



Australian Government
Australian Fisheries Management Authority

North West Slope Trawl Fishery and Western Deepwater Trawl Fishery

STATEMENT OF MANAGEMENT ARRANGEMENTS

 SEPTEMBER 2012

Important Note:

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AFMA Northern Fisheries

Edited and revised in 2012 by Australian Fisheries Management Authority (AFMA). Please note: this Information Booklet contains some indicative maps generated in Arcview using AMBIS (Auslig) data.

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ISBN: 978-1-877044-38-0

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Preferred way to cite this publication:

AFMA (ed & rev) 2012, *Northern Prawn Fishery Operational Information 2012*, Australian Fisheries Management Authority. Canberra, Australia.

Published by the Australian Fisheries Management Authority (AFMA).

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Section 1. Description of the Fishery

1.1 North West Slope Trawl Fishery

The North West Slope Trawl Fishery (NWSTF) extends from 114°E to about 125°E off the Western Australian coast between the line approximating the 200 metre isobath and the outer limit of the Australian Fishing Zone (AFZ), taking into account Australian-Indonesian maritime boundaries.

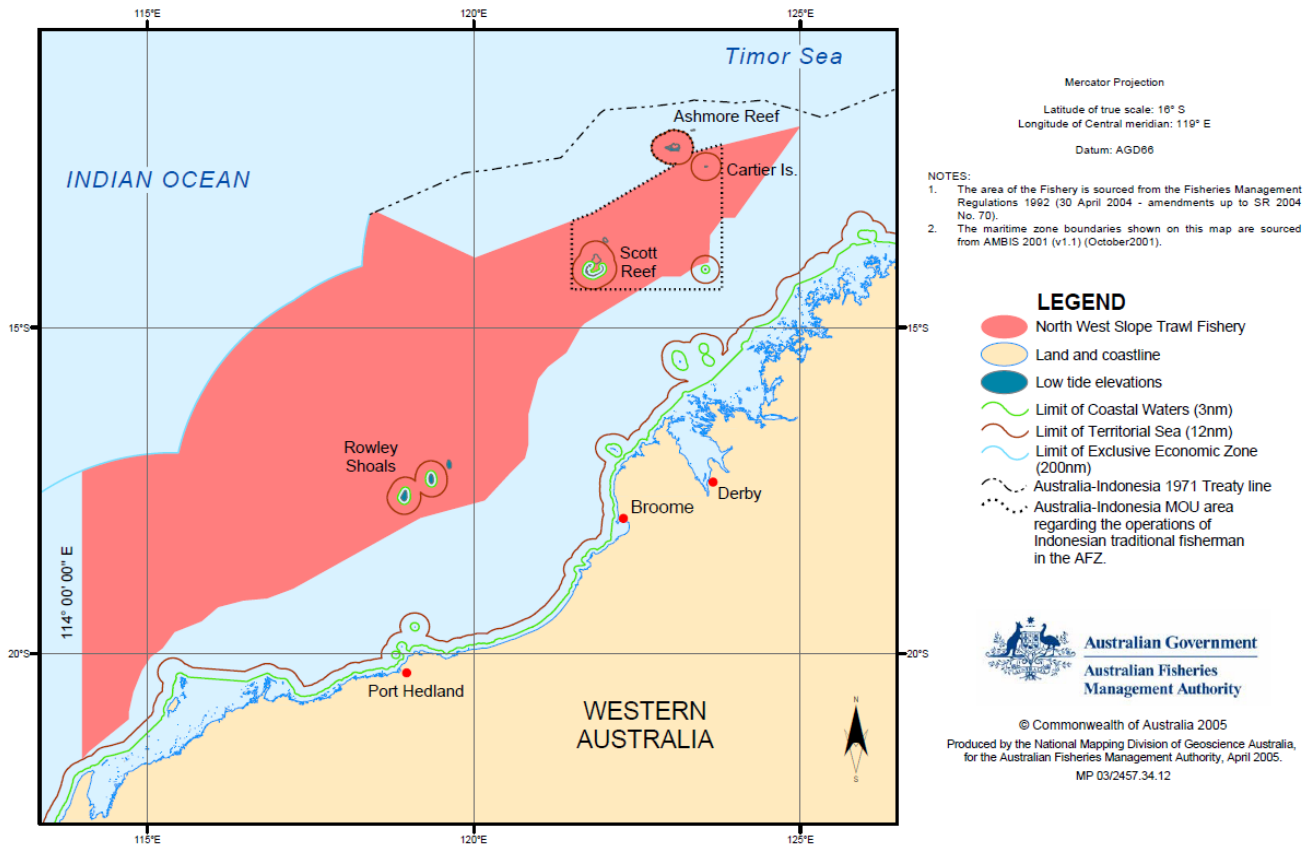


Figure 1. Area of the North West Slope Trawl Fishery

1.2 Western Deepwater Trawl Fishery

The Western Deepwater Trawl Fishery (WDTF) is located in deepwater off Western Australia, from the line approximating the 200 metre isobath to the edge of the AFZ. Its northern most point is the boundary of the AFZ to longitude 114° E and southern most point at the boundary of the AFZ to longitude 115° 08'E.

