PIRSA FISHERIES & AQUACULTURE

COST RECOVERY PROGRAM

2014-15

ROCK LOBSTER FISHERY

NORTHERN ZONE
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</table>
## SUMMARY TABLE ROCK LOBSTER FISHERY - NORTHERN ZONE

<table>
<thead>
<tr>
<th>2013-14 $</th>
<th>PROGRAM AREA</th>
<th>2014-15 $</th>
<th>COMMENTS</th>
<th>DAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>290,506</td>
<td>Stock Assessment and Monitoring</td>
<td>305,567</td>
<td>One year program, as per SARDI project scope.</td>
<td></td>
</tr>
<tr>
<td>7,136</td>
<td>Economic Assessment</td>
<td>8,477</td>
<td>Contract for services finalised with supplier for 2014-15</td>
<td></td>
</tr>
<tr>
<td>2,325</td>
<td>TEPS</td>
<td>2,640</td>
<td>Contribution towards Threatened and Endangered Species</td>
<td></td>
</tr>
</tbody>
</table>

### RESEARCH COSTS

| 78,274 | Policy and management | 80,714 | Same level of service as previous year | 90 |
| 4,190  | Legislation | 4,749  | Same level of service as previous year | 5  |
| 45,005 | Licensing | 41,262 | Same level of service as previous year | 55 |
| 15,718 | Directorate | 14,442 | Same level of service as previous year | 16 |
| 651,394 | Compliance | 676,843 | Same level of service as previous year | 570 |
| 31,851 | Vessel | 35,557 | Same level of service as previous year | 5  |
| 61,200 | VMS | 61,200 | Same level of service as previous year | 68 |
| 29,200 | Quota Monitoring | 31,440 | Same level of service as previous year | 50 |

### PIRSA RELATED COSTS

| 53,643 | FRDC | 39,018 | Funding based on 0.25% of rolling three year average GVP. Note: $35K additional FRDC contribution for market research concluded in 2013-14. |      |
| 162,500 | Co-Management Services | 162,500 | Requested for 2014-15 |      |
| 55,000 | Additional Research | 55,000 | Additional Research (pot sampling) of $35K; and Northern Zone contribution to Rock Lobster Management Advisory Committee 2014-15 of $20K. |      |

**$1,487,941 TOTAL**  **$1,519,409**

### Licence Fees 2014-15

<table>
<thead>
<tr>
<th>Licence Fees 2014-15</th>
<th>$</th>
<th>Licence Fees 2013-14</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Fee</td>
<td>3,743</td>
<td>Base Fee</td>
<td>3,688</td>
</tr>
<tr>
<td>Quota Unit Fee</td>
<td>20.30</td>
<td>Quota Unit Fee</td>
<td>19.80</td>
</tr>
<tr>
<td>Giant Crab Unit Fee</td>
<td>21.40</td>
<td>Giant Crab Unit Fee</td>
<td>19.65</td>
</tr>
<tr>
<td>By-catch fee</td>
<td>12.60</td>
<td>By-catch fee</td>
<td>11.55</td>
</tr>
</tbody>
</table>
INTRODUCTION

Wild catch commercial fisheries in South Australia will continue to be managed in accordance with the previously established cost recovery policy. This policy requires commercial fishery licence fees to fund services related to commercial fisheries management costs. PIRSA Fisheries & Aquaculture will continue to manage the process of consulting with service providers and relevant industry associations to establish fishery based management programs which will form the basis of annual licence fees.

For each fishery, the program required to manage the fishery has the following components:

- Assessment and Research Services;
- Fisheries Policy and Management Services;
- Compliance Services including communication, enforcement and monitoring activities;
- Support Services including Legislation, Licensing and Business Services (Directorate).

