

Area of Waters

This permit is granted for the area of waters specified in Part 1 of Schedule 2 of the *Fisheries Management Regulations 2019*.

CSF Autolongline Permit Conditions 2026-27

Conditions applying to this Fishing Permit

Notes: By subsection 42B(1) of the *Fisheries Management Act 1991*, Regulations may prescribe conditions that apply to fishing concessions. Regulations have been prescribed in the *Fisheries Management Regulations 2019* providing conditions that apply to this fishing concession in particular:

- Regulation 33:* Nominated boat must be used on trip.
- Regulation 37:* Concession holder to ensure that vessel monitoring system is fitted and operating.
- Regulation 39:* Requirement to carry observer.
- Regulation 40:* Concession holder to ensure provision for observer and equipment.
- Regulation 41:* Concession holder to ensure observer enabled to perform functions.
- Regulation 43:* Fish to be disposed of to fish receiver holder*.
- Regulations 44 - 65:* Catch limits*.
- Regulation 67:* Prohibited ways of processing fish.
- Regulation 68:* Removal of shark liver.
- Regulation 70:* No interaction with protected organism.
- Regulation 71:* Reporting interaction with protected organism.
- Regulation 72:* Requirements if protected organism is injured by interaction.
- Regulation 73:* Requirements if protected organism killed by interaction.

*** Not applicable to some concessions**

In addition to the conditions specified by subsection 32(5) of the *Fisheries Management Act 1991* (the Act), and the condition in subsection 42(2) to comply with any logbook determination, and the condition to comply with any Direction under section 41A in accordance with subsection 32(7A), the following conditions are specified for the purposes of subparagraph 32(6)(a)(i) of the Act:

Note: Under subsection 32(8) these conditions may be varied, revoked or a further condition specified by written notice from AFMA.

Gear Limitations

1. This permit authorises the use of the following gear only:
 - a. Demersal longlines;
 - b. Droplines;
 - c. Trotlines;
 - d. Setlines;
 - e. Handlines; and
 - f. Automatic baiting.
2. No more than a total of 15,000 hooks may be used on the boat nominated to this permit at any one time.
3. On transfer of this permit or change of the boat nominated this permit written permission for the use of automatic baiting equipment must be sought from AFMA via email at northernfisheries2@afma.gov.au. In the request, the holder must demonstrate how they will meet all the conditions applicable to this permit.
4. If automatic baiting equipment is permitted by AFMA and used, the holder must comply with the following requirements:
 - a. the boat nominated to this permit must carry on board one or more assembled tori line. Each tori line must be constructed and used in accordance with the following specifications:
 - i. must be a minimum of 150 metres in length;
 - ii. must be deployed from a position on board the boat and utilise a drogue so that it remains above the water surface for a minimum of 100 metres from the stern of the boat;
 - iii. the streamer pair nearest to the boat must be positioned not more than 10 metres (measured horizontally) from the boat;
 - iv. all other streamer pairs must be positioned not more than 7 metres apart;
 - v. in addition to part (a)(i) above, all streamers must be maintained to ensure their lengths are as close to the water surface as possible;
 - vi. tori lines must be operated at all times while automatic longlines are being used; and
 - vii. prior to longlines entering the water a separate tori line must be deployed at each point where hooks enter the water.
 - b. the boat nominated to this permit carries on board one or more assembled seabird excluder devices (brickle curtain) that must be used at all times during line hauling.

- c. the seabird excluder device must be constructed in order to achieve the following operational characteristics:
 - i. deterrence of birds flying directly into the area where the line is being hauled; and
 - ii. prevention of birds that are sitting on the surface from swimming into the hauling bay area.
- d. all baits used must be non-frozen.
- e. if AFMA approves in writing an alternative tori line, device or system, that written approval must be kept on board the boat nominated to this permit.
- f. if a seabird mortality occurs during fishing operations on the boat nominated to this permit, for the remainder of the trip the holder must only set longline gear at night (i.e. during the hours of darkness between the times of nautical twilight).
- g. if AFMA notifies the holder in writing that the observed mortality rate of seabirds within the current TAP season has exceeded 0.01 seabirds per 1000 hooks on the boat nominated to this permit, the holder must only set longlines at night (i.e. the hours of darkness between the times of nautical twilight) for the remainder of the TAP season.

