

Rock Lobster Fishery Management Plan

Operational Frequently Asked Questions for Commercial Fishers

Version 1

17 NOVEMBER 2022



Disclaimer

These frequently asked questions (FAQs) are a plain English summary of most changes under the new *Fisheries (Rock Lobster) Rules 2022* (the Rules) and are produced without prejudice. They should not be used as a binding interpretation of the Rules for legal proceedings.

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Licence holder responsibility

Information provided in these FAQs is correct as at the time of publication. Licence holders and supervisors are advised that Rules (the legislation) change from time to time and licence holders are advised of these changes when they occur.

Licence holders are reminded of their responsibility to ensure that any person specified as a supervisor on their licence is made aware of these changes as they occur.

It remains your responsibility as a licence holder or supervisor to read and understand the relevant legislation in full, and to maintain an up to date knowledge of the Rules relevant to your activities.

The Rules are available for download from the Department of Natural Resources and Environment (NRE Tas) website, via www.fishing.tas.gov.au/legislation or <https://www.legislation.tas.gov.au/>.

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I. Introduction

The Tasmanian Rock Lobster Fishery Management Plan (the *Fisheries (Rock Lobster) Rules 2022*, “the Rules”) was introduced on 1 November 2022.

These Rules replace the previous Rock Lobster Rules, which expired on 31 October 2022. The current Rules will apply for ten years.

The key changes for commercial fishers in the current Rules are:

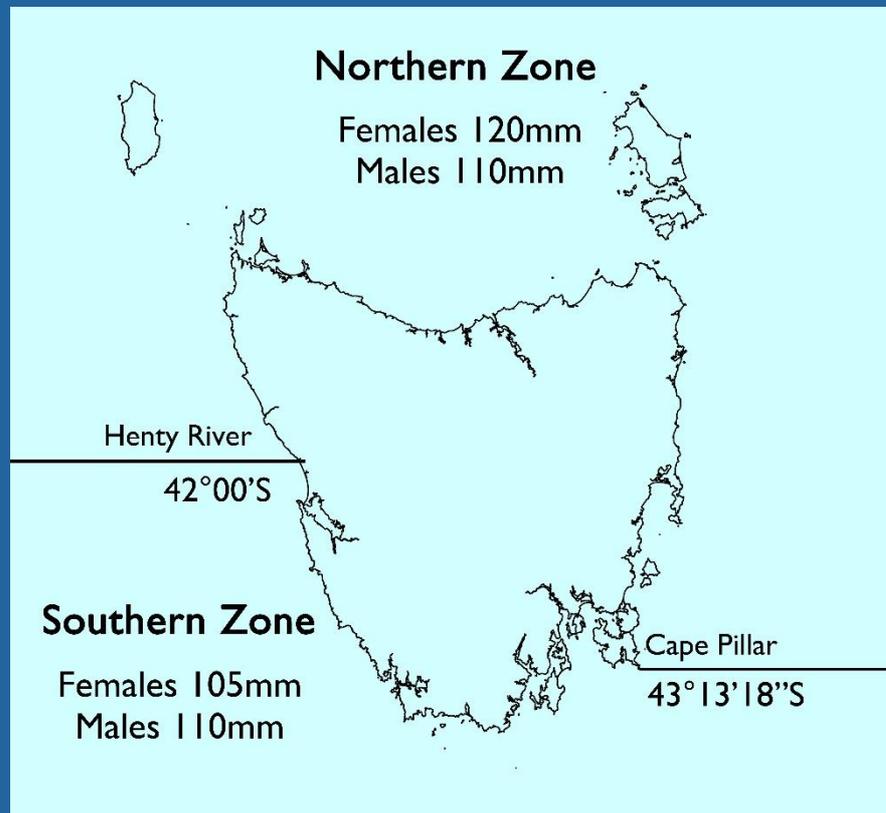
- Introducing regional size limit zones that better reflect rock lobster growth rates and maturity sizes;
- Mandatory vessel monitoring systems (VMS);
- Changes to transiting and reporting provisions;
- Changes to personal possession provisions; and
- Changes to some quota monitoring arrangements.