This documentation provides a framework for discussions to assist in the establishment of appropriate research, policy, compliance and support services to manage a fishery.
## MANAGEMENT OBJECTIVES 2014/15

<table>
<thead>
<tr>
<th>Long term objectives</th>
<th>Outcomes 2013/14 to 2015/16</th>
<th>Fishery Policy and Management</th>
<th>Compliance</th>
<th>Assessment and Research</th>
<th>Systems &amp; Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ensure the Rock Lobster resource is harvested sustainably</td>
<td>Stock rebuilding</td>
<td>Implement new management plan</td>
<td>Implement compliance program, informed by risk assessment</td>
<td>Stock assessment and monitoring to underpin stock status and stock assessment reports</td>
<td>Provide ongoing support for licensing, quota and transfer queries</td>
</tr>
<tr>
<td>Optimum economic utilisation and equitable distribution of the Rock Lobster resource</td>
<td>Ensure sufficient data and information is available to undertake harvest strategy</td>
<td>Implement harvest strategy under new management plan</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Maximise catches within ecologically sustainable limits</td>
<td>Provide support to proposed research project on spatial/temporal management</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Consideration of spatial/temporal management of stocks</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Maintain integrity in quota system</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Minimise impacts on the ecosystem</td>
<td>Address recommendations from DoE under EPBC Act accreditation</td>
<td>Address DoE recommendations</td>
<td>Monitor TEPS interactions through logbooks</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Assist with industry trials of alternative sea lion exclusion devices</td>
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</tr>
<tr>
<td>Cost effective and participative management of the fishery</td>
<td>Support co-management of the fishery</td>
<td>Support the RLFMAC</td>
<td>Implement compliance program, informed by risk assessment</td>
<td>Participate in the RLFMAC as an observer</td>
<td>Provide ongoing support for licensing, quota and transfer queries</td>
</tr>
<tr>
<td></td>
<td>Participate in the RLFMAC</td>
<td>Regular communication with industry and attendance at meetings, as required Implement rules review outcomes</td>
<td></td>
<td>Industry liaison and attendance at meetings, as required</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Support the RLFMAC</td>
<td></td>
<td></td>
<td>Support the RLFMAC</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Industry liaison and attendance at meetings, as required</td>
<td></td>
<td></td>
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</tbody>
</table>
PROGRAM: FISHERIES POLICY AND MANAGEMENT

BRIEF DESCRIPTION OF FUNCTION
The Fisheries Policy and Management Unit of PIRSA Fisheries & Aquaculture undertakes activities such as day-to-day management, long-term planning and policy development for South Australian commercial, recreational and Aboriginal traditional fisheries.

The Fisheries Policy and Management unit has the following core functions:
- Administer the Fisheries Management Act 2007 and regulations.
- Day-to-day management of fisheries resources, to ensure catch and effort levels are commensurate with resource sustainability.
- Develop and implement management plans, including harvest strategy development and ESD risk assessment, in accordance with the Fisheries Management Act 2007.
- Provide advice to the Minister for Agriculture, Food and Fisheries, Chief Executive and Executive Director on matters relating to fisheries.
- Represent the Executive Director on committees and other forums on matters related to the administration of the Fisheries Management Act 2007.
- Develop over-arching policy frameworks to support fisheries management.
- Build and maintain relationships with key stakeholders, with a particular focus on the commercial and recreational fishing sectors.
- Provide support and advice on fisheries management issues to the Fisheries Council of South Australia.
- Progress Australian Government recommendations under EPBC Act assessment.

OUTPUTS AND ACTIVITIES
Day-to-day fisheries management includes:
- Participation in inter and intra-departmental meetings and workshops on issues relevant to fisheries management.
- Liaison within the Fisheries and Aquaculture Division, with SARDI Aquatic Sciences, other parts of PIRSA and other State and Commonwealth agencies on matters relevant to fisheries management.
- Liaison within PIRSA, with other government agencies and with industry representatives in implementing decisions relevant to fisheries management.
- Conducting regular assessment or review of existing management arrangements for fisheries management, including analysis of statistical information on fisheries and interactions with threatened, endangered and protected species.
- Coordinating consultation with fishery stakeholders through established co-management processes.
- Participation in industry liaison in the field and on vessels to strengthen fishery management knowledge and understanding, and develop rapport with licence holders.
- Participation in industry development initiatives related to fisheries management.
- Attending to general correspondence and enquiries relevant to fisheries.
- Provision of advice to Minister in relation to the management of fisheries and Ministerial correspondence.
- Communication of fisheries management issues to key stakeholder groups and the broader community.
Key deliverables of the Fisheries Policy and Management Unit are:

- Development and implementation of management plans for commercial and recreational fisheries, including harvest strategy development and ESD risk assessment
- Development and implementation of Aboriginal traditional fishing management plans, in accordance with Indigenous Land Use Agreements
- Day-to-day preparation of necessary legislative instruments and/or advice required for the management of fisheries (regulations, closure notices, licence conditions, Ministerial exemptions etc).
- Day-to-day provision of advice to the Minister or his/her delegate on setting total allowable commercial catch and effort levels
- Preparation of other policies to support fisheries management
- Preparation of submissions to enable regular assessment of commercial fisheries under the EPBC Act
- Preparation of annual report to the Australian Government on EPBC Act requirements for all SA fisheries
- Preparation of regular fisheries status reports
- Delivery of Fisheries Council projects
- Day-to-day development and maintenance of productive working relationships and outcomes through cooperative management and collaboration with stakeholders

PERFORMANCE INDICATORS:

1. Strong industry and government involvement in co-management relationship and adherence to formally agreed co-management arrangements.
2. Develop and implement management plans in accordance with Fisheries Council schedules and statutory consultative processes. Management plans to include harvest strategies that protect sustainability of the fishery based on ESD risk assessment processes.

Program Contact Officer:
Keith Rowling, Manager Fisheries Policy and Management Unit
08 8226 2369
Keith.rowling@sa.gov.au
PROGRAM: LEGAL SERVICES

BRIEF DESCRIPTION OF FUNCTION

The Legislation Unit of PIRSA Fisheries & Aquaculture provides legal services to the Executive Director and the Director, Aquaculture and Fisheries and to all other members of the Division on an as needs basis. Among other things these services include problem solving and the provision of advice, in consultation with the Crown Solicitor’s Office where necessary, regarding any legal issues involving the implementation or administration of fisheries management arrangements through existing legislative framework and licence conditions.

OUTPUTS AND ACTIVITIES

These activities include:

1. Co-ordination of the introduction, amendment or revocation of Fisheries and Aquaculture legislation i.e. Act or regulation amendments, the introduction of new regulations and drafting of other legislative and administrative instruments such as delegation, permit or exemption instruments as required under the Fisheries Management Act 2007. New regulations or amendments involve the drafting of Cabinet submissions, including the preparation of drafting instructions, for consideration by government to provide for the necessary legislative framework to implement approved fishery management policy. This service includes co-ordinating Divisional liaison with the Office of Parliamentary Counsel and the Crown Solicitor’s Office to ensure that regulations and proposed activities of the Division are accurately and effectively drafted and or implemented.

2. Maintenance and review of licensing arrangements required to appropriately implement approved fishery management policy and measures within the limitations of the Fisheries Management Act 2007. The service includes working with the Licensing program (part of Systems and Information) to set up efficient administrative systems and finalise forms and instruments that are legally sound.

3. Problem solving together with the provision and co-ordination of legal advisory services in liaison with the Crown Solicitor’s office relating to the implementation and administration of the Fisheries Management Act 2007, Regulations and fisheries management policies, and the defence of those policies and arrangements in litigation.

4. Responsible for the coordination of applications for Ministerial exemptions and Permits under Part 7 Division 2 of the Fisheries Management Act 2007.

5. To safeguard the ongoing sustainability of a fishery may require additional legal services in any particular year, depending on positive or negative scientific indicators, to implement new fisheries management arrangements (for example the introduction or variation of a quota system) or new administrative arrangements (for example, changes to licensing processes, conditions, introduction of closures).

Program Contact Officer:
Lambertus Lopez, Manager, Legal and Legislative Programs
08 8226 0266
Lambertus.Lopez@sa.gov.au
PROGRAM: LEASING AND LICENSING

BRIEF DESCRIPTION OF FUNCTION

The Fisheries Leasing & Licensing Section of PIRSA Fisheries & Aquaculture is responsible for the management of Licensing, Quota Monitoring and VMS services.

This business unit provides a range of services related to the timely processing and management of information leading to the issuance of licences and other reporting services.

The unit administers a licensing call centre for licence inquiries and other administrative services. The success of these functions is based on maintaining the Primary Industries Information Management System (PIIMS) database.

