PROPOSED MANAGEMENT ARRANGEMENTS FOR THE GASCOYNE COMMERCIAL 'WETLINE' FISHERY

A discussion paper prepared by the
West Coast and Gascoyne Wetline Review
Management Planning Panel

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Wetline Review

West Coast & Gascoyne Management Planning Panel

Hon Kim Chance MLC
Minister for Agriculture, Forestry and Fisheries
11th Floor, Dumas House
2 Havelock Street
WEST PERTH WA 6005

Dear Minister

On behalf of the West Coast & Gascoyne Management Planning Panel, I have pleasure in forwarding you the Panel's reports: *Proposed Management Arrangements for the West Coast Commercial "Wetline" Fishery* and *Proposed Management Arrangements for the Gascoyne Commercial "Wetline" Fishery*.

Yours sincerely

David Smith
Chairman
West Coast & Gascoyne Management Planning Panel

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SECTION 1 FOREWORD

Western Australia's scalefish stocks, while low in productivity by world standards, provide an important resource for both commercial and recreational fisheries. The level of fishing activity by both of these sectors has increased in recent years and represents a potential threat to the long-term sustainability of demersal/reef species such as pink snapper and goldband snapper in the Gascoyne.

If scalefish stocks are to be managed sustainably in the future it is important that a more integrated approach encompassing all user groups is adopted. The recently announced Integrated Fisheries Management (IFM) initiative involves the setting of a total sustainable harvest level in each fishery that allows for an ecologically sustainable level of fishing, and the allocation of explicit catch shares for use by each of the principle user groups (Figure 1). The new integrated approach will therefore demand more effective management arrangements to contain the take of each user group within their specified catch allocations. This is an essential first step in the introduction of a new integrated management system within which allocation issues can be addressed.

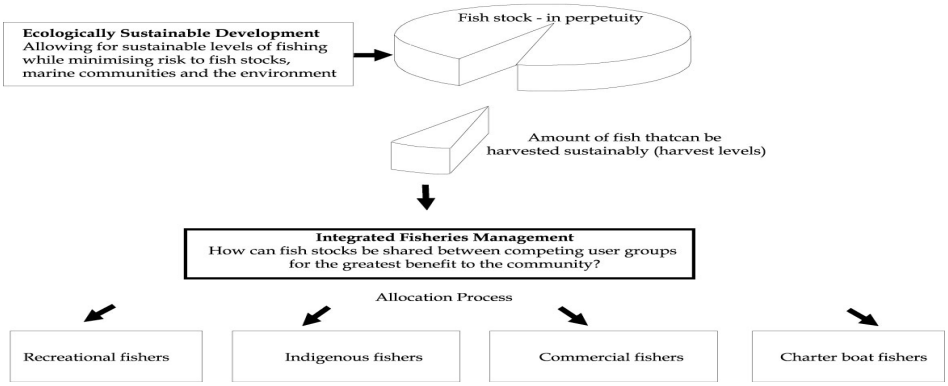

Figure 1: Integrated Fisheries Management and ESD

The development of such arrangements has already commenced in the recreational sector with the introduction of a limited entry management framework for fishing tour operators (charter boat sector) and the implementation of new recreational management arrangements for the West Coast and Gascoyne bioregions. These initiatives have seen a reduction in recreational bag limits for vulnerable species and the introduction of a statewide possession limit applying to recreational fishers.

The 'Wetline Review' was established to implement an effective management framework for the commercial sector to complement the recreational initiatives. It must be stressed at the outset that this review is focussed on the take of scalefish by the commercial sector. The existing levels of use between the various user groups in the Gascoyne will be examined under the new integrated fisheries initiative following the implementation of new management arrangements for scalefish taken by the commercial sector.

SECTION 2 SUMMARY OF PROPOSALS

1) Separate management arrangements should be introduced which establish two distinct fisheries in the Gascoyne bioregion:

   a. A line fishery targeting demersal/reef scalefish species; and

   b. An inshore net fishery (excluding the area of the existing Shark Bay Beach Seine and Mesh Net Fishery).

2) The following management objectives apply to the Gascoyne demersal and inshore fisheries:

   a. The exploitation of fish stocks is conducted in a manner consistent with the principles of ecologically sustainable development.

   b. The management framework provides mechanisms that can contain the commercial scalefish catch within a prescribed allocation under an integrated fisheries management framework.

   c. The management arrangements should be compatible with encouraging the supply of a high quality scalefish product to markets and the maximisation of returns through processes such as value adding.

   d. The management arrangements must be effective and as simple as possible to minimise the cost of management, including research and compliance.

3) The Shark Bay Snapper Management Plan 1994 should be revoked and a new management framework, the Gascoyne Demersal Scalefish Fishery, be introduced that encompasses all fishing for demersal/reef scalefish species in the Gascoyne.

4) The Gascoyne Demersal Scalefish Fishery encompass the waters between latitudes 26°30'S and 23°07'S (Point Maud).

5) The waters between latitude 23°07'S (Point Maud) and latitude 21°56'S (Tantabiddi Well), extending out to the 200 nautical mile boundary of the Australian Fishing Zone, be explicitly defined as a commercial line fishing closure in the Fish Resources Management Regulations 1995.

6) The management framework for the proposed Gascoyne Demersal Scalefish Fishery should establish two separate zones:

   a. an inner-shelf zone extending out to a line of best fit based on the 150 metre depth contour; and

   b. an outer-shelf zone extending from the 150 metre line to a line of best fit based on the 250 metre depth contour.

7) Potential fishing opportunities in waters outside the 250 metre depth boundary be available to WA FBL holders on application through the Developing New Fisheries process.

8) A review of the Developing New Fisheries process be undertaken with a view to simplifying it and making it less onerous on applicants.

9) Management of the Gascoyne Demersal Scalefish Fishery be based on an Individual Transferable Effort (ITE) system (with units of 'boat fishing days') that also incorporates Individual Transferable Quota (ITQ) for pink snapper.

10) The need for a separate quota management system for pink snapper should be reviewed once the pink snapper stocks have recovered.

11) No operator be permitted to fish in the Gascoyne Demersal Scalefish Fishery unless they hold an unexhausted pink snapper ITQ.

12) The calculation of fishing days for the inner-shelf zone of the Gascoyne Demersal Scalefish Fishery should be the sum of:

    a. the number of days determined necessary to catch the pink snapper quota; and

    b. the number of days determined necessary to catch the target commercial catch of other (non-pink snapper) demersal species.

13) The calculation of boat fishing days for the outer-shelf zone be based on the number of days determined necessary to catch the target commercial catch of goldband snapper.

14) All fishing operations cease when ITE units or pink snapper ITQ units are exhausted, whichever occurs first.

15) A minimum unit holding of pink snapper units (in accordance with the level determined at the time of implementation) be required in order to be eligible to operate in the Gascoyne Demersal Scalefish Fishery.

16) The Gascoyne Demersal Scalefish Fishery be managed under a vessel monitoring system (VMS) with all authorized boats required to have an automatic location communicator (ALC) fitted.

17) Boats operating in the deepwater areas under approval from the Developing New Fisheries process also be required to operate under a vessel monitoring system (VMS) to ensure compliance issues can be addressed around the outer boundary. Boats operating under this arrangement should be prohibited from landing demersal species targeted in the Gascoyne Demersal Scalefish Fishery.

18) The only permitted gear for use in the Gascoyne Demersal Scalefish Fishery be handlines and droplines.

19) Legal definitions describing handlines and droplines be developed that contain the following elements:

Handline being a fishing line that is attached to a boat, weighted at one end, and has not more than the prescribed number of hooks attached.

Dropline being a fishing line with no more than the prescribed number of hooks attached and when used for fishing is anchored by a weight, buoyed at the surface and deployed vertically through the water. A minimum of one buoy, with a minimum diameter of 200 mm, must be attached to the line. The buoy should be marked with the vessel's LFB number, in lettering at least 6 cm high and 1 cm wide.

20) A maximum of 5 handlines and 5 droplines be on board, or in operation from, a boat at any one time.

21) A maximum number of 30 hooks (or gangs of hooks) be permitted on any handline or dropline.

22) There be a prohibition on the use of metal trace in the Gascoyne Demersal Scalefish Fishery.

23) The minimum size limit for commercially caught pink snapper in the Gascoyne Demersal Scalefish Fishery be reduced from 41 cm to 38 cm in order to reduce the incidental mortality of fish returned to the water.

24) Operators in the Gascoyne Demersal Scalefish Fishery be permitted to land whole fish only (fish may be gilled and gutted). Exceptions to this should be made by way of application for at-sea processing licences and assessed carefully on their merits.

25) The Gascoyne Inshore Net Fishery be managed predominately by limited entry, supplemented by gear restrictions and provisions for future spatial and temporal closures if required.

26) Fishing methods be limited to the use of haul net, gillnet and seine net in the Gascoyne Inshore Net Fishery. Further definitions around permitted gear should be developed in consultation with those fishers who gain access to the inshore fishery.

27) The Panel recommends that access criteria established for entry to the Gascoyne Inshore Net Fishery should recognise fishers with relatively low levels of catch history.

28) Catch levels in the Gascoyne Inshore Net Fishery should be monitored and specific effort constraints implemented should catch levels begin to increase beyond historical levels. Consideration should be given to formalising these levels as 'trigger points' for future management action.

29) Commercial fishers without any access to the Gascoyne Demersal Scalefish Fishery should be able to land a 'non-commercial' limit of fish for personal use. These fish may only be taken using an approved recreational fishing method (e.g. use of a handline or rod and line with no more than 3 hooks, or gangs of hooks, attached) and should not be able to be sold.

30) The non-commercial limit in the Gascoyne bioregion should initially be set at the same limits that currently apply to recreational fishers in the Gascoyne bioregion but should be monitored separately, and when necessary, adjusted separately.

31) A possession limit for non-commercial catch in the Gascoyne bioregion should also apply to commercial fishers who are not authorised to operate in the scalefish fishery and this should initially be set at the same limits that currently apply to recreational fishers in the Gascoyne region but should be monitored separately, and when necessary, adjusted separately.

32) The non-commercial component of catch should be managed within the overall target commercial catch established for the fishery while sufficient data is collected to determine an explicit allocation. This figure must be separately identified from the target commercial catch set for the Gascoyne Demersal Scalefish Fishery.

33) If the target catch for non-commercial use is exceeded, management arrangements should be amended to reduce the catch to the prescribed level.

34) The Gascoyne Demersal Scalefish Managed Fishery and the 'non-commercial' scalefish sector be required to report the catch of scalefish on a 'trip by trip' basis prior to landing.

35) The Gascoyne Demersal Scalefish Managed Fishery and the 'non-commercial' scalefish sector be required to report the take of scalefish on a 10 nm by 10 nm scale.

36) Validation surveys be carried out on catch returns of all scalefish including both the Gascoyne Demersal Scalefish Managed Fishery and the 'non-commercial' scalefish sector to ensure the data is robust for decision making.

37) All scalefish taken as non-commercial catch that are of the species listed as category 1 recreational fish must have both pectoral fins removed immediately upon capture.

38) Fisheries legislation be amended to permit holders of Commercial Fishing Licences (CFL) to apply for a Recreational Fishing Licence (RFL) for abalone and rock lobster provided they do not operate in the respective managed commercial fishery. Fishing activity requiring a recreational licence should not be permitted to be undertaken from a commercial fishing boat.

SECTION 3 REVIEW PROCESS

3.1 Making a Submission

Members of the fishing industry and the public are invited to make written submissions on this discussion paper.

Respondents are encouraged to reference the particular proposal or section of the report they wish to comment on. If you disagree with a particular proposal or section, try to suggest alternative ways to address or resolve the issues identified in the Report. Clear reasons should be included in your response so that your views can be properly considered.

Submissions should be made prior to 15 April 2005 and sent to:

'Wetline' Review Panels
Locked Bag 39
Cloisters Square Post Office
Perth WA 6850
Fax: (08) 9482 7224

Submissions can also be sent electronically via the Department of Fisheries website: www.fish.wa.gov.au.

Following consideration of the matters raised in submissions on the discussion papers, the Minister for Fisheries will make his final determinations. Legislative changes will then be required to implement the new plans.

3.2 Management Planning Panel – Terms of Reference

The Minister for Fisheries established two panels to conduct a review of 'wetline' fishing in the West Coast and Gascoyne bioregions:

- A Commercial Access Panel (CAP) appointed to devise a fair and equitable method of determining who will have access to the fishery and their level of allocation; and

- A Management Planning Panel (the Panel) appointed to develop the specific management arrangements for the fishery.

This is the first time a two-Panel system has been used in a review in WA. This approach, which was suggested by the Western Australian Fishing Industry Council (WAFIC), was taken 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 Panel's terms of reference were:

"To provide advice and recommendations to the Minister for Fisheries on matters related to the future management of the 'wetline' commercial fisheries in the West Coast and Gascoyne bioregions of Western Australia by:

- incorporating the decision by the Minister for Fisheries on access criteria for the West Coast and Gascoyne into the management planning process;
- providing recommendations on the most appropriate management arrangements for the 'wetline' commercial fisheries in the West Coast and Gascoyne Regions, including whether there should be sub-zones within either of the Regions;
- reviewing relevant data on 'wetline' fishing in Western Australia provided by the Executive Director of Fisheries, including biological parameters of key target species;
- reviewing models for the management of the West Coast and Gascoyne 'wetline' commercial fisheries put forward by the Executive Director of Fisheries and others;
- ensuring the management arrangements for the commercial sector are compatible with those of the recreational and charter sectors and capable of supporting the Integrated Fisheries Management process;
- considering the proposed objectives of the fishery in the development of management arrangements and providing recommendations on objectives for management;
- providing advice on resourcing requirements for the management of the fishery and potential fee charging arrangements for licence holders.

3.3 Management Planning Panel (the Panel) Membership

The Panel was established by the Minister for Fisheries and comprised an independent chairman and 6 members.

Chairman

Mr David Smith	

Members

Mr Doug Rogers	Commercial fisher
Mr Steve Lodge	Commercial processor
Mr Neil Dorrington	Commercial fisher
Mr Gary Finlay	Commercial fisher
Mr Norman Halse	Recreational fisher
Dr Lindsay Joll	Department of Fisheries

Observers[1]

Dr Nic Dunlop	Conservation Council of WA
Mr Guy Leyland	WAFIC
Mr Frank Prokop	Recfishwest
Mr John Looby	Department of Fisheries.

[1] Observers were able to contribute to discussions at the invitation of the Chair, however were not able to participate in the determination of the Panel's proposals.

SECTION 4 BACKGROUND

Before September 1983, there was no constraint on the issue of commercial Fishing Boat Licences (FBLs) in Western Australia. Any person submitting a competent application was granted a new licence. It gave the holder an authorisation permission to use a boat for commercial fishing. Provided that person also held a commercial fishing licence (CFL), or a Professional Fishing Licence (PFL) as it was then called, the licensed boat could be used in fishing operations to take any fish[2] for commercial sale, unless there was an existing constraint under fisheries legislation preventing the licence holder from operating within a managed fishery, operating in a specific area or taking a specific fish species.

On 5 September 1983 the then Minister for Fisheries announced an immediate freeze on all new applications to enter the fishing industry via a Fishing Boat Licence, noting that 'the government and industry are increasingly being faced with the consequences of excess fishing capacity in areas such as … the inshore fisheries on shark, dhufish and other reef fish species …'.

Ultimately this led to the *Ministerial Policy Guidelines for Entry into the Western Australian Fishing Fleet* being adopted in 1984. The main thrust of the guidelines was a permanent cap on the total number of registered fishing boats in the WA fishing industry. Thus from 1984 onwards, people wishing to enter into the commercial fishing industry could only do so by purchasing an existing FBL. At this time there were only five managed fisheries but progressively the majority of WA's fisheries have been brought under management and now there are over 30 managed fisheries and a variety of fishing prohibitions. This has reduced the range of activities available to the holder of an unrestricted FBL, to the extent that 'wetlining' is the last major commercial activity available to an FBL holder who does not hold a managed fishery licence (MFL).

The concept of managing the take of scalefish species in the Gascoyne is not new. A discussion paper released by the Department of Fisheries in 1985 *Arrangements for entry to all fisheries off and along the West Coast* proposed the establishment of a managed line and trap fishery in the Gascoyne.

On 3 November 1997 Fisheries WA announced that a study would be undertaken into the activities associated with the unrestricted WA FBL (i.e. an FBL with no restrictive conditions in addition to the standard conditions), commonly known as 'wetline' or 'open access' fishing and its associated wetline fishery. The then Minister for Fisheries set a benchmark date of 3 November 1997 for fishing history within the wetline fishery.

This benchmark date was announced following concerns that large numbers of operators who did not normally participate in the wetline fishery were gearing up to gain history following the commencement of negotiations between Fisheries and WAFIC over future management of wetline fishing. The media release noted: 'No wetline fishing history after this date would be considered in the development of any new arrangements for the fishery'. At the same time, it was announced that 3 November 1997 would be a benchmark date for all open access fisheries where benchmark dates had not previously been announced. At the time, a letter

[2] 'fish' mean an aquatic organism of any species (excluding aquatic mammals, aquatic reptiles, aquatic birds, and amphibians). It therefore includes all species taken commercially by fishers including crustaceans, molluscs, squid and octopus as well as scalefish.

was also sent to all FBL holders which noted that '…. fishing history after 3 November may not be taken into account'.

In March 2000, the Department of Fisheries released Fisheries Management Paper No. 134 *Management Directions for WA's Coastal Commercial Scalefish Resources* that proposed:

- That scalefish stocks no longer automatically be available for take by all commercial fishing boat licence holders.
- A dedicated small-scale commercial fishery for scalefish should be established, with clear entry criteria, and an appropriate limit on the number of operators in each bioregion.
- The basis for managing the scalefish fishery should be the allocation of Total Allowable Effort for commercial fishers, complemented by appropriate controls on recreational catches[3].

In July 2002, the current Minister for Fisheries announced that a review of wetline fishing would be undertaken. As outlined in section 3.2, two panels, a Management Planning Panel and a Commercial Access Panel, were appointed to undertake the review. Both Panels have undergone an initial round of consultation as outlined in Appendix 8.3. The issues raised and a list of those who made submissions is included in Appendix 8.4.

4.1 What is 'Wetlining'?

In terms of fisheries legislation, there is currently no such activity as 'wetline' fishing. The term 'wetlining' is generally applied to fishing activities undertaken under the authority of a CFL used in conjunction with an FBL. Permitted fishing activities are any activity (which may include fishing for certain species, using certain gear, or operating in certain areas), which is not otherwise prohibited by other legislation (such as a management plan, regulations, or Section 43 Order). Typically, wetlining involves the catching of scalefish using handline or dropline, but may also involve the use of nets in inshore areas to target species such as mullet or whiting.

The nature of wetlining, in terms of the species targeted and gear that can be used, can therefore vary between regions depending upon the existing managed fisheries in that region. For example in the Gascoyne, a wetliner may target reef and demersal scalefish species by handline or dropline but can not take pink snapper in most areas of the Gascoyne due to the operation of the Shark Bay Snapper Managed Fishery (SBSMF) in that area which restricts the take of snapper to persons who hold an MFL for that fishery.