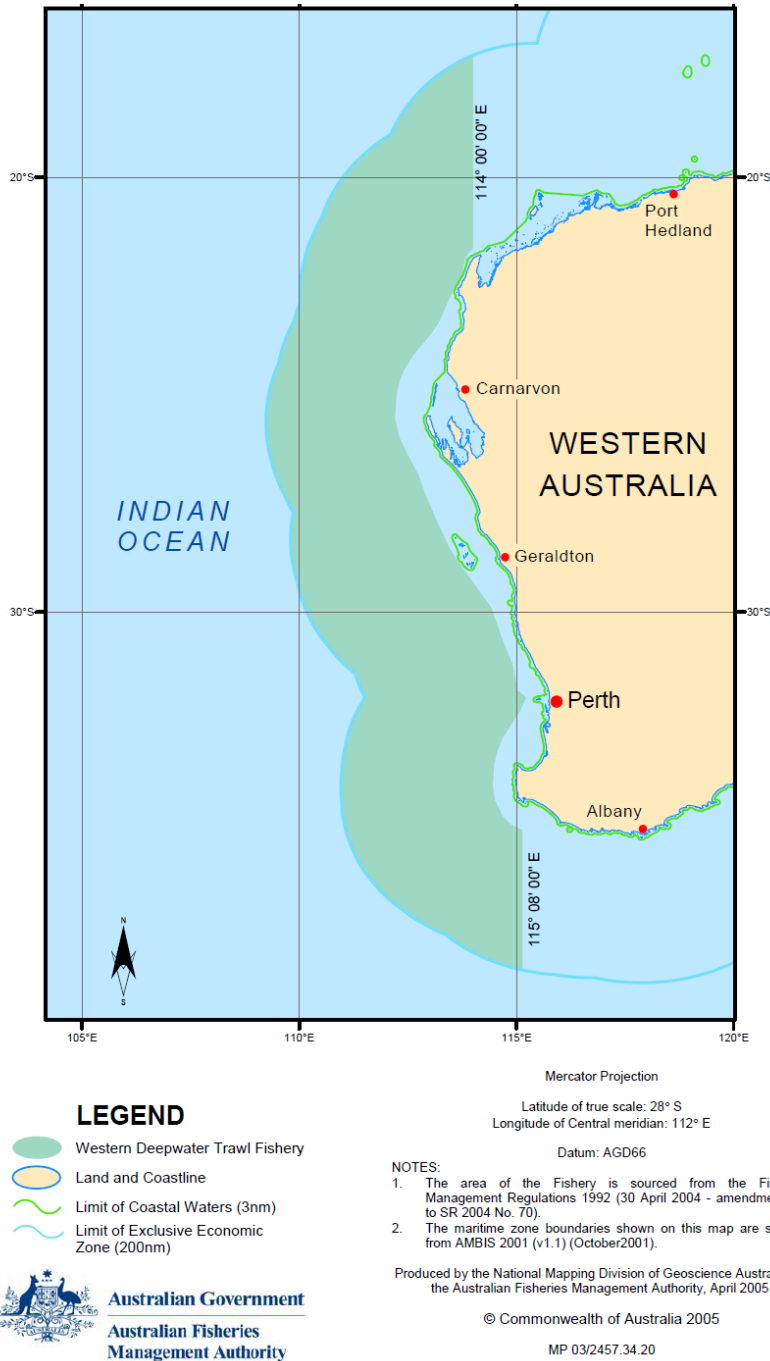


Figure 2. Area of the Western Deepwater Trawl Fishery



Section 2. General Management Arrangements

2.1 Governing Legislation and Regulations

- a) *Fisheries Management Act 1991 (Cwth)*
- b) *Fisheries Management Regulations 1992 (Cwlth)*
- c) **Offshore Constitutional Settlement (OCS) Arrangement between the Commonwealth and Western Australian Governments (Commonwealth of Australia Gazette No. GN 4. 1 Feb 1995).**
 - i) Under the OCS arrangement AFMA has management responsibilities for all species taken by trawl in waters between the line approximating the 200m mark through to the 200nm AFZ limit. The Western Australian Government has management responsibility for all other species taken by non-trawl methods, excluding tuna, to the seaward boundary of the AFZ.

2.2 Industry consultation

On 1 July 2009 the West Management Advisory Committee was disbanded and replaced by the Western Trawl Consultative Panel which focuses on the key strategic issues facing the WDTF and NWSTF, including harvest strategies and marine bioregional planning.

The Western Trawl Consultative Panel consists of industry, research, state and Commonwealth government representatives. The panel meets on an as needs basis but remains actively involved in the development and implementation of management arrangements in the NWSTF and WDTF.

2.3 Vessel Monitoring Systems (VMS)

2.3.1 VMS reporting

It is the concession holder's responsibility to ensure that any vessel nominated to their concession is fitted with an Integrated Computer Vessel Monitoring System (ICVMS) of a category specified in the register of AFMA approved units. This register can be found at: <http://www.afma.gov.au/industry/vms/approved.htm>.

The VMS unit must remain switched on at all times including when the boat is in port or engaged in State fishing. The concession holder must ensure the VMS is reporting correctly before going out to sea for the first time and that no interference occurs with the correct operation of the VMS unit. On becoming aware of a problem with the VMS functioning, the concession holder must advise AFMA as soon as practicable via:

Phone: 02 6225 5369 (if prompted, follow instructions on the voice mail); or
Mobile: 0419 205 329; or
Fax: 02 6225 5440; or
Email: VMSreporting@afma.gov.au

If the VMS is not operating or is malfunctioning the boat must remain in port until the VMS is inspected, repaired if necessary and AFMA has received confirmation from an authorised technician that the VMS unit is functioning normally.

2.3.2 Manual reporting

If a nominated vessel's VMS unit stops reporting, the concession holder will be required to manually report the vessel's position at a frequency specified by AFMA. The manual position reports should include:



- the vessel's name;
- the vessel's distinguishing symbol;
- the vessel's present latitude and longitude (in degrees and minutes); and
- the date and time.

Manual position reports are to be made by:

Phone: 02 6225 5369 (follow instructions on the Voicemail); or
 Fax: 02 6225 5440; or
 Email: VMSreporting@afma.gov.au

2.3.3 Directions to return to port

Depending on the circumstances, and in accordance with enforcement decision principles as outlined in the [Domestic Compliance and Enforcement Policy](#), if a nominated boat's VMS unit stops reporting AFMA may determine that it is appropriate to issue a Direction under section 84(1)(k) of the *Fisheries Management Act 1991*. This Direction will require the boat to immediately return to, and remain in port until such time as AFMA is satisfied the problems with the VMS unit have been rectified.

2.3.4 Temporary Switch Off (TSO) arrangements

A TSO is a formal arrangement that allows a unit to be legitimately switched off. If a nominated vessel is undergoing maintenance, berthed for an extended period or in other exceptional circumstances that render VMS operation impractical, the concession holder can apply for a TSO by filling out an 'Application for VMS Temporary Switch Off' form and sending it to AFMA via:

Fax: 02 6225 5440; or
 Email: VMSreporting@afma.gov.au or
 Mail: Data Processing
 AFMA
 PO Box 7051
 CANBERRA BC ACT 2610

Further information can be found on the AFMA website at:
<http://www.afma.gov.au/industry/vms/default.htm>

2.3.5 Who is responsible for the VMS in AFMA?

AFMA's Intelligence Unit is responsible for the monitoring of the VMS. If you have any queries please contact:

Phone: 1300 723 621
 Fax: 02 6225 5442
 Email: vmsinfo@afma.gov.au
 After hours: AFMA Darwin Duty Officer: 0428 196 114.



2.3.6 Frequently asked Questions

Q1. How will I know if my VMS has broken down?

A1. AFMA will advise the boat or the Permit Holder by phone, fax or email that the unit is not responding. However, if you become aware that your VMS unit is not operational please inform AFMA via the above contacts **immediately**.

Q2. What must I do if my unit breaks down?

A2. If your VMS has a breakdown the master or representative must submit manual position reports to AFMA every 4 hours, or as required by an authorised AFMA representative, until the unit is operational, or at a time agreed by AFMA.

