



Victorian Rock Lobster Fishery

3.1.1 Description of the fishery

Target species

Target catch consists almost exclusively of southern rock lobster (*Jasus edwardsii*) but small quantities of eastern rock lobster (*Jasus* (*Sagmariasus*) *verreauxi*) are taken in eastern Victoria.

Prohibited species

See Section 2.1.8 on 'protected aquatic biota'.

The take of abalone, giant crab, jelly fish, scallop and sea urchin are prohibited for commercial rock lobster fishing licences under the Fisheries Regulations.

Fishing area(s)

The commercial fishery is divided into eastern and western zones at longitude 143° 40'E, near Apollo Bay. The eastern zone (EZ) extends east to the NSW border and south to 39° 12'S. The western zone (WZ) extends west to the South Australian border and south to 40°S. Approximately 85% of the annual catch comes from the WZ.

Fishing methods

Commercial

Catch is only permitted by using baited commercial rock lobster pots.

Recreational

Catch permitted using a gloved hand (by diving using snorkel, SCUBA or hookah), or by use of up to two recreational hoop nets.

Management arrangements employed in the fishery

The management arrangements for the fishery are outlined in the Fisheries Regulations and the Rock Lobster Fishery Management Plan (DPI 2003). The management plan contains performance indicators, reference and trigger points to which the fishery is assessed. It also details management actions if trigger points are reached.

Minimum size restrictions (measured by carapace length) – females 105 mm, males 110 mm and a closed season (females 1 June to 15 November, males 15 September to 15 November) apply to both the recreational and commercial fishing sectors.

Commercial arrangements

Access is limited by a capped number of licences, in 2007-08 there are WZ 85 licences, EZ 46 licences. Commercial catch is regulated by a quota management system with individual transferable quota (ITQ) units. In 2007-08 the total allowable commercial catch (TACC) is set at 380 tonnes in the WZ and 66 tonnes in the EZ.

There is a cap on the total number of pots that can be used in each zone. In 2007-08 5147 pots were permitted in the WZ and 2021 pots in the EZ. Pots are transferable within each zone. There are controls on the overall dimensions of pots and the number and size of escape gaps.

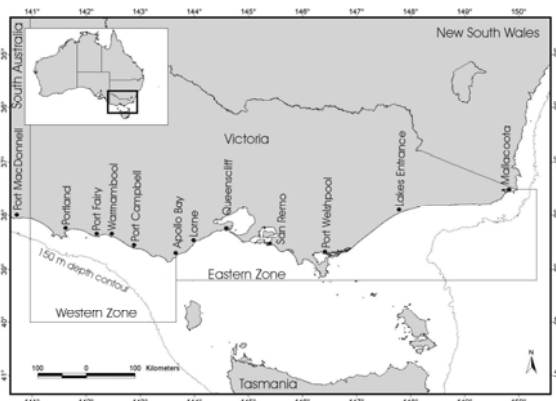


Figure 1. The Victorian Lobster Fishery

Recreational arrangements

Unless exempt (see section 2.1.6), a Recreational Fishing Licence is required to take rock lobster, and a daily bag limit of 2 lobsters and a total possession limit of 4 lobsters applies to all recreational fishers. To reduce incentives for illegal commercial sale, recreational catch must be marked by clipping tails within 5 minutes of landing.

Allocation between sectors

Under the Rock Lobster Fishery Management Plan, the recreational fishery is nominally allocated 10% and 5% of the TACC in the EZ and WZ respectively. The recreational catch is set as a trigger (reference) point to review the recreational management arrangements, although as there is currently no reliable estimate of recreational catch it is not known if the trigger has been exceeded.

Fishery accreditation

The management arrangements for the rock lobster fishery are accredited under the Commonwealth EPBC Act and the fishery has been granted an exemption from the export control provisions for a period of 5 years from March 2004. A report on the assessment recommendations is provided in Table 2.

Table 2

3.1.2. Catch data

Total catch of target species

As no reliable estimate of the recreational catch is available, the total catch is unknown.

