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

Published by
Department of Fisheries
168 St. Georges Terrace
Perth WA 6000

May 2007

ISSN 0819-4327
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

May 2007
CONTENTS

FOREWORD ............................................................................................................................... 4

SECTION 1  THE REVIEW PROCESS ............................................................................................... 5

  1.1  SUMMARY OF THE WETLINE REVIEW CONSULTATION PROCESS ................................. 5

SECTION 2  THE FINAL MANAGEMENT FRAMEWORK FOR THE COMMERCIAL
“WETLINE” FISHERIES FOLLOWING COMPLETION OF THE WETLINE REVIEW ........ 8

ARRANGEMENTS COMMON TO THE WEST COAST AND GASCOYNE BIOREGIONS ....... 8

  2.1  CATCH HISTORY ................................................................................................................. 8
  2.2  AREA OF THE FISHERIES ................................................................................................. 9
  2.3  MANAGEMENT ARRANGEMENTS – INSTRUMENT AND PERIOD OF OPERATION ............. 9
  2.4  REPORTING CATCH IN THE NEW FISHERIES .................................................................. 10
  2.5  RECREATIONAL FISHING FROM A LICENSED FISHING BOAT ....................................... 10
  2.6  CFL HOLDERS PERMITTED TO HOLD RECREATIONAL FISHING LICENCES (RFL) .......... 10
  2.7  PRACTICAL CONSIDERATIONS REGARDING “FISHING DAYS” AND DEBITING OF ENTITLEMENT ............................ 11

SECTION 3  THE WEST COAST DEMERSAL SCALEFISH FISHERY ...................................... 12

  3.1  DESCRIPTION .................................................................................................................. 12
  3.2  ACCESS AND ALLOCATION ........................................................................................... 12
  3.3  CAPACITY OF THE FISHERY ......................................................................................... 14
  3.4  PERMITTED GEAR AND ACTIVITIES ............................................................................. 15

SECTION 4  THE WEST COAST INSHORE NET FISHERY .................................................... 16

SECTION 5  THE GASCOYNE DEMERSAL SCALEFISH FISHERY ....................................... 17

  5.1  DESCRIPTION .................................................................................................................. 17
  5.2  ACCESS AND ALLOCATION ........................................................................................... 18
  5.3  CAPACITY OF THE FISHERY ......................................................................................... 21
  5.4  PERMITTED GEAR AND ACTIVITIES ............................................................................. 22

SECTION 6  THE GASCOYNE INSHORE NET FISHERY ........................................................... 24
FOREWORD

This document details my final decisions on the new management arrangements for the West Coast and Gascoyne commercial ‘wetline’ fisheries.

The decisions that are set out in this document will form an important part of the holistic management package required to ensure the long-term sustainability of our demersal scalefish resources in the West Coast and Gascoyne bioregions. The new Management Plans will provide the framework within which commercial scalefish catches can be explicitly managed to sustainable levels and will promote greater commercial certainty and confidence for those operators who gain access to the fishery.

In reaching these decisions, I have given careful consideration to all of the views and matters raised throughout the extensive consultation process. I am particularly mindful of my primary responsibility as Minister for Fisheries in ensuring the sustainability of our fish resources so they can be enjoyed by future generations of Western Australians.

My decisions therefore reflect the need to reduce catches to sustainable levels and account for the ever-increasing pressures from increased fishing efficiency. These new managed fisheries will be able to continue to deliver sustainable supplies of WA line-caught demersal scalefish like dhufish, pink snapper and baldchin groper.

I would like to convey my appreciation to the respective Chairs and members of the Commercial Access Panel and the Management Planning Panel for their comprehensive considerations and advice across a range of complex matters.

I would also like to thank everyone who contributed to the Wetline Review process through their attendance at community and industry meetings or providing a submission at one, or more, of the many opportunities offered throughout this process. All of these contributions have been invaluable in helping me to gain a detailed understanding of the issues involved.

My decisions and the outcomes to follow will constitute an important step forward in the sustainable management of our State’s fisheries.

Hon Jon Ford JP MLC
Minister for Fisheries
SECTION 1 THE REVIEW PROCESS

In 2003, the former Minister for Fisheries, Hon. Kim Chance, established two panels to conduct a review of “wetline” fishing in the West Coast and Gascoyne bioregions:

- a Management Planning Panel (MPP) was appointed to develop the specific management arrangements for the fishery; and
- a Commercial Access Panel (CAP) was appointed to devise a fair and equitable method of determining who should have access to the fishery and their level of allocation.

The two-panel system was used to separate the task of determining the management arrangements for the fishery (which requires extensive input from commercial fishers) from access and allocation (which may benefit from a more independent analysis of fairness and equity issues).

The CAP’s primary responsibility was to develop criteria for access and allocation while the MPP’s role was to determine a management framework which could operate effectively, whatever the outcomes of the CAP process.

The work of the CAP and MPP resulted in the production and publication of a total of six Fisheries Management Papers, and opportunities for public comment, comprising:

- Fisheries Management Paper Nos 189, 190 and 191, communicating the initial CAP and MPP proposals for the Gascoyne and West Coast Bioregions. These documents were released for public comment in early 2005.
- Fisheries Management Paper Nos 205, 206 and 207, communicating the final CAP and MPP recommendations for the Gascoyne and West Coast Bioregions. These documents were released for public comment in early 2006.

Finalisation of the public comment process relating to the recommendations of the CAP and MPP in 2006 was followed by the release of Fisheries Management Paper No.221 “Outcomes of the Wetline Review – The Minister for Fisheries’ proposed decisions for the future management of the West Coast and Gascoyne commercial “Wetline” fisheries” for public comment in January this year.