These reports may be made by either:

- sending to facsimile number 02 6225 5440;
- by emailing vmsreporting@afma.gov.au; or
- by phoning 02 6225 5369

The report must include the following details:

- the boat name
- the distinguishing symbol
- the present position in Latitude and Longitude (in degrees and minutes)
- date and time

AFMA will notify both the master and Permit Holder when the VMS is operational.

If a VMS unit breaks down and a boat has been put on manual position reporting, AFMA may inform the whole fleet that the boat is on manual position reporting. AFMA may also inform the fleet once the unit has been repaired.

If the unit ceases to operate and cannot be brought back on-line the Permit Holder must make immediate arrangements to have the unit repaired and AFMA must be notified in writing of these arrangements. If AFMA is not satisfied with the arrangements made within 3 days of the break down, AFMA may order the SFR holder/agent to immediately stow the fishing gear and take the boat directly to port or anchorage, so that the unit can be replaced or serviced.

2.4 Levy amounts

Levy invoices are sent out to all operators who owned leviable fishing concessions in early January.

The Levy Invoice states:

1. when the levy is due and payable;
2. how much levy you are required to pay;
3. whether the levy is payable in instalments;
4. the penalty that applies should the levy be unpaid by the due date;
5. how to pay your levy; and
6. who to contact for enquiries.

It is the responsibility of the person who owns the concession on the dates the levy becomes due and payable to ensure that the levy has been paid.

Note: Levies are issued by financial year not fishing season.



2.5 Payment of levies

2.5.1 How to pay

You can make your payment by cheque, money order, direct deposit, or electronic funds transfer (EFT) from your bank account to AFMA, or by phone and internet banking (BPAY), and by credit card by faxing back the completed strip on the first page. EFT and direct deposit details are listed on the remittance slip on the reverse of the first page. Please ensure that your bank inserts your client reference number when depositing your levy payment into AFMA's account.

2.5.2 Failure to pay levies by the due date

AFMA will suspend and may cancel fishing concessions if a levy remains unpaid 14 days after the due date. After a concession has been suspended, AFMA is able to negotiate alternative arrangements to pay the levy amount. If a concession holder wishes to enter into an arrangement to pay, they must write to the manager of licensing. All payments must be made before the end of the financial year, 30 June 2011. Any payment not made on dates entered into on the arrangement revokes the agreement and the levy becomes payable immediately in total.

If your Levy Invoice states that you can pay the levy by instalments, each instalment must be paid by the due date. If AFMA receives any instalment after the instalment date falls due, then the whole of the levy will become due and payable immediately. If this occurs, you will incur an interest penalty of 20% per annum (calculated daily), applied against the amount of the levy outstanding, until it is paid in full. This penalty fee is required under the Fisheries Management Act 1991 and occurs even if an arrangement has been entered into.

2.6 Licensing

The WDTF and NWSTF data held by AFMA is located in a database called Pisces, which provides a system to administer paper applications. Pisces database administers and stores information and concession holders can access their data and conduct licensing business online through GoFish.

For these fisheries there has been little trading using AFMA's online trading system, GoFish. Most trading still occurs through paper applications which are administered through Pisces.

2.7 Reporting Requirements

2.7.1 Logbooks

It is a condition of the permit that relevant information about fish taken and other species interactions in the area of the fisheries is accurately and fully recorded and submitted to AFMA as specified in SWT01 or NWS04 (<http://www.afma.gov.au/services-for-industry/logbooks-and-catch-disposal/current-logbooks-and-catch-disposal-records/>)

Please read the instructions in your logbooks as they contain all the information you need to know about completing and submitting your logsheets.

A logbook must be completed for every day that the fishing concession is in force, regardless of whether or not fishing takes place on that day. Paper logbooks are designed to provide a continuous record of operations undertaken in fisheries under Commonwealth fishing concessions. Accurate data collected in logbooks is essential to provide information for research into and management of Commonwealth managed fisheries.

Commonwealth law states that you must submit logsheets in ON TIME or you could be committing a prosecutable offence.



2.7.2 Wildlife Interactions

Interactions with protected species under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

Under Parts 13 and 13A of the EPBC Act, the Department of Sustainability, Environment, Water, Population and Communities (SEWPaC) grants ongoing export approval for Australian fisheries. The Western Trawl Fisheries (NWSTF and WDTF) have been granted an extension of Wildlife Trade Operation (WTO) accreditation until October 2012.

In granting export approval consideration is given to:

- declaring the Western Trawl Fisheries, as managed consistent with the *Fisheries Management Act 1991*, as an approved wildlife trade operation under section 303FN of the EPBC Act; and
- inclusion in the list of exempt native specimens, specimens harvested in the Western Trawl Fisheries under the provisions of the *Fisheries Management Act 1991*.

Along with granting export approval, SEWPaC may impose conditions and/or recommendations on the WTO accreditation to improve the performance of the fishery against the requirements in the EPBC Act. Operators should ensure they are aware of these conditions and monitor any changes via the SEWPaC website.

Any operator who interacts with a protected species as listed in Part 13 of the EPBC Act, and is acting in accordance with the *Fisheries Management Act 1991* will not commit an offence if their operations are consistent with the *Fisheries Management Act 1991*. **However, fishers are required to report all interactions with protected species.**

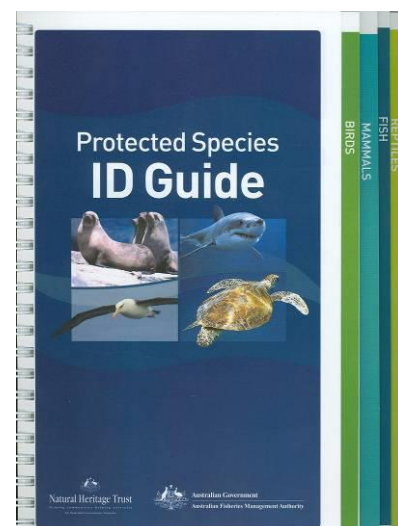
Failure to report an interaction with a protected species is an offence under the EPBC Act.

What is a protected species?

The EPBC Act establishes four different categories of protected species in Commonwealth areas. These provide for the recovery of populations and/or the long-term conservation of a species. A species that is a member of the following categories is a protected species.

1. Listed threatened species or listed threatened ecological community generally include species with low population numbers, those that have had a reduction in habitat or distribution, or are subject to an increase in other threats to the species survival.
2. Listed migratory species are listed to meet Australia's obligations under certain International treaties (such as the Convention on Migratory Species) which require that we provide protection for species listed in the Convention.
3. Listed marine species are listed to provide general protection to Australia's marine native wildlife to reduce the likelihood of population decline. It is an offence to kill injure, trade, take, keep or move native wildlife without a permit or other authorization.
4. All cetaceans are listed to uphold Australia's strong international, regional and national measures for the protection of this group of animals.