An FBL is sometimes referred to by commercial fishers as an 'Open West Coast Licence' or 'wetline licence' which has promoted a perception that wetline fishing is a separately managed (and licensed) activity. It is likely these terms were initially coined by boat brokers, however they are now widely used. Indeed some fishers believe that an FBL carries some form of endorsement, or confers some form of right, to take scalefish (rather than just being the residual permissible activities arising from holding a CFL or FBL).

[3] New recreational limits were introduced for the Gascoyne and West Coast bioregion on 1 October 2003, which included revised bag limits and a 20kg possession limit.

An FBL is a licence granted under the *Fish Resource Management Regulations 1995* that authorises a person to use a boat for commercial fishing. While it is the Commercial Fishing Licence (CFL) that authorises a person to engage in commercial fishing (that is, to take fish for sale), any holder of a CFL who uses a boat as part of their fishing operation is required to also hold an FBL. For example, a commercial fisher who uses a hand-hauled 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).

In practice, the majority of commercial fishing operations require the use of a boat and consequently the holding of an FBL. Therefore, even in the event that a commercial fisherman did not gain access to the future managed wetline fishery, or *Gascoyne Demersal Scalefish Fishery*, fisheries legislation still requires an FBL to be held in order to use a boat in his other managed fishing operations.

This is an important point to note, as a number of fishers have indicated they believe they may 'lose' their FBL if they do not gain access to a future 'wetline' fishery. This is not the case and FBL holders who may not initially gain access to the 'wetline' fishery will retain the ability to lease/buy 'wetline' access off other fishers in the future so that catching scalefish becomes part of their fishing 'package'.

4.2 Types of 'wetlining'

While the majority of wetline activity in the Gascoyne is based around dropline and handline fishing for demersal scalefish species, gillnet, haul net and beach seine fishing for species such as mullet and whiting is also carried out by some fishermen. Although some operators engage in both types of fishing, they are two distinctly different fishing operations. In effect the region's wetline fishery can be separated into these two distinct fisheries:

- A line fishery targeting demersal/reef scalefish species such as goldband snapper, spangled emperor, sweetlip emperor and red emperor. [4]

- An 'inshore' net fishery targeting species such as mullet and whiting (in the 'open-access' area north of Shark Bay). [5]

A few residual fishing activities will remain available to CFL holders however, other activities that remain unmanaged (e.g. drop netting for crabs) may be the subject of other management reviews and will not be discussed in this paper.

Proposal

1) **Separate management arrangements should be introduced which establish two distinct fisheries in the Gascoyne bioregion:**
    a. **A line fishery targeting demersal/reef scalefish species; and**
    b. **An inshore net fishery (excluding the area of the existing *Shark Bay Beach Seine and Mesh Net Fishery*).**

[4] The demersal line fishery will not permit the take of species already managed separately such as mackerel and shark (please note data represented in this paper are generally exclusive of mackerel and shark catch).
[5] Inshore netting in Shark Bay is already managed under the *Shark Bay Beach Seine and Mesh Net Managed Fishery*.

4.3 Profile of demersal line fishing activity in the Gascoyne

Between 1997 and 2001 a total of 159[6] different FBLs reported a wetline catch of demersal species in the Gascoyne although, on average, around 40 boats wetlined in any given year (Table 1). The total Gascoyne wetline catch of bottom and reef fish species taken by line methods, along with the number of boats that reported this activity at least once each year, is summarised for the period 1990-91 to 2002-03 (Tables 1 and 2). The increasing catches in recent years highlight the emergence of goldband snapper as a target species in the deepwater areas of the region.

Financial year	Total Demersal Catch* (t)	Total No. of FBLs
1990-91	86	42
1991-92	177	37
1992-93	261	40
1993-94	162	33
1994-95	98	39
1995-96	82	36
1996-97	87	41
1997-98	143	54
1998-99	171	44
1999-00	182	42
2000-01	232	50
2001-02	287	42
2002-03	464	48

*Table 1. Total demersal wetline catch in the Gascoyne bioregion from 1990-91 to 2002-03. (*catch includes all species taken by handline and dropline)*

[6] This figure includes any boat that reported any level of catch by a wetline method, ie, if a boat recorded a single catch of 40kg in a given year, it is included in the total number of boats. This data does not include pink snapper catches by fishers operating in the SBSMF.

Financial year	< 1 tonne	1-5 tonnes	5-10 tonnes	10>20 tonnes	>20 tonnes	Total
1990-91	25	12	4	1	0	42
1991-92	15	14	5	1	2	37
1992-93	9	16	6	6	3	40
1993-94	10	14	4	4	1	33
1994-95	17	15	5	2	0	39
1995-96	14	18	2	2	0	36
1996-97	20	16	3	2	0	41
1997-98	22	24	4	4	0	54
1998-99	16	17	5	4	2	44
1999-00	11	22	4	3	2	42
2000-01	14	22	7	5	2	50
2001-02	11	15	7	6	3	42
2002-03	15	16	6	5	6	48

Table 2. *A representation of the number of boats that reported less than one tonne, between one and five tonnes, five and ten tonnes, ten and 20 tonnes and greater than 20 tonnes of demersal wetline catch in the period 1990-91 to 2002-03 (*catch includes all species taken by handline and dropline)*

4.4 Key Issues for Management

4.4.1 Status of Demersal Scalefish Stocks

The Gascoyne demersal wetline fishery targets a range of demersal scalefish species, including emperor species, pink snapper (outside the SBSMF), baldchin groper, and tuskfish. More recently, goldband snapper (species listed in Appendix 9.2) have been increasingly targeted in the deeper waters off the Gascoyne.

The key species reported from the Gascoyne bioregion during 2002-03 comprised goldband snapper 263 tonnes, emperors (Lethrinidae) 34 tonnes, pink snapper (*Pagrus auratus*) caught outside the SBSMF 33 tonnes, cod 23 tonnes, mulloway 16 tonnes and red emperor (*Lutjanus sebae*) 15 tonnes.

Pink snapper

The oceanic pink snapper stock in the Gascoyne region is currently considered to be over-exploited. This is largely due to low recruitment levels in the late 1990s, most likely as a result of environmental factors.

An assessment carried out in 2003 also indicated that the calculated yield and expected commercial catch, as a result of studies in the early 1980s, might have been too high. An assessment of this stock completed in the mid-1980s estimated the maximum sustainable

annual yield to be around 600 tonnes. The average commercial catch during the past 15 years has, however, only been approximately 500 tonnes. The 600 tonne value was probably an over-estimate of the long-term sustainable yield and even at 500 tonnes the stock appears to have been fished at unsustainable levels during a period of decline in recruitment.

In late 2003, the Shark Bay Snapper Professional Fishermen's Association agreed to a reduction in the Total Allowable Commercial Catch (TACC) of pink snapper and therefore the Individual Transferable Quotas (ITQs) of licensees in the managed fishery by 40% (to 338.2 t). However there is also a need to address all issues around the mortality of pink snapper in the region if the problem is to be remedied.

Goldband snapper

The catch of goldband snapper in the Gascoyne rose rapidly from almost zero in 1999 to 190 tonnes in 2002 and 301 tonnes in 2003. No explicit stock assessment is available for this new fishery and judgements on the state of the stock have been made by scalefish research scientists based on knowledge of this species in the Pilbara and particularly the Kimberley demersal fisheries, of which goldband snapper is an important component.

The grounds where goldband snapper have been found to be abundant in the Gascoyne are mostly between 23^{o} and 24^{o} South latitude, in depths of 150-200 metres. The area of this ground is small in relation to the areas where goldband snapper are found in the Pilbara and Kimberley, yet the catch in 2002 was similar to both of these regions. It is likely these high catches were possible because this was an unfished stock.

However, following a recent review, fisheries scientists now believe that the sustainable yield was probably being exceeded in 2002 with a catch of 190 tonnes, and that the stock is being rapidly depleted by the continued high catches in 2003 (301 tonnes). If no action is taken to reverse the increasing catch trend, this will probably result in a stock collapse and fishers will not be able to find viable quantities of fish in this area for a number of years.

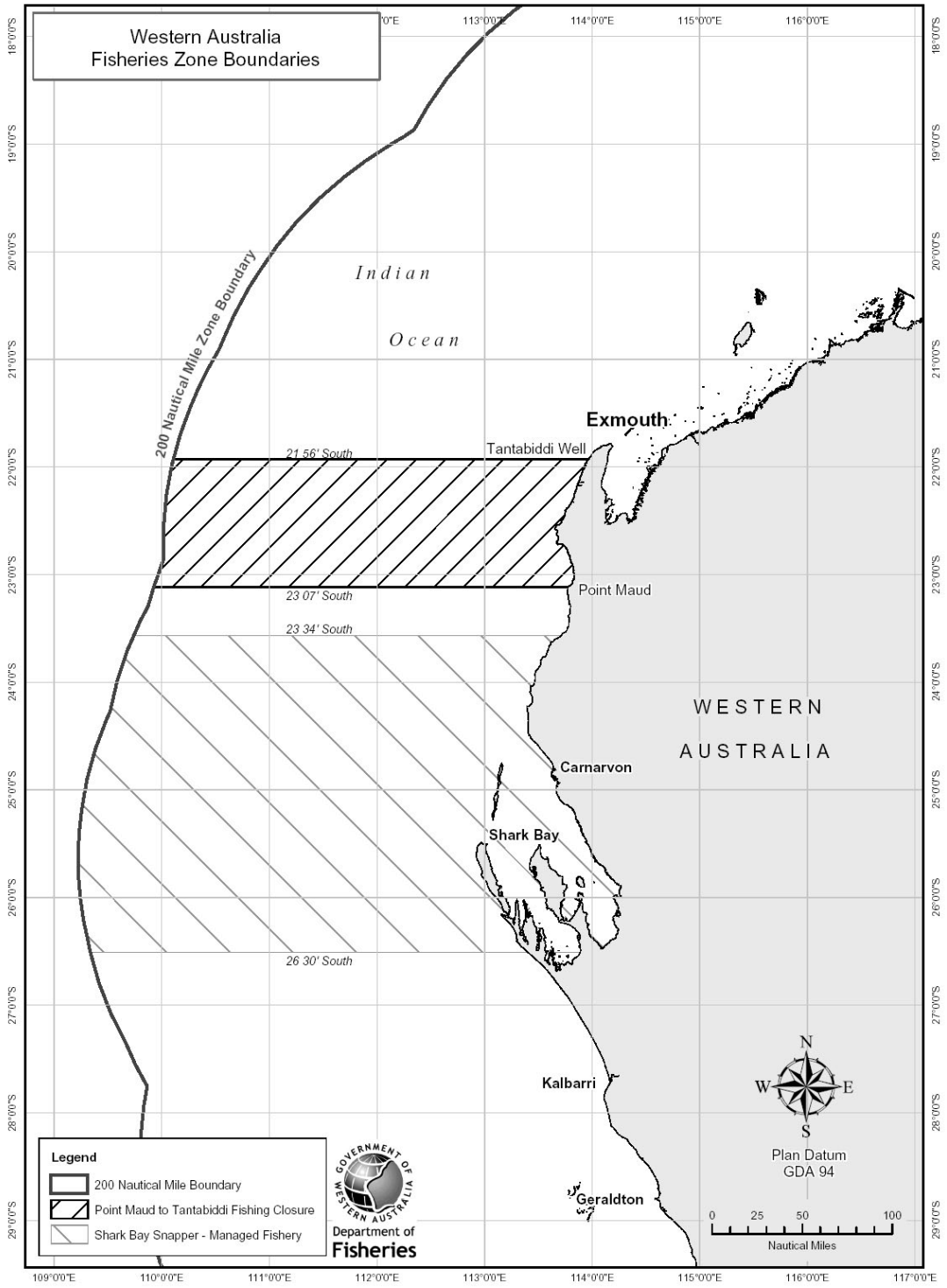

Figure 2: The location of the existing Shark Bay Snapper Managed Fishery and the 'Point Maud to Tantabiddi Well' fishing closure.

4.4.2 Shark Bay Snapper Managed Fishery

The development of management arrangements for demersal wetlining activity in the Gascoyne is somewhat complicated by the fact that the predominant commercial scalefish species in the region, pink snapper, is already subject to formal management arrangements.

The SBSMF operates in the waters of the Indian Ocean between latitudes 23°34̣'S and 26°30̣'S and in the waters of Shark Bay north of Cape Inscription. It operates on the oceanic stock of snapper, which is distinct from the inner Shark Bay stocks. Pink snapper spawn in aggregations making their catchability high during spawning periods. Prior to 2001, only this peak season was managed by way of quota but since 2001, the whole year's catch has been subject to a single Total Allowable Commercial Catch (TACC) and Individually Transferable Quotas (ITQs). The TACC for snapper in 2002-03 was set at 563.7 t.

The oceanic pink snapper stock is now considered to be over-exploited and as an initial measure a 40% reduction in the TACC was introduced for the 2003/04 season (the TACC for the 2004-05 period is 338 .2 tonnes).

The SBSMF plan precludes non-snapper managed fishery licence holders from landing pink snapper, but it is still possible for wetline fishers to enter the waters of the fishery and take other scalefish species. Wetliners operate in both the inner-shelf areas of the fishery and, more recently, in the deeper waters targeting goldband snapper. Although not targeting pink snapper, wetliners still take an incidental catch pink snapper (which cannot be retained) within the area of the SBSMF, most of which will not survive, particularly those taken in waters deeper than 30 metres. This incidental mortality of pink snapper is not currently acquitted against the TACC for pink snapper.

While the SBSMF extends over most of the Gascoyne region, there is a 30-mile expanse of water between the northern boundary of the fishery and Point Maud (which forms the southern boundary of the Point Maud to Tantabiddi Well closure to commercial fishing). In this 30-mile wide expanse, wetliners can take any species of fish including pink snapper. This pink snapper catch, although from the same stock taken in the SBSMF, is also not acquitted against the pink snapper TACC.

As a consequence of the existing arrangements, there is a range of fishers who may target wetline species in the Gascoyne:

1. Pink Snapper Managed Fishery Licence (MFL) holders operating in the SBSMF;
2. Wetline fishers -
    (i) operating in deeper waters (out to 250m depth contour) targeting outer-shelf species such as goldband snapper and rosy jobfish; and
    (ii) targeting inner-shelf species (other than non-pink snapper) generally within the 150 metre depth contour.

The catch composition of species varies between these groups of fishers (Figures 2,3,4). See Appendix 9.2 for details of species included here.

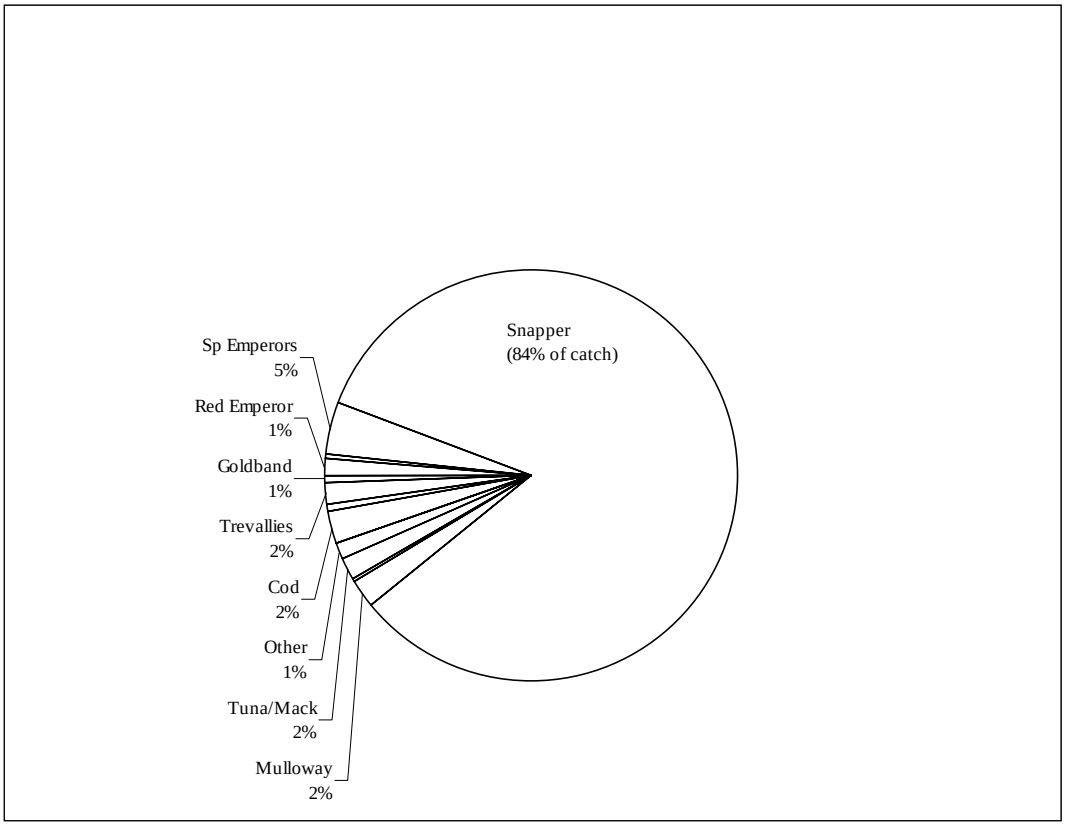

Figure 3: Catch composition of Shark Bay Snapper MFL holders in the Gascoyne in 2001 and 2002 (Note: catch between 23ºS and 26ºS)

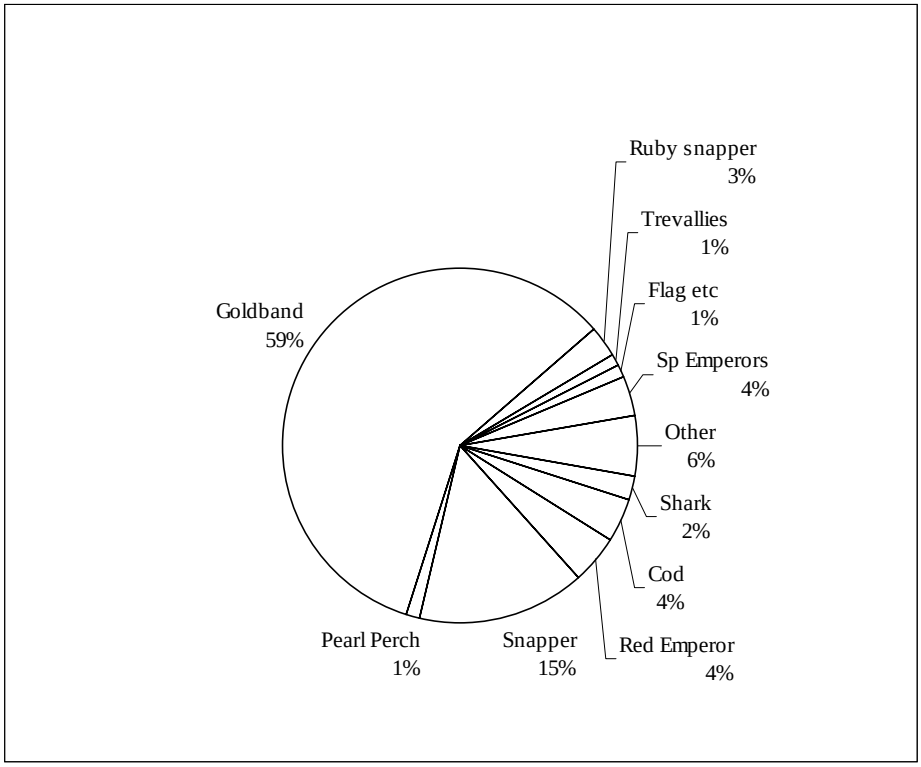

Figure 4: Catch composition of wetliners operating in the deep water of the 'outer-shelf' (out to 250 metres) in the Gascoyne targeting deepwater species in 2001 and 2002 (mainly goldband snapper - see Appendix 9.2)