OUTPUTS AND ACTIVITIES

Services to directly support the fishery:

1. Renew and maintain fishery licences.
2. Database management for licence renewal.
3. Collect licence fees and associated payments.
5. Record and track unpaid renewals.
6. Compose and send late payment instalment notices for unpaid quarterly instalments.
7. Draft and issue notices to Fishers.
8. Process requests for information from fishers who make such inquiries over the counter, through the call centre, via facsimile or e-mail. For example, helping fishers to process information relevant to licence renewal forms, application for licence transfers, boat changes, gear enquiries and fishing regulations.
9. Regularly update information about licence holders.
10. Research and prepare documents for public record.
11. Liaise with government stakeholders to verify the credentials of fishers.
12. Liaise with PIRSA Fisheries & Aquaculture, SARDI Aquatic Sciences, Crown Solicitors and other state and local agencies on matters relevant to the fishery.
13. Draft and update licence conditions over the duration of the licensing year as determined by the Executive Director, Fisheries and Aquaculture and the Director, Fisheries and Aquaculture Policy.
14. Provide information to licence holders relating to the requirements pursuant to licence administration.
15. Manage calls from fishers regarding late payment notices, fees and general enquiries about their licences.
16. Provide support regarding an increased frequency of last minute administrative enquiries from fishers. e.g., master changes and quota transfers, as well as provide advice and support to fishers on licence information, to complete the required forms.
Services to support fisheries management:

1. Participate in inter and intra departmental meetings and workshops on issues relevant to the fishing industry.
2. Liaise with relevant staff within PIRSA Aquaculture and Fisheries in implementing decisions relevant to the fishery.
3. Interrogate the PIIMS database to extract information for other stakeholders to use in preparing reports.
4. Prepare reports requested by internal and external customers including maintenance of a public register of licence holders.
5. Liaise with information technology providers to maintain PIIMS and administer licensing requests.
6. Generate quota management reports to update stakeholders on varying Total Allowable Commercial Catch (TACC) returns and end of season quota holdings.

PERFORMANCE INDICATORS

1. Issue of licences to licence holders in an accurate and timely manner.
2. Provision of accurate and timely information related to licences.
3. Quarterly activity report as required within one month at the end of each quarter.

Program Contact Officer:
Kim Terry, Manager Leasing & Licensing
08 8204 1374
Kim.Terry@sa.gov.au
BRIEF DESCRIPTION OF FUNCTION

Business Services, within Directorate of PIRSA Fisheries & Aquaculture, provides a range of services to support fisheries management. These include coordinating the cost recovery process and establishing agreements with service providers; coordinating program provider reports; administering external contracts and agreements; and providing audit, financial and human resource functions.

OUTPUTS AND ACTIVITIES

Business Services provides support services to government and industry as well as advice and facilitation of corporate related policy and management issues:

1. Coordinate and facilitate cost recovery processes and program agreements, including liaising with program providers, managers and financial services as required.
2. Attend meetings relating to cost recovery, licence setting and related policy issues.
3. Develop and review cost recovery policy, processes and program agreements.
4. Manage major service providers’ service level agreements.
5. Project manage and administer external contractual services and agreements – including liaising with PIRSA Accredited Purchasing Unit, preparing acquisition plans and selecting evaluation criteria, managing tender processes, drafting purchase recommendations and liaising with the Crown Solicitor’s office to develop contractual agreements.
6. Provide advice on procurement and invoicing requirements.
7. Consult with the Executive Director, Fisheries and Aquaculture, Director, Fisheries and Aquaculture Policy Management, Director, Operations, PIRSA fisheries managers, and the Office of the Minister and other parties as needed.
8. Management of industry funds and services.

PERFORMANCE INDICATORS

1. Plan, coordinate and facilitate the cost recovery process with industry associations and program providers in a timely and efficient manner.
2. Ongoing review, development and documentation of the cost recovery model, framework, processes and roles.
3. Meet agreed timeframes on management and administration of external contractual services
4. Appropriate management of industry funds and services.

Program Contact Officer:
Benn Gramola, Business Manager
08 8226 2317
Benn.Gramola@sa.gov.au
PROGRAM: FISHERIES COMPLIANCE OPERATIONS

BRIEF DESCRIPTION OF FUNCTION

The Fisheries & Aquaculture Operations Group is comprised of the Regional Operations teams, Offshore Patrol Operations and the Intelligence & Strategic Support teams. The complementary teams undertake compliance activities to educate fishers, deter opportunistic and financially motivated fishery related crimes, and enforce rules and regulations.

Each Fishery has a dedicated coordination team assigned consisting of a State Coordinator, Regional Coordinators, Policy Manager, and the SARDI Program leader for the fishery. The coordination team is also supported by timely and accurate intelligence briefings form the Intelligence & Strategic Support Team.

