management Authority to produce and present reports to the Department of the Environment and Energy annually as per Appendix B of the <i>Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition</i>.</p>

Issue	Condition
<a href="http://www.environment.gov.au/resource/guidelines-ecologically-sustainable-management-fisheries">http://www.environment.gov.au/resource/guidelines-ecologically-sustainable-management-fisheries</a> .	
<p><b><u>Estimates of southern bluefin tuna catch in the purse seine sector</u></b></p> <p>Having accurate estimates of commercial catch is important to ensure the effective management and recovery of global southern bluefin tuna stock. Australia continues to pursue increased transparency in the monitoring of its commercial catch and national allocations.</p> <p>Previous assessments for this fishery indicated that AFMA was undertaking a research project into automation of stereo-video monitoring technology to improve catch estimates. In 2011, this technology was demonstrated to be a more reliable means of accounting for southern bluefin tuna caught by purse seining compared with existing catch monitoring techniques.</p> <p>At the 24th annual meeting of the CCSBT in 2017, the CCSBT encouraged the implementation of best practice stereo video monitoring. At that meeting, Australia reiterated its commitment to implement stereo video monitoring when a fully automated and cost effective system is available. AFMA continues to investigate the use of alternate technologies and methodologies that may improve the catch estimates in the purse seine sector. However, no further advances in this technology have been reported in recent years.</p> <p>Given the benefits outlined in previous studies, the Department considers it important that AFMA investigate measures to re-new studies such as stereo-video monitoring that aim to improve catch estimates.</p>	<p><b>Condition 4:</b></p> <p>The management arrangements for the Commonwealth Southern Bluefin Tuna Fishery to implement catch monitoring technologies which provide a high degree of confidence in the estimates of southern bluefin tuna catch in the purse seine sector.</p>
<p><b><u>Accounting for all sources of mortality</u></b></p> <p>To avoid overfishing, total allowable catch limits for fish species are set based on stock assessments and the best available science. However, these assessments only consider the recruitment and mortality from the commercial fishery. Very little information is available for the amounts taken in the recreational, charter, and Indigenous sectors, or any other anthropogenic and natural sources</p> <p>Given this species high value and demand, it is important that all sources of mortality are considered and accounted when assessing the stock and setting the TAC for this fishery. Failure to account for all sources of mortality could lead to catch limits being set too high, and reduce the probability of achieving the rebuilding targets for southern bluefin tuna.</p> <p>The Department of Agriculture is undertaking a survey of recreational fishing for southern bluefin tuna in Commonwealth waters. The survey will run until December 2019 with the results anticipated for release in 2020. It is important that any recommendations or further research opportunities from that survey be considered as part of future management measures and stock</p>	<p><b>Condition 5:</b></p> <p>Management arrangements for the Commonwealth Southern Bluefin Tuna Fishery to begin accounting for all sources of mortality for southern bluefin tuna in Australian waters (commercial, Indigenous and recreational), following the delivery of the results of the national survey of recreational fisher effort, catch, release and harvest estimates of Southern Bluefin Tuna (SBT) by the Department of Agriculture.</p>

Issue	Condition
assessments, and the survey results reported as part of the annual reporting requirements (see Condition 3 above).	
<p><b><u>Implementing agreed CCSBT measures</u></b></p> <p>With the global stock of southern bluefin tuna below the level at which maximum sustainable yield can be achieved, recovering the stock is a high priority for Australia and other CCSBT members. The CCSBT is currently considering a new Management Procedure to manage the stock beyond 2020. It is important that AFMA, through the Australian delegation to the CCSBT, contribute to recovering the stock by implementing all measures agreed at CCSBT in the Australian domestic fishery, through Australian domestic arrangements.</p>	<p><b>Condition 6:</b></p> <p>The management arrangements for the Commonwealth Southern Bluefin Tuna Fishery to continue to implement all relevant measures agreed by the Commission for the Conservation of Southern Bluefin Tuna in the Commonwealth Southern Bluefin Tuna Fishery, to the extent that these are within the remit of AFMA, to support the recovery of the southern bluefin tuna stock to ecologically sustainable levels.</p>

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