Commercial catch of target species

For the 2007–08 (quota year) the landed commercial catch was 358 tonnes (state wide). This consisted of:

319 tonnes in the WZ

49 tonnes in the EZ

In addition to the landed catch, the impacts of fishing mortality caused by octopus predation of lobsters in pots, and the number of undersize lobsters returned to the water should also be considered. Based on the results of an onboard observer program during the 2004–05 to 2007–08 quota years, 5.8% and 4.0% of the rock lobsters caught in the EZ and WZ respectively were dead and not retained.

A proportion of the catch consists of undersize lobsters. In the EZ and WZ, 20.5% and 41.7% respectively, were undersize and returned to the water.

The retained commercial catch represents 73.7% and 54.3% of the number of rock lobsters caught in the EZ and WZ, respectively. These figures are for the numbers of rock lobster, not weight, because it is not practical to weigh the discards at sea. The percentage of retained rock lobsters by weight would be higher than the above figures because the retained fish are larger.

Incidental commercial catch

The take of rock lobsters in other commercial Victorian fisheries is negligible.

Recreational catch

Unknown in 2006/07.

The last state-wide estimate of recreational catch was conducted as part of The National Recreational and Indigenous Fishing Survey in 2000/01 (Henry and Lyle 2003). Between May 2000 to April 2001, the total recreational take of rock lobster in Victoria was estimated at 51,228 lobsters, weighing approximately 61.5 tonnes, but this estimate is not considered to be reliable because the sampling method used was not specifically designed for estimating the catch of rock lobsters.

Catch trends

Historical catch is shown in Figure 2.

WZ catch trend – decreasing

EZ catch trend – steady

Effort trends

Historical fishing effort is shown in Figure 2.

Fishing effort is decreasing in both zones.

Catch rates

Historical catch rates are shown in Figure 2.

