

**THE SOUTH COAST COMMERCIAL
FISH TRAP, G-NET AND OPEN-ACCESS LINE
AND NET SCALEFISH FISHERIES AND SQUID
JIG FISHERY REVIEW**

Discussion Paper

FISHERIES MANAGEMENT PAPER NO. 270

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Government of **Western Australia**
Department of **Fisheries**

The South Coast Commercial Fish Trap, G-Net and Open-Access Line and Net Scalefish
Fisheries and Squid Jig Fishery Review

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1.0 PURPOSE OF THIS PAPER

The purpose of this paper is to set the context for the Review of South Coast Commercial Fish Trap, G-net and Open-Access Line and Net Scalefish Fisheries and Squid Jig Fishery (Review). This includes providing an overview of these fisheries, summarising the issues relevant to these fisheries and providing the Department of Fisheries' (Department) proposed direction for the future management of these fisheries on the South Coast for discussion and consultation. This paper was designed and prepared by the Department to encourage public involvement in the development of formal management proposals that will form the basis for the development of formal management arrangements for these fisheries under the Review.

1.1 Opportunity for comment

Comments regarding the contents of this discussion paper are sought from all stakeholders, including commercial and recreational fishers, industry members and organisations, relevant community interest groups, government agencies and interested members of the public.

Following consideration of the management-related matters raised in submissions on the discussion paper, the Department will finalise proposals for consultation with those that are likely to gain access to the relevant fishery/fishing activity. While this is occurring the Department will establish an Independent Panel to consider and make recommendations on future access to the FBL condition (fish trap and G-net fishing¹) and open-access activities/fisheries (i.e. line, squid and net fishing) for the purposes of the Review. The recommendations will then be considered by the Department and subject to the Minister for Fisheries (Minister) approval, form the basis of legislation to give effect to the future management of these fisheries.

Although specific proposals have been outlined for comment, your views are sought on any of the matters in the document that are of significance to you and/or your group.

To ensure your submission is meaningful, please:

- Make your comments clear and concise.
- Reference the relevant topic sections and page numbers in this paper.
- Describe briefly each topic or issue you wish to discuss.
- State whether you agree or disagree with any or all of the information within each topic, or just what is of specific interest to you. Clearly state your reasons and interest in the issue (i.e. whether you are a commercial fisher, recreational fisher or simply an interested community member), particularly if you disagree, and give sources of information where possible.
- Suggest alternatives to address any issues that you disagree with.

¹ Development of formal management arrangements for the G-net fishery is subject to the outcomes of the G-net fishery fisheries adjustment scheme and the review of herring stock status and management arrangements (due in late 2016).

Where and when to send your submission

The closing date for submissions is 6 November 2015. Please send your submission before this date, along with your full name, address, and association details (if applicable) to:

The Director General

Attention: Mr Shane Walters

The Department of Fisheries

Locked Bag 39

Cloisters Square Post Office

PERTH WA 6850

Or by email to:

Shane.Walters@fish.wa.gov.au

2.0 INTRODUCTION

The oceanic waters of the South Coast (between 115°30'S and the Western Australian/South Australian border) are the last in Western Australia (WA) where commercial open-access² line and net fishing activities remain. The rest of WA either has formal management arrangements in place for these fishing activities/methods or has been through a similar Review process.

Since finalising the West Coast and Gascoyne Wetline Review in 2007³, the Department has been making preparations to conduct a similar Review on the South Coast. To this end, the Department has met with South Coast commercial fishers and the Western Australian Fishing Industry Council (WAFIC) during intervening years to explore the scope of the Review.

On 11 November 2013, the Minister approved the Review. The purpose of the Review is to develop new and formal access and management arrangements for these South Coast fisheries. Following the Minister's decision, for the purposes of the Review, the Director General of the Department issued an investment warning to all Fishing Boat Licence (FBL) holders, setting a benchmark date of 9 December 2013 (**Appendix 1**).

On 18 December 2014, the Minister advised WAFIC and Recfishwest that as part of a package to address herring stock issues, the South Coast G-net fishery would be closed on 1 March 2015⁴. At that time the Minister also advised that it was his intention to establish a voluntary fisheries adjustment scheme for affected G-net fishers and to undertake a review of the status and management arrangements (including the ongoing closure of the G-net fishery) for herring in late 2016. The development of formal management arrangements for the G-net fishery through this Review will be subject to the outcomes of the G-net fishery voluntary fisheries adjustment scheme and the review of herring stock status and management arrangements (due in late 2016).

Noting the importance of addressing all South Coast open-access fisheries to prevent a shift in effort from those who do not gain access to other open-access fishing methods, all South Coast open-access methods will be addressed as part of this Review.

The nature of these fisheries does not currently warrant complex or costly management arrangements. As such the Department is proposing to focus on implementing simple, cost effective and efficient management arrangements with the main priority being limiting access.

² Open-access commercial fisheries in Western Australia are fisheries whereby no specific legislative management arrangements (i.e. Notice or Management Plan) have been developed for that activity/method and any person that holds a CFL and an unrestricted FBL can fish.

³ Department of Fisheries 2007. Outcomes of the Wetline Review – The Minister for Fisheries' decisions in relation to the future management of the West Coast and Gascoyne commercial “wetline” fisheries. Fisheries Management Paper No. 224, Department of Fisheries, Western Australia.

⁴ Minister for Fisheries announcement regarding Australian herring future management. Source: <http://www.fish.wa.gov.au/About-Us/Media-releases/Pages/Getting-the-balance-right-for-Herring-recovery.aspx>.

2.1 Review Objectives

The goal of this Review is to implement formal management arrangements for South Coast commercial fish trap, G-net⁵ and open-access line and net scalefish fisheries and squid jig fishery having regard for the following objectives:

1. That the exploitation of fish stocks is conducted in a manner consistent with the principles of Ecologically Sustainable Development (ESD)⁶;
2. That the regulatory framework encourages economic efficiency and viability;
3. That the management arrangements implemented are consistent with Integrated Fisheries Management⁷; and
4. That the management arrangements implemented are cost-effective and consistent with the principles of Minimum Effective Regulation.

2.1.1 *Objective 1 - That the exploitation of fish stocks is conducted in a manner consistent with the principles of ESD*

The development of formal management arrangements for these fisheries needs to be considered within the framework of ESD. ESD provides a risk based approach to the management of fisheries and their associated ecosystems. This includes consideration for retained species (target and byproduct species), discarded species and species interaction (non-commercial, threatened, endangered and protected species), general ecosystem (impacts on the biological community and benthic habitats), socio-economic impacts, governance systems and external drivers. Risks identified during this Review that fall under any of the above mentioned categories need to be accounted for in the development of formal management arrangements for these fisheries.

Extending on ESD is Ecosystem Based Fisheries Management (EBFM), which aims to manage high-level ecological resources/assets at a bioregional level (in this case the South Coast Bioregion). The fisheries under this Review either overlap or are adjacent to other commercial fisheries which target similar demersal scalefish (i.e. the Joint Authority Southern Demersal Gillnet and Demersal Longline Fishery [JASDGDLF] and the Commonwealth Great Australian Bight Trawl Fishery) and nearshore scalefish species (i.e. the South Coast Salmon Managed Fishery [SCSMF] and the South Coast Estuarine Managed Fishery [SCEMF]). The combined impacts of these activities mean there may be risks at a resource level that need to be accounted for in the development of formal management arrangements for the fisheries within this Review.

⁵ Development of formal management arrangements for the G-net fishery is subject to the outcomes of the G-net fishery fisheries adjustment scheme and the review of herring stock status and management arrangements (due in late 2016).

⁶ Fletcher, R. 2002. Policy for the Implementation of Ecologically Sustainable Development for Fisheries and Aquaculture within Western Australia. Fisheries Management Report No. 157. Department of Fisheries, Western Australia. 71pp.

⁷ Department of Fisheries, Western Australia. 2009. Integrated Fisheries Management: Government Policy. Department of Fisheries, Western Australia. pp.5.

Consideration of risks identified at a fishery or resource level through an ESD or EBFM approach when developing formal management arrangements will also benefit these fisheries if they decide to go to full assessment under the State Government's Marine Stewardship Council certification initiative⁸.

2.1.2 Objective 2 - That the regulatory framework encourages economic efficiency and viability and the commercial fishery provides social benefits to the Western Australian community

The development of formal management arrangements for the South Coast commercial fish trap, G-net and open-access line and net scalefish fisheries and squid jig fishery will provide stronger access rights for the commercial fishers that gain ongoing access to these fisheries. The introduction of formal management and greater security of access for commercial operators promotes investment in these fisheries. Given this, if through the Review, too many operators are given access to these fisheries in the absence of other controls to constrain catch and effort, the sustainability of target fish stocks and the broader ecosystem may be put at risk.

Hence, this objective is aimed at reaching a balance between removing latent effort, providing stronger access rights and promoting investment so that those fishers who gain access to these fisheries have the opportunity to develop sustainable, efficient and viable fishing entities providing ongoing benefits to the South Coast and Western Australian community.

2.1.3 Objective 3 - That the management arrangements implemented are consistent with Integrated Fisheries Management.

It is intended that, where possible, the implementation of formal management arrangements for South Coast commercial fish trap, G-net and open-access line and net scalefish fisheries and squid jig fishery does not unintentionally alter intra- or inter- sectoral catch shares. As such the Department's starting point when developing formal management arrangements for these fisheries is to maintain catch and/or effort at historical levels (including within the commercial sector or between commercial and recreational sectors) unless a decision has been made to change catch for sustainability or other reasons.

When developing formal management arrangements for these fisheries, the management framework needs to be consistent, where possible, with other managed fisheries that target scalefish on the South Coast or adjacently on the West Coast. Examples of consistent management arrangements could include the application of management zone boundaries that exist in other South Coast fisheries or input controls (operational requirements) that are consistent with other South Coast or West Coast scalefish fisheries.

⁸ The Western Australian State Government has invested \$14.5million to have all WA commercial fisheries independently assessed against the Marine Stewardship Council's environmental standard for sustainable fishing. Further information can be found at <http://wamsc.com.au/>.

2.1.4 Objective 4 – That the management arrangements implemented are cost-effective and consistent with the principles of Minimum Effective Regulation.

The Department will apply a risk based approach in developing the management frameworks for the Fisheries subject of the Review. This means the management frameworks will seek to provide the necessary tools to maintain the integrity of the stocks in the fishery without overburdening fishers with unnecessary regulation. As such, the Department is initially intending to implement a simple and cost effective limited entry management framework for these relatively small scale fisheries. Efficiencies in research, management and compliance will be made by keeping management arrangements as simple and as consistent as possible with other similar Western Australian fisheries.

2.2 Review Process

To achieve the Review objectives outlined in Section 2.1, the Review will comprise of four main components (Figure 1), including:

1. developing management proposals for South Coast commercial fish trap, G-net⁹ and open-access line and net scalefish fisheries and squid jig fishery under the Review;
2. engaging an Independent Access Panel (Panel) to independently assess and recommend criteria to determine ongoing access to open-access fisheries within the Review under new formal management arrangements;
3. assessing and applying outcomes of the South Coast Demersal Scalefish Stock Assessment; and
4. developing and implementing management arrangements for the South Coast commercial fish trap, G-net and open-access line and net scalefish fisheries and squid jig fishery through the development of formal management arrangements.

⁹ Development of formal management arrangements for the G-net fishery is subject to the outcomes of the G-net fishery fisheries adjustment scheme and the review of herring stock status and management arrangements (due in late 2016).

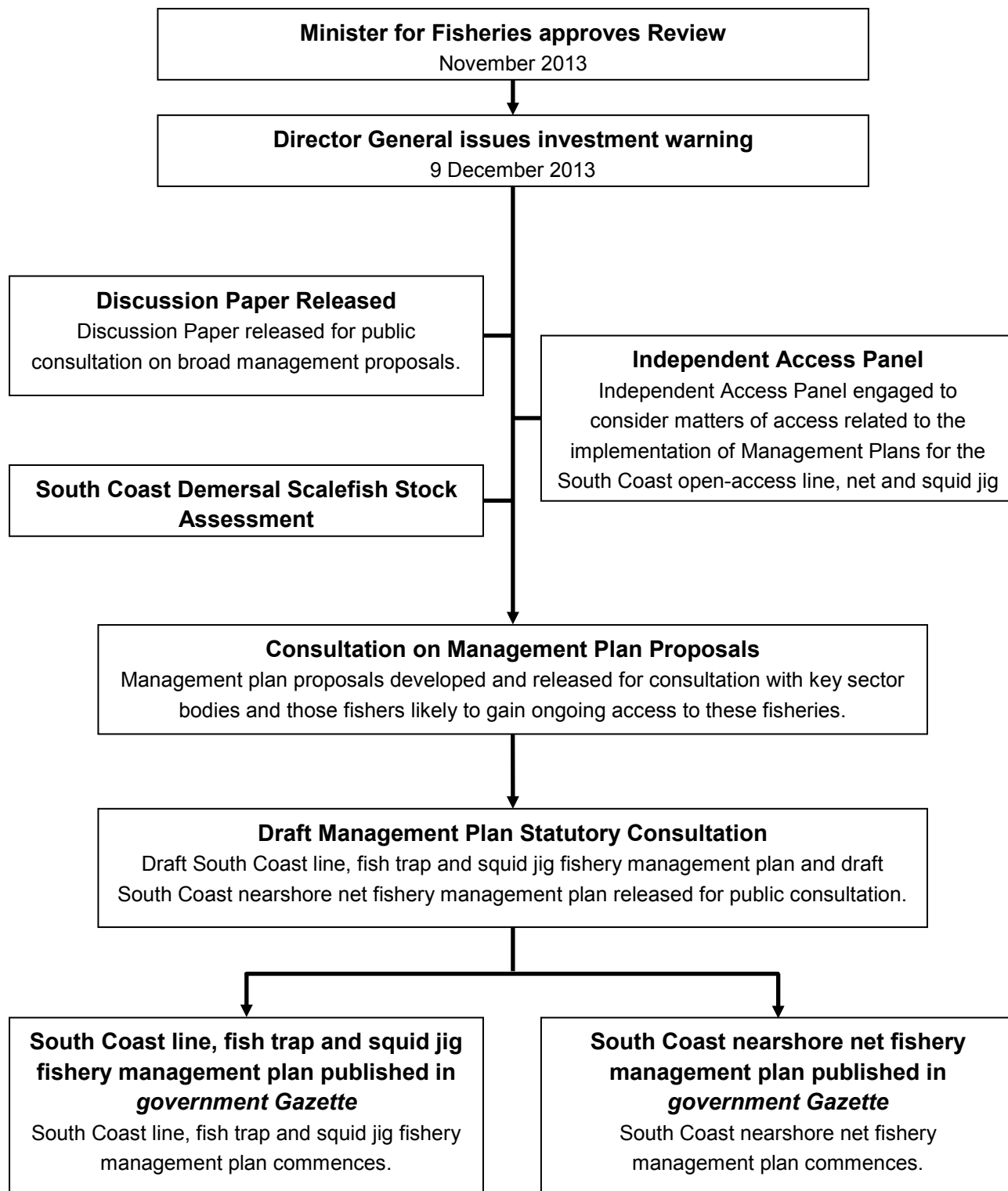


Figure 1. Outline of the key steps in the Review.

2.2.1 Developing Management Proposals

Prior to developing formal legislation in the form of Management Plans, it is important to gain stakeholder's views on the management proposals for the South Coast line, fish trap and squid jig fishery and the South Coast near shore net fishery under the Review. To develop

management proposals suitable to both fisheries (including specific methods within each fishery), the Department will follow the following steps:

1. Release this Fisheries Management Paper to introduce the issues and information relevant to the Review and to provide the Department's proposed direction for the future management of these fisheries on the South Coast for consultation.
2. Undertake consultation on the Department's proposed direction for the future management of these fisheries and survey South Coast fishers regarding their current fishing practices to better inform the development of future management. Consultation relating to this Fisheries Management Paper and the Department's management proposals may include, but is not limited to, holding briefings in key regional towns on the South Coast (i.e. Augusta, Albany, and Esperance), individual meetings with stakeholder groups, development of an industry working group and written submissions as outlined in this paper.
3. The outcomes of consultation on the management proposals will form the basis for the development of the Management Plans for the South Coast commercial fish trap, G-net and open-access line and net scalefish fisheries and squid jig fishery with those that are likely to gain access to these fisheries based on the Minister's decisions (following the Independent Access Panel process). The development of these management plans will include further consultation.