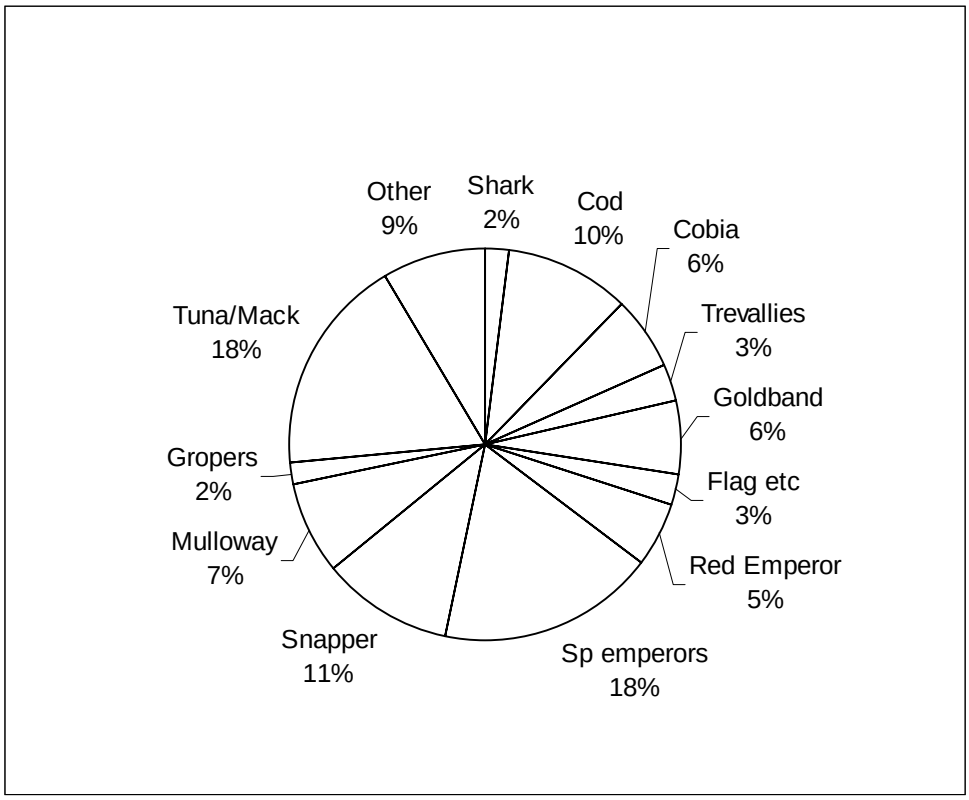

Figure 5: Catch composition of wetliners operating in the 'inner-shelf' of the Gascoyne in 2001 and 2002.

Shark Bay Snapper Working Group

In 2003, serious concerns emerged for the status of pink snapper stocks in the SBSMF. In particular, it was considered that breeding stocks had diminished due an extended period of low recruitment and the long-term sustainability of pink snapper stocks would be jeopardised if the current catch level were maintained.

Given the urgency for the introduction of remedial management measures, the Minister for Fisheries immediately implemented a 40% reduction in the TACC of pink snapper. The Minister also established the Shark Bay Snapper Working Group to recommend remedial management options for the SBSMF. The Working Group's discussions also highlighted concerns over the impact of pink snapper mortality, including the incidental catch of pink snapper by wetliners within the boundaries of the fishery, the take of pink snapper around Coral Bay (which falls outside the SBSMF boundary) and mortality of undersize pink snapper that were returned to the water.

The Snapper Working Group proposed a series of short to medium term management arrangements to deal with immediate pink snapper stock concerns, most of which have been implemented. The Panel did not engage directly with the Working Group, nor comment on the Working Group's recommendations because they were primarily directed at resolving issues in the snapper fishery. However its advice and findings were considered by the Panel in the course of its deliberations over long-term management solutions for demersal scalefish stocks in the Gascoyne.

Non-selective nature of line fishing and incidental mortality

Due to the nature of line fishing, wetliners targeting other species will invariably catch pink snapper and SBSMF operators will catch other scalefish species. It is therefore difficult to manage the activities of these groups in isolation of each other.

The current difficulty in managing the scalefish stocks in this region arises because wetline operators (those who do not hold a pink snapper MFL) are permitted to take species other than pink snapper within the boundaries of the SBSMF. Pink snapper mortality resulting from the activities of these wetline operators within the boundary of the managed fishery is not currently acquitted against the TACC. Furthermore, pink snapper from this stock taken outside the boundary of the fishery is not limited by quota as it is within the managed fishery. A further contributing factor is the level of additional fishing mortality from discards given that preliminary research indicates the majority of pink snapper do not survive after being raised from the depths in which commercial fishers generally operate (see section 5.14). The Department estimates the catch of pink snapper by wetliners in the Gascoyne at 40 tonnes in 2003 although the relative amounts taken within (and outside) the waters of the SBSMF are a matter of conjecture.

Given the current depleted state of pink snapper stocks, all of these components of pink snapper mortality are impacting on the long-term sustainability of stocks in the region.

Latent Effort and potential mobility of commercial effort

The *State of the Fisheries Report 2002-03* identified the high latent effort as a key threat to the sustainability of the wetline fishery, noting many boats with the potential to wetline currently do not do so or only catch very small amounts.

This is perhaps not as much of an issue in the Gascoyne as compared to the West Coast region, as there are a number of 'disincentives' to new boats wetlining in the region including restrictions on the take of pink snapper (due to the SBSMF) and the limited availability of moorings in Coral Bay.

However, the increase in catches of goldband snapper has seen a number of boats commence operating in the deeper waters of the Gascoyne and the Panel was concerned that with an increasing number of boats 'gearing up' for deepwater fishing, there is a real potential for transient boats fishing the area. A key outcome of this review must be a cap on the level of commercial effort that can be expended on scalefish stocks. The potential for this effort to be focussed on specific areas also requires consideration in this review. Once management arrangements are put into place for the wetline fishery, fishermen will seek to maximise returns, which may involve seeking areas with high catch rates, resulting in the threat of localised or serial depletion of stocks. Catch rates in the Gascoyne are variable between inshore areas and deeper waters where goldband snapper is targeted. Catch rates are also variable for pink snapper, peaking in winter months when fish are aggregating to spawn and decreasing when fish are more dispersed.

Cost of Management

Funding for commercial fisheries management has traditionally been sourced from the Government Consolidated Fund (CF) but an increasing proportion of total revenue is raised from commercial fishers via licence fees and charges. The major commercial fisheries are funded on full cost recovery principles where the monies raised are dedicated to the management (administration, policy and legislation, compliance and research) of those fisheries.

The level of contribution from the CF has remained fairly constant over the past five years, however with increasing operational costs, particularly in regional areas of the state, this represents a decline in 'real' funding. This has major implications for scalefish fisheries because they are low in value and the majority of services in these fisheries are funded by CF. It is these fisheries, which have the highest recreational participation for which limited information is available, that are the focus of resource sharing debates and at the most risk of overexploitation.

Currently, a wetliner in the Gascoyne pays an annual fee of $315 (plus a $67 application fee) to renew a WA FBL. Operators in the SBSMF pay this renewal fee for their FBL and an additional renewal fee for their managed fishery license (MFL). The SBSMF is a minor commercial fishery and as such its MFL fees are determined on the basis of a small percentage of the fishery's gross value of product (GVP). The fee is comprised of a cost recovery component and a Development and Better Interest Fund (DBIF) contribution. The DBIF contribution is 0.65% of the fishery's GVP and the cost recovery component of the fee is an agreed percentage (in consultation with WAFIC) of the fishery's GVP used to subsidise the cost of managing the fishery (currently 2.825%). For 2003/04 this calculation resulted in operators in the SBSMF paying an access fee of $13.40 per unit (with a minimum unit holding of 100).

Both the IFM Report (Fisheries Management Paper No. 165) and the draft report of the Fisheries Statutory Management Authority Advisory Committee (November 2003) identified that the shift to cost recovery and comparative decline in CF funding has reduced the flexibility of the Department of Fisheries in being able to deal with pressing issues, which increasingly are in the scalefish fisheries.

The IFM report recognized that while there may be further opportunities for some increased cost recovery contributions when the wetline fishery is brought under effective management, given the comparatively low economic value of the minor commercial fisheries, it is very unlikely that cost recovery will be able to meet full funding requirements.

It is important that management arrangements for the wetline fishery are kept as simple as possible to minimise management costs (while still providing an effective control on commercial catch). The Panel considered it was unable to address issues around the future costs of management at this time. Management costs will depend on the number of boats with access to the fishery which will be a consequence of both the Minister's determinations around the findings of the Commercial Access Panel and a likely period of economic restructure once management arrangements are introduced. The Panel also noted that the introduction of management for wetline fishing would also generate compliance costs for ensuring compliance by boats that are not part of the managed fishery as well as those that are.

SECTION 5 PROPOSED GASCOYNE DEMERSAL WETLINE FISHERY

5.1 Objectives for Management

The Panel considered it important that a set of clear objectives is adopted to provide a basis for developing management arrangements for the wetline fishery.

Proposal

2) **The following management objectives apply to the Gascoyne demersal and inshore fisheries:**
    a. **The exploitation of fish stocks is conducted in a manner consistent with the principles of ecologically sustainable development.**
    b. **The management framework provides mechanisms that can contain the commercial scalefish catch within a prescribed allocation under an integrated fisheries management framework.**
    c. **The management arrangements should be compatible with encouraging the supply of a high quality scalefish product to markets and the maximisation of returns through processes such as value adding.**
    d. **The management arrangements must be effective and as simple as possible to minimise the cost of management, including research and compliance.**

5.2 Management options

A primary consideration in the development of new management arrangements for line fishing for demersal/reef species in the Gascoyne bioregion must be the current risk to the long-term sustainability of pink snapper and goldband snapper stocks in the Gascoyne. Management arrangements must adequately protect these stocks from over exploitation as well as provide an effective management framework that is capable of controlling total catch levels across all scalefish species.

The Panel felt the fact that there is already a managed fishery in place, in which some fisherman have bought or leased units, must also be taken into account. The major difficulty is how to integrate the existing SBSMF with the wetline activity in the region (which includes wetliners operating within the area of the SBSMF and wetliners operating outside the SBSMF around Coral Bay) into a single management framework.

The Panel examined a number of options that included:

- **Prohibiting 'wetlining' within the snapper managed fishery unless pink snapper quota is held**

Under this option, only persons holding pink snapper quota would be permitted to fish for demersal/reef species within the boundaries of the managed fishery. This option would help address pink snapper mortality issues inside the SBSMF by integrating pink snapper fishing and fishing for other scalefish species.

Since the Panel's deliberations, the Minister has already implemented such an arrangement. Since 11 June 2004 operators have had to buy/lease pink snapper quota to continue fishing within the SBSMF or restrict their activity to operating in the 30-mile strip of water between the northern boundary of the snapper managed fishery to Point Maud.

While this arrangement has introduced adequate management for scalefish within the area of the snapper managed fishery, it does not address the issue of pink snapper mortality outside of the SBSMF boundaries. This arrangement is also inadequate to address sustainability concerns over the goldband snapper stock.

- **Introducing an outer boundary to the existing snapper fishery to separate management of the pink snapper fishery from the outer shelf goldband snapper fishery.**

Another suggestion was to move the outer boundary of the existing SBSMF from the 200 nautical mile Australian fishing zone (AFZ) to a best-fit line around the 150 metre depth contour. The majority of pink snapper fishing has historically been within this area. This option would restrict fishing within the 150m boundary to operators who held pink snapper quota, but would allow other wetliners to operate outside the 150m line as well as in the 30-mile 'open-access' zone (between the northern boundary of the SBSMF and Point Maud).

This may help reduce some mortality of pink snapper by avoiding the main distribution of the pink snapper stock, however it was noted pink snapper would still be taken incidentally in the deeper waters and in the northern area of the region.

The Panel did not consider this option adequately addressed the sustainability issues around pink snapper stocks. Pink snapper are found in waters deeper than 150m and in fact this option significantly reduces the area of management of the stock. Pink snapper taken outside the boundary of, the now reduced, managed fishery would still not be acquitted against the snapper quota and issues regarding pink snapper sustainability may be in fact worsened.

- **Introducing a single management framework to encompass all commercial fishing for demersal scalefish stocks (including pink snapper) within the Gascoyne bioregion.**

Because of the distribution of pink snapper stocks throughout the Gascoyne region and the non-selective nature of line fishing, the Panel believes the only viable option for effectively managing pink snapper and other scalefish stocks in the Gascoyne is to integrate the existing pink snapper managed fishery within a more complete management framework that encompasses all demersal/reef scalefish species in the Gascoyne bioregion.

This option is more comprehensive in dealing with the issues than the other options. Pink snapper mortality from outside the existing SBSMF boundaries and deep water areas will be accounted for under the management framework. Furthermore, compliance will not be undermined by operators landing pink snapper outside the SBSMF without it being acquitted from the TACC.

Proposal

3) The *Shark Bay Snapper Management Plan 1994* should be revoked and a new management framework, the *Gascoyne Demersal Scalefish Fishery,* be introduced that encompasses all fishing for demersal/reef scalefish species in the Gascoyne.

5.3 Boundaries of the Gascoyne bioregion

The Panel noted that the Department of Fisheries has shifted to a regional approach for recreational scalefish management and is of the view that a similar move by the commercial sector would allow for more effective, targeted management based on the distribution and abundance of scalefish stocks and different human usage patterns. Regional management will also provide a spatial scale of management, which will provide a level of comparability with the recreational fishing sector in which to examine the allocation of scalefish resources.

The Panel noted the regional boundaries for the Gascoyne that have been adopted for recreational fishing extend from 27°S and a line running directly north from 114°50'E (just south of the Ashburton River mouth). The Panel however felt it necessary to amend these for commercial management purposes to better reflect existing fishing activity and the distribution of fish stocks.

In this regard, it was noted that commercial wetline fishing is already delineated by the southern boundary of the SBSMF (latitude 26°30'S). The Panel also noted that there is already an extensive commercial fishing closure in the Gascoyne between Point Maud (23°07'S) and Tantabiddi Well (21°56'S). This fishing closure was implemented in the early 1970s in anticipation of the declaration of the Ningaloo Marine Park. The closure has been administered ever since by licence condition number 16 *'Not to engage in fishing between Point Maud and Tantabiddi Well'* on all WA FBLs. At the time of its implementation the State Government only had control over State fisheries out to 3 nm. Since then, the *Offshore Constitutional Settlement 1995* (OCS) has given the State control of a range of fishing activities out to 200 nm.

While this closure remains legally binding as a licence condition, the Panel believes it should be explicitly defined in the *Fish Resources Management Regulations 1995* as a closure to commercial line fishing (and other commercial fishing activities).

Gascoyne operators have suggested that the Point Maud to Tantabiddi Well fishing closure is too expansive to traverse and that it is not economical to travel from Shark Bay or Coral Bay to the other side of the closure to fish on a regular basis. Therefore, operators in Carnarvon and Coral Bay are effectively constrained to operating south of the closure.

Wetliners operating from Exmouth generally operate to the north or northeast and the recorded catches more closely resemble the mix of species taken in the Pilbara fisheries. On the basis of the distribution of fishing activity and the composition of catch, the Panel felt there was considerable merit in treating the area north of the Tantabiddi Well closure as part of the Pilbara region rather than the Gascoyne.

Proposal:

4) **The *Gascoyne Demersal Scalefish Fishery* encompass the waters between latitudes 26°30'S and 23°07'S (Point Maud).**
5) **The waters between latitude 23°07'S (Point Maud) and latitude 21°56'S (Tantabiddi Well), extending out to the 200 nautical mile boundary of the Australian Fishing Zone, be explicitly defined as a commercial line fishing closure in the *Fish Resources Management Regulations 1995*.**

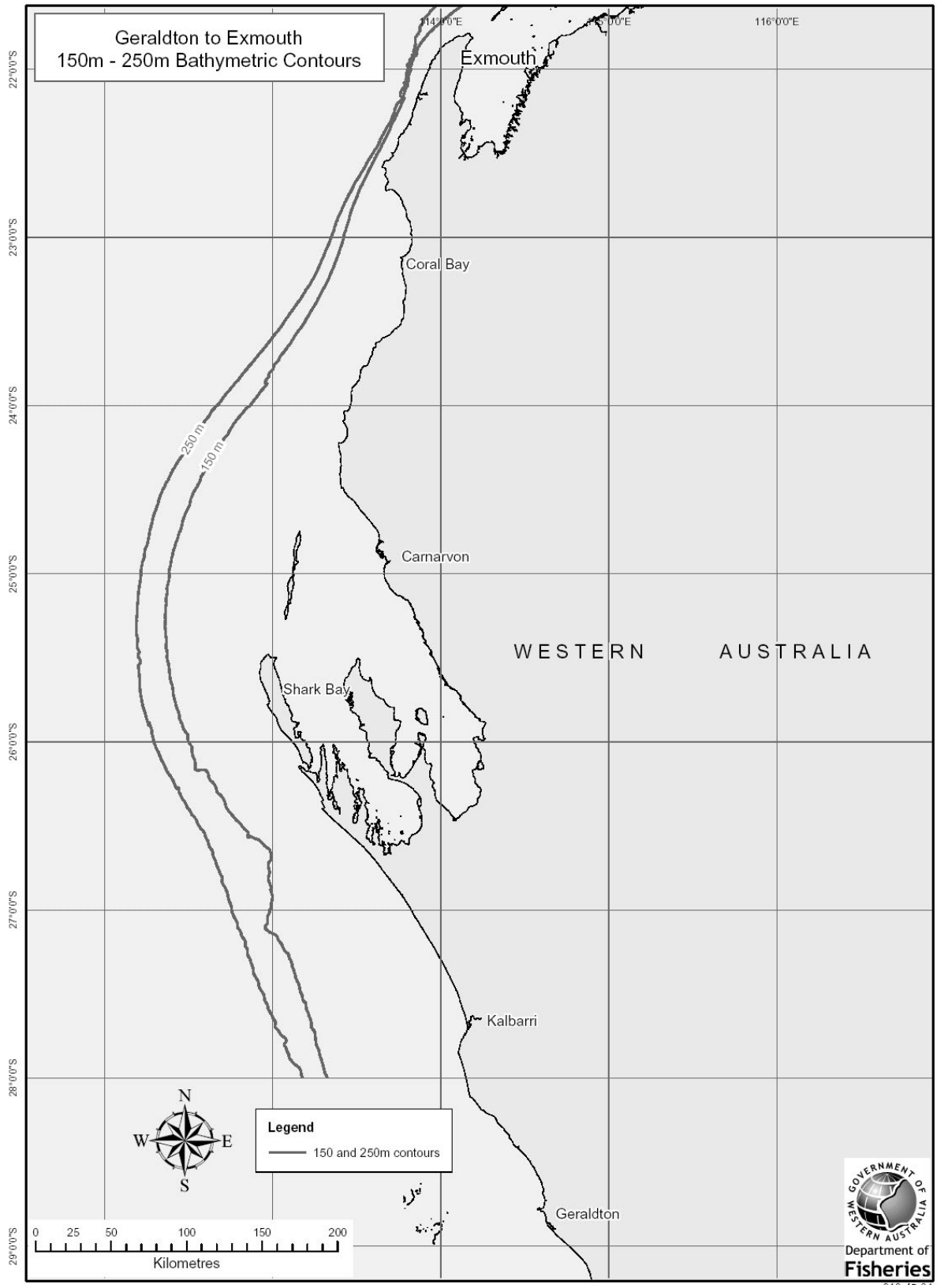

Figure 6: The location of the 150 m and 250 m depth contours in the Gascoyne bioregion