WZ catch rate trend – decreasing

EZ catch rate trend – steady

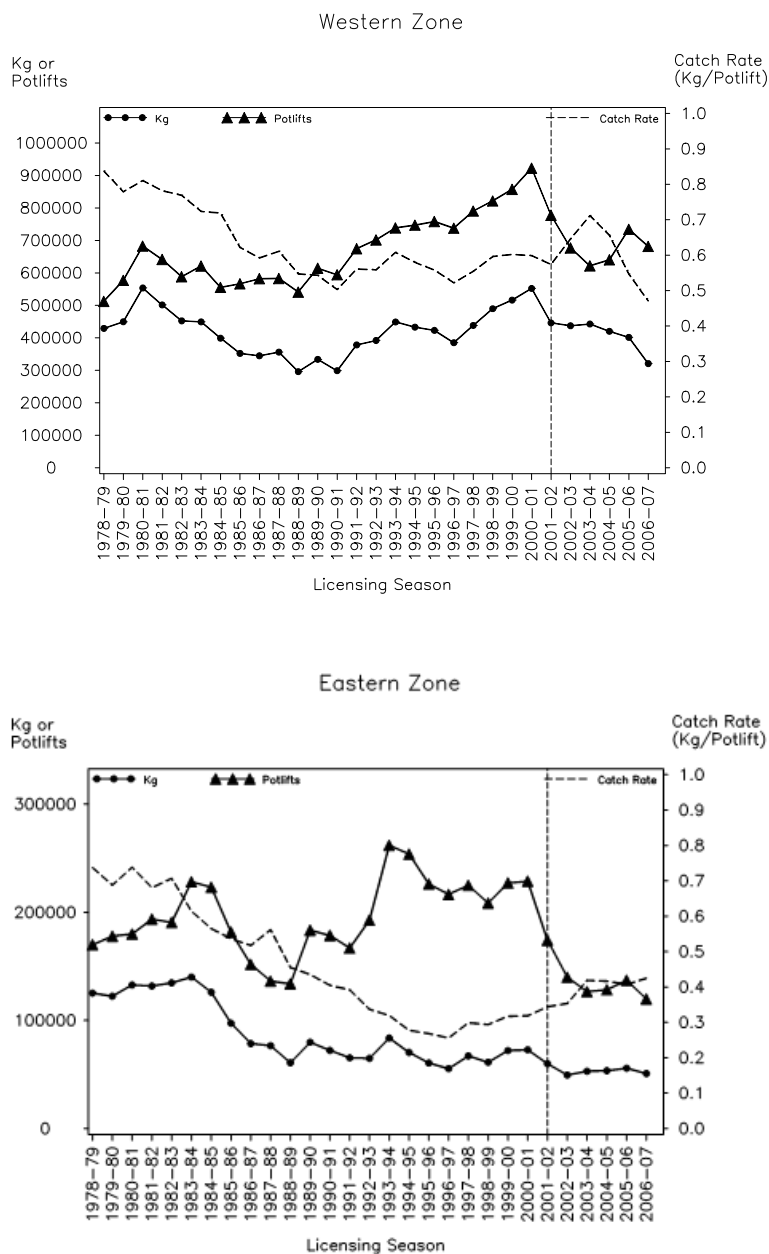


Figure 2. Reported rock lobster catch (kg), effort (potlifts) and catch rate (kg/potlift) from the western and eastern zones over licensing year. The vertical dotted line indicates the introduction of quota management.

Total catch of non-target byproduct and bycatch species

A total of 44 bycatch/byproduct species were recorded during three years of the observer program in the WZ and 22 species in the EZ (Hobday et al 2007).

Retained byproduct is reported in daily catch logs, but the data is considered unreliable in its current form. The catch rates of byproduct reported in log books are lower than those recorded by onboard observers.

The overall level of bycatch and byproduct in the Victorian rock lobster fishery is considered to be very low compared to other fishing methods, and similar to other pot fisheries. The most common species of bycatch in both zones is hermit crabs and the catch rate for this species is 0.088 and 0.053 per potlift. The catch of the main bycatch and byproduct species is summarised in Table 1.

Table 1. Catch rates of main bycatch and byproduct species associated with the western and eastern fishing zones in the Victorian commercial rock lobster fishery

WESTERN ZONE	% of total	No. per
Bycatch species	bycatch	thousand
		potlifts
Hermit crab	58	88.57
Velvet crab	11	16.74
Leatherjacket	7.8	11.91
Octopus	7.6	11.63
Wrasse	2.6	3.93
Port Jackson shark	2.5	3.90

EASTERN ZONE	% of total	No. per
Bycatch species	bycatch	thousand
		potlifts
Hermit crab	34.0	52.29
Leather jacket	33.0	50.44
Draughtboard shark	12.0	19.0
Wrasse	7.5	11.61
Port Jackson shark	3.8	5.86
Snapper	34.0	4.93

Around 70% of bycatch (mainly crustaceans) was returned to the water alive. The majority of bony fish caught are usually kept as commercial byproduct, for personal use or for bait. These species included: pink (banded) ling, jackass morwong, southern conger eel, striped trumpeter, southern rock cod, and red gurnard.

Spatial issues

In recent years there has been a strong market preference for dark red coloured lobsters in China. As a result, processors have lowered prices for the lighter coloured lobsters that are predominantly found in deeper offshore waters. Consequently, fishing effort has been concentrated on shallower inshore reefs where darker red lobster occur, leading to concerns about potential over fishing in shallow coastal waters.

Previous assessments for the fishery have focussed over whole zones, even though it is known that there is significant variation in the biology and fishery performance within zones. This was addressed in 2006-07, through a project entitled "Spatial modelling and assessment of the Victorian Southern Rock Lobster (*Jasus edwardsii*) fishery" (Hobday and Punt 2006).

3.1.3 Fisheries Management

Recent management changes

A zone known as the "paddock" (adjacent to Apollo Bay) where a 50 fishing pot limit per commercial fishing vessel was applied has now been phased out.

Due to concerns regarding low catch rates in the WZ, industry requested that commercial fishing in this zone be suspended over June/July 2007, and again in June/July 2008. The DPI undertook these closures at the request of industry by issuing a fishery notice.

