



Our reference: A6210601

29 April 2024

FISHERIES & AQUACULTURE

2 Hamra Avenue
West Beach SA
GPO Box 1625
Adelaide SA 5001
Tel (08) 8207 5333
www.pir.sa.gov.au

NOTICE TO MARINE SCALEFISH FISHERY, ROCK LOBSTER FISHERIES AND LAKES AND COORONG FISHERY LICENCE HOLDERS

School Shark and Gummy Shark bycatch management arrangements

Dear Licence holder

I write regarding changes to licence conditions and management arrangements that apply to School Shark and Gummy Shark bycatch with effect from 1 May 2024.

The Department of Primary Industries and Regions (PIRSA) has reviewed the management arrangements for School Shark and Gummy Shark bycatch, and after consideration of a range of factors, I, as delegate of the Minister for Primary Industries and Regional Development (the Minister) have approved the following arrangements:

- Application of a commercial catch cap for School Shark of 13 tonnes (t) for the 1 May 2024 to 30 April 2025 year. Upon 13 t being landed, all take, and possession of School Shark will be prohibited for the remainder of the season via a declaration issued pursuant to section 79 of the *Fisheries Management Act 2007* (the Act).
- Application of a commercial catch cap for Gummy Shark of 48.9 t, noting this is an 8% reduction from the South Australian allocation provided by the Australian Fisheries Management Authority (AFMA), in support of AFMA's request to reduce total mortality on School Shark. Upon 48.9 t being landed, all take, and possession of Gummy Shark will be prohibited for the remainder of the season via a declaration issued pursuant to section 79 of the Act.
- Implementation of a daily take limit, in addition to the current 'on boat' possession limit. This means that only the specified maximum number of sharks can be taken and retained in any one day (midnight to midnight) no matter how many trips are made.
- Implementation of a combined daily take and 'on boat' possession limit of 5 Gummy Shark or School Shark, of which no more than 2 of the sharks may be School Shark (midnight to midnight).
- Retention of multi-day trip restrictions whereby a combined take/possession limit of 5 Gummy Shark or School Shark of which 2 may be School Shark

Objective ID: A6210161

(midnight to midnight) continues to apply per day whilst allowing the fisher to take a subsequent combined take/possession limit on day 2 of the trip provided that a multi-day fishing report is made 1 hour before midnight on day 1 of the trip. Noting that only a maximum of 2 x the daily take limit may be taken within a multi-day trip of any length.

- Inclusion of beach fishing in the requirement to prior report catches to ensure all catches of School Shark and Gummy Shark are monitored.
- Changes to the Prior to Landing Report timeframe to align with Marine Scalefish individual transferable quota (ITQ) species reporting so that the prior to landing report must be made 30 minutes before departing the place of landing, rather than 1 hour before landing the catch.
- Inclusion of limitations accounting for circumstances where multiple licences are being operated concurrently from one registered boat to maintain the single boat limits and prevent the take of more than one licence holder's bycatch provision of School Shark or Gummy Shark when fishing from a single registered boat. It should be noted that PIRSA is preparing a wider policy on the use of multiple licences from the one vessel in the Marine Scalefish Fishery.

To implement the above arrangements, I have made changes to licence conditions pursuant to section 55(2) of the Act as outlined in **Appendix A**.

An updated copy of affected licences, reflecting changes to conditions will be available through the myPIRSA portal, available at: <https://mypirsa.pir.sa.gov.au/>

Alternatively, licence holders may request a copy from PIRSA Fisheries Licencing at PIRSA.FisheriesLicencing@sa.gov.au

In determining the above arrangements I have considered the objects of the *Fisheries Management Act 2007*, the apportionment of the School Shark and Gummy Shark total allowable catch (TAC) as provided to South Australia from AFMA, key matters raised by AFMA in relation to the agreed Memorandum of Understanding in place between the South Australian and Commonwealth Governments (see below), and feedback provided from the relevant peak representative fishing organisations during a meeting held on 17 April 2024.

Key matters raised by AFMA

- The South Australian State apportionment of School Shark was historically 4.4% of the global Recommended Biological Catch (RBC). However, as School Shark has remained classified as overfished and subject to a rebuilding plan, in recent years AFMA has maintained an incidental bycatch only total allowable catch (TAC), with no State allocation.
- School Shark remains classified as 'overfished', however the stock was also recently reclassified as 'subject to overfishing' in the Fishery Status Report 2023 due to total mortality (including State catches) exceeding the level that would enable rebuilding to occur.

- The AFMA Commission has reduced the global TACs for both Gummy Shark and School Shark by 8% for the 1 May 2024 to 30 April 2025 quota year. The reduction for School Shark is necessary mainly due to the relatively high recent State catches and the need to ensure continued rebuilding by accounting for all sources of mortality.
- The practice of not providing a State allocation of School Shark, in AFMA's opinion, has not been successful in constraining State catches. As such, AFMA has this year, provided South Australia with an apportionment of 13 t, trunked weight (4.4% of the 296 tonnes RBC).
- The South Australian apportionment of Gummy Shark for the 1 May 2024 to 30 April 2025 quota year is 53.1 t (2.9% of the 1831 t RBC). However, given the 8% reduction in available School Shark bycatch, the AFMA Commission agreed that it was also necessary to reduce the global Gummy Shark TAC by 8%, to mitigate the risk of exceeding the maximum mortality threshold, which would compromise School Shark rebuilding. AFMA has urged South Australia to consider applying a commensurate reduction in the State tonnage for Gummy Shark, which would reduce the State apportionment from 53.1 t to 48.9 t, trunked weight.
- AFMA sought South Australia's assistance in ensuring there are no loop holes in management arrangements that would allow increased catch and possession through the use of multiple concessions from one boat thereby enabling increased take to levels that could allow or facilitate targeting.
- The State access to School Shark and Gummy Shark is intended as 'bycatch' meaning any fish or aquatic life other than target species that is taken incidentally with authorised fishing gear.