2.2.2 Independent Access Panel

The Director General of the Department will engage an Independent Access Panel (Panel) to recommend criteria for determining access to the South Coast commercial open-access line, net and squid jig fisheries. The Panel process will commence in mid-2015 and includes the following steps:

1. The Department develops draft Terms of Reference (ToR) and potential Panel members for the Panel in consultation with WAFIC and Recfishwest.
2. The Department provides the ToR and proposed Panel members to the Minister for his endorsement.
3. Members are appointed to the Panel.
4. The Panel works through information and consults with the Department, WAFIC, Recfishwest, commercial fishers and the community within the scope of the ToR.
5. The Panel provides a draft report including recommendations for determining access for each open-access fishery/method in the Review to the Department for consideration.
6. The Department undertakes consultation with WAFIC, Recfishwest, commercial fishers and the community on the draft report and recommendations and provides the outcomes of this consultation to the Panel.
7. The Panel considers the outcomes of consultation and provides a final report including recommendations for determining access for each open-access fishery/method in the Review to the Director General for her consideration.
8. The Department considers recommendations and provides final advice and recommendations to the Minister for his approval.
9. The Minister decides criteria to determine access.

2.2.3 South Coast Demersal Scalefish Stock Assessment

In 2013, a Western Australian Natural Resource Management (WANRM) funded research project commenced on the South Coast to:

- provide age based stock assessments of inshore demersal indicator species for the South Coast bioregion (pink snapper, Bight redfish, blue morwong and western blue groper); and
- to elucidate the stock structure of Bight redfish.

The South Coast Demersal Scalefish Stock Assessment and report is due to be finalised in late 2015 and will inform the development of more formal management arrangements for fisheries under this Review that take demersal scalefish on the South Coast.

2.2.4 Implementing Legislation

Following the finalisation of management proposals (see section 2.2.1), in-principle approval of access criteria (see section 2.2.2) and the South Coast demersal scalefish stock assessment (see section 2.2.3), the Department will seek the Ministers approval to commence consultation to develop management plans for a South Coast line, fish trap and squid jig fishery and a South Coast nearshore net fishery. The development of subsidiary legislation in the form of Management Plans will follow the process legislated under the FRMA and will require the following general steps:

1. Draft Management Plans consistent with the Minister's decisions relating to the outcomes of previous consultation regarding future management arrangements, the Independent Access Panel's recommended access criteria and the outcomes of the South Coast Demersal Scalefish Stock Assessment.
2. Release the draft Management Plans for statutory consultation with commercial and recreational fishers, sector representative bodies and the wider community.
3. Address comments received during the statutory consultation period and finalise the Management Plans.
4. Providing the Management Plans to the Minister for his approval.
5. Gazette new Management Plans.
6. Provide a four month period (two months prior and two months following the commencement of the new Management Plans in which commercial fishers are able to apply for a new permit or licence under the relevant Management Plans. Applications for a new licence will apply access criteria affront in the new Management Plans.

2.3 South Coast Bioregion Overview

The South Coast Bioregion waters extends from Black Point (115°30'E) to the South Australian border (129°E) (Figure 2). Continental shelf waters of the South Coast Bioregion are temperate and low in nutrients, due to the seasonal winter influence of the Leeuwin Current and limited terrestrial run-off. Sea surface temperatures typically range from approximately 15-21°C, which is warmer than would normally be expected at these latitudes due to the influence of the Leeuwin Current. The effect of the Leeuwin Current, particularly

west of Albany, limits winter minimum temperatures (away from terrestrial effects along beaches) to approximately 16-17°C.

The South Coast's high-energy environment, heavily influenced by large swells generated in the Southern Ocean, dictates the level of fishing effort in many of the South Coast open-access fisheries. The coastline from Cape Leeuwin to Israelite Bay is characterised by white sand beaches separated by high granite headlands. East of Israelite Bay, there are long sandy beaches backed by large sand dunes, until replaced by high limestone cliffs at the South Australian border. Areas of sheltered waters on the South Coast are restricted to the waters around Albany and in the Recherche Archipelago off Esperance.

Fish stocks in this region are predominantly temperate, with many species' distributions extending right across southern Australia. Tropical species are occasionally found, which are thought to be either brought into the area as larvae, or be migratory species that follow warm water currents and are unlikely to form breeding populations.

The major commercial fisheries in the South Coast Bioregion are the abalone fishery, the purse seine fishery (targeting pilchards and other small pelagic species) and the demersal gillnet and demersal longline fishery (targeting sharks and taking a low level of scalefish). Other smaller commercial fisheries include the beach seine fishery for Western Australian salmon, the South Coast Crustacean Fishery and an intermittent scallop fishery. There is also a commercial fishery (using lines, nets and traps taking scalefish and some crabs) operating in a number of South Coast estuaries. Due to seasonal fluctuations in stock abundance and highly variable weather conditions on the South Coast, South Coast commercial fishers often hold a number of licences to create viable year-round fishing operations.

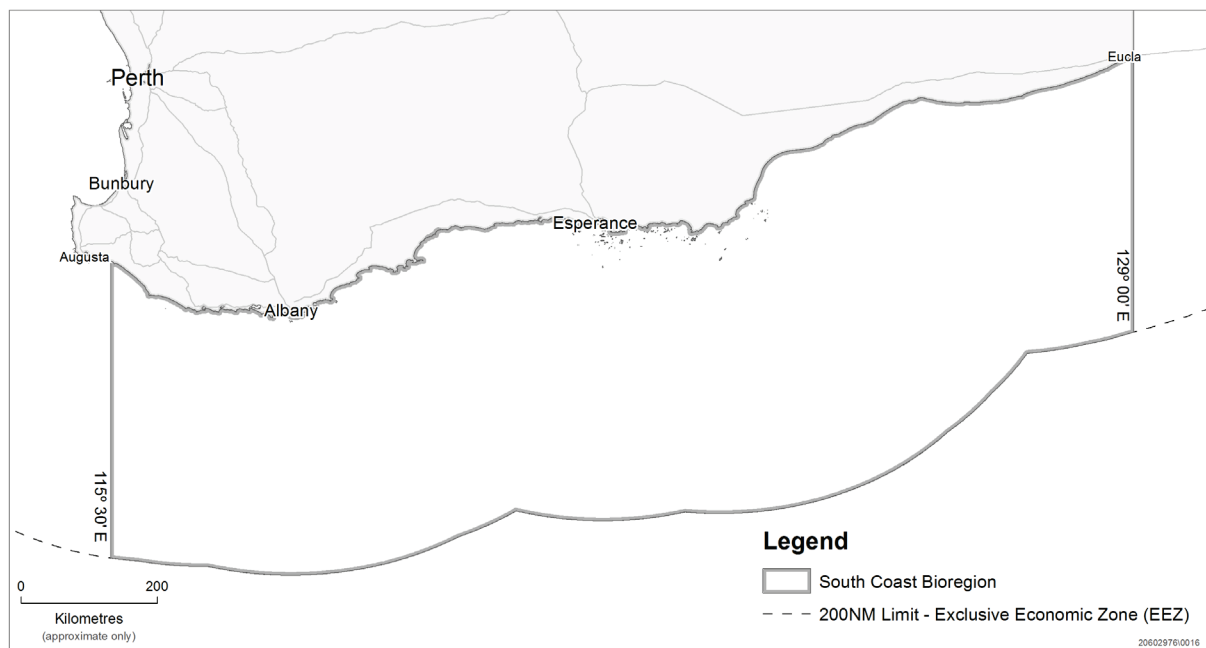


Figure 2. Waters of the South Coast Bioregion of Western Australia.

3.0 PROFILE OF SOUTH COAST FISHERIES UNDER REVIEW

The open-access nature of the existing arrangements means that currently, any person that holds a Commercial Fishing Licence (CFL) and an unrestricted FBL can fish for scalefish and squid using hook and line, beach seine and haul nets of any size or demersal gillnets with a mesh size of less than 114mm in the oceanic waters off the South Coast. All unrestricted FBLs in the state can legally fish using these methods on the South Coast. There are no specific restrictions on the types or quantities of this fishing gear that can be used or the quantity or species of scalefish (and squid) that can be taken, with the exception of any general prohibitions contained in the *Fish Resources Management Regulations 1995* (FRMR), Management Plans or Orders made under the *Fish Resources Management Act 1994* (FRMA).

Open-access line fishing on the South Coast includes boat fishing by hook and line for scalefish (e.g. by handlining, droplining or trolling) or fishing for squid using squid jigs. Open-access net fishing on the South Coast includes:

- haul netting (including beach seining), where a net is actively hauled onto the shore after encircling fish. It generally involves the use of a small boat and/or vehicle; and
- the use of demersal gillnets with a mesh size of less than 114mm¹⁰ where the net is set and left for a period of time and the fish are physically ‘gilled’ or tangled in the net.

In addition to these open-access fisheries, there are a number of fishers permitted to take scalefish fish by means of fish traps and herring G-nets on the South Coast. Access to these methods is governed by a permissive condition attached to an FBL. Specifically there are:

- 11 FBLs with Condition 74 permitting the use of an unlimited number of fish traps in the oceanic waters of the South Coast;
- one FBL with an exemption permitting the use of an unlimited number of fish traps in the oceanic waters of the South Coast;
- five FBLs with Condition 192 each permitting the use of 10 fish traps in King George Sound, Albany; and
- 43 FBLs which hold Condition 42 permitting the holder to use herring G-nets¹¹ (to catch herring) during certain times at nine beaches on the South Coast.

3.1 South Coast line, fish trap and squid jig fishery

As an outcome of this Review, it is the Departments intention to manage the current South Coast open-access line fishery (handline, dropline and trolling methods), South Coast open-access squid jig fishery and the South Coast FBL Condition fish trap fishery under a single management plan.

¹⁰ The use of demersal gillnets with a mesh size of greater than 114mm and the use of demersal longlines south of 33° S is managed by the *Joint Authority Demersal Gillnet and Demersal Longline Management Plan 1992*.

¹¹ Development of formal management arrangements for the G-net fishery is subject to the outcomes of the G-net fishery fisheries adjustment scheme and the review of herring stock status and management arrangements (due in late 2016).

3.1.1 Open-access line fisheries (excluding squid jigs)

Open-access line fishing includes fishing from a boat or shore using hooks and lines for scalefish¹² by handline, dropline or trolling.

3.1.1.1 Area of the South Coast open-access line fishery

Open-access line fishing occurs in the waters of the South Coast Bioregion between the waters of the West Coast Demersal Scalefish Interim Managed Fishery (WCDSIMF) at 115°30'S and the South Australian border. Over 76% of all open-access line (mainly handline and dropline methods) catch recorded on the South Coast between 2000 and 2013 was caught in coastal waters between the WCDSIMF boundary and Bremer Bay (Figures 3 & 4). However, the majority of open-access trolling catch recorded between 2000 and 2013 was concentrated in King George Sound and the oceanic waters surrounding Albany (Figure 5).

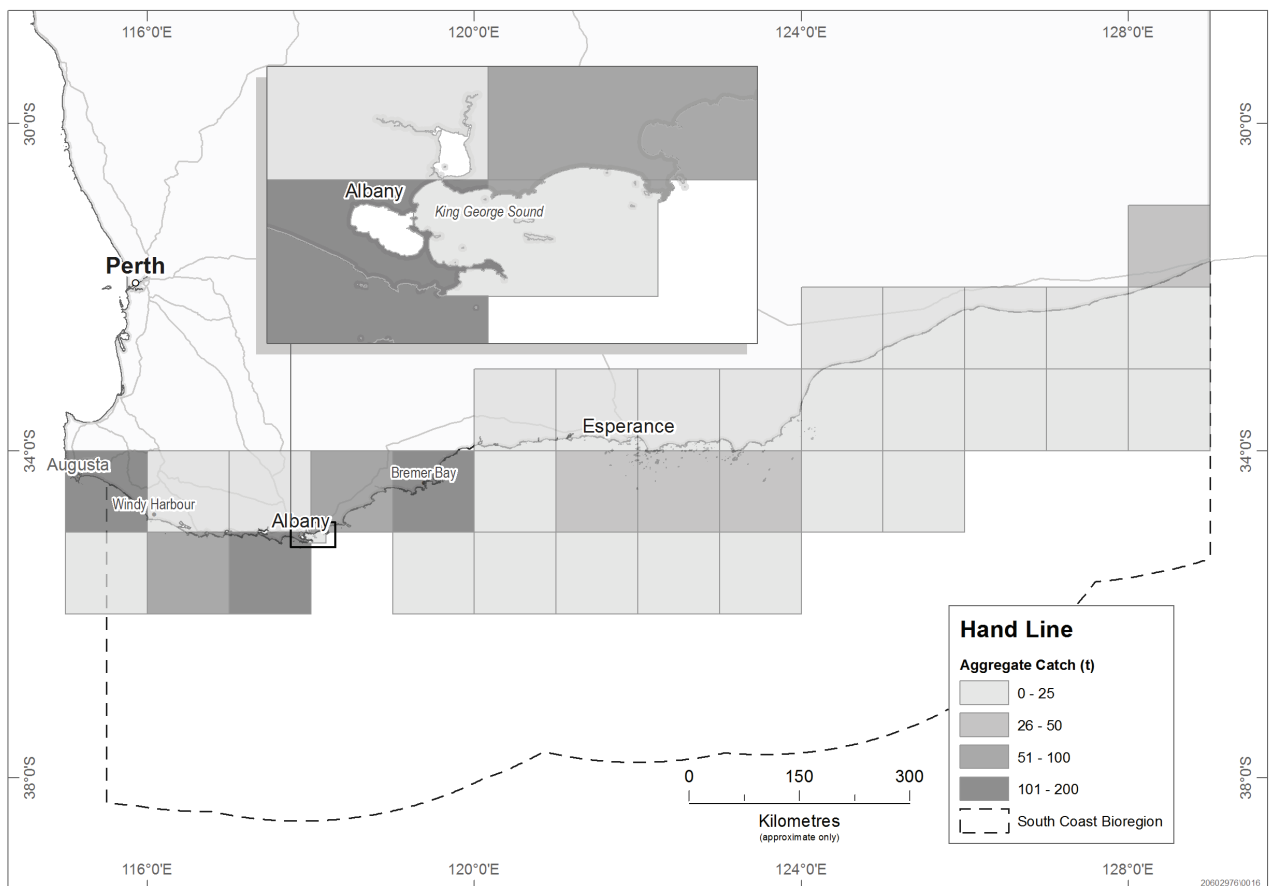


Figure 3. Total open-access handline catch by Catch and Effort Statistics (CAES) block on the South Coast between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

¹² Shark and ray species are currently protected in Western Australia and only fishers operating in specific fisheries are authorised to take them (i.e. Temperate DGDLF).