1.1 Summary of the Wetline Review consultation process

The consultation process undertaken in the development of the new management arrangements has included:

- A letter of 3 November 1997 to all Fishing Boat Licence (FBL) holders, advising that the (then) Minister had asked that the Department of Fisheries undertake an assessment of fishing activity against FBLs (that is, in the 'wetline' fishery). In addition, it advised that a benchmark date of 3 November 1997 had been set by the Minister in relation to the recognition of history within the fishery.
• The then Minister's address at the Western Fishing Industry Advisory Council (WAFIC) Annual General Meeting in September 2001, which raised the issue of wetline management and sought WAFIC's view on the rate at which this should be progressed.

• An article by Guy Leyland in the ProWest January/February 2002 edition on WAFIC's view on progressing the matter of wetline management.

• A Ministerial media statement on 11 July 2002 formally announcing plans to review the management of the 'wetline' sector of WA's commercial fishing industry.

• An article in the ProWest January/February 2003 edition about the Minister having formally agreed to the process for the wetline review, including information about the roles of the two panels (the MPP and the CAP).

• A Ministerial media statement on 11 April 2003 announcing the creation of two panels (the MPP and the CAP) to provide advice on proposed access and management arrangements for WA's commercial wetline fisheries.

• An article in the first edition of Western Fisheries in 2003 about the start of the review of commercial 'wetlining', commencing in the West Coast and Gascoyne regions, including information about the composition and role of each of the two panels.

• A letter of 23 June 2003 to all FBL holders with regard to validation of catch records, which advised about the establishment of two panels (the MPP and the CAP) to undertake a review of WA's commercial wetline fishery. A copy of the Minister's media statement of 11 April 2003 was included with the letter.

• Advertisements explaining the review and extending an invitation for any interested persons to make initial written submissions on matters the panels should consider as part of the review were placed in The West Australian (on the 12th and 13th September 2003), the Geraldton Guardian, Northern Guardian and the Augusta-Margaret River Mail (on the 17th September 2003), and the Bunbury/South West Times (on the 18th September 2003).

• Information about the review was placed on the Department of Fisheries' website, including an invitation to make an initial written submission in September 2003. There was also provision to send a submission direct from the site.

• An invitation to make an initial submission was placed on the Citizenscape and Consultation Catalogue section of the Department of Premier and Cabinet's website, with a direct link to the Department of Fisheries' website in September 2003.

• Presentation to all WA boat brokers on 19 September 2003.
A letter of 26 September 2003 to all peak industry bodies, including professional fishermen's associations, explaining the review and extending an invitation to make initial written submissions on matters they believe the CAP should consider as part of the review.

Posters about the review, released in early October 2003, displayed in all regional and district offices of the Department of Fisheries, as well as at major wetfish processing establishments. Also, the same posters were displayed at meetings of the annual rock lobster coastal tour in the week beginning 13 October 2003.

An article in the September/October 2003 edition of ProWest.

A letter (as per the 26 September letter to industry bodies) to all FBL holders on 8 October 2003.


Meetings held in Jurien Bay, Dongara, Geraldton, Kalbarri and Carnarvon by the Commercial Access Panel in February 2004 providing an opportunity for interested associations and individuals to provide their views to the CAP on issues such as access and allocation.

Meetings were held in Bunbury, Busselton and Fremantle by the Commercial Access Panel in May 2004.

Discussion papers released in January 2005 by the MPP and the CAP outlining proposed management arrangements for a four-month public comment period. The comment period closed 29 April.

Information sessions, facilitated by the WAFIC were conducted in Jurien Bay, Dongara, Geraldton, Fremantle, Mandurah, Bunbury, Augusta, Albany, Kalbarri, Carnarvon and Ledge Point.

Fisheries Management Paper Nos 205, 206 and 207, communicating the final CAP and MPP recommendations for the Gascoyne and West Coast Bioregions. These documents were released for public comment in early 2006.

A Ministerial media release on 4th of January 2007 announcing the release of Fisheries Management Paper No. 221 “Outcomes of the Wetline Review – The Minister for Fisheries’ proposed decisions for the future management of the West Coast and Gascoyne commercial “wetline” fisheries” and inviting public comment regarding the same.

A letter of 3 January 2007 and copy of Fisheries Management Paper No. 221 to all FBL holders, peak industry bodies, including professional fishermen's associations, and Members of Parliament explaining the Minister’s proposed decisions as described in Fisheries Management paper No. 221 and extending an invitation to make written submissions on the proposals.
SECTION 2 THE FINAL MANAGEMENT FRAMEWORK FOR THE COMMERCIAL “WETLINE” FISHERIES FOLLOWING COMPLETION OF THE WETLINE REVIEW

ARRANGEMENTS COMMON TO THE WEST COAST AND GASCOYNE BIOREGIONS

The arrangements that are to be commonly applied across both bioregions are set out below (and therefore are not repeated in each of the four separate sets of management arrangements).

2.1 Catch history

For the purposes of the Wetline Review, any assessment of catch history will be based on annual catches recorded against an authorisation (i.e. a Fishing Boat Licence [FBL]) and will be determined on the basis of a financial year commencing 1 July in a given year and ending 30 June the following year, with the exception of the 1996/97 and 1997/98 financial years.

In recognition of the benchmark date of 3 November 1997, these years will be defined as:

a) 1996/97 – 1 July 1996 through 31 October 1997; and

The Department of Fisheries records catch history generated by fishers using a Licensed Fishing Boat (LFB) against the relevant FBL. This means that any boat that operates under an FBL (and therefore displayed the relevant LFB numbers on the boat), over time, will further develop the catch history on that FBL.

