3 January 2018

NOTICE TO FISHERS

Dear: Licence holder in the River Fishery

Simplify Day 2017 - Amendments under the *Fisheries Management Act 2007*

The Premier’s second ‘Simplify Day’ initiative was held on 10 August 2017, with ideas for change being put forward by business and the community. Similar to last year the aim of Simplify Day is to remove outdated and redundant laws and regulations and to consolidate and simplify rules and processes wherever possible.

As a part of this initiative amendments have been made to 17 of 18 regulations made under the *Fisheries Management Act 2007* (the Act). Ten of the regulations amended in this process were also remade as they were approaching the 10th anniversary of the date they were made. These regulations commence on 15 January 2018. The regulations are:

*Fisheries Management (Abalone Fisheries) Regulations 2017*
*Fisheries Management (Fees) Regulations 2017*
*Fisheries Management (Fish Processors) Regulations 2017*
*Fisheries Management (General) Regulations 2017*
*Fisheries Management (Marine Scalefish Fisheries) Regulations 2017*
*Fisheries Management (Prawn Fisheries) Regulations 2017*
*Fisheries Management (River Fishery) Regulations 2017*
*Fisheries Management (Demerit Points) Regulations 2017*
*Fisheries Management (Rock Lobster Fisheries) Regulations 2017*
*Fisheries Management (Vessel Monitoring Scheme) Regulations 2017*
*Fisheries Management (Blue Crab Fishery)(Simplify No 2) Variation Regulations 2017*
*Fisheries Management (Charter Boat Fishery)(Simplify No 2) Variation Regulations 2017*
*Fisheries Management (Lakes and Coorong Fishery)(Simplify No 2) Variation Regulations 2017*
*Fisheries Management (Miscellaneous Broodstock and Seedstock Fishery)(Simplify No 2) Variation Regulations 2017*
*Fisheries Management (Miscellaneous Developmental Fishery)(Simplify No 2) Variation Regulations 2017*
*Fisheries Management (Miscellaneous Fishery)(Simplify No 2) Variation Regulations 2017*
*Fisheries Management (Miscellaneous Research Fishery)(Simplify No 2) Variation Regulations 2017*
As a result of making of these legislative changes many references to existing and new powers and functions have or will change as of 15 January 2018.

It should be noted that there is no intention to vary existing fishery administrative arrangements other than to standardise them wherever possible.

The majority of amendments to all fishery regulations above were to remove the prescribed procedural requirements for reporting, delivering, consigning and recording matters to and for the Minister. All determinations for the new regulations will be published on the PIRSA website for your reference.

To simplify arrangements, where possible licence conditions relating to the prescribed procedural requirements have been incorporated into the relevant Ministerial determination and deleted from licences. In some instances, existing licence conditions have been amended to update species name, date, or name of personnel. New licence conditions have been included to compliment regulatory amendments. Amended and new licence conditions will be implemented on all River Fishery licences.

Other than Ministerial determinations, a small number of regulatory changes were also made through Simplify Day to a number of fisheries. In these instances, new licence conditions have been included on relevant licences to compliment the regulatory amendments. Some of these amendments to management arrangements have already been communicated to relevant licence holders. Those that have not are as follows:

- A definition of squid jig has been inserted into regulations.
- The maximum mesh size of a sardine net has been removed.
- Marking requirements for commercial fish receptacles has been simplified.
- The rules for Berley have been clarified.
- Provision has been made to allow for the take of Sandy Sprat, Blue Sprat and Maray in the Marine Scalefish Fishery.
- To maximise the benefits of licence amalgamation in the Marine Scalefish Fishery, the retention of accrued demerit points will apply to the licence with the least amount of demerit points.
- Fish name references have been updated consistent with the Australian Fish Names Standard.

Changes to licence conditions are detailed in Schedule 1 (Attachment 1). A copy of the Ministerial determinations made in place of regulation where required are detailed in attachment 2.

The new regulatory amendments and licence conditions take effect from 15 January 2018.