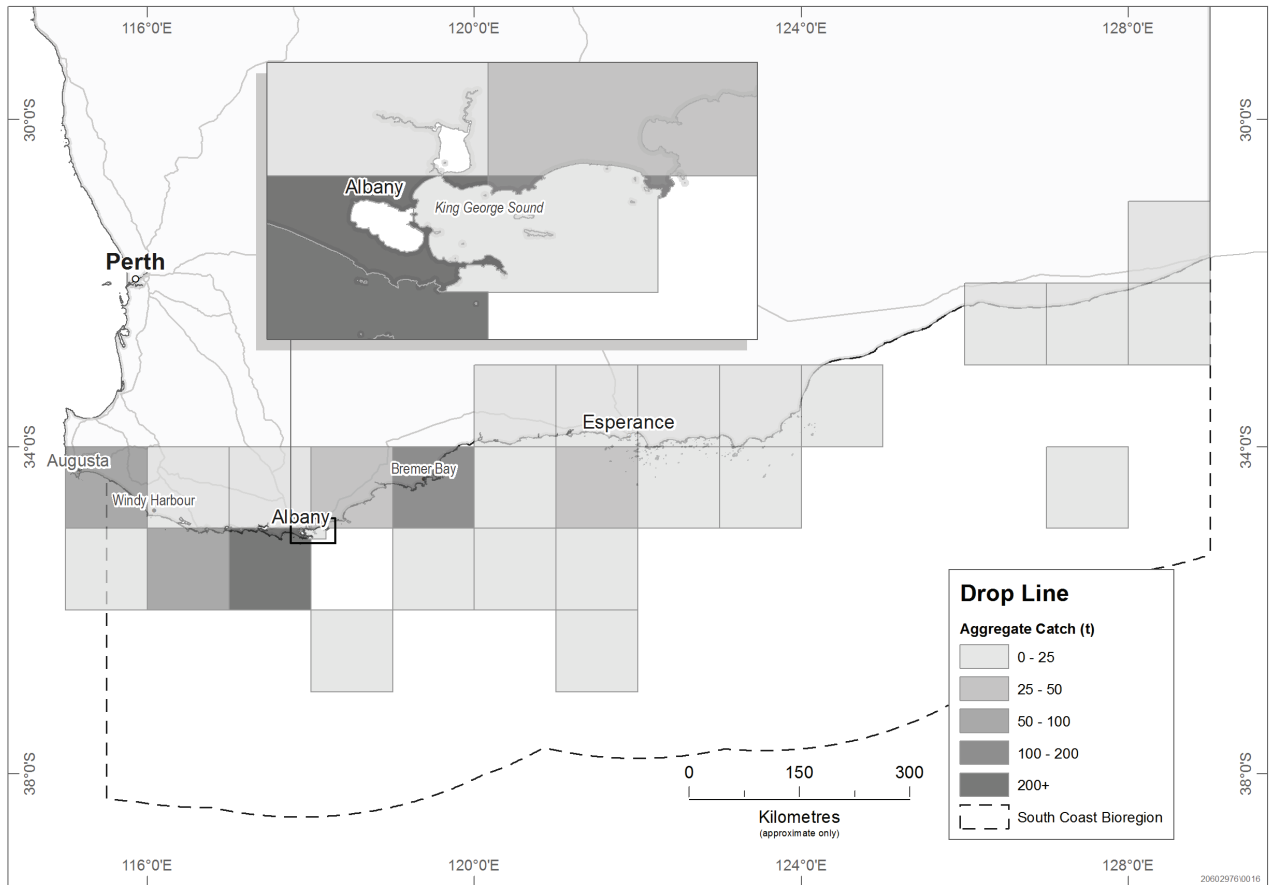


Figure 4. Total open-access dropline catch by CAES block on the South Coast between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

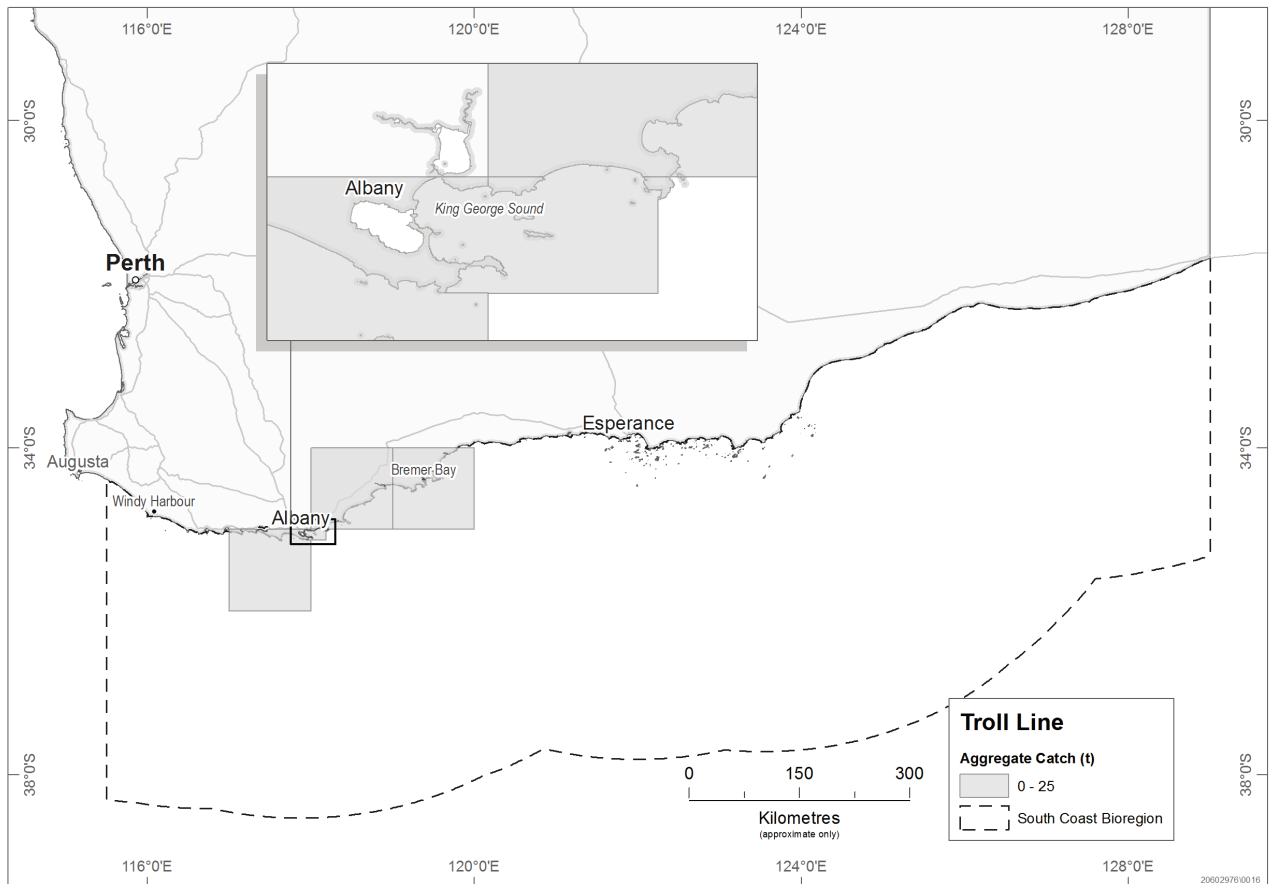


Figure 5. Total open-access trolling catch by CAES block on the South Coast between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

3.1.1.2 Open-access line fishery catch

Total annual open-access line catch recorded on the South Coast ranged from 100-168 tonnes between 2000 and 2013 (Figure 6). Over 75% of open-access line catch recorded on the South Coast between 2000 and 2013 was comprised of five species:

1. redfish species (comprising of redfish, bight redfish and yelloweye redfish);
2. pink snapper;
3. hapuku;
4. samson fish; and
5. Western Australian dhufish (Figure 6).

Open-access line catch recorded between 2000 and 2013 on the South Coast has shifted from a focus on the use of droplines to handlines, with the majority of trolling catch recorded in 2013 (Figure 7). Of the top five species caught between 2000 and 2013 using open-access line fishing methods on the South Coast, redfish species (combined reported catch of redfish, bight redfish and yelloweye redfish) and samson fish were caught evenly by both handline and dropline methods whereas 71% of pink snapper and 61% of WA dhufish was caught by handline (as opposed to dropline) and 70% of hapuku were caught using droplines (as opposed to handline). Over 93% of open-access trolling catch recorded on the South Coast between 2000 and 2013 comprised of Australian bonito.

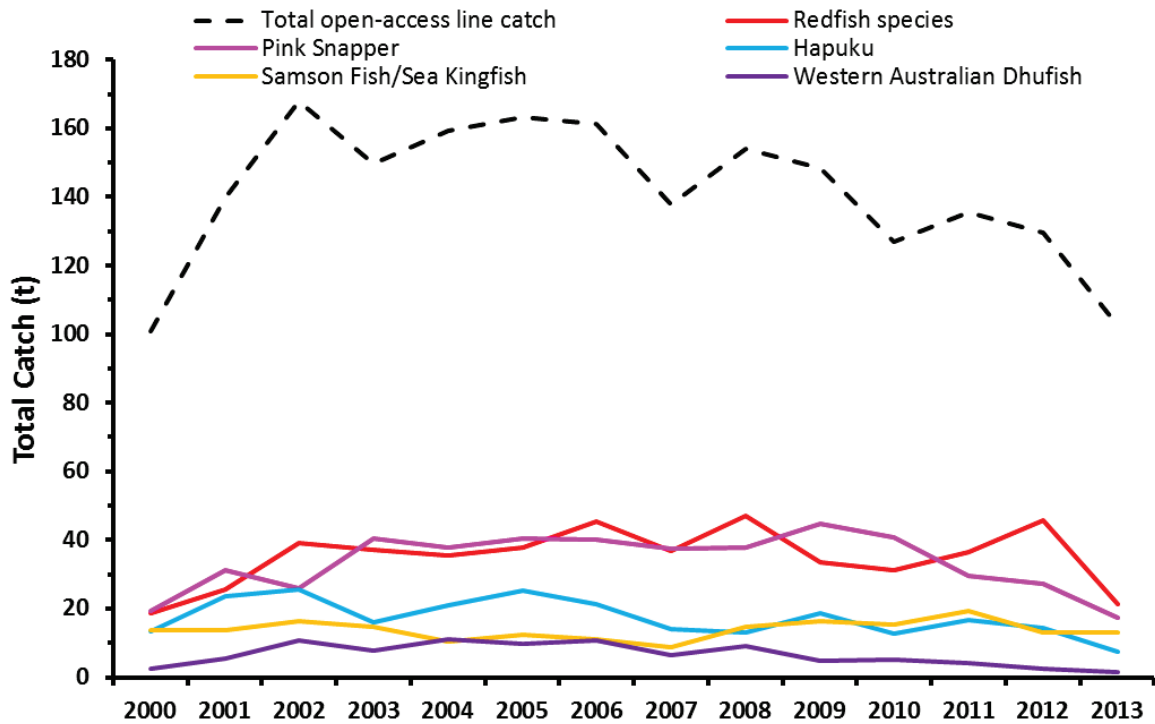


Figure 6. Total South Coast open-access line (handline, dropline and trolling) catch and top 5 species by volume recorded between 2000 and 2013. Note: total open-access line catch includes “other” species. Source: Statutory monthly returns from commercial fishers.

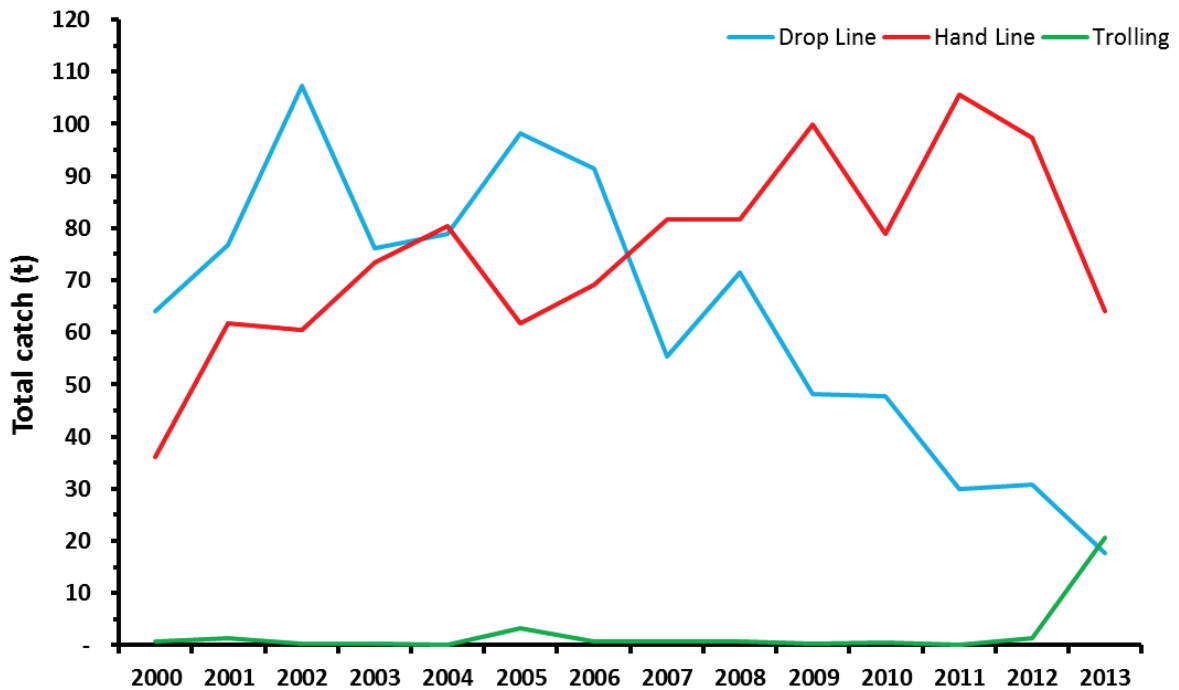


Figure 7. South Coast open-access handline, dropline and trolling catch recorded between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

3.1.1.3 Open-access line fishery FBL fishing effort

A total of 164 FBLs have recorded open-access line catch on the South Coast between 2000 and 2013. The number of FBLs that recorded open-access line catch on the South Coast ranged from 48-73 FBLs per annum between 2000 and 2013 (Figure 8). However, there is high variability in annual open-access line catch recorded by individual FBLs on the South Coast, with the majority of FBLs recording catches less than two tonnes in any year between 2000 and 2013 (Table 1). Over 63% of FBLs have recorded open-access line catch using multiple line methods (dropline, handline and/or trolling) with both dropline and handline methods the most popular fishing gear combinations on the South Coast between 2000 and 2013 (Table 2).

Table 1. Annual South Coast open-access line catch (handline, dropline and trolling) by FBLs between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

Catch	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
0-2 tonnes	44	42	47	50	51	44	41	39	29	29	31	34	43	33
2-10 tonnes	18	15	24	19	20	17	18	18	21	16	19	15	15	17
10+ tonnes	0	3	2	3	2	3	4	2	2	3	1	2	1	1
Total No. of FBLs	62	60	73	72	73	64	63	59	52	48	51	51	59	51

Table 2. FBL open-access line method usage on the South Coast between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

Method	Number of FBLs
Dropline and handline	83
Handline only	52
Handline and trolling	12
Dropline only	9
Dropline, handline and trolling	8
Dropline and trolling	0
Trolling only	0

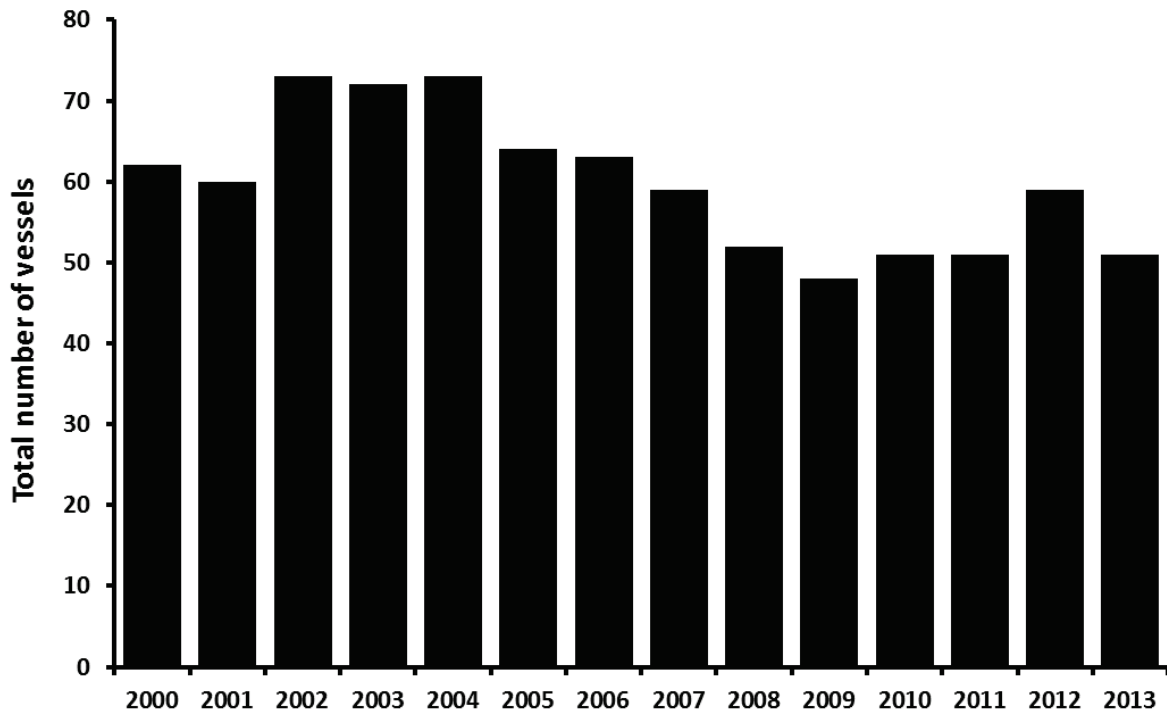


Figure 8. Annual number of FBLs that recorded South Coast open-access line catch (handline, dropline and trolling) between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

3.1.2 South Coast FBL Condition fish trap fisheries

Fish trapping on the South Coast is subject to a general prohibition¹³ and only permitted under a limited number of FBLs with fish trapping conditions attached. These conditions permit the use of oceanic fish traps to target finfish (Condition 74) and the use of fish traps to take leatherjackets in the waters of King George Sound (Condition 192). The Department has been working to transition the activities that are regulated by way of licence conditions to other more legislatively robust arrangements.

