

***Fisheries Management Act 1991***  
**(Commonwealth)**

***Fish Resources Management Act 1994***  
**(Western Australia)**

**Western Australia Fisheries Joint Authority**

**Annual reports for the periods**

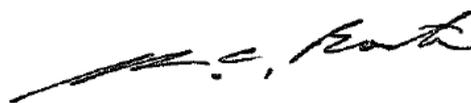
1 July 2005 – 30 June 2006  
1 July 2006 – 30 June 2007  
1 July 2007 – 30 June 2008  
1 July 2008 – 30 June 2009  
1 July 2009 – 30 June 2010  
1 July 2010 – 30 June 2011  
1 July 2011 – 30 June 2012  
1 July 2012 – 30 June 2013

Presented to the Commonwealth Parliament pursuant to section 70 of the *Fisheries Management Act 1991*.

Presented to the Western Australian Parliament pursuant to section 21 of the *Fish Resources Management Act 1994*.



**Commonwealth Member**  
Senator the Hon. Richard Colbeck,  
Parliamentary Secretary to the Minister  
for Agriculture



**Western Australian State Member**  
The Hon. Ken C Baston,  
Western Australian Minister for  
Agriculture and Food; Fisheries

ISSN 1328-4258

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Published by:

Australian Fisheries Management Authority

CANBERRA

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## 1. Introduction

This is the nineteenth annual report of the Western Australia Fisheries Joint Authority (WAFJA). This report details the activities undertaken during the period 1 July 2012 to 30 June 2013 and information on the status of the fisheries. It also reports on activities undertaken and the status of fisheries for the following reporting periods:

- 1 July 2005 – 30 June 2006
- 1 July 2006 – 30 June 2007
- 1 July 2007 – 30 June 2008
- 1 July 2008 – 30 June 2009
- 1 July 2009 – 30 June 2010
- 1 July 2010 – 30 June 2011
- 1 July 2011 – 30 June 2012.

The WAFJA has responsibility for the management of:

- Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery
- Joint Authority Northern Shark Fishery

## 2. Enabling legislation

Sections 61-70 of the Commonwealth [Fisheries Management Act 1991](#) set out the establishment, functions, administration and reporting requirements for Joint Authorities.

Part 3 of the Western Australia [Fish Resources Management Act 1994](#) sets out complementary State legislation and other matters relating to the establishment, functions, administration and reporting requirements of the Joint Authority and the management of Joint Authority fisheries in Western Australia (WA).

## 3. Members of the Joint Authority

The members of the WAFJA during the reporting periods spanning 1 July 2005 to 30 June 2013 are provided in Table 1. In most instances, the WAFJA meetings were attended by nominated deputies on behalf of the members stated in Table 1. The deputies attending each meeting are listed in the meeting minutes (see attachments A-H).

## 4. Report on the status of fisheries managed by the Joint Authority

Tables 2 and 3 below present a summary of the status of the fisheries managed by the WAFJA. Detailed catch and effort statistics are compiled annually and presented in the WA Fishery Status Reports, available for download at <http://www.fish.wa.gov.au/About-Us/Publications/Pages/State-of-the-Fisheries-report.aspx>.

## 5. Report on activities of the Joint Authority during the reporting period

*2005-06*

During 2005-06, one WAFJA meeting was held on 22 September 2005 to discuss matters relevant to the WAFJA. A record of this meeting is at [Attachment A, Item 1](#). The WAFJA made two Records of Decision at [Attachment A, Item 2](#) and [Item 3](#).

*2006-07*

During the reporting period, one WAFJA meeting was held on 14 September 2006 to discuss matters relevant to the WAFJA. A record of this meeting is at Attachment B, Item 1. The WAFJA made one Record of Decision at Attachment B, Item 2.

*2007-08*

During the reporting period, one WAFJA meeting was held on 26 September 2007 to discuss matters relevant to the WAFJA. A record of this meeting is at Attachment C, Item 1. No decisions were made in the reporting period.

*2008-09*

A formal meeting of the WAFJA was not held during the reporting period. The WAFJA made two Records of Decision during the reporting period at Attachment D, Item 1 and Item 2.

*2009-10*

During the reporting period, one WAFJA meeting was held on 4 November 2009 to discuss matters relevant to the WAFJA. A record of this meeting is at Attachment E, Item 1. No decisions were made in the reporting period.

*2010-11*

During the reporting period, one WAFJA meeting was held on 18 November 2010 to discuss matters relevant to the WAFJA. A record of this meeting is at Attachment F, Item 1. No decisions were made in the reporting period.

*2011-12*

During the reporting period, one WAFJA meeting was held on 27 October 2011 to discuss matters relevant to the WAFJA. A record of this meeting is at Attachment G, Item 1. No decisions were made in the reporting period.

*2012-13*

During the reporting period, one WAFJA meeting was held on 7 December 2012 to discuss matters relevant to the WAFJA. A record of this meeting is at Attachment H, Item 1. No decisions were made in the reporting period.

**Table 1** – Members of the WAFJA for each reporting period during 2005 – 2013.

<b>Reporting Period</b>	<b>Commonwealth Member(s)</b>	<b>Western Australian Member(s)</b>
<b>2005-06</b>	<p>Senator the Hon. Ian McDonald, Commonwealth Minister for Fisheries, Forestry and Conservation (1 July 2005 – 27 January 2006)</p> <p>Senator the Hon. Eric Abetz Commonwealth Minister for Fisheries, Forestry and Conservation (27 January 2006 – 30 June 2006)</p>	The Hon. Jon Ford JP MLC WA Minister for Fisheries; Kimberley, Pilbara and Gascoyne
<b>2006-07</b>	Senator the Hon. Eric Abetz Commonwealth Minister for Fisheries, Forestry and Conservation	The Hon. Jon Ford JP MLC WA Minister for Fisheries; Kimberley, Pilbara and Gascoyne
<b>2007-08</b>	<p>Senator the Hon. Eric Abetz Commonwealth Minister for Fisheries, Forestry and Conservation (1 July 2007 – 3 December 2007)</p> <p>The Hon. Tony Burke MP Commonwealth Minister for Agriculture, Fisheries and Forestry (3 December 2007 – 30 June 2008)</p>	The Hon. Jon Ford JP MLC WA Minister for Local Government; Regional Development; Fisheries; Kimberley, Pilbara and Gascoyne
<b>2008-09</b>	The Hon. Tony Burke MP Commonwealth Minister for Agriculture, Fisheries and Forestry	<p>The Hon. Jon Ford JP MLC WA Minister for Local Government; Regional Development; Fisheries; Kimberley, Pilbara and Gascoyne (1 July 2008 – 22 September 2008)</p> <p>The Hon. Norman Moore, MLC WA Minister for Mines and Petroleum; Fisheries; Electoral Affairs (23 September 2008 – 30 June 2009)</p>
<b>2009-10</b>	The Hon. Tony Burke MP Commonwealth Minister for Agriculture, Fisheries and Forestry	The Hon. Norman Moore, MLC WA Minister for Mines and Petroleum; Fisheries; Electoral Affairs
<b>2010-11</b>	The Hon. Tony Burke MP Commonwealth Minister for Agriculture, Fisheries and Forestry (1 July 2010 – 14 September 2010)	The Hon. Norman Moore, MLC WA Minister for Mines and Petroleum; Fisheries; Electoral Affairs

<b>Reporting Period</b>	<b>Commonwealth Member(s)</b>	<b>Western Australian Member(s)</b>
<b>2010-11 (cont'd)</b>	Senator The Hon. Joe Ludwig MP Commonwealth Minister for Agriculture, Fisheries and Forestry (14 September 2010 - 30 June 2011)	
<b>2011-12</b>	Senator The Hon. Joe Ludwig MP Commonwealth Minister for Agriculture, Fisheries and Forestry	The Hon. Norman Moore, MLC WA Minister for Mines and Petroleum; Fisheries; Electoral Affairs (1 July 2011 – 30 June 2012)
<b>2012-13</b>	Senator The Hon. Joe Ludwig MP Commonwealth Minister for Agriculture, Fisheries and Forestry	The Hon. Norman Moore, MLC WA Minister for Mines and Petroleum; Fisheries; Electoral Affairs (1 July 2012 – 21 March 2013)  The Hon. Troy R Buswell, MLC Treasurer, Minister for Transport; Fisheries (21 March 2013 – 30 June 2013)

**Table 2.** Species status and catch for the Western Australia Joint Authority Southern Demersal Gillnet and Demersal Longline Fishery.

<b>Species</b>	<b>Status</b>	<b>Catch 2011/12 (t)</b>
Gummy shark	Adequate	353
Dusky shark	Recovering	218
Sandbar shark	Recovering	15
Whiskery shark	Adequate	98
Other sharks and rays		164
Finfish		135
<b>Fishing level</b>	Acceptable	

**Table 3.** Species status and catch for the Western Australian Joint Authority Northern Shark Fishery.

<b>Species</b>	<b>Status</b>	<b>Catch (2011/12) tonnes</b>
Sandbar shark	Recovering	Total sharks 0
Blacktip sharks	Adequate	
<b>Fishing level</b>	Acceptable	

Source: Status Reports of the Fisheries and Aquatic Resources of Western Australia 2011/12: The State of the Fisheries eds. W.J. Fletcher and K. Santoro, Department of Fisheries, Western Australia, pp. 282-294.