In some cases the catch history will have been created while the FBL was held (owned) by a range of persons. In many cases, a range of vessels will have been used to create the catch history recorded against an FBL. This is demonstrated by the many different vessels that may have displayed a single LFB number over time.

This means, that where a person has “leased” an FBL by attaching their vessel to an FBL (through boat replacement or similar) the catch history generated through the fishing operations undertaken using that boat will accrue to that FBL and, as such, may in time provide benefit to the holder of the FBL, but not to the owner of the vessel.

In cases where a fishery or zonal boundary runs along a line of longitude or latitude that is not consistent with the boundary of a CAES block (i.e. the CAES blocks are generally bounded by a line of latitude, or longitude, in whole degrees and therefore any boundaries or zones that are not in whole degrees pose a problem in determining where the recorded catch was taken within the CAES block) applicants will be required to make a determination, as to where they wish the catch to be considered to have come from.
An example is the boundary between the West Coast and Gascoyne Demersal Scalefish Fisheries, at 26°30’ South. As the CAES block for the area runs between 26° South and 27° South both the Department and the fisher are unable to determine in which part of the block the catch was taken. In this case, an applicant may choose to declare that all, or part, of the catch came from the Kalbarri zone of the West Coast Demersal Scalefish fishery, or alternatively, they may choose that all, or part, of the catch came from the Gascoyne Demersal Scalefish Fishery. The determination will impact on the applicant’s potential access and/or allocation within either or both fisheries, but will ensure it is not accounted for twice, and should assist in those catches being attributed (and ultimately, entitlements issued) consistent with the applicant’s current circumstances.

2.2 Area of the Fisheries

In both the West Coast and Gascoyne bioregions the fisheries will extend to the 200 nautical mile AFZ boundary.

The waters outside the 250metre depth contour will constitute a separate zone (being the “offshore zone”) in each fishery.

Access to the offshore zone of each fishery will be initially provided to the holders of current entitlement within the respective fisheries. The working arrangements are further described below (in the West Coast and Gascoyne Demersal Scalefish Fishery arrangements).

This arrangement will be monitored and in time more comprehensive arrangements for access to this zone may be considered, including a Developing New Fisheries-style process.

2.3 Management arrangements – instrument and period of operation

In view of the many factors that I have considered in developing my proposed management arrangements for the:

1. West Coast Demersal Scalefish Fishery;
2. Gascoyne Demersal Scalefish Fishery;
3. West Coast Inshore Net Fishery; and

I have determined that the management arrangements for these fisheries will take the form of separate Management Plans (under Section 54 of the Fish Resources Management Act 1994), and each will specifically declare those fisheries to be an Interim Managed Fishery.

Furthermore, each of the aforementioned Management Plans will specify a period of operation of five years from the date of commencement of operation of that Management Plan.
2.4 Reporting catch in the new Fisheries

Operators in the West Coast Demersal Scalefish Fishery, West Coast Inshore Net Fishery, Gascoyne Demersal Scalefish Fishery, and Gascoyne Inshore Net Fishery will be required to report their catch of scalefish on a “trip by trip” basis using new daily/trip logbooks. The logbooks, which utilise 10nm x 10nm reporting blocks to provide much finer scale reporting and analysis have in recent years been trialled by a number of operators on the West Coast. The broader implementation of the new logbooks for the Fishery is planned to commence at the time the permits are issued for the new Fisheries.

2.5 Recreational fishing from a Licensed Fishing Boat

A person will be permitted to use a licensed fishing boat to fish solely for recreational purposes (except for any recreational fisheries which require a person to hold a Recreational Fishing Licence [RFL]) to take fish up to the existing recreational bag limit for that species, or category of fish relevant to the bioregion, and subject to the following:

- operators undertaking this activity will be required to nominate (with details of the nomination process to be provided in coming months) prior to commencing the trip and giving details of the period over which they will be conducting a recreational fishing trip; and
- commercial operators who have nominated to utilise their licensed fishing boat to recreationally fish will not be permitted to have (or transport) rock lobster pots or other specified commercial fishing gear on board the boat.

2.6 CFL holders permitted to hold Recreational Fishing Licences (RFL)

Commercial Fishing Licence (CFL) holders will be permitted to apply for and be granted an RFL. However, CFL holders operating in the West Coast Rock Lobster and Abalone Managed Fisheries and/or any of the commercial Fisheries permitting netting as a fishing method, will not be permitted to hold an RFL to take rock lobster or abalone, or undertake netting respectively (and therefore will not be able to hold an “umbrella” licence either).

CFL holders who have been granted an RFL under this arrangement will be permitted to undertake the activities authorised by that RFL from recreational vessels or the shore (but not from a licensed fishing boat even if it has nominated to operate recreationally for the take of scalefish or other fish not the subject of an RFL in accordance with the arrangements described above).

RFL holders fishing under these arrangements will be subject to the recreational bag, boat and possession limits and other recreational fishing rules relevant to the bioregion in which the activity is being undertaken.