There are 11 FBLs issued with Condition 74, which states; “*The boat described herein is authorised to use fish traps for the purpose of taking FINFISH in the waters of the Southern Ocean east of Cape Leeuwin. Traps may not be used to take lobster*”. There is also an exemption for one FBL permitting the use of an unlimited number of fish traps in the oceanic waters of the South Coast (in line with FBL Condition 74).

Five FBLs have been issued with Condition 192, which states; “*The boat described herein is authorised - for the purpose of Notice 677 - to use Fish Traps for the purpose of taking Leatherjacket species only, in the waters of King George Sound. The maximum number of fish traps that is permitted to be used is 10. The number and area of use for Fish Traps may be varied by the Executive Director in writing to the endorsement holder. This endorsement is non-transferable*”.

¹³ *Fish Traps Prohibition Notice 1994 (Notice No. 677).*

3.1.2.1 Area of the South Coast FBL Condition fish trap fisheries

Oceanic fish trapping (FBL Condition 74) for finfish is permitted in the waters of the Southern Ocean east of Cape Leeuwin. Fish trapping under FBL Condition 192 for leatherjackets is permitted in the waters of King George Sound. Over 50% of the total South Coast fish trap catch recorded between 2000 and 2013 was caught between Augusta and Windy Harbour (Figure 9).

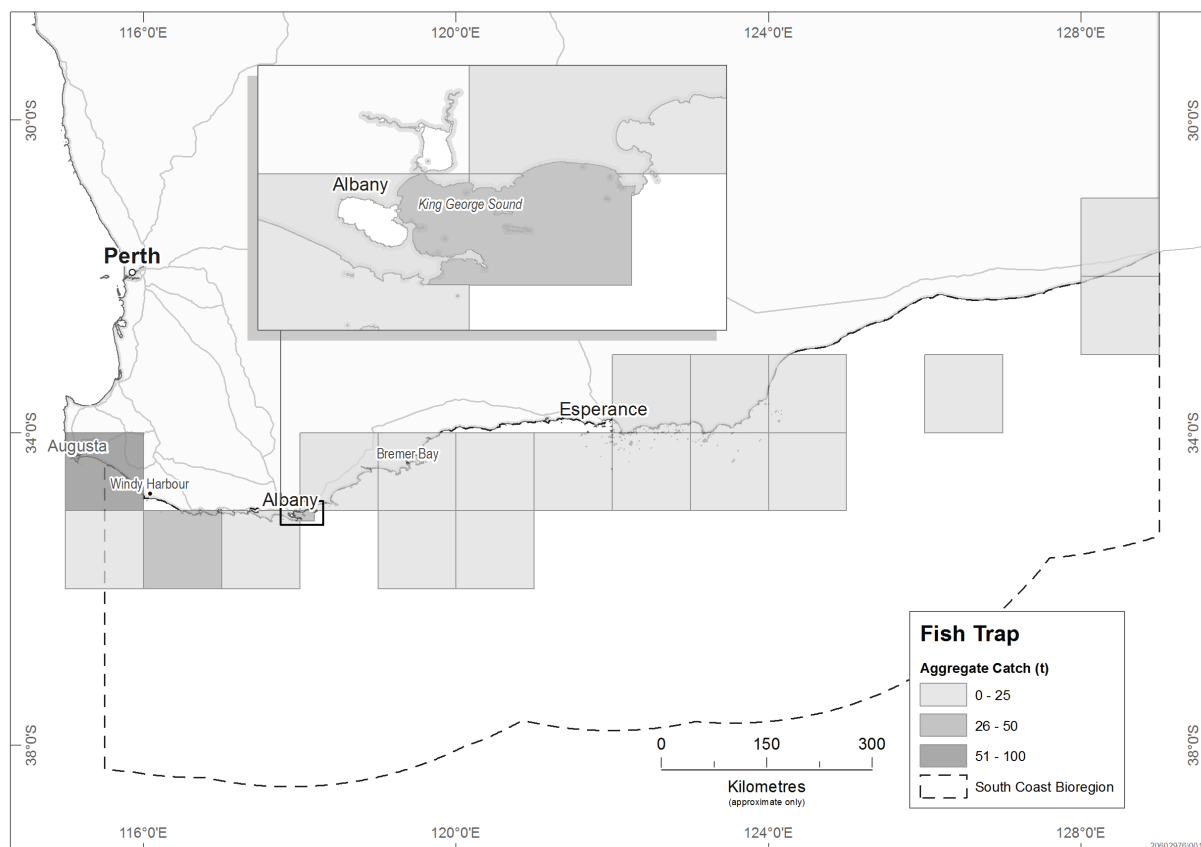


Figure 9. Total FBL condition fish trap catch by CAES block on the South Coast between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

3.1.2.2 South Coast FBL Condition fish trap fisheries catch

Total fish trap catch on the South Coast between 2000 and 2013 was dominated by oceanic fish trap catch (FBL Condition 74) with total annual catches ranging from 2.2 tonnes to 46.3 tonnes (Figure 10). Over 70% of total fish trap catch between 2000 and 2013 was caught in four years (2000-2003 and 2011).

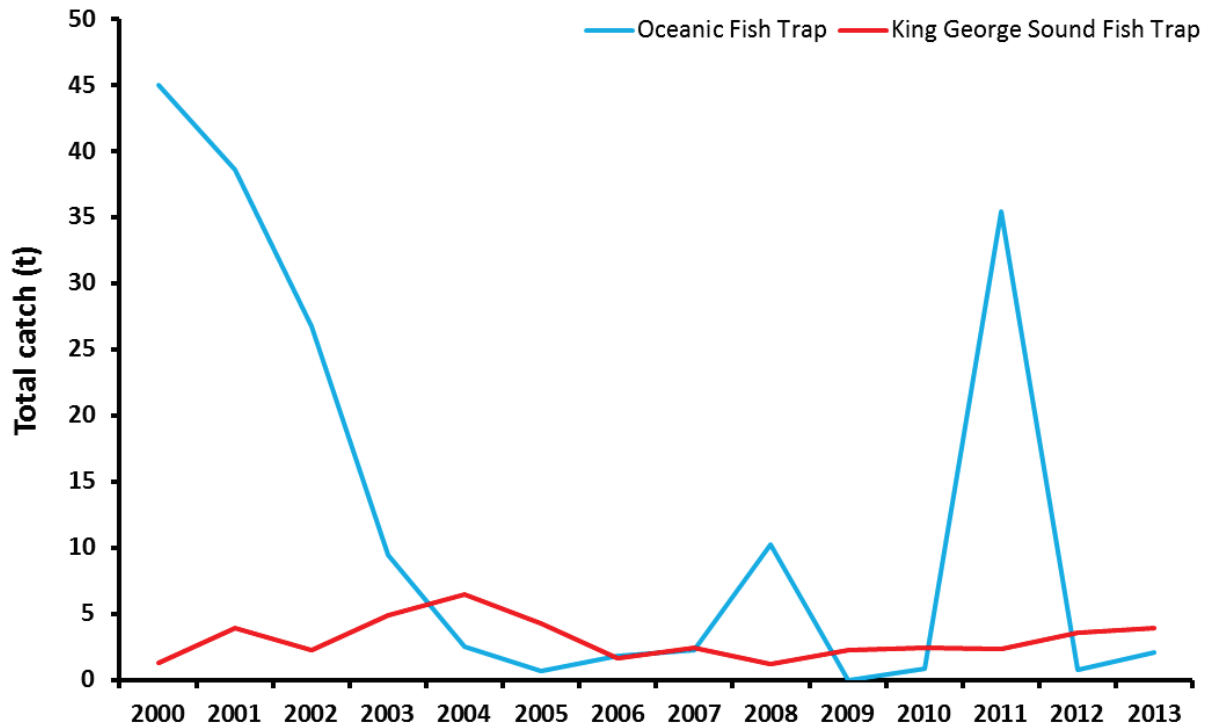


Figure 10. Total annual South Coast FBL Condition (Condition 74 and Condition 192) fish trap catch between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

Annual King George Sound fish trap catch (Condition 192) on the South Coast between 2000 and 2013 ranged from 1.2-6.4 tonnes. Over 97% of King George Sound fish trap catch (Condition 192) recorded between 2000 and 2013 was dominated by leatherjacket species.

Annual oceanic fish trap catch (Condition 74) between 2000 and 2013 ranged from 0-45 tonnes. Oceanic fish trap catch (Condition 74) was dominated by leatherjacket species (63.3% of total catch) and pink snapper (19.5% of total catch).

3.1.2.3 South Coast FBL Condition fish trap fisheries FBL fishing effort

A total of 15 FBLs have recorded fish trap catch on the South Coast between 2000 and 2013. Of these FBLs, 2-8 FBLs per annum have recorded fish trap catch on the South Coast between 2000 and 2013 (Figure 11).

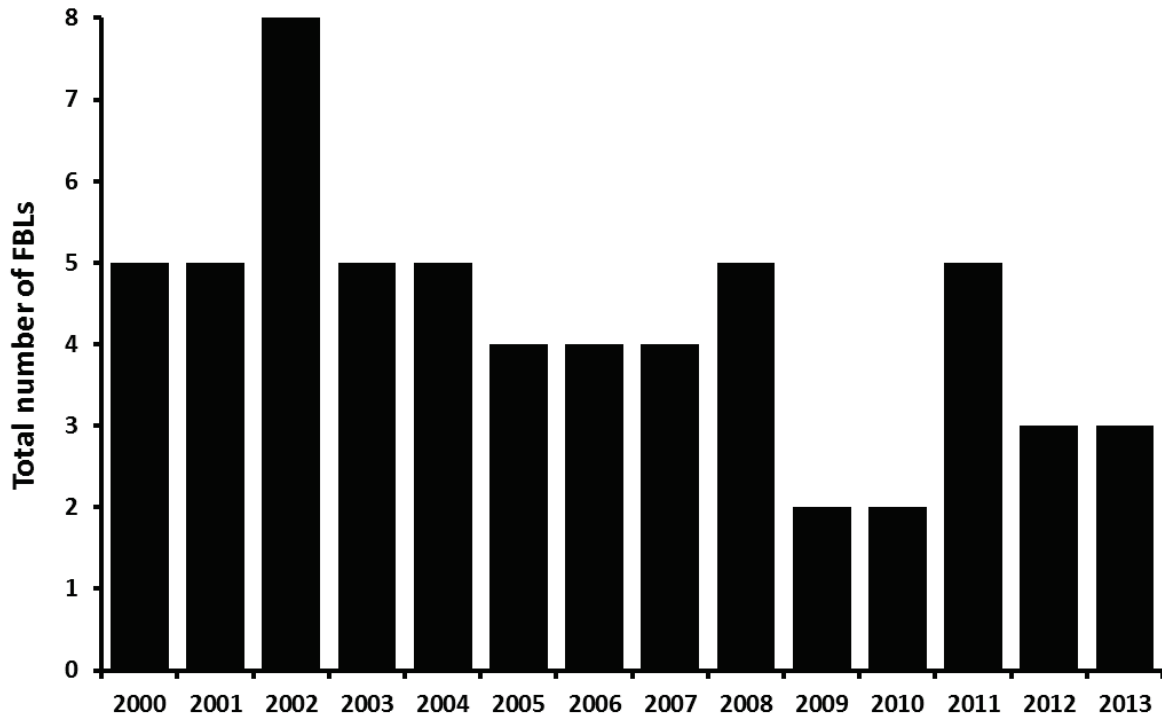


Figure 11. Annual number of FBLs that recorded fish trap catch on the South Coast between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

3.1.3 *Open-access squid jig fishery*

Fishers have reported prices in excess of \$18/kg for fresh squid which has increased the economic importance of the squid component of open-access fisheries catch on the South Coast. Squid fishing on the South Coast is typically undertaken by handline or dropline methods using squid jigs (baited or lures).

3.1.3.1 *Area of the open-access squid jig fishery*

Over 85% of South Coast open-access squid jig catch reported between 2000 and 2013 was caught in the waters surrounding Albany and in King George Sound (Figure 12). Some smaller catches extended from Albany to Bremer Bay.

3.1.3.2 *Open-access squid catch*

Annual South Coast open-access squid jig catch between 2000 and 2013 ranged from 3.9-20.9 tonnes with a trend of increasing catches (Figure 13). Over 98.8% of squid jig catch was comprised of squid followed by cuttlefish.

3.1.3.3 *Open-access squid jig fishery fishing effort*

South Coast open-access squid catch has been reported by 51 FBLs between 2000 and 2013. Of those 51 FBLs, 10-22 FBLs recorded open-access squid jig catch on the South Coast in any one year between 2000 and 2013 (Figure 14).

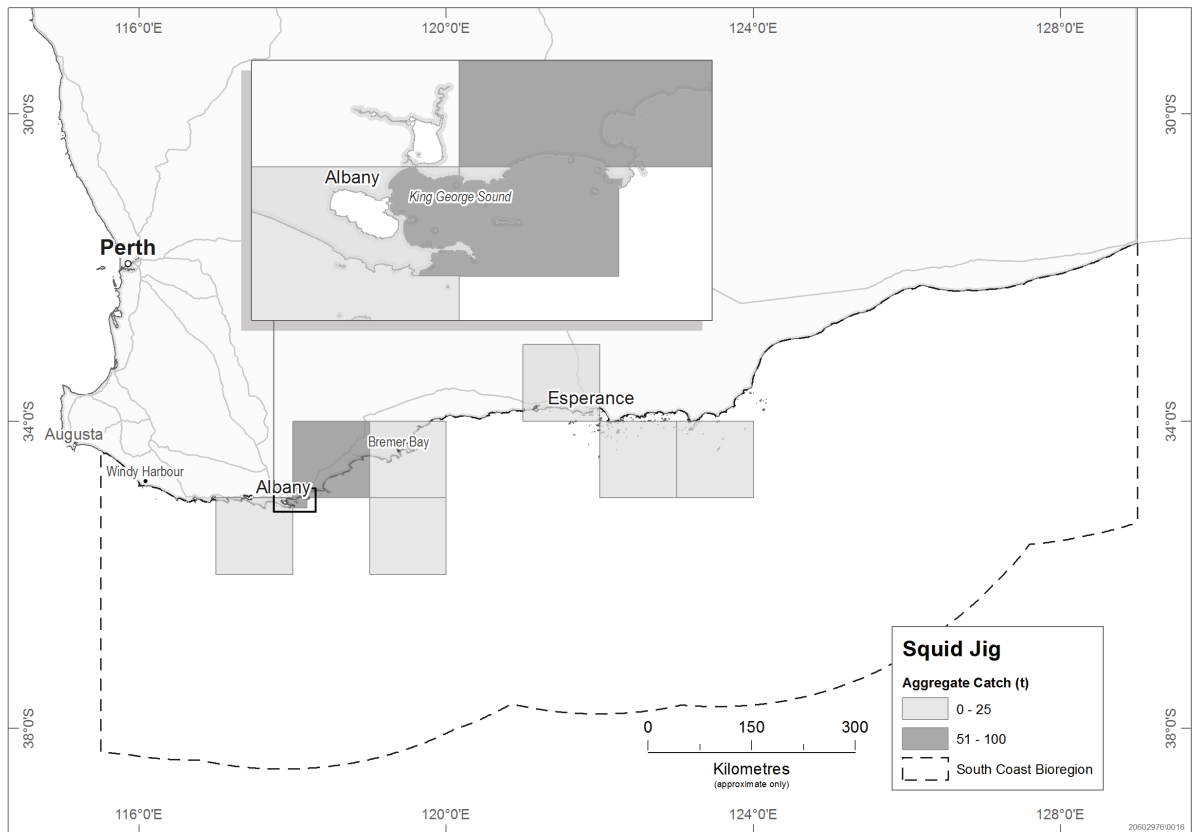


Figure 12. Total open-access squid jig catch by CAES block on the South Coast between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