## **Attachment A – Item 1: 2005/06 Meeting Minutes**

### **MEETING OF THE WESTERN AUSTRALIAN FISHERIES JOINT AUTHORITY**

1.20PM Thursday 22 September 2005

‘Ambassador Room’

Crown Plaza Hotel

32 Mitchell Street DARWIN NT

#### **Attendance**

- Members:** Deputy for the Commonwealth Minister for Fisheries, Forestry and Conservation, Mr Richard McLoughlin  
Deputy for the WA Minister for Fisheries, Mr Peter Rogers
- Secretary:** Mr David Griffiths – Department of Fisheries (WA)
- Observers:** Mr John Talbot – DAFF  
Mr Neil Sarti – Department of Fisheries (WA)  
Dr Rod Lenanton – Department of Fisheries (WA)  
Mr Neil Gribble – QLD Department of Primary Industries  
Mr Wade Whitelaw – AFMA  
Mr Dave Johnson – AFMA

Richard McLoughlin (Chair) opened the meeting at 1:20pm.

#### **PROCEDURAL MATTERS**

Richard McLoughlin clarified the requirements of the Joint Authority in regard to delegation and procedures.

#### **Identification of Deputies and Secretaries to the WAFJA**

Richard McLoughlin requested that in all meetings, the identification of present deputies, appointment of a secretary and the identification of observers to the meeting be noted.

Officials of the Commonwealth and WA Fisheries confirmed that their status as members’ deputies was in order.

## **1. AGENDA**

The agenda was adopted.

The deputies for each of the respective Western Australian Fisheries Joint Authority (WAFJA) members were identified as well as the secretary for the meeting (as above).

## **2. ACTIONS ARISING FROM PREVIOUS MEETING**

### **Annual Reporting**

A draft of the 2003/2004 WAFJA Annual Report was tabled at the meeting. WA advised that an electronic copy of the draft report would be forwarded to the DAFF for their perusal in coming days.

### **Briefing on proposed management arrangements**

Briefing on management arrangements were provided during the year, most recently at the Western Tuna and Billfish Management Advisory Committee (MAC) meeting in July at which the Commonwealth deputy was present.

## **3. JOINT AUTHORITY REGULATIONS**

WA provided a brief overview of the legislative impediments currently being faced in the development of management arrangements for the Joint Authority Northern Shark Fisheries (JANSF). The Department of Fisheries (WA) lawyers are currently looking into this and will identify, if any, implications for the WAFJA.

*Action: The Department of Fisheries (WA) is to keep the Commonwealth informed out of session regarding the progress of management arrangements and any legal implications, particularly the application of regulations to the Joint Authority, for the WAFJA.*

## **4. UPDATE ON THE STATUS OF MANAGEMENT ARRANGEMENTS**

### **(a) Joint Authority Northern Shark Fishery**

WA explained that it had effectively closed the Western Australian North Coast Shark Fishery (WANCSF) for the next 20-40 years to provide sandbar shark stocks with the opportunity to recover in this area. This approach has been taken due to a lack of sustainability of shark stocks and the application of precautionary principles. Shark fishing is now prohibited between 26°30 S (Steep Point/Shark Bay) and Broome. WA provided an overview of proposed management arrangements for the JANSF (see Attachment 2). Prior to the implementation of formal management arrangements it is intended that the JANSF be closed and exemptions be issued to allow those currently authorised to fish to continue to do so. The management arrangements outlined in Attachment 2 are to be placed as conditions of any exemption issued.

WA explained that the shift in management would mean that no more than four vessels would operate in the fishery. Key performance indicators were being developed to monitor the effectiveness of these management changes and assist with determining if a future management response is necessary. This is the case for the proposed management arrangements in both WAFJA fisheries.

WA noted that consideration might need to be given to extending the boundary of the JANSF given the distribution of the black tip shark stock in northwest Australia. If this were to occur King Sound would not be included (and is not currently included in the WA North Coast Shark Fishery) to:

- act as a spatial separation with the Barramundi and Gillnet Managed Fishery
- assist with managing interactions with Aboriginal communities; and
- reduce the potential for interactions with sawfish that inhabit this area.

Observer coverage will be used to validate the logbook data collected in the JANSF and assist with the training of crews in the identification and recording of different shark species. It was explained that WA was working closely with NT in relation to compliance within the JANSF. It is likely that Vessel Monitoring Systems (VMS) will be present on all WA and NT shark vessels within the next 12 months. Currently catches are being monitored through landing inspections and WA is aiming to inspect five per cent of all shark landings in the JANSF.

#### **(b) Joint Authority Southern Demersal Gillnet and Longline Managed Fishery**

WA explained that in response to concerns over dusky, sandbar and whiskery shark stocks there had been an increased focus on the management of shark fisheries in southern areas of the State, including the Joint Authority Southern Demersal Gillnet and Longline Managed Fishery (JASDGDLMF). It is likely that reductions in fishing capacity will be necessary in this fishery.

The Commonwealth asked whether quota had been considered for use in the JASDGDLMF. WA commented that the use of quota management had previously been considered and was not considered to be cost effective for this fishery. The Commonwealth noted that the approach being taken by WA appeared on face value to be appropriate given the biology of shark stocks.

The Commonwealth also asked about the advantages of having the JASDGDLMF managed as a WAFJA fishery and suggested that moving the fishery to State management might be more appropriate. This was supported by WA and it was agreed that potential alternatives for management of the JASDGDLMF should be listed as an agenda item for discussion at the next meeting of the WAFJA.

*Action: Potential alternatives other than management under a Joint Authority structure are to be explored by the Department of Fisheries and discussed at the next meeting of the WAFJA with a view to moving the fishery to a State managed fishery.*

In addition to the proposed management arrangements outlined above, the WA Minister for Fisheries has also approved a series of management arrangements that will impact on sharks State wide and subsequently have legislative implications for commercial shark fishing in the JASDGDLMF and JANSF.

#### **Timelines**

It was explained that the management arrangements outlined above are expected to be implemented within the next 12 months.

*Action: WA will formally approach the WAFJA out of session within the next 12 months seeking endorsement of the future management arrangements for these fisheries.*

## **5. IMPACTS OF A PARTIAL CLOSURE OF THE WESTERN AUSTRALIAN NORTH COAST SHARK FISHERY ON THE JOINT AUTHORITY NORTHERN SHARK FISHERY**

### **Foreign Fishing Incursions**

WA explained that the benefits of closing a significant proportion of the northern coastline to shark fishing could be undermined by continuing incursions of Foreign Fishing Vessels (FFV) into those waters. The Commonwealth shared these concerns. Concern was also raised as to the relationship that the impacts FFV incursions were going to have on *Environment Protection and Biodiversity Act 1999* approvals given the continued incursions and the impacts which fishing operations external to Australian waters could have on our fish stocks.

## **6. OTHER BUSINESS**

The Commonwealth explained that they are seeking to resolve the uncertainties around WAFJA decisions, minutes and delegations forthwith and would keep Western Australia advised if any action was required.

## **7 ACTIONS**

*Action 1. The Department of Fisheries (WA) is to keep the Commonwealth informed out of session regarding the progress of management arrangements and any legal implications, particularly the application of regulations to the Joint Authority, for the WAFJA.*

*Action 2. Potential alternatives other than management under a Joint Authority structure are to be explored by the Department of Fisheries and discussed at the next meeting of the WAFJA with a view to moving the fishery to a State managed fishery.*

*Action 3. Western Australia will formally approach the WAFJA out of session within the next 12 months seeking endorsement of the future management arrangements for these fisheries.*

## **8. NEXT MEETING**

The next meeting of the WAFJA was planned for the Northern Australian Fisheries Management Workshop 2006, noting that some decisions would be needed out of session in the coming 12 months to effect the management arrangements discussed.

**Meeting closed ~2.00PM**

**Attachment A – Item 2: 2005/06 Record of decision #1**

*Fisheries Management Act 1991*  
*Fish Resources Management Act 1994*

**WESTERN AUSTRALIAN FISHERIES JOINT AUTHORITY**  
**RECORD OF DECISION**

*Northern Shark Fishery in waters east of Koolan Island*  
*Joint Authority Demersal Gillnet and Longline Fishery in waters south of latitude*  
*33 °S*

WHEREAS the Western Australian Fisheries Joint Authority has the function of, *inter alia*, formulating policies and plans for the good management of the above fisheries.

NOW the members of the Western Australian Fisheries Joint Authority agree that the matters set out in the Schedule are to apply to these fisheries.

**Schedule 1**

That pursuant to section 28 of the *Fish Resources Management Act 1994*, regulations be made for the Northern Shark Fishery in waters east of Koolan Island and Joint Authority Demersal Gillnet and Longline Fishery in waters south of 33°South respectively.

SIGNED ON THE 11<sup>TH</sup> DAY OF AUGUST 2005

Senator the Hon Ian McDonald  
COMMONWEALTH MINISTER FOR  
FISHERIES, FORESTRY AND CONSERVATION

SIGNED ON THE 6<sup>TH</sup> DAY OF JULY 2005

Hon Jon Ford JP MLC  
MINISTER FOR FISHERIES; the KIMBERLEY,  
PILBARA AND GASCOYNE

## Attachment A – Item 3: 2005/06 Record of decision #2

*Fisheries Management Act 1991*  
*Fish Resources Management Act 1994*

### WESTERN AUSTRALIAN FISHERIES JOINT AUTHORITY RECORD OF DECISION

#### *Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery*

#### WHEREAS

- a. the arrangement between the Commonwealth of Australia and the State of Western Australia relating to the demersal gillnet and longline fishery was published in the Commonwealth of Australia Gazette on 1 February 1995;
- b. that arrangement provides for the management by the Joint Authority under the law of Western Australia when the methods of demersal gillnets and lines of all kinds are used (other than hand lines, troll lines, drop lines and pelagic longlines used for the taking of tuna and tuna-like species in accordance with the exercise of a right conferred by a fishing concession granted by the Australian Fisheries Management Authority); and
- c. the Western Australian Fisheries Joint Authority has the function of, *inter alia*, formulating policies and plans for the good management of the Fishery.