Note, that this initiative will require that CFLs are modified to identify whether or not the holder is operating in a fishery which takes species which are subject to a recreational fishing licence requirement.
2.7. Practical considerations regarding “fishing days” and debiting of entitlement

Consistent with other WA fisheries currently operating under Individually Transferable Effort (ITE) management arrangements, the Department of Fisheries will monitor the vessels operating in the fishery by VMS. This allows the actual time in the fishery to be monitored and debited consistent with the business rules for the fishery (e.g. the “polling” rate of VMS [i.e. 2 or 4 hourly], when the time in the fishery commences, allowances for steaming, transit and any minimum debiting rules that may be in place etc.). This permits a fisher to enter the fishery at any time, stay for a portion of a day (say 10 hours) and return to port having only consumed that amount of time i.e. 10/24th of a day (but subject to the aforementioned business rules e.g. it may determined appropriate to implement a minimum debit rule, which if set at 12 hours would result in the fisher in the example being debited 12 hours).
SECTION 3  THE WEST COAST DEMERSAL SCALEFISH FISHERY

3.1 Description

1) The West Coast Demersal Scalefish Fishery (the Fishery) is to operate in the waters between 26°30’S and 115°30’E (the West Coast Bioregion) and extending out to the boundary of the Australian Fishing Zone, to take demersal scalefish by line. Fishing effort will be managed utilising an Individually Transferable Effort (ITE) framework that provides for permits with variable levels of entitlement (with units of ITE having a value in “boat fishing days” or, in the South West zone, “line fishing days”).

2) The Fishery is to be divided into inshore and offshore areas and comprise five management zones as follows:

- **Inshore area (out to the 250 metre depth contour*)**
  - a) Kalbarri zone (26°30’S to 28°S);
  - b) Mid-West zone (28°S to 31°S);
  - c) Metropolitan zone (31°S to 33°S); and
  - d) South-West zone (33°S to 115°30’E);

- **Offshore area**
  - e) Offshore zone (26°30’S to 115°30’E between the 250 metre depth contour and the 200 nautical mile boundary of the AFZ).

*Note: The coordinates defining the 250 metre depth contour (along a line-of-best-fit) will be developed in coming months.

See Appendix 1 for a diagram of the boundaries and zones for the West Coast Demersal Scalefish Fishery.

3.2 Access and Allocation

4) Access to the inshore zones of the Fishery is to be determined based on catch history of demersal scalefish, taken by “open access line fishing methods”, reported against an authorisation (i.e. a Fishing Boat Licence [FBL]), from the West Coast bioregion (in Catch and Effort Statistics [CAES] blocks between 26°S and 116°E*) in the pre-benchmark period (financial years from 1991/92 to 1996/97 inclusive) and post-benchmark period (financial years from 1997/98 to 2002/03 inclusive).

*Note the information provided in the Catch History section, which describes the process to be employed in cases where a fishery or zonal boundary runs along a line of longitude or latitude that is not consistent with the boundary of a CAES block.
Fishery permits are to be granted to Fishing Boat Licence (FBL) holders whose current FBL has reported a minimum average of 2,000kg of demersal scalefish (when averaging the best three annual catches) taken by “open access line fishing methods”, in both the pre-benchmark period (financial years from 1991/92 to 1996/97 inclusive) and the post-benchmark period (financial years from 1997/98 to 2002/03 inclusive) from the West Coast bioregion.

Note, the following definitions and principles apply:

1. “Demersal scalefish” refers to:
   a) bony fish only, legally taken under WA law (and through “open-access” line fishing methods at the time the catch was recorded), including mackerel not already accounted for in the grant of a Mackerel Permit.
   b) but, does not include sharks, rays, molluscs (including squid, octopus or cuttlefish), crustaceans, or tuna and tuna-like species (as defined in the Offshore Constitutional Settlement 1995 as being under Commonwealth jurisdiction – with the exception of those fish taken in accordance with WA law to reflect the bycatch arrangements for these species, set out in the Offshore Constitutional Settlement 1995).

2. “Open access line fishing methods” will be limited to catches of demersal scalefish taken:
   a) by line,
   b) from a licensed fishing boat, and
   c) does not include catches taken by demersal longlines and/or pelagic longlines.

Note also, that any fishing (or catch history), not involving the use of a licensed fishing boat (expected to be almost exclusively netting related) is restricted in its application to the inshore net fisheries only.

Allocation of levels of entitlement within the inshore zones of the Fishery will be based on catch history of demersal scalefish, taken by “open access line fishing methods”, reported from the West Coast bioregion (as defined at 1. above) in both the pre-benchmark period (financial years from 1991/92 to 1996/97 inclusive) and the post-benchmark period (financial years from 1997/98 to 2002/03 inclusive) in the West Coast Bioregion.

FBL holders qualifying for access under 5) above will be allocated entitlement in each of the four inshore zones of the Fishery (Kalbarri, Mid-West, Metropolitan and South-West) in which their FBL has reported catch in either the pre-benchmark period (financial years from 1991/92 to 1996/97 inclusive) and/or the post-benchmark period (financial years from 1997/98 to 2002/03 inclusive), weighted at a ratio of 60:40 for the pre and post benchmark catches respectively. Each allocation of entitlement will be based on the historical catch (using the average of the best three years for the pre-benchmark and post-benchmark periods in each of the zones) as a proportion of the total of the average catches of all the operators that are eligible to receive an allocation in that zone.
8) Access to the Offshore zone of the Fishery will be provided to all the holders of a West Coast Demersal Scalefish Fishery permit subject to the following conditions;

a) access to the zone will be limited to 100 “boat fishing days” initially;
b) this will be established in the form of a shared “pool” of entitlement and available to those fishers through a “first in, best dressed” arrangement;
c) operators wishing to access the offshore zone will required to hold unexhausted inshore zone entitlement;
d) any boats that choose to fish that zone would subsequently consume the “pool” of entitlement;
e) the size of the “pool” (set by the Department’s Chief Executive Officer) can be set as appropriate (on the basis of research advice catch and effort in the zone and the impacts on the relevant demersal scalefish stocks).

