

Fisheries Management Act 1991
(Commonwealth)

Fish Resources Management Act 1994
(Western Australia)

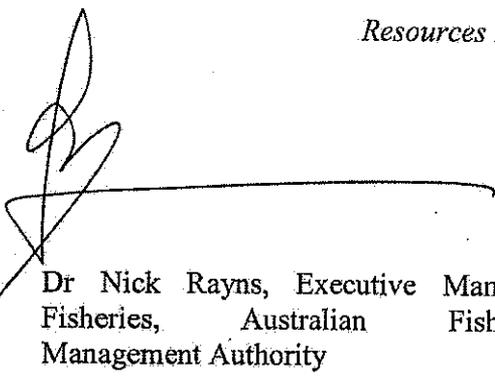
Western Australia Fisheries Joint Authority

Annual Report for the Period

1 July 2014 – 30 June 2015

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*.



Dr Nick Rayns, Executive Manager,
Fisheries, Australian Fisheries
Management Authority

Deputy to the Commonwealth Member,

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



Heather Brayford, Director General,
Department of Fisheries, Western
Australia;

**Deputy to the Western Australian
State Member,**

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

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Australian Fisheries Management Authority

CANBERRA

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1. Introduction

This is the twenty first annual report of the Western Australia Fisheries Joint Authority (WAFJA). This report details the activities undertaken during the period 1 July 2014 to 30 June 2015 and information on the status of the fisheries in the most recently available reporting period (2013/14).

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). Attachments A and B provide the relevant arrangements under which the WAFJA is currently operating.

3. Members of the Joint Authority

The members of the WAFJA during the reporting period of 1 July 2014 to 30 June 2015 are provided in Table 1. The 2014 WAFJA meeting was attended by nominated deputies on behalf of the members (Table 1).

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

During the reporting period (2014/15), one WAFJA meeting was held on 26 November 2014 to discuss matters relevant to the WAFJA. A record of this meeting is at [Attachment C](#). No decisions were made in the reporting period.

Table 1 – Members and nominated deputies of the WAFJA for the period 2014 – 2015

Role	Commonwealth	Western Australia
Member	Senator the Hon. Richard Colbeck, Parliamentary Secretary to the Minister for Agriculture	The Hon. Ken C Baston, MLC, Minister for Agriculture and Food; Fisheries
Deputy	Dr Nick Rayns, Executive Manager, Fisheries, Australian Fisheries Management Authority (AFMA)	Heather Brayford, Director General, Department of Fisheries, Western Australia.

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

Species	Status	Catch 2013/14 (t)
Gummy shark	Adequate	444
Dusky shark	Recovering	181
Sandbar shark	Recovering	19
Whiskery shark	Adequate	153
Other sharks and rays		138
Finfish		130
Fishing level	Acceptable	

Source: Status Reports of the Fisheries and Aquatic Resources of Western Australia 2014/15(In Prep): The State of the Fisheries eds. W.J. Fletcher and K. Santoro, Department of Fisheries, Western Australia

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

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

Source: Status Reports of the Fisheries and Aquatic Resources of Western Australia 2012/13: The State of the Fisheries eds. W.J. Fletcher and K. Santoro, Department of Fisheries, Western Australia, pp. 216-217.

Attachment A – Arrangement between the Commonwealth and the State of Western Australia in relation to the Joint Authority Demersal Gillnet and Longline Fishery in waters south of latitude 33° south.

AN ARRANGEMENT entered into between the Commonwealth of Australia (the Commonwealth) of the one part and the State of Western Australia (the State) of the other part.