Based on the commercial returns from the 2006-07 quota year, the WZ TACC was reviewed for the 2007-08 quota year and was reduced to 380 tonnes to rebuild lobster stocks. A further reduction to the TACC to 320 tonnes has also been implemented for 2008-09.

In addition to these changes, the 2003 Rock Lobster Fishery Management Plan is currently being reviewed. A revised management plan was released for public comment in November 2008.

Consultation processes

There is an annual stock assessment workshop (open to licence holders and other stakeholder groups) that updates the catch and effort data and the modelling for the fishery and reports against

the performance measures and reference points in the management plan.

A TACC setting forum is then held to consider the outcomes from the stock assessment and provide recommendations to DPI on the TACC (and other relevant management controls) for the upcoming quota period.

An annual Management Workshop is held for licence holders and other stakeholders to discuss operational and other issues relating to the fishery with DPI staff.

Performance of the fishery

The performance measures, reference points and management triggers are outlined in the Rock Lobster Fishery Management Plan.

WZ Performance

The TACC was set at 380 tonnes for the 2007–08 quota year, but only 84% was caught. The CPUE declined slightly from 0.47 kg/potlift to 0.46 kg/potlift. This declining trend triggered a further review of the TACC in the WZ, which was subsequently reduced to 320 tonnes for 2008/09.

EZ Performance

The TACC was set at 66 tonnes for the 2007–08 quota year, but only 74% was caught. CPUE decreased slightly from 0.42 kg/potlift to 0.36 kg/potlift. However, the uncaught TACC was attributed to non-resource related issues, such as quota held on inactive licences. The TACC has remained at 66 tonnes for 2008–09 because of the acceptable rate of increase in biomass.

Fisheries compliance

Victoria's rock lobster and giant crab fisheries share many common fishing grounds, and rock lobster and giant crab fishers are regularly inspected collectively during tactical and planned intensive operations. Regular inspections of commercial operators are conducted at sea, at the point of landing, and at the fish receiver.

The medium to high compliance risks identified in the risk assessment for the commercial fishery in 2008 were:

- Failure to report or misreporting in the quota management system
- Misreporting commercial catch in daily catch logs
- Misreporting commercial catches near the Victorian and South Australian border.

Western Zone Routine Inspections

There were 282 routine rock lobster inspections undertaken in the western zone during 2007/08 (representing 4% of the 7,098 total landings). There were 34 offences detected, giving a compliance rate of 89%, similar to the 90% compliance rate in 2006/07.

Eastern Zone Routine Inspections

There were 104 routine inspections in the eastern zone during 2007/08 (representing 10% of the 1,070 total landings). There were 23 offences detected, giving a compliance rate of 82%, similar to the 80% in 2006/07.

Recreational Fishery Inspections

The total number of fishing trips is not known so the inspection rate is unknown, but 46 relevant offences were detected in 2007/08 across the coastal regions (28 in Southwest, 8 in Port Phillip and 10 in Gippsland). Based on the number of inspections conducted on recreational anglers, the Southwest compliance rate was 91% (compared to 79% in 2006/07), Port Phillip 90% (compared to 92% in 2006/07) and Gippsland 91% (compared to 95% in 2006/07).

Targeted Operations

Operations conducted in recent times have resulted in the detection of a range of offences in the commercial fishing sector, including over potting, fishing in prohibited areas and administrative deficiencies in record keeping appropriate records. For example, in December 2006 fisheries officers working in conjunction with Parks Victoria staff, detected a commercial operator illegally fishing inside the Cape Howe Marine National Park.

Regular operations and surveillance activities are undertaken to protect the integrity of the rock lobster quota management system. Operation Border IV was undertaken in April 2007, in conjunction with compliance staff in South Australia. A commercial fisher that held licences in both South Australia and Victoria was detected fishing in Victorian waters, but had not recorded the details in the required Daily Catch Records. Fisheries Officers used GPS plotter data to show that the offender had been fishing in Victoria with baited pots on the day in question. The offender was found guilty of providing false and misleading information and failing to report catch details and was fined. This case was used as a catalyst to reform management of fishing on the Victorian/South Australian border.