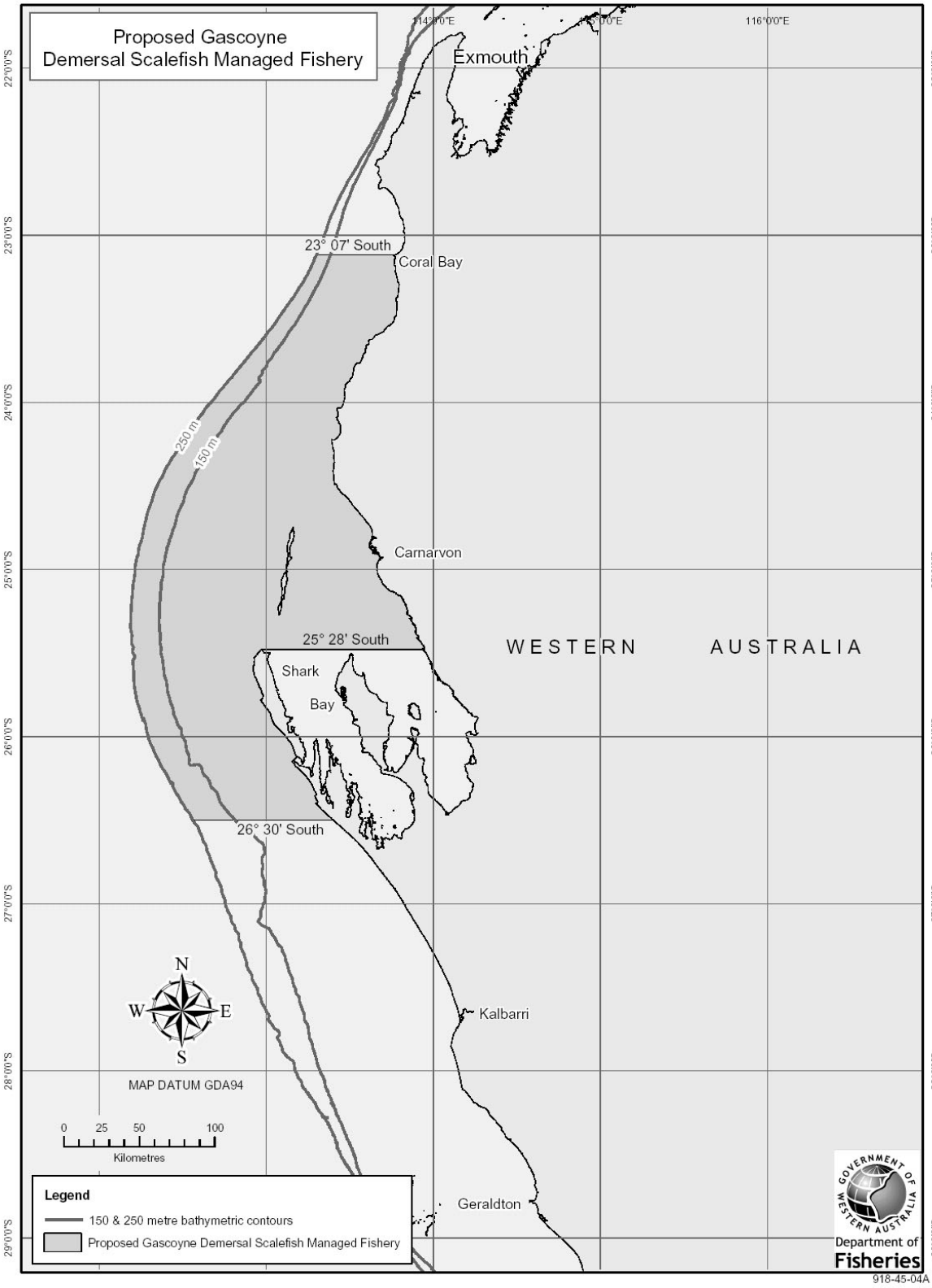

Figure 7: The proposed boundaries of the Gascoyne Demersal Scalefish Fishery

5.4 Zones

In order to effectively manage the key species in the region, the Panel considered the natural stock distribution of key species in the region.

Traditionally most pink snapper fishing and wetlining for other species has taken place inside the 150-metre depth contour in the Gascoyne but more recently (since 1999/00) a deepwater fishery, targeting goldband snapper and rosy jobfish has taken fishers further offshore.

As noted previously, there are concerns over the sustainability of pink snapper and goldband snapper and the Panel believes it is important that the new framework provides the capacity to separately manage effort on these stocks.

The Panel therefore proposes that two management zones be established within the Gascoyne:

- an inner-shelf zone extending out to a line of best fit to the 150m depth contour (which will encompass the majority of activity in the current snapper managed fishery and wetlining for other inner-shelf demersal scalefish species); and
- an outer-shelf zone extending from the 150m depth contour out to a line of best fit based on the 250m depth contour (which will encompass fishing for species such as goldband snapper and rosy jobfish).

The Panel noted there may be potential for the development of deepwater fisheries beyond 250m and did not believe it would be appropriate to limit deepwater access to only those with *Gascoyne Demersal Scalefish Fishery* access. For reasons of equity, this opportunity should be potentially available to any WA FBL holder.

The Department's DNF application process was implemented to assess the development of unexploited fisheries such as 'deepwater' fisheries. This helps to ensure that any development of fishing on deepwater stocks proceeds in a controlled manner. Some members of the Panel considered that the DNF process is quite complex for applicants and may be time consuming and costly to the degree that it may deter applicants. Conversely it was also noted the process does serve to ensure fishers investigate such opportunities fully and make informed decisions before embarking on a venture that may not be commercially viable.

While the Panel considered that potential access to the deepwater zone should be available to all FBL holders through an application process, it suggests that the DNF process be reviewed with the aim of simplifying it so as not to deter potential applicants.

Proposals:

6) **The management framework for the proposed *Gascoyne Demersal Scalefish Fishery* should establish two separate zones:**
    a. **an inner-shelf zone extending out to a line of best fit based on the 150 metre depth contour; and**
    b. **an outer-shelf zone extending from the 150 metre line to a line of best fit based on the 250 metre depth contour.**

7) **Potential fishing opportunities in waters outside the 250 metre depth boundary be available to WA FBL holders on application through the Developing New Fisheries process.**

8) **A review of the Developing New Fisheries process be undertaken with a view to simplifying it and making it less onerous on applicants.**

5.5 Fishing Controls

In general terms, the Panel considered that an Individual Transferable Effort (ITE) management system would provide the best framework for managing a multi-species scalefish fishery. However, the Panel noted advice from fisheries scientists that given the current sustainability concerns for pink snapper, the ITQ management framework for this species should be continued (at least until pink snapper stocks have recovered to historic levels).

This makes the integration of pink snapper management with other stocks problematic and the Panel considered two broad options for managing a Gascoyne demersal fishery:

- a quota system that incorporates both pink snapper and 'other' demersal scalefish species; and
- an ITE based system based on all demersal scalefish that also incorporates a quota for pink snapper.

Quota System

Under this option, the existing quota system could be extended to incorporate pink snapper and all other demersal scalefish species in a single quota. The TACC for the fishery would incorporate both the pink snapper TACC and an additional component for 'other' demersal species. A key issue with this option remains the current depleted status of pink snapper in the region and the level of protection required to enable stocks to rebuild. If a single quota system were established, it would have to be set at a level that ensured the sustainable catch of pink snapper could not be exceeded. Given the current status of pink snapper stocks, this would necessarily result in a catch level for 'other' demersal species needing to be effectively set at zero to avoid any increase in the take of pink snapper.

Alternatively the quota system could comprise two components – a pink snapper quota and a separate quota for other demersal scalefish species. However, setting a TACC for the other demersal species would be problematic, as little information is known on the status of other demersal stocks. For example, a catch quota cannot be determined for goldband snapper because little is known about their biology or abundance in this region. Similarly, little quantitative research has been done on other demersal scalefish species in the region.

The Panel also noted that running a 'dual' quota system would place additional requirements on reporting and monitoring of the quota system. 'Dumping' of fish was also an issue that may occur where fishers chasing unfinished quota may continue to catch, and dispose of, finished quota species.

The Panel was also conscious that pink snapper stocks in the SBSMF declined even under a single species quota system with good biological knowledge, time-series data on catches, and stock assessment models available. The Panel therefore believed that implementing a quota system for multi species of demersal scalefish, for which there is limited biological knowledge and little quantitative information on stock status, would be a high-risk management option.

An Individual Transferable Effort system incorporating a catch quota for pink snapper

The Panel considered that other demersal species in the bioregion could be best managed by way of Individual Transferable Effort (ITE) system because it is a flexible tool that allows catch rates to be monitored and management arrangements adjusted easily as required.

Setting target catches is extremely difficult with a multi-species fishery in circumstances where limited information is available for key target species. The Panel felt that ITE systems can provide greater insurance for key stocks as they can 'adapt' to changes in stock levels and catch rates. Catches decrease when fish abundance and catch per unit effort (CPUE) decreases, and vice versa, so the system can 'track' natural fluctuations in fish stocks. If the target commercial catch is inadvertently set too high and the fishery is overexploited, the CPUE will decline and the target catch will not be achieved. If such instances occur, the target catch can be reset and the time access reduced. This is dependent on the initial catch level being set at a precautionary level and not at a level that would result in overexploitation of the stock.

The Panel noted that for multi species fisheries, the data demands can be reduced by concentrating on identified 'at risk' species. It is also important to note that ITEs are not always ideal for the management of schooling or aggregating species because the CPUE of operators targeting these species is not a good indicator of abundance. The Panel considered that an ITE system alone couldn't afford the level of protection required to rebuild pink snapper stocks.

An alternative management option for the Gascoyne is to continue managing pink snapper stocks under a catch quota administered by Individual Transferable Quota (ITQs) (with the catch quota applying to the entire Gascoyne region) and then manage all other stocks by way of ITE system based upon units of effort or 'fishing days'.

Because of the non selective nature of line fishing and the high incidental catch of pink snapper in both the inner-shelf and outer-shelf zones of the Gascoyne, these systems would need to be integrated to avoid a situation whereby persons could continue fishing when either their pink snapper quota or their fishing days were exhausted.

In order to integrate these two management systems, eligible operators would need to be allocated a number of days sufficient to take their quota of pink snapper plus an additional number of days allocated for the take of 'other' scalefish. Each operator will then have both a pink snapper quota and a total number of fishing days with which to take their pink snapper entitlement and associated scalefish entitlement. This combination of quota and effort days is important to limit any capacity for boats to maintain a small amount of pink snapper quota and continue to fish for other species (which will inevitably involve incidental mortality of

pink snapper). Whichever expires first, the pink snapper quota or the total number of days, would trigger the end of fishing operations.

The Panel felt that in the longer term, once pink snapper stocks have recovered, further consideration should be given as to whether pink snapper could be incorporated into the ITE system and the pink snapper quota system abolished.

The Panel believed a key requirement of the new plan must be that all operators in the Gascoyne Demersal Scalefish Fishery hold pink snapper quota so that all pink snapper caught are acquitted against the TACC. The Minister has already implemented this requirement within the waters of the SBSMF (i.e. no wetline fishing in the waters of the SBSMF unless you hold a minimum unit holding of pink snapper quota). The Panel considered that this arrangement should be extended to the entire Gascoyne region and no operator should be permitted to fish in the *Gascoyne Demersal Scalefish Fishery* unless they hold an unexhausted pink snapper quota.

Proposals:

9) **Management of the *Gascoyne Demersal Scalefish Fishery* be based on an Individual Transferable Effort (ITE) system (with units of 'boat fishing days') that also incorporates Individual Transferable Quota (ITQ) for pink snapper.**
10) **The need for a separate quota management system for pink snapper should be reviewed once the pink snapper stocks have recovered.**
11) **No operator be permitted to fish in the *Gascoyne Demersal Scalefish Fishery* unless they hold an unexhausted pink snapper ITQ.**

5.6 Setting the TACC for Pink Snapper

A TACC is already set for pink snapper in the SBSMF. As discussed in section 5.1 this TACC was recently reduced by 40% to allow breeding stocks to rebuild. The TACC is currently calculated on the basis of pink snapper stocks within the existing boundaries of the SBSMF. While this estimate includes pink snapper found in the outer-shelf zone where the goldband snapper fishery has developed, it does not explicitly include that component of the pink snapper stock in the waters off Coral Bay (between the northern boundary of the SBSMF and Point Maud).

Based on catch and effort data, the Fisheries Research Division has estimated that the inclusion of stocks in the Coral Bay area would currently equate to an additional 10 tonnes of pink snapper quota being made available to the *Gascoyne Demersal Scalefish Fishery*.

The issue of how this 'new' component of pink snapper quota is allocated amongst fishers is a matter for consideration by the Commercial Access Panel (CAP). However in this regard, the Panel believes that in the allocation of this 'new' quota particular consideration should be given to those fishers who have historically operated in the area. While this allocation is unlikely to provide these individuals with the full level of quota that they will need to operate in the new *Gascoyne Demersal Scalefish Fishery*, it will reduce the amount of quota they need to buy or lease.

5.7 Initial calculation of effort units (boat fishing days)

The aim of an effort-based system is to allocate an appropriate number of fishing days that will allow the target commercial catch to be caught each year. This number of fishing days can be adjusted annually, either upward if the target catch is not reached (for the reason of conservative target setting rather than a sustainability issue) or downward (if the target catch is exceeded), as required.

However calculating the number of effort days for the take of demersal/reef species in the Gascoyne is complex in that it must incorporate both the number of days required to catch the TACC of pink snapper plus an appropriate number of days to allow the target commercial catch of other demersal species to be taken. These calculations must take into account the differences in catch rates for pink snapper and other species, which vary seasonally and spatially.

Furthermore, the allocation of effort units (boat fishing days) must be made separately for the inner-shelf zone and the outer-shelf (or deepwater) zone. Effort units for the outer-shelf zone cannot be converted to inner-shelf effort units because this would cause the maximum effort limit set for the inner-shelf, and hence the target catch, to be exceeded. This system does not preclude operators being granted access to both zones (depending on the CAP's recommendations for access) or operators purchasing access to both zones in the future on the open market.

The proposed system is based upon the current nature of fishing activity. If these practices were to change significantly, further amendments to management may be required (as is the case in all fisheries).

Inner-shelf zone

Determining a Target Commercial Catch (TCC) is problematic in this area because catch rates are different for wetliners and pink snapper MFL holders, and in the case of the latter these catch rates also vary seasonally. For this reason the TCC for both groups needs to be determined separately before being combined into one TCC.

The component of wetline catch taken by the snapper MFL holders is easily calculated as a set proportion of their managed pink snapper catch. Catch returns indicate the catch rate of 'other' demersal species equates to about 15% of their total pink snapper catch.

Calculating this component of the TCC as a set proportion of the snapper quota means that the TCC for the *Gascoyne Demersal Scalefish Fishery* will vary depending upon the level at which the pink snapper quota is set. For example, this year the quota for pink snapper was set at 338 tonnes which would result in the snapper MFL group's component of the TCC of demersal scalefish (15%) being set at 51 tonnes.

Year	Wetline Fisher's Catch (t)
1995	56
1996	38
1997	64
1998	95
1999	134
2000	82
2001	146
2002	46

Table 3 The total demersal wetline catch in tonnes in the Gascoyne inner-shelf zone by wetline only fishermen (i.e. not including snapper MFL holders). Catches are from 23ºS to 26ºS and do not include sharks, tunas or mackerel because these species are under separate management arrangements.

This left the Panel to determine the wetline component of the TCC. The Department of Fisheries Research Division considered the historical catches of wetline operators (Table 3) and presented the Panel with three options for consideration:

1) **Setting TCC based on catches between 1995 and 1997.** This option would result in an estimated catch of 33 tonnes for the wetline component. Along with the 51 tonnes from the MFL component the TCC under this option would be **84 tonnes**.

   The Panel considered this was the lowest risk option because it was based on relatively low catch years. However the Panel were concerned it may be too conservative and it would result in a low TCC and therefore an insufficient number of 'boat fishing days' being made available for the initial allocation process.

2) **Setting TCC based on catches between 1995 and 2001.** This option would result in an estimated catch of 66 tonnes for the wetline component and a total TCC (with the 51 tonnes MFL component) of **117 tonnes**.

   This is considered the 'medium' risk option. The Panel favoured this option because it excludes the most recent data where catches have increased markedly (probably to unsustainable levels), however it is more generous than the low risk option and would therefore, result in a greater number of boat fishing days for the initial allocation.

3) **Setting TCC based on catches between 1998 and 2001.** This option would result in an estimated catch of around 90 tonnes for the wetline only component and a TCC of **141 tonnes**. The Panel considered this as the 'highest risk option' and in particular noted that current research indicates that this level of catch may not be sustainable in the long term.

The Panel considered that the medium risk option should be adopted and the wetline only component of the TCC be initially set at 66 tonnes. The MFL component of the TCC should be set at 15% of the snapper TAC at the time of implementation.

It is important to note that no matter which option is adopted, the TCC will continue to be reviewed against stock sustainability. Furthermore, if the overall catch (including commercial, recreational and charter) was considered to be at an unsustainable level, the Panel noted that the impacts of all sectors accessing these stocks would need to be reviewed.

Catch Per Unit Effort (CPUE)

Determining CPUE rates is problematic in this area because catch rates are different for wetliners and pink snapper MFL holders, and in the case of the latter these catch rates also vary seasonally.

For example, the catch rates for snapper MFL holders are highest during the peak pink snapper season in June and July when the pink snapper are aggregating. Catch records indicate fishers average 581 kg/day in June-July, 367 kg/day in May and August, 192 kg/day from January to April and 154 kg/day from September to December. In addition, snapper MFL holders catch between 50-120 kg/day of other scalefish. Wetliners not targeting pink snapper catch an average of 140 kg of scalefish per day in the inner shelf zone.

One way to manage the variation in catch rates of different species at different times of the year, and between inner and outer shelf areas, is to set a standard off-peak catch rate and apply a differential 'consumption rate' factor at different times of year and in different areas (Table 4).

For example, the Research Division has calculated that, on average, it takes 2300 off-peak boat fishing days to take 400 tonnes of pink snapper from the inner-shelf zone (400 tonnes of pink snapper is representative of the sustainable level of catch for the region once the stock has recovered from its current lower level). Because pink snapper are spawning in aggregations in June and July (and are therefore easier to catch) it would be necessary to reduce the number of days available to that operator so that the 'spare' days arising from catching the pink snapper quicker are not turned into fishing days directed at wetline species.

However, rather than vary the level of entitlement allocated to each licence holder the Panel proposed that the mechanism be a seasonally variable consumption factors applied to all licensees. This could be monitored automatically using a vessel monitoring system (VMS) (see section 6.7).