This approach provides a conservative means to avoid the immediate closure of the area, which is currently being utilised in a limited way by a few wetliners.

In time a DNF-style process may be established to consider allowing new entrants to that zone. It is also likely that more formal arrangements for the allocation of entitlement will be developed at a future date.

3.3 Capacity of the Fishery

9) The Fishery will be managed to a Total Commercial Catch (TCC) comprising the sum of the TCC settings allocated for the four inshore zones. The total number of days allocated for each zone will be determined utilising the relevant TCC and Catch Per Unit Effort (CPUE) figures for each zone provided by the Department of Fisheries’ Research Division.

10) The TCC and CPUE settings for the Fishery (and therefore the “capacity” of the fishery) will be reviewed annually and adjusted as required by the Chief Executive Officer of the Department of Fisheries.

11) An allocation of entitlement conferred upon a permit will be made in “units”. Unit values will be determined on the basis of the relevant TCC and CPUE. The value of a unit of entitlement will be determined by dividing the capacity of the fishery (derived from the TCC and the CPUE and expressed as boat fishing days, or “line fishing days” for the South-West zone) amongst all the units of entitlement for that zone.

12) A unit of entitlement will take the form of:
“boat fishing days” for the Metropolitan, Mid-West and Kalbarri zones, and “line fishing days” for the South-West zone.

Note: a standard “boat fishing day” will permit the use of a maximum of five handlines and five droplines per day. Operators with entitlement in the South-West zone will be able to nominate the number of lines with which they intend to operate. This will determine the rate at which their entitlement in “line fishing days” is consumed. This means a fisher that is allocated 50 “line fishing days” may nominate to use the days at the standard rate of five handlines and five
droplines per day for the allocated 50 days, or alternatively could nominate to use a greater number of lines (e.g. 10 handlines and 10 droplines) over 25 days.

3.4 Permitted Gear and Activities

13) The Fishery will be managed utilising the Department of Fisheries’ Vessel Monitoring System (VMS). Fishing Boats operating under a permit for the West Coast Demersal Scalefish Fishery will be required to fit an Automatic Location Communicator (ALC).

Note: further information regarding the timeframe for the fitting of the ALC and commencement of the VMS requirements will be provided in 2007.

14) Fishing Boats that operate under a permit for the Fishery will only be permitted to utilise handlines and droplines to fish in the fishery. The number of handlines and droplines they are permitted to use (and carry on board a boat – with provisions for spare gear to be provided) will be restricted to a maximum of five lines of each type (except in the South-West zone). Each line will be restricted to a maximum of 30 hooks (or gangs of hooks). In the South-West zone operators may use and/or carry more than 5 handlines and 5 droplines, but if doing so they will be debited time usage at a higher rate (line fishing days).

Note: ‘Handline’ means a fishing line, which is attended, weighted at one end and has not more than 30 hooks (or gangs of hooks) attached. ‘Dropline’ means a fishing line with no more than 30 hooks (or gangs of hooks) and when used for fishing is anchored by a weight at one end, buoyed at the surface and deployed vertically through the water. A minimum of one buoy, with a minimum diameter of 200mm, must be attached to the line. The buoy should be marked with the vessel’s LFB number, in lettering at least 6cm high and 1cm wide.

15) Operators in the Fishery will be permitted to land whole fish only (noting fish may be gilled, gutted, and chilled, but not frozen). Exceptions to this (including filleting) will require that fishers apply to the Department of Fisheries for the grant of a processing authorisation by the Department of Fisheries.
SECTION 4 THE WEST COAST INSHORE NET FISHERY

1) The West Coast Inshore Net Fishery (the Fishery) is to operate in the coastal waters north of Moore River, to take scalefish by net from the shore. The management arrangements for this fishery may include a range of spatial, temporal and gear controls; however at this stage the management arrangements will not provide for the holders to be allocated differing levels of entitlement.

*Note: initially nets permitted for use in the West Coast Inshore Net Fishery will be restricted to hand-hauled gill nets and seine nets. The formal definitions of these gear types will be considered in consultation with those given access to the fishery in 2007.*

2) Access to the Fishery is to be determined based on catch history of fish, taken by “open-access” netting methods, reported in the West Coast Bioregion (in Catch and Effort Statistics [CAES] blocks between 26°S and 116°E) in the pre-benchmark period (financial years from 1991/92 to 1996/97 inclusive) and post-benchmark period (financial years from 1997/98 to 2002/03 inclusive).

3) Fishery permits are to be granted to Fishing Boat Licence (FBL) holders whose current FBL has reported a minimum average of 2,000kg of scalefish (when averaging the best three annual catches) taken by “open access” netting methods, in both the pre-benchmark period (financial years from 1991/92 to 1996/97 inclusive) and the post-benchmark period (financial years from 1997/98 to 2002/03 inclusive) in the West Coast Bioregion.

*Note, the following definitions and principles apply:*

1. “Open-access netting” considers catches of all fish legally taken under WA law (and through “open-access” entitlement at the time the catch was recorded), by shore-based beach seine, haul netting and set (gill) netting methods (regardless of whether a fishing boat was actually used). It does not include catches taken offshore by open-access net (i.e. separate to the inshore net fishery).

2. Any fishing (or catch history), not involving the use of a licensed fishing boat (expected to be almost exclusively netting related) is restricted in its application to the inshore net fisheries only.
SECTION 5 THE GASCOYNE DEMERSAL SCALEFISH
FISHERY

5.1 Description

1) The Gascoyne Demersal Scalefish Fishery (the Fishery) is to operate in the waters between 23°07’S and 26°30’S (and all of the waters within Shark Bay including those extending south of 26°30’S) and extending out to the boundary of the Australian Fishing Zone, to take demersal scalefish by line. Fishing effort will be managed utilising an Individually Transferable Effort (ITE) framework that provides for permits to allocate differing levels of entitlement (with units of ITE having a value in “boat fishing days”).