Cross-jurisdictional management arrangements

There are major commercial southern rock lobster fisheries in Victoria, South Australia and Tasmania. These fisheries are managed by the States, under Offshore Constitutional Settlement (OCS) arrangements with the Commonwealth.

Victorian rock lobster licence holders must land their catch in a designated Victorian port, with the exception that licence holders may apply for an authorisation to land their Victorian catch at Port MacDonnell, (South Australia) or Eden (NSW). At present, Victorian licence holders cannot land their catch in Tasmanian ports.

In 2007-08, there were 21 Victorian licence holders who are authorised to land at Port MacDonnell. These fishers live in Port MacDonnell and travel into Victoria to fish. The main issue associated with this practise is that South Australia has a lower minimum size than Victoria, so there is an opportunity for Victorian licence holders from Port MacDonnell to take lobsters at the South Australian minimum size from Victorian waters and sell them in South Australia. This has been identified as a priority risk for compliance in the Rock Lobster Fishery Risk Assessment.

Compliance issues were detected near the South Australian border, involving commercial fishers holding both Victorian and South Australian licences. The majority of these fishers operate from Port MacDonnell and were previously able to fish in both States on the same day. Recently, Victoria and South Australia introduced legislation to stop dual licence holders working in more than one jurisdiction on one trip.

Management review processes

The Rock Lobster Fishery Management Plan is to be reviewed prior to its expiry, although the Minister can amend the plan at any time if required. This review process, and the preparation of a new plan, is being conducted in consultation with all major stakeholder groups.

A Rock Lobster Fishery Management Advisory Team (RL FMAT) has been established within DPI to advise fishery managers on issues relating to the rock lobster fishery.

Threat abatement and recovery plans

A protected Species Action Plan has been developed by DPI (see below).

Domestic and international agreements

It is a Commonwealth Government requirement that all interactions with protected species are reported in any fishery that has export accreditation under the EPBC Act. The DPI has

developed a Protected Species Action Plan (November 2007) for monitoring and reporting interactions with protected species.

The DSE has agreed to an amnesty to allow rock lobster fishers who accidentally interact with protected wildlife to report the interaction without being prosecuted under the *Victorian Wildlife Act 1995* or the *Flora and Fauna Guarantee Act 1998*.

This is similar to an agreement that Commonwealth commercial fishing licence holders have with the Australian Government Department of the Environment, Water, Heritage and the Arts (DEWHA).

3.1.4 Research and Monitoring

Research completed

A spatial modelling project was conducted to address spatial issues and enhance assessment of the Victorian rock lobster fishery at a sub-zone level (Hobday and Punt 2006).

A study entitled "Monitoring of by-catch and interactions with threatened, endangered and protected species in the Victorian southern rock lobster and giant crab fisheries" (Hobday, et al 2007) was conducted using onboard observers to meet the export accreditation requirements under the EPBC Act.

Monitoring programs

Commercial catch and effort is monitored using daily catch logs completed by all licence holders. On-board observers are also used to monitor bycatch, interactions with protected species and lobster discard rates.

Independent fixed site surveys are conducted annually to monitor stock levels for stock assessment purposes. In addition, puerulus (larval stage) settlement is also monitored as an early indicator of future recruitment and for stock assessment purposes.

Collaborative research

Victoria contributes to an ongoing FRDC program with Tasmania looking into spatial management options in the fishery, including translocation of stock from deep to shallow water and from slow to fast growing areas.

Future research and monitoring

Victoria is planning to participate in broad regional climate change studies that will be relevant to the rock lobster fishery. In addition, Victoria will retain the on-going commitment to the existing stock monitoring program and will update the fishery stock assessment.

3.1.5 Status of target stock

Stock assessments

The rock lobster fishery is assessed and stock assessments are updated annually (Hobday et al 2007). The primary stock indicators are biomass estimates that are derived from a length structured model for the fishery.