Month	CPUE of pink snapper (kg/d)	Consumption Rate Factor	Effort required (Off-peak boat fishing days)
June & July	581	3.77	610
May & August	367	2.38	966
January through April	192	1.25	1840
September through December	154	1	2300

Table 4 Seasonal Consumption Rate Factors to achieve a target catch of 400 tonnes of pink snapper based on CPUE of pink snapper in the Gascoyne

For example a 'boat fishing day' may be consumed at 3.77 days in June and July, while during May and August a 'boat fishing day' may be consumed at 2.38 days. Thus, a boat operating in June and July would be deemed to have consumed 3.77 days of fishing effort for each day fished but if it operates in May and August it would be deemed to have consumed 2.38 days for each day fished (from its yearly allocation of fishing days).

Using a similar approach, with the stock at its current depleted level, it will take 1955 off-peak boat fishing days to take the 2004 snapper quota of 338 t. Consumption rate factors would stay the same to reflect the peak and off-peak seasons.

This system would allow for consumption rates to be varied on a spatial as well as temporal basis. For example, if tighter management controls were required for the outer-shelf zone due to sustainability concerns for a deepwater species such as goldband snapper, then a day's fishing in the outer-shelf zone may be consumed at a different rate to the inner-shelf zone (e.g. a days fishing may be consumed at 1½, 2 or even 3 fishing days).

The Panel discussed the possibility of using a differential consumption rate within a zone, however it felt it would not be practical because the size of these areas would mean that a high VMS polling rate would be needed (eg hourly or 2 hourly) and the associated monitoring costs would be too high.

The system proposed is based on the mix of current fishing activity (pink snapper and wetline). If all fishers chose to fish their total allocation of days in the peak pink snapper period, the sustainable yield of other demersal scalefish species would not be taken. Alternatively, if all fishers chose to operate in the off-peak pink snapper period, they would take more than the sustainable yield of 'other' species. It is envisaged that this method will not change the current spread of wetline effort across the fishery, however if fishing practices were to change significantly, the system could be easily amended to account for these changes.

Outer-shelf zone

The catch of goldband snapper in the Gascoyne rose rapidly from almost zero in 1999 to 190 tonnes in 2002 and 301 tonnes in 2003. Therefore historic catches cannot be used reliably as a basis for determining a TCC in this zone.

Fisheries scientists are concerned about the long-term sustainability of goldband snapper stocks based on current levels of activity (see section 5.1). The Department's Research Division estimates that a comparable goldband snapper fishery in the Pilbara would yield a sustainable long term catch of 100 tonnes. Anecdotally the average size of goldband snapper being taken is decreasing. Research scientists consider the current level of fishing is not sustainable and needs significant reduction.

Fishers targeting goldband snapper offshore also catch a mix of pink snapper and other species (Figure 3). Given the current catch rates in this deep-water fishery, itt is estimated that a catch of 100 tonnes of goldband snapper would also result in a catch of approximately 60-80 tonnes of mixed deepwater species comprising 40-50 tonnes of non-pink snapper species (mainly red emperor, spangled emperor and cod) and around 20-30 tonnes of pink snapper (based on a take of 100 tonnes of goldband snapper). A target catch of 100 tonnes of

goldband snapper would therefore result in an overall catch of some 160-180 tonnes in this outer-shelf zone.

The Panel therefore believed that management of the outer zone should be based on effort days that are calculated on the basis of the number of days required to catch 100 tonnes of goldband snapper. The catch of 'other' demersal species taken incidentally would be accounted for within the goldband snapper effort allocation. The proportional catch composition will need to be reviewed annually to ensure it does not alter significantly.

5.8 Ongoing review of effort days

It is important to recognise that the total number of fishing days and consumption rate factors will be reviewed on an ongoing basis and if necessary, adjusted to ensure the commercial catch target is met. In practice, this means that if the TCC is not being met the number of fishing days would be increased (or consumption rate factors reduced) in the following year while if the target catch was exceeded, the total number of days available would be reduced (provided the variations in catch were not thought to be due to changes in abundance or status of stocks, in which case the target catch level may need to be amended).

The review process will entail the Department of Fisheries preparing a discussion paper based on:

1. Biological assessment of major stocks
2. Determination of target catch for the commercial fishery
3. Predict catch per unit of effort (CPUE) and consumption rates for following year
4. Estimate total fishing days

This paper would then be discussed with stakeholders prior to a final report being prepared for consideration by the Executive Director, of the Department of Fisheries, for his determination of the TCC and implementation of necessary amendments to management arrangements.

An important component of an effort system must be the integrity of the defined fishing units, in this case 'boat fishing days'. The overall calculation of effort days will make sufficient allowance for days lost to bad weather etc. The primary focus of the scheme must remain on achieving the TCC, irrespective of whether it takes a larger or smaller pool of days to achieve this. In this regard any level of fishing must be regarded as a 'boat fishing day' and there should be no provision for persons to appeal that a day was lost due to bad weather, mechanical problems etc. There is therefore no incentive for fishers to try and work 24 hour days to gain higher catches (and catch rates) as this will result in the pool of days being reduced in the following year.

Clearly however, if efficiency within the fishery increases over time (by technological advances, fishing experience, etc), ultimately a smaller pool of days will be needed to achieve the same target catch.

Proposals:

12) The calculation of fishing days for the inner-shelf zone of the *Gascoyne Demersal Scalefish Fishery* should be the sum of:

a. the number of days determined necessary to catch the pink snapper quota; and
b. the number of days determined necessary to catch the target commercial catch of other (non-pink snapper) demersal species.

13) The calculation of boat fishing days for the outer-shelf zone be based on the number of days determined necessary to catch the target commercial catch of goldband snapper.

14) All fishing operations cease when ITE units or pink snapper ITQ units are exhausted, whichever occurs first.

5.9 Nomination to fish

Some fishers who gain access to the *Gascoyne Demersal Scalefish Fishery* will also be MFL holders in other managed fisheries. It would therefore be necessary for operators to 'nominate' which fishery they are operating in before they leave port. A nomination system is used in other fisheries throughout the State and can be carried out by phone, fax or VMS. This is particularly important in an ITE fishery because effort days need to be acquitted against the correct fishery. The Panel does not believe that this should be a significant imposition on operators because a scalefish fishing trip requires planning anyway, including provisions of ice sufficient to ensure a quality product.

5.10 Minimum unit holdings

The Panel discussed whether a minimum level of 'fishing days' should be implemented as a requirement to operate in the managed fishery. After some discussion most members of the Panel believed it was not necessary at this stage to stipulate any minimum unit holding in the management arrangements. The Panel did not believe it was its role to determine how many days fishers needed to run a viable fishing operation. It was considered that fishers would make their own decisions in this regard.

The SBSMF Management Plan currently specifies that a minimum of 100 units of pink snapper quota must be held to be eligible to operate in the SBSMF. The Panel believes that this requirement should continue under the new arrangements, noting that the temporary transfer of units of entitlement will be permitted. This means that a unit holder can apply to temporarily transfer units to another MFL and the units will automatically revert to the original MFL at the end of a set period (usually 12 months). The transaction incurs an application fee (currently $125) and is liable for stamp duty under the State's tax legislation.

The Panel also considered the costs of applications (particularly for transfer) and was conscious that the outcomes of the Commercial Access Panel has implications for the cost of applications on operators. Schedule 1 of the *Fish Resources Management Regulations 1995* sets out the fees payable for various applications made to the Department of Fisheries. These may include applications to grant an FBL, MFL or CFL as well as applications to transfer whole authorisations or units of entitlement. All application forms are now available through, and can be printed from, the Department's website www.fish.wa.gov.au. There are several

major issues that need to be addressed before applications can be received electronically, including the execution of electronic documents.

The Panel noted that application fees collected by the Department not only pay for licensing services but also for any policy, legal, regional or financial services input required for processing the application as well as maintenance of the register and Departmental records. The Panel considers the costs associated with applications are reasonable in terms of covering the Department's costs however, should the resulting criteria for access to, and allocation of units in, the fishery be overly onerous on operators in terms of transfer fees (i.e. if a minimum catch criteria is not set) then the Department should review its licensing policy.

Proposal

15) A minimum unit holding of pink snapper units (in accordance with the level determined at the time of implementation) be required in order to be eligible to operate in the *Gascoyne Demersal Scalefish Fishery*.

5.11 Vessel Monitoring System

The Panel considers the best way to manage the boundaries and monitor the level of fishing activity (boat fishing days) is through the use of a VMS.

VMS provides the Department with real time monitoring of vessels by using a combined global positioning system (GPS) and satellite communication unit (called an automatic location communicator [ALC]) that is fitted to each vessel. Data on the vessel's position, speed and course are regularly reported to a land station in Perth. Because this data also comes with time and date information it can also be used as a clock to measure the amount of time a boat spends in an area.

In order to be able to ensure compliance with regional and fishery boundaries and to underpin the 'days fished' management tool, the Panel believes a satellite based electronic VMS provides the most cost effective option. This would be particularly important for deepwater operators under the DNF program given that accessing the deepwater zone (beyond 250m) would mean traversing the wetline managed fishery in order to reach their fishing grounds. Given the likely cost in undertaking exploratory fishing offshore, the Panel does not believe VMS requirements would represent a significant additional imposition.

A vessel operating under the VMS requires both an ALC which provides automated position reports and a computer to input and receive messages from the Fisheries Monitoring Station. The cost of this hardware varies depending on the type of equipment, the supplier and the installer. Generally though, a transceiver will cost in the vicinity of $5000 (although there are different models that may cost slightly more or less). A data terminal (or computer) can vary greatly in cost depending on the user's requirements but a basic model to conduct basic transmission will cost from $600. A Windows user interface for the computer called Easymail is available free of charge. Installation costs will range depending on the supplier and the supplier's location as well as the condition of power supply on the boat. The Department estimates the installation cost to range between $500 and $1000. Although this is a significant one-off payment the Panel believes that the VMS is the only way to ensure the integrity of scalefish management in the West Coast.

Currently the costs involved in sending position reports to the Fisheries Monitoring Station and receiving messages are borne by the Department of Fisheries. The costs incurred by any communications to other parties are the responsibility of the vessel operator. The current cost of sending a message via the VMS is $0.72 per 256 bits (approximately $0.01 per character). There is also an initial activation fee of $55.00. Any costs involved with technical repairs to the unit are the responsibility of the vessel operator.

VMS is currently used in the Northern Demersal Scalefish Fishery, Pilbara Trap Fishery, Pilbara Trawl Fishery, Shark Bay Prawn Fishery, Shark Bay Scallop Fishery, Exmouth Gulf Prawn Fishery, Kimberley Prawn Fishery, and the Abrolhos Islands and Mid-West Trawl Fishery. Although there was initially some resistance among fishers, the response to VMS has been positive in all these fisheries.

In particular, fishers have identified improved safety and communication as a benefit of having VMS as well as a confidence that all fishers are obeying the rules. It is also considered an important business management tool by those fishers who are required to use it.

Proposals:

16) **The *Gascoyne Demersal Scalefish Fishery* be managed under a vessel monitoring system (VMS) with all authorized boats required to have an automatic location communicator (ALC) fitted.**

17) **Boats operating in the deepwater areas under approval from the Developing New Fisheries process also be required to operate under a vessel monitoring system (VMS) to ensure compliance issues can be addressed around the outer boundary. Boats operating under this arrangement should be prohibited from landing demersal species targeted in the *Gascoyne Demersal Scalefish Fishery*.**

5.10 Permitted fishing methods

In order to manage a fishery effectively using input controls, it is important to regulate the catching capacity of the fleet. This is because fishers will still act to maximise the value of their allocation of effort units which, coupled with technological advancements, will result in an increase in, and more effective, effort.

Effective effort (and therefore catching capacity) is a product of nominal fishing effort and:

- efficiency of gear (e.g. type of gear)
- amount of gear
- efficiency of boat (e.g. loading capacity, engine power, range, technology)
- efficiency of crew (e.g. knowledge and ability of skipper).

Each of these factors can be regulated to control effective effort and catching capacity. However the Panel considered it is impractical to control the efficiency of a boat, the number of crew or the use of power assisted gear because it is difficult to police (increases compliance costs) and raises occupational health and safety considerations. For these reasons the Panel felt only some general limits should be placed on the type and amount of fishing gear

permitted under the management arrangements. There are currently no gear restrictions explicitly in place for wetline fishing.

The methods currently available to wetline fishing (where they are not prohibited by virtue of other management arrangements) include handline, dropline, trolling, squid jigging, wading, lift net, polling, gillnet, beach seine, and haulnetting. In general there are no controls on the quantities of these gears which may be used or their characteristics (except nets). Thus currently, any quantity of droplines, handlines, and number of hooks may be used.

The Panel felt that only the type and amount of fishing gear should be explicitly dealt with in the management arrangements and that area closures and seasonal controls should be an option left open to the Executive Director, as in other Western Australian fisheries, should the need arise to prevent localised depletion of stocks or to support the key sustainability controls.

The majority of catch is taken by handline and dropline (Table 4). In 2001, 77% of wetline scalefish catch in the Gascoyne was taken by handline and 11% by dropline.

Year	Dropline	Handline	Longline	Total
1990-91	2	84	0	86
1991-92	52	124	1	177
1992-93	86	146	28	260
1993-94	20	109	32	161
1994-95	1	96	0	97
1995-96	5	76	0	81
1996-97	4	82	0	86
1997-98	7	133	0	140
1998-99	9	159	0	168
1999-00	6	174	0	180
2000-01	11	221	0	232
2001-02	8	279	0	287
2002-03	4	459	0	463

*Table 5 Total demersal wetline catch (tonnes) in the Gascoyne bioregion from 1990-91 to 2002-03 by major methods. (*catch includes all species)*

The Panel considered that the gear permitted in the demersal fishery should be limited to handlines and droplines. The Panel also considered there needs to be a cap on the maximum number of lines on a boat to help 'standardise' to some degree a unit of fishing effort. It was also suggested that in the interests of economic viability, a minimum of 3 handlines and 3 droplines would be needed, however an allowance for additional spare gear to cover breakage/loss should also be taken into account. It was suggested that allowing for 5 handlines and 5 droplines would cover these contingencies.

It was discussed that there be a maximum number of hooks, or sets of hooks[7], permitted to be used on each line. In practice however, the Panel recognised that a large number of hooks is generally only used in deep water where target species could be at different heights in the water column. In shallower water, only the bottom few hooks were effective and consequently fishers commonly use much fewer hooks (i.e. 3-5).

The Panel also noted that in some conditions (e.g. strong drift or surge) droplines may be the only effective fishing method as it may not be possible to 'hold bottom' using handlines. It was felt that a restriction on the use of large numbers of droplines will however prevent the opportunistic 'bombing' of sites.

Proposals

18) The only permitted gear for use in the *Gascoyne Demersal Scalefish Fishery* be handlines and droplines.

19) Legal definitions describing handlines and droplines be developed that contain the following elements:

Handline being a fishing line that is attached to a boat, weighted at one end, and has not more than the prescribed number of hooks attached.

Dropline being a fishing line with no more than the prescribed number of hooks attached and when used for fishing is anchored by a weight, buoyed at the surface and deployed vertically through the water. A minimum of one buoy, with a minimum diameter of 200 mm, must be attached to the line. The buoy should be marked with the vessel's LFB number, in lettering at least 6 cm high and 1 cm wide.

20) A maximum of 5 handlines and 5 droplines be on board, or in operation from, a boat at any one time.

21) A maximum number of 30 hooks (or gangs of hooks) be permitted on any handline or dropline.

5.11 The take of sharks

The Panel noted that there is immediate concern over the sustainability of some shark stocks and that separate management processes are underway to reduce fishing effort on these stocks. While up to 70 tonnes of sharks in a given year have been recorded by wetline methods (handline and dropline) during the 1991-2001 period, the Panel noted that the majority of this catch (over 90%) was taken by fishers who also have an authorisation in the West Coast or Southern Demersal Gillnet and Demersal Longline Fisheries.

It was noted that a prohibition on the use of pot hooks and metal traces on longlines (from Steep Point to Northern Territory border) has been introduced. These prohibitions are

[7] Provision for the use of ganged hooks was also deemed necessary, as these were important depending upon type of bait used.

intended primarily to protect adult dusky and whiskery sharks which are considered to be over exploited. There has been a recent shift in the fishery from taking neo-nates to adult stock which has created serious sustainability concerns. Research indicates that a 4% mortality rate of dusky sharks *Carcharhinus obscurus*, (also known as 'bronzies'), will result in a decline in their population. The Department is considering additional management measures to conserve threatened shark species and further prohibitions, including size limits and fishing closures, cannot be ruled out.

While these issues will be addressed through specific shark fishery management processes, given these sustainability concerns, the Panel does not believe it appropriate to allow the targeting of shark in the wetline fishery. This can be easily addressed by not allowing the use of metal trace on lines in the fishery.

Proposal:

22) There be a prohibition on the use of metal trace in the *Gascoyne Demersal Scalefish Fishery*.

5.12 Pink Snapper Size Limit

As an additional measure to mitigate incidental mortality of pink snapper some industry members have recommended a reduction in the legal minimum size limit.

The currently minimum legal size limit is 41 cm, however, the Panel has heard anecdotal evidence that fish between 38 cm and 41 cm may make a significant proportion of the commercial catch. The majority of commercial fishing activity in the this area is in waters between 70 metres and 150 metres in depth and preliminary results from a mortality study being undertaken by the Department of Fisheries indicate high rates of release mortality for pink snapper in deep water. The Panel believes it would be beneficial for pink snapper of 38 cm and over to be kept and recorded against the commercial catch. The Department's Research Division has advised that provided these fish are acquitted against the TACC, reducing the size limit will not effect overall sustainability of stocks.

The Panel did not consider it would be prudent to lower the size limit for the recreational sector at this stage. This was because the recreational sector is not constrained to a quota and lowering the size limit may in fact result in an increase in pink snapper take. It was also recognised that many recreational fishers operate in shallower waters where survival rates of returned undersize fish are higher.

The relevance of size limits for demersal species as a strategy for the recreational and charter sectors should be reviewed following completion of the mortality study being undertaken by the Department. A key issue will be the proportion of fish that may survive at various depths and an assessment of the impact these fish may have on recruitment compared to if they were kept by fishers.

Proposal:

23) The minimum size limit for commercially caught pink snapper in the *Gascoyne Demersal Scalefish Fishery* be reduced from 41 cm to 38 cm in order to reduce the incidental mortality of fish returned to the water.

5.13 Processing at sea

The Panel noted that the general practice among wetline fishers is to land whole fish to optimise the quality of the product. This practice also has the benefit of ensuring that compliance with size limits can be monitored.

The Panel felt this practice should be encouraged and the new management arrangements should generally allow for landing of whole fish only. Exceptions to this should be made by way of application and assessed individually on their merits.

The Department of Fisheries Seafood Quality Management Initiative (SQMI), in association with industry and WAFIC produced the WA Quality Scalefish Guide. The Guide is an excellent tool for fishermen to use in ensuring best practice in handling, storage, labelling and transportation of their product. The Guide contains detailed guidelines on all aspects of on-board handling of catch, a temperature template and a checklist. Adherence to these guidelines should result in the best quality fish. Furthermore, completion of the check list and temperature template may provide evidence of attention to food safety and food quality issues for buyers.