The Shark Bay Snapper Managed Fishery (SBSMF) will be incorporated into the Gascoyne Demersal Scalefish Fishery. To achieve this the Shark Bay Snapper Fishery Management Plan 1994 will be revoked at the time the Gascoyne Demersal Scalefish Fishery Management Plan is implemented. The take of pink snapper will be provided for in the Gascoyne Demersal Scalefish Fishery Management Plan by an Individually Transferable Quota (ITQ) system operating within the overall ITE system.

2) The Fishery is to be divided into inshore and offshore areas and comprise three management zones as follows:

Inshore area (out to the 250 metre depth contour*)

a) Inner-shelf zone (23°07’S to 26°30’S seaward out to the 150metre depth contour*);

b) Outer-shelf zone (23°07’S to 26°30’S from the 150metre depth contour* seaward out to the 250metre depth contour*); and

Offshore area

c) Offshore zone (23°07’S to 26°30’S from the 250metre depth contour* seaward out to the 200 nautical mile boundary of the Australian Fishing Zone.

The inner and outer-shelf zones will be managed together under a single set of arrangements for the inshore area, with a single scheme of entitlement providing all fishers with access to both zones (as opposed to the previous proposals to provide for two separate schemes of entitlement and allow fishers separate access to the inner and outer-shelf zones).

*Note: The coordinates defining the 150 and 250metre depth contours (along a line-of-best-fit) will be developed in coming months.

See Appendix 2 for a diagram of the boundaries and zones for the Gascoyne Demersal Scalefish Fishery.
5.2 Access and Allocation

3) Access to the Fishery is to be determined based on catch history of demersal scalefish, taken by “open access line fishing methods”. This catch history is to be reported against an authorisation (i.e. a Fishing Boat Licence [FBL]), from the Gascoyne bioregion (in Catch and Effort Statistics [CAES] blocks between 23°S and 27°S*) in the pre-benchmark period (financial years from 1991/92 to 1996/97 inclusive); and post-benchmark period (financial years from 1997/98 to 2002/03 inclusive).

Note that holders of a current SBSMF Licence (SBSMFL) to which is attached an allocation of permanent entitlement (i.e. pink snapper entitlement that has been temporarily transferred to a SBSMFL will not be considered), but which do not have wetline catch history above the access criteria, will also be granted access (and an allocation of ITE relevant to the amount of pink snapper ITQ they will receive).

*Note the information provided in the Catch History section, which describes the process to be employed in cases where a fishery or zonal boundary runs along a line of longitude or latitude that is not consistent with the boundary of a CAES block.

4) Permits for the Fishery based on wetline history are to be granted for the inshore area (being the combined inner/outer-shelf zone) to:

Fishing Boat Licence (FBL) holders whose current FBL has reported a minimum average of 2,000kg of demersal scalefish (not including pink snapper taken under the authority of a SBSMFL, but including goldband snapper [as defined below]), taken by “open access line fishing methods”, (when averaging the best three annual catches) in both the pre-benchmark period (financial years from 1991/92 to 1996/97 inclusive) and the post-benchmark period (financial years from 1997/98 to 2002/03 inclusive) in the Gascoyne Bioregion. Note, holders of a current SBSMFL will only be granted one permit (which will specify their total entitlement for the inshore area [i.e. ITE for the purposes of pink snapper and other demersal scalefish will be aggregated onto the one permit]).

Note, the following definitions and principles apply:

1. “Demersal scalefish” refers to:
   bony fish only, legally taken under WA jurisdiction (and through “open-access” line fishing methods at the time the catch was recorded), including mackerel not already accounted for in the grant of a mackerel permit; but does not include sharks, rays, molluscs (including squid, octopus or cuttlefish), crustaceans, or tuna and tuna-like species (as defined in the Offshore Constitutional Settlement 1995 as being under Commonwealth jurisdiction – with the exception of those fish taken in accordance with WA law to reflect the bycatch arrangements for these species, set out in the Offshore Constitutional Settlement 1995).
2. “Open access line fishing methods” will be limited to catches of demersal scalefish taken:
   a) by line;
   b) from a licensed fishing boat; and
   c) does not include catches taken by demersal longlines and/or pelagic longlines.

3. Any fishing (or catch history), not involving the use of a licensed fishing boat (expected to be almost exclusively netting related) is restricted in application to the inshore net fisheries only.

4. “Goldband snapper” refers to fish of the genus Pristipomoides.

5. The TAC for pink snapper is currently determined in the Shark Bay Snapper Fishery Management Plan 1994. This determination will become the TACC for pink snapper within the management arrangements for the Gascoyne fishery.

6. The ability to exercise any allocation of pink snapper entitlement by a permit holder in the Gascoyne Demersal Scalefish Fishery will be subject to a Minimum Unit Holding of 100 units of pink snapper ITQ (as explained below [apart from current exceptions in the SBSMF Plan]) and the availability of both unexhausted pink snapper entitlement and unexhausted demersal scalefish entitlement on the permit.