Western Zone Spawning Biomass

The stock assessment estimates that the spawning biomass is above the target and limit reference points.

- 100% probability of remaining above the limit reference point over the next five years
- 99% probability of remaining above the target reference point over the next five years.

Western Zone Available Biomass

The stock assessment estimates that the available biomass is between the limit reference and the target reference points.

- 84% probability of remaining above the limit reference point over the next five years
- 2% probability of reaching the target reference point within five years.

Eastern Zone Spawning Biomass

The stock assessment estimates that the spawning biomass is between the limit and target reference points.

- 100% probability of remaining above the limit reference point over the next 5 years
- 20% probability of reaching the target reference point within five years.

Eastern Zone Available Biomass

The stock assessment estimates that the available biomass is between the limit and target reference points.

- 100% probability of remaining above the limit reference point over the next five years
- 2% probability of reaching the target reference point within five years.

Resource issues

Western Zone

The TACC remains significantly under caught. The estimated spawning biomass remains well above the target reference point and is high by accepted standards. There are concerns about the declining catches and catch rates as the CPUE is now the

lowest in the history of the fishery. Modelling shows that the rate of stock rebuilding is "very low."

Eastern Zone

Available and spawning biomass is rebuilding at a satisfactory rate. Catches and catch rates are steady. The TACC is still under caught, but anecdotal evidence suggests that the shortfall is due to fishery operational issues rather than low stock abundance.

Stock recovery strategies

The stock recovery strategy for the western zone was for a 15% reduction of the TACC to 380 tonnes for the 2007–08 quota period. A further 15% reduction of the TACC has been implemented for the 2008–09 quota period.

Stocks are recovering at an acceptable rate in the eastern zone, and this was reflected in the increase in TACC from 60 to 66 tonnes in the 2007-08 fishing season.

3.1.6 Protected species

Interactions with protected species

During the three years of the observer program from 2004/05 to 2006/07, the following interactions were recorded with protected species.

- One cormorant was caught dead in a pot in the EZ.
- Five seahorses (*Hippocampus* sp) were caught in pots in the WZ in depths of 6 to 37 m - all were released alive.

There has also been several recent whale entanglements associated with the fishery.

Interaction reduction strategies

The commercial fishing peak body Seafood Industry Victoria (SIV), has implemented a Code of Practice for Reducing Whale Entanglements in the fishery. The code was prepared with the assistance of DPI, DSE and SeaNet, and has been promoted by the Fisheries Co-Management Council.

The DPI introduced a Protected Species Action Plan in November 2007. Under the plan, fishers are required to reporting any interactions with protected species on daily catch logs. The DPI has agreed to provide regular summaries to DEWHA.

Licence holders have been provided with a copy of the Action Plan and a Protected Species Identification Guide.

3.1.7 Ecosystem effects including the effects of fishing

Ecological risk assessments

An Ecological Risk Assessment (ERA) was conducted in 2005 (Jenkins et al 2005).

A list of threats was developed and assessed at a workshop comprising research and management staff and other fishery stakeholders, using the likelihood and consequence criteria developed by Fletcher et al (2001).

Risks assessed as moderate or higher are generally considered to require a management response.

Four threats were considered to be of moderate or higher risk to reef habitat:

- The change to lobster habitat through climate change (extreme risk)
- Disposal of offshore dredging material (moderate risk)
- Increased turbidity/sedimentation from coastal development (moderate risk)
- Introduction of marine pests (moderate risk).

Four threats were considered to be of moderate or higher risk to the reef ecosystem:

- A decline in lobster abundance and associated reduction of predation leading to ecosystem change (moderate risk)
- Oil spills (moderate risk)

- Translocation of marine pests by the fishery (moderate risk)
- Effects of practices in other fisheries (moderate risk).

Fishery impacts on the ecosystem

No impacts of fishing were assessed at a risk level that required a management response.

Ecological impact reduction strategies

None required at this time.

