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FISHERIES & AQUACULTURE

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NOTICE TO FISHERS

Northern Zone Rock Lobster Fishery

Miscellaneous amendments to regulations

Dear Licence Holder,

I write to inform you of several miscellaneous amendments that have been made to regulations under the *Fisheries Management Act 2007* (the Act) that relate to the Northern Zone Rock Lobster Fishery (NZRLF).

The amendments have been made to implement more efficient and flexible mechanisms for fishery management and to clarify, simplify and update current management arrangements. These amendments will help to increase the economic potential of these fisheries and reduce red tape for fishers. Important changes have also been made to increase the protection of key marine and aquatic animals.

These amendments to regulations came into effect on 1 May 2023. Of relevance to NZRLF licence holders are the following regulations:

Fisheries Management (General) (Miscellaneous) Amendment Regulations 2023

Fisheries Management (Rock Lobster Fisheries) (Miscellaneous) Amendment Regulations 2023

Fisheries Management (Demerit Points) (Miscellaneous) Amendment Regulations 2023.

These regulation amendments are published in the Government Gazette, No. 26, Thursday 20 April 2023 (pp. 799–858), available at:

https://governmentgazette.sa.gov.au/2023/April/2023_026.pdf

Key changes to regulations

The changes implemented relating to your fishery are described below.

Prescribed species and quota unit values in the Rock Lobster Fisheries (RLF)

- The aquatic resources prescribed for the Marine Scalefish Fishery described in Schedule 1, Part 1 of the *Fisheries Management (Marine Scalefish Fishery) Regulations 2017* were amended in July 2021 to include several marine scalefish species incidentally caught as bycatch and discarded. The amendments allowed Marine Scalefish Fishery licence holders to retain these bycatch species. The species added are:
 - Sergeant Baker
 - Blue Weed-Whiting
 - Conger Eel
 - Rock Crab (West of 135 degrees East)
 - Spider Crab (West of 135 degrees East)
 - Knifejaw
 - Silver Drummer
- Licence holders in the Rock Lobster Fisheries also have access to marine scalefish species and, therefore, also encounter these species added to the Marine Scalefish Fishery. To standardise the arrangements for marine scalefish species across all licence holders with access to these species, amendments to the prescribed species under the *Fisheries Management (Rock Lobster Fisheries) Regulations 2017* have been made to add these species. Rock Lobster Fishery licence holders may now access these species from 1 May 2023.
- This amendment standardises the arrangements across both sets of fishery regulations and thus provide a consistent approach to management across fishing licences with commercial access to Marine Scalefish Fishery species. These species are classified with a low or medium risk ranking through an ecologically sustainable development risk assessment.
- To standardise the arrangements for marine scalefish quota species across both the *Fisheries Management (Marine Scalefish Fishery) Regulations 2017* and the *Fisheries Management (Rock Lobster Fisheries) Regulations 2017* amendments have also been made to regulations to insert powers of the Minister to increase the quota unit values for marine scalefish quota species. These provisions mirror provisions contained in the *Fisheries Management (Marine Scalefish Fishery) Regulations 2017* and allow for more consistent flexible management of marine scalefish quota entitlements.

Arrangements for escape gaps in rock lobster pots in the Northern Zone Rock Lobster Fishery (NZRL)

- To support the ongoing monitoring program in the Northern Zone Rock Lobster Fishery provisions for allowing escape gaps to be closed in rock lobster pots used in the Northern Zone in the presence of identified observers have been removed from the *Fisheries Management (General) Regulations 2017* and new arrangements inserted into the *Fisheries Management (Rock Lobster Fisheries) Regulations 2017*.
- The new arrangements replicate the requirement for two escape gaps on rock lobster pots but also allow all escape gaps to be closed where the Minister has provided conditional written approval. This will replace the need for Ministerial exemptions, which are not intended to provide for long term management arrangements, when participating in the voluntary pot

monitoring program with a South Australian Research and Development Institute (SARDI) observer onboard the vessel.