The document sets out the main changes and answers frequently asked questions. It is intended that this document will be updated as any further questions arise, or if there are any changes to the Rules over their lifetime.



2. New fishing zones

There are now two fishing zones in the Tasmanian rock lobster fishery, which have different minimum size limits for female rock lobster.



- The **Northern Zone** (Henty River northwards and eastwards to Cape Pillar):
 - Females 120 mm carapace length (**new**).
 - Males 110 mm carapace length (no change).
- The **Southern Zone** (Cape Pillar southwards and westwards to the Henty River):
 - No change to current size limits (females 105 mm, males 110 mm).

You must **unload all rock lobster caught in one zone** before commencing a fishing trip in the other zone.

Why are these changes being made?

The size limit zones have been introduced to better reflect rock lobster growth rates around the State and increase egg production, particularly in the north-east and east of the State.

In the South, existing size limits are being retained as they reflect growth rates and size at maturity in the area.

3. Transiting and reporting provisions

New transiting provisions have been brought in to support the new fishing zones.

The following reporting requirements have not changed:

- You must make a pre-fishing telephone report prior to commencing a fishing trip.
- You must make an unloading report at least two hours before unloading.
 - If your intended port of unloading changes, simply make a cancellation report and make a new unloading report at least two hours before unloading.
- You must fill out your Commercial Rock Lobster Catch Record & Quota Docket for each trip.
- If you have fished in a catch cap area, you must note in your Commercial Rock Lobster Catch Record & Quota Docket that the catch has come from this area, and if so, how much.

3.1. New commercial transit reports

You now need to make a transit report at least 30 mins prior to crossing from one size limit zone into the other size limit zone (**new**) if:

- You are commercially fishing for rock lobster, and
- You have fish from that zone on board (**new**).

You do not need to make a transit report if:

- You are in the Northern Zone and entering a catch cap area,
- You are leaving a catch cap area north of Cape Pillar and staying within the Northern Zone, or
- You are crossing the boundary from one zone to another and do not have fish on board taken from the zone you are leaving.

To make a transit report, call 1800 067 470 – 03 8199 7343

Q: I've made a transit report, do I need to write down the report number?

A: No. If you wish to, you may write the transit report number down in the Comments section of your logbook, but you are not required to do so.

Q: If I'm fishing, can I cross the size limit zone line (Cape Pillar or Henty River) to take cover from bad weather?

A: Yes. Note that if you have fish on board from the size limit zone you're currently in and will be anchoring in the other size limit zone (e.g., want to cross the Cape Pillar line to shelter in Port Arthur), you will need to make a transit report when crossing the size limit zone boundary line.

3.2. Amended definition of commercial transiting

Transiting directly requires that you travel by the most practical and direct route at a speed of at least 3 knots (**new**). You may not set or haul a rock lobster pot during transit.

A vessel on a fishing trip is still transiting directly if the vessel deviates from the direct route for one or more of the following reasons:

- to assist a person, or vessel, in danger or distress, whether or not that assistance was requested;
- to avoid a serious danger to the vessel or its crew that is on or near, or is anticipated to be on or near, the direct route for the vessel;
- to prevent serious damage to the vessel, or injury or loss of life of its crew;
- due to a failure, malfunction or defect of the vessel that prevents the vessel from taking the direct route;
- to anchor the vessel for a purpose other than fishing for rock lobster.

3.3. Changing a previously nominated fishing area while at sea

You can now change the area you have nominated in your pre-fishing report without having to return to port, provided that:

- The changing part of fishery report is made within 48 hours of making your pre-fishing report; and
- You have not commenced fishing, i.e., not set or hauled a pot; and
- There is no rock lobster on the vessel.

3.4. Loading tank report

Fishers using a holding tank will be required to make a loading holding tank telephone report prior to moving lobsters from their vessel to the tank (**new**).

This is in addition to the usual unloading report.