External (non fishing) impacts on the ecosystem and critical fish habitats

Rock lobsters have an extended planktonic larval stage and can spend upwards of two years drifting in ocean currents. The processes driving rock lobster recruitment and larval (puerulus) settlement in south east Australian waters are not well understood.

Climatic factors such as wind, ocean currents/upwellings and larval dispersal are thought to play a role. In the future, climate change may impact on some or all of these factors and has been identified as a key risk for this fishery.

A study on key rock lobster habitats is being conducted by DPI to identify ecological threats to the resource.



3.1.8 Social and economic values of fishing and fishery governance issues

Social benefits

The social data that is available for the fishery is limited to the basic licence information and employment estimates.

Commercial fishery

There are 131 access licences in the fishery. It is estimated that between 90 to 100 boats operate in the fishery. Some licence holders lease out their quota and some boats have two licences operating from them. It is estimated that approximately 160 - 180 people are directly employed by the rock lobster industry.

The onshore lobster processing industry also employs a number of full or part-time people, but no employment data is available for this sector.

Recreational fishery

It is known that a small proportion of the Victorian recreational fishing sector actively target rock lobsters. Activities associated with recreational fishing for rock lobsters are thought to provide significant social benefits to this community.

Economic benefits

No formal economic monitoring is routinely conducted in the fishery, and economic data is limited. The gross value of commercial production in 2006/07 was \$13.9 million.

Recreational fishing activities, generate economic benefits, but the impact or proportion of such benefits attributable specifically to rock lobster fishing is unknown.

A financial analysis of the western zone fishery was recently conducted as part of a proposal for government assistance to restructure the fishery (unpublished data). The study measured operator profitability and economic rent generated by the fishery, but did not extend into measuring other economic benefits for the community.

Fishery governance

Target catch/effort range

Commercial catch and effort is controlled by limiting the number of licences and through the quota management system.

Participation in the recreational fishing sector is not limited (other than by requirement for non-exempt persons to have a valid recreational fishing licence) but bag and possession limits apply to recreational fishers.

New management initiatives

A new fishery management plan is currently in preparation.

References

DPI (2003). Rock lobster fishery management plan, 2003. Compiled by the Rock Lobster and Giant Crab Fishery Management Plan Steering Committee. Fisheries Victoria Management Report Series, No.1.

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Table 2. Progress in implementing rock lobster fishery assessment recommendations