There are many species of animals that are classified as protected. Of relevance to Commonwealth fisheries, all cetaceans, seabirds, sea snakes, turtles, seals and sea lions, syngnathids (sea horses, sea dragons and pipefish), sawfishes (green and freshwater), crocodiles and dugongs are protected. There are also a small number of sharks (great white, grey nurse) and other fish listed under the EPBC Act. A full listing of protected species is available on the SEWPaC website www.environment.gov.au



Protected species Identification Guide

To help operators accurately report their protected species interactions, AFMA has produced a protected species identification guide. This guide covers the range of protected species that AFMA managed fisheries do, or have the potential to, interact with during their normal fishing operations. The guide provides pictures of these species along with an indicative distribution and key biological information. All operators have been provided with a copy of this identification guide – if you would like a copy, please contact the AFMA Environment Section, AFMA on 1300 723 621.

What is an interaction with a protected species?

"Interaction" means any physical contact an individual (person, boat or gear) has with a protected species that causes death, injury or stress to the individual directly resulting from fishing activities. This includes any collisions, catching hooking, and netting, entangling, or trapping of a protected species.

Reporting of interactions with protected species

- WDTF operators must report all interactions with protected species in the Southern and Western Finfish Trawl Daily Fishing Log.
- NWSTF operators must report all interactions with protected species in the North West Slope Daily Fishing Log.
- Operators who have an interaction with a turtle, sawfish, seasnake, or a syngnathid (seahorse, pipefish, sea dragon) must record the interaction on the daily catch and effort log page.
- Operators who have an interaction with a protected species other than those listed on the log page are required to circle **Yes** in the box at the bottom of the log page and fill out the *Listed marine and threatened species* form located at the back of the logbook. The completed form must be returned to AFMA with the corresponding logsheets at the end of the fishing trip.
- If there is an observer present, immediately inform them of the interaction. You are still required to report the interaction in your logbook.

To assist operators in fulfilling their reporting obligations, AFMA provides a protected species interaction summary report to SEWPaC on a quarterly basis on behalf of fishers who report interactions in their logbook. These reports are published on the AFMA website at: <http://www.afma.gov.au/managing-our-fisheries/environment-and-sustainability/protected-species/>

Remember: Don't get caught just report!

Further information on interactions with protected species can be obtained from:

Environment Manager

AFMA Direct: 1300 723 621

Interactions with tagged wildlife

Researchers investigating some wildlife species will periodically tag animals or, in the case of seabirds, use bands to help better understand aspects of their biology and population status. In the case of protected wildlife, most of the follow-up sightings of the marked animals are made at haul out sites, rookeries or at breeding colonies. Researchers are therefore very interested in recoveries or observations of marked animals made by fishers, as they tend to be well away from colonies.



Comprehensive information on these marine reserves is available for download from <http://www.environment.gov.au/coasts/mpa/index.html>.

MPAs within the fishery boundaries for NWSTF and WDTF are outlined below:

NWSTF

- Cartier Island Marine Reserve
- Ashmore Reef Marine National Nature Reserve
- Mermaid Reef Marine National Park

WDTF

- Ningaloo Marine Park

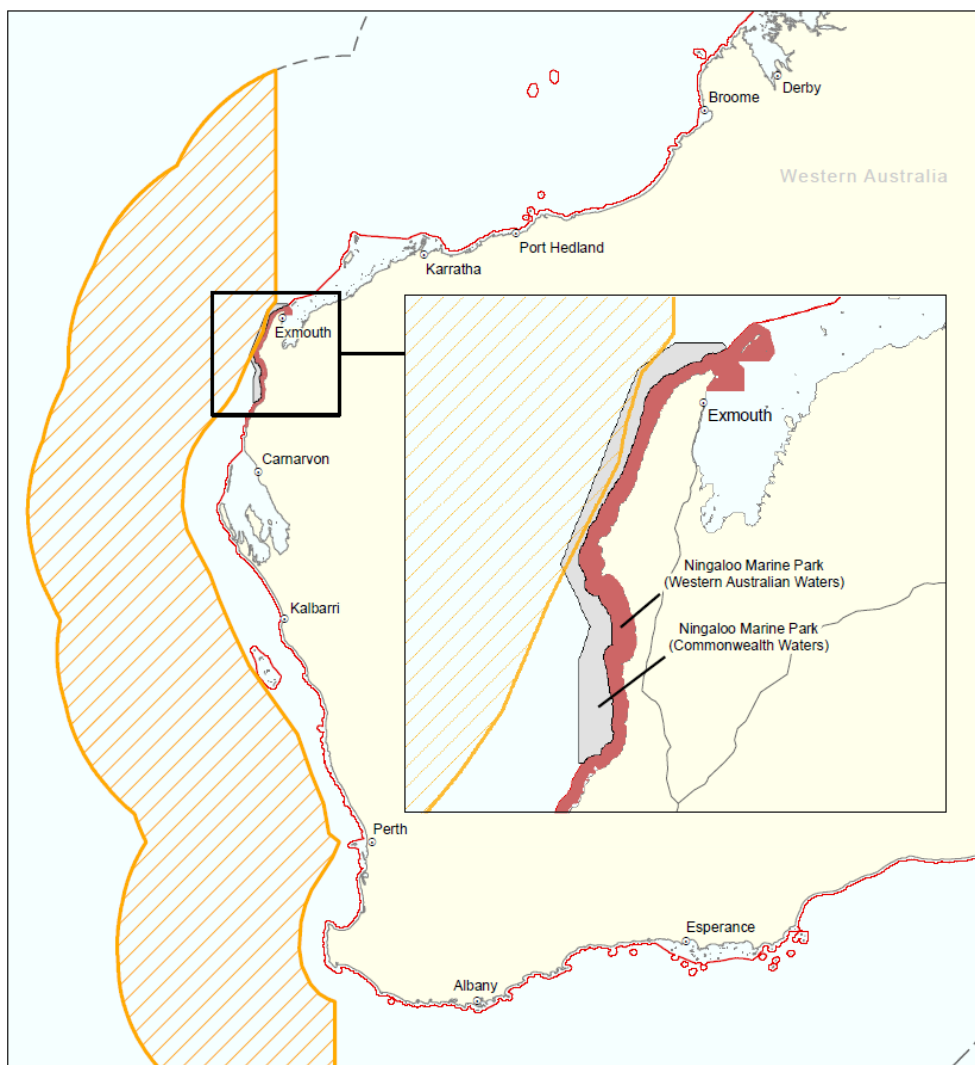


Figure 4. Map of the boundaries for the Ningaloo Marine Park



2.8.2 World Heritage Area

The Shark Bay World Heritage Area is **adjacent** to the WDTF (Figure 5). Animals may transit between the World Heritage Area and the fishery (for example humpback whales).