NOW we, the Joint Authority members, having considered various issues relating to the fishery have formulated the policies and plans for the good management of the Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery, set out in Schedule 1.

#### **Schedule 1 – Policies and Plans**

1. Ensure the sustainable management of the Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery (the Fishery) in line with the objects of the *Fish Resources Management Act 1994* (the Act) by amending the *Joint Authority Southern Demersal Gillnet and Demersal Longline Management Plan 1992* under s.54 of the Act;
2. control effort at 2001/02 levels (with the aim of producing catch levels of the target species of 2001/02 levels);
3. introduce a days fished management regime (and convert the current monthly time gear unit to a daily time gear unit in the process) to ensure effort is tightly managed;
4. limit the extent of daily usage of gear units in line with the current monthly nomination limits and limit changes in the daily usage of gear units to once per

- month to prevent variations in gear usage being used to capitalise on moon-phase correlated variations in the catchability of sharks;
5. boost recruitment to whiskery shark stocks by protecting inshore pupping females during the pupping season;
  6. require the use by operators in the Fishery of a Vessel Monitoring System as the mechanism to account for usage of entitlement and to control the inshore pupping closure;
  7. reduce the mortality of large sharks (in particular dusky sharks) through implementing modified longline gear with limited ability to take large sharks and requiring operators to carefully handle and return any large dusky sharks which are caught to the water;
  8. implement more rigorous and detailed catch and effort reporting with regard to the catch, time and areas of fishing and the gear used;
  9. provide for licence and other fees to be determined in the management plan;
  10. ensure that the key provisions of the management plan (i.e. those which are fundamental to controlling effort and catch) are drafted as “major provisions” of the plan to ensure that they come under the penalty regime of major provisions;
  11. where required for operational reasons, the implementation of these policies and plans is to be staged through the process of amending the management plan from time to time to provide for the formal implementation of the policies and plans as operational elements permit (but ensuring meanwhile that other procedures and processes are in place to cover any gaps which may arise from the lack of legislative implementation of the policies and plans);
  12. establish a Management Advisory Committee under s. 41 of the Act which has the same membership and business rules as the Western Australian Demersal Net and Hook Management Advisory Committee but whose terms of reference include in addition matters which specifically relate the functions of the Western Australian Fisheries Joint Authority (and includes a Commonwealth Government representative as a permanent observer);
  13. implement the policies and plans for the Fishery set out in the Record of Decision of the Western Australian Fisheries Joint Authority of 1 May 2003; and,
  14. in the case of Dulzurah Pty Ltd, amend the entry criteria so that Dulzurah be entitled to apply for a licence on the basis that the Western Australian Fisheries Joint Authority will give consideration in assessing that application to the merits of the considerations applied by the Executive Director of Fisheries (in respect of removing latent effort by cancelling and refusing to renew licences) when the licence held by Dulzurah was allowed to lapse in 2000 and give due regard to balancing the issues of removing latent effort, the history of the holding of the licence and the intentions of, and material costs incurred by, Dulzurah.

HAVING regard to the policies and plans and the status of the Fishery, the members of the Western Australian Fisheries Joint Authority agree that the specific management arrangements set out in Schedule 2 will apply to the Fishery.

### **Schedule 2 – Management arrangements to apply**

1. Amend the *Joint Authority Southern Demersal Gillnet and Demersal Longline Management Plan 1992* to incorporate the following elements (but stage the implementation of these elements as required by operational or other constraints):
  - implement a management regime based on effort days using the total number of units in the Fishery as the basis for calculating the extent of the entitlement in gear unit days that arises from converting the current monthly level of entitlement to exercise a gear unit to a daily level of entitlement. In implementing this scheme, the conversion values for converting a monthly time gear unit to a daily time gear unit will be:
    - 11 days for Zones 1 and 3; and
    - 19 days for Zone 2.
  - implement the Department of Fisheries VMS for all vessels of length greater than 6.9 metres:
    - provide for the VMS business (operational) rules for calculation of days fished to be legislated through a notice that is issued by the Executive Director and can be amended by him as required;
    - provide for matters related to the types of Automatic Location Communicators which may be used and their installation, service and operation to be set out in the management plan; and
    - provide for operators of vessels of 6.9 metres or less to provide written records of their operations.
  - implement a two month whiskey pupping closure from 16 August to 15 October inclusive in the Fishery each year, in zones 1 and 3 of the Fishery and zone 2 of the fishery west of Albany (118° E longitude):
    - the closure will extend west from 118° E longitude through to the northern boundary of the Fishery and on the shoreward side of a line approximating the 200 metre isobath from 16 August to 15 October inclusive in the years 2006, 2007 and 2008.
  - with respect to longlines, restrict the permitted means of operating in the Fishery in line with following:
    - limit the material used in traces and snoods to single unsheathed monofilament nylon or fluorocarbon line with a maximum width at any point of 1.8 millimetres;
    - prohibit the use of metal in the material used for the mainline (with the exception of using metal in flags, swivels, sinkers, floats and connectors);

- prohibit the use of branch lines (requiring use of a single mainline);
  - restrict the material used in the hooks (with the exception of the barb) to a maximum width at any point of 3 millimetres;
  - allow a maximum of two ferrules/swages/barrel locks/sleeves per snood;
  - allow maximum ferrule/swage/barrel lock/sleeve length of 25 millimetres;
  - allow a maximum trace or snood length of 150 centimetres measured from the mainline to the eye of the hook (the length to include the full length of the swivel, snap fastener or other device that attaches the trace to the mainline);
  - allow a maximum of one hook and one line per snood;
  - allow the swivel, snap fastener or other device that attaches the trace to the mainline to be no longer than 15 centimetres; and
  - limit the maximum external dimension (length or width) of a hook to 8 centimetres (i.e. the maximum dimension of any hook will be 8 centimetres and this will typically be the external measurement between the top of the eye and the bottom of the bend of the hook).
- implement the requirement for fishermen to take all reasonable measures to ensure all oversize dusky sharks (greater than 70 centimetre interdorsal fin length) taken are returned to the water in a way that minimises the risk of death or injury to the shark;
  - implement a requirement for skippers of vessels operating in the Fishery to accurately complete detailed catch and effort return logsheets as provided for in Schedule 1, that are in a form approved by the Executive Director of the Western Australian Department of Fisheries and are submitted to the Department within 14 days of the end of each month of operation (except during any period that VMS is not legislatively implemented, in which case the logsheets are to be returned within 7 days following any fortnightly period of operation):
  - provide for the following to be major offence provisions in the management plan:
    - operating in the Fishery without the required authorization (licence);
    - fishing in excess of entitlement;
    - fishing in closed areas;
    - fishing with other than permitted hook or net gear;
    - failing to complete and submit required logsheets; and
    - other offence provisions determined during drafting.

- provide for the establishment of a Management Advisory Committee for the Fishery to be appointed by the Western Australian Fisheries Joint Authority;
- provide for fees in respect of managed fishery licence applications for licence renewals, applications for licence variations, applications for licence transfers, applications for temporary transfer of parts of entitlements, applications for grant of licences and application for replacement authorizations to be charged to licensees in line with current charges in the *Fish Resources Management Regulations 1995*; and, with respect to the Record of Decision of 1 May 2003;
- provide for Dulzurah Pty Ltd to apply for the grant of a licence with an entitlement equal to that which Dulzurah Pty Ltd had at the time that the licence lapsed, and that the assessment of that application be on the basis of whether or not the Joint Authority determines that it is of a view that the licence should have been cancelled, suspended or not renewed in 2000;
- provide that it be a ground to refuse a transfer of entitlement if that transfer is between zones;
- remove the reference to “Fishco” as a 20-mesh user; and
- delete Zone 4 from the management plan.

SIGNED ON THE 22<sup>ND</sup> DAY OF JUNE 2006

Senator the Hon Eric Abetz

COMMONWEALTH MINISTER FOR FISHERIES, FORESTRY AND  
CONSERVATION

MEMBER OF THE WESTERN AUSTRALIAN FISHERIES JOINT AUTHORITY

SIGNED ON THE 27<sup>TH</sup> DAY OF MAY 2006

Hon Jon Ford JP MLC

MINISTER FOR FISHERIES

MEMBER OF THE WESTERN AUSTRALIAN FISHERIES JOINT AUTHORITY

## **Attachment B – Item 1: 2006/07 Meeting Minutes**

### **MEETING OF THE WESTERN AUSTRALIAN FISHERIES**

#### **JOINT AUTHORITY**

**14 September 2006**

**‘Ambassador Room’**

**Crowne Plaza Hotel**

**32 Mitchell St, DARWIN NT**

#### **Attendance**

**Members:** Mr Russell James, General Manager, Fisheries and Marine Environment Branch, Department of Agriculture, Forestry and Fisheries; Deputy for the Commonwealth Minister for Fisheries (Chair).

Mr Peter Rogers, Chief Executive Officer, Western Australian Department of Fisheries; Deputy for the Western Australian Minister for Fisheries.

**Secretary:** Mr Lindsay Joll – Department of Fisheries, Western Australia.

**Observers:** Mr Richard McLoughlin, Managing Director, AFMA (Secondary Deputy for the Commonwealth Minister for Fisheries).

Mr Bill Flaherty, Acting Executive Director, Northern Territory Department of Primary Industries, Fisheries and Mines.

Mr Steve Sly, Manager Aquatic Resources Branch, Northern Territory Department of Primary Industries, Fisheries and Mines.

