

PROGRAM: FISHERIES COMPLIANCE OPERATIONS

LAKES AND COORONG FISHERY COMPLIANCE PROGRAM 2015/2016

PROGRAM MANAGER

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STATE COORDINATOR

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COMPLIANCE PROGRAM SUMMARY

PIRSA Fisheries and Aquaculture teams undertake coordinated compliance activities to educate fishers, deter opportunistic and financially motivated fishery related offences and enforce the rules and regulations.

In consultation with industry a dedicated compliance plan has been developed for the Lakes and Coorong fishery. This compliance plan was developed to direct effort and ensure compliance activities are intelligence driven, efficient, cost effective and outcome focussed. The compliance plan is underpinned by three core strategies (Education and Awareness, Effective Deterrence and Appropriate Enforcement) and is focussed towards increasing voluntary compliance and maximising effective deterrence.

An analysis of intelligence and information holdings is conducted to identify the major risks for the fishery. A series of strategies, actions, and initiatives are detailed and used to focus the primary compliance effort in order to manage the risks and achieve targeted outcomes.

OBJECTIVES

This program provides a compliance framework to monitor and regulate fishing activities that support the sustainable commercial take of species that are able to be taken pursuant to a Lakes and Coorong licence in accordance with the Act and the Lakes and Coorong Fishery Management Plan.

The plan provides a focus for Fisheries Officers to undertake coordinated compliance activities to educate fishers, deter opportunistic and financially motivated fishery related offences, and enforce the rules and regulations of the fishery.

Any compliance related risks or emerging trends/issues of significance that arise outside the plan are addressed as required.

The risks and strategies are regularly reviewed and assessed for relevance to ensure compliance activities meet the following objectives:

- Meet the objectives of the *Fisheries Management Act 2007*;
- To promote compliance with the *Fisheries Management (Lakes and Coorong Fishery) Regulations 2009*;
- To support meeting the goals and objectives of the Lakes and Coorong Fishery Management Plan;
- To promote increased voluntary compliance;
- To deliver an effective education and awareness program;
- Continue developing effective deterrence strategies;
- Undertake appropriate enforcement activities;
- Increase integrity in fishery management systems and/or quota systems;
- Promote positive interactions & collaboration with stakeholders;

- To deliver an efficient and effective compliance program.

COMPLIANCE EFFORT

- Monitoring of fishing activity, landings and consignments for compliance and integrity;
- 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;
- Industry liaison and education.

ANTICIPATED OUTCOMES

The principal outcome of this compliance program is to support sustainable management of the Lakes and Coorong fishery by:

- Increased voluntary compliance;
- Continued development of effective deterrence strategies;
- Accurate intelligence and risk predictions;
- Successful enforcement outcomes for repeat or 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

PROGRAM DELIVERY

The Fisheries & Aquaculture Operations Group comprises three Regional Operations teams, an Offshore Patrol Operations team and an Intelligence & Strategic Support team.

The compliance program dedicated to the Lakes and Coorong fishery is primarily delivered by Fisheries Officers from the Central Region with support, as required, by officers from within the Operations Group.

PROGRAM STRATEGIES AND SUPPORTING ACTIONS & INITIATIVES

The compliance program is tailored to the Lakes and Coorong fishery and uses a number of initiatives and actions that fall under the three core strategies of Education & Awareness, Effective Deterrence and Appropriate Enforcement. These initiatives and actions are outlined in the Lakes & Coorong fishery compliance plan which has been developed in consultation with the sector.

PROGRAM EFFORT ALLOCATION

The level of effort required to deliver the compliance program in accordance with the dedicated plan is 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

PIRSA has continually reviewed the Lakes and Coorong fishery compliance program, gaining efficiencies through intelligence driven and targeted operations, and re-directing compliance effort where necessary to address current and emerging issues and risks.

The table below includes an abbreviated suite of the core activities and initiatives used to manage the risks. The table also includes days allocated to reflect the anticipated split of effort and associated costs.