5. For the purposes of these conditions:

- a. the beginning of **morning nautical twilight** is defined as the instant in the morning, when the centre of the Sun is at a depression angle of twelve degrees (12°) below an ideal horizon;
- b. the ending of **evening nautical twilight** is defined as the instant in the evening, when the centre of the Sun is at a depression angle of twelve degrees (12°) below an ideal horizon;

Nautical twilight times can be calculated on the Geoscience Australia website at the following link: <https://geodesyapps.ga.gov.au/sunrise>.

<https://geodesyapps.ga.gov.au/sunrise> **TAP season'** means:

Summer season: 1 September through to 30 April inclusive; and

Winter season: 1 May through to 31 August inclusive.

Movement Limitations

- 6. Unless prior approval has been granted by AFMA the holder must not fish outside the Coral Sea Fishery if fishing has been undertaken in the Coral Sea Fishery.
- 7. Unless fishing in accordance with condition 6, the holder must ensure that:
 - a. before entering the Coral Sea Fishery to conduct fishing activity, all fish excluding those used for bait on board the boat are unloaded; and
 - b. after fishing in the Coral Sea Fishery, all fish on board the boat are unloaded before fishing is commenced in any other area of waters or fishery.

Transshipping Limitation

8. A maximum of two tender boats registered with the boat nominated to this permit may be used to carry and tranship fish taken by the boat nominated to this permit.

Carrying Limitation

9. The holder must not carry fish taken by another boat on the boat nominated to this permit.

Species Limitations

10. The holder must not take any of the following species:
- a. Fish of the family Scombridae (tuna and tuna like species) and of the family *Bramidae* (commonly known as pomfrets or ray's bream) except fish of the genera *Scomberomorus*, *Scomber*, *Acanthocybium*, *Grammatorcynus* and *Rastrelliger* (commonly known as mackerels);
 - b. Fish of the Families *Istiophoridae* (commonly known as marlins) and *Xiphiidae* (commonly known as billfish); and
 - c. *Cheilinus undulatus* (commonly known as Humphead Maori Wrasse).
11. The holder can only take species of bony fish and sharks, other than those prohibited to be taken, under this permit.

Taking/Carrying of Shark Obligations

12. The holder must not retain deepwater dogfishes of the following species - Harrison's Dogfish (*Centrophorus harrissoni*), Endeavour Dogfish (*C. moluccensis*), Southern Dogfish (*C. zeehaani*) and Greeneye Spurdog (*Squalus chloroculus*).
- a. Deepwater dogfishes of the species specified in this condition that are taken alive, must be returned to the water carefully and quickly.
13. The holder must not carry or possess any shark (Class Chondrichthyes) dorsal, pectoral, caudal, pelvic or anal fins on board the boat nominated to this permit that are not attached to the shark's carcass.

Other Obligations

14. At all times when a boat nominated to this permit is being used under this permit, the holder must have provided to AFMA a current emergency contact facility for the nominated boat.
15. 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.
16. AFMA must be notified immediately of any change in contact details, by fax sent to (02) 6225 5440 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.

17. The discharge of offal (including discarded bait) is prohibited when hooks are being deployed.

18. The discharge of offal (including discarded bait) is prohibited when hooks are hauled, unless:

- a. the discharge takes place on the opposite side of the boat to that where the longlines are hauled, or
- b. the holder has received written authorisation from AFMA to allow the discharge in accordance with an alternative method that mitigates the risk of seabird bycatch caused by the discharge of offal during hauling.

Agent Obligations

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

- a. 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 permit.
- b. The holder may avoid concurrent liability for conduct whilst conducting activity under this permit 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.
- c. 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.

Direction Obligations

20. The holder must comply with any Direction that fishing is not to be engaged in in the fishery, or a particular part of the fishery or during a particular period or periods made under section 41A of the *Fisheries Management Act 1991*.