Mr Dave McKey, Manager, Offshore Fisheries, Northern Territory Department of Primary Industries, Fisheries and Mines.

Mr Wade Whitelaw, Manager, Northern Fisheries, AFMA.

Ms Olivia Haines, Secretariat, Northern Australian Fisheries Management meeting, AFMA.

Mr Giles Hartwell, Policy Officer - Domestic Fisheries, DAFF.

The Chair opened the meeting at 4.35pm.

#### **Procedural Matters**

Russell James asked that the persons present identify their roles and authorities. He identified himself as the deputy for the Commonwealth Minister for Fisheries and therefore the Chair of the meeting. Peter Rogers identified himself as the deputy of the Western Australian Minister, and therefore the other member of the Joint

Authority. The Chair appointed Lindsay Joll (Department of Fisheries, Western Australia) as the secretary for the Joint Authority meeting. Richard McLoughlin identified himself as the secondary deputy for the Commonwealth Minister for Fisheries.

## **1. AGENDA**

The draft agenda for the meeting was adopted.

## **2. ACTIONS ARISING FROM THE PREVIOUS MEETING**

A copy of the Minutes from the WAFJA meeting of 22 September 2005 was tabled, along with written notes regarding the outcomes of action items arising from that meeting (Attachment 2). The WA deputy and the secretary also provided verbal updates on the action items.

### **a. Inform Commonwealth of progress implementing new management arrangements for the JANSF and the JASDGLF.**

The WA deputy advised the meeting that there had been considerable progress with the implementation of new arrangements for the two Joint Authority fisheries, the Joint Authority Southern Demersal Gillnet and Longline fishery (JASDGLF) and the Joint Authority Northern Shark Fishery (JANSF). In particular, there had been significant change in the arrangements for the JASDGLF, with a change in the form of entitlement from access in units of gear-months to units of gear-days, as well as implementation of VMS and significant changes in the nature of longline gear permitted to be used in the fishery. Because the change in the nature of the unit of entitlement (months to days) had been done at a standard conversion factor (there being no other viable alternative), it had caused serious financial impacts on two operators in Zone 1 of the Fishery (Nick Soulos and Brian Scimone). The State was responding to the impact on these two operators through Act of Grace payments and had also approached the Commonwealth regarding Joint Authority fishery operators being eligible for access to the Commonwealth fishing industry restructuring funds.

The secretary advised that the status of the subsidiary legislation for the JASDGLF was still somewhat in a state of flux. The validity of the management plan was still seen as questionable (because it had not been terminated and a new plan created at the time of the 1995 Offshore Constitutional Settlement [OCS]), although the State Solicitor's Office had advised that it would be acceptable to continue to treat the plan as valid pending a more robust solution to issues of its validity. There also continued to be no valid Regulations for the fishery because the Western Australian Fish Resources Management Regulations 1995 (FRMR) did not apply to the fishery as they were not the product of a Joint Authority decision-making process. He advised that the matter of regulations for the fishery was likely to be resolved by changing the jurisdiction of the fishery from Joint Authority to Western Australia, which would automatically bring the activities of the fishery under the umbrella of the FRMR.

### **b. Potential to move the JASDGLF to a State managed fishery**

Both the State and Commonwealth Deputies indicated that they desired to move the jurisdiction of the JASDGLF from Joint Authority to Western Australian jurisdiction, noting that this would also assist in resolving the legislative validity issues associated

with the fishery. The Commonwealth's secondary deputy indicated that, apart from a residual interest in the impacts of the fishery on gummy shark stocks, AFMA did not see an on-going need to continue the JASDGLF as a JA fishery and that the residual interest in gummy shark impacts could be dealt with bilaterally between the State and the Commonwealth. This could be achieved through an MOU associated with a new OCS.

It was determined that the WA Minister would write to the Commonwealth Minister seeking his agreement to terminate the current JA OCS arrangement and setting out his proposed timelines. He would also, at that stage, invite the Commonwealth to consider parameters that would be necessary for an MOU or other bilateral mechanism to deal with the Commonwealth's residual interests. WA indicated that its preferred timing for any termination of the OCS would need to take into account the normal fishery year/licence cycle of the fishery as it would not be desirable to terminate the arrangement during a fishery year. This meant that the earliest date for a termination of the current OCS (and the implementation of a new OCS) would be 31 May 2007.

(Note: a paper dealing with the process of terminating an OCS (Attachment 3) was included with the papers tabled for the meeting, but the paper was not considered by the meeting. Note also that the paper was based on the previous state of the Fisheries Management Act 1991(FMA) which required OCS matters to be dealt with by the Governor and Governor General. Reading State and Commonwealth Minister respectively for those terms make the paper consistent with the current status of the FMA).

***Action: WA Minister to write to Commonwealth Minister proposing transfer of jurisdiction for the JASDGLF (including proposed timelines and processes).***

**c. Approach the WAFJA for endorsement of new management arrangements for the JANSF and the JASDGLF.**

It was noted by the meeting that WA had approached the Commonwealth Minister for endorsement of the new management arrangements for the JASDGLF and that a Record of Decision had been signed to give effect to policies and plans for that fishery and that implementation of changes to the management of the fishery were well under way.

The meeting noted that there the issue of the future management of the JANSF had been "aired" informally in the press and that Senator Abetz had written to Minister Ford following those press reports. Further discussion of any endorsement of new management arrangements for the JANSF was deferred to Agenda item 2.

### **3. UPDATE ON CURRENT STATUS OF MANAGEMENT ARRANGEMENTS**

The WA deputy tabled reports on the two fisheries from the current State of the Fisheries report (Attachment 4). The meeting also noted that the status of the management arrangements of the JASDGLF had been adequately reported and discussed under Agenda item 1.

**JANSF:** The WA deputy tabled a proposed Record of Decision (RoD) related to plans and policies for the JANSF for the meeting to consider (Attachment 5). The proposed RoD dealt with the fact that the JANSF is currently an unregulated, open-

access fishery and it proposed that the Joint Authority agree to a policy to close the fishery (under a s.43 Order) and then provide for access to “recognised operators” by way of an Exemption.

The Commonwealth deputy indicated that he was uncomfortable with signing such a document because the Commonwealth Minister was not aware of it, and that it contained some matters of detail which he would need to consider more closely.

The Commonwealth’s secondary deputy similarly indicated that he needed an opportunity to consider the detail of the proposed RoD. He was also keen that the RoD be clearly based on a platform of fishery sustainability and that any use of pelagic gillnets needed to be consistent with Commonwealth policy related to drift nets.

It was agreed to defer further consideration of the proposed RoD until the following morning, to allow it to be further considered by the members and observers.

#### **4. JOINT AUTHORITY REPORT**

A draft Joint Authority report was tabled at the meeting for consideration by the Commonwealth (Attachment 6). The secretary noted that the report was tabled on the basis of being a draft for comment by the Commonwealth prior to its formal submission and asked that any comment be provided to WA. Wade Whitelaw (AFMA) requested that report be provided in electronic format to allow for changes/comments to be put in “track changes” mode.

***Action: Provide draft WAFJA report to DAFF electronically. DAFF to forward to AFMA.***

#### **5. OTHER BUSINESS**

There was no other business

Meeting adjourned until the morning of Friday 15<sup>th</sup> for further discussion of proposed Record of Decision following its consideration overnight by members and observers.

#### **6. MEETING RECONVENED 8.15 AM FRIDAY 15<sup>TH</sup>**

**Present:** Mr Russell James, Mr Peter Rogers, Mr Richard McLoughlin, Mr Lindsay Joll.

The Commonwealth deputies indicated that while the proposed RoD had merit, they considered it would need some refinement and that the Minister would need to be briefed on the proposal. The WA deputy advised that although it was not the State Minister’s preferred position, it accorded with the outcomes of the State Minister’s direct discussions with industry and was in line with the Commonwealth Minister’s stated position.

The Commonwealth’s secondary deputy noted that the principle that the fishery had to be sustainable needed to be more clearly articulated and that material around target commercial catches and trigger limits for bycatch species needed to be more explicit.

The WA deputy noted the concerns of the two Commonwealth representatives and agreed to work closely over the next week or so to produce a Record of Decision for Ministerial sign-off which all parties were agreeable to.

*Action: WA to develop (in conjunction with DAFF and AFMA) a mutually agreeable RoD for Ministerial sign-off and forward through the normal Ministerial communication processes.*

**MEETING CLOSED 0825 AM**

## **Attachment B – Item 2: 2006/07 Record of decision**

*Fisheries Management Act 1991 (Cth)*  
*Fish Resources Management Act 1994 (WA)*

### **WESTERN AUSTRALIAN FISHERIES JOINT AUTHORITY RECORD OF DECISION**

#### WHEREAS:

- a. Section 19 of the *Fish Resources Management Act 1994 WA* (the Act) provides that the Joint Authority may, by instrument in writing, delegate to a person any of its powers under the Act other than the power of delegation, and may by further instrument in writing revoke any such delegation;
- b. on 29 November 1995 the then Commonwealth Minister signed an instrument for and on behalf of the Western Australian Fisheries Joint Authority, delegating certain powers to the person performing the duties of the Minister and the person performing the duties of the Executive Director as defined in the Act;
- c. on 1 July 2006 the Act was amended by deleting references to the Executive Director of the Department of Fisheries and replacing them with references to the Chief Executive Officer of the Department of Fisheries; and
- d. the 1 July 2006 Act amendment did not effect any changes to the 29 November 1995 Delegation.