4. Processors to mark and separate catches by fishing zone

During transport from the wharf to a fish processing facility, each fisher's lobsters must be kept separate from other fishers' catch in containers or bins, each clearly labelled with the name of the fishing zone where it was taken.

- Before transportation of the rock lobster commences, each tank, or container, holding rock lobster is to be clearly marked, tagged or labelled with the fishing zone where the rock lobster were taken, and the name of the holder of the fishing licence (rock lobster).

- Bins have a unique colour or identifier (e.g., zip ties) that correspond to each fisher that fish were collected from. The colour and identifier corresponding to each fisher must be clearly defined, including fishing zone fish were taken from, and visible on the corresponding fish handling weigh sheet OR Commercial Rock Lobster Catch Record & Quota Docket.
- These marking requirements do not apply if the person receives and transports rock lobster from only one holder of the fishing licence (rock lobster).

5. Direct sales

The following amendments to direct sale provisions have been made:

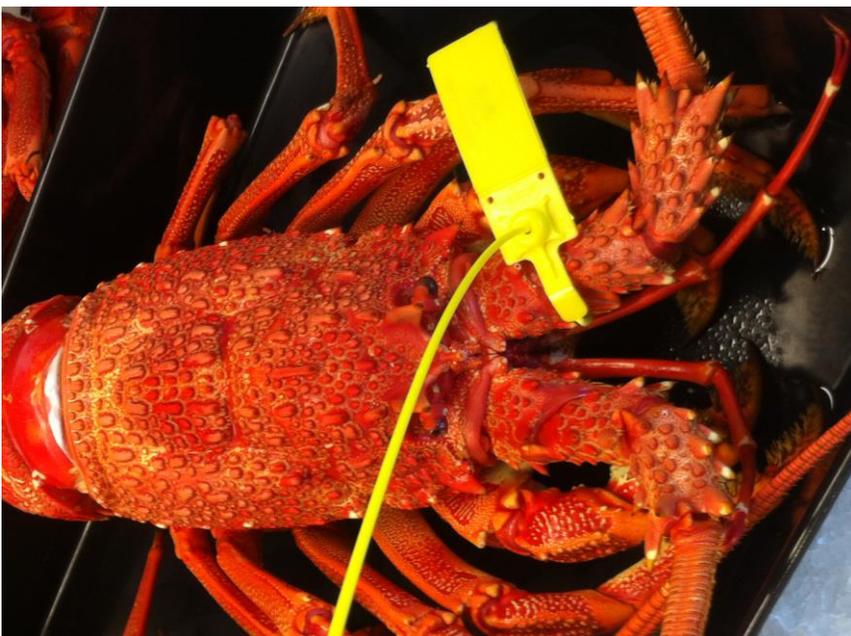
From 1 November 2022:

- The weight of lobster is to be recorded to two decimal places in the Commercial Rock Lobster & Giant Crab Direct Sale Quota Docket and direct sale receipts where the weight is recorded in kilograms (**new**), and
- The weight of the lobster must be recorded prior to any cooking or processing (**new**).

From 1 March 2023:

- Fishers must tag their lobster with the coloured tag that corresponds with the size limit zone of the fishery where it was caught.
 - Northern Zone (NORTH): White tag (**new**)
 - Southern Zone (SOUTH): Yellow tag

Direct sales tags must be securely attached to the horn of a rock lobster (pictured below).



5.1 Ordering direct sales tags

5.1.1. Using old tags and ordering new tags

Until 28 February 2023, you can continue to use the existing yellow direct sales tags for all direct sales.

From 1 March 2023:

- All existing yellow direct sales tags will be converted to Southern tags (SOUTH (yellow)).
- If you want to fish in the South and have existing yellow direct sales tags, you can use the yellow tags you have – no further action is needed.
- If you want to fish in the North, you can swap existing yellow tags with new NORTH (white) ones with no tag or postage fee.
- If you want to fish in the North and don't have any existing yellow tags to exchange, you must order new NORTH (white) tags from the Department (see above).
- If you want to fish in the South and don't have any existing yellow tags, you must order new SOUTH (yellow) tags from the Department (see below).