Temporary Orders Obligations

21. The holder must comply with any Temporary Order made under subsection 43(2) of the Act and to the extent that any provision herein is inconsistent with such Temporary Order subsection 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

22. **Note** AFMA may suspend this permit in accordance with this condition, pursuant to section 38(1)(c) of the *Fisheries Management Act 1991*, if it reasonably appears by vessel monitoring system transmission from the nominated boat, that there is a failure by that boat while in a closed zone for the purposes of regulation 85 of the Regulations, to meet the exempting provisions of regulations 86(2) or (3). Such suspension will then continue until the 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 sections 38(2) and 38(3) of the *Fisheries Management Act 1991*, whichever is the earlier.

Mandatory AFMA supplied VMS

Direction to Fit

23. When directed by AFMA in writing, the holder (or a person acting on the holder's behalf) must:

- a. make available, within 14 days of the date of the written direction, the boat nominated to this permit for the purposes of installation of an AFMA Vessel Monitoring System unit (AFMA VMS unit) by an AFMA approved technician; and
- b. provide all reasonable assistance to the AFMA approved technician including (but not limited to):
 - i. the provision of an un-interrupted connection to the boat's main power source; and
 - ii. an appropriate position for the mounting of the AFMA VMS unit.

24. When directed by AFMA in writing, the holder (or a person acting on the holder's behalf) must:

- a. make available, within 14 days of the date of the direction, the boat nominated to this permit for the purposes of removal of the AFMA VMS unit by an AFMA approved technician; and
- b. provide all reasonable assistance to the AFMA approved technician.

Holder must not interfere with AFMA VMS Unit

25. The holder (or a person acting on the holder's behalf) must not interfere, or attempt to interfere, with the operation of the AFMA VMS Unit.

Definitions

AFMA VMS Unit means a Vessel Monitoring System (VMS) unit wholly owned by AFMA, marked with AFMA identifications and supplied by AFMA and fitted by an AFMA approved technician.

Interfere - for the purposes of these conditions 'interfere' includes, but is not limited to:

- Physical obstruction or removal of the AFMA VMS unit; or
- Deliberately disconnecting or otherwise interfering with the power supply to the AFMA VMS unit; or

- *Deliberate physical interference with the casing or any external or internal components of the AFMA VMS unit.*

Notes

Must Make boat available

Where the boat is not made available in accordance condition 23a or 24a, AFMA may suspend this permit pursuant to section 38(1)(c) of the Fisheries Management Act 1991.

Must maintain VMS Unit

Regardless of AFMA's decision to fit an AFMA VMS unit, the holder must continue to maintain a VMS unit in accordance with regulation 37 of the Regulations.

Remains the property of AFMA

At all times the AFMA VMS unit remains the sole property of AFMA. The holder is liable for any costs incurred as a result of loss or damage to the unit.

Handling and treatment of bycatch

26. The holder (or a person acting on the holder's behalf) must not mistreat bycatch.

Definitions:

Mistreat means taking, or failing to take, any reasonable action or actions, which results, or is likely to result, in the:

- i. death of; or
- ii. injury to; or
- iii. causing of physiological stress to any bycatch.

Bycatch means any species that physically interact with fishing vessels and/or fishing gear (including auxiliary equipment) and which are not usually kept by commercial fishers.

Bycatch species may include fish, crustaceans, sharks, molluscs, marine mammals, reptiles and birds.

Bycatch includes listed protected species under the Environment Protection and Biodiversity Conservation Act 1999.

Notes: For the purposes of this condition 'mistreat' does not include the taking, or failing to take, action where it is reasonably necessary to take, or not take, the action:

- to ensure the safety of the boat and or its crew; or
- to comply with the requirements of any AFMA approved bycatch management plan(s) (these may include Seabird Management Plans, Vessel Management Plans etc.).

Observer obligations

27. The following conditions are made in accordance with regulation 39 of the Regulations.

28. The holder must ensure that an observer is carried on the boat nominated to this permit on its first trip of the fishing season and whenever directed by AFMA thereafter.
29. The holder must give the AFMA Observer Section **at least** 5 business days' notice of an intention to depart on a fishing trip by telephone (02 6225 5428 or 0427 496 446).
30. If AFMA has directed that the holder, or a person acting on behalf of the holder, carry an observer on the boat, the holder must ensure that the boat does not leave port if an observer is not carried on the boat.
31. Conditions 28 to 30 may be waived, upon written request to AFMA, should the holder be able to demonstrate that the boat nominated to this permit has an operational, AFMA-approved electronic monitoring system.