NOW we, the Joint Authority members, having regards to the nature of the powers exercisable by the Joint Authority under the Act (in particular powers relating to licensing matters), consider that the 29 November 1995 Delegation should be revoked and replaced with a new delegation instrument attached to this Record of Decision which delegates relevant powers to the persons from time to time being holding or performing the functions of the Western Australian Minister for Fisheries and the following staff of the Western Australian Department of Fisheries:

- Chief Executive Officer;
- Registrar;
- Manager of Licensing;
- Senior Licensing Officers;
- Licensing Officers;
- Administration and Finance Officers; and
- Clerical Officers.

The Joint Authority authorises the Commonwealth Minister to execute for and on behalf of the Joint Authority the instrument in the form attached to this Record of Decision, thereby revoking the 29 November 1995 Delegation and effecting the delegations of power set out in the instrument.

SIGNED ON THE 4<sup>th</sup> DAY OF JANUARY 2007

Senator the Hon Eric Abetz  
COMMONWEALTH MINISTER FOR  
FISHERIES, FORESTRY AND CONSERVATION

SIGNED ON THE 30<sup>TH</sup> DAY OF NOVEMBER 2006

Hon Jon Ford JP MLC  
MINISTER FOR FISHERIES; the KIMBERLEY,  
PILBARA AND GASCOYNE

## Attachment C – Item 1: 2007/08 Meeting Minutes

### WESTERN AUSTRALIAN FISHERIES JOINT AUTHORITY

#### Minutes of meeting of the WAFJA

26 September 2007

Ambassador Room  
Crowne Plaza Hotel  
32 Mitchell St, DARWIN

#### Attendance

**Members:** Robert (Bob) Murphy, General Manager, Fisheries and Marine Environment Branch, Department of Agriculture, Forestry and Fisheries (DAFF); Deputy for the Commonwealth Minister for Fisheries (Chair).

Peter Millington, Chief Executive Officer, Western Australian Department of Fisheries; Deputy for the Western Australian Minister for Fisheries.

**Secretary:** Mr Lindsay Joll – Department of Fisheries, Western Australia.

**Observers:** Nick Rayns, Executive Manager (Fisheries), AFMA.

Nancy Pedersen, Policy Officer - Domestic Fisheries, DAFF

Heather Brayford, Director of Fisheries, Northern Territory Department of Primary Industries, Fisheries and Mines (NTFJA deputy).

Grant Hall, Executive Director (Fisheries), Queensland Department of Primary Industries and Fisheries (QFJA deputy)

Jim Gillespie, General Manager, Fisheries Resource Management, Queensland Department of Primary Industries and Fisheries

Shane Hansford, Principal Fisheries Resource Management Officer Queensland Department of Primary Industries and Fisheries

Mark Doohan, General Manager, Boating and Fishing Patrol, Queensland Department of Primary Industries and Fisheries

Dave McKey, Manager, Offshore Fisheries, Northern Territory Department of Primary Industries, Fisheries and Mines.

The Chair opened the meeting at 3.30 pm.

## **AGENDA**

The draft agenda for the meeting (Attachment 1) was adopted.

### **1. PROCEDURAL MATTERS**

#### **a) Identification of members**

Bob Murphy asked that the persons present identify their roles and authorities. He identified himself as the Deputy for the Commonwealth Minister for Fisheries and therefore the Chair of the meeting. Peter Millington identified himself as the Deputy of the Western Australian Minister and therefore the other member of the Joint Authority. The members appointed Lindsay Joll (Department of Fisheries, Western Australia) as the secretary for the Joint Authority meeting.

#### **b) Confirmation of previous Minutes (14 September 2006)**

The Minutes of the meeting of 14 September 2006 were accepted into the record.

### **2. REVIEW OF ACTIONS ARISING FROM SHARK/OCS (Officials) MEETING IN PERTH ON 3 & 4 SEPTEMBER**

#### **a) Joint Authority Northern Shark Fishery (JANSF)**

The WA Deputy tabled a status report on Northern Shark Fisheries (extract from Western Australia's 2005/06 "State of the Fisheries") [Attachment 2]. He noted that due to the publication cycle of State of the Fisheries the 2006/07 report had not been available to be tabled at the meeting. However the Department's 2006/07 Annual Report (which contains some relevant information) had been tabled in Parliament and would be sent to DAFF for their records out of session. It was also noted that the State of the Fisheries report covered both the WA North Coast Shark Fishery (WANCSF) and the JANSF due to the need to combine the fisheries for data confidentiality reasons.

The Secretary advised that the 2005/06 status report related to a situation where WA had closed most of the WANCSF and was (at the time) more amenable to the development of a gillnet fishery as an alternative to longlining.

The WA Deputy summarised the matters arising from 3 September relevant to the JANSF:

- WA Minister has signalled that he supports the framework agreed between officials by which the JANSF could be progressed as a net fishery.
- WA Minister has signalled his agreement to co-signing with the Commonwealth Minister for Fisheries, a letter to the Commonwealth Minister for the Environment seeking an extension of the Wildlife Trade Operation on the basis of the framework agreed between officials.
- On the basis that the framework did not support the continued operation of longlines in the fishery, he supported the implementation of a S.43 Order under the Western Australian Fish Resources Management Act 1994 to prohibit the use of longlines in the JANSF.

The Commonwealth Deputy noted that letters had been sent (or would be sent) from the Commonwealth Minister for Fisheries regarding:

- the desirability of prompt action to amend those parts of the Western Australian Fish Resources Management Act 1994 related to Offshore Constitutional Settlement arrangements to mirror the Commonwealth OCS arrangements (received by WA)
- the framework agreed between officials by which the JANSF could be progressed as a net fishery and the use of that framework as a basis for seeking an extension of the current WTO (not yet received by WA).

The Commonwealth Deputy noted that the framework agreed between officials by which the JANSF could be progressed as a net fishery set out a process to move forward with the JANSF. The WA Deputy noted that the issue of the status of the stock and the sustainable yield from the fishery would be dealt with by the Northern Stock Assessment Group (NSAG) at its next meeting in March/April 2008.

**b) Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery.**

The WA Deputy tabled a status report on the Demersal Gillnet and Longline Fisheries (extract from Western Australia's 2005/06 "State of the Fisheries") [Attachment 3]. As with the Northern Shark Fishery status report, he noted that due to the publication cycle of State of the Fisheries the 2006/07 report had not been available to be tabled at the meeting. However the Department's 2006/07 Annual Report (which contains some relevant information) had been tabled in Parliament and would be sent to DAFF for their records out of session.

The WA Deputy noted that the management changes to remove latent effort by the implementation of "days fished", as well as various other State fishery measures (e.g. wire trace prohibition, commercial protection for sharks and rays) to reduce shark fishing mortality outside the "shark" fisheries, had all received the relevant Joint Authority or State Ministerial approvals. However, not all measures had yet been implemented due to the higher drafting priority for the West Coast Demersal Scalefish management arrangements. He noted that despite the lack of formal legislation, there was a high level of voluntary compliance with the new arrangements.

Referring to the information in the status report the Western Australian Deputy noted that the stocks of Dusky Sharks were declining, Whiskery Sharks were increasing, Gummy Shark stocks were adequate and Sandbar Shark stocks were declining. He noted that it would be some time before Dusky and Sandbar Sharks responded to the new management measures.

The WA Deputy noted that with the responses seen in the Gummy and Whiskery Shark stocks, and the prospect that the new management arrangements would deliver what could reasonably be delivered for Dusky and Sandbar Sharks, that it was time for the OCS arrangements to be changed and the Southern Demersal Gillnet and Demersal Longline Fishery moved to State jurisdiction (subject to appropriate agreements/MOUs with AFMA on species such as School Shark).

The Commonwealth Deputy recommended that officials progress this discussion and reach a sound position prior to engagement with industry.

The Secretary noted that the proposal to move the Southern Demersal Gillnet and Demersal Longline Fishery to State jurisdiction had also been raised in the broad OCS

discussions of 2006 and again more recently in the 3/4 September 2007 shark/OCS discussion and that the move had been supported in those forums as well.

***Action: Officials to progress the process of moving the Southern Demersal Gillnet and Demersal Longline Fishery to State jurisdiction.***

### **3. JOINT AUTHORITY REPORTS**

There were no Joint Authority reports to present. The Commonwealth noted that WA had now not submitted its 2004/05 and 2005/06 Joint Authority reports and requested that this lapse be remedied. WA promised to have the 2004/05 report presented within two months and the 2005/06 report available by Christmas.

***Action: 2004/05 and 2005/06 Joint Authority Reports to be submitted in accordance with agreed timelines.***

### **4. OTHER BUSINESS**

There was no other business. However, on a more general OCS matter, the Commonwealth advised during the course of the meeting that efforts were underway to resolve the anomaly of the “less than 200m triangle” in the North West Slope Trawl Fishery. AFMA noted that there was a “hiccup” in delegations within AFMA that required the matter to be dealt with by a meeting of the AFMA Board.

### **5. NEXT MEETING**

It was agreed that the next meeting should be held in conjunction with NAFM 2008.

Meeting closed 4.00 pm.

## **Attachment D – Item 1: 2008/09 Record of decision #1**

*Fisheries Management Act 1991*

*Fish Resources Management Act 1994*

### **WESTERN AUSTRALIAN FISHERIES JOINT AUTHORITY RECORD OF DECISION**

#### **Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery**

WHEREAS the Western Australian Fisheries Joint Authority has the function of, *inter alia*, formulating policies and plans for the good management of the Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery (the Fishery).

NOW we, the members of the Western Australian Fisheries Joint Authority, agree that the management arrangements set out in the Schedule are to apply to this Fishery.