5.1.2. How to order direct sales tags for the Northern and Southern size limit zones

A new form to request tags will be available at <https://fishing.tas.gov.au/commercial-fishing/commercial-fishing-licences/commercial-licensing-forms> after 15 December 2022. We will be in touch with you by the end of the year with a "Request for Rock Lobster Horn Tag – South/North" order form.

There will be three components to the form:

- New **SOUTH tags (yellow)** – 48 cents a tag plus postage
- New **NORTH tags (white)** – 48 cents a tag plus postage
- Exchange yellow direct sale tags (issued before 1 March 2023) for **NORTH tags (white)** – no tag or postage fee

5.1.3. Selling fish from one size limit zone in another zone

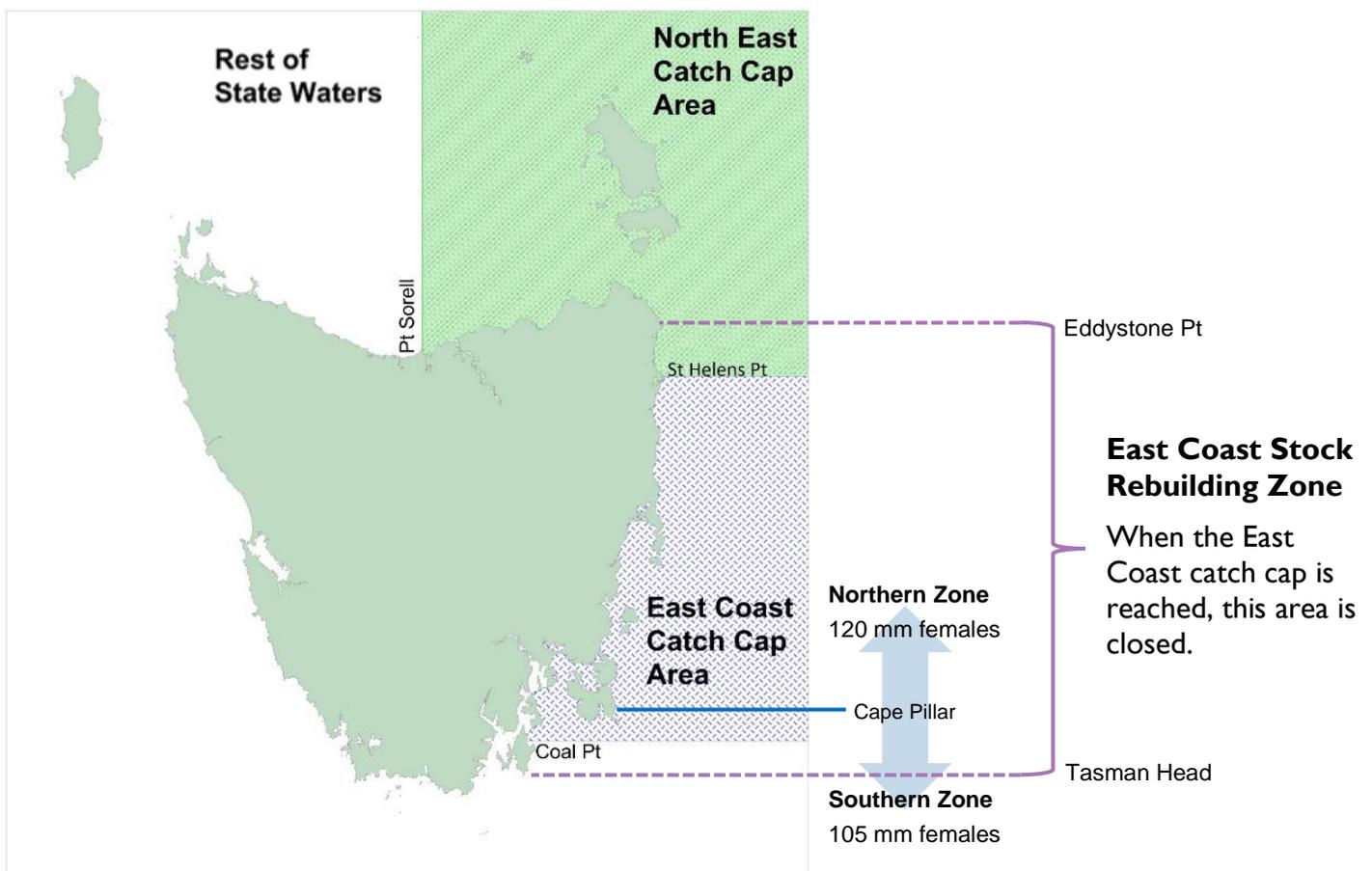
If you have fished in the Southern size limit zone, you can sell fish taken from that zone in the Northern size limit zone, and if you have fished in the Northern size limit zone, you can sell fish taken from that zone in the Southern zone, provided that:

- You make a transit report half an hour before leaving the fishing zone reported in the pre-fishing report (e.g., you have "Southern zone" in their pre-fishing report and you make a transit report that you are leaving that zone), and
- You transit to an approved port of unloading (adhering to the new commercial transiting definition),
- If you caught your fish in the Southern zone and are unloading in the Northern zone, all fish sold through Direct Sales must be tagged with a Yellow tag, and

- If you caught your fish in the Northern zone and you are unloading in the Southern zone, all fish sold through direct sales must be tagged with a White tag, and
- You can unload to a processor, and
- You must unload all your fish caught in one size limit zone before commencing a fishing trip in the other size limit zone.

6. Catch cap areas

The boundaries of the North East Catch Cap and the East Coast Catch Cap areas are unchanged.



6.1. Restriction for setting pots at night

Time restrictions for setting pots at night have been standardised so they are the same inside and outside catch cap areas.

- During the **summer period** (1 November to midnight 30 April), you must not set a rock lobster pot between **11 p.m.** of one day and **4 a.m.** of the following day.
- During the **winter period** (1 May to midnight 31 October), you must not set a rock lobster pot between **10 p.m.** of one day and **5 a.m.** of the following day.

These time restrictions apply **both inside and outside** catch cap areas.

The following rules are unchanged:

- You can retrieve a pot during the night, but you cannot re-set it.
- Fishers who are setting their pots for the first time on a trip (since making a pre-fishing telephone report) will be able to set their pots at night.

7. Vessel Monitoring System (VMS)

In accordance with rule 24 of the *Fisheries Rules 2019* the Secretary has determined that a vessel monitoring system is required to be used by the supervisor while using the licence in the rock lobster fishery. Supervisors are directed to fit the CLS Triton Advanced automatic location communicator (ALC) before the vessel is used in the rock lobster fishery. Supervisors must ensure that the ALC is operating at all times and is not removed from the vessel without the written approval of the Secretary.

Supervisors may seek approval to not operate the ALC for a specified period of time while the vessel is at an approved location in one of the following circumstances:

- During a closed season for the rock lobster fishery,
- While the vessel is undergoing maintenance that prevents its use,
- While the vessel remains at an approved location for more than 14 consecutive days and is not being used for any fishing, or
- In any other circumstances that the Secretary considers appropriate

Requests for approval can be submitted by:

- Using the online form located at <https://fishing.tas.gov.au/vms-form> (preferred) or
- Phoning the Fisheries Compliance and Licensing Branch on (03)6165 3000.

Q: Who can I call if I think my VMS has stopped working?

A: It is anticipated that the CLS Triton Advanced VMS unit will be highly reliable. Please call Mark Gibson, Senior Fisheries Officer (VMS) if you wish to confirm that your vessel's VMS is operating.

Q: Do I need to keep my VMS unit on if I'm using my fishing vessel for something else, like a recreational fishing trip?