Review and Appeal Rights

Licence holders have a right under section 111 of the Act to seek a review of a variation or imposition of a licence condition or refusal to issue, renew or consent to the transfer of an authority. Appeal rights also exist under sections 112 and 113 of the Act.

Should you have any queries in relation to this matter, please contact Yolande Markey, Fishery Manager, on 0427 979 085 or Yolande.Markey@sa.gov.au.

Yours sincerely



Prof Gavin Begg
EXECUTIVE DIRECTOR
FISHERIES AND AQUACULTURE

Appendix A

Licence conditions revoked or imposed on all Marine Scalefish Fishery and Rock Lobster Fisheries and Lakes and Coorong Fishery licences pursuant to s55(2) of the Fisheries Management Act 2007

Licence conditions revoked from all Marine Scalefish Fishery, Rock Lobster Fisheries and Lakes and Coorong Fishery licences

Revoked condition 12622

Where the licence holder does not hold or have an interest in an authority issued under the Commonwealth Fisheries Management Act 1991:

- On a fishing trip of one (1) day or less, no more than a combined total of 5 School Shark (*Galeorhinus galeus*) and Gummy Shark (*Mustelus antarcticus*) may be on board the registered boat at any time.
- On a fishing trip of more than one day, no more than a combined total of 10 School Shark or Gummy shark may be on board the registered boat at any time if a report has been made to PIRSA Fishwatch (1800 065 522) 1 hour prior to midnight on the first day advising of a multi-day trip.

Revoked condition 13863

At least 1 hour before the landing of any gummy and/ or school shark taken pursuant to this licence, the licence holder or registered master must inform the Department by telephone on 1800 065 522 or via the Commercial reporting App of the following information:

- (a) The name of the person making the telephone call;
- (b) The licence number being fished;
- (c) The name of the holder of the licence, or the registered master, operating the vessel;
- (d) The number of gummy shark on board the vessel that will be landed and their estimated weight;
- (e) The number of school shark on board the vessel that will be landed and their estimated weight;
- (f) The date and time of landing;
- (g) The port of landing; and
- (h) The processor the landed catches of school and gummy have been consigned to.

Licence conditions imposed on all Marine Scalefish Fishery, Rock Lobster Fisheries and Lakes and Coorong Fishery licences

Imposed new condition A

Where the licence holder does not hold or have an interest in an authority issued under the *Fisheries Management Act 1991* (Commonwealth), the licence holder or register master must comply with the following when undertaking fishing activities under the licence:

- (a) No more than 2 School Shark may be taken in any one day;

- (b) No more than a combined total of 5 Gummy Shark and School Shark may be taken in any one day (of which there must not be more than 2 School Shark);
- (c) On a fishing trip of more than one day, no more than 4 School Shark may be on the registered boat;
- (d) On a fishing trip of one day or less, no more than a combined total of 5 Gummy Shark and School Shark may be on the registered boat, of which no more than 2 may be School Shark;
- (e) On a fishing trip of more than one day, where the licence holder or registered master has provided a report to the Department by 11:00 pm on the first day of the fishing trip, no more than a combined total of 10 Gummy Shark and School Shark may be on the registered boat of which there must not be more than 4 School Shark;
- (f) No School Shark or Gummy Shark may be taken by the licence holder or master on a fishing trip where more than one licence is being fished from the registered boat and the individual or combined limits of School Shark and Gummy Shark for the registered boat have already been taken by or between any of the licences being fished.

For the purposes of this condition:

Gummy Shark is also known as *Mustelus antarcticus*

School Shark is also known as *Galeorhinus galeus*

“Day” means the 24 hour period from one midnight to the next

“A report to the Department ” is submitted via a telephone call to 1800 065 522; or Commercial Fishing SA app

The possession limits above apply to the registered boat undertaking the fishing activity regardless of whether 1 or more licences are being operated from that same boat.

Imposed new condition B

At least 30 minutes before departing the place of landing fish pursuant to this licence (including where fishing from a registered boat, land or other structure) where School Shark or Gummy Shark have been taken, the licence holder or registered master must inform the Department by telephone on 1800 065 522 or via the Commercial Fishing SA App of the following information:

- (a) The name of the person making the telephone call or report;
- (b) The licence number being fished;
- (c) The name of the holder of the licence, or the registered master, operating the vessel;
- (d) The number of Gummy Shark that landed or retained and their estimated headed and trunked weight;
- (e) The number of School Shark that landed or retained and their estimated headed and trunked weight;
- (f) The intended date and time of departing the point of landing;
- (g) The port or place of landing; and
- (h) The processor to which the landed catches of School Shark and Gummy Shark will be consigned.

The holder of the licence or registered master under such a licence, must immediately notify the Department via FISHWATCH on 1800 065 522, or via the Commercial Fishing SA Application of any change to information already submitted under this licence condition.