#### **Schedule**

Amend the *Joint Authority Southern Demersal Gillnet and Demersal Longline Fishery Management Plan 1992* (the Plan) to:

- Remove the requirement for the Net and Hook Management Advisory Committee to be consulted before amending or revoking the Plan and specify that the authorisation holders of the Fishery are the persons to be consulted prior to amendment or revocation of the Plan;
- Provide power to the Department of Fisheries WA Chief Executive Officer to declare a closure of the Fishery in certain areas and for certain times for protecting pupping whiskery sharks, through a Notice published in the Government Gazette on advice from the Department of Fisheries WA Director of Research and following consultation with authorisation holders;
- Implement the Department of Fisheries Vessel Monitoring System for all vessels of length less than 6.9 metres from 1 June 2010 and provide for matters related to the types of Automatic Location Communicators which may be used and their installation, service and operation to be set out in the Plan; and
- Implement the management regime specified in Schedule 2 (1) of the Western Australian Fisheries Joint Authority 2006 Record of Decision, by converting the daily level of entitlement per gear unit for each zone of the Fishery to an hourly level of entitlement. In implementing this scheme, the conversion value for converting a daily time gear unit to an hourly time gear unit will be:
  - 24 hours for Zones 1 and 3; and
  - 20 hours for Zone 2.

SIGNED ON THE 4<sup>TH</sup> DAY OF MARCH 2009

The Hon Tony Burke MP  
COMMONWEALTH MINISTER FOR  
AGRICULTURE, FISHERIES AND FORESTRY

SIGNED ON THE 4<sup>TH</sup> DAY OF FEBRUARY 2009

Hon Norman Moore JP MLC  
MINISTER FOR MINES AND PETROLEUM;  
FISHERIES; ELECTORAL AFFAIRS

## **Attachment D - Item 2: 2008/09 Record of decision #2**

*Fisheries Management Act 1991*

*Fish Resources Management Act 1994*

### **WESTERN AUSTRALIAN FISHERIES JOINT AUTHORITY**

#### **RECORD OF DECISION**

#### **Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery**

WHEREAS the Western Australian Fisheries Joint Authority has the function of, *inter alia*, formulating policies and plans for the good management of the Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery (the Fishery).

NOW we, the members of the Western Australian Fisheries Joint Authority, agree that the management arrangements set out in the Schedule are to apply to this Fishery.

#### **Schedule**

Amend the *Joint Authority Southern Demersal Gillnet and Demersal Longline Management Plan 1992* (the Plan) to:

- prohibit the selling, purchasing or dealing in, or the attempted selling, purchasing or dealing in fish taken from the Fishery in contravention of the Plan; and
- prohibit the selling, purchasing or dealing in, or the attempted selling, purchasing or dealing in fish unless those fish were taken by the holder of a commercial fishing licence while operating in accordance with the provisions of a licence,

which will in turn give provision to the Department of Fisheries Western Australia to successfully prosecute cases of the black market sale and purchase of fish.

SIGNED ON THE 11TH DAY OF MAY 2009

The Hon Tony Burke MP

COMMONWEALTH MINISTER FOR

AGRICULTURE, FISHERIES AND FORESTRY

SIGNED ON THE 8<sup>TH</sup> DAY OF APRIL 2009

Hon Norman Moore JP MLC  
MINISTER FOR MINES AND PETROLEUM;  
FISHERIES; ELECTORAL AFFAIRS

## **Attachment E – Item 1: 2009/10 Minutes of meeting**

### **WESTERN AUSTRALIAN FISHERIES JOINT AUTHORITY**

#### **Minutes of 2009 meeting of the WAFJA**

Crowne Plaza Hotel  
32 Mitchell St, DARWIN  
4 November 2009

#### **Attendance**

##### **Members**

Roland Pittar, General Manager Fisheries DAFF; Deputy for the Commonwealth Minister for Fisheries (Chair).

Heather Brayford, Director Aquatic Management, Western Australian Department of Fisheries; Deputy for the Western Australian Minister for Fisheries.

**Secretary** Lindsay Joll – Department of Fisheries, Western Australia.

**Observers** Ian Curnow, NT Fisheries  
Dave McKey, NT Fisheries  
Shane Hansford, Qld DPI  
Jim Groves, Qld DPI  
James Findlay AFMA  
Phil Domaschenz AFMA  
Gavin Begg BRS

The Chair opened the meeting at 3.20 pm.

#### **Agenda**

The draft agenda for the meeting was adopted.

#### **1. PROCEDURAL MATTERS**

##### **a). Identification of members**

Roland Pittar identified himself as the Deputy for the Commonwealth Minister for Fisheries and therefore the Chair of the meeting. Heather Brayford identified herself as the Deputy of the Western Australian Minister and therefore the other member of the Joint Authority. The members appointed Lindsay Joll (Department of Fisheries, Western Australia) as the secretary for the Joint Authority meeting.

## **b.) Confirmation of previous Minutes**

The Minutes of the meeting of 26 September 2007 were tabled. Both members noted that they did not take part in the 2007 meeting but, on the advice of the Secretary (who was present), determined to accept the Minutes into the record.

It was noted that a Joint Authority meeting was not held in 2008 due to Western Australia being in the early stages of an incoming Government and that no WA Minister had been appointed. However, an informal meeting was held between officials in conjunction with the 2008 NAFM meeting.

## **2. JOINT AUTHORITY NORTHERN SHARK FISHERY**

Members noted that at last year's informal meeting the situation with the JANSF and the need to resolve the jurisdiction/management arrangements had been discussed. This issue was also discussed at an informal meeting between the Commonwealth Minister (Tony Burke) and the WA Minister (Norman Moore) in January 2009. At the meeting between Ministers it was agreed that a Discussion/Options paper be jointly prepared by DAFF/DoF to provide a basis for formal Joint Authority consideration of the directions for the fishery.

Members noted that the paper had been largely prepared but was not yet fully settled and that it currently "rested" with DAFF.

Brief discussion ensued around the options described in the paper and the Commonwealth Member committed DAFF to considering the paper internally in the near future with a view to having it settled.

The WA Member indicated that WA would like to see the paper settled soon and a "way forward" determined by mid-2010.

The Secretary also informed the members that the WA Government was actively examining the scope for a Marine Park in state waters in the Camden Sound area for the purpose of ensuring the conservation of this area as a habitat for whales. He advised the meeting that shark gillnetting in this area could be raised as an issue and noted that the Joint Authority may be asked to give effect to legislation related to gillnetting to support the management plan for a state Marine Park.

## **3. JOINT AUTHORITY SOUTHERN DEMERSAL GILLNET AND DEMERSAL LONGLINE FISHERY**

Members noted the discussions in the 2007 JA meeting and in other forums regarding the appropriateness of, and interest of the two jurisdictions in, moving the Joint Authority Southern Demersal Gillnet and Demersal Longline Fishery (JASDGDLF) to state jurisdiction.

The Members discussed the reasons why the fishery had been created as a JA fishery in the first place and why, in the current environment, the issues of spanning

stocks of school and, to a lesser extent, gummy sharks could be better dealt with by MOUs between jurisdictions about how to deal with spanning stocks.

The Members agreed that moving the JASDGDLF was appropriate and that, now that WA was on the verge of finalising an amendment to the FRMA which would permit OCS arrangements to be made compatibly with Commonwealth legislation, the move should occur. The Secretary advised that, as such a move needs to be tied to the licensing year, the first time that the change could realistically happen (given the lead-in of a new OCS arrangement and a new state jurisdiction management plan) was the commencement of the 2011 licensing year (1 June 2011).

Members determined to advise their respective Ministers of the agreed position reached at the meeting and noted that formalising the position would require the Ministers, as the Joint Authority, to sign a Record of Decision to that effect.

WA, as the jurisdiction with direct management responsibility, undertook to put that process in train, by providing a Record of Decision for Minister Moore to sign and forward to Minister Burke. WA would also develop, in conjunction with the Commonwealth, a process and timelines for the creation of a new OCS agreement (and a new state jurisdiction management plan) and advise the Commonwealth when the amendments to the FRMA to permit a new OCS agreement were in effect.

*Actions:*

- a. *Members to advise respective Ministers of agreed position on moving JASDGDLF to state jurisdiction.*
- b. *WA to produce Record of Decision documentation to forward to Minister Moore for signature and on-forwarding to Minister Burke for his signature.*
- c. *WA to develop (in conjunction with the Commonwealth) a process and timelines for a new OCS agreement and state jurisdiction management plan and advise the Commonwealth when the FRMA amendments permitting new OCS agreements were in effect.*

#### **4. ANNUAL REPORTS**

WA advised that while the 2004/05 report had been submitted and tabled, submission of reports for other years was lagging.

A draft of the 2005/06 report had been produced and, because it had been designed to simply incorporate the relevant “State of the Fisheries” reports for the fishery, it also formed a template which would permit prompt production of the reports for the other missing years.

Discussion ensued with the other Joint Authority jurisdictions present as observers as to the formats used or planned for their reports. As a result of that discussion the Commonwealth requested each state/territory member of the various Joint Authorities to provide them with a draft of the report format that they considered most appropriate and the Commonwealth would consider if they were acceptable.

It was also noted that the Commonwealth member would investigate possible means to “streamline” outstanding JA reports and their presentation to Parliament as part of considering proposed formats for the reports.

*Action:*

- 1. WA to provide the Commonwealth with a draft of what it considers appropriate for WAFJA reporting by the end of November and the Commonwealth to advise if that is suitable.*
- 2. Commonwealth member to also provide advice on possible “streamlining” of outstanding JA reports.*

**5. OTHER BUSINESS**

There was no other business.

**6. NEXT MEETING**

It was agreed that the next meeting should be held in conjunction with NAFM 2010.

