



FISHERIES & AQUACULTURE

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2 July 2021

**NOTICE TO NORTHERN ZONE ROCK LOBSTER FISHERY
LICENCE HOLDERS**

Dear licence holder

I write to inform you of several changes to North Zone Rock Lobster Fishery (NZRLF) licence conditions and determinations made under the *Fisheries Management Act 2007* (the Act) in order to implement arrangements for the reform of the Marine Scalefish Fishery from 1 July 2021.

Further to the stage 1 and 2 reform information packs provided to licence holders in June and August 2020, final arrangements for the reform are now available on the PIRSA website at

pir.sa.gov.au/fishingreform

A stage 3 information pack is also being sent out to fishers. As outlined in this information, significant changes to the fishery have been approved by the Government to take effect from 1 July 2021.

To implement these changes, amendments have been made to regulations under the Act and new regulations have been made. Of relevance to the NZRLF are the following regulations:

Fisheries Management (Marine Scalefish Fisheries) (Fishery Reform) Variation Regulations 2021

Fisheries Management (Rock Lobster Fisheries) (Marine Scalefish Fishery Reform) Variation Regulations 2021

Fisheries Management (General) (Miscellaneous) Variation Regulations 2021

These regulations, together with other amended and new regulations related to the reform of the MSF are available on the Department of Primary Industries and Regions (PIRSA) website and copies can be provided upon request.

The majority of regulatory amendments relate to the separation of the Sardine and Vongole fisheries from the Marine Scalefish Fishery, the creation of four management zones for the four priority fish species – King George Whiting, Southern Garfish, Southern Calamari, Snapper – and the move to a total allowable

commercial catch (TACC) and individual transferable quota (ITQ) management systems for the priority species in many of these zones.

As a result of these regulatory amendments, many references to existing and new regulations will change as of 1 July 2021, requiring existing Ministerial determinations to be revoked or varied, and new determinations made.

Changes to determinations

Changes to determinations for the NZRLF primarily relate to the introduction of ITQs for the priority species in the MSF and subsequent information to be provided for the take, and catch and disposal requirements needed to maintain the integrity of the ITQs. Redundant determinations that were specific to Vongole have also been revoked.

The new determinations are not intended to vary existing arrangements, other than those outlined in the reform. A summary of the determinations that have been revoked that are relevant to the NZRLF is provided in **Table 1** below. A summary of relevant determinations that have been introduced are provided in **Table 2** and are published in full on the PIRSA website at:

pir.sa.gov.au/fishing-determinations

Table 1. Determinations revoked

Regulation Title	Regulation	Subject	Status
<i>Fisheries Management (Rock Lobster Fisheries) Regulations 2017</i>	21	Information to be provided – taking vongole	Revoked
	25	Catch and disposal requirements - vongole	Revoked

Table 2. Determinations imposed on Northern Zone Rock Lobster Fishery Licences

Regulation Title	Regulation	Subject	Status
<i>Fisheries Management (Rock Lobster Fisheries) Regulations 2017</i>	21, 21A, 21B and 21C	Information to be provided – King George whiting, snapper, southern calamari, southern garfish	Implemented
	25, 25A, 25B and 25C	Catch and disposal requirements - King George whiting, snapper, southern calamari, southern garfish	Implemented

Changes to licence conditions

As a result of the reforms to the MSF, several licence conditions have been revoked and new, amended conditions have been introduced on NZRLF licences. These licence conditions are not intended to vary existing management arrangements for the fishery, other than those outlined in the reform.

The majority of the amendments are related to the separation of the Vongole fishery from the MSF. In other cases, new conditions have been made to ensure that King George Whiting is treated consistently wherever a TACC applies. This has meant conditions relating to catch and disposal requirements and information to be provided for the take of King George Whiting in the West Coast Fishing Zone have been introduced that mirror the determinations for King George Whiting in the other zones where a TACC is in place.

Southern Garfish arrangements

In recent years, various measures have been in place to support the recovery of Southern Garfish stocks in the Northern Spencer Gulf and Northern Gulf St Vincent including seasonal closures in the both gulfs, an increase to the Legal Minimum Length (LML) from 23 cm to 25 cm, and a minimum mesh size in the pockets of haul nets of 36 mm. With a move to TACC and quota management through the reform of the MSF, there has been an opportunity to review these arrangements.

Following consideration of recommendations from the Red Tape Reduction Working Group and after consultation with the Marine Fishers Association and Marine Scalefish Net Fisher's Association, and the provision of scientific advice from the South Australian Research and Development Institute (SARDI), it is considered important to maintain some of these input controls to support the ongoing recovery of the stocks. The most effective measure was considered to be the minimum pocket mesh size of 36 mm and this will now continue and has been introduced as a licence condition for the fishing of Southern Garfish in the Spencer Gulf and Gulf St Vincent. This mesh size will be 32 mm in all other areas (See **Appendix A** for the full condition).