Shark Bay lies on the extreme western coast of Australia between 24 and 27 degrees south of the equator. Shark Bay comprises two large, shallow embayments, numerous islands and a coastline over 1500km long.

All operators should familiarise themselves with the rules and regulations of the Shark Bay World Heritage Area, prior to transiting or operating in proximity to the area.



Figure 5. Shark Bay World Heritage Area

Section 3. Environmental Management

3.1 Environmental Assessment

Under Parts 13 and 13A of the EPBC Act, SEWPaC grants ongoing export approval for Australian fisheries. The Western Trawl Fisheries (NWSTF and WDTF) have been granted an extension of WTO accreditation until October 2012. Final conditions are given to AFMA for the NWSTF and WDTF and operators should ensure they are aware of these conditions and monitor any changes via the SEWPaC website (www.environment.gov.au).

3.2 Harvest Strategy Policy and WDTF/NWSTF Harvest Strategy

A Ministerial Direction issued to AFMA in 2005 instructed AFMA to manage its fisheries in a manner that is consistent with a Commonwealth Harvest Strategy Policy (HSP). The *Commonwealth Fisheries Harvest Strategy Policy (HSP) and Guidelines*, which were released in September 2007. In line with the Ministerial Direction, the objective of the HSP is to promote the sustainable and profitable utilisation of Commonwealth fisheries in perpetuity, through the implementation of harvest strategies that maintain key commercial stocks at ecologically sustainable levels and maximise economic returns to the community. Harvest Strategies are therefore the instruments that AFMA uses to enable the objectives of the Ministerial Direction and HSP to be implemented.

The Harvest Strategy for the WDTF and NWSTF was approved by the AFMA Commission in August 2011 and can be found on the AFMA website: www.afma.gov.au. Both fisheries are primarily managed via limited entry, permit conditions and there are controls on codend mesh size in the NWSTF.

Key components of management include:

- NWSTF and WDTF Bycatch and Discard Work Plans
- Ecological management zones
- Spatial closures
- Limit and Target reference points of key commercial species with management responses
- Ecological Risk Assessments, priority species and management responses



- Data collection through the AFMA Observer program

For more information on Harvest Strategies and how they apply to the NWSTF and WDTF you can access the *Harvest Strategy for the WDTF and NWSTF 2011* on the AFMA website: www.afma.gov.au; or contact AFMA Western Trawl Fisheries Manager 1300 723 621.

3.3 Ecological Risk Assessments and Ecological Risk Management

Implementing ecological risk management in Commonwealth managed fisheries

AFMA aims to minimise the impacts of Commonwealth managed fisheries on all aspects of the marine ecosystem. AFMA's adoption of the ecological component of Ecologically Sustainable Development (ESD) is a significant departure from traditional fisheries management where the focus has shifted from the direct management of target species to also considering the impacts on bycatch species, protected (TEP) species, habitats, and communities.

Key to AFMA's implementation of the ecological component of ESD has been to develop and implement an ecological risk management (ERM) framework. The ERM framework progresses through a number of steps and involves a hierarchy of risk assessments which are conducted to assess the impact, direct and indirect, that a fishery's activities may have on the marine ecosystem. At the completion of the risk assessment process for the WDTF and NWSTF, five species were identified as a priority in the WDTF with one species identified in the NWSTF (see Table 1 below).

Table 1. Current list of priority species for the WDTF and NWSTF*

Fishery	Taxonomic Group	Scientific Name	Common Name	Highest level of Assessment
WDTF	Teleost	<i>Rexea solandri</i>	Gemfish	Level 2 ERA
WDTF	Teleost	<i>Zenopsis nebulosus</i>	Mirror Dory	Level 2 ERA
WDTF	Teleost	<i>Pentaceros decacanthus</i>	Big-spined boarfish	Level 2 ERA
WDTF	Teleost	<i>Lipocheilus carnolabrum</i>	Tang snapper	Level 2 ERA
WDTF	Invertebrate	<i>Hythlussia acerba</i>	Champagne crab	Level 2 ERA
NWSTF	Invertebrate	<i>Aristaeopsis edwardsiana</i>	Scarlet prawn	Level 2 ERA

*Species in **bold** are managed as "key commercial species"

Importantly, there were no high risk species identified by the quantitative level 3 assessments under the current level of fishing effort. As a fishery with potential for development and increased fishing effort in future years, ERA level 2 high risk species are managed under control rules specified in the WDTF and NSWTF Harvest Strategy.

The respective ERM reports outline how AFMA will respond to high risk environmental components in the NWSTF and WDTF to reduce the effects of fishing on priority and high risk species. Of the two ERA for the NWSTF and WDTF, no interactions with TEP species were detected, with all species identified as high risk being target or byproduct species.

Key strategies for managing the ecological effects of fishing and priority species in the WDTF and NWSTF will largely be captured by the actions of the respective Bycatch and Discard Workplans.



Further information on the risk assessment process and methodologies applied can be found on AFMA's website, or for more information please contact AFMA's Environment Section on 1300 723 621.

3.4 Pollution from Fishing Vessels – Advice from the Australian Maritime Safety Authority

Fishing vessels are a significant contributor to pollution incidents reported to marine authorities around Australia. Fishermen have an added responsibility not to pollute the resource, which provides their livelihood. The following provides information on the laws regarding oil and garbage pollution from vessels and suggests ways to minimise and prevent such pollution.

The Law

Pollution of the marine environment by ships of all types, including fishing vessels, is strictly controlled by the International Convention for the Prevention of Pollution from Ships (known as MARPOL 73/78). Australia is a signatory to this convention, which is now enforced in over 100 countries. The Australian Maritime Safety Authority (AMSA) applies the Convention in Australian waters. Its regulations are implemented through Commonwealth and State/NT legislation.

Penalties for not complying with the law are up to \$260,000 for individuals and \$1.3 million for companies. The Australian MARPOL regulations apply to Australian fishing vessels wherever they are operating. Australian laws can be applied against foreign fishing vessels operating anywhere within the AFZ.

Oil Pollution

The discharge of oily mixtures into the sea is prohibited. Used oil filters are also prohibited from disposal at sea.

Vessels under 400 tonnes must comply with the discharge restrictions but are exempted from any specific shipboard equipment requirement. In most cases this means that oily residues must be stored onboard for disposal at onshore waste reception facilities. This includes diesel, hydraulic fluids, and bilge water with any concentration of oil.

The only allowable discharge of an oily mixture is where a discharge rate of 15 parts of oil to one million parts of water (15ppm) is achieved through oil filtering/separating equipment. All vessels over 400 tonnes are required to be fitted with this type of equipment which must also be approved to meet standards set by the International Maritime Organisation.