Meeting closed 3.45 pm

## **Attachment F – Item 1: 2010/11 Minutes of meeting**

### **WESTERN AUSTRALIAN FISHERIES JOINT AUTHORITY**

#### **Minutes of 2010 meeting of the WAFJA**

AFMA Offices

Dixon Advisory Building

73 Northbourne Ave, CANBERRA

18 November 2010

#### **Attendance**

**Members** Simon Veitch, Acting General Manager Fisheries, Department of Agriculture, Forestry and Fisheries (DAFF); Delegate for the Commonwealth Minister for Fisheries (Chair).

Heather Brayford, Director Aquatic Management, Department of Fisheries, Western Australia; Deputy for the Western Australian Minister for Fisheries.

**Secretary** Lindsay Joll – Department of Fisheries, Western Australia.

**Observers** Ian Curnow, NT  
Dave McKey, NT  
Jim Groves, Qld  
Ben Westlake, Qld  
Brodie McDonald AFMA

The Chair opened the meeting at 1.15 pm.

#### **AGENDA**

The draft agenda for the meeting was adopted.

## **1. PROCEDURAL MATTERS**

### **a) Identification of members**

Simon Veitch identified himself as the Delegate for the Commonwealth Minister for Fisheries and therefore the Chair of the meeting.

Heather Brayford identified herself as the Deputy of the Western Australian Minister for Fisheries (Instrument of Appointment tabled) and therefore the other member of the Joint Authority. The members appointed Lindsay Joll (Department of Fisheries, Western Australia) as the secretary for the meeting.

### **b) Confirmation of previous Minutes**

The Minutes of the meeting of 4 November 2009 were tabled. Heather Brayford, as the WA member present at that meeting, advised that they were an accurate record of the meeting. Simon Veitch advised that Roland Pittar (Chair of the 2009 meeting) had also advised that the minutes were an accurate record. Both members confirmed the Minutes of the 2009 meeting.

## **2. JOINT AUTHORITY NORTHERN SHARK FISHERY (JANSF)**

The Members noted the discussion that had been held earlier in the day in the Northern Australian Fisheries Committee (NAFC) meeting regarding an agreement between the management agencies to progress the development of a unified approach to managing northern shark fisheries and determined that the best approach for the Joint Authority was to engage in, and be informed by, that process rather than a separate process.

WA signalled that it had sustainability concerns for the JANSF related to both the take of large sharks by longline and the take of “blacktip species” by gillnet, noting the current levels of take of blacktips from the northern stock in the Northern Territory and Queensland. WA also has concerns about bycatch of TEP species associated with the use of gillnets as well as cross-fishery impacts (primarily mackerel).

WA noted that it had produced a joint draft paper with DAFF setting out the issues and options associated with the JANSF. Members agreed that the process put in place by management agencies in NAFC to deal with northern shark fisheries had essentially overtaken the joint process between WA and DAFF on the JANSF and that work on the joint paper should cease.

## **3. JOINT AUTHORITY SOUTHERN DEMERSAL GILLNET AND DEMERSAL LONGLINE FISHERY (JASDGDLF)**

WA advised that there had been an “in principle” agreement at the 2009 WAFJA meeting to move the JASDGDLF to WA jurisdiction and that a Record of Decision to that effect had been signed by the WA Minister and forwarded to the (then) Commonwealth Minister. The (then) Commonwealth Minister had responded by advising that he felt that the matter should be considered in the context of a broader approach to Offshore Constitutional Settlement (OCS) issues. The matter had then moved into abeyance with the Federal election.

WA advised that it was still interested in streamlining its management and administration of the two temperate demersal gillnet and longline fisheries by bringing the JASDGDLF under WA jurisdiction, noting that such a move would need to be teamed with appropriate harvest strategies for shared species.

The Commonwealth advised that any proposal to move the JASDGDLF needed to be cognisant of industry concerns about a jurisdictional change. WA advised that the view of the WA Fishing Industry Council (the recognised peak body) would be considered as the matter progressed.

WA advised that management issues related to shark were described in the annual reports, but that in short there had been significant management action which had effectively dealt with sustainability concerns related to sharks.

Sustainability issues around demersal scalefish, and the level of take of demersal scalefish by the two temperate demersal gillnet and longline fisheries, was being dealt with through the processes for management of demersal scalefish. These processes require at least a 50% reduction in take of demersal scalefish on the west coast (to 115° 30' E on the south coast) by all sectors. This impacts on Zone 1 of the JASDGDLF, but given that the eastern boundary of Zone 1 extends to 116° 30' E, the degree to which the 50% reduction applies in the waters east of 115° 30' E is still under consideration.

WA also advised that resource sharing issues with the recreational sector over the take of demersal scalefish by the two temperate demersal gillnet and demersal longline fisheries were significant. In particular, the take of scalefish in the eastern part of Zone 1 of the JA fishery (115° 30' E to 116° 30' E) had received significant focus and a process run by the WA Fishing industry Council (WAFIC) and Recfishwest was attempting to reach a settlement of the issue.

WA further advised that matters related to a Wildlife Trade Operation (WTO) condition to assess possible impacts of the temperate demersal gillnet and demersal longline fisheries on Australian Sea Lion populations was being dealt with through the normal process of responding to WTO conditions.

Finally, WA advised that a fishery activity had sprung up on the south coast using demersal gillnets of less than 114 millimetres mesh to take fish. This had been possible because the definition of the JASDGDLF relates to the use of demersal gillnets to take fish using nets with mesh of 114mm or greater. The sub-114mm mesh fishery was effectively an “open access”, unregulated Joint Authority fishery. WA advised that action would be required to deal with this activity, which was impacting on recreational fishers and was generally viewed as an undesirable development by commercial fishers.

To progress this matter WA would consult with WAFIC and Recfishwest, but it was likely that WA would be approaching the Commonwealth for a WAFJA Record of Decision to prohibit the use of sub-114mm demersal gillnets.

#### **4. ANNUAL REPORTS**

WA advised that, following reaching agreement with the Commonwealth on a more streamlined report format, it had provided annual reports for 2005/06, 2006/07 and 2007/08 in March this year and that production of the 2008/09 report

was underway. The Commonwealth advised that it was aware of the 2005/06 report but not the later reports.

WA undertook to determine where in the Commonwealth system the reports had been sent (DAFF, AFMA, Commonwealth Minister) and, if the Commonwealth was ultimately unable to locate those reports, to re-send them.

## **5. OTHER BUSINESS**

WA advised that the *Fish Resources Management Act 1994* had been amended to mirror the OCS/Joint Authority framework of the Commonwealth's *Fisheries Management Act 1991* and that it was now positioned to deal with OCS/JA matters. The Commonwealth was pleased to note that this had happened.

## **6. NEXT MEETING**

Noting that NAFC may be held earlier in the year to deal with outcomes from the shark considerations, it was agreed that the next meeting should be held in around 12 months time and, if possible, in conjunction with another fisheries meeting to reduce costs.

Meeting closed 1.35 pm.

## **Attachment G – Item 1: 2011/12 Minutes of meeting**

### **WESTERN AUSTRALIAN FISHERIES JOINT AUTHORITY**

#### **Minutes of 2011 meeting of the WAFJA**

Coolangatta Room, Jupiters Hotel

Broadbeach, Gold Coast

QUEENSLAND

27 October 2011

#### **Attendance**

**Members** Nick Rayns, General Manager, Australian Fisheries Management Authority; Deputy for the Commonwealth Minister for Fisheries (Chair).

Heather Brayford, Director Aquatic Management, Department of Fisheries, Western Australia; Deputy for the Western Australian Minister for Fisheries.

**Secretary** Lindsay Joll – Department of Fisheries, Western Australia

**Observers** Ian Curnow, NT  
Dave McKey, NT  
Melissa Brown, AFMA  
Brodie MacDonald, AFMA

The Chair opened the meeting at 12.25pm.

#### **AGENDA**

The draft agenda for the meeting was adopted.

##### **1. PROCEDURAL MATTERS**

###### **a) Identification of members**

Nick Rayns identified himself as the Deputy for the Commonwealth Minister for Fisheries and therefore the Chair of the meeting (Instrument of Appointment tabled).

Heather Brayford identified herself as the Deputy for the Western Australian Minister for Fisheries (Instrument of Appointment tabled) and therefore the other member of the Joint Authority.

The members appointed Lindsay Joll (Department of Fisheries, Western Australia) as the secretary for the meeting.

### **c) Confirmation of previous Minutes**

The Minutes of the meeting of 18 November 2010 were tabled. Heather Brayford, as the WA member present at that meeting, advised that she considered that they were an accurate record of the meeting. Members determined to accept the Minutes as a true record.

## **2. JOINT AUTHORITY NORTHERN SHARK FISHERY (JANSF)**

The Members noted the discussion that had occurred earlier in the day in the Northern Australian Fisheries Committee (NAFC) meeting regarding the NAFM workshop on northern shark and the NAFC agenda paper that had flowed from that.

Members determined that they were satisfied that the pathway set out by NAFC following its consideration of the northern shark agenda item provided a suitable process to progress management arrangements.

The WA member advised the Commonwealth member of the exchange of correspondence that had occurred between the two Ministers. They noted that there were no outstanding matters between Ministers and that progress on settling arrangements would occur through the NAFC/NAFM process. This would include WA meeting with fishery operators and setting out the approach proposed by NAFC/NAFM. WA's final position on progressing the NAFC/NAFM approach will need to await the outcomes of this consultation process.

