To: All licence holders in the Marine Scalefish, Northern Zone Rock Lobster and Southern Zone Rock Lobster fisheries with a large mesh net or large mesh monofilament net entitlement.

NOTICE TO FISHERS:
CHANGES TO LICENCE CONDITIONS AND MANAGEMENT ARRANGEMENTS FOR THE USE OF LARGE MESH AND LARGE MESH MONOFLAMENT NETS

I write to advise you of proposed changes to licence conditions and management arrangements for the use of large mesh nets and large mesh monofilament nets in the Marine Scalefish Fishery, for the purpose of mitigating fishery interactions with Australian Sea Lions, which will commence from midday 31 August 2016.

Australian Sea Lions are protected under both State and Commonwealth legislation and are listed as vulnerable to extinction under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

The Commonwealth Department of the Environment (DotE) undertakes assessments of the environmental performance of fisheries under the EPBC Act. Conditions and recommendations may be applied to export approval decisions under the EPBC Act in order to address issues of concern in the fishery. Conditions are legislative mechanisms and the fishery export approval will be revoked if they are not met.

To ensure best practice fisheries management, Primary Industries and Regions SA (PIRSA) has worked with DotE to obtain continuing export approvals for the Marine Scalefish Fishery. A condition requiring PIRSA to develop and implement a management strategy to mitigate the risk of interactions with Australian Sea Lions was applied to the Marine Scalefish Fishery and as such, must be met to maintain export approval for the fishery.

In order to meet the condition set on the Marine Scalefish Fishery, PIRSA, along with industry Executive Officers from the Marine Fishers Association, SA Northern Zone Rock Lobster Fishermen’s Association and the South Eastern Professional Fisherman’s Association, DotE and the South Australian Research and Development Institute (SARDI), have developed a new licence condition and management arrangements for fishing with large mesh nets and large mesh monofilament nets within the Marine Scalefish Fishery to mitigate risk of Australian Sea Lion interactions within the fishery.

Objective ID: A2851741
Please take the time to familiarise yourself with the new licence condition and management arrangements which are detailed below.

**Licence Condition**

The following condition is proposed to apply to licence holders with large mesh net or large mesh monofilament net access to the waters of the Marine Scalefish Fishery and apply to each vessel operating in the waters of the fishery:

*No large mesh net or large mesh monofilament net may be used from or carried on board any vessel registered under the licence in State waters unless the licence holder or registered master has prior reported the intended use of the net through PIRSA Fishwatch on 1800 065 522 (or the Fisheries and Aquaculture Commercial Reporting App) and has provided the following information;*

(a) the name of the person making the call and the applicable licence number,
(b) the location where the fishing activity with either net is to occur.

**Management Arrangements**

In addition to the licence condition above, PIRSA also intends to introduce new management arrangements to monitor the number of days fished with large mesh nets and large mesh monofilament nets within the Marine Scalefish Fishery.

The marine waters that the Marine Scalefish Fishery operates within have been identified as ‘high’ or ‘low’ risk for interactions with Australian Sea Lions (see Attachment 1):

- High risk areas cover all marine waters of South Australia excluding the waters of the Lake Albert, Lake Alexandrina and the Coorong and waters contained within low risk areas listed below;

- Low risk areas include:
  (a) All northern Spencer Gulf waters north of a line between Arno Bay and Port Neil along the latitude 34°0'0.00"S;
  (b) All northern Gulf St Vincent waters north of a line between Wool Bay and Glenelg along the latitude 35°0'0.00"S; and
  (c) All State waters east of the Murray Mouth along the longitude 139°0'0.00"E.

High and low risk areas contain a number of Marine Fishing Areas/blocks used by licence holders in logbooks and SARDI Aquatic Sciences for scientific reporting purposes. Fishing effort triggers for an individual block will vary depending on the high risk or low risk nature of the blocks and include the following triggers:

**Trigger 1:**

If the days fished with large mesh nets or large mesh monofilament nets exceeds 20 days in an individual high risk block, that block will be closed to fishing using that gear type for the remainder of the year. The year will be a financial year, in line with the licensing year.

Where 20 days is exceeded in a low risk block, it will be considered at the following Marine Scalefish Fishery Management Advisory Group (MSFMAG) meeting, to review why the level of fishing effort has changed and to assess any associated sustainability risk.
Trigger 2:

If the days fished with large mesh nets or large mesh monofilament nets across all blocks of the Marine Scalefish Fishery exceed 60 days, fishing using that gear type in all high risk blocks will be closed for the remainder of the year.

For the above triggers, both fishing and having a large mesh net or large mesh monofilament net on-board a vessel will be in the count of days fished and will be monitored through the licence condition requiring prior reporting. When any of the above triggers are breached, corresponding block closures will be appropriately implemented through a Section 79 Notice under the Fisheries Management Act 2007.

Licence holders have the right under section 111 of the Fisheries Management Act 2007 to seek a review of an imposition of a licence condition. If licence holders wish to exercise this right they should obtain their own legal advice.

If you have any questions regarding the licence condition and management arrangements, please contact Mr Jonathan McPhail, Marine Scalefish Fishery Manager, PIRSA Fisheries and Aquaculture via telephone: (08) 8429 0508 or email: Jonathan.McPhail@sa.gov.au.

Yours sincerely

[Signature]

Alice Fistr
A/DIRECTOR,
FISHERIES AND AQUACULTURE POLICY

Encl: Map of marine waters identified as 'high' or 'low' risk for the purpose of managing interactions with Australian Sea Lions

CC: Marine Fishers Association
SA Northern Zone Rock Lobster Fishermen’s Association Inc.
South Eastern Professional Fishermen's Association