Proposal:

24) Operators in the *Gascoyne Demersal Scalefish Fishery* be permitted to land whole fish only (fish may be gilled and gutted). Exceptions to this should be made by way of application for at-sea processing licences and assessed carefully on their merits.

SECTION 6 GASCOYNE INSHORE NET FISHERY

6.1 Profile of Gascoyne inshore fishing activity

The number of inshore fishers 'wetlining' in the open access fishery has ranged from two to eight in the past 12 years but represented 10 individual licensees in the 1999/00 to 2000/01 period (Table 5). Most of this activity is carried out around Carnarvon in the area north of the *Shark Bay Beach Seine and Mesh Net Fishery* (SBBSMNMF). The catch is predominantly taken by gillnet, haul net and beach seine (Table 5).

A total of 21 FBLs reported inshore catch in the Gascoyne bioregion between 1990 and 2001. Only six of those FBLs reported inshore catch for four years or more between 1990 and 2001. Seven FBLs reported less than one tonne of cumulative catch over the 12-year period.

This activity may include fishers catching scalefish for sale, bait supply or catching bait for use in their other fishing activities. These operators may be dedicated inshore wetliners, wetliners with diversified operations (inshore and demersal fishing), or fishers from managed fisheries netting to supplement their income

Year	Inshore Catch (t)	No of Boats
1990-91	10	4
1991-92	15	3
1992-93	23	4
1993-94	22	5
1994-95	7	3
1995-96	31	3
1996-97	32	4
1997-98	53	6
1998-99	46	6
1999-00	69	7
2000-01	27	8
2001-02	31	7
2002-03	18	4

Table 6: Gascoyne Inshore wetline catch and number of boats that reported wetline catch from 1990-91 to 2002-03

Year	<100kg	100-500kg	500-1000kg	1-5 tonnes	5-10 tonnes	>10 tonnes	Total No. of operators
1990-91	1	0	1	1	1	0	4
1991-92	1	0	0	0	2	0	3
1992-93	0	0	0	2	2	0	4
1993-94	0	1	1	1	1	1	5
1994-95	0	1	1	0	1	0	3
1995-96	0	0	0	1	1	1	3
1996-97	0	0	1	1	0	2	4
1997-98	0	0	1	2	1	2	6
1998-99	0	0	0	2	2	2	6
1999-00	0	0	0	2	3	2	7
2000-01	0	2	0	3	3	0	8
2001-02	0	0	2	3	1	1	7
2002-03	1	0	1	0	1	1	4

Table 7 Number of boats that reported various levels of wetline catch in the Gascoyne inshore fishery from 1990-91 to 2002-03

6.2 Status of Inshore stocks

As outlined in Table 6, in any year between three and eight operators report taking inshore pelagic fish with nets (outside the SBBSMNMF). These wetliners have taken between 20 and 70 tonnes in recent years (Table 5).

The SBBSMNMF in comparison had 11 licensees and took 300 tonnes of scalefish (a mixed catch of whiting, sea mullet, tailor, and yellowfin bream) in the 2002 season in the waters of Shark Bay. The Department of Fisheries Research Division considers this fishery's catches to be within acceptable ranges and therefore that the fishery is being exploited sustainably.

As such, the Department has no immediate concern for the wetline fishery north of the SBBSMNMF and considers the numbers of fishers and the total scalefish catch sustainable at present.

6.3 Management Options

The major concern is that, following the introduction of management for the demersal wetline fishery, those not gaining access may move inshore and significantly increase catch and effort in the inshore net fishery.

Clearly, management of the inshore net fishery is essential. However given the character of the fishery, the introduction of complex or overly restrictive management arrangements would be difficult to justify on financial, environmental or social grounds.

The Panel recommends simple, cost effective management arrangements. Furthermore, the Panel have recommended the Commercial Access Panel (CAP) consider generous access criteria for entry to the inshore net fishery recognising that the participation rate and catch has been historically low.

The Panel considered a number of different management options for the inshore fishery. It ruled out complex systems such as ITEs and ITQs because it did not consider them necessary for this fishery, which is of low value, relatively low production and not considered over-exploited.

The Panel considers the most simple and cost effective management arrangements for the Gascoyne inshore fishery to be a limited entry system with gear controls. Given that the number of boats participating in this fishery has been fairly low and constant over a number of years, the Panel considers that access criteria for entry to the fishery should recognise all significant past usage.

By capping the number of operators and having defined permitted fishing gear the Panel believes there is currently no need to have any further restrictions on time fished, the amount of catch or the species taken.

6.4 Proposed management framework

The Panel considered an outer boundary for the inshore net fishery but did not deem it necessary because defining the fishery as a gear-based fishery will automatically distinguish it from the demersal wetline fishery and other fisheries. Furthermore, an outer boundary is an unnecessary addition to compliance requirements and costs.

The Panel thinks it may be useful to establish 'trigger' points of total catch for possible further management action. That is, if the Gascoyne inshore fishery reaches 50t per year for two years in a row there will be a review of management arrangements and the implementation of tighter controls.

Predominantly, inshore catch is taken using dinghies. The Panel considered the need for a restriction on boat size in the inshore fishery but came to the conclusion that this too would be an unnecessary restriction, at this stage, if there were to be gear restrictions. It suggests that the use of large vessels in the inshore fishery would not be commonplace because it would be economically inefficient for operators.

Proposals:

25) **The *Gascoyne Inshore Net Fishery* be managed predominately by limited entry, supplemented by gear restrictions and provisions for future spatial and temporal closures if required.**

26) **Fishing methods be limited to the use of haul net, gillnet and seine net in the *Gascoyne Inshore Net Fishery*. Further definitions around permitted gear should be developed in consultation with those fishers who gain access to the inshore fishery.**

27) The Panel recommends that access criteria established for entry to the *Gascoyne Inshore Net Fishery* should recognise fishers with relatively low levels of catch history.

28) Catch levels in the *Gascoyne Inshore Net Fishery* should be monitored and specific effort constraints implemented should catch levels begin to increase beyond historical levels. Consideration should be given to formalising these levels as 'trigger points' for future management action.

SECTION 7 SCALEFISH TAKE BY COMMERCIAL FISHERS WITHOUT ACCESS TO THE *GASCOYNE DEMERSAL SCALEFISH FISHERY*

One of the most contentious issues surrounding the development of a management plan for the wetline fishery is the continued take of scalefish by fishermen who do not have access to the fishery. The Panel gave this matter detailed consideration and a range of matters was discussed including:

- Impact on overall take and sustainability;
- Social issues (personal/family diet, availability of scalefish for purchase by locals, tourists, restaurants, takeaways, etc in local communities;
- Incentives for black market and 'shamateur' activity;
- Compliance costs; and
- Equity in management arrangements across all commercial fisheries

The Panel examined this issue particularly with respect to both:

- the take of fish for sale (ie commercial activities); and
- the take of fish for family/friends (ie supply for personal use).

The first issue relates to whether scalefish taken by persons 'outside' the demersal scalefish managed fishery should be able to be sold in the context of sustainability, equity and compliance costs. Traditionally, both nationally and in Western Australia, the establishment of a limited entry fishery entitles only those commercial fishers who gain access to that fishery to catch and sell that fish to which the fishery relates. As more WA fisheries have moved under management over time, the ability of commercial fishers to take a particular species (e.g. rock lobster, abalone, pink snapper in most parts of the Gascoyne), or operate in certain areas, or use a specific type of gear has been reduced.

Restricting the take of fish to only those persons authorised to operate in a particular fishery is fundamental to ensuring the catch in the managed fishery can be contained to a sustainable level. It also allows for management arrangements to be devised that can take into account a range of other factors such as quality of product and market considerations.

The impact of 'opportunistic' wetline activity was raised in a number of submissions. This was a particular concern in the West Coast region where it was claimed that 'opportunistic' wetline activity resulted in periodic 'flooding' of markets of prime scalefish species such as dhufish, which resulted in a drop in landed price and sometimes the supply of a lesser-quality product. This type of activity was also sometimes concentrated in localised reef areas and the removal of large numbers of fish (particularly residential species) effectively denuded this area of fish for some time. Many full-time wetline fishermen suggested that they tend to 'farm' these spots and opportunistic 'bombing' of sites by operators in managed fisheries made it difficult for full-time wetliners to maintain steady catches and a regular income.

The Panel noted that if the sale of scalefish by operators outside the managed fishery were permitted, it would provide a strong incentive for some fishers to take this catch every day (even if a low daily limit was set). This would particularly be the case if the fish could be taken in the course of normal fishing activity where operating costs were already being

incurred. Given the relatively high value of some species such as red emperor, it may also provide an incentive for some operators to exceed any limits imposed, particularly if they felt the risk of detection was low.

The Panel was of the view that any measures that may provide either an opportunity or an incentive to maximise these catches would present a risk to compliance, and more importantly to the overall commercial take and sustainability of stocks. Given the relatively low abundance of key demersal scalefish species and the large number of fishing boats in the State, the potential catch from persons 'outside' the fishery could easily become a significant proportion of the overall catch.

On this basis, the Panel considered that the sale of fish by operators who were not part of the demersal scalefish managed fishery should not be permitted as it would be inconsistent with arrangements in other managed fisheries, would jeopardise compliance and make it difficult to place any effective constraint on the overall catch.

The second issue considered by the Panel was the take of scalefish for personal use. This personal take was seen to be akin to a 'recreational' use – however it was recognised that this catch is not strictly recreational as it is taken from a licensed commercial boat. The Panel considered a distinct term should be used to describe this catch. 'Commercial catch' relates to fish taken for sale, 'recreational catch' refers to fish taken by recreational fishers, and 'charter catch' is used to refer to fish taken by recreational fishers on charter boat trips. The Panel has adopted the term 'non-commercial' catch to describe any take of fish for personal use by commercial fishers operating outside the managed *Gascoyne Demersal Scalefish Fishery*.

The Panel recognised that such a 'non-commercial' catch is currently being taken by the commercial sector (be it for personal use or for small-scale sale). This presented two challenges for the Panel:

- Setting an appropriate individual limit for non-commercial use; and
- Setting an overall catch target for the non-commercial catch.

7.1 Setting an individual limit for the non-commercial catch

The Panel discussed a number of options to allow for a 'non-commercial' take of scalefish including:

- ***No take of scalefish by operators without a demersal scalefish MFL.***

This would be the simplest and most cost effective option from a management and compliance perspective. While some inspections would be required to ensure no scalefish were taken by persons who were not operating under the authority of a licence, these inspections would be quick (because there would be no requirement to monitor number/size of fish taken) and any infringement would be clear. From a compliance perspective, this option was the lowest risk in terms of minimising possibility for illegal activity – as soon as fish can be legitimately landed there is an increased potential for black market activity.

While noting this approach is consistent with the arrangements in other managed fisheries, the majority of the Panel did not consider this option was appropriate (or at least acceptable to

industry generally) and believed a limited take of scalefish should be permitted for personal/family consumption.

- ***Allow the take of a recreational daily bag limit per CFL holder***

The Panel discussed allowing the take of a recreational daily bag limit. It was noted that the new recreational limits (in place as of 1 October 2003) are still quite generous, particularly since commercial fishers operate most days of the week. Under this option, the sale of fish could not be permitted because of the quantity of fish involved. Even if sale was prohibited, the increasing prices for key species such as red emperor may still create a strong incentive for illegal 'black market' sales (e.g. a recreational limit of seven prize fish per day for three crew equals a potential 21 prize fish per day, plus the catch limits in other categories, that could be legally landed). This option would also create additional compliance costs as there would be a requirement to check numbers and size limits of individual species to ensure the regulations were being adhered to.

The current recreational limits for scalefish are based on three categories of fish, classed as being of high risk (most demersal species, and large pelagic species such as mackerel and tuna), medium risk (pelagic species such as tailor) or low risk (herring, whiting etc). In the Gascoyne region, recreational fishers are currently permitted to take:

- Category 1 a total of 7 fish within which species limits also apply (e.g. max. of 2 red emperor, 4 tuskfish, 6 pink snapper)
- Category 2 a total of 16 fish (limit of 8 for most species)
- Category 3 a total of 40 fish (no individual species limits)

Under this option there is the potential for widely varying but significant quantities of scalefish to be taken non-commercially. For example should every boat operating in the Shark Bay Prawn and Scallop fisheries (around 26), with six crew (Shark Bay Prawn are allowed a maximum of 6 crew and Shark Bay Scallop a maximum of 13 crew), take six recreational bag limits of prize (category 1) fish every month then 1092 fish (or 4.4 tonnes if you assume a weight of 4 kgs per fish) could be taken every month (or 53 tonnes per year). Clearly, if these limits were taken at this rate by all commercial fishers it would represent a significant portion of the total catch on the Gascoyne.

However, industry members have indicated that they believe this level of catch is unlikely particularly if operators are not able to sell the fish. Furthermore, it can be argued that this extrapolation of catch is as spurious as the arguments around recreational catch estimates based on 600,000 recreational fishers taking a full recreational bag limit every day.

- ***Allow a take of reduced recreational limit***

The Panel noted that because commercial fishers may be on the water every day for extended periods, they would have the opportunity to take this 'non-commercial' limit every day. Potentially, if fishers were to operate in this manner, this would represent a considerable quantity of fish. On this basis, it was argued that a limit less than the recreational limit should be applied, such as a recreational bag limit per boat or a limit of one or two fish per person.

This option would allow for a limited personal take but would reduce any incentive for some operators to accumulate commercial quantities (and a potential for illegal sale). It was noted however that this option would limit their ability to provide fish beyond their immediate family and, on any one day, would be significantly less than the personal supply that can be taken by recreational fishers.

The Panel considered that as it has proposed that these fish cannot be sold, there would be little incentive to take this catch frequently. The Panel were of the view that in all likelihood, these fish would only be taken occasionally to meet personal needs.

- ***Issue 'tags' for scalefish take***

Another option discussed by the Panel involved the use of tags, whereby fishers could be allocated a set number of tags (one tag per fish) and all retained fish must have a tag affixed. This method would permit the Department's Research Division to set an acceptable catch range for sustainability purposes and release a set number of tags based on this figure.

The Panel noted there would be administration costs around this system, to ensure it was operating effectively. While this was not the preferred option, the Panel noted that a tag system might have merit in the future, particularly for key species such as red emperor that may require a higher level of management.

7.1.1 Considerations

After considerable discussion, the Panel has proposed that the non-commercial limit should be initially set at an equivalent level to the current recreational limits. This non-commercial limit would apply to each CFL holder on the boat. As this non-commercial take is for personal use and cannot be sold, the Panel does not believe that fishers will 'abuse' the intent of the system and take this catch frequently. That said, this option was supported by the majority of the Panel on the clear understanding that a reporting system is introduced so that the size of this non-commercial catch can be monitored (see section 7.3).

The Panel noted that the quantity of fish landed by each vessel might vary depending upon the type of commercial fishing activity. For example, in the Gascoyne many of the managed fishery boats are trawlers. These boats may have a comparatively large number of crew numbers (e.g. up to 13 on a scallop trawler) and are generally undertaking trips of 7-10 days or greater duration.

The Panel therefore proposed that in addition to setting an individual non-commercial limit, a possession limit, as applied to recreational fishers, should also be introduced. Under recreational arrangements, fishers on boats trips of more than 24 hours duration would be restricted by a possession limit of two days' bag limit of whole fish.

This possession limit will provide an additional deterrent for illegal sales (as it now does for 'shamateur' activity) while allowing fishers returning from trips of greater than 24 hours (such as stays at the Abrolhos Islands) with a reasonable quantity of fish for personal use.

Proposals:

29) Commercial fishers without any access to the *Gascoyne Demersal Scalefish Fishery* should be able to land a 'non-commercial' limit of fish for personal use. These fish may only be taken using an approved recreational fishing method (e.g. use of a handline or rod and line with no more than 3 hooks, or gangs of hooks, attached) and should not be able to be sold.

30) The non-commercial limit in the Gascoyne bioregion should initially be set at the same limits that currently apply to recreational fishers in the Gascoyne bioregion but should be monitored separately, and when necessary, adjusted separately.

31) A possession limit for non-commercial catch in the Gascoyne bioregion should also apply to commercial fishers who are not authorised to operate in the scalefish fishery and this should initially be set at the same limits that currently apply to recreational fishers in the Gascoyne region but should be monitored separately, and when necessary, adjusted separately.

7.2 Setting a target catch for non-commercial use

From a management perspective, it is important that a sustainable harvest level for scalefish is set and target catch levels allocated for each group, including the 'non-commercial' component (Figure 3). The independent Integrated Fisheries Management (IFM) Allocation Advisory Committee will conduct these allocations through the IFM process.

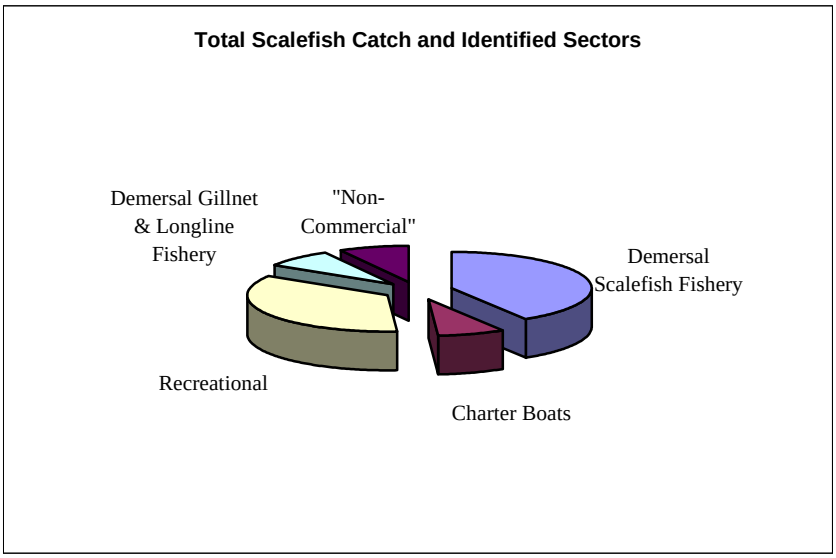

Figure 8: Illustrative model of various sectors that take demersal scalefish

The wetline catch figures presented in this paper include all reported commercial scalefish catch taken by handline or dropline. These figures do not include scalefish taken by demersal gillnet or demersal longline as part of the managed fishery. It should also be stressed that the figures do not include recreational scalefish catches taken by either the charter sector (who

also submit catch returns) or recreational fishers (whose catch is estimated through survey programs).

Despite the IFM process to allocate catch shares between sectors the Panel felt it was necessary to isolate a target catch level to be explicitly set for the management of the 'non-commercial' component as the current wetline catch figures are believed to include both fish taken for sale (commercial catch) as well as some fish taken for personal use (non-commercial catch).

The challenge is how to isolate this 'non-commercial' component from the current wetline catch data. This is important to ensure that the target catch used as the basis for calculating total allowable effort in the managed commercial fishery does not incorporate this non-commercial component (and hence result in an unsustainable level of fishing).

However, determining the level at which to set this 'non-commercial' catch target is problematic as the Panel noted a number of limitations around the existing data. For example, it is not clear how much of the 'non-commercial' catch is reported on catch returns. While it is a legal requirement for all fish to be recorded on catch records, it was suggested that not all fishers report small amounts of scalefish catch (be it for personal use or sale). Catch returns indicate some fishers do record small catches, and CAES data includes sporadic monthly returns of scalefish as little as 30kg.