WHEREAS-

- (a) paragraph 4(1)(a) of the *Acts Interpretation Act 1901* of the Commonwealth provides that where an Act is enacted on or after the date of commencement of this section that is not to come into operation immediately upon its enactment, is expressed to confer power, *inter alia*, to make an instrument of a legislative or administrative character, then, unless the contrary intention appears, the power may be exercised, and anything may be done for the purpose of enabling the exercise of the power, before the Act concerned comes into operation as if it had come into operation;
- (b) subsection 2(2) of the *Fisheries Management Act 1991* of the Commonwealth (the Management Act) provides that Part 5 of the Management Act, which provides for co-operation with the States and Northern Territory in the management of fisheries, commences upon the repeal or the ceasing to have effect (as the case may be) of Part IVA of the *Fisheries Act 1952* of the Commonwealth;
- (c) by subsection 7(3) of the *Fisheries Legislation (Consequential Provisions) Act 1991* of the Commonwealth (the Consequential Provisions Act), as amended by section 24 of the *Primary Industries and Energy Legislation Amendment Act 1993* Part IVA of the *Fisheries Act 1952*, unless sooner repealed, ceases to have effect at the end of the period of 3 years beginning on 3 February 1992, the day on which section 7 of the Consequential Provisions Act commenced;
- (d) paragraph 7(4)(a) of the Consequential Provisions Act provides that upon the commencement of Part 5 of the Management Act, the Western Australian Joint Authority, established by subsection 12D(1) of the *Fisheries Act 1952* continues in existence as if it had been established under Part 5 of the Management Act;
- (e) an Arrangement was entered into under section 12H(1) of the *Fisheries Act 1952* between the Commonwealth and the State of Western Australia in relation to the:
 - (i) Demersal Gillnet Fishery in waters south of Latitude 33° South, published in the Commonwealth of Australia Gazette No. S 109 14 April 1988;
 - (ii) Demersal Longline Fishery in waters south of Latitude 33° South, published in the Commonwealth of Australia Gazette No. S 109 14 April 1998;

- (f) paragraph 7(4)(b) of the Consequential Provisions Act provides that upon the commencement of Part 5 of the Management Act, any arrangement made with a State or Territory under subsection 12H(1) or (4) of the *Fisheries Act 1952* that was in force immediately before that commencement continues in force as if it had been made under Part 5 of the Management Act;
- (g) the Arrangements referred to in paragraph (e) of this Arrangement were made under Division 3 of Part IVA of the *Fisheries Act 1952*;
- (h) subsection 75(1) of the Management Act provides that an Arrangement under Division 3 of Part 5 of the Management Act may be terminated by instrument approved by the Governor-General and the Governor or Governors of the State or States concerned;
- (i) subsection 33(3) of the *Acts Interpretation Act 1901* provides *inter alia* that where an Act confers a power to make any instrument, the power shall, unless the contrary intention appears, be construed as including a power exercisable in the like manner and subject to the like conditions (if any) to repeal any such instrument;
- (j) subsection 8H(2) of the *Fisheries Act 1905* of the State (the State Act) will on the coming into operation of the *Fisheries Amendment Act 1994* of the State empower the State to terminate an arrangement as provided for by the Management Act;
- (k) subsection 71(1) of the Management Act provide that the Commonwealth may make an arrangement with a State or States represented on a Joint Authority that the Joint Authority is to have the management of a particular fishery in waters relevant to that or any of those States;
- (l) subsection 74(1) of the Management Act provides that an arrangement under, *inter alia*, subsection 71(1) is to be made by an instrument approved by the Governor-General and the Governor or Governors of the State or States concerned;
- (m) subsection 8H(1) of the State Act will on the coming into force of the *Fisheries Amendment Act 1994* of Western Australia, empower the State to make an arrangement referred to in, *inter alia*, subsection 71(1) of the Management Act for the management of a particular fishery;
- (n) both the Commonwealth and the State are desirous of exercising their powers to make a further Arrangement in relation to the fishery referred to in clause 2 of this Arrangement.

NOW THEREFORE, in pursuance of the Management Act and the State Act and of all other powers so enabling:

1. The Arrangements entered into between the Commonwealth and the State referred to in paragraph (e) of the recitals to this Arrangement are, pursuant to

subsection 75 (1) of the Management Act, and subsection 8H(2) of the State Act terminated.

2. The Commonwealth and the State hereby arrange that the fishery in waters relevant to the State, being coastal waters and waters of the Australian fishing zone that lie within the area described in Schedule 2 to the *Petroleum (Submerged Lands) Act 1967* under the heading “Area that includes the Adjacent Area in respect of Western Australia”, south of Latitude 33° South for:

- (a) all fish of the Class Osteichthyes (bony fish) and Class Chondrichthyes (cartilaginous fish) when the methods of demersal gillnets and lines of all kinds are used, other than:

- (i) handlines;
- (ii) troll lines;
- (iii) drop lines; and
- (iv) pelagic longlines used in accordance with the exercise of a right conferred by a fishing concession granted by the Australian Fisheries Management Authority under the Management Act to permit the use of pelagic longlines for the taking of tuna and tuna-like species;

but excluding fish to which this paragraph otherwise would apply taken in the exercise of a right conferred in relation to another fishery by a fishing concession granted by the Australian Fisheries Management Authority under the Management Act;

- (b) all other fish taken by the methods provided for in paragraph (a) in the exercise of a right conferred by a licence or other authority granted by the State on behalf of the Western Australian Fisheries Joint Authority for the fish to which paragraph (a) applies:

is to be managed by the Western Australian Fisheries Joint Authority in accordance with the law of Western Australia.