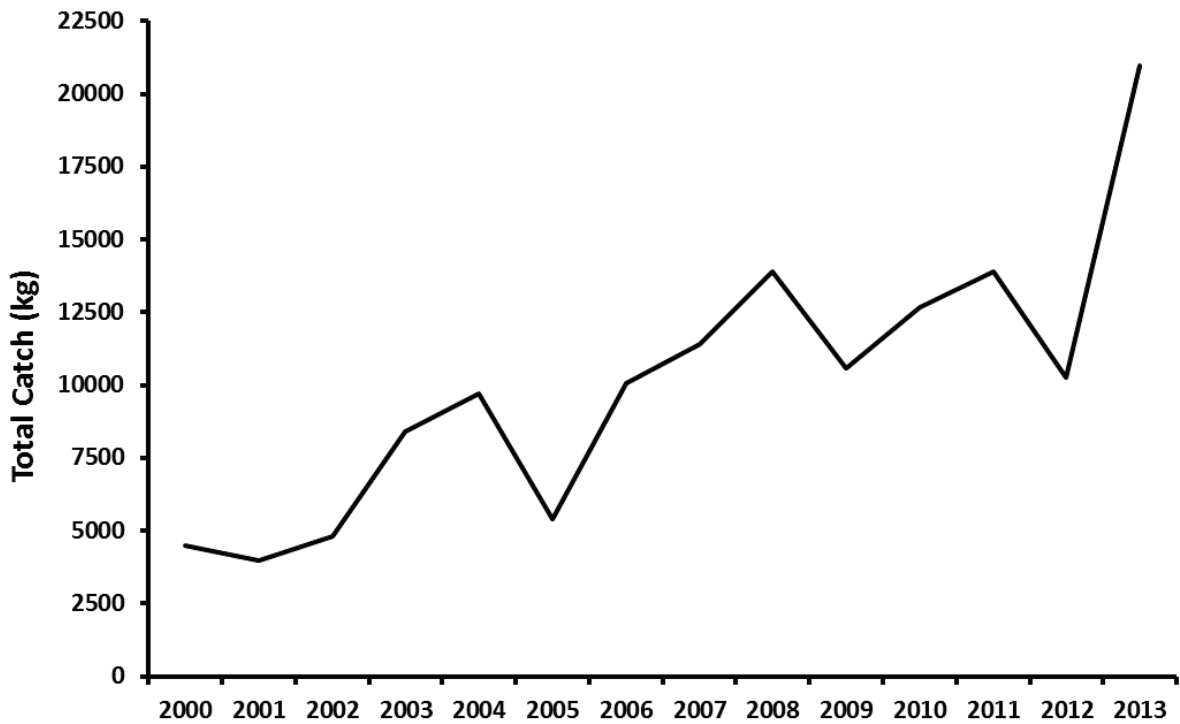


Figure 13. South Coast open-access squid jig catch between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

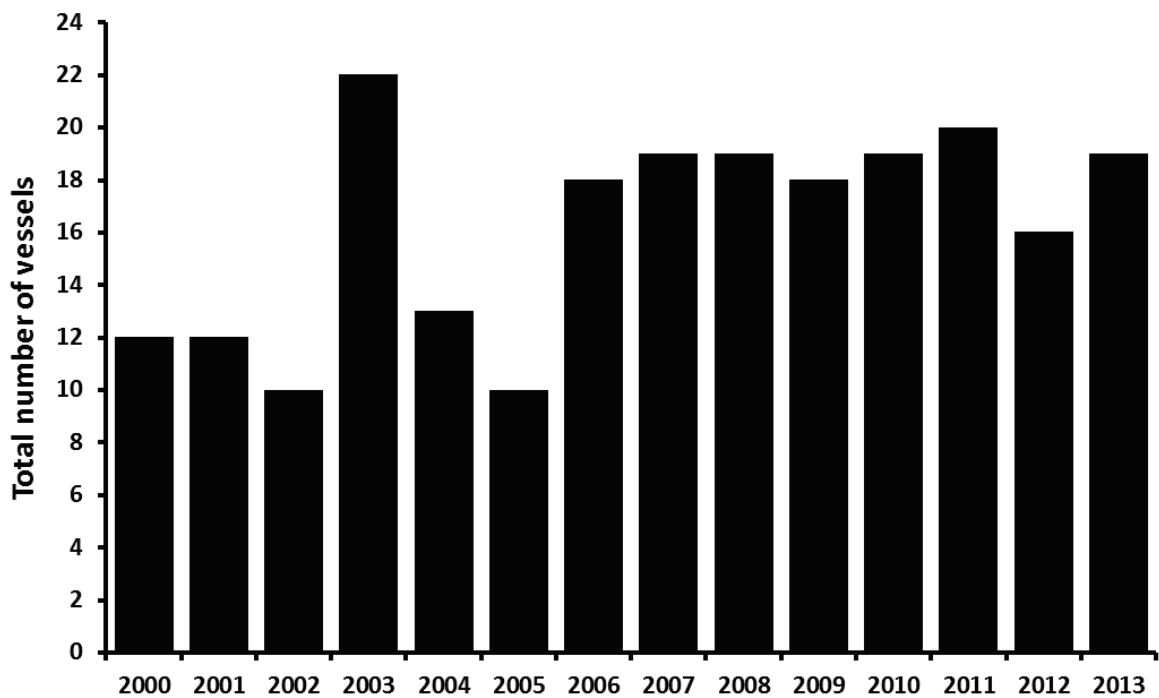


Figure 14. Annual number of FBLs that recorded South Coast open-access squid jig catch between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

3.2 South Coast Nearshore Net Fishery

As an outcome of this Review, it is the Departments intention to create a South Coast nearshore net fishery under an Management Plan for the G-net¹⁴ and open-access net fisheries (haul net, beach seine and gillnet [mesh size <114mm] fishing methods).

3.2.1 South Coast open-access net fisheries

South Coast open-access net fishers target Australian herring, trevally, garfish, King George whiting and other whiting species. These species can be caught by any licensed commercial fisher holding an unrestricted FBL, provided the use of the method is permitted in a particular area and the waters being fished are not subject to other fishery management arrangements (e.g. Australian salmon).

3.2.1.1 Area of the South Coast open-access net fishery

Open-access net fishing occurs in the waters of the South Coast Bioregion with over 69% of all open-access net (mainly beach seine and gillnets) catch recorded on the South Coast between 2000 and 2013 caught in the waters surrounding Albany and in King George Sound. Open-access beach seine catch on the South Coast between 2000 and 2013 has been concentrated in coastal waters surrounding Albany (including King George Sound), with smaller catches also occurring near Augusta, Windy Harbour and Bremer Bay (Figure 15). Open-access gillnet catch on the South Coast between 2000 and 2013 has been concentrated in coastal waters surrounding Albany (including King George Sound), with smaller catches also occurring adjacent to Bremer Bay and Esperance (Figure 16). Open-access haul net catch on the South Coast between 2000 and 2013 has been concentrated in coastal waters surrounding Augusta and Windy Harbour, with smaller catches also occurring in the waters surrounding Albany and in King George Sound (Figure 17).

¹⁴ Development of formal management arrangements for the G-net fishery is subject to the outcomes of the G-net fishery fisheries adjustment scheme and the review of herring stock status and management arrangements (due in late 2016).

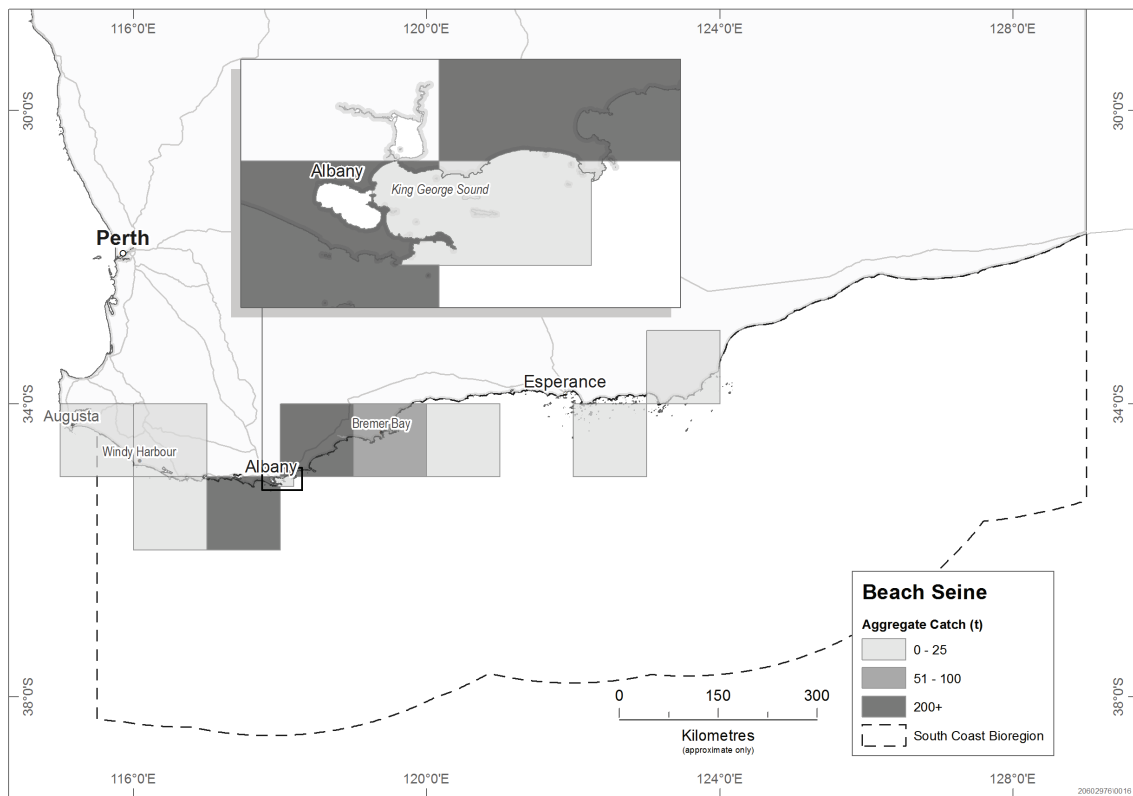


Figure 15. Total open-access beach seine catch by CAES block on the South Coast from 2000-2013. Source: Statutory monthly returns from commercial fishers.

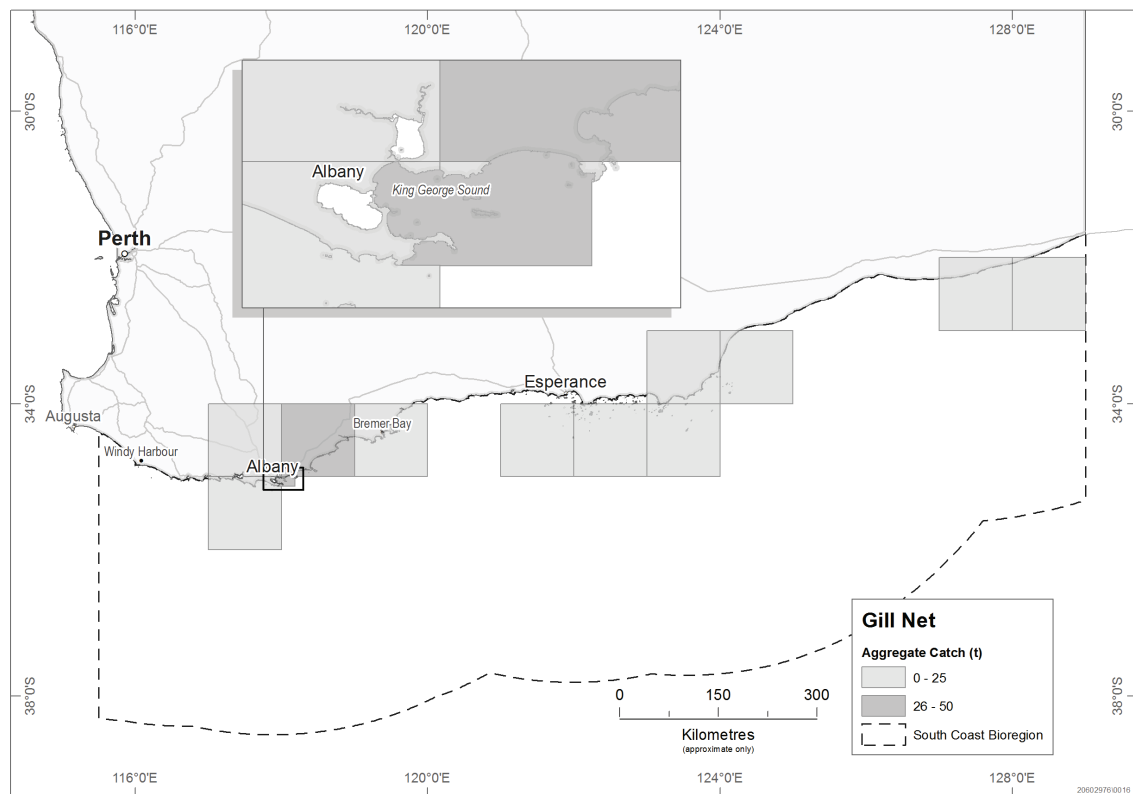


Figure 16. Total open-access gillnet (<114mm) catch by CAES block on the South Coast between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

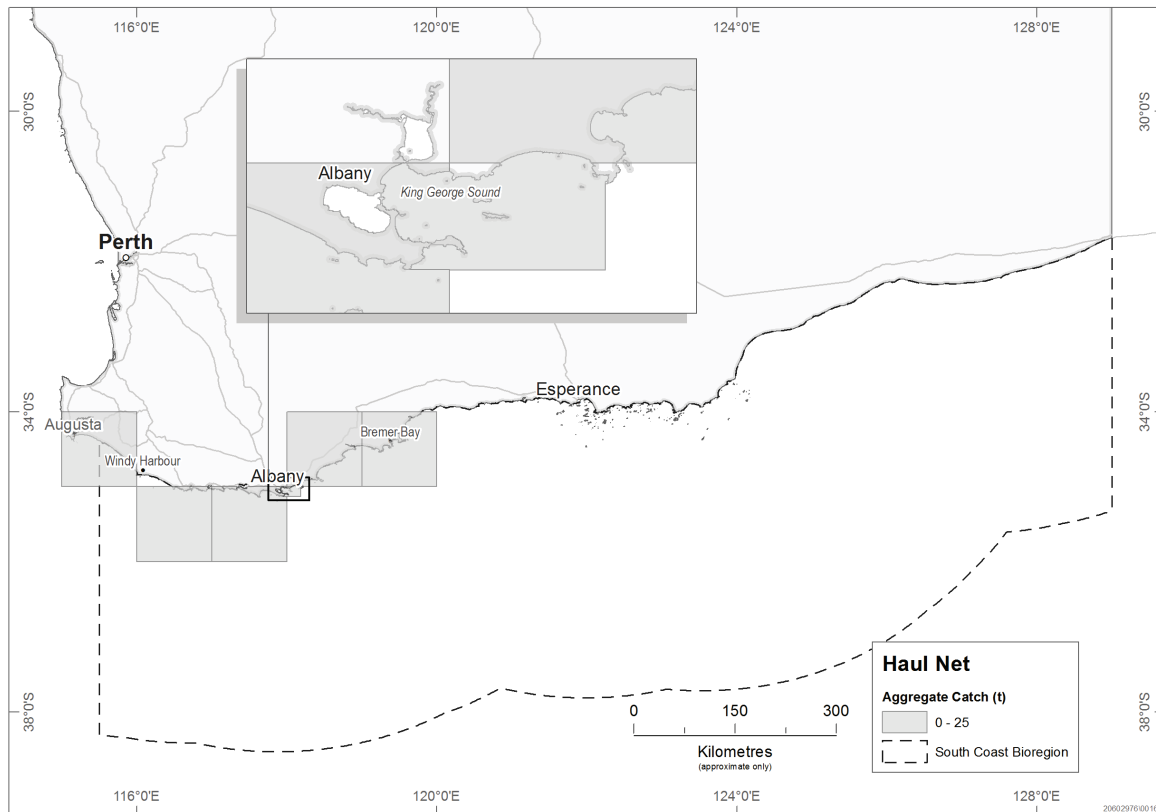


Figure 17. Total open-access haul net catch by CAES block on the South Coast between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

3.2.1.2 South Coast open-access net fishery catch

Total annual open-access net catch recorded on the South Coast ranged from 18-323 tonnes between 2000 and 2013 (Figure 18). The majority of open-access net catch recorded on the South Coast between 2000 and 2013 comprised of Australian herring (89.9%) and southern sea garfish (6%) (Figure 19). Beach seine has dominated South Coast open-access net catch between 2000 and 2013 however, open-access gillnet catch has been higher than beach seine catches since 2011 (Figure 18).