Reduce the Potential of an Oil Discharge

- All leakage of fuel, oil, lubricating oil and cooling water should be dealt with immediately after it is detected. If repairs cannot be carried out by the crew at sea, they should be done as soon as the vessel reaches port.
- A drip tray should be fitted under all engines with suitable drainage to a holding tank or drum for disposal ashore.
- Ensure that engine rooms and other machinery spaces are fitted with simple sump plumbing so that any leakage is collected in the sump instead of the bilge.
- Ensure propeller shaft gland has not deteriorated.
- Fit high efficiency by pass oil filters, which can extend the life of the engine oil and decrease the need for frequent oil changes.



Garbage

There are two basic principles for the disposal of garbage at sea:

Plastics are prohibited from disposal into the sea. No other garbage may be discharged within 12 nautical miles from the nearest land.

Plastic materials used at sea include such things as:

- **trawl and fishing nets**
- **synthetic rope**
- **plastic sheeting**
- **"six pack" holders**
- **fibreglass**
- **strapping bands**
- **plastic "ice" bags**
- **oil filters**
- **bait gaskets**
- **paints**
- **electrical/electronic**
- **disposable eating utensils**
- **floats**
- **and many other products.**

The law states that fishing vessels must make every effort to retrieve all lost or damaged fishing gear. If you do lose fishing gear, report the approximate position and reasons for the loss to the nearest port authority or the Australian Search and Rescue Centre in Canberra. This allows other vessels to look out for and retrieve the gear. **If you come across nets/ fishing gear that has been obviously discarded please, where possible, retrieve and store them for proper disposal.**

If it is practicable, fishing gear should have degradable panels of natural material to reduce the potential for entanglement of marine life.

Garbage such as rope and plastic material can also get caught in propeller shafts or block water intakes causing major damage and expensive repairs.

Many marine animals (including target fish species) die as a result of becoming entangled in or ingesting discarded plastic packing straps; netting of all kinds; monofilament line; nylon rope; plastic and polyweave bags and sheeting; bait holders and foam items. Plastics, which shatter into smaller fragments are mistaken for food or ingested accidentally.

Plan to Reduce and Store your Garbage

The best way to avoid these problems and the possibility of fines is to minimise the taking aboard of potential garbage and on-board generation of garbage. This will reduce problems associated with on-board handling and storing of garbage for disposal ashore.

Provisions packaged in or made of materials other than disposable plastic should be selected to replenish ship supplies unless a reusable plastic alternative is available.

Industry is trying to assist fishermen to reduce debris before going to sea by redesigning packaging, e.g. bait cartons.



If fishing vessels are unable to incinerate their rubbish, they will need sufficient storage space and equipment (e.g. cans, drums, bags or other containers) to retain all plastics for disposal ashore. If operating within 12 nautical miles of land, all garbage will need to be retained for disposal ashore.

Garbage Waste Management Onboard

MARPOL 73/78 requires vessels over 400 tonnes to develop a waste management plan which contains procedures for collecting, storing, processing and disposal of garbage.

Ships must be fitted with appropriate garbage handling equipment such as compactors or incinerators.

Vessels over 400 tonnes also need to enter details of every garbage incineration or disposal in a garbage record book. The record book and any receipt for using a waste reception facility in port must be kept for two years and be available for inspection by authorities.

All vessels over of 12 metres or more in length are required to display placards setting out the disposal requirements of MARPOL 73/78.

Shore Facilities

If shore facilities are not adequate for the disposal of your oil or garbage, let the marina owner or port authority know. You should also notify State/Territory and local officials of the inadequate facilities. If enough fishermen express concern upgrading of the facilities is likely.

Reporting Pollution

Under the laws, pollution or potential pollution incidents should be reported to the authorities. Vessels will avoid prosecution where an accident has occurred and everything has been done to minimise the pollution. Not reporting a pollution incident may result in a fine. Reporting pollution may eliminate your vessel as a suspect.

Pollution incidents can be reported to the Australian Search and Rescue Centre or the local port/marine/ transport authority, and the incident will be investigated. Please provide relevant details of the incident such as when and where incident occurred, name of the vessel, type and extent of pollution and any other information.

The Australian Search and Rescue Centre operate 24 hours a day and can be contacted on:

Freecall: 1800 641 792
Ph: (02) 6230 6811
Fax: (02) 6230 6868

Pollution report messages via a Telstra Maritime Communications Station are free of charge.

For further information on the legislation, contact:

Environment Protection Standards
Australian Maritime Safety Authority
GPO Box 2181 CANBERRA ACT 2601
Phone: 02 6279 5015 Facsimile: 02 6279 5026; email: eps@amsa.gov.au



Section 4. Other Information

4.1 Offshore Constitutional Settlement

The current WDTF and NWSTF boundaries are defined under the OCS arrangement between the Commonwealth and Western Australia.

The intent of the original Offshore Constitutional Settlement (OCS) arrangements between the Commonwealth and Western Australian governments was for the Commonwealth to manage trawl fisheries in waters deeper than 200 metres and for Western Australia to manage trawl fisheries in waters shallower than 200 metres. However, since the signing of the OCS arrangements, it has been found that the current OCS does not accurately reflect the intended boundary adjacent to the Western Australia coast. The Commonwealth maintains a preference to amend the OCS to be consistent with a revised representation of the 200 metre isobath. The Commonwealth and Western Australian governments are currently working together to develop an agreed approach to progress both boundary amendments.

4.2 Scientific Observer Program

AFMA's scientific observer program currently places observers on domestic and, if required, foreign vessels fishing within the AFZ.

The requirements and priorities for the observer program for each fishery are determined by relevant stakeholders and implemented by the AFMA Observer Section through the fisheries manager. There is also a 100% observer coverage requirement for Commonwealth managed permit holders who wish to fish in waters shallower than 200m in depth. This is charged on a fee for service basis and the days achieved under this requirement will be additional to the targeted number of days for the NWSTF.

In 2011, 44 sea days were achieved throughout the fishing year for the NWSTF. In 2012, AFMA is planning for a total of 15 sea days for the NWSTF and 25 sea days for the WDTF. This will be undertaken throughout the fishing year with duties similar to previous years.

Scientific observers are trained in specialised sampling techniques including the collection of otoliths, biological samples and environmental observations. It is important to note that scientific observers are required to report breaches of permit conditions but they are not compliance officers and do not hold any compliance powers.

The scientific observer program provides a data collection and verification service to management, researchers and industry. The program includes developing experimental design and project plans, training and deploying observers, collecting fishery independent data and samples, data management and production of reports and data summaries.

Scientific observers are also helping to bridge the gap between management and industry to enhance the partnership approach to managing Commonwealth fisheries.