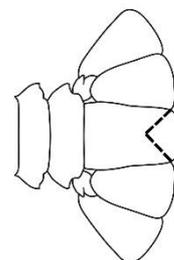
A: Yes. The VMS must be operating at all times unless you have received written approval to temporarily switch it off or your Rock lobster licence has been de-activated.

8. Personal possession of rock lobster

The following provisions relating to rock lobster retained for personal use will apply:

From 1 November 2022:

- A maximum of 5 lobsters can be retained per unloading event.
- Lobsters must be marked with a V notch in the tail fan (pictured right) and tagged with personal possession tag (**new**).
- Personal possession tags will be issued prior to the start of each quota year.
- The personal possession tags for the remainder of the 2022/23 season will be blue, and you can take up to 30 in total for the 2022/23 quota year.
- Lobsters must be recorded in the Commercial Rock Lobster Catch Record & Quota Docket within 5 minutes of being retained for personal use and prior to being unloaded from the vessel.
- If unloading to a processor, any lobsters retained for personal possession must be recorded in the Commercial Rock Lobster Catch Record & Quota Docket within 5 minutes of completing Part A of the docket.
- The personal possession limit of 10 lobsters per person remains.



From 1 March 2023:

- The annual limit will be reduced from 30 to **20 per licence holder** (including supervisors) (**new**).
- The personal possession tags from the start of the 2023/24 season will be red.
- All other provisions (as set out above) still apply.

Personal possession tags cost 48 cents each plus postage (if required).

Q: How do I attach a personal possession tag?

A: Fasten a personal possession tag securely around the horn of the rock lobster, similar to direct sales tags (pictured right).

Q: If a supervisor retains a fish for personal use, can they give their fish to someone else?

A: Yes, provided they do not accept money, goods, or services in exchange. The personal aggregation limit of 10 applies to all lobsters, including those recreationally caught and gifted by another person.

Q: Can I remove or reuse my personal possession tags?

A: No. Each tag can only be used once and must be used in the quota year it is valid for.

Q: How do I know which quota year my personal possession tag is valid for?

A: Personal possession tags have an expiry date printed on them, which is the last day of the quota year they are valid for.



8.1.1. How to order personal possession tags

The “Rock Lobster Horn Tags – Personal Possession” order form is located on our website at: <https://fishing.tas.gov.au/commercial-fishing/commercial-fishing-licences/commercial-licensing-forms> or contact the Compliance and Licensing Branch on 03 6165 3000.

To order personal possession tags, complete the form and return to the Department with proof of payment to:

Commercial Fisheries Licensing

Postal address:

GPO Box 44
Hobart TAS 7001

Physical address:

Level 1, 134 Macquarie Street
Hobart TAS 7000

Email: fisheries.licensing@nre.tas.gov.au

If you are unsure how many tags you will need, you can order the maximum number of tags for a given quota year. You can order more personal possession tags throughout the quota year, up to a maximum per quota year of either 30 (for the remainder of the 2022/23 quota year) or 20 (from the start of the 2023/24 quota year).

9. Possession at a port of landing

It is now an offence for a licence holder to possess lobster that have not been unloaded at a port of landing listed in Schedule 3 of the Rules (**new**), unless they have a licence endorsement with alternative unloading conditions or there is an emergency situation (safety of vessel or crew at risk).