Open-access beach seine catch recorded on the South Coast between 2000 and 2013 ranged from 5-316 tonnes (Figure 19). The total open-access beach seine catch was dominated by Australian herring (90%) and southern sea garfish (7%) between 2000 and 2013.

South Coast open-access gillnet catch recorded between 2000 and 2013 ranged from 2.7-12 tonnes (Figure 19). Over 74% of open-access gillnet catch on the South Coast between 2000 and 2013 is comprised of Australian herring, King George whiting, snook, leatherjacket species and flathead species.

South Coast open-access haul net catch recorded between 2000 and 2013 ranged from 0-5.2 tonnes (Figure 19). Over 79% of open-access haul net catch on the South Coast between 2000 and 2013 is comprised of Australian herring and western sand whiting.

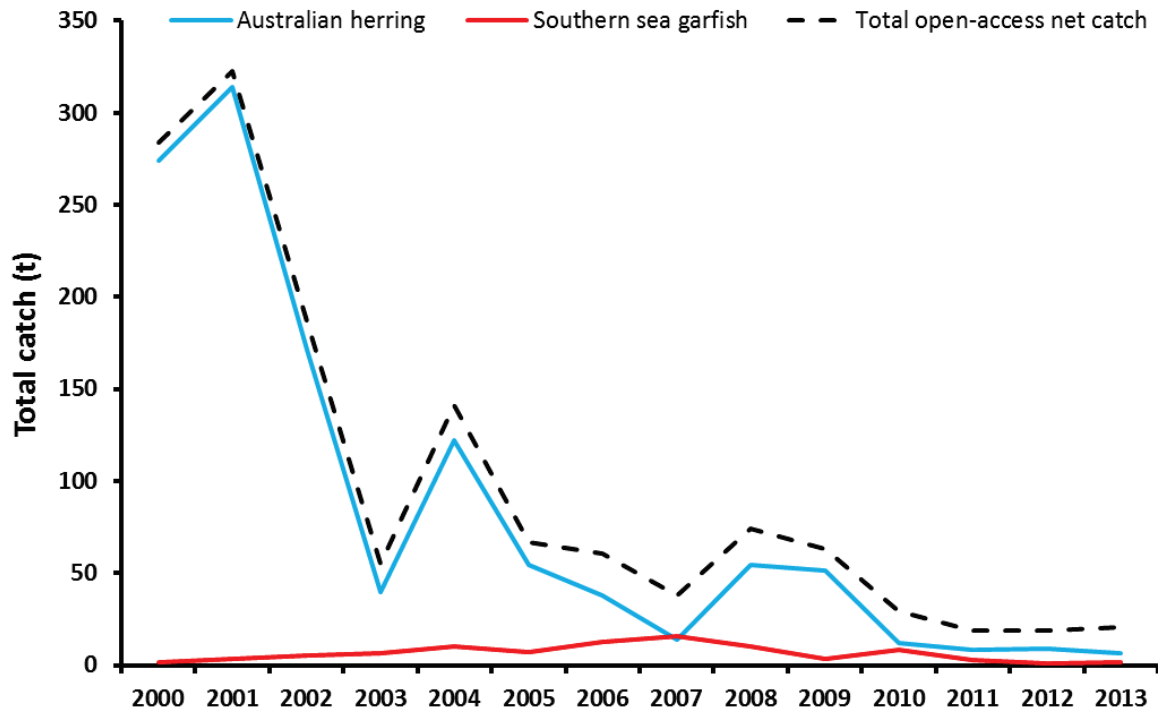


Figure 18. Open-access net fishery catch composition recorded on the South Coast between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

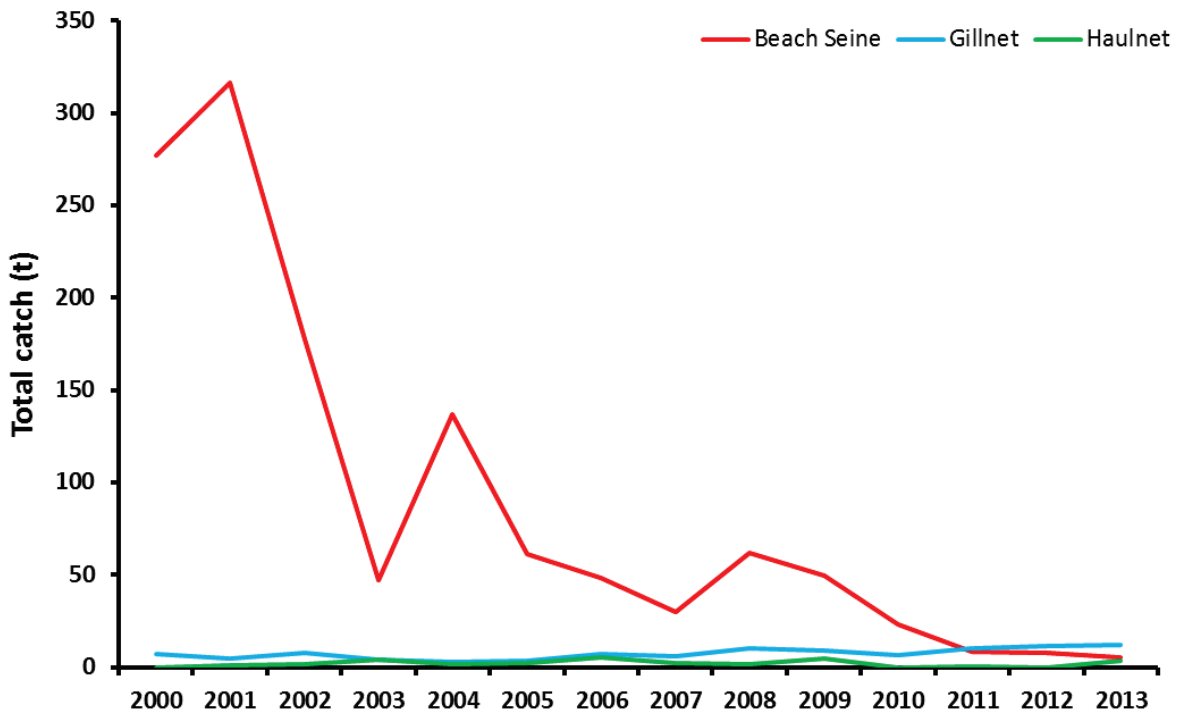


Figure 19. Total South Coast open-access beach seine, gillnet and haul net catch recorded between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

3.2.1.3 South Coast open-access net fishery FBL fishing effort

A total of 74 FBLs have recorded open-access net catch on the South Coast between 2000 and 2013. The number of FBLs that recorded open-access net catch on the South Coast ranged from 21-33 FBLs per annum between 2000 and 2013 (Figure 20). However, there is high variability in annual open-access net catch recorded by individual FBLs on the South Coast, with 45-72% of FBLs recording catches less than one tonne in any year between 2000 and 2013. However, there is high variability in annual open-access net catch recorded by individual FBLs on the South Coast, with the majority of FBLs recording catches less than two tonnes in any year between 2000 and 2013 (Table 3).

Table 3. Annual South Coast open-access net catch (beach seine, haul net and gillnet) by FBLs between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

Catch	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
0-2 tonnes	19	24	26	23	26	19	17	20	23	16	20	20	20	23
2-10 tonnes	5	3	4	8	4	1	6	4	2	4	5	2	3	2
10+ tonnes	4	4	3	1	2	1	2	1	2	2	0	0	0	0
Total No. of FBLs	28	31	33	32	32	21	25	25	27	22	25	22	23	25

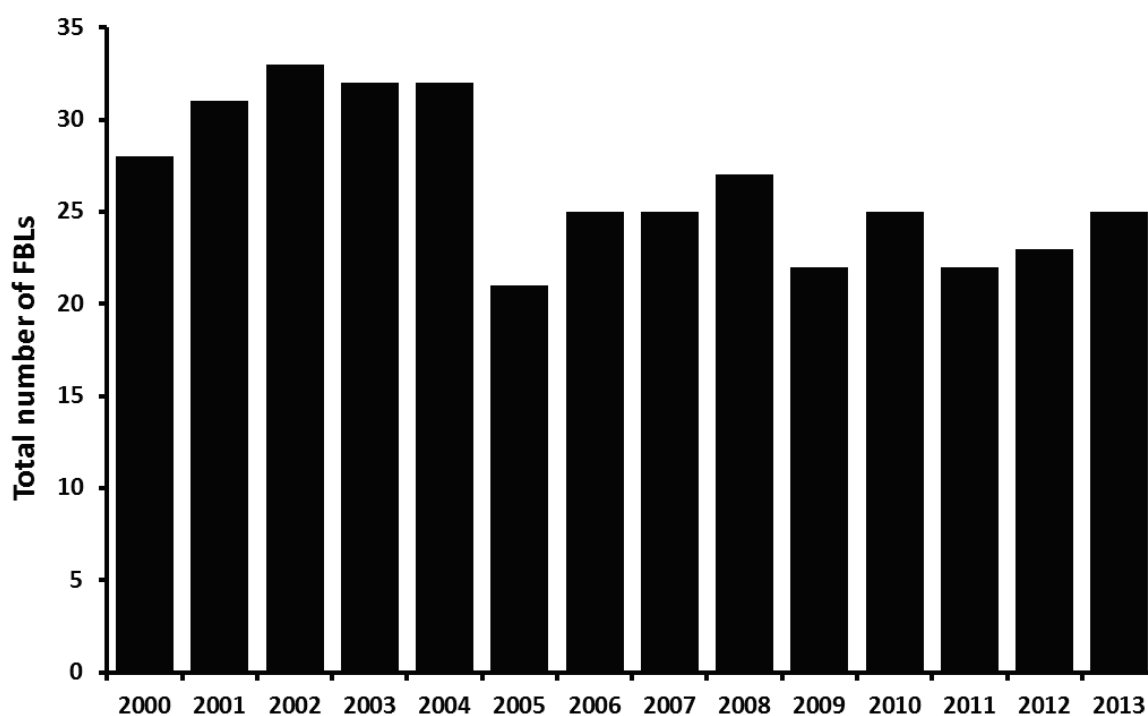


Figure 20. Annual total number of FBLs that recorded South Coast open-access net (beach seine, gillnet and haul net) catch between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

3.2.2 Herring G-net fishery

The *Herring Trap Net Notice 42 (Order 478 of 1991)* prohibited the use of herring trap nets (G-net) except by licensed commercial fishers using a fishing boat with the appropriate FBL Condition (Condition 42).

On 18 December 2014, the Minister advised WAFIC and Recfishwest that as part of a package to address herring stock issues, the South Coast G-net fishery would be closed on 1 March 2015¹⁵. At that time the Minister also advised that it was his intention to establish a fisheries adjustment scheme for affected G-net fishers and to undertake a review of the status and management arrangements for herring before the end of 2016.

Subsequent to the Minister's advised decisions, the G-net fishery was closed with the commencement of the *Prohibition on Herring Trap Nets Order 2015 (Order No.4 of 2015)* on 1 March 2015. This new notice prohibits the use of G-nets in all W.A. waters and revokes the *Herring Trap Net Notice 42 (Order 478 of 1991)*. The development of formal management arrangements for the G-net fishery through this Review will be subject to the outcomes of the G-net fishery fisheries adjustment scheme and a review of herring management at the end of 2016.

3.2.2.1 Area of the herring 'G' net trap fishery

There are 43 FBLs with Condition 42 that were previously permitted to take Australian herring using herring G-nets on ten south coast beaches (Table 4 and Figure 21).

Table 4. Number of licences permitted to fish each beach with G-nets.

Beach name	No. of G-net authorisations	Beach name	No. of G-net authorisations
Betty Beach	9	Cheynes Beach	8
Pallingup Beach	3	Trigilow Beach	5
Shelley Beach	3	Cosy Corner Beach	3
Nornalup (Bellanger) Beach	3	Peaceful Bay Beach	2
Doubtful Islands Beach	4	Cape Riche Beach	3

¹⁵ Minister for Fisheries announcement regarding Australian herring future management. Source: <http://www.fish.wa.gov.au/About-Us/Media-releases/Pages/Getting-the-balance-right-for-Herring-recovery.aspx>.

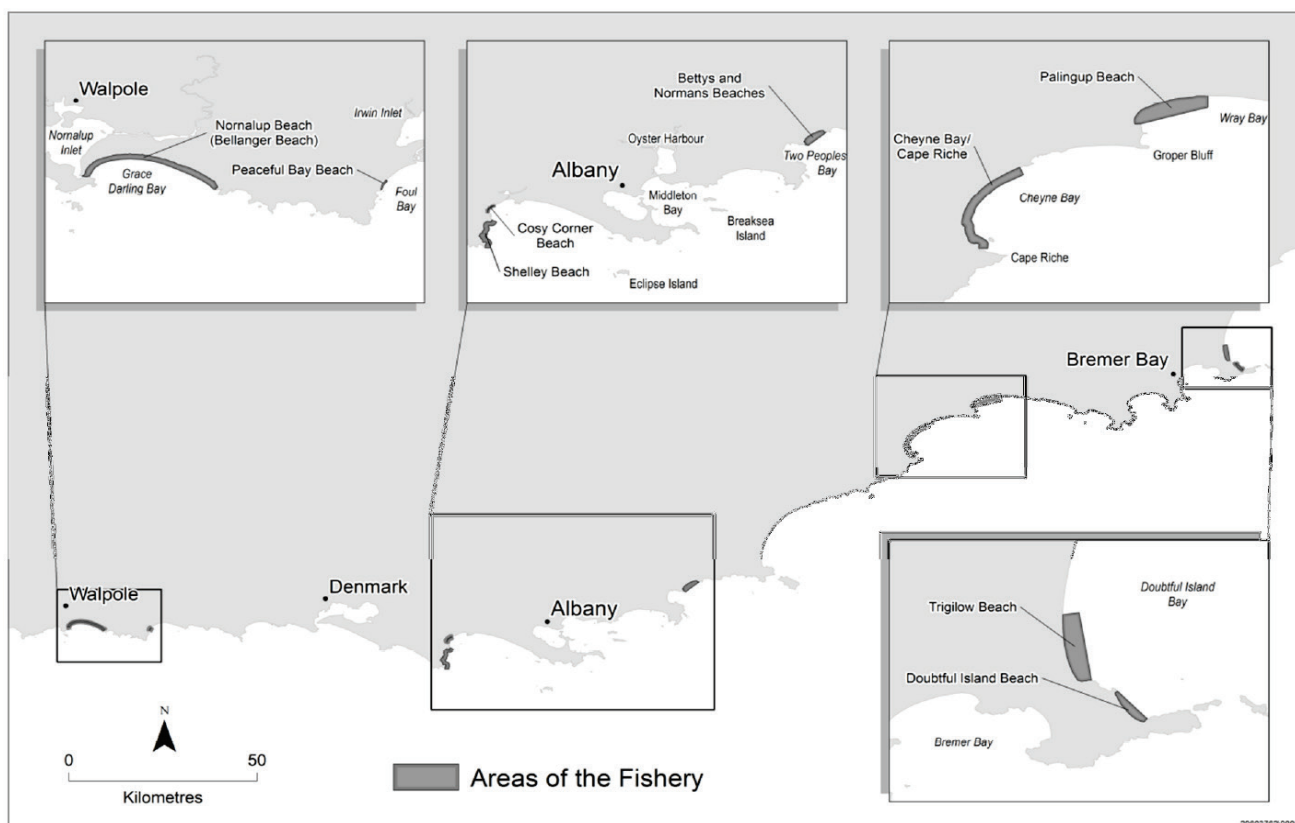


Figure 21. South Coast beaches where the use of herring G-nets is permitted.

3.2.2.2 Herring 'G' net trap catch

Annual G-net herring catch recorded between 2000 and 2013 ranged from 84-418 tonnes (Figure 22).