5) Allocation of entitlement within the Fishery will be based on:

   a) for the inshore area;
      i) catch history of demersal scalefish (including goldband snapper) taken by “open access line fishing methods”\(^^\) and/or taken in conjunction with pink snapper when operating under a SBSMFL*, reported in the Gascoyne bioregion in both the pre-benchmark period (financial years from 1991/92 to 1996/97 inclusive) and the post-benchmark period (financial years from 1997/98 to 2002/03 inclusive), weighted at a ratio of 60:40 for the pre and post benchmark catches respectively, and/or
      ii) the level of pink snapper permanent entitlement (i.e. pink snapper entitlement that has been temporarily transferred to a SBSMFL will not be considered) on a SBSMFL, at the time of applying for a Gascoyne Demersal Scalefish Fishery permit.

Note,
1. ^When determining inshore area entitlement the demersal scalefish catch history recorded on an FBL will be adjusted as part of the assessment for allocation (and prior to the 60:40 weighting), but not for the assessment for access, in consideration of the conjunctural take of non-snapper species with any fishing for pink snapper, in accordance with the process described below.

2. *A person who is issued a Gascoyne Demersal Scalefish Fishery permit with an allocation of pink snapper ITQ under a)ii. above, will also be eligible to receive an additional allocation of ITE (boat fishing days) for the inshore area, for their “wetline” catch, subject to meeting the access and/or allocation criteria described above.
6) Further to 5) above, FBL holders qualifying for access under 4) above will be allocated entitlement in the inshore area as follows:

i) A person who holds permanent pink snapper entitlement (in the form of pink snapper ITQ conferred by a SBSMFL), at the time of applying for a Gascoyne Demersal Scalefish Fishery permit will be eligible to be issued a Gascoyne Demersal Scalefish Fishery permit with:
   • an allocation of pink snapper ITQ of the same number of units as that held on the SBSMFL used in the application, and
   • an allocation of pink snapper ITE units (in boat fishing days) in proportion to the allocation of pink snapper entitlement (ITQ) issued at i) above.

ii) A person who is the holder of an FBL (including SBSMFL holders) which meets the access and allocation criteria set out above, will be eligible to be issued a Gascoyne Demersal Scalefish Fishery permit with:
   • an allocation of the total demersal scalefish ITE units (with a value in boat fishing days) relevant to the catch history on that FBL (based on the averages for the best three years catches in both the pre-benchmark period and the post-benchmark period, weighted at a ratio of 60:40 for the pre and post benchmark catches respectively) as a proportion of the total of the average catches of all the operators that are eligible to receive an allocation, for that area.

In making this determination catch history will be assessed to take into account the conjunctonal take of demersal scalefish by pink snapper fishers and adjusted by applying the “standard conjunctonal non-snapper catch” rate (i.e. the relevant demersal scalefish catch will be reduced by 15 per cent of the recorded pink snapper catch in that year). Note this adjustment will occur prior to the best three years’ catches being averaged and therefore prior to the pre or post-benchmark weighting being applied to that average to determine the amount of entitlement to be allocated.

Note,
1. A person who gains entitlement for the inshore area will be able to fish for snapper and demersal scalefish in this entire area (being the combined inner/outer-shelf zones),
2. The “standard conjunctonal non-snapper catch” is based on historical catch data indicating that the catch rate of “other” (non-pink snapper) demersal scalefish equates to 15% of the total pink snapper catch taken by SBSMFL fishers.

7) Access to the offshore zone of the Fishery will be provided to all the holders of a Gascoyne Demersal Scalefish Fishery permit subject to the following conditions;

a) access to the offshore zone will be limited to 100 “boat fishing days” initially;
b) this will be established in the form of a shared “pool” of entitlement and available to those fishers through a “first in, best dressed” arrangement;
c) operators wishing to access the offshore zone will be required to hold unexhausted inshore zone entitlement [which, in the Gascoyne comprises unexhausted pink snapper ITQ and inner/outer-shelf ITE];

d) any boats that choose to fish that zone would subsequently consume the “pool” of entitlement;

e) the size of the “pool” (set by the Department’s Chief Executive Officer) can be set as appropriate (on the basis of research advice catch and effort in the zone and the impacts on the relevant demersal scalefish stocks).

This approach provides a conservative means to avoid the immediate closure of the area, which is currently being utilised in a limited way by a few operators.

In time a DNF-style process may be established to consider allowing new entrants to that zone. It is also likely that more formal arrangements for the allocation of entitlement will be developed at a future date.

5.3 Capacity of the Fishery

8) The Fishery will be managed to:

a) a Total Allowable Commercial Catch (TACC), for pink snapper for the fishery (i.e. the inshore area [and the offshore zone if required in the future]). This will be allocated in the form of Individually Transferable Quota (ITQ);

b) a notional TCC for demersal scalefish, for the inshore area; and

c) a Total Allowable Effort (TAE) setting (initially allocated as ITE “boat fishing days”), for the inshore area (including boat fishing days for the purposes of taking pink snapper).

The total number of “boat fishing days” days allocated for the Fishery will be determined utilising the Catch Per Unit Effort (CPUE) figures determined by the Department of Fisheries’ Research Division.

These settings (TACC, TCC, and CPUE) will be reviewed during 2007 as part of the process of granting units of entitlement and if necessary, a new determination will be made.

Recognising that a permit holder’s ability to exercise their ITE in the inshore area is “tied” to holding unexhausted pink snapper entitlement, the TAE for the fishery will be managed utilising “variable consumption” rates which acknowledge seasonal variations in the catchability of pink snapper.

The Consumption Rate Factor, calculated based on historical CPUE, reflects the rate at which a permit holder’s ITE will be consumed at different times throughout the year.