It was also suggested to the Panel that the non-reporting of small catches may have been more widespread prior to the announcement of the 1997 benchmark and since then most fishers now report these catches whether for personal use or sale. There were also claims that some fishers may have been 'over reporting' or falsifying catch returns in recent years order to 'make up' for previously unrecorded catches or in an attempt to gain some 'late history' in wetline fishing.

It is difficult to assess the validity of any of these claims and such matters will require careful consideration by the CAP in determining access and allocation criteria. A key issue under the new arrangements will be to ensure greater certainty around catch data for use in both stock assessments and future allocation discussions (see section 7.3).

This uncertainty around the data makes the task of quantifying a notional allocation for this component of scalefish catch difficult. The Panel examined a range of options to set a non-commercial target, based on existing recorded data and by attempting to quantify possible personal-use requirements. Ultimately however the Panel felt these methods were too subjective and may not provide a target anything close to the 'real' level.

The Panel therefore decided that rather than set this catch target now, it would be more prudent to establish a reporting and validation system to gain accurate information on the non-commercial take (see section 7.3). The Panel felt that this catch could be accommodated in the proposed management arrangements because the level of 'opportunistic' wetlining in the Gascoyne is minimal and the conservative initial allocation of effort to the managed scalefish fishery is expected to be adequate to accommodate the non-commercial catch. Furthermore, anecdotal evidence suggests that most of the existing non-commercial take has gone unreported until now. This level of catch is not expected to change under the new arrangements. The availability of validated data on both the managed scalefish fishery catch

and non-commercial catch during the first 12 months to two years means that separate catch targets could be set with a higher degree of confidence.

Just as the target catch for the managed *Gascoyne Demersal Scalefish Fishery* will act as a 'trigger point' for management change, the target catch for non-commercial use will similarly provide a 'trigger point' for management action. That is, if the initial controls put in place do not provide an adequate constraint on the non-commercial catch in a particular management zone, further management action will be required such as changing the individual limit for non commercial catch, imposing a bag limit or shifting to a tag system if more stringent control was required.

Proposals:

32) The non-commercial component of catch should be managed within the overall target commercial catch established for the fishery while sufficient data is collected to determine an explicit allocation. This figure must be separately identified from the target commercial catch set for the *Gascoyne Demersal Scalefish Fishery*.

33) If the target catch for non-commercial use is exceeded, management arrangements should be amended to reduce the catch to the prescribed level.

7.3 Catch Reporting

Fundamentally, it is important that all fish taken, by all sectors, are accounted for and validated so as to be able to assess the status of stocks and set a sustainable level of catch. It is therefore essential that the catches of all users be monitored.

In the context of this review, it is important that both commercial and non-commercial catches are monitored. The Panel suggests that the Department of Fisheries provide separate catch return forms for reporting catch on a 'trip by trip' basis rather than the current monthly reporting system. This will provide more timely data and improve the accuracy of the data provided for monitoring and stock assessment purposes. Given the occasional nature and size of non-commercial catches, the Panel believes it is reasonable for a requirement to be introduced for skippers to complete these non-commercial returns prior to landing.

In addition, the current 60 nm by 60 nm catch reporting blocks are of inadequate resolution to provide meaningful information to study the spatial distribution of catch and effort on any significant scale. The Panel recommends that the Department adopt 10 nm by 10 nm blocks for reporting purposes. Currently, recreational and charter boat catch and effort data is reported on a 5 nm by 5 nm basis. This resolution has proven to be extremely useful, without placing too much burden on tour operators or recreational fishers.

Furthermore, the Panel considered that the validation of current catch records is inadequate and considers it essential that a survey be undertaken to validate both the non-commercial returns as well as the managed fishery returns.

Proposals

34) **The *Gascoyne Demersal Scalefish Managed Fishery* and the 'non-commercial' scalefish sector be required to report the catch of scalefish on a 'trip by trip' basis prior to landing.**

35) **The *Gascoyne Demersal Scalefish Managed Fishery* and the 'non-commercial' scalefish sector be required to report the take of scalefish on a 10 nm by 10 nm scale.**

36) **Validation surveys be carried out on catch returns of all scalefish including both the *Gascoyne Demersal Scalefish Managed Fishery* and the 'non-commercial' scalefish sector to ensure the data is robust for decision making.**

7.4 Fin clipping of recreationally caught fish

The Panel also discussed possible measures to help ensure that non-commercially caught fish could not be sold. In this regard the Panel considered that 'marking' these fish in some way could assist compliance measures.

Introducing a requirement to clip the fins of all non-commercially caught fish was one suggestion made as a means of deterring the illegal sale of scalefish (along the same lines as tail clipping of recreationally caught rock lobster). Clearly this measure would only be effective while the fish remained whole. However given the requirement to land whole fish, it may provide some level of deterrent to illegal activity.

A requirement to remove the pectoral fin of scalefish has recently been introduced in Queensland. The Panel believes the introduction of such a condition may help address illegal sale issues and should be introduced in WA on a trial basis. It is therefore suggested that both pectoral fins should be removed from all fish taken as non-commercial catch. Initially, this provision should only apply to those species that are listed as 'Category 1 fish' for recreational fishers in the Gascoyne.

The Panel also believes there would be merit in extending this fin-clipping requirement to apply to the recreational sector. This matter falls outside this Panel's terms of reference however the Panel would like to suggest that the Minister refer this suggestion to recreational groups for their consideration. The Panel believes if this provision applied to all fish taken outside of managed commercial fisheries, it may provide a more widespread deterrent to illegal and 'shamateur' activity.

Proposal:

37) **All scalefish taken as non-commercial catch that are of the species listed as category 1 recreational fish must have both pectoral fins removed immediately upon capture.**

7.5 Existing prohibition on commercial fishers holding recreational licences

In the course of this review, the issue of CFL holders being prohibited from applying for recreational licences was raised. Whilst outside the formal terms of reference, the matter was clearly of concern to industry members of the Panel.

Currently, a CFL holder can catch recreational limits of species that do not require a recreational licence (e.g. crabs or scalefish) if fishing from a private recreational vessel (i.e. not a commercial fishing boat). However fisheries legislation prohibits the holders of CFLs from being able to hold a Recreational Fishing Licence (RFL). This effectively excludes all commercial fishers who do not have access to the commercial abalone or rock lobster managed fisheries from being able to catch these species recreationally.

The Panel felt this was inequitable and proposed that fisheries legislation should be amended to permit holders of CFLs to obtain RFLs for fisheries in which they are not authorised to operate commercially. For example, a commercial rock lobster fisherman should be permitted to hold a recreational abalone licence but not a recreational rock lobster licence. Such a change however, would require that the fishery in which a CFL holder was able to operate was shown on the CFL. The proposal to allow CFL holders to obtain RFLs was reached on the clear understanding that catch taken under a recreational licence can not be sold and must be taken in accordance with recreational fishing rules.

A further issue was whether these RFLs should be able to be used from a commercial fishing boat. The Panel considered that because of the efficiencies of a commercial fishing boat and the fact these recreational licences could be used everyday, this may create a significant increase in recreational fishing effort. For example if every commercial boat (outside of the commercial rock lobster fishery) pulled 4 rock lobster pots (recreational boat limit) each day, this could equate to a significant increase in rock lobster effort. The Panel was of the opinion however that scalefish should be treated differently and should be allowed to be taken from a commercial fishing boat (in accordance with the proposals for non-commercial catch outlined in this chapter).

Proposal:

38) Fisheries legislation be amended to permit holders of Commercial Fishing Licences (CFL) to apply for a Recreational Fishing Licence (RFL) for abalone and rock lobster provided they do not operate in the respective managed commercial fishery. Fishing activity requiring a recreational licence should not be permitted to be undertaken from a commercial fishing boat.

SECTION 8 APPENDICES

8.1 Glossary

Term	Meaning
AFZ	Australian Fishing Zone
ALC	Automatic Location Communicator
CAESS	Catch and Effort Statistics System
CAP	Commercial Access Panel
CF	Government's Consolidated Fund
CFL	Commercial Fishing Licence
CPUE	Catch per Unit Effort
DBI(F)	Development and Better Interest (Fund)
DNF	Developing New Fisheries – Departmental process by which people can apply to be exempted from existing fisheries legislation in order to develop a new fishery
Dropline	A fishing line used for targeting scalefish, anchored by a weight, buoyed at the surface and deployed vertically through the water
FAS	Fisheries Adjustment Scheme
FBL	Fishing Boat Licence
FRMA	Fish Resources Management Act 1994
FRMR	Fish Resources Management Regulations 1995
FWA	Fisheries Western Australia (now Department of Fisheries)
GPS	Global Positioning System
GVP	Gross Value Of Product
Handline	A fishing line which is attached to a boat, weighted at one end, and used to take scalefish species
IFM	Integrated Fisheries Management
ITE	Individual Transferable Effort
ITQ	Individual Transferable Quota
LEF	Limited Entry Fishery (now Managed Fishery)
LFB	Licensed Fishing Boat
LFR	Licensed Fish Receiver
MF	Managed Fishery (formerly Limited Entry Fishery)
MFL	Managed Fishery Licence
MPP	Management Planning Panel
OCS	Offshore Constitutional Settlement
SQMI	Seafood Quality Management Initiative
TAC	Total Allowable Catch
TACC	Total Allowable Commercial Catch
TCC	Target Commercial Catch
TAE	Total Allowable Effort
VMS	Vessel Monitoring System
WAFIC	WA Fishing Industry Council
Wetline	A term generally applied to any fishing activity undertaken under the authority of a Commercial Fishing Licence (CFL) or Fishing Boat Licence (FBL) which is not otherwise prohibited by other legislation (such as a management plan, regulations, or Section 43 Order).

8.2 Details of key 'inshore' and 'offshore' species as represented in Figures 2, 3 and 4

Species group	Species	Taxonomic name
Goldband snapper	JOBFISH, GOLDBAND SNAPPER	*Pristipomoides multidens*
	JOBFISH, ROSY	*Pristipomoides filamentosus*
	JOBFISH	*Pristipomoides* spp.
	JOBFISH, SHARPTOOTH SNAPPER	*Pristipomoides typus*
Cod	COD	Serranidae
	HAPUKU	*Polyprion oxygeneios*
	TROUT, CORAL	*Plectropomus maculatus*
	COD, CHINAMAN	*Ephinephelus rivulatus*
	COD, RANKIN	*Ephinephelus multinotatus*
	COD, BAR, GREY-BANDED, 8-BAR	*Ephinephelus octofasciatus*
	COD, SPOTTED	*Ephinephelus microdon, E. areolatus, E. bilobatus*
Flag etc	PERCHES, OTHER	Lutjanidae
	SNAPPER, RED, SWALLOWTAIL	*Lutjanus erythropterus*
	PERCH, SCARLET SEA, SADDLETAIL SEA	*Lutjanus malabaricus*
	PERCH, DARKTAIL SEA (MAROON)	*Lutjanus lemniscatus*
	PERCH, MOSES	*Lutjanus russelli*
	CHINAMAN FISH (NOT COD)	*Symphorus nematophorus*
	SNAPPER, FINGERMARK, GOLDEN	*Lutjanus johnii*
	SNAPPER, TANG'S	*Lipocheilus carnolabrum*
	PERCH, RED, MAROON SEA PERCH	*Lutjanus* spp. (Large)
	MANGROVE JACK	*Lutjanus argentimaculatus*
	FLAGFISH / SPANISH FLAG	*Lutjanus vitta, L.quinquelineatus, L.carponotatus, L.lutjanus*
	SNAPPER, RUBY	*Etelis* spp.
Sp Emperors	SWEET LIP	Haemulidae
	SNAPPER, NOR-WEST (SP EMPEROR)	Lethrinidae
	EMPEROR, BLUE-SPOT	*Lethrinus hutchinsi*
	SNAPPER, LONG NOSE	*Lethrinus olivaceus*
	BREAM, ROBINSON'S	*Gymnocranius grandoculis*
	EMPEROR,BLUE-LINED,GRASS,BLACK	*Lethrinus laticaudis*
	EMPEROR, SPANGLED	*Lethrinus nebulosus*
	EMPEROR, SWEETLIP	*Lethrinus miniatus*
	SNAPPER, BULLNOSE, VARIGTD EMP	*Lethrinus ravus*
	BREAM, SEA	*Gymnocranius* spp.
	SNAPPER, NORTH WEST (S)	*Lethrinus lentjan, L.*

		choerorhynchus etc
	SNAPPER, NORTH WEST (L)	*Lethrinus* spp.
Groper	GROPER, WRASSES	Labridae
	TUSKFISH, BLUEBONE	*Choerodon* spp.
	FOXFISH, HOGFISH, PIGFISH	*Bodianus* spp.
	GROPER, BALDCHIN	*Choerodon rubescens*
Tuna/Mackerel	MACKEREL, OTHER	Scombridae
	TUNA, YELLOWFIN	*Thunnus albacares*
	TUNA, SKIPJACK OR STRIPED	*Katsuwonus pelamis*
	MACKEREL, SPANISH	*Scomberomorus commerson*
	TUNA, MACKEREL	*Euthynnus affinis*
	TUNA, NORTHERN BLUEFIN	*Thunnus tonggol*
	MACKEREL, SPOTTED (SPOTTIE)	*Scomberomorus munroi*
	MACKEREL, GREY (BROAD-BARRED)	*Scomberomorus semifasciatus*
	BONITO	*Sarda australis*
	WAHOO	*Acanthocybium solandri*
	MACKEREL, SHARK (SALMON)	*Grammatorcynus bicarinatus*
	TUNA, OTHER	Scombridae
Trevallies	TREVALLY, OTHER (SKIPPY)	Carrangidae
	KINGFISH, YELLOWTAIL	*Seriola lalandi*
	SAMSON FISH, SEA KINGFISH	*Seriola hippos*
	TREVALLY, GOLDEN	*Gnathanodon speciosus*
	AMBERJACK	*Seriola dumerili*
	TURRUM	*Caranx ignobilis*
	QUEENFISH	*Scomberoides commersonnianus*
	TREVALLY, GOLD SPOTTED	*Carangoides fulvoguttatus*
	TREVALLY, SKIPJACK	*Pseudocaranx dentex*

8.5 Consultation process

The consultation process to date has included:

- A letter of 3 November 1997 to all FBL holders, advising that the (then) Minister had asked that the Department 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 Minister's address at the WAFIC AGM in September 2001 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 announced 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 which the Minister would be establishing.

- A Ministerial media statement on 11 April 2003 announced the creation of two Panels 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 re validation of catch records, which advised about the establishment of two Panels 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.

- In September 2003, 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), the *Geraldton Guardian, Northern Guardian* and the *Augusta-Margaret River Mail* (on the 17th), and the *Bunbury/South West Times* (on the 18$^{th)}$.

- In mid-September 2003, information about the review was placed on the Department of Fisheries' website, including an invitation to make an initial written submission. There is also provision to send a submission direct from the site.

- September 2003, information about the 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.

- 19 September 2003, presentation to all WA boat brokers.

- 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 Panel should consider as part of the review.

- Early October 2003, posters about the review, with the same text as in the newspaper advertisements, were displayed in all regional and district offices of the Department, as well as at major wetfish processing establishments. Also, the same posters will be displayed at meetings of the annual rock lobster coastal tour in the week beginning 13 October.

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

- 8 October 2003, the same letter as per the 26 September letter to industry bodies was sent to all FBL holders.

- The advertisement repeated in *The West Australian* of 25 October 2003.

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

- May 2004, the Commercial Access Panel held similar meetings in Bunbury, Busselton and Fremantle.

8.7 Initial submissions

Initial submissions received

R L & M A Alexander
Brent Avery
David Barton (Sabrina Fishing Co)
Todd Bennett (AMB Holdings Pty Ltd)
Ken Bentley
Mark Billings
Sam Binder
Eric Buehrig
R E Carr
Barry Carter
Terry Cockman (Tebco Fishing Co)
Merv Collinson
John Craike
Tom Donaldson
M Dove, L Lambeth & R Mitchell
Geoff Dowsett & Sharon McAuliffe (Shazbut Fishing Co)
Ray Dunstan
W H & D J Dyson
J R Farrell
A G Fiocco
Daniel Fisher
Morrie Fisher
Neil Flynn
Ian Fowler
Peter Glass
John Godenzi
Phil de Grauw (Sabea Fishing Co)
J & D Groesslinger
Mark Grove
David Harrington
Philip Harrington
Ron Heberle
Glenn Hill
J Horwood
Tony Jurinovich (Kajuree Fishing Co.)
Indre Kirsten
Sam Koncurat
A D Kongras
Kybret Pty Ltd (Jan & Stephen Hughes)
David Lake
S A Macdonald
S C McCaskie
Ken McClements
Dave Miller
P J Moore & Son, Phillip Moore, Paul Moore

Garry Peters
Alex Petrelis
Denis Ritchie
Rob (recreational fisher)
John M Robertson
Craig Scott
A Sharp
Pat Shinnick
Ian Stagles
E J Toomey
David Wells
Simon Wells
Andrew Woodley-Page
G Woodley-Page
Peter Shaw & Melissa Zerbe (Ningaloo Experience)
Australian Anglers Association (WA Division) Inc
Central West Coast Professional Fishermen's Ass.
Geraldton Abrolhos Wetliners Association
Geraldton Professional Fishermen's Association Inc.
Kalbarri Snapper Fishermen's Association
Myalup Beach Caravan Park & Indian Ocean Retreat
Offshore Angling Club of WA Beach Branch (Inc)
Onslow Professional Fishermans Association Inc.
Recfishwest
Surf Casting and Angling Club of WA (Inc.)
Western Australian Fishing Industry Council
Western Australian Professional Shell Fishermen's Association

Issues raised in initial submissions

A total of 67 initial submissions on matters the writers believed the Panels should consider as part of the review of the commercial wetline fishery were received. Attached is a summary of the key issues raised relevant to the West Coast & Gascoyne Management Planning Panel. Also attached for your information are the key issues raised relevant to the Commercial Access Panel (i.e. access and allocation issues).

Some of the submissions concentrated on issues outside the terms of reference of the wetline review. Those issues have not been included here.

Process issues

- Panel should start on one fishery first (rather than both)
- Delineation of CAP/Panel responsibilities – suggest final number of participants is critical issue for Panel (CAP decides how to get there)
- Seek DoF advice on new Pilbara/Kimberley regions and problems

General Management issues

- Should be a TAC, with ITQ, by zones.
- TAC best system of management. Allows for a consistent supply for the market, and maximises the value of the fish. Reduces pressure to fish unsafe hours.
- Quota system should cover all species collectively, not separate quota for specific species.
- Quota system allows greater flexibility, particularly for weather conditions or breakdowns.
- Quota system is not practicable from a compliance perspective because of the variety of species.
- Quota system would result in high grading.
- Introduce quota for boats left in the fishery, based on catch records.
- Allocating 'days' to all who have some wetline history would be a compliance nightmare.
- Allocating 'days' would mean desperate dedicated wetliners would need to buy up 'days' to continue operating as they have always done.
- How can 'days' be determined when there are so many variables?
- Safety would be an issue with the pressure of 'days'.
- Days fished, with VMS, is the only way to regulate fishing.
- Days fished means there is no incentive to high grade.
- 200 kg of recorded catch should equal one day of access.
- Although quota allocation is more precise than allocation of days system, in a multi-species fishery it is impossible to prevent overfishing through high grading, and consequent release mortality.
- Time units lead to sleep deprivation and unsafe work practices.
- Time units lead to more pressure on fish stocks.
- Time units give no control over quantity of fish taken.
- All those who qualify for access should be allocated an equal number of days. This would be more advantageous for the better fishers, but would not disenfranchise anyone, and would be fairer than using historical catch data. Operators can then purchase days from those leaving the industry to build up their access.
- Use precautionary approach to set commercial TAC.
- Too difficult to apply a realistic TAC from the beginning of the managed fishery because research data is too limited to determine the sustainable TAC. A generous allocation of units should be granted which are then reduced over 2-3 year period as the data becomes more reliable.
- For first two years of management, units can only be traded by operators - no speculators.
- For first 12 months of management, quota units should only be able to be purchased by actual wetline operators, not speculators or other outside interests.
- The number of commercial participants should be restricted such that the total fishing capacity falls below the level recommended by Research to ensure long term sustainability.
- Should be a high minimum holding to limit the number of participants.
- Export of WA wetfish should be prohibited.
- Marine based aquaculture licences should be endorsed to source their own broodstock from their own vessel.