3. The Minister responsible for administering the Management Act and the Minister responsible for administering the State Act may agree in writing to the maximum quantity of other fish, the subject of paragraph 2(b), that may be taken from time to time under a licence or other authority referred to in that paragraph and on matters of mutual interest in relation to the fishery.
4. This Arrangement shall, upon being executed on behalf of the Commonwealth and of the State and upon being approved by the Governor-General of the Commonwealth and the Governor of the State, take effect on 3 February 1995.
5. Without affecting the construction which this Arrangement would have if no provision of this Arrangement or part thereof is invalid, it is the intention of this Arrangement that if any provision of this Arrangement or part thereof is invalid, the remainder of that provision and of this Arrangement shall be construed as if that provision or part thereof was not included in this Arrangement even if the result is to extend the fishery described by this Arrangement.

Dated the 19th day of December 1994

Signed for and on behalf of the
Commonwealth of Australia by the
Honourable DAVID PETER
BEDDALL, Minister for Resources

Signed for and on behalf of the
State of Western Australia by the
Honourable MONTAGUE GRANT
HOUSE, Minister for Fisheries

(DAVID PETER BEDDALL)
in the presence of

(MONTAGUE HOUSE)
in the presence of

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the
advice of the Federal Executive Council, in pursuance of subsections 74(1) and 75(1)
of the *Fisheries Management Act 1991*, hereby approve this instrument.

Dated 24 - 1 - 1995.

By His Excellency's command

(DAVID PETER BEDDALL)
Minister for Resources

(BILL HAYDEN)
Governor-General

I, Michael Jeffery, the governor of the State of Western Australia, acting by and with
the advice of the Executive Council in pursuance of the provisions of the *Fisheries
Act 1905*, hereby approve this instrument.

Given under my hand this 4th day of Jan 1995.

By His Excellency's Command

(MONTAGUE HOUSE)
Minister for Fisheries

(MICHAEL JEFFERY)
Governor

Attachment B – Arrangement between the Commonwealth and the State of Western Australia in relation to the Northern Shark Fishery in waters east of Koolan Island

An ARRANGEMENT entered into between the Commonwealth of Australia (the Commonwealth) of the one part and the State of Western Australia (the State) of the other part.

WHEREAS-

- (a) paragraph 4(1)(a) of the *Acts Interpretation Act 1901* of the Commonwealth provides that where an Act is enacted on or after the date of commencement of this section that is not to come into operation immediately upon its enactment, is expressed to confer power, *inter alia*, to make an instrument of a legislative or administrative character, then, unless the contrary intention appears, the power may be exercised, and anything may be done for the purpose of enabling the exercise of the power, before the Act concerned comes into operation as if it had come into operation;
- (b) subsection 2(2) of the *Fisheries Management Act 1991* of the Commonwealth (the Management Act) provides that Part 5 of the Management Act, which provides for co-operation with the States and Northern Territory in the management of fisheries, commences upon the repeal or the ceasing to have effect (as the case may be) of Part IVA of the *Fisheries Act 1952* of the Commonwealth;
- (c) by subsection 7(3) of the *Fisheries Legislation (Consequential Provisions) Act 1991* (the Consequential Provisions Act) of the Commonwealth as amended by section 24 of the *Primary Industries and Energy Legislation Amendment Act 1993* Part IVA of the *Fisheries Act 1952*, unless sooner repealed, ceases to have effect at the end of the period of 3 years beginning on 3 February 1992, the day on which section 7 of the Consequential Provisions Act commenced;
- (d) paragraph 7(4)(a) of the Consequential Provisions Act provides that upon the commencement of Part 5 of the Management Act, the Western Australian Joint Authority, established by subsection 12D(1) of the *Fisheries Act 1952* continues in existence as if it had been established under Part 5 of the Management Act;
- (e) Arrangements were entered into under section 12H(4) of the *Fisheries Act 1952* between the Commonwealth and Western Australia in relation to the:
 - (i) North West Pelagic Gillnet Fishery, published in the Commonwealth of Australia Gazette No. S109 on 14 April 1988;
 - (ii) Line Fishery East of 120° East, published in the Commonwealth of Australia Gazette No. S109 on 14 April 1988;
- (f) paragraph 7(4)(b) of the Consequential Provisions Act provides that upon the commencement of Part 5 of the Management Act, any arrangement made with a