Please note that the seasonal closures and the larger LML of 25 cm will no longer apply from 1 July 2021. The LML will revert to the 23 cm which applies to all sectors throughout the state. An additional notice to fishers will also be provided to licence holders on this matter.

All the changes to NZRLF licences are listed in Appendix A and all current conditions can also be viewed through the myPIRSA portal and from the public register at

https://www.pir.sa.gov.au/fishing/commercial_fishing/fisheries/public_register

Southern Calamari arrangements

In relation to the use of Southern Calamari for bait, I wish to advise that, further to the introduction of a TACC and ITQ management for Southern Calamari in the Gulf St Vincent and Kangaroo Island Fishing Zone and the Spencer Gulf Fishing Zone, all Southern Calamari landed in these zones will need to be decremented from the licence holder's quota allocation. This is consistent with provisions for other licence holders where they hold quota for other species managed under ITQ and is an important provision to maintain the integrity of the quota management system.

REVIEW AND APPEAL RIGHTS

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. Appeal rights also exist under sections 112 and 113 of the Act.

If you have any queries regarding these arrangements or would like a copy of the amended regulations referred to above, you can contact Steve Shanks, Fishery Manager, on phone 84290197 or email steve.shanks@sa.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'G Begg', with a stylized, cursive script.

Prof Gavin Begg
EXECUTIVE DIRECTOR
FISHERIES AND AQUACULTURE

Appendix A - The following licence conditions have been revoked or imposed on all Northern Zone Rock Lobster Fishery licences pursuant to s55(2) of the Fisheries Management Act 2007

Revoke condition 12481

The following conditions apply to vongole:(a) where a licence is subject to a condition fixing a vongole quota entitlement, vongole must only be taken by the licence holder from within a quota management zone; and (b) where a licence is not subject to a condition fixing a vongole quota entitlement holder, a daily limit of 10 kilograms of vongole may be taken by the licence holder for personal bait use.

The licence holder is entitled to take a maximum of 10 kilograms of cockles per day if cockles are permitted to be taken in accordance with this licence.

Revoke condition 12482

The following conditions apply in relation to a licence that is not subject to a condition fixing vongole quota entitlement (a) No more than one cockle rake or cockle net may be used at any one time for the taking of vongole or cockles; and (b) A cockle rake or cockle net may only be used for the purpose of taking vongole, cockles or pipi if those species are permitted to be taken in accordance with the licence.

For the purposes of this condition a 'cockle net' means a device designed and constructed to be held in the hand and consisting of a pole which has a netting bag mounted on a frame or ring and attached to one end of the pole.

Revoke condition 12484

A restricted cockle rake may only be used to take vongole that are part of the quota entitlements under the licence.

Revoke condition 12799

A Restricted Cockle Rake means a cockle rake as described in section 3 of the Fisheries Management (General) Regulations 2017 that may only be used to take cockle (Vongole - Katalysiaspp.) quota entitlement.

Impose new condition

The licence holder is entitled to take a maximum of 10 kilograms of cockles per day.

Impose new condition

The licence holder is entitled to take a maximum of 10 kilograms of vongole for personal bait use.

Impose new condition

The holder of the licence in respect of the fishery not subject to a condition fixing a King George whiting quota entitlement, or registered master under such a licence, must comply with the following provisions within the West Coast Fishing Zone:

- (1) At least 30 minutes before the commencement of fishing activities in the West Coast Fishing Zone involving the take of King George whiting, the holder of this licence or registered master must notify the Department of:
- (i) The name of the person conducting the fishing activity; and
 - (ii) The contact number for the person making the telephone call or providing information via the App; and
 - (iii) The licence number relating to the activity to be undertaken; and
 - (iv) The closest landmark or port of departure; and
 - (v) The date and time at which the fishing activities are to be engaged in; and
 - (vi) The fishing zone in which the fishing activities are to be engaged in; and
 - (vii) The name of the registered master of the boat.

Impose new condition

The holder of the licence in respect of the fishery not subject to a condition fixing a King George whiting quota entitlement, or registered master under such a licence, must comply with the following provisions.

- (1) At least 30 minutes before departing the point of landing after taking King George whiting from the West Coast Fishing Zone the holder of this licence or registered master must notify the Department of:
- (i) The name of the person who conducted the fishing activity; and
 - (ii) The date and time when departing the point of landing; and
 - (iii) The port or closest landmark to place of landing; and
 - (iv) The nomination of intention to apply one of the following actions:
 - (a) To seal receptacles with a tag (s) issued by the Department before departing the point of landing and to provide the tag numbers used; or
 - (b) To provide an estimated total weight of all King George Whiting taken before departing the point of landing. The fisher is to ensure the estimated weight is within 10% of the actual landed weight.

Impose a new condition

The holder of the licence in respect of the fishery not subject to a condition fixing a King George whiting quota entitlement, or registered master under such a licence, must immediately notify the Department of any change to information already submitted to the Department.