Permanent closure to protect Giant Australian Cuttlefish

- The Giant Australian Cuttlefish (GAC) is an iconic species in South Australia. Each winter, tens of thousands of GAC aggregate on a discrete area of rocky reef in northern Spencer Gulf to spawn. This is the only known dense aggregation of spawning GAC in the world and attracts significant tourism to the area. A permanent Cephalopod Fishing Closure Area at Point Lowly was implemented in 1998 to protect this species and additional temporary fishing closures were implemented from 2012 to provide additional protection.
- On 13 May 2022, a temporary fishing closure for the take of all Cuttlefish species in the Upper Spencer Gulf north of a line between Arno Bay and Wallaroo was implemented for 12 months.
- Following advice from the Giant Australian Cuttlefish Working Group and the latest science advice, the current temporary closure arrangements has been included into the *Fisheries Management (General) Regulations 2017* to permanently implement a closure for the take of all Cuttlefish species in the Upper Spencer Gulf. The Minister may, however, allow for the take of Cuttlefish for research or other purposes under the new arrangements.

Extension of the Snapper closure

- Further to correspondence dated 23 January 2023 regarding the initial extension of the Snapper closure via a temporary declaration notice issued under section 79 of the Act, amendments have now been made to the *Fisheries Management (General) Regulations 2017* to implement the Snapper closure through to 30 June 2026, as previously announced.
- The take and/or possession of Snapper within the Gulf St. Vincent and Kangaroo Island Fishing Zone, the Spencer Gulf Fishing Zone, the West Coast Fishing Zone, and the Port Adelaide River estuary has been prescribed as an offence in regulation 6(1)(c) of the *Fisheries Management (General) Regulations 2017* for the purposes of section 72(2) of the Act.
- PIRSA will be undertaking various administrative updates to transition to the amended regulations, including work to enable ongoing transit through the Snapper closed area with lawfully caught Snapper on board.

Other amendments to regulations

Several additional amendments to regulations have been implemented to improve the sustainable management of fish resources, provide for improved administration of authorities or to correct administrative errors.

Fisheries Management (General) Regulations 2017

- The definition of a lift net in regulation 3 has been amended to include a net consisting of 1 or 2 rings rather than only a net with two rings. This reflects the types of lift nets currently in use and allows for the transition from hoop and drop nets to lift nets in the commercial Marine Scalefish Fishery, Lakes and Coorong Fishery and Northern Zone Rock Lobster Fishery. PIRSA will

write to effected licence holders with hoop and drop nets in the near future with further information about the transition to lift nets. The existing Ministerial exemption (ME9903241) regarding the interchangeable use of hoop nets and drop nets remains in effect, as communicated in the notice to fishers dated 18 April 2023.

- Regulation 3(3) describing the method for determining the mesh size of a net has been deleted as this method has been superseded by new technology and is no longer necessary. New arrangements now allow the Minister to approve a measuring instrument for this purpose to ascertain more accurate mesh sizes of nets allowing for new measuring devices to be certified in the future in a timely manner.
- Regulation 18 has been varied to correct the spelling of Chondrichthyes and to allow the removal of the head of a shark to the definition of mutilation. This amendment allows for the removal of the head of shark at sea to support efficient fishing operations and to ensure effective enforcement of the appropriate management arrangements.
- The opportunity has been taken to make amendments to the *Fisheries Management (General) 2017*, to update all coordinates from GDA94 to GDA2020 based on the Geocentric Datum of Australia 2020 (GDA2020) consistent with the Australian national standard.

If you have any queries regarding these arrangements or would like a copy of the amended regulations referred to above, you can contact Jordan Lear, Fishery Manager, on (08) 8429 0931 or email Jordan.Lear@sa.gov.au .

Yours sincerely



Prof Gavin Begg
EXECUTIVE DIRECTOR
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