Strategy/Activities	Days	FTE	Cost (\$)
Education Awareness <ul style="list-style-type: none"> • Provide fishery related compliance advice to all industry stakeholders and potential stakeholders. • Provide electronic distribution of educational material to fishers and licence holders as required. • Ensure all stakeholders understand their respective obligations and the compliance focus for the coming season. • Develop Industry communication & relationship program to facilitate discussion of topics regarding subsequent change management process • Ongoing one on one education during inspections and with new licence holders and masters 	6	0.03	7,245
Effective Deterrence <ul style="list-style-type: none"> • Ensure all aspects of commercial fishing activities are monitored including inspections of fishing operations, catch at sea, catch when landed, in transit and at change of ownership in fish processing premises. • Conduct intelligence driven operations and use appropriate enforcement action • Collaborate with other enforcement agencies in order to provide greater reactive and proactive investigative capability • Communication Strategy 	16	0.08	19,321

Enforcement			
<ul style="list-style-type: none"> Investigate reports of non-compliance and where appropriate take action Issue expiations, cautions and court enforced actions. 	18	0.09	21,736
TOTALS	40	0.20	48,302

Please Note; to comply with Work Health & Safety obligations and evidentiary requirements, operational activities are generally required to be undertaken by a minimum of two (2) officers at any time.

All values have been rounded to the nearest dollar figure

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PIPI FISHERY COMPLIANCE PROGRAM 2015/2016

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- Continue developing effective deterrence strategies;
- Undertake appropriate enforcement activities;
- Increase integrity in fishery management systems and/or quota systems;
- Promote positive interactions & collaboration with stakeholders;
- To deliver an efficient and effective compliance program.

COMPLIANCE EFFORT

- Monitoring of Pipi fishery management and quota systems for compliance and integrity;
- Monitoring of fishing activity, landings and consignments for compliance and integrity;
- Offence identification and response;
- Operational and Investigation Planning and Surveillance;
- Risk assessments, trend and threat analysis;
- Master Operational Planning Process;
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ANTICIPATED OUTCOMES

The principal outcome of this compliance program is to support sustainable management of the Pipi fishery by:

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The table below includes an abbreviated suite of the core activities and initiatives used to manage the risks. The table also includes days allocated to reflect the anticipated split of effort and associated costs.

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Effective Deterrence <ul style="list-style-type: none"> • Ensure all aspects of commercial fishing activities are monitored such as inspections of fishing operations, catch when graded, in transit and at change of ownership in fish processing premises. • Ensure all aspects of the Quota Management System are monitored such as chain of custody requirements in catch disposal records (CDR) including auditing. • Conduct intelligence driven operations and use appropriate enforcement action • Collaborate with other enforcement agencies in order to provide greater reactive and proactive investigative capability • Communication Strategy 	17	0.085	20,529

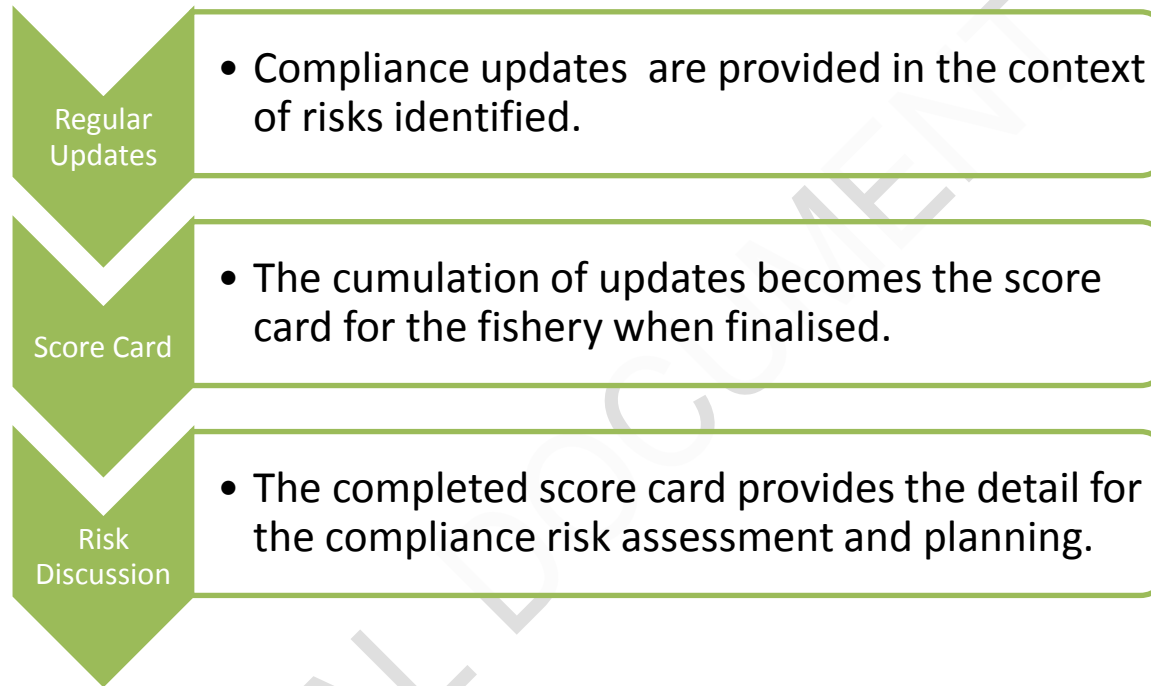
Enforcement			
<ul style="list-style-type: none"> Investigate reports of non-compliance and where appropriate take action Issue expiations, cautions and court enforced actions. 	28	0.14	33,811
TOTALS	50	0.25	60,378

Please Note; to comply with Work Health & Safety obligations and evidentiary requirements, operational activities are generally required to be undertaken by a minimum of two (2) officers at any time.