Recommendation	Progress up to December 2008
<p>1. <i>DPI to inform DEWHA of any future amendments to the Rock Lobster Fishery Management Plan, related management documents or managerial commitments made in the submission.</i></p>	<p>Ongoing</p> <p>The 2003 management plan is under review but no changes to the plan currently require notification. A new draft plan was released for public comment in November 2008.</p>
<p>2. <i>DPI to develop formal collaborative arrangements and pursue complementary management arrangements with other Australian jurisdictions responsible for managing southern rock lobster fisheries to ensure that all removals and other relevant impacts on the stock are considered as part of the stock assessment process.</i></p>	<p>Ongoing</p> <p>The DPI continues to pursue complementary management arrangements with other jurisdictions, underpinned by regular communication between Victorian, South Australia and Tasmanian Officers. A tri-State meeting with managers and researchers were held in 2006 and 2008 it was agreed that this would be an on-going forum.</p>
<p>3. <i>DPI to refine the estimates of all components of non-commercial catch in the fishery to ensure reliable estimates of all removals are obtained on a regular basis and are included in the annual stock assessment process and management of the fishery. Consideration should be given to conducting further periodic surveys or other data collection and analysis measures to enhance the assessments of recreational, illegal and indigenous catch in the fishery.</i></p>	<p>Ongoing</p> <p>A suitable method for estimating the recreational catch has not yet been finalised. There have been significant issues regarding development of cost-effective sampling techniques.</p> <p>Discussions are continuing with VRFish, the recreational peak body, and the new draft management plan has an agreed process for implementing an effective method for estimating the recreational catch.</p>
<p>4. <i>DPI and the Victorian industry to work with their South Australian counterparts to investigate and adopt appropriate measures to address quota avoidance, misreporting of catches and other illegal activities in waters near the Victorian-South Australian border. These measures should be built into the Compliance Strategy required under the Rock Lobster Fishery Management Plan.</i></p>	<p>Completed</p> <p>Victoria and South Australia have introduced complementary legislation for single jurisdiction fishing. Dual licence holders can now only work in one State during any fishing trip and they can not have pots on the water in one State while they are fishing in the other.</p>
<p>5. <i>DPI to conduct compliance risk assessment to determine whether compliance and enforcement capabilities with respect to area closures are adequate. The Compliance Strategy is to be amended to address any deficiencies identified through the risk assessment.</i></p>	<p>Completed</p> <p>Compliance Risk Assessment process was completed, and implemented during 2006/07, and the compliance strategy has been amended.</p> <p>The only closed areas are MPAs, which are not currently included in the Rock Lobster compliance strategy. The Department of Sustainability and Environment (DSE) is developing a broad compliance strategy for all MPAs in consultation with DPI.</p>
<p>6. <i>DPI to review the appropriateness of the performance measures used to monitor the status of the rock lobster stock, especially that relating to the limit reference point in the eastern zone, as part of the review of the Rock Lobster Fishery Management Plan commencing in 2007. DPI to continue to conduct an annual assessment of the status of the eastern zone in relation to the spawning biomass limit reference point and if a downward trend in the spawning biomass is identified, management actions to rectify will be implemented immediately.</i></p>	<p>Completed</p> <p>The performance measures for the rock lobster fishery have been reviewed and the new draft management plan contains a number of modifications. The rebuilding strategy will more clearly defined timelines and a new decision frame work will provide a clear TAC setting process.</p> <p>Spawning biomass in the eastern zone is currently above the limit reference point, and increasing.</p>

Recommendation**Progress up to December 2008**

7. DPI to implement a monitoring program to collect data on all byproduct and bycatch species. DPI to use this data to validate byproduct data collected on daily catch records. If the ecological risk assessment identifies any bycatch species as high risk, DPI to develop and implement, in conjunction with industry, specific monitoring of these species.

8. DPI to review the current performance measures and management triggers for byproduct species to ensure they are suitably precautionary, based upon the best available scientific data and contain clear timeframes and defined management actions. DPI to develop performance measures and management triggers, for all bycatch species identified as high risk in the ecological risk assessment and all remaining byproduct species, that are based on the best available scientific information.

9. DPI to introduce mandatory structured reporting of all interactions between the rock lobster fishery and endangered, threatened or protected species prior to the 2005 fishing season.

10. DPI and industry to monitor the extent of the interactions between the rock lobster fishery and fur seals. If the monitoring and/or ecological risk assessment identifies seals as a high risk, DPI to establish trigger and reference points within 2 years. DPI and industry to develop and implement appropriate mitigation measures to minimise these interactions as appropriate.

Ongoing

A three year onboard observer program to quantify bycatch and byproduct and monitor interactions with protected wildlife and fish species was conducted during 2004/05 to 2006/07. This data was incorporated into a review fishery risk assessment in 2008.

Onboard observers will continue to monitor by-catch, discards and protected species interactions. In addition, a protected species interaction reporting form was introduced in April 2007. All interactions must now be reported. DPI has committed to providing DEWHA with summary reports.

Ongoing

Provided for in the Rock Lobster Management Plan.

Data from the observer program and reported interaction will inform updated risk assessments.

Currently, no by-catch species or by-product species are identified as high or medium risk.

Completed

The DPI is has negotiated with DSE on a process for requiring reporting interactions with protected species which will not expose fishers to prosecution under the Victorian Flora and Fauna Guarantee Act and the Wildlife Act.

Ongoing

Onboard observers have not seen any interactions between seals and fishing gear or boats, although seals have been seen in the vicinity of fishing operations.

No seal interactions have been reported by fishers on reporting forms.