Gascoyne Management Issues

Spatial Issues

- Location of northern boundary
- Incompatability of recreational regional boundary (approx 4nm south of Ashburton River (114^{o}50' east). With existing Pilbara trap and trawl fisheries at 114^{o} 9'36" East.Distinction between inshore and offshore history (both areas and species).
- Commonwealth trawlers should have to operate well outside 200m to avoid the major pink snapper stocks.
- Commonwealth trawlers should be in deeper water - at least 300m to protect fish stocks
- In some places, Commonwealth trawlers operate in less than 200m, which may have a deleterious effect on pink snapper stocks - there needs to be liaison with the Commonwealth on this issue.

Size of Fishery

- Removal of latent effort and excess fishing capacity.
- Impact/relationship with other fisheries in Gascoyne and potential for shifts in effort e.g. SB snapper, goldband snapper.

Management Tools

- Establish Gascoyne demersal fishery
- Distinction between inshore and offshore history (both areas and species).
- Snapper spawning closure - No fishing 20 June - 31 July
- Boats without snapper concessions can't fish
- Boats targeting gold band should require snapper quota – ration 1 tonne goldband snapper to every 300kg snapper
- Snapper quota holders catch 1 tonne snapper to 1 tonne mixed scalefish – when snapper quota expired all fishing must cease.
- VMS fitted to all vessels
- Use of VMS as a tool for effort control, integrity control for quota or spatial management
- Minimum holdings be required to be able to operate. Quotas which fall below the limit to operate to be transferred to existing operational wetliners. Owner operators who receive 80% or more of their income from wetlining should not have to go into debt to be able to continue fishing.
- Seasonal closure for each target species' spawning period to protect the breeding stock.
- Comments made specific to Shark Bay snapper:
    * Seasonal closure during breeding period.
    * No minimum size limit for pink snapper - all snapper caught to be retained as part of quota, as would not survive on release.
    * Snapper quota should be required to be eligible to fish in the Gascoyne wetline fishery.

Equity

- Issue of Commonwealth trawl licences
- Get rid of Commonwealth trawlers - is a clear conflict of interest, and they are not dependent on the areas as a main source of income.
- A recreational bag limit should apply to FBLs which are not part of the wetline managed fishery - one bag limit per boat, not for sale.
- All wetliners should be able to obtain a recreational licence for other species.

Efficiency

- Cost of compliance and management
- Affordability of management – limited cost recovery capacity of wetline fishery, declining Consolidated Fund base.
- Public demand for fresh seafood – assess (allocation issue)
- Cost recovery – full/partial/non?

West Coast Management Issues

Spatial Issues

- Gascoyne/West Coast boundary should be at Shark Bay Snapper Managed Fishery at 26^{o} 30'(rather than recreational/charter boundary at 27^{o}).
- Need different zones within the fishery.
- Access to each zone should be determined by fishing history.
- Different zones will more evenly spread fishing effort.
- Different zones will allow for more specific spatial management.
- Need for separate management zone for the Abrolhos.
- Possible need for additional zones within West Coast
- Distinction between inshore and offshore history (both areas and species).
- VMS should be compulsory if zoning applies.
- Access to zones should be on the basis of fishing history as per catch returns.
- Spatial closures would direct fishing pressure to other areas.
- Closures to commercial fishing, eg, 25 nm from coast; 10 nm from Abrolhos Islands.
- There should be a minimum distance from the Abrolhos Islands from which fish can be caught.
- Management measures may need to vary from zone to zone.

Size of fishery

- Removal of latent effort and excess fishing capacity.
- Impact/relationship with other fisheries in West Coast and potential for shifts in effort e.g. Rock Lobster .
- Small number of participants has the following benefits:
    * Compliance costs will be reduced, and effectiveness will increase.
    * As total market value of wetfish is relatively low, small number of operators would be financially viable.

* The fewer the participants, the greater the value of their licences. This results in increased financial security, and more likely to result in increased compliance.

Management tools

- Must be closed areas in the fishery - based on areas of high fishing pressure, spawning areas etc.
- Restrict targeting of spawning fish and nursery areas.
- Closures when spawning e.g. Dhufish for both sectors
- Seasonal closure for each target species' spawning period to protect the breeding stock.
- Minimum size of targeted species needs to be reassessed to increase the breeding stock.
- Mortality issues - effectiveness of size limits
- Gear restrictions needed - prevent excessive numbers of droplines being used.
- Gear restrictions needed e.g. 2 power winches boat
- Gear restrictions have limited value as a management tool, and impossible to police.
- Ban droplines - 100% mortality of fish caught by this method, thus undersize etc are lost to the breeding stock.
- Handlines only, not droplines, on rock lobster boats.
- Input controls on crew e.g. limit to skipper plus one deckie
- Crew restrictions not needed initially, but would need to be monitored if a number of larger boats enter the fishery.
- Crew restrictions would not be necessary under a quota system.
- Effort controls e.g. Days per month
- Use of VMS as a tool for effort control, integrity control for quota or spatial management
- If operators wish to fish different areas, should have VMS and have to purchase or lease quota for the other zone/s.
- VMS will be a cost effective method to assist with management of this fishery.
- Minimum holdings be required to be able to operate. Quotas which fall below the limit to operate to be transferred to existing operational wetliners. Owner operators who receive 80% or more of their income from wetlining should not have to go into debt to be able to continue fishing.
- Some weighting of dhufish is required to allow for lower catch volume but high value.
- Finfish caught at the Abrolhos be transported back to the mainland whole by the vessel which caught it.

Equity

- Ability for commercial fishers without access to take recreational limits.
- A recreational bag limit should apply to FBLs which are not part of the wetline managed fishery - one bag limit per boat, not for sale.
- All wetliners should be able to obtain a recreational licence for other species.
- Spatial separation from recreational fishing needed.
- 'New' fishing opportunities – fishing deeper water than current operators in area
- Management arrangements must account for marketing needs.

- Rock lobster fishers to only fish for wetfish outside of rock lobster season.
- Allowing rock lobster fishers to catch the recreational bag limit would allow them to retain fish caught in lobster pots.
- Only allow holders of other MFLs to wetline during their managed fishing season.
- Commonwealth trawlers need monitoring - should not be operating inside 200m.
- Get rid of Commonwealth trawlers - is a clear conflict of interest, and they are not dependent on the areas as a main source of income.

Efficiency

- Cost of compliance and management
- Affordability of management – limited cost recovery capacity of wetline fishery, declining Consolidated Fund base.
- Public demand for fresh seafood – assess (allocation issue)

Access & allocation issues

- Validity of November ’97 benchmark date and ‘pioneer rights’ policy
- Wetlining may be an important part of total fishing package
- Rock lobster boats and other high value fisheries don’t ‘need’ to wetline
- Explore alternatives to catch history e.g. financial dependence on wetlining (ie as a proportion of income)
- Compensation issues for loss of ‘wetline’ access
- Regional management – pre-benchmark history of licence may be in different area to that fished presently.
- Cray fishers no access unless meet criteria
- Preference to fish in an area must be given to those who have history there.
- It is not possible to please everybody - this is about protection of fish stocks. Wetline MFLs are imperative.
- 1997 benchmark date should stand.
- Anyone buying an FBL after the benchmark date should have been aware of the Minister's warning about gearing up. This was well known at the time, and prices of wetline licences reflected that.
- Review benchmark date to cater for those who have made more recent investment decisions.
- Should be automatic access to those boats whose sole source of income prior to benchmark date was from wetlining.
- The benchmark date should be the day the Minister accepts the recommendations from the CAP. From that day, active fishers would be allocated a wetfish allocation which would be enshrined within their licence. Inactive licences could not be activated after that date.
- Access must be granted to boats whose sole source of income is wetline fishing prior to the benchmark date. If the benchmark date is not taken into account, catch history must be proven by other information, in addition to CAES returns.
- Unclear if new FBL holders have been given clear and consistent advice since the benchmark date.

- There might be a case for those who bought an FBL pre-1997 and have shown since then that they have wetlined exclusively and are reliant on it for their livelihood.
- The period 1990-1997 only gives a very limited period of history. The period of catch history should be extended to 1980-2000 to allow the true wetline fisher a fuller period to justify access.
- Catch allocation should be based on the 10 year history prior to the benchmark date.
- FBLs which are held in conjunction with MFLs should only be granted access if they have a catch history prior to the benchmark date.
- If no wetline catch recorded by an FBL which is held in conjunction with an MFL, access to wetline fishery should only be granted during the managed fishery season.
- If wetline catch recorded at sometime during the last five years or in all of the fisher's catch history prior to last five years, should be a full participant in wetline fishery.
- Catch history should be used to determine level of access.
- Common knowledge that many operators who had previously not caught or not reported catch are now reporting.
- Catch history should be from 1991-1997.
- Access to the fishery should be based on consistency of catch over a period of time prior to the benchmark date, rather than on quantity of catch. This caters for small sustainable operators in a multi species fishing operation.
- Use of historical catch data may adversely impact on the smaller operator.
- Important to ensure that the fishers who have built the industry are not disadvantaged.
- Now six years since the benchmark date was announced. Suggest taking all catch history from 1990-2002, and grant access to the 45 boats with the highest annual tonnage. The tonnage should include all species (even though some are no longer able to be taken by wetliners). Monthly returns following the benchmark date should be validated by market returns, dockets etc.
- Further validation, eg, bank statements, dockets, tax records, should be required.
- Days fished as well as tonnage should be taken into consideration in determining access.
- Access should not be granted to those catching less than 5 tonnes. This catch is 'incidental' and generates only a small amount of income.
- Catches of < 5 tonnes are not viable for a wetline only operation.
- Do not grant access to boats with annual average catch of less than 6 or 7 tonnes.
- If those catching <5 tonnes are not granted access, approximately one third of the catch remains for the recreational sector and for the purposes of stock rebuilding, and the other two thirds of the current catch will be caught by the dedicated wetline fleet, as at present.
- The interests of full-time wetliners should take priority over part-timers.
- May need different access criteria between zones.
- Boats which have been mobile have spread effort, but may not have sufficient history in any one zone.
- Catch history in Cockburn Sound before CS fisheries became managed should be included.
- Should be ‘knife edge’ access criteria resulting in the smallest number of commercial operators who would be financially viable.
- All those who own only an FBL should receive equal allocation, along with those in minor managed fisheries who can prove they will be disadvantaged by not having access to wetlining.

- There are currently some dedicated wetliners who have consistently caught small but significant tonnages, but rely on fishing as their livelihood. Some weighting should be given to key species, eg, dhufish. This would compensate 'quality' fishers compared to others who have large catches of lower value, more easily caught fish. With dhufish, a multiple of two would reflect the commercial difference in value.
- If tonnage is used, will mackerel catches be used? Some operators have spent time catching mackerel, but have not gained access to that fishery, so must be able to use that catch history for wetline fishery.
- Although all fishers need an FBL to operate, there are three main groups of fisheries in WA:
    * major (cost recovered) fisheries: economic viability is not dependent on wetline fishing and should not be considered in the access process;
    * minor managed: some dependent on demersal finfishing to make their operation viable;
    * current non-managed wetline fishery: largest number that depend on wetline fishery for their viability.]

  If criteria set too high, it will disenfranchise majority of the third group and many of the second group.
- Those with limited history of catching mackerel are not to be given access to the mackerel fishery. If this is a fair strategy for mackerel, it should apply to all fisheries.
- Although many will claim they paid a lot of money for their FBL, most were not bought to go wetlining but to be able to operate an MFL.
- Should be some compensation for boats which will be forced out of the industry.
- Lessors should be encouraged to be divested of their FBL through buyback scheme or other incentive.
- Those who have reported some wetline catch to lose the FBL, by way of a buyback, at current value of the FBL based on the earnings recorded.
- All FBLs not being used for wetlining be redeemed and compensated at a fair rate.
- To take away wetline access is a diminishing of rights. Any change from the current position would require some form of compensation.
- The argument is not about using the FBLs, it is about the right that was paid for in the first place.
- Should be no consideration given to licence buy-back.
- There are legal precedents which may impact on the right to continued access to wetline fishery. An understanding of implications of recent court decisions is fundamental to deliberations on fair and equitable allocation.
- There are expectations in industry that right of access cannot be terminated without due process and/or compensation.
- Many in commercial fishing industry believe that by contributing to the costs of a buy-back of licences the industry preserved its right of access to the wetline fishery.
- LFBs should not be able to take wetfish without a wetline MFL. All other managed fisheries have a monopoly on their target species, area or method of fishing.
- The wetline managed fishery should be protected from other operators, as are other managed fisheries.
- Wetline access should be separated into inshore and offshore zones.
- If history gained in inshore area, that history cannot be used for access to offshore fishery.

- Unclear what purpose will be served by restricting FBLs from open-access fisheries. Other management tools, eg, bag and size limits, spatial and temporal closures, methods and gear restrictions, species limitations, could achieve same result.
- Need to remove latent effort.
- Section 143 of the *Fish Resources Management Act 1994* should be used to remove the latent licences.
- Following removal of latent effort, have a knife-edge cut-off to preclude operators with a low catch history.
- Fishing history, and resultant access granted, should relate to individual fisher, not the FBL.
- Allowing rock lobster licence holders to opportunistically wetline does not promote sustainability.
- Many MFL holders, in particular rock lobster fishers, do not need the extra income.
- There are times such as poor seasons and low prices when rock lobster fishers need to use their FBL.
- Many rock lobster fishers do not use their FBL to catch wetfish, or only catch for themselves and crew.
- The number of rock lobster boats that have submitted returns has escalated since 2001. All boats with history before 2001 should retain access to wetlining.
- 50% of the wetline access granted to the rock lobster fleet should be distributed evenly between the whole fleet, with the remaining 50% weighted to those with a history.
- Small rock lobster fisher relies heavily on wetfishing - deserves consideration over others with no history.
- Offer rock lobster MFLs an additional lobster pot to forfeit the right to sell wetfish, then allow recreational bag limits.
- Those rock lobster MFLs who wish to be involved in wetfish fishery to forfeit one rock lobster pot.
- Rock lobster fishers who have not reported wetline catch to lose the FBL, by way of a buyback at minimum price because they have no history of earnings from that source.
- Need to consider the importance of the local fishing industry to supply of local and tourist markets. Some small operations in small local communities are part of the tourist industry. Special consideration should be given to accommodate small-scale commercial fishery operating from a homeport supplying a demand from visitors for fresh local seafood.
- If number who can wetline is restricted, price of fish for buying public may increase.
- Any reduction in supply of wetfish will result in more imported product.
- Wider community needs access to commercially caught fish.
- Any access criteria should have a flexible appeals process, with an ‘exceptional circumstances’ clause.
- Species of large importance to recreational fishing and of limited value commercially should be declared ‘recreational only’, with provision for retention of small quantity of bycatch.

FISHERIES MANAGEMENT PAPERS

No. 1 The Report of the Southern Western Australian Shark Working Group. Chairman P. Millington (1986)

No. 2 The Report of the Fish Farming Legislative Review Committee. Chairman P.Rogers (1986)

No. 3 Management Measures for the Shark Bay Snapper 1987 Season. P. Millington (1986)

No. 4 The Esperance Rock Lobster Working Group. Chairman A. Pallot (1986).

No. 5 The Windy Harbour - Augusta Rock Lobster Working Group. Interim Report by the Chairman A. Pallot (1986)

No. 6 The King George Sound Purse Seine Fishery Working Group. Chairman R. Brown (1986)

No. 7 Management Measures for the Cockburn Sound Mussel Fishery. H. Brayford (1986)

No. 8 Report of the Rock Lobster Industry Advisory meeting of 27 January 1987 . Chairman B. Bowen (1987)

No. 9 Western Rock Lobster Industry Compensation Study. Arthur Young Services (1987)

No. 10 Further Options for Management of the Shark Bay Snapper Fishery. P. Millington (1987)

No. 11 The Shark Bay Scallop Fishery. L. Joll (1987)

No. 12 Report of the Rock Lobster Industry Advisory Committee to the Hon Minister for Fisheries 24 September 1987. (1987)

No. 13 A Development Plan for the South Coast Inshore Trawl Fishery. (1987)

No. 14 Draft Management Plan for the Perth Metropolitan Purse Seine Fishery. P. Millington (1987)

No. 15 Draft management plan, Control of barramundi gillnet fishing in the Kimberley. R. S. Brown (1988)

No. 16 The South West Trawl Fishery Draft Management Plan. P. Millington (1988).

No. 17 The final report of the pearling industry review committee . F.J. Malone, D.A. Hancock, B. Jeffriess (1988)

No. 18 Policy for Freshwater Aquaculture in Western Australia. (1988)

No. 19 Sport Fishing for Marron in Western Australia - Management for the Future. (1988)

No. 20 The Offshore Constitutional Settlement, Western Australia 1988.

No. 21 Commercial fishing licensing in Western Australia. (1989)

No. 22 Economics and marketing of Western Australian pilchards. SCP Fisheries Consultants Pty Ltd (1988)

No. 23 Management of the south-west inshore trawl fishery. N. Moore (1989)

No. 24 Management of the Perth metropolitan purse-seine fishery. N. Moore (1989)

No. 25 Rock Lobster Industry Advisory Committee report to the Minister for Fisheries November 1988. (1989)

No. 26 A report on marron fishing in Western Australia. Chairman Doug Wenn MLC (1989)

No. 27 A review of the Shark Bay pearling industry. Dr D.A.Hancock, (1989)

No. 28 Southern demersal gillnet and longline fishery. (1989)

No. 29 Distribution and marketing of Western Australian rock lobster. P. Monaghan (1989)

No. 30 Foreign investment in the rock lobster industry. (1989)

No. 31 Rock Lobster Industry Advisory Committee report to the Hon Minister for Fisheries September 1989. (1989)

No. 32 Fishing Licences as security for loans. P. Rogers (1989)

No. 33 Guidelines for by-laws for those Abrolhos Islands set aside for fisheries purposes. N. Moore (1989)

No. 34 The future for recreational fishing - issues for community discussion. Recreational Fishing Advisory Committee (1990)

No. 35 Future policy for charter fishing operations in Western Australia. P. Millington (1990)

No. 36 Long term management measures for the Cockburn Sound restricted entry fishery. P. Millington (1990)

No. 37 Western rock lobster industry marketing report 1989/90 season. MAREC Pty Ltd (1990)

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