All values have been rounded to the nearest dollar figure

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LAKES AND COORONG FISHERY – 15/16 RISK ASSESSMENT & COMPLIANCE PROGRAM



LAKES AND COORONG FISHERY RISKS

TAKE UNDERSIZE	Likelihood: Likely	Consequence: Moderate	Risk Rating	Moderate
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Risk Attribute	<ul style="list-style-type: none"> • Taking undersize fish is not a sustainable practice
Legislative & Regulatory Framework	<ul style="list-style-type: none"> • <i>Fisheries Management (General) Regulations 2007 Schedule 2 – Undersize fish</i> • <i>Fisheries Management (General) Regulations 2007 Schedule 6 Clause 114</i> • Management objective (a) Fishing is conducted at a level that maintains ecologically viable stock levels and protects fish stocks from overfishing.
Implication	<ul style="list-style-type: none"> • Sustainability of fish stocks potentially threatened particularly with Mulloway • Undersize Mulloway are particularly vulnerable to capture in nets set to target Mullet
Control Measure	<ul style="list-style-type: none"> • Boarding vessels at sea • Checks in transit, at landing and at processors • Enforcement action – commencing prosecution proceedings, issuing expiation notices, issuing caution notices • Demerit Point Scheme

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LAKES AND COORONG FISHERY RISKS

USE EXCESS AGENTS / FAIL TO REPORT RELIEF DAYS	Likelihood: Occasional	Consequence: Moderate	Risk Rating	Moderate
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Risk Attribute	<ul style="list-style-type: none"> • Not registering relief days when using agents
Legislative Framework	<ul style="list-style-type: none"> • Management objective (a) Fishing is conducted at a level that maintains ecologically viable stock levels and protects fish stocks from overfishing.
Implication	<ul style="list-style-type: none"> • Some fishers gain a competitive advantage by not declaring relief days • Impacts on stock modelling and policy decision making
Control Measure	<ul style="list-style-type: none"> • Education sessions offered to new entrants • Prior reporting relief days • Covert and overt surveillance • Audits

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LAKES AND COORONG FISHERY RISKS

UNREGISTERED/ILLEGAL/EXCESS GEAR	Likelihood: Occasional	Consequence: Moderate	Risk Rating	Moderate
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Risk Attribute	<ul style="list-style-type: none"> Additional effort through the use of unregistered, illegal or excess gear in an input controlled fishery has an impact to the management and sustainability of the fishery.
Legislative Framework	<ul style="list-style-type: none"> <i>Fisheries Management Act 2007 Section 53 (2)</i> <i>Fisheries Management (General) Regulations 2007 Regulation 25 (1)</i>
Implication	<ul style="list-style-type: none"> Fishers gain a competitive advantage by using excess/unregistered/illegal gear Impacts on stock modelling and policy decision making
Control Measure	<ul style="list-style-type: none"> Education sessions offered to new entrants Boarding vessels on water and checks at landing Enforcement action – commencing prosecution proceedings, issuing expiation notices, issuing caution notices Demerit Point Scheme

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LAKES AND COORONG FISHERY RISKS

FISH IN CLOSED AREAS OR CLOSED SEASONS	Likelihood: Occasional	Consequence: Minor	Risk Rating	Low
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Risk Attribute	<ul style="list-style-type: none"> • Fishing near Goolwa Barrages or Murray Mouth • Fishing in Goolwa channel on weekends and public holidays
Legislative Framework	<ul style="list-style-type: none"> • <i>Fisheries Management (General) Regulations 2007 Regulation 102</i> • Fisheries Management Plan – Strategy 5 “Restrict commercial and recreational fishing in certain areas at certain times to protect key species during critical stages of their life cycle.”
Implication	<ul style="list-style-type: none"> • Fishing near the Goolwa Barrages has the potential to harvest high proportions of spawning stock potentially undermining sustainability • Potential for reduced capacity to reproduce.
Control Measure	<ul style="list-style-type: none"> • Checks on water • Education sessions offered to new entrants