In consultation with the fishery industry representatives a dedicated Compliance Plan has been developed for each fishery. Each Compliance Plan is developed to ensure compliance activities with the fishery are intelligence driven, cost effective and efficient and outcome focussed. The three core strategies in order of priority (Education and Awareness, Effective Deterrence and Appropriate Enforcement) are directed at increasing voluntary compliance and maximising effective deterrence.

Following the consultation process and a detailed analysis of all intelligence and information to hand the major risks have been identified, prioritised and rated for each fishery specific plan. The resulting plan itemises a series of strategies, actions, and initiatives aimed at achieving the targeted outcomes. In addition, any other risks will be addressed outside of the planned program as the need arises. The risks and strategies to address them are constantly reviewed and assessed for relevance. Contingency plans are in place to address any emerging trend or issues where intelligence received or changes in circumstances within the fishery require attention in addition to monitoring all the rules and requirements of each fishery.

The level of effort required to deliver the compliance program in accordance with the dedicated plan is also reviewed annually taking into account;

- previous effort required to deliver established programs developed over last 10 years
- the identified risks to the fishery and any associated changes
- shifts or changes to the fishery management
- changes to fishing practices
- additional pressures or influences on fishers or the fishery
- intelligence holdings
- trends or change behaviours that required monitoring and/or investigation
- cost effectiveness and identified efficiencies
- any other relevant information required to deliver an effective compliance program to monitor and enforce the rules and regulations for each fishery

Activity, effort and outcomes are collated and reported against each of the identified fishery specific risks and strategies.
ACTIVITIES

- Monitoring of all fishery management and quota systems for compliance
- Offence identification and response
- Operational and Investigation Planning and Surveillance
- Risk assessments, trend and threat analysis
- Master Operational Planning Process
- Legislative review for efficacy and relevance
- Prosecution system maintenance and development
- Prosecution Steering Committee coordination and assessment
- Industry liaison and education

OUTPUTS

- Delivery of Actions and Initiatives against Compliance Plan
- Educational material
- Induction & Pre-season information packages
- Intelligence driven operations and investigations
- On land and at sea inspections
- Engagement with fishers and attendance at industry meetings
- Cautions, Expiations and Prosecutions
- Intelligence briefings and target packages
- Consultative Industry initiatives and planning
- Engagement and participation in Rules & Gear Reviews
- Continued development of cost effective and efficient fishery specific compliance plans
- Quarterly or bi-annual compliance activity reports
- Annual fishery compliance outcomes and scorecard

PERFORMANCE INDICATORS

- Increased voluntary compliance
- Continued development of effective deterrence strategies
- Accurate intelligence and risk predictions
- Successful court outcomes for serious offences
- Development of efficient and cost effective compliance strategies
- Continued development of stakeholder engagement programs
- Reduced incidence of reported illegal activity
- Reduced incidence of documentation errors and inconsistencies
- Increased integrity in fishery management systems and/or quota systems
- Increased positive interactions & collaboration with stakeholders

The dedicated Fishery Compliance Plan for this fishery outlining each of the risks and strategies, actions and initiatives to address those risks is attached hereto.

Program Contact Officer:
Peter Dietman, Director, Operations
08 8226 2873
Peter.Dietman@sa.gov.au
Fishery Management Plan Goals

1. Ensure the Rock Lobster resource in the Northern Zone is sustainably harvested
2. Optimum economic utilisation and equitable distribution of the Rock Lobster resource in the Northern Zone
3. Minimum impacts on the ecosystem
4. Cost effective and participative management of the fishery

Compliance Risk Summary:

1. Quota Evasion - PIRSA Risk Rating: HIGH (Likelihood – Likely 6, Consequence - Severe 3: Score 18)

Quota Evasion is where a Commercial Fisher takes fish but does not document having taken the fish. The need for or opportunity to increase personal income is the primary driver for quota evasion to occur.

Factors including changed personal financial circumstances, reducing profit margins, product sale uncertainty (China), reduced capacity to earn income as a result of changes to individual transferrable quota (ITQ) and also positive predicted catches all influence the likelihood of quota evasion occurring.