State or Territory under subsection 12H(1) or (4) of the *Fisheries Act 1952* that was in force immediately before that commencement continues in force as if it had been made under Part 5 of the Management Act;

- (g) the Arrangements referred to in paragraph (e) of this Arrangement were made under Division 3 of Part IVA of the *Fisheries Act 1952*;
- (h) subsection 75(1) of the Management Act provides that an Arrangement under Division 3 of Part 5 of the Management Act may be terminated by instrument approved by the Governor-General and the Governor or Governors of the State or States concerned;
- (i) subsection 33(3) of the *Acts Interpretation Act 1901* provides *inter alia* that where an Act confers a power to make any instrument, the power shall, unless the contrary intention appears, be construed as including a power exercisable in the like manner and subject to the like conditions (if any) to repeal any such instrument;
- j) subsection 8H(2) of the *Fisheries Act 1905* of the State (the State Act) will on the coming into operation of the *Fisheries Amendment Act 1994* of the State empower the State to terminate an arrangement as provided for by the Management Act;
- (k) subsection 71(1) of the Management Act provide that the Commonwealth may make an arrangement with a State or States represented on a Joint Authority that the Joint Authority is to have the management of a particular fishery in waters relevant to that or any of those States;
- (l) subsection 74(1) of the Management Act provides that an arrangement under, *inter alia*, subsection 71 (1) is to be made by an instrument approved by the Governor-General and the Governor or Governors of the State or States concerned;
- (m) subsection 8H(1) of the State Act will on the coming into force of the *Fisheries Amendment Act 1994* of the State empower the State to make an arrangement referred to in, *inter alia*, subsection 71(1) of the Management Act for the management of a particular fishery;
- (n) both the Commonwealth and the State are desirous of exercising their powers to make a further Arrangement in relation to the fishery referred to in clause 2 of this Arrangement.

NOW THEREFORE, in pursuance of the Management Act and the State Act and of all other powers so enabling:

1. The Arrangements entered into between the Commonwealth and the State referred to in paragraph (e) of the recitals to this Arrangement are, pursuant to subsection 75 (1) of the Management Act and subsection 8H(2) of the State Act terminated.

2. The Commonwealth and State hereby arrange that the fishery in waters relevant to Western Australia, being coastal waters and waters of the Australian fishing zone that lie within the area described in Schedule 2 to the *Petroleum (Submerged Lands) Act 1967* under the heading “Area that includes the Adjacent Area in respect of Western Australia”, east of the meridian of longitude 123° 45' East and north of parallel latitude 17° South for:

(a) all fish of the Class Chondrichthyes (cartilaginous fishes) when any methods of pelagic gillnetting, demersal gillnetting and demersal longlining are used;

but excluding fish to which this paragraph otherwise would apply taken in the exercise of a right conferred by a fishing concession granted by the Australian Fisheries Management Authority under the Management Act;

(b) all fish of the Class Osteichthyes (bony fishes) taken in the exercise of a right conferred by a licence or other authority granted by the State on behalf of the Western Australian Fisheries Joint Authority for the fish to which paragraph (a) applies;

is to be managed by the Western Australian Fisheries Joint Authority in accordance with the law of Western Australia.

3. The Minister responsible for administering the Management Act and the Minister responsible for administering the State Act may agree in writing to the maximum quantity of other fish, the subject of paragraph 2(b), that may be taken from time to time under a licence or other authority referred to in that paragraph and on matters of mutual interest in relation to the fishery.

4. This Arrangement shall, upon being executed on behalf of the Commonwealth and of the State and upon being approved by the Governor-General of the Commonwealth the Governor of the State, take effect on 3 February 1995.