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LAKES AND COORONG FISHERY RISKS

OTHER	Compliance risks identified within the fishery that may occur which will be addressed as they are detected
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Risk Attribute	<ul style="list-style-type: none"> • Fail to supply Periodic Return data to SARDI.
Legislative Framework	<ul style="list-style-type: none"> • <i>Fisheries Management (Lakes and Coorong Fishery) Regulations 2009</i>
Implication	<ul style="list-style-type: none"> • Failure to accurately advise SARDI of periodic returns impacts on scientific modelling and stock status calculations
Control Measure	<ul style="list-style-type: none"> • SARDI provides reminder notices to licence holders who have not lodged periodic returns • Education sessions offered to new entrants • Enforcement action – commencing prosecution proceedings, issuing expiation notices, issuing caution notices • Demerit Point Scheme
Compliance Effort	<ul style="list-style-type: none"> • Fisheries Officers conducted two vessel patrols in Lake Alexandrina as a result of information received regarding abandoned/ unattended nets. These nets were retrieved and found no wildlife entangled.
Potential Risks	<ul style="list-style-type: none"> • Biosecurity • Provide false and misleading information to the Minister • Illegal Sales - information in July, August, September 2014 alleging that some licence holders were selling fish through their licences that had not been taken in the Fishery (INT3000, INT 3060, INT3061 and INT 3094)

		CONSEQUENCES					
		NEGLECTIBLE	MINOR	MODERATE	SEVERE	MAJOR	CATASTROPHIC
		0	1	2	3	4	5
LIKELIHOOD	REMOTE	1					
	RARE	2					
	UNLIKELY	3					
	POSSIBLE	4					
	OCCASIONAL	5					
	LIKELY	6					

LIKELIHOOD DEFINITIONS		CONSEQUENCE DEFINITION	
LIKELY	It is expected to occur	CATASTROPHIC	Local extinctions are imminent / immediate
OCCASIONAL	May occur	MAJOR	Likely to cause local extinctions, if continued in longer term
POSSIBLE	Some evidence to suggest this is possible here	SEVERE	Affecting recruitment levels of stocks / or their capacity to increase
UNLIKELY	Uncommon, but has been known to occur elsewhere	MODERATE	Full exploitation rate, but long term recruitment / dynamics not adversely impacted
RARE	May occur in exceptional circumstances	MINOR	Possibly detectable, but minimal impact on population size and none on dynamics
REMOTE	Never heard of but not impossible	NEGLECTIBLE	Insignificant impacts to population. Unlikely to be measurable against background variability for this population

RISK RATING

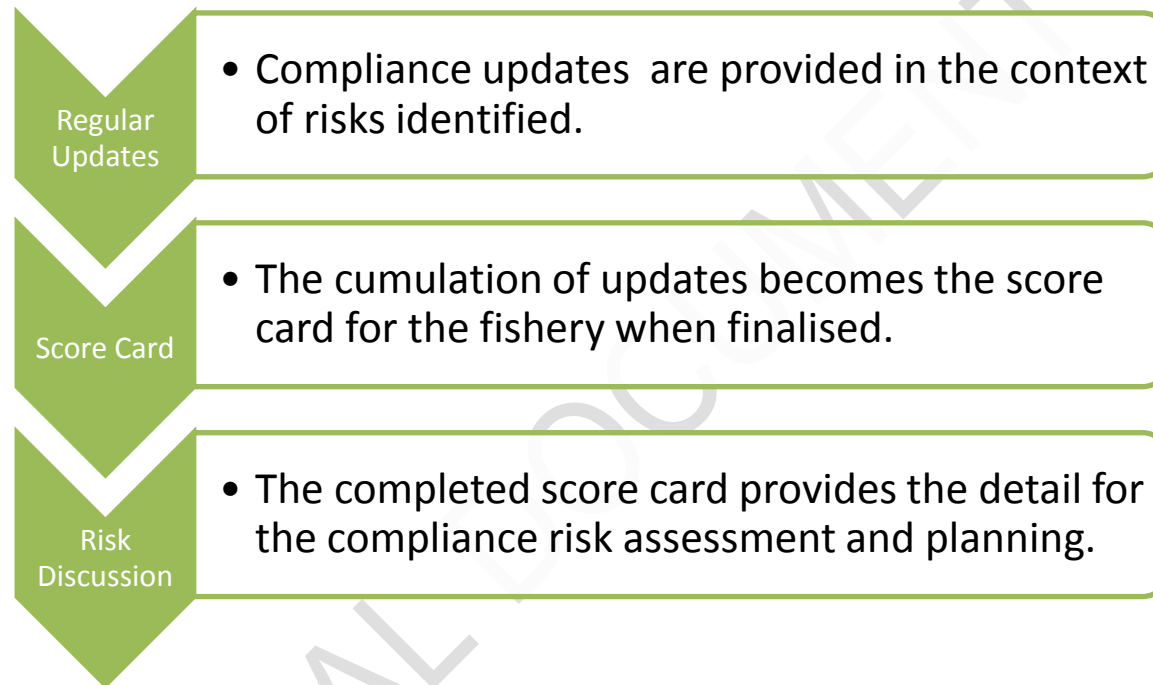
Negligible	Low	Moderate	High	Extreme
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PIPI FISHERY – 15/16 RISK ASSESSMENT & COMPLIANCE PROGRAM