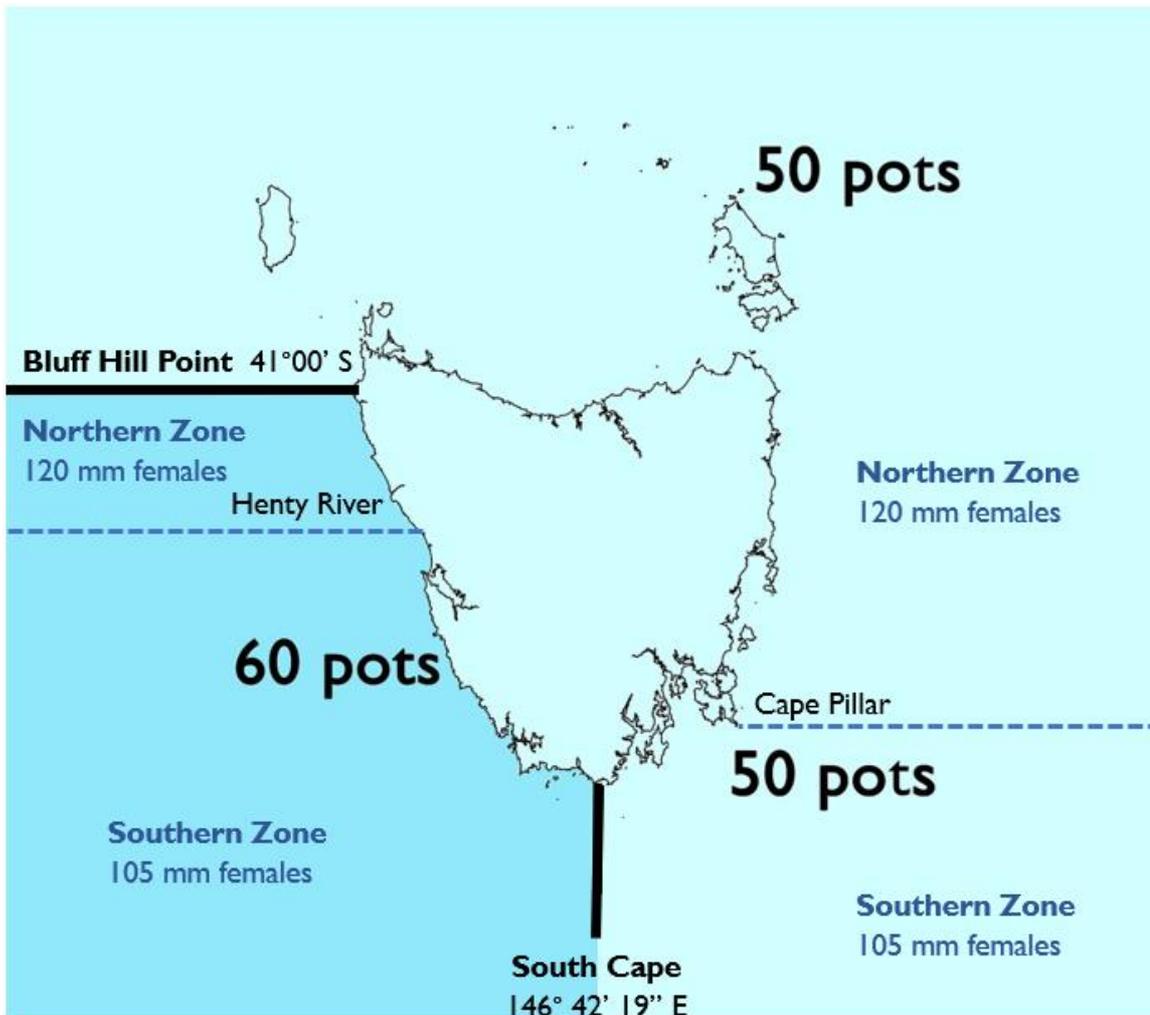
10. Commercial fish caufs

New rules apply to fishers using a commercial fish cauf:

- The fish cauf buoy must be marked clearly with the distinguishing mark of the fishing vessel that is using the cauf (**new**).
- The fish cauf can be moved to a designated landed area for the purpose of unloading rock lobster, provided the fishing vessel's auxiliary vessel is used to move the cauf, and that the cauf is then immediately returned to its prior approved location (**new**).

11. 60 pots zone

The boundaries of the 60 pots zone are unchanged. The figure below sets out how the 60 pots zone and the new size limit zones interact.



11. Who to contact

For further questions about the Rules or this document, contact NRE Tas on:
(03) 6165 3000, 1300 368 550



Tasmanian
Government

Department of Natural Resources and
Environment Tasmania

134 Macquarie Street
HOBART TAS 7000

Email: commercial.fisheries@nre.tas.gov.au

Web: www.fishing.tas.gov.au