5. Without affecting the construction which this Arrangement would have if no provision of this Arrangement or part thereof is invalid, it is the intention of this Arrangement that if any provision of this Arrangement or part thereof is invalid, the remainder of that provision and of this Arrangement shall be construed as if that provision or part thereof was not included in this Arrangement even if the result is to extend the fishery described by this Arrangement.

Dated the 19th day of December 1994

Signed for and on behalf of the
Commonwealth of Australia by the
Honourable DAVID PETER
BEDDALL, Minister for Resources

(DAVID PETER BEDDALL)
in the presence of

Signed for and on behalf of the
State of Western Australia by the
Honourable MONTAGUE GRANT
HOUSE, Minister for Fisheries

(MONTAGUE HOUSE)
in the presence of

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, in pursuance of subsections 74(1) and 75(1) of the *Fisheries Management Act 1991*, hereby approve this instrument.

Dated 24 - 1 - 1995.

By His Excellency's command

(DAVID PETER BEDDALL)
Minister for Resources

(BILL HAYDEN)
Governor-General

I, Michael Jeffery, the governor of the State of Western Australia, acting by and with the advice of the Executive Council in pursuance of the provisions of the *Fisheries Act 1905*, hereby approve this instrument.

Given under my hand this 4th day of Jan 1995.

By His Excellency's Command

(MONTAGUE HOUSE)
Minister for Fisheries

(MICHAEL JEFFERY)
Governor

Attachment C: 2014 Meeting Minutes

WESTERN AUSTRALIAN FISHERIES JOINT AUTHORITY

Minutes of 2014 meeting of the WAFJA

Lincoln Marine Science Centre, Hindmarsh Street
PORT LINCOLN
26 November 2014

Attendance

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

Heather Brayford, Acting 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), David McKey (NT), Scott Spencer (Qld), Nancy Peterson (Department of Agriculture) Brodie McDonald, Don Bromhead, David Power (AFMA)

Meeting opened 12.40pm

AGENDA

The draft agenda for the meeting (**Attachment 1**) 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.

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

The Deputies 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 31 October 2013 were tabled (**Attachment 2**). Deputies confirmed the Minutes as a true record.

2. JOINT AUTHORITY NORTHERN SHARK FISHERY (JANSF)

Status Reports of the Fisheries and Aquatic Resources

The WA Deputy tabled extracts from the Status Reports of the Fisheries and Aquatic Resources for 2012/13 (**Attachment 3**).

It was noted that there had not been any activity in the fishery for at least the last four years.

Northern Shark Science Review

The WA Deputy also noted that a Science Review ('Western Australian Northern Shark Sustainability Science Review') had been undertaken by Professor Colin Simpfendorfer (James Cook University) and that a copy had previously been provided to AFMA.

She noted that AFMA and the Northern Shark Industry Association (NSIA) had provided comment but that WA was awaiting comment from WAFIC and Recfishwest. She indicated that, subject to final comments, consideration would be given as to how the matter could be progressed. The matter of the Commonwealth's preferred position on Joint Authorities (JAs) could also be of relevance here.

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

Status Reports of the Fisheries and Aquatic Resources

The WA Deputy tabled extracts from the Status Reports of the Fisheries and Aquatic Resources for 2013/14 (**Attachment 4**).

She noted that significant management action has been taken in recent years to address concerns relating to the sustainability of the target shark stocks. The status of the dusky shark and sandbar stock had changed from "over-exploited" to "recovering". The status of gummy and whiskery sharks remain at an acceptable level.

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 to no more than 50% of 2005/06 levels

across both the commercial and recreational sectors. In 2013 the Department commenced a stock assessment of South Coast demersal scalefish (using key indicator species blue morwong, bight redfish, western blue groper and snapper). The stock assessment is expected to be completed in mid to late 2015 and the findings will inform the ongoing management of demersal scalefish on the South Coast, including the demersal scalefish taken by the JASDGLF.

EPBC Assessment Matters

The WA Deputy advised that the Temperate Demersal Gillnet and Demersal Longline Fisheries (TDGDLF) WTO export approval was re-approved in 2012. The current WTO now expires in August 2015. The Commonwealth Minister for Environment had placed conditions relating to the interaction between the TDGDLF and Australian sea lions (ASL) on the Part 13 (perennial) approval that provides for fisheries to interact with protected species.