## **3. JOINT AUTHORITY SOUTHERN DEMERSAL GILLNET AND DEMERSAL LONGLINE MANAGED FISHERY (JASDGDLF)**

### ***Target Stock Sustainability***

WA advised that, as a result of the significant management action that has been taken in recent years, the status of the whiskery shark stock has changed from "recovering" to "acceptable", the status of the dusky shark stock has changed from "over-exploited" to "recovering" and the status of the gummy shark stock remains at an acceptable level.

### ***Management of Demersal Scalefish on the West Coast***

WA also advised that the catch of demersal scalefish in the area of the JASDGDLF that operates on the west coast (33°S latitude around the Capes to 115°30'E longitude) is being closely monitored against the objective of reducing catches of demersal scalefish by 50% of 2005/06 levels across both the commercial and recreational sectors. A complication arises with respect to the JASDGDLF due to the boundary of Zone 1 extending to 116°30'E longitude on the south coast. The Department is currently considering the appropriateness of

applying a demersal scalefish management objective to the entire Zone (i.e. 33°S latitude to 116°30'E longitude).

### ***Wildlife Trade Operation (WTO) Expiry and Re-Assessment***

The temperate demersal gillnet and demersal longline fisheries WTO export approval expires in March 2012. Of the conditions attached to the WTO, the most critical is the completion of a study to estimate the risk of interactions between fishers and Australian sea lions and determine scientifically robust levels of observer coverage required for the purposes of designing an appropriate and effective observer program.

Murdoch University has recently completed a modelling study to estimate interaction rates between Australian sea lions and WA's temperate demersal gillnet fisheries. The draft report is currently being reviewed and is expected to be submitted to FRDC in November.

Consideration now needs to be given toward determining scientifically robust levels of observer coverage required for the purposes of designing an appropriate and effective observer program, noting that while the paper indicated high levels of interaction (under the definition used), available 'on ground' data suggests very low levels of interaction.

The Department is currently discussing its options with industry, prior to commencing negotiations with the (Commonwealth) Department of Sustainability, Environment, Water, Populations and Communities.

### ***Scalefish and Resource Sharing Issues on the South Coast***

The Save Our Fish Stocks (SOFS) group continue to raise concerns regarding the operation of the JASDGDLF, specifically in relation to its impact on the sustainability of demersal scalefish stocks on the south coast between Windy Harbour and Walpole. The SOFS group recently lodged a petition in Parliament calling for the closure of the JASDGDLF on WA's south coast.

The Department recently submitted an application for funding through the State's Natural Resource Management (NRM) program for the purpose of carrying out an assessment of the status of demersal scalefish stocks on the south coast. Subject to funding, the project is expected to run over three years commencing in late 2011/early 2012 and being finalised in late 2014/early 2015.

In the meantime, the WA Minister is considering whether precautionary interim management action needs to be taken to deal with potential localised depletion issues. While any management action is likely to affect both recreational and commercial fishers, should the action need to include the JASDGDLF, the WA Minister will seek the support of his Commonwealth counterpart for implementing any proposed modified arrangements.

### ***Commonwealth Marine Bioregional Planning***

A revised Commonwealth Southwest marine reserves network has recently been "released" to industry for further comment. The revised network will significantly impact Zone 1 and 3 of the JASDGDLF, particularly within the Geographe Bay and Black Point area. Should the revised zoning scheme remain, further effort adjustments are likely to be required. In comparison to the original

draft, the revised marine reserves network also has greater impacts on Zone 2 of the JASDGDLF.

***Open-access Near-shore Joint Authority Fishery***

The sub-114 millimetre mesh demersal gillnet fishery on the south coast remains an “open-access”, unregulated Joint Authority fishery. The Department is currently consulting with WAFIC regarding options for the future management of this activity. Options include prohibiting the activity altogether, or limiting access in line with historical activity. Should new management arrangements be required, the WA Minister will seek the support of his Commonwealth counterpart for the new arrangements.

**4. ANNUAL REPORTS**

WA advised that all Joint Authority annual reports were up to date. Production of the 09/10 report is underway now that the Department’s *State of the Fisheries and Aquatic Resources 2010/11* report has been published.

**5. OTHER BUSINESS**

WA advised that it remained interested in transitioning the JASDGDLF to State jurisdiction noting that the WA Minister had written to the Commonwealth Minister on the matter. While the reasons that the Commonwealth Minister had not supported a transition in the short-term were recognised, WA remained interested in the transition occurring.

**6. NEXT MEETING**

At a date to be determined and, if possible, in conjunction with another fisheries meeting to reduce costs.

Meeting closed 12.40 pm.

## **Attachment H – Item 1: 2012/13 Minutes of meeting**

### **WESTERN AUSTRALIAN FISHERIES JOINT AUTHORITY**

#### **Minutes of 2012 meeting of the WAFJA**

Aquarium Room (AFMA offices)  
L6/ 73 Northbourne Ave  
CANBERRA  
7 December 2012

#### **Attendance**

**Members** Nick Rayns, Executive Manager, Australian Fisheries Management Authority; Deputy for the Commonwealth Minister for Fisheries (Chair).

Heather Brayford, Deputy Director General, Department of Fisheries, Western Australia; Deputy for the Western Australian Minister for Fisheries.

**Secretary** Lindsay Joll – Department of Fisheries, Western Australia.

**Observers** Ian Curnow (NT), Dave McKey (NT), Fiona Hill (AFMA), Katie Scutt (AFMA), Shalan Bray (DAFF), Maria Mohr (Qld)

#### **1. AGENDA**

The draft agenda for the meeting was adopted.

#### **2. PROCEDURAL MATTERS**

##### **a) Identification of members**

Nick Rayns identified himself as the Deputy for the Commonwealth Minister for Fisheries and therefore the Chair of the meeting (Instrument of Appointment tabled).

Heather Brayford identified herself as the Deputy for the Western Australian Minister for Fisheries (Instrument of Appointment tabled [Attachment 2]) and therefore the other member of the Joint Authority.

The members appointed Lindsay Joll (Department of Fisheries, Western Australia) as the secretary for the meeting.

##### **b) Confirmation of previous Minutes**

The Minutes of the meeting of 27 October 2011 were tabled. Members confirmed the Minutes as a true record.

### **3. JOINT AUTHORITY NORTHERN SHARK FISHERY (JANSF)**

The Members noted the discussion that had occurred earlier in the day in the Northern Australian Fisheries Committee (NAFC) meeting regarding northern shark fishery matters. In particular it was noted that:

- The management of shark stocks in the JANSF (and the WA North Coast Shark Fishery [WANCSF]) was operating on the basis of the harvest strategy developed at the 2011 Cairns NAFM meeting and supported by NAFC at its October 2011 meeting (subject to WA engaging with JANSF and WANCSF operators) (i.e. zero catch in WA, maintain catches at current levels in NT and Queensland).
- WA DoF has written to the WA Fishing Industry Council (with a copy to the NSIA) to explain the basis for a zero catch in WA under the harvest strategy. The NSIA has written in response seeking a meeting and further explanation of the reasons for the position taken. It is expected that a meeting will be held early in 2013. AFMA would be invited to attend this meeting, as would a representative of the NT Department.

It was noted that Prof Carl Walters had recently completed a range of stock assessments of northern species (including ‘blacktip’ sharks) for the Northern Territory and that this assessment document could be useful in future discussions. Northern Territory (as observers) indicated the report would be provided when finalised.

The WA Minister has previously written (May 2011) to the Federal Minister articulating the issues with regard to the JANSF.

### **4. JOINT AUTHORITY SOUTHERN DEMERSAL GILLNET AND DEMERSAL LONGLINE MANAGED FISHERY (JASDGLF)**

The Members noted the discussion that had occurred earlier in the day in the Northern Australian Fisheries Committee (NAFC) meeting regarding southern shark fishery matters. In particular it was noted that:

- Matters around the sustainability of target species were largely under control as a result of the significant management actions taken in recent years. The current status of both whiskery and gummy shark stocks is “acceptable” and the status of the dusky shark stock is “recovering”.
- The WTO for the fishery (covering both the JA fishery and the State-jurisdiction fishery on the west coast) had been renewed during 2012, following significant discussion with and review by SEWPaC of matters relating to sea lion interactions in the fishery.
- The WTO granted (and more particularly the accreditation under Part 13) included a number of conditions related to the need for on-going responses to sea lion interaction issues. WA is currently considering how best to respond to those conditions and expects to have dialogue with SEWPaC during 2013 on the nature of its proposed response.

WA noted with interest the NAFC paper (agenda item 8) dealing with TEP interaction in gillnet fisheries around Australia as offering possible new avenues to examine in developing its response.

## **5. ANNUAL REPORTS**

It was noted that the annual reports were currently being finalised and will be sent to the States for officer level approval before being sent to the respective Ministers and then tabled in Federal parliament. Once this is complete, the annual reports will be up to date. Members agreed that the process of consolidating JA reports nationally had been useful.

## **6. OTHER BUSINESS**

WA advised that the implementation of Commonwealth marine reserves was likely to have significant effects on the JASDGLF and that it was engaging with SEWPaC as the implementation process progressed, including the development of management plans for the reserves and fisheries adjustment processes.

It was noted that the matter of the 'sub-114mm open-access gillnet fishery' on the south coast is still a matter for consideration. At this stage it is expected that the matter will be considered further as part of the review of south coast finfish management arrangements planned for 2013. Should new management arrangements be required, the WA Minister will seek the support of his Commonwealth counterpart.

WA advised that it remained interested in transitioning the JASDGLF to State jurisdiction noting that there had previously been correspondence between the WA Minister and the Commonwealth Minister on the matter.

## **7. NEXT MEETING**

At a date to be determined and, if possible, in conjunction with NAFC (or similar) to reduce costs.

Meeting closed 12.36 pm.