Initially this will only be applied to the inshore area (and not the offshore zone). However, initially the variable rates will only apply to the inner-shelf zone of the inshore area (i.e. the Consumption Rate Factor applied to the outer-shelf zone of the inshore area – the part between 150m and 250m water depth – will be the base rate of 1.0).
The Consumption Rate Factors will be reviewed, in association with CPUE figures, in coming months.

9) The TACC for pink snapper, TCC, TAE, ITE, ITQ (pink snapper) and consumption rate factor settings for the Fishery will be reviewed annually and adjusted as required by the Chief Executive Officer of the Department of Fisheries.

10) An allocation of entitlement conferred upon a permit will be made in “units”.

11) A unit of entitlement is to initially take the form of:
“boat fishing days” for demersal scalefish (including pink snapper) in the inshore area (in accordance with the grant of access and entitlement), and kilograms of pink snapper (which will be translated to give a number of “boat fishing days” for the purposes of pink snapper fishing, applying a “base rate” [i.e. September to December] CPUE value).

Note: the entitlement in kilograms of pink snapper will contribute to the “pool” of effort days used to determine the capacity of the Fishery for the purposes of setting a value for ITE units

12) a) The value of a unit of ITE will be determined by dividing the TAE amongst all the units of entitlement for that zone.

b) The value of a unit of pink snapper ITQ will be determined by dividing the TACC amongst all the pink snapper units of entitlement (utilising the same number of units currently provided for in the Shark Bay Snapper Fishery Management Plan 1994.

13) The holder of a Gascoyne Demersal Scalefish Fishery permit will not be able to fish in the inshore area or offshore zone unless they hold the Minimum Unit Holding requirement for pink snapper ITQ of 100 units (as per the current arrangements set out in the Shark Bay Snapper Fishery Management Plan 1994).

5.4 Permitted Gear and Activities

14) The Fishery will be managed utilising the Department of Fisheries’ Vessel Monitoring System (VMS). Fishing Boats operating under a permit for the Gascoyne Demersal Scalefish Fishery will be required to fit an Automatic Location Communicator (ALC).

Note: further information regarding the timeframe for the fitting of the ALC and commencement of the VMS requirements will be provided in 2007.

15) Fishing Boats that operate under a permit for the Fishery will only be permitted to utilise handlines and droplines to fish in the fishery. The number of handlines and droplines they are permitted to use (and carry on board a boat – with provisions for spare gear to be provided) will be restricted to a maximum of five lines of each type. Each line will be restricted to a maximum of 30 hooks (or gangs of hooks).
Note: “Handline” means a fishing line which is attended, weighted at one end and has not more than 30 hooks (or gangs of hooks) attached. “Dropline” means a fishing line with no more than 30 hooks (or gangs of hooks and when used for fishing is anchored by a weight at one end, buoyed at the surface and deployed vertically through the water). A minimum of one buoy, with a minimum diameter of 200mm, must be attached to the line. The buoy should be marked with the vessel’s LFB number, in lettering at least 6cm high and 1cm wide.

16) Operators in the Fishery will be permitted to land whole fish only (noting fish may be gilled, gutted and chilled, but not frozen). Exceptions to this (including filleting) will require that fishers apply to the Department of Fisheries for the grant of a processing authorisation by the Department of Fisheries.
SECTION 6 THE GASCOYNE INSHORE NET FISHERY

1) The Gascoyne Inshore Net Fishery (the Fishery) will operate in the coastal waters of the Gascoyne, north of the Shark Bay Beach Seine and Mesh Net Fishery (SBBSMNF) to take scalefish by net. The management arrangements for this fishery may include a range of spatial, temporal and gear controls; however, at this stage the management arrangements will not provide for the holders to be allocated differing levels of entitlement.

Note: Initially nets permitted for use in the Fishery will be restricted to hand-hauled gill nets and seine nets. The formal definitions of these gear types will be considered in conjunction with those given access to the fishery in 2007.

2) Access to the Fishery is to be determined based on catch history of fish, taken by “open-access” netting methods, reported from the Gascoyne bioregion (in Catch and Effort Statistics [CAES] blocks between 23°S and 27°S [and outside the SBBSMNF]) in the pre-benchmark period (financial years from 1991/92 to 1996/97 inclusive) and post-benchmark period (financial years from 1997/98 to 2002/03 inclusive).

3) Fishery permits are to be granted to Fishing Boat Licence (FBL) holders whose current FBL has reported a minimum average of 2,000kg of scalefish (when averaging the best three annual catches) taken by “open access” netting methods, in both the pre-benchmark period (financial years from 1991/92 to 1996/97 inclusive) and the post-benchmark period (financial years from 1997/98 to 2002/03 inclusive) in the Gascoyne bioregion.

Note: The following definitions and principles apply:
1. “Open-access netting” considers catches of all fish legally taken under WA law (and through “open-access” entitlement at the time the catch was recorded), by shore-based beach seine, haul netting and set (gill) netting methods (regardless of whether a fishing boat was actually used). It does not include catches taken offshore by open-access net (i.e. separate to the inshore net fishery).
2. Any fishing (or catch history), not involving the use of a licensed fishing boat (expected to be almost exclusively netting related) is restricted in its application to the inshore net fisheries only.
APPENDIX 1

West Coast Demersal Scalefish Fishery

Prepared by Department of Fisheries WA GIS Level 3 108 St George’s Terrace

200 nautical mile limit

INSHORE:
- Kalbarri Zone
- Metropolitan Zone
- Mid-West Zone
- South-West Zone

OFFSHORE:
- Offshore Zone
APPENDIX 2

Gascoyne Demersal Scalefish Fishery (GDSF)
List of Fisheries Management Papers

Not all have been listed here. A complete list is available online at http://www.fish.wa.gov.au