The Department of Fisheries (Department) had established an ASL Working Group to provide advice and guidance on the development of strategies to address the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC) Part 13 accreditation conditions. The ASL Working Group comprises representatives from the Department, the WA Conservation Council, the Department of Parks and Wildlife, Western Australian Fishing Industry Council (WAFIC) and the Temperate Demersal Gillnet and Demersal Longline Fisheries. The Department would need to ensure that action taken in relation to ASL was supported by the Department of the Environment (DotE), since continued accreditation of the TDGDLF was largely contingent on ensuring the interaction between the fishery and ASL was addressed.

The Department had met with representatives of DotE and WAFIC in October to seek clarification as to an acceptable strategy to address the Part 13 accreditation condition. Following this meeting, WAFIC indicated to the Department that industry would likely be progressing with on-board camera monitoring to address the Part 13 accreditation conditions.

Future Jurisdictional Arrangements

The WA Deputy advised that WA remained interested in moving the fishery to State jurisdiction, as this would remove a significant layer of administration in managing the fishery. She noted that industry was unlikely to be supportive of any change at this stage.

AFMA's preferred position of moving away from JAs, discussed in the previous NAFC meeting, would be of relevance here. AFMA indicated that it would seek catch sharing arrangements and a common harvest strategy under a revised OCS and MoU for school and gummy shark. Consultation with industry and WAFIC would be important in ensuring that any move away from JAs was understood.

South Coast Open Access Gillnet Fishery

The WA Deputy advised that the sub-114 millimetre mesh demersal gillnet fishery on the south coast was considered to be an “open-access”, unregulated Joint Authority (JA) fishery (because the OCS defines the activity as using demersal gillnets or longlines and the fishery management plan prescribes a mesh size of 114mm or greater, leaving a legislative ‘gap’ for demersal gillnets less than 114mm).

The Department had commenced a review of the JA sub-114 millimetre mesh demersal gillnet fishery, the State open access net fishery, the open access squid fishery, the open access line fishery, the fish trap fishery and the herring G-trap fishery. The review would look to use an independent panel to provide recommendations on access to, and (if appropriate) allocation mechanisms for these fisheries.

The Department had discussed the matter informally with AFMA in a teleconference on 6 November 2014. As an outcome of the teleconference, the Department, had planned to write to AFMA regarding the possibility of amending the OCS to provide for WA to assume jurisdiction over the use of demersal gillnets with a mesh size less than 114mm (given that these nets are used to target nearshore species that do not have shared stocks with an adjacent jurisdiction).

Noting AFMA’s advice in the NAFC meeting about potentially moving away from JAs, the matter of whether the sub-114mm matter needed to be dealt with as an amendment to the OCS or ‘wrapped up’ as part of the JA consideration would need to be reviewed once the timing of the broader issue of JAs was clearer. It was determined that the Department would write to AFMA and the Department of Agriculture on this issue if it was considered important to resolve the issue earlier, given management considerations (and once there was full clarity on the JA matter). The Department will also need to ensure WAFIC and Recfishwest understood the issue.

4. JOINT AUTHORITY ANNUAL REPORTING

Consolidated WAFJA Annual Report

The WA Deputy advised the meeting that the consolidated annual report (2005/06 – 2012/13) had been signed by the WA Minister and returned to Senator Colbeck’s office. The Commonwealth Deputy advised that he understood that the report had been received and was ‘moving through the process’ for tabling.

2013/14 WAFJA Annual Report

The 2013/14 report was tabled by the WA Deputy for signing, subject to final checking of the catch figures.

5. OTHER BUSINESS

State Marine Parks

The WA Deputy advised that once the zoning schemes for the Capes Ngari Marine Park and Lalang-garram/Camden Sound Marine Park were in place it would be necessary for there to be a Record of Decision by the WAFJA agreeing to reflect the zoning scheme in fishery management arrangements. This would empower the State Minister to make any necessary legislative changes.

The Chair adjourned the meeting at 1pm to allow the checking of the catch figures in the 2013/14 report to be undertaken.

The Chair re-opened the meeting at 2.10 pm, at which point both Deputies signed the 2013/14 Annual Report.

6. NEXT MEETING

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

Meeting closed 2.15 pm.