PIPI FISHERY RISKS

TAKE UNDERSIZE	Likelihood: Possible	Consequence: Moderate	Risk Rating	Low
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Risk Attribute	<ul style="list-style-type: none"> Incorrect grading when high abundance of Pipi Pipis graded above high water mark and undersize Pipis not returned immediately to the water Failing to grade Pipis Failing to use Cockle nets with correct minimum mesh size
Legislative & Regulatory Framework	<ul style="list-style-type: none"> <i>Fisheries Management (General) Regulations 2007 Schedule 2 – Undersize fish</i>
Implication	<ul style="list-style-type: none"> Taking undersize Pipi is not a sustainable practice Graded Pipi discarded above the high water mark do not survive. Potential exists to sell undersize Pipi
Control Measure	<ul style="list-style-type: none"> Education sessions offered to new entrants, Patrols on Pipi beaches, checks at processors and in transit Enforcement action taken – court proceedings commenced, expiation notices issued, caution notices issued Demerit Point Scheme

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PIPI FISHERY RISKS

QUOTA EVASION	Likelihood: Possible	Consequence: Moderate	Risk Rating	Moderate
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Risk Attribute	<ul style="list-style-type: none"> The potential for Pipi taken and sold but not decremented from quota The potential to submit false and misleading information on CDR and Periodic Returns The potential to re-use PIRSA tags The potential to overfill bags
Legislative Framework	<ul style="list-style-type: none"> <i>Fisheries Management Act 2007</i> <i>Fisheries Management (Lakes and Coorong Fishery) Regulations 2009</i> <i>Fisheries Management (General) Regulations 2007</i>
Implication	<ul style="list-style-type: none"> Inaccurate measures may influence management decision making Sustainability of fishery potentially threatened
Control Measure	<ul style="list-style-type: none"> Education sessions offered to new entrants, Patrols on Pipi beaches, checks at processors and in transit Enforcement action taken – court proceedings commenced, expiation notices issued, caution notices issued Demerit Point Scheme Prior Reporting and requirements for completion of CDR documentation

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PIPI FISHERY RISKS

QUOTA MANAGEMENT SYSTEM INTEGRITY	Likelihood: Possible	Consequence: Moderate	Risk Rating	Moderate
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Risk Attribute	<ul style="list-style-type: none"> The potential exists to misreport the number of bags taken Overfilling bags but not exceeding a bucket measure The potential for failing to prior report, fill out CDRs and to deliver documentation to PIRSA within the regulated time exists
Legislative Framework	<ul style="list-style-type: none"> <i>Fisheries Management Act 2007</i> <i>Fisheries Management (Lakes and Coorong Fishery) Regulations 2009</i> <i>Fisheries Management (General) Regulations 2007</i>
Implication	<ul style="list-style-type: none"> Inaccurate measures used in fishery management decision making Sustainability of fishery potentially threatened
Control Measure	<ul style="list-style-type: none"> Education sessions offered to new entrants, Patrols on Pipi beaches, checks at processors and in transit Enforcement action taken – court proceedings commenced, expiation notices issued, caution notices issued Demerit Point Scheme Audits

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PIPI FISHERY RISKS				
FAIL TO SUPPLY PERIODIC RETURN DATA	Likelihood: Occasional	Consequence: Minor	Risk Rating	Low

Risk Attribute	<ul style="list-style-type: none"> Fail to supply Periodic Return data to SARDI.
Legislative Framework	<ul style="list-style-type: none"> <i>Fisheries Management (Lakes and Coorong Fishery) Regulations 2009</i>
Implication	<ul style="list-style-type: none"> Failure to accurately provide SARDI periodic returns impacts on scientific modelling and stock status calculