NOTICE TO FISHERS

To Northern Zone Rock Lobster Licence Holders

Extension of the fishing season in the outer region of the Northern Zone Rock Lobster Fishery

I write to inform you of new management arrangements for the Northern Zone Rock Lobster Fishery (NZRLF) that removes the annual winter fishing closure in the outer region of the fishery. This decision varies the timing of the quota period and extends the length of the commercial fishing season in the outer region to twelve months of the year and is effective from 1800 hours on 31 May 2016 in the Fisheries Management (Rock Lobster Fisheries) Regulations 2006.

In addition, this letter also provides information with regard to new licence conditions and guidelines related to the access to marine scalefish species and the use of replacement masters during the previous winter fishing closure. The new licence conditions are proposed to be implemented on your licence from 1 July 2016.

The new management arrangements in the fishery follow a recommendation by the Rock Lobster Fishery Management Advisory Committee (RLFMAC) to remove the annual winter fishery closure for the commercial NZRLF. This recommendation was made considering the outcomes from two years of research trials conducted by SARDI Aquatic Sciences, PIRSA and the South Australian Northern Zone Rock Lobster Fishermen’s Association (SANZRLFA) in 2014 and 2015. This research indicated that the abundance of female lobster in the commercial catch, levels of bycatch and undersized lobster mortality was reduced in winter months. Taking this information into account the RLFMAC concluded there were no biological reasons to preclude commercial fishing in the winter months, noting that female lobster carrying external eggs would remain protected from harvest at all times and a code of practice for handling lobsters for release has been developed by the SANZRLFA.

The research also identified that prices for rock lobster were higher in the winter months compared to the preceding summer months, particularly for larger lobster. It is anticipated therefore that allowing for fishing in the winter months would add value to the fishery with flow on benefits to participants in the fishery and regions without compromising sustainability.

The SANZRLFA has requested that for the first three years the inner region of the fishery remain closed to fishing between 1800 hours on 31 May and 1200 hours on 1 November each year to transition the commercial fleet to the new arrangements. The new arrangements are consistent with this request and implement a 12-month commercial fishing season in the outer region of the NZRLF only. The closed season remains in place for the inner region of the fishery, however, the regulations now
provide for a mechanism for the Minister to vary or remove this closure in the inner region to allow for future consideration of the arrangements. A similar mechanism has been provided to allow for future consideration of the closed season arrangements for the recreational fishing sector. PIRSA is working with the recreational fishing sector to ensure future arrangements provide equitable access to the rock lobster resource consistent with the shares allocated in the Management Plan for the South Australian Commercial Northern Zone Rock Lobster Fishery.

Changes to the quota period and fishing season
A 12-month fishing season in the outer region has required a change to the quota period. The quota period that previously applied from 1 July to 30 June in the following year has been amended to extend from 1 November to 31 October in the following year. Transitional arrangements are in place that extend the 2015/16 quota period to 31 October 2016. As a result, licence holders that have uncaught outer region 2015/16 quota entitlements as at 31 May 2016 will be able to use these quota entitlements to continue fishing in the outer region until 31 October 2016. All other requirements that relate to taking rock lobster in the outer region continue to apply.

Marine Scalefish Access
The requirements for NZRLF licence holders to fish under “owner operator” arrangements during the closed season have been removed from the fishery regulations. New licence conditions are proposed for inclusion on all NZRLF licences to ensure that appropriate and clear management arrangements for marine scalefish access are maintained following the introduction of a 12-month fishing season in the outer region.

The previous arrangements required that a registered master must not engage in fishing activities of a class that constitute the Fishery on more than 28 days in aggregate during the closed season, unless the registered master:
   (a) is the holder of the licence; or
   (b) is a Director of the company that holds the licence and has been approved by PIRSA as the nominated registered master

In addition current licence condition number 1355 referring to the use of fish traps during the closed season, and licence condition number 4132 referring to take of fish in a mesh net, gill net or hauling net during the open season, require amendment to take into account the change arrangements for closure periods in the outer region.

In order to manage the access to marine species and the use of replacement masters during winter months in an effective and consistent way, PIRSA intends to implement proposed licence conditions from 1 July 2016.

The new licence conditions will require that when fishing gear, other than rock lobster pots, are used in the period between 1800 hours on 31 May and 1200 hours on 1 November annually, “owner/operator” provisions must be followed. That is, only the licence holder, a director of the company that holds the licence that is an approved, nominated registered master or a replacement master who has the prior consent of the Minister may engage in fishing activities in accordance with any guidelines, may engage in fishing activities during this time.
Nominated replacement masters would need to be nominated by the licence holder by telephone to PIRSA Fishwatch on 1800 065 522 at least 1 hour prior to commencement of the activity.

The new licence conditions that are proposed to be implemented on 1 July 2016 are:

1. A registered master must not engage in fishing activities of class that constitutes the Fishery, other than using rock lobster pots, during the period 1800 hours on 31 May to 1200 hours on 1 November, unless the registered master:
   (a) is the holder of the licence (or is an approved replacement master for the licence), or
   (b) is a Director of the company that holds the licence and has been approved by PIRSA as the nominated registered master; or
   (c) with the consent of the Minister.

2. Prior to engaging in fishing activities of a class that constitutes the Fishery other than using rock lobster pots during the period 1800 hours on 31 May to 1200 hours on 1 November, the registered master who is not holder of a licence must notify the Minister of the following information, in the manner directed:
   (a) The name of the registered master and licence number, and
   (b) The name of the boat and the commercial registration number, and
   (c) The time and date the activity will commence, and
   (d) The time and date the activity will cease, and
   (e) The place of landing.

3. Where fish traps are registered by endorsement on this licence:
   (a) no more than 15 fish traps may be used at any one time in the Northern Zone inner region during a closed season; and
   (b) one fish trap only may be used for the purpose of taking bait at any other time.

4. Fish shall not be taken by using:
   (a) at any one time more than one mesh net, gill net, hauling net or bait net;
   (b) a mesh net, gill net or hauling net where it is joined to or used in conjunction with any other net;
   (c) a mesh net, gill net or hauling net which is left unattended;
   (d) a mesh net, gill net or hauling net in the region and period in which the taking of Southern rock lobster is permitted;
   (e) a mesh net, gill net or hauling net within the waters of Spencer Gulf, Gulf St. Vincent and Coffin Bay, except a bait net.

Replacement Masters Guidelines
Decisions regarding the use of replacement masters in the period between 1800 hours on 31 May and 1200 hours on 1 November annually would be guided by the Replacement Masters Guidelines 2016. These guidelines have been in place for the Marine Scalefish Fishery since 2013 as an important component of the effort-based management system in place for that fishery. The guidelines will now extend to the NZRLF for consistency in the management arrangements for all licence holders with access to marine scalefish species.
The guidelines provide for the consenting of replacement masters for general purposes to be limited to a maximum of 28 days per financial year and to be used in seven day blocks. Consent may also be considered to allow the use of a replacement master if the licence holder is suffering an illness or injury, is attending official business or approved training, or on a case-by-case basis for exceptional circumstances.

The use of a replacement master for general purposes, official business and approved training or illness and injury, the licence holder will require completing and submitting the appropriate application form for the circumstances. Only after receiving a letter of consent and a certificate from the Minister (or his/her delegate) may a replacement master operate the licence.

A copy of the Replacement Masters Guidelines 2016 is attached for your information.

**Giant Crab Access**
The winter fishing closure for Giant Crab will remain in place and any Giant Crab incidentally caught in rock lobster pots in the period from 1800 hours on 31 May to 1200 hours on 1 November must be released as soon as practicable.

**Cost Recovery**
The activities and costs of managing the fishery under the new management arrangements will be closely monitored and reviewed following the first twelve months of implementation. Any additional activities and costs required to manage or monitor the fishery would be considered in the annual cost-recovery process and adjusted accordingly in consultation with industry.

Licence holders have a right under section 111 of the *Fisheries Management Act 2007* 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. If licence holders wish to exercise this should obtain their own independent legal advice.

If you would like further information regarding the management arrangements for the NZRLF, please contact Annabel Jones, Fishery Manager on telephone: 08 8429 0165 or email: annabel.jones@sa.gov.au.

Yours sincerely

Sean Sloan
DIRECTOR
FISHERIES AND AQUACULTURE POLICY