Impose new condition

Where holder of the licence in respect of the fishery not subject to a condition fixing a King George whiting quota entitlement, or a registered master under such a licence has completed a Prior to Landing Report detailing King George whiting taken from the West Coast Fishing Zone they must:

- (a) Within 100 metres of landing, secure King George Whiting in receptacles using a registered tag issued by the Department in a manner that will ensure that no fish can be removed or added to the receptacle without breaking the tag until the point of weighing; and
- (b) If the tag is damaged in the process of sealing the receptacle ensure the damaged tag is threaded onto a replacement tag used to seal the receptacle

- and that the number of the damaged tag and the replacement tag are recorded on the MSF-CDR; and
- (c) If a tag is lost, ensure that the Department is immediately notified of the loss by calling Fishwatch on 1800 065 522 or by using the Commercial Fishing SA App; and
 - (d) Complete a separate MSF-CDR for each Fish Processor where the catch is being consigned to more than one Fish Processor; and
 - (e) Immediately after breaking the tags, weigh the King George Whiting, record the accurate weight on the MSF-CDR and complete the MSF-CDR to which the catch relates within 24 hours of departing the place of landing or before the catch leaves the licence holder or registered masters possession.

Impose new condition

Where holder of the licence in respect of the fishery not subject to a condition fixing a King George whiting quota entitlement, or a registered master under such a licence has nominated in the Prior to Landing report an intention to provide an estimated weight of King George Whiting taken from the West Coast Fishing Zone he or she must:

- i. Weigh the catch, record the weight of the King George Whiting on the MSF-CDR and complete the CDR before the catch leaves the Registered Master or Licence Holders possession; or
- ii. Weigh the catch, record the weight of the King George Whiting on the MSF-CDR and complete the CDR before processing the catch; or
- iii. Weigh the catch and record the weight of the King George Whiting on the MSF-CDR within 24 hours of landing the catch; and
Complete a separate MSF-CDR for each Fish Processor where the catch is being consigned to more than one Fish Processor.

Impose new condition

The licence holder or registered master must ensure that all King George Whiting taken from the West Coast Fishing Zone that have been recorded on a CDR are removed from the vessel before commencing a new fishing trip.

Impose new condition

The licence holder or registered master must ensure that King George Whiting taken from the West Coast Fishing Zone are consigned or delivered to a registered fish processor located within the State of South Australia.

Impose new condition

The licence holder or registered master can only take King George Whiting, Snapper, Southern Calamari and Southern Garfish in one fishing zone as described under the *Fisheries Management (Marine Scalefish Fishery) Regulations 2017* per fishing trip, as nominated in the "Prior to Fishing" report.

Impose new condition

The holder of a licence with access to the Marine Scalefish Fishery must ensure that the MSF-CDRs are completed in consecutive order and that all records in an MSF-CDR book are completed before a new MSF-CDR book is used.

Impose new condition

The licence holder or registered master must make a copy of each MSF-CDR that he or she completes before the MSF-CDR is sent or delivered to PIRSA and the licence holder must ensure that the yellow copies of MSF-CDR and the MSF-CDR book are kept for 3 years once the CDR book is completed.

Impose new condition

The licence holder in respect of the fishery not subject to a condition fixing a King George Whiting quota entitlement, or a registered master under such a licence who has reported taking King George Whiting from the West Coast Fishing Zone must within 48 hours of completing a MSF-CDR-

- (a) Submit or cause to be submitted a copy of the completed white copy of the MSF-CDR to the Department electronically to pirsa.fisherieslicensing@sa.gov.au; or
- (b) Submit or cause to be submitted a copy of the completed white copy of the MSF-CDR to the Department by fax to 08 8207 5331; or
- (c) Deliver or cause to be delivered the completed white copy of the MSF-CDR to the Department within 48 hours of completing the CDR in a reply-paid envelope to;

PIRSA Fisheries & Aquaculture
GPO Box 1625
Adelaide SA 5001

Impose new condition

The licence holder in respect of the fishery not subject to a condition fixing a King George Whiting quota entitlement, or a registered master under such a licence who has reported taking King George Whiting from the West Coast Fishing Zone must ensure that if an MSF-CDR is cancelled, all copies of the record are marked with the word "cancelled" and the cancelled white copy of the MSF-CDR is delivered within 7 days to;

PIRSA Fisheries & Aquaculture
GPO Box 1625
Adelaide SA 5001

Impose new condition

A hauling net used in the Gulf St Vincent and Kangaroo Island Fishing Zone or the Spencer Gulf Fishing Zone must have the pocket of the net made of knotted mesh not less than 36 mm.

A hauling net used in all other permitted coastal waters of the State must have the pocket of the net made of knotted mesh not less than 32 mm.

For the purpose of this condition 'Gulf St Vincent and Kangaroo Island Fishing Zone' and the 'Spencer Gulf Fishing Zone' have the same meanings as in the Fisheries Management (Marine Scalefish Fishery) Regulations 2017.

For the purpose of this condition, 'pocket' of the net has the same meaning as in the Fisheries Management (General) Regulations 2017.