Elements of quota evasion can include:

- Fishing but not Prior Reporting
- Fishing but failing to complete a CDR
- Making false declarations on CDR including numbers of RL caught (retaining undeclared fish)
- Failing to deliver CDR with RL
- Bins not sealed or sealed incorrectly (provides opportunity to remove RL)
- Exceeding take home allowance
- Colluding with Fish Processors (includes failing to complete or falsifying record of RL weight on CDR, failing to complete or making false declarations on RLSTF)

Discrepancies among fish counts do exist (In 2012/2013 discrepancies ranged between 5 – 40 fish) and as the elements of the Northern Zone Rock Lobster (NZRL) Quota Management System currently stand it is difficult for Fisheries Compliance to prove or disprove whether such variances are intentional or accidental. So, in
addition to potential for quota to be evaded through manipulation of declared fish numbers, this risk is further heightened by the difficulty of being able to prove or disprove whether quota evasion has taken place.

2. Quota Management System Integrity – PIRSA Risk Rating: HIGH (Likelihood - Occasional 5, Consequence - Severe 3: Score 15)

The Quota Management System (QMS) is the collection of elements, each including various measures that when adhered to, enable effective accountability of all fish taken and subsequently sold or transferred. Integrity is the term used to describe the effectiveness of the measures contained within the QMS. The more effective the measures, the better the integrity of the QMS.

The establishment of the QMS in 2003 is in line with Fishery Management Plan goals and primarily aims to prevent over-fishing, which can lead to over-exploitation of the biomass and ultimately the collapse of the Fishery.

The NZRL QMS requires all fish taken and subsequently sold or transferred to be documented by licensed Commercial Fishers on Catch and Disposal Records (CDR) and then by Fish Processors on RL Sales and Transfer Forms (RLSTF).

Measures included within the NZRL QMS that influence the integrity of the QMS include:

- Fishers required to keep records of RL caught each day (which can be confirmed by Fisheries Officers counting the RL)
- Fishers required to advise (prior report) in advance when they intend to land their fish, where, who will receive the RL etc.
- Fishers and Fish Processors required to accurately complete formwork (CDR, RLSTF) that accounts for all RL caught and sold
- Fish bins are sealed with PIRSA certified tags (the seals are broken at weigh off at the Fish Processors)
- Accurate and timely completion and submission of CDR by Fisher and Fish Processor (incl. complete daily log, numbers of Rock Lobster, numbers of bins and tags)
- Accountability measures and requirements around “take home” RL
- Vessel Monitoring System (VMS)

Each measure forms part of the overall Quota Management System. Failure to comply with a measure(s) or exploitation of a measure(s) undermines the integrity of the QMS and heightens the risk of Quota Evasion. The reduced ability of Fisheries Compliance to either prove or disprove intent where there is variance in the number of fish declared is viewed by Fisheries Compliance as a shortfall in the QMS.
3. **Take Undersize Rock Lobster - PIRSA Risk Rating: MODERATE (Likelihood – Possible 4, Consequence - Severe 3: Score 12)**

The purpose of minimum legal size limits is to protect juvenile fish and maintain spawning stocks. Should undersize Rock Lobster be taken on a large-scale basis, the cumulative effects could be significant in terms of overall Rock Lobster biomass sustainability within South Australia.

Research by SARDI predicts a reduction in undersize Rock Lobster biomass during the 2014/2015 Rock Lobster season.

Following rollout of a standard measuring gauge late in 2010 and a concerted education and awareness campaign undertaken thereafter, the number of detected undersize Rock Lobster over past few years has reduced slightly.

Whist this is a positive, both Industry and PIRSA Fisheries and Aquaculture need to remain vigilant and avoid complacency around this issue.

**Elements of the risk can include:**

- Fishers taking Rock Lobster just under minimum legal size
- Fishers using incorrect techniques to measure Rock Lobster
- Fish Processors colluding with Fishers / failing their duty to check for undersize Rock Lobster

4. **Take Female Rock Lobster Carrying Eggs - PIRSA Risk Rating: MODERATE (Likelihood - Possible 4, Consequence – Severe 3: Score 12)**

Juvenile recruitment within the NZRL Fishery is vital in maintaining the Rock Lobster biomass at sustainable levels. Should Rock Lobster carrying eggs be taken, the cumulative effects could be significant in terms of overall Rock Lobster sustainability within South Australia.

**Elements of the risk can include:**

- Fishers failing to return female Rock Lobster carrying eggs to the water
- Fishers removing eggs from female Rock Lobster and landing those Rock Lobster
- Fish Processors colluding with Fishers / failing their duty to check for female Rock Lobster carrying eggs

Legal limitations (listed below) are placed on the construction and dimension of Rock Lobster pots to assist sustainable harvest and minimise ecosystem impacts.