For further information please contact the Manager of AFMA's Observer section on 02 6225 5332.

4.3 Compliance

Procedure for reporting suspected illegal activity in the NWSTF or WDTF

Companies invest a lot of time and money into complying with a range of rules and regulations in order to participate in the NWSTF and WDTF. Fishers can assist in protecting their fishery from illegal fishing activities.

Breaches of NWSTF and WDTF fisheries legislation should be reported immediately to AFMA or the appropriate State/Territory fisheries authorities. Reports can be made anonymously and all information will be treated as strictly confidential.



The following information should be recorded if possible;

- name and call sign (if known) of the boat suspected of breaching fisheries legislation;
- nationality (if known)
- description of fishing boat and other relevant activities observed (e.g. product on deck/sorting tray, warps in water, boards unstowed etc);
- details of crew activity;
- latitude/longitude of boat;
- date/time of sighting;
- name of person and boat reporting the alleged offence (optional);
- occupational status on board boat/aircraft (e.g. skipper/pilot/crew member);
- photographs taken yes/no;
- date/time of report;
- name of receiving officer.

Illegal, Unreported, and Unregulated (IUU) Fishing

The Commonwealth Government is carrying out a coordinated effort to minimize the IUU fishing in the AFZ. AFMA thanks those operators who have taken the time to report suspected IUU fishing. The most effective contribution from the fishing industry to combat IUU fishing inside the AFZ is to continue to report sightings.



SUSPECT ILLEGAL FISHING?

**CALL 1800 CRIMFISH
(1800 274 634)**

**OR REPORT ONLINE
www.afma.gov.au**

 **Australian Government**
Australian Fisheries Management Authority



Section 5. Permit Conditions

5.1 North West Slope Trawl Fishery General Permit Conditions¹

Conditions applying to this Fishing Permit

In addition to the conditions specified by sub section 32(5) of the *Fisheries Management Act 1991*, and the condition in sub section 42(2) to comply with any log book determination, and the condition to comply with any Direction under s41A in accordance with sub section 32(7A), the following conditions are specified for the purposes of sub section 32(6) sub paragraph (a)(i). Note: Under sub section 32(8) these conditions may be varied, revoked or a further condition specified by written notice from AFMA.

By s42B(2) of the Act, Regulations may prescribe conditions that apply to fishing concessions. Regulations have been prescribed in the *Fisheries Management Regulations 1992* providing conditions that apply to this fishing concession in particular:

Regulation 9D:	Concession holder to ensure that vessel monitoring system is operational.
Regulation 9F:	Concession holder to ensure provision for observer and equipment to be carried.
Regulation 9G:	Concession holder to ensure observer enabled to perform functions.
Regulation 9I:	Fish to be disposed of to fish receiver permit holder*
Regulation 9J - 9ZL:	Catch limits.*
Regulation 9ZO:	Prohibited ways of processing fish.
Regulation 9ZP:	Removal of shark liver.
Regulation 9ZS:	No interaction with protected organism.
Regulation 9ZT:	Recording and reporting interaction with protected organism.
Regulation 9ZU:	Reporting interaction with protected organism if protected organism injured.
Regulation 9ZV:	Reporting interaction with protected organism if protected organism killed.
Regulation 9ZX:	Nominated boat used for trip.

* not applicable to some concessions

Area Limitation

1. The holder must not fish under this concession outside the area of waters described in this document.

Document on Board Obligation

2. This document or a true copy thereof must be carried on board the boat nominated to this concession at all times whilst on a trip under this concession and must be produced upon demand by an authorised Australian Fisheries Officer.

Gear Limitation

3. This concession authorises the use of the following gear only:

- (a) Trawl.

The trawl net must not have a codend mesh size that exceeds 50 millimetres.

¹ Correct as of 10 September 2012



Authorised Species

4. This concession authorises fishing for the following species only:
 - (a) Scampi of the family Nephropidae;
 - (b) Prawns;
 - (c) Other crustaceans;
 - (d) Squid; and
 - (e) Fish.

Transshipping Obligations

5. The holder may tranship fish taken by the nominated boat to other boats authorised to receive fish in the area specified in this concession.
6. The holder may carry fish received from boats authorised to trawl in the area specified in this concession.

Move On Provisions

7. For the area of the fishery defined in Schedule 2 (area of waters shallower than 200 metres), if the take of coral and sponge exceeds 50 kilograms in any one shot, then the holder must cease fishing on the nominated boat immediately and not fish at any point within a five nautical mile radius of that shot for five days. As soon as practicable, but in any event no later than 24 hours after the take of more than 50 kilograms of coral or sponge in any one shot, the holder must notify AFMA's Licensing section. The notification must include details of the shot including the location. The notice may be made by phone on 1300 723 621 or by email on licensing@afma.gov.au
8. Upon receipt of a notice from AFMA advising that a 50 kilogram limit has been triggered by any boat in the fishery, the holder is prohibited from fishing within five nautical miles of the shot that triggered the limit from the time of receiving the notification for a period of five days.
9. After five days of triggering a limit or receiving notice from AFMA that a limit has been triggered, if the holder fishes within the five nautical mile area of the shot that triggered the limit they must carry an AFMA scientific observer onboard the nominated boat.

NOTE: For the purposes of these conditions, the precise geographic position of the shot will be determined by the midpoint of the path between the start and end point of the trawl for the purposes of catch and effort reporting.

Other Obligations

10. If a boat is nominated to this concession, at all times when the boat is being used under this concession, the holder must have provided to AFMA a current emergency contact facility for the nominated boat.
11. An emergency contact facility must enable AFMA to contact the boat immediately and directly at any time when the boat is at sea, including in the event of an emergency.
12. AFMA must be notified immediately of any change in contact details, by fax sent to (02) 6225 5426 or by email to licensing@afma.gov.au and the boat must not depart on a fishing trip unless AFMA has been so notified of the change in contact details.

Note: The emergency contact facility may take the form of a satellite phone number, or skipper or crew member's mobile phone number - any number that may be used by AFMA to contact the boat while it is at sea at any time, including in the event of an emergency.



Agent Obligations

13. The holder accepts concurrent liability for all conduct by its servants or agents infringing the *Fisheries Management Act 1991* (or the Regulations, Management Plans or concession conditions made by virtue of that Act) who may be engaged by the holder to conduct on the holder's behalf activity under this concession.

Liability for the conduct of the holder's servants or agents arises, even if the conduct may be, or actually is, beyond the scope of the servant or agent's actual or apparent authority where it is a breach that occurs during the conduct of activity authorised by this concession.

The holder may avoid concurrent liability for conduct whilst conducting activity under this concession if, but only if, the holder can establish that the infringing conduct could not possibly have been prevented by any action or precaution that the holder might have reasonably taken.