**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 of the *Fisheries Management Act 2007* to the District Court.
If you have any queries regarding these arrangements or would like a copy of the amended regulations referred to above, please contact Rebecca Atkins, River Fishery Manager on 8429 0241 or rebecca.atkins@sa.gov.au.

Yours sincerely

Peter Dietman
A/EXECUTIVE DIRECTOR
FISHERIES AND AQUACULTURE POLICY
SCHEDULE 1 (ATTACHMENT 1)

LICENSE CONDITIONS commence 15 January 2018

Licence condition amendments to address administrative needs

The following condition has been deleted and re-drafted to update a reference to the Director of Fisheries to Executive Director, Fisheries and Aquaculture:

1403
(1) Subject to paragraph (2), the licence holder may conduct fishing activities pursuant to this licence in all waters of the River Murray excluding the following areas during the corresponding period set out in the following table:
AREA EXCLUDED PERIOD OF CLOSURE Lake Littra and outflow channel Permanent - all year Clover Lake Permanent - all year Coombool Swamp Permanent - all year Lake Limbra and outflow channel Permanent - all year Lake Woolpolool Permanent - all year Rail Rail Creek below Chaffey Pump and entrance waters to Lake Merretri Permanent - all year Katarapko Creek and Eckert Creek, including The Splash Permanent - all year Bulyong Creek Permanent - all year Pilby Creek Permanent - all year Hancock Creek Permanent - all year Mundic Creek Permanent - all year Pike Creek Permanent - all year Punkah Creek Permanent - all year Slaney Creek Permanent - all year Loch Luna Permanent - all year Cobdogla Swamp 1 August to 30 April (inclusive) Loveday Swamp/Mussel lagoons 1 August to 30 April (inclusive) Lake Merretri 1 August to 30 April (inclusive)
(2) The licence holder may conduct fishing operations within the closure areas and periods listed above if given written approval by the Director of Fisheries to undertake specified carp eradication work in a specified area for a specified period.

Has been amended to:

(1) Subject to paragraph (2), the licence holder may conduct fishing activities pursuant to this licence in all waters of the River Murray excluding the following areas during the corresponding period set out in the following table:
AREA EXCLUDED PERIOD OF CLOSURE Lake Littra and outflow channel Permanent - all year Clover Lake Permanent - all year Coombool Swamp Permanent - all year Lake Limbra and outflow channel Permanent - all year Lake Woolpolool Permanent - all year Rail Rail Creek below Chaffey Pump and entrance waters to Lake Merretri Permanent - all year Katarapko Creek and Eckert Creek, including The Splash Permanent - all year Bulyong Creek Permanent - all year Pilby Creek Permanent - all year Hancock Creek Permanent - all year Mundic Creek Permanent - all year Pike Creek Permanent - all year Punkah Creek Permanent - all year Slaney Creek Permanent - all year Loch Luna Permanent - all year Cobdogla Swamp 1 August to 30 April (inclusive) Loveday Swamp/Mussel lagoons 1 August to 30 April (inclusive) Lake Merretri 1 August to 30 April (inclusive)
(2) The licence holder may conduct fishing operations within the closure areas and periods listed above if given written approval by the Executive Director of Fisheries and Aquaculture to undertake specified carp eradication work in a specified area for a specified period.
The following condition has been deleted and re-drafted to provide clarity for current arrangements:

1184
Prior to fishing pursuant to this licence the licence holder must report to PIRSA Fishwatch on 1800 065 522 and report the location of all gear to be used pursuant to this licence. The licence holder must make this report every time fishing gear is moved to a location that is more than 3 kilometres from the previously reported position.

Has been amended to:

Prior to setting fishing gear pursuant to this licence the licence holder must report to PIRSA Fishwatch on 1800 065 522 and report the location, amount and type of all gear to be used pursuant to this licence, and
Prior to moving fishing gear pursuant to this licence more than 3 kilometres from the previously reported position the licence holder must report to PIRSA Fishwatch on 1800 065 522 and report the removal of any gear from a previously reported location and the new location of all gear to be re-set and used pursuant to this licence, and
Prior to removing fishing gear from the water the licence holder must report to PIRSA Fishwatch on 1800 065 522 and report the location and the amount and type of all gear being removed from the water.