SARDI has documented that the use of non-compliant escape gaps may increase the retention of undersize Rock Lobster and predation on those Rock Lobster.

Additionally, the use of unmarked Rock Lobster pots presents identification difficulties and can further be linked to the use of excess gear. While the merits of a limit on pot numbers in a Quota managed Fishery may be debated, there is a competitive advantage for Fishers who use in excess of their entitlement. A letter sent to Industry in late 2013 noted that the use of tags attached to floats with licence identification marks would not be inconsistent with the current regulations for marking buoys. Fisheries Officers are aware of this position.

Intelligence has been received during recent seasons indicating fishers are using illegal and excessive numbers of Rock Lobster pots.

Over the past few seasons, Fisheries Compliance has made considerable attempts to improve fisher adherence to correct escape gap dimensions. Initiatives undertaken have included educating fishers at the time of conducting pot inspections, attending ports meetings and clarifying requirements in writing. In October 2012 steps were jointly taken by Fisheries Compliance and Industry to address the issue, which was a positive move forward. Whilst the majority of fishers are now compliant, the ongoing dismissive behaviour of some fishers and failure to achieve compliance ensures that adherence to escape gap requirements will remain a focus.

In 2013 PIRSA Fisheries & Aquaculture introduced licence conditions mandating use of Sea Lion Exclusion Devices (SLED) in waters 100m or less for the 2013 /2014 season. The approved SLED is a pot spike being a metal bar.

Elements of the risk to be monitored:

- Escape gaps of unlawful specifications
- More than the permitted number of Rock Lobster pots without escape gaps
- Unmarked Rock Lobster pots (buoys not marked with licence number or marked with incorrect licence number)
- The use of Rock Lobster pots in excess of the number endorsed on a licence
- Compliance with SLED requirements
6. Other Compliance risks identified within the fishery that may occur will be addressed as they are detected. They include the following:

- Take protected species other than females with eggs
- Taking non-permitted species (species not listed on Schedule)
- Use device not registered
- Interfering with lawful fishing activity
- Master or vessel not endorsed on a licence
- Exceed relief (Marine Scale) day provision
- Take undersize (Marine Scale)
- Fish Closed areas / Seasons (Marine Scale)
- Failure to lodge SARDI catch and effort returns
- Inaccurate or misleading reporting of catch location and volume on SARDI returns
- Assist / provide services to other agencies (i.e. SAPOL, threats at sea amongst Industry)
### Risk Likelihood & Consequence Analysis:

<table>
<thead>
<tr>
<th>LIKELIHOOD</th>
<th>CONSEQUENCES</th>
<th>CONSEQUENCE DEFINITIONS</th>
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#### Likelihood Definitions:
- **Likely**: It is expected to occur
- **Occasional**: May occur
- **Possible**: Some evidence to suggest this is possible here
- **Unlikely**: Uncommon, but has been known to occur elsewhere
- **Rare**: May occur in exceptional circumstances
- **Remote**: Never heard of but not impossible

#### Consequence Definitions:
- **Negligible**: Local extinctions are imminent / immediate
- **Low**: Likely to cause local extinctions, if continued in longer term
- **Moderate**: Affecting recruitment levels of stocks / or their capacity to increase
- **High**: Full exploitation rate, but long term recruitment / dynamics not adversely impacted
- **Extreme**: Possibly detectable, but minimal impact on population size and none on dynamics
- **Extremely**: Insignificant impacts to population. Unlikely to be measurable against background variability for this population

**Risk Rating**:
- Negligible
- Low
- Moderate
- High
- Extreme

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**Strategies:**

The following strategies have been developed to address each of the risks:

**Education & Awareness**

- All interested parties understand their respective obligations
- Industry communication & relationship program

**Deterrence**

- All aspects of fishing activity including the QMS are fully monitored
- Enforcement Plan Communication Strategy
- Enforcement Outcomes Communication Strategy
- Identify gaps in QMS Integrity and work collaboratively with Industry to identify and implement solutions

**Enforcement**

- Identify participants & methodology of offenders
- Take appropriate and measured outcomes in response to detected offences
- Maximise successful prosecutions Outcomes

**Target Outcomes:**

The following target outcomes have been identified:

1. Minimise quota evasion
2. Maintain QMS integrity
3. Minimise take of undersize
4. Minimise take of females carrying eggs
5. Minimise use of illegal Rock Lobster pots
<table>
<thead>
<tr>
<th>Risks Addressed</th>
<th>Strategies</th>
<th>Initiative</th>
<th>Actions</th>
<th>Who</th>
<th>When</th>
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<td>x x x x x x x</td>
<td>1 = Quota Evasion</td>
<td>1 on 1 interactions</td>
<td>Update and distribute Fishery User Guide</td>
<td>SC, RC’s</td>
<td>Pre Season</td>
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<td>2 = Quota Management System Integrity</td>
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<td>Meet with LH’s, RM’s and Fish Processors prior to season. Ensure all have a clear understanding of:</td>
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<td>3 = Take Undersize</td>
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<td>- Legislative changes impacting coming season</td>
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<td>4 = Take Female Rock Lobster with Eggs</td>
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<td>- Compliance focus for coming season</td>
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<td>5 = Illegal Rock Lobster Pots</td>
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<td>Have 1 on 1 interactions with LH’s, RM’s and Fish Processors throughout the season; ensure all remain clear on the rules and their obligations</td>
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<td>Industry Days</td>
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<td>2 = Quota Management System Integrity</td>
<td>Induct new entrants</td>
<td>Induct new entrants</td>
<td>RC’s</td>
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<td>Established liaison &amp; contact with Industry</td>
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<td>Have regular contact with SARDI, Policy, Industry Representatives and Stakeholders</td>
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<td>Prior to season commencing, communicate forthcoming Compliance focus to Industry</td>
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<td>Attend Industry meetings. Communicate Industry performance. Raise Compliance issues in a timely manner</td>
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<td>Provide Compliance summary to the RLFMAC</td>
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<tr>
<td>Risks Addressed</td>
<td>Strategies</td>
<td>Initiative</td>
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<td>Audit</td>
<td>Audits to include but not limited to:</td>
<td>SC, RC’s</td>
<td>Ongoing</td>
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<td>• Identification of CDR irregularities</td>
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<td>• Monitor quota balance for exceeding catch</td>
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<td>• Information recorded on CDR and RLSTF</td>
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<td>x</td>
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<td>• Prior Reports</td>
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<td>• VMS</td>
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<td>Field based inspections</td>
<td>Fisheries Officers utilise recording mechanisms including VMS, Prior Reports, CDR’s and RLSTF to monitor all aspects of fishing and processing operations. Inspections at sea, landing, transit and at Fish Processor</td>
<td>Regions, SR</td>
<td>Season</td>
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<tr>
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<td>Regulatory review and revision</td>
<td>Contribute to amendment of legislation and policy where appropriate</td>
<td>SC, RC’s</td>
<td>As required</td>
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<tr>
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<td>Media</td>
<td>Utilise media to update on successful prosecution outcomes</td>
<td>Ops Mgrs, SC, PIRSA Comms</td>
<td>As required</td>
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<tr>
<td>1</td>
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<td>Intelligence</td>
<td>Collate and analyse information received through FISHWATCH and Stakeholders</td>
<td>Regions, Intel Analyst</td>
<td>Ongoing</td>
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<tr>
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<td>Intelligence driven operations</td>
<td>Develop investigations and carry out targeted operations in line with the Serious Offence Plan</td>
<td>Regions, SOG</td>
<td>As required</td>
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<tr>
<td>1</td>
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<td>Address non-compliance</td>
<td>Investigate instances of non-compliance</td>
<td>FO’s</td>
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<td>Take enforcement action including issue of Caution, Expiation and Brief</td>
<td>FO’s</td>
<td>As required</td>
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<td>x</td>
<td>Brief quality assurance</td>
<td>Briefs of evidence meet evidentiary requirements and are vetted to ensure quality assurance</td>
<td>Ops Mgrs, PSC</td>
<td>As required</td>
</tr>
</tbody>
</table>

**Abbreviations:** FO (Fisheries Officer); Ops Mgrs (Regional Operations Manager); SR (Southern Ranger); SC (State Coordinator); RC (Regional Coordinator); Regions (includes West & Central Regions); PSC (Prosecution Steering Committee – PIRSA internal); SOG (Special Operations Group – PIRSA internal); Intel Analyst (Intelligence Analyst – PIRSA internal); PIRSA Comms (PIRSA Communications – PIRSA internal)