The giving of an indemnity by the servant or agent to the holder for any penalties incurred by the holder, for infringing conduct by the servant or agent is not, of itself, a reasonable precaution to prevent infringing conduct. The giving of an indemnity by the holder to the servant or agent would be prohibited and unenforceable on public policy grounds as encouraging the offending conduct.

Temporary Order Obligations

14. The holder must comply with any Temporary Order made under sub section 43(2) of the *Fisheries Management Act 1991* and to the extent that any provision herein is inconsistent with such Temporary Order sub section 43(9) provides that the provision herein is overridden by the Temporary Order until the Temporary Order ceases to have effect.

Further Observer Requirements

15. From 8 October 2011, any vessel fishing in the area described in Schedule 2 must carry on board an AFMA observer.

Navigating in Closed Zones

16. AFMA may suspend this concession in accordance with this condition, pursuant to section 38(1)(c) of the *Fisheries Management Act 1991*, if it reasonably appears by VMS transmission from the nominated boat, that there is a failure by that boat while in a closed zone for the purposes of regulation 37B of the *Fisheries Management Regulations 1992*, to meet the exempting provisions of sub regulations 37C(2), or (3) or sub regulation 37D(2) or (3). Such suspension will then continue until the concession holder provides a full written explanation, to the satisfaction of the delegate responsible for issuing that suspension, of the lawful reason for the boat being in that closed zone at that time, or until the expiration of the suspension under sub section 38(2); whichever is the earlier.



5.2 Western Deepwater Trawl Fishery General Conditions²

Area of Waters

1. This concession is granted for the area of waters described as: The area specified in Schedule 1A Part 12 of the *Fisheries Management Regulations 1992*.

Conditions applying to this Fishing Permit

In addition to the conditions specified by sub section 32(5) of the *Fisheries Management Act 1991*, and the condition in sub section 42(2) to comply with any log book determination, and the condition to comply with any Direction under s41A in accordance with sub section 32(7A), the following conditions are specified for the purposes of sub section 32(6) sub paragraph (a)(i): Note: Under sub section 32(8) these conditions may be varied, revoked or a further condition specified by written notice from AFMA.

By s42B(2) of the Act, Regulations may prescribe conditions that apply to fishing concessions. Regulations have been prescribed in the *Fisheries Management Regulations 1992* providing conditions that apply to this fishing concession in particular:

Regulation 9D:	Concession holder to ensure that vessel monitoring system is operational.
Regulation 9F:	Concession holder to ensure provision for observer and equipment to be carried.
Regulation 9G:	Concession holder to ensure observer enabled to perform functions.
Regulation 9I:	Fish to be disposed of to fish receiver permit holder*
Regulation 9J - 9ZL	Catch limits.*
Regulation 9ZO:	Prohibited ways of processing fish.
Regulation 9ZP:	Removal of shark liver.
Regulation 9ZS:	Reporting interaction with protected organism.
Regulation 9ZT:	Reporting interaction with protected organism if protected organism injured.
Regulation 9ZU:	Reporting interaction with protected organism if protected organism killed.
Regulation 9ZW:	Nominated boat used for trip.

* not applicable to some concessions

Area Limitation

1. The holder must not fish under this concession outside the area of waters described in this document.

Document on Board Obligation

2. This document or a true copy thereof must be carried on board the boat nominated to this concession at all times whilst on a trip under this concession and must be produced upon demand by an authorised Australian Fisheries Officer.

Gear Limitation

3. This concession authorises the use of the following gear only:
 - (a) Trawl gear.

Transshipping Obligations

4. The holder may:
 - (a) Tranship fish taken by the nominated boat to other boats authorised to receive fish in the area specified in this concession; and
 - (b) carry fish taken from other boats authorised to take fish in the area specified in this concession.

² Correct as of 10 September 2012



Taking/Carrying Shark Obligations

5. The holder must not take deepwater dogfishes of the following species - Harrison's Dogfish (*C. harrissoni*), Endeavour Dogfish (*C. moluccensis*), Southern Dogfish (*C. zeehaani*) and Greeneye Spurdog (*Squalus chloroculus*) - unless;
 - (a) for trips under 6 days the combined amount of these species taken does not exceed 15kg whole weight per day; or
 - (b) for trips over 6 days the combined amount of these species taken does not exceed 90kg whole weight per trip.

In this condition;

- one day is a 24 hour period that commences at 00.01 hours UTC + 10.
- the weights in clauses (a) and (b) apply to all deepwater dogfish of the species specified, including those returned to the water whether alive or dead.

Deepwater dogfishes of the species specified in this condition that are taken alive, must be returned to the water carefully and quickly.

Temporary Order Obligations

6. The holder must comply with any Temporary Order made under sub section 43(2) of the *Fisheries Management Act 1991* and to the extent that any provision herein is inconsistent with such Temporary Order sub section 43(9) provides that the provision herein is overridden by the Temporary Order until the Temporary Order ceases to have effect.

Navigating in Closed Zones

7. AFMA may suspend this concession in accordance with this condition, pursuant to section 38(1)(c) of the *Fisheries Management Act 1991*, if it reasonably appears by VMS transmission from the nominated boat, that there is a failure by that boat while in a closed zone for the purposes of regulation 37B of the *Fisheries Management Regulations 1992*, to meet the exempting provisions of sub regulations 37C(2), or (3) or sub regulation 37D(2) or (3). Such suspension will then continue until the concession holder provides a full written explanation, to the satisfaction of the delegate responsible for issuing that suspension, of the lawful reason for the boat being in that closed zone at that time, or until the expiration of the suspension under sub section 38(2); whichever is the earlier.



Section 6. Gulper Shark Identification Table

Gulper shark identification key

Gulper sharks can be distinguished from other sharks by having no anal fin, spines present on both dorsal fins that are about the same size, and a notch in their tail. Use this key to help identify your shark. If you identify a gulper shark, follow the instructions on the back of this poster to find out how to submit a sample and be in the running for a great prize.

Does the shark have?

Anal fin absent	NO	Other shark species
	YES	
Dorsal fins far apart	NO	Bramble shark
	YES	
Large prickles absent	NO	Prickly dogfish
	YES	
Spines on both dorsal fins	NO	Black shark
	YES	
Notch in tail	NO	Squalus spp.
	YES	
2 big dorsal spines the same size	NO	Rear dorsal spine larger than front spine
	YES	YES → Lantern or Platypus shark
		NO → Smallspine dogfishes

Gulper sharks

Relatively small second dorsal fin	YES	Endeavour dogfish
	NO	
Long snout and white back edge of dorsal fins		Harrison's dogfish
Short snout and no white edge on fins		Southern dogfish

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