3.2.2.3 Herring 'G' net trap effort

A total of 16 FBLs have recorded herring G-net catch between 2000 and 2013. The number of FBLs that recorded G-net herring catch on the South Coast ranged from 2-9 per annum between 2000 and 2013 (Figure 23). Over 73% of recorded FBL annual G-net herring catch was in excess of 10 tonnes (Table 5).

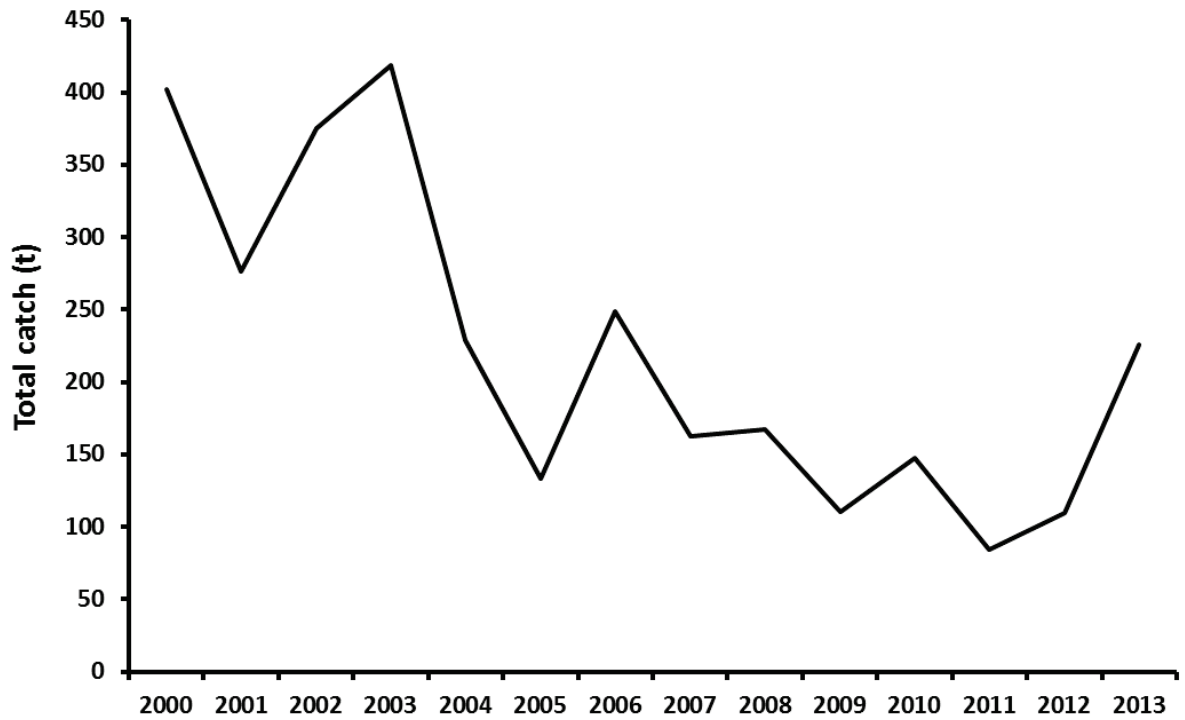


Figure 22. Total South Coast G-net herring catch recorded between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

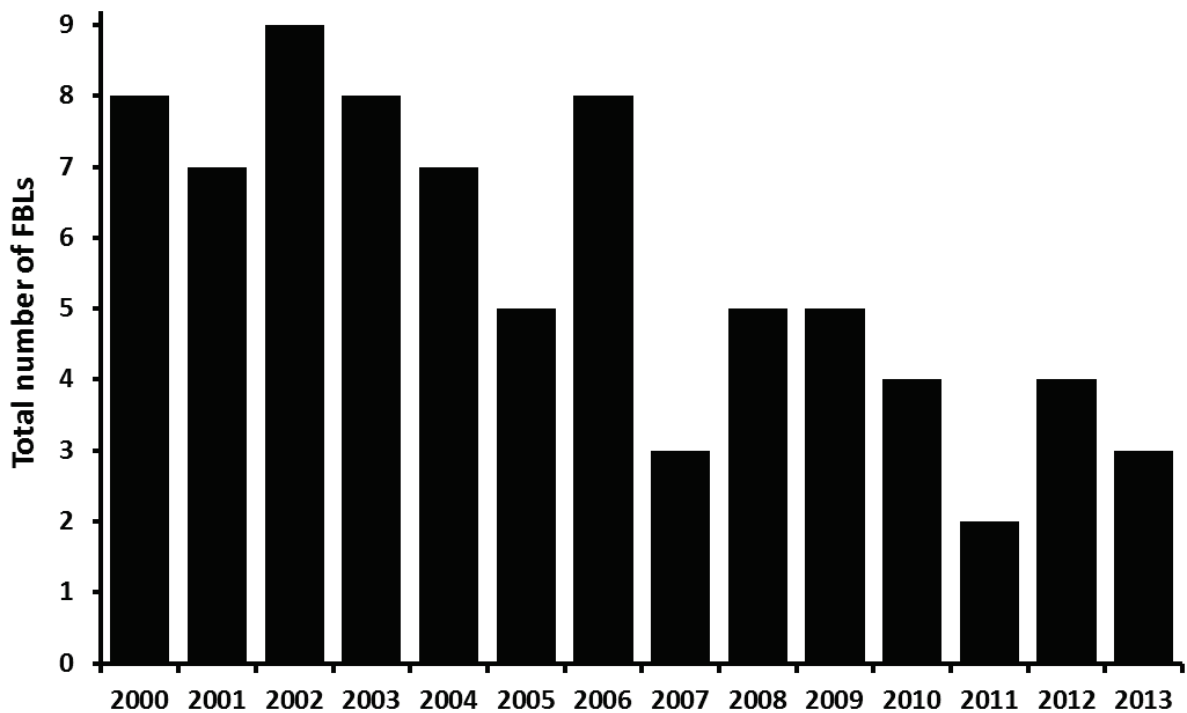


Figure 23. Annual total number of FBLs that recorded G-net herring catch between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

Table 5. Annual South Coast G-net catch by FBLs between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

Catch	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
0-2 tonnes	0	0	0	0	1	1	0	0	2	1	0	0	0	0
2-10 tonnes	0	4	0	1	2	2	4	0	0	0	2	0	1	0
10+ tonnes	8	3	9	7	4	2	4	3	3	4	2	2	3	3
Total No. of FBLs	8	7	9	8	7	5	8	3	5	5	4	2	4	3

4.0 KEY ISSUES FOR MANAGEMENT IN THE SOUTH COAST BIOREGION

This section identifies some of the key issues regarding the South Coast commercial fish trap, G-net and open-access line and net scalefish fisheries and squid jig fishery. The Department encourages comments relating to these issues through the consultation process and any suggested solutions or management arrangements that could assist in the resolution of these issues.

4.1 Status of South Coast Scalefish and Squid Stocks

4.1.1 Demersal scalefish stocks

There is limited information as to the status of key demersal scalefish species stocks on the South Coast. At this point in time no formal catch range has been developed for this fishery.

Although there is limited information on the status of demersal scalefish on the South Coast, catch estimates are monitored using information from statutory returns. Bight redfish, blue groper, blue morwong and pink snapper are the indicator species for the broader suite of demersal scalefish in the inshore waters¹⁶ of the South Coast Bioregion. These indicator species are used to monitor the status of the resource and make up the majority of the reported catches of this suite by commercial fishers. Hapuku, blue-eye trevalla and eightbar grouper have been identified as the indicator species for the offshore demersal suite⁹ of scalefish in the South Coast Bioregion.

In 2013, a new fisheries research project funded by the WANRM Office commenced. The project's objectives were to provide age based stock assessments of inshore demersal scalefish indicator species for the South Coast Bioregion and to provide information on their stock structure. Results from this research project are due to be released in 2015.

4.1.2 Nearshore scalefish stocks

Australian herring, salmon and sea mullet are indicator species for the nearshore suite of scalefish species on the South Coast. A recent stock assessment of nearshore scalefish species on the West Coast has indicated there are high risks to the sustainability of the Australian herring stock¹⁷ and low to moderate risks to the sustainability of whiting¹⁸ stocks. Concerns relating to the stock status of other nearshore species such as garfish and whitebait due to environmental factors on the West Coast have also been raised. However, it is currently not known what impacts environmental conditions are having on these species on the South

¹⁶ Department of Fisheries 2011. Resources assessment framework (RAF) for finfish resources in Western Australia. Fisheries Occasional Publication No. 85. Department of Fisheries, Western Australia. pp. 4-5.

¹⁷ Smith, K., Brown, J., Lewis, P., Dowling, C., Howard, A., Lenanton, R., and Molony, B. 2013. Status of nearshore finfish stocks in south-western Western Australia Part 1: Australian herring. Fisheries Research Report No. 246. Department of Fisheries, Western Australia. 200pp.

¹⁸ Brown, J., Dowling, C., Hesp, A., Smith, K., and Molony, B. 2013. Status of nearshore finfish stocks in southwestern

Western Australia. Part 3: Whiting (*Sillaginidae*). Fisheries Research Report No. 248. Department of Fisheries, Western Australia. 128pp.

Coast. The increased prevalence of blue swimmer crabs in South Coast estuaries may indicate changing nearshore and/or estuarine environmental conditions on the South Coast possibly due to increasing water temperatures and the strength of the Leeuwin current.

4.1.3 Squid stocks

Despite increasing South Coast squid catches since 2000, there is limited information as to the status of these stocks. No formal catch range has been developed for squid on the South Coast.

4.2 High Latent Effort

All unrestricted FBL holders in WA have the option to conduct open-access line, net and squid jig fishing on the South Coast. Between 2000 and 2013, a total of 182 FBLs (57-88 per annum) reported South Coast open-access line, net and squid jig catch. The majority of these FBLs (up to 72% per annum) recorded less than 2 tonnes of catch (Table 6) in the South Coast open-access line, net and squid jig fisheries.

Careful consideration is required when determining access under formal management to these fisheries given the number of FBL's (182) that have recorded open-access catch and that the majority of these FBLs recorded minimal catch during this period. Should many, or all of the above mentioned FBLs be granted access under formal management, there is a significant likelihood that the limited entry status of these fisheries would encourage investment and a subsequent increase in fishing effort in the fishery. This would likely result in increased pressure on fish stocks and impact on the viability of full time line, net and squid jig fishers.

Table 6. Aggregate number of FBLs that have recorded open-access (line, net and squid) catch on the South Coast between 2000 and 2013. Source: Statutory monthly returns from commercial fishers.

Catch	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
0-2 tonnes	44	48	50	54	60	48	41	42	28	30	38	43	49	35
2-10 tonnes	22	18	28	25	24	22	25	23	26	21	23	19	17	26
10+ tonnes	5	7	6	5	4	4	7	4	6	6	3	3	2	1
Total No. of boats	71	73	84	84	88	74	73	69	60	57	64	65	68	62

4.3 Catch Returns

Under Regulation 64 of the FRMR, persons engaged in commercial fishing activity are required to keep records and submit monthly returns of their commercial fishing activities. It is a serious offence to make an entry or statement that is false or misleading in a material particular in a record kept or a return submitted under this Regulation 64 of the FRMR.

4.3.1 Accessing catch history

Section 250 of the FRMA refers to the type of confidential information held by the Department and the legislation relating to the Department's capacity to divulge confidential information. Individuals wishing to gain access to catch history recorded on their respective

FBL need to fill out an E-1 Form, available from the Department's website at the following web address:

http://www.fish.wa.gov.au/Documents/commercial_fishing/e-1_application.pdf.

However, if a person wishes to gain access to catch history or any other confidential information relevant to their FBL in a period prior to when they held that FBL, under section 250(4B) of the FRMA, they need to gain consent from the previous holder(s) of that licence in respect to the period of information required. As there are a large number of FBLs that have reported open-access line, net, trap and squid jig catch on the South Coast there is the potential for a significant number of E-1 forms being submitted.

4.3.2 Requirements for ongoing monitoring

Under Section 65 of the FRMA, commercial fishers are required to submit monthly CAES returns reported on a scale of one degree (60 x 60 nautical miles) blocks. The introduction of formal management arrangements for these fisheries will likely require a finer scale reporting of catch and effort at a higher frequency, similar to all other fisheries (i.e. daily logs submitted monthly at a scale of 10 x 10 nautical mile blocks). Any additional monitoring requirements will be determined following the outcomes of the current South Coast demersal scalefish stock assessment and stakeholder consultation.

The continuing development and rollout of the Department's Fisheye program may also require changes to the medium in which ongoing monitoring is conducted in these fisheries following the implementation of formal management arrangements.

4.4 Cost of Management

Licence fees for all WA Interim Managed and Managed fisheries are currently determined through the Department's access fee model¹⁹. The implementation of formal management arrangements for these fisheries will generate income for the Department through ongoing access fees and provide increased funds for the management, monitoring and compliance for these fisheries.

4.5 Resource sharing

The "leasing" and selling of FBLs that are part of a 'fishing unit' has been raised as a concern by many in industry and the recreational sector for many years. A 'fishing unit' can be made up of a primary vessel (mother boat) and up to five dinghies, all of which have their own FBL. The basis for the fishing unit was that operators needed multiple vessels to carry out their fishing activities, and/or different sized vessels for different fishing operations or locations and additional vessels in case of breakdowns. In accommodating operator's needs, the Department created, in an administrative sense, 'fishing units'. 'Fishing units' on the South Coast are generally associated with the SCMF, the SCSMF and the South Coast Purse Seine Managed Fishery. However, a small number of vessels that were associated with fisheries in other parts of the State are known to be operating on the South Coast.

It was generally intended that only the owner of the licences would fish a few vessels from the fishing unit in the same fishing operation at any one time and that the fishing unit was an

¹⁹ Department of Fisheries 2012. Matters related to the 2010 funding reform decisions of government. Ministerial Policy Guidelines No.21. Department of Fisheries, Western Australia. 21 pp.

‘inseparable’ package of FBLs. However, many of these fishing units have existed for decades and historically the Department did not place restrictive FBL conditions on the fishing unit dinghy FBLs tying them to a particular fishery and preventing them from being transferred as an FBL in their own right. These FBLs could then be used independently by the new holder for other activities such as open-access line fishing.

Existing legislation does not require FBL owners to operate the FBLs from fishing units. Without restrictive conditions being placed on the FBLs (which are subject to appeal in the State Administrative Tribunal) the grounds for the Chief Executive Officer (CEO) to refuse a transfer in the FRMA have not been applied. Separation of fishing units and the resulting increase in the number of FBLs open-access fishing on the South Coast has caused concern with many long term commercial fishers on the South Coast who see this as an abuse of the original intent of the fishing unit.

Increasing management fees has led some licence holders to attempt to generate income by new means including leasing (private sub-contractual arrangement) between licence holder and a CFL holder. This generates income for both parties and some in industry have claimed an attempt to bolster catch history accrued against the ‘mother boat’ FBL in speculation of a South Coast open-access fishery review basing catch shares on catch history.

In the case of a Fishing Unit with multiple dinghy licences and a primary FBL the catch data is not separated by each dinghy FBL, but all lumped against the primary FBL. Previous wetline reviews²⁰ and management plans implemented as part of those reviews have made it clear that separation of catch data in this way is not possible without making large assumptions.

4.5.1 South Coast line, fish trap and squid jig fishery

4.5.1.1 South Coast open-access line fishery

CAES Fishing Blocks 3415 and 3515 overlap between the WCDSIMF and the open-access area of the South Coast. During the West Coast and Gascoyne Wetline Review process, FBL holders were able to elect whether to use catch history taken in these blocks to gain access to the WCDSIMF. Any catch history used to gain access to the WCDSIMF cannot be used to gain access to the South Coast open-access line fishery once it moves to formal management.

4.5.1.2 South Coast open-access squid jig fishery

Resource sharing conflict has been growing in recent years with increasing commercial squid fishing. The use of floating bottles with squid jigs attached (pelagic droplines) by commercial operators has improved fishing efficiency. Although there are currently no sustainability concerns regarding South Coast squid stocks, economic impacts (‘flooding the market’) and resource conflict within and between sectors have been reported.

²⁰Department of Fisheries (2007), Fisheries Management Paper No. 224.

4.5.2 South Coast nearshore net fishery

4.5.2.1 Netting in highly visible and high use areas

Some commercial fishers are concerned about negative public perception created from incidents where commercial fishing nets have been legally set in highly visible areas at times when recreational fishers have been present in high numbers. Complaints about netting, particularly in highly visible areas such as King George Sound and Cheyne's Beach, have been received by the Department. These issues will need to be addressed during this Review and through the implementation of formal management arrangements for these open-access fisheries.

4.5.2.2 Differentiating JASDGNDLF and inshore open-access demersal gillnetting

The *Joint Authority Southern Gillnet and Longline Management Plan 1992* regulates the use of gillnets with a mesh size greater than 114mm. The use of demersal gillnet in the waters of the South Coast with a mesh size less than or equal to 114mm is unregulated (open-access). Differentiating between what catch was taken under the authority of a JASDGDLF licence and open-access demersal gillnet catch will require further investigation during this Review.

4.6 Access

The Director General of the Department will engage a Panel to recommend criteria for determining access to the South Coast line, fish trap and squid jig fishery and the South Coast nearshore net fishery.

4.6.1 Authority to conduct open-access fishing

Commercial fishers operating from licensed fishing boats on the South Coast have historically been able to take scalefish by open-access fishing methods (i.e. line, netting and fish trapping). In general terms, fishing for scalefish by open-access fishing methods does not fall under a 'managed' fishery and no separate authority (permission) is required. Open-access fishing remains in essence an aspect of the 'commons' that is not yet restricted (other than to restrict catching fish for sale to authorised commercial fishermen) on the South Coast.

An FBL is a licence granted under the FRMR that authorises a person to use a boat for commercial fishing. It is the CFL that authorises a person to engage in commercial fishing (that is, to take fish for sale). However if a boat is used in conjunction with the fishing activity an FBL is also required. For example, a commercial fisher who uses a beach seine net from shore does not require an FBL. If however he uses a dinghy as part of that operation, an FBL is required (that is, the dinghy must be licensed).

The Department records commercial catches against the FBL (via a licensed fishing boat number). This situation is a peculiarity given it is the CFL that permits fish to be taken. However, all persons engaged in fishing are required to hold a CFL (e.g. skipper or deckhand) and it is likely that this precludes catch from being meaningfully recorded against the CFL. Therefore the practice of recording catch against the FBL is likely to be the more practical option.

In practice, the majority of commercial fishing operations require the use of a boat and consequently the holding of an FBL. Therefore, in the event that a commercial fisher did not gain access to any future South Coast managed fishery, fisheries legislation still requires an FBL to be held in order to use a boat in their other managed fishing operations. However, in

itself, the FBL would not permit open-access fishing to be undertaken on the South Coast following the implementation of South Coast management plans for the fisheries under Review.

The Department does not believe there are any legitimate grounds to expect that the existing open-access arrangements can continue. The Department also considers that the need for a higher level of management for South Coast open-access fisheries is widely recognised and supported by most commercial fishers in the region, recreational fishers and the broader public.

4.6.2 Extent of involvement in open-access fishing

FBL holders have chosen to exercise the option to conduct South Coast open-access fishing to varying degrees:

- Some FBL holders are fully dependent on these fisheries (they do not have access to any other managed fishery).
- For others, it may be an important component of their overall fishing operations (i.e. supplements income from their other managed commercial fishing interests).
- The majority of FBL holders have historically only utilised minimal access (i.e. for personal use or occasional limited sale) or not accessed it at all.

The Department also notes that the circumstances of operators with regard to involvement in open-access fishing on the South Coast may have changed over the past decade. A number of FBLs would have changed ownership and the fishing patterns of some operators may have changed over this period. Noting the investment warning of 9 December 2013, these circumstances will be taken into account by the independent access panel when developing access criteria for the fishery.

4.6.3 Awareness of benchmark date

In 1997 there was a clear message that fishing history after 3 November 1997 may not be taken into account when determining future access for the West Coast and Gascoyne wetline fisheries. This included the Department issuing a media statement and sending a letter to all FBL holders (the media statement indicated history after this date would **not** be taken into account).

The establishment of the 1997 benchmark date raised a number of issues during the West Coast and Gascoyne Wetline Reviews including:

- The commercial industry's awareness of the 1997 benchmark date;
- Increased demand for FBLs with pre 1997 history; and
- The effect of the benchmark date on business decisions surrounding the purchase or lease of FBLs with pre-1997 history, subsequently increasing premiums for FBLs with history by \$10,000-\$20,000.

The Minister approved this South Coast Review in November 2013. The Director General of the Department subsequently issued a new investment warning to all WA FBL holders on 9 December 2013. The Director General advised that any investment in open-access fishing activities on the South Coast after 9 December 2013 may not be taken into account in determining future access and allocation. The investment warning was communicated to all FBL holders, WAFIC and Recfishwest via mail on the 9 December 2013 (see Appendix 1).

4.6.4 Impact of management on the 'value' of FBLs

FBLs are transferable and because of the policy that limits the total number of FBLs issued in WA, FBLs have a value that is dictated by the market at the time a licence is traded. During the West Coast and Gascoyne Wetline Review following the 1997 benchmark date announcement, FBLs with pre 1997 'wetline' history attracted a premium on the market of some \$10,000-20,000 more than a FBL 'without history'. This was reaffirmed in discussions with some fishers at the time who indicated they elected not to purchase some licences that were available for sale, but rather waited until a licence 'with history' became available, even if it was more expensive.

FBLs are still required for commercial fishing (where a boat is required) and they will therefore retain a market value. It is unlikely this value will change as a direct consequence of this Review unless the new arrangements resulted in a 'flood' of FBLs for sale. Once management is introduced to open-access fisheries on the South Coast, any value attributable to the ability to open-access fish will be assigned to the newly created entitlement (e.g. managed fishery licence or permit) rather than the FBL itself.

5.0 CURRENT FISHERY PROPOSALS

The Department is aiming to introduce more formal management arrangements for the FBL Condition and open-access fisheries within this Review. The following proposals outline the Department's proposed direction in relation to future management arrangements for these fisheries that will form the basis for consultation with industry representative bodies, commercial fishers, recreational fishers and the wider community. The outcomes of consultation on the following management proposals will form the basis for the development of formal management for the FBL Condition and open-access fisheries within this Review.

5.1 South Coast line, fish trap and squid jig fishery

As an outcome of this Review, it is the Departments intention to create a South Coast line, fish trap and squid jig fishery. This fishery will incorporate the current South Coast open-access line fishery (handline, dropline and trolling methods), South Coast oceanic fish trap fishery (FBL condition 74), King George Sound fish trap fishery (FBL condition 192) and the South Coast open-access squid jig fishery. The Department's proposed management arrangements for this fishery are outlined below.

The outcomes of consultation on the following management proposals will form the basis for the development of management arrangements under a South Coast line, fish trap and squid jig fishery management plan.

Proposal 1.1 – Access process

Consistent with other reviews of this nature, the Department is proposing to appoint a Panel with two independent members to provide recommendations to the Director General regarding formal criteria for access to the open-access fisheries under Review.

Proposal 1.2 – Management Plan licence classes

Licenses will have different classes specific to individual gear types. For example, a class A licence may permit the use of handlines, droplines and trolling, a class B licence may permit the use of fish traps and a class C licence may permit the use of squid jigs. Each licence class would be transferable between South Coast line, fish trap and squid jig fishery licenses.

Proposal 1.3 – Fishery boundaries

Within the waters of the South Coast Bioregion between 115°30'E and 129°00'E, from the shore out to the limit of the Exclusive Economic Zone. The boundaries will also exclude South Coast estuarine waters and the waters of the WCDSIMF.

Proposal 1.4 – Fishery zones

The fishery will have an oceanic zone and a zone encompassing the waters of King George Sound. This spatially separates those operating oceanic fish traps (FBL condition 74) and fish traps within King George Sound (FBL condition 192). It will also provide a tool to separately manage line and squid jig fishing effort in South Coast oceanic waters and King George Sound.

Proposal 1.5 – Line fishing target species

All scalefish species from the class *Osteichthyes* (bony fishes) will be permitted to be taken by line methods.

Proposal 1.6 – King George Sound fish trap fishing target species

King George Sound fish traps will be specific to targeting leatherjacket species.

Proposal 1.7 – Oceanic fish trap fishing target species

Oceanic fish traps will be specific to targeting scalefish species from the class *Osteichthyes* (bony fishes).

Proposal 1.8 – Squid jig fishing target species

All cephalopods other than octopus (i.e. squid, calamari and cuttlefish).

Proposal 1.9 – Prohibited species

All species that are currently subject to restrictions in managed fisheries (i.e. Australian salmon under the SCSMF, octopus, rock lobster, blue swimmer crabs) or species that are protected for conservation reasons cannot be retained. No sharks or rays will be permitted to be retained.

Proposal 1.10 – Vessel Monitoring System

Application of Vessel Monitoring System (VMS) requirements are not currently proposed for this fishery.

Proposal 1.11 – Line fishing methods

Fishing methods permitted under the line component of the fishery include dropline, handline and trolling methods.

Proposal 1.12 – Maximum number of lines

There will be a maximum number of lines or droplines that can be used at any one time.

Proposal 1.13 – Maximum number of hooks

There will be a maximum number of hooks permitted to be used upon each line or dropline.

Proposal 1.14 – Fish trap fishing methods

Fish trap design (volume, length, width, height, number and size of openings, escape gaps, etc.) will be specific to the oceanic and King George Sound zones.

Proposal 1.15 – Maximum number of King George Sound fish traps

A maximum of 10 fish traps will be permitted to be used for each permit holder in the waters of King George Sound as currently permitted under FBL Condition 192.

Proposal 1.16 – Maximum number of Oceanic fish traps

There will be a maximum number of oceanic fish traps permitted to be used at any one time.

Proposal 1.17 – Gear marking requirements

There will be gear marking requirements for any dropline or fish traps used in the fishery.

Proposal 1.18 – Squid jig fishing methods

The use of squid jigs on handlines and droplines (fixed or pelagic).

Proposal 1.19 – Maximum number of squid jig lines

There will be a limit on the number of handlines and/or droplines that may be used at any one time to fish for squid using squid jigs.

Proposal 1.20 – Maximum number of squid jigs

There will be a maximum number of squid jigs permitted to be used on any handline or dropline.

Proposal 1.21 – Squid jig temporal closures

Temporal closures such as daytime closures or during high use periods (weekends and public holidays) in King George Sound may be considered for squid jig fishing on the South Coast.

Proposal 1.22 - Spatial closures

Fishing will not be permitted within 400 metres of any estuaries on the South Coast.

5.2 South Coast Nearshore Net Fishery

As an outcome of this Review, it is the Department's intention to create a South Coast nearshore net fishery. This fishery will incorporate the South Coast G-net²¹ and open-access beach seine, haul net and gillnet (mesh size <114mm) fisheries. The Department's proposed management arrangements for this fishery are outlined below.

The outcomes of consultation on the following management proposals will form the basis for the development of management arrangements under a South Coast nearshore net fishery management plan.

Proposal 2.1 – Access process

Consistent with other reviews of this nature, the Department is proposing to appoint a Panel with 2 members to provide recommendations to the Director General regarding formal criteria for access for the open-access fisheries under Review.

Proposal 2.2 – Licence classes

Licenses will have different classes specific to individual gear types. For example, class A permits may permit the use of gillnets (mesh size <114 mm), class B permits may permit the use of beach seine and haul nets and class C permits may permit the use of G-nets. Each licence class would be transferable between South Coast net fishery licenses.

Proposal 2.3– Fishery boundaries

Within the waters of the South Coast Bioregion between 115°30'E and 129°00'E, from the shore out to the limit of the Exclusive Economic Zone. The boundaries will also exclude South Coast estuarine waters and the waters of the WCDSIMF.

Proposal 2.4 – Fishery zones

Subject to the planned review of herring management in late 2016 and the outcome of the G-net fishery fisheries adjustment scheme, Zones will be introduced for G-nets, specific to the 10 beaches previously accessed by FBL Condition 42 holders. No other zones are currently proposed for open-access net fishing activities however, community consultation may result in the implementation of zoning for this fishery.

²¹ Development of formal management arrangements for the G-net fishery is subject to the outcomes of the G-net fishery fisheries adjustment scheme and the review of herring stock status and management arrangements (due in late 2016).

Proposal 2.4 – Target species

G-net and open-access netting practises currently target the nearshore suite of scalefish species and it is intended that this process does not cause a shift in targeted net fishing practices. G-nets would be specific to targeting Australian herring²².

Proposal 2.5 – Prohibited species

All species that are currently subject to restrictions in managed fisheries (i.e. Australian salmon under the SCSMF) or species that are protected for conservation reasons cannot be retained.

Proposal 2.8 – Vessel Monitoring System

Application of Vessel Monitoring System (VMS) requirements are not currently proposed for this fishery.

Proposal 2.9 - Permitted Fishing Methods

That nearshore netting methods permitted to be used within this fishery include haul net, beach seine, gillnets (mesh size <114mm) and G-nets²².

Proposal 2.10 – Requirement to attend nets

Attendance of nets required when they are in the water.

Proposal 2.11 – Gear use limits

Limiting the use of one gear type at any one time.

Proposal 2.12 – Fishing gear controls

Limits to gear size (i.e. net height, net length, mesh size, etc.) and gear marking requirements.

Proposal 2.13 – Spatial closures

Fishing will not be permitted within 400 metres of the mouth of any estuaries on the South Coast.

Proposal 2.14 – Temporal closures

Daytime closures in highly visible areas (i.e. King George Sound) and during high use periods (i.e. weekends, school holidays and public holidays).

²² Development of formal management arrangements for the G-net fishery is subject to the outcomes of the G-net fishery fisheries adjustment scheme and the review of herring stock status and management arrangements (due in late 2016).

6.0 APPENDIX 1. INVESTMENT WARNING ISSUED TO ALL FBL HOLDERS IN 2013



Government of **Western Australia**
Department of **Fisheries**



Mr John Harrison
Chief Executive Officer
Western Australian Fishing Industry Council (WAFIC)
PO Box 1605
FREMANTLE WA 6959

Dear John

I am writing to advise you the Minister for Fisheries has recently approved a review of 'open access' commercial line and net fisheries on the South Coast of Western Australia with a view to bringing these fisheries under formal management arrangements. The South Coast waters under review extend between Black Point at 115° 30'E and the South Australian border at 129° E and offshore to 200 nautical miles.

The 'open access' line and net fisheries on the South Coast include fishing in oceanic waters for finfish and squid using hook and line, haul nets of any size or demersal gill nets with a mesh size of less than or equal to 114mm. These commercial fishing activities are currently conducted under the authority of a Fishing Boat Licence (FBL) and a Commercial Fishing Licence.

I have written to all FBL holders advising of the review and that any investment in 'open access' fishing activities on the South Coast after 09/12/2013 may not be taken into account in determining access and allocation.

I have also advised FBL holders the review will also consider finfish trapping activities on the South Coast relevant to Fishing Boat Licence Conditions 74 and 192 and Australian herring 'G' net trap fishing conducted under Fishing Boat Licence Condition 42. As with the open access fisheries, FBL holders have also been advised any investment in these fisheries after 09/12/2013 may not be taken into account in determining access and allocation.

The contact officer within the Department of Fisheries in relation to the review is Matt Stadler. He can be contacted on (08) 9845 7400. Further information on the review process will be provided in due course.

STUART SMITH
DIRECTOR GENERAL

9 December 2013

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7.0 APPENDIX 2. ABBREVIATIONS USED IN THIS DOCUMENT

Table 5. Full descriptions of abbreviations used in this Discussion Paper.

Abbreviation	Full Name
CAES	Catch and Effort Statistics
CEO	Chief Executive Officer
CFL	Commercial Fishing Licence
Department	Department of Fisheries, Western Australia
EBFM	Ecosystem Based Fisheries Management
ESD	Ecologically Sustainable Development
FBL	Fishing Boat Licence
FRMA	Fish Resources Management Act 1994
FRMR	Fish Resource Management Regulations 1995
GVP	Gross Value of Production
JASDGDLF	Joint Authority Southern Demersal Gillnet and Demersal Longline Fishery
Minister	Minister for Fisheries (WA)
Review	South Coast commercial fish trap and open-access line net and squid fishing review
SCEMF	South Coast Estuarine Managed Fishery
SCLFA	South Coast Licenced Fisherman's Association
SCSMF	South Coast Salmon Managed Fishery
TOR	Terms of Reference
VMS	Vessel Monitoring System
WAFIC	Western Australian Fishing Industry Council
WA	Western Australia
WANRM	Western Australian Natural Resource Management
WCDSIMF	West Coast Demersal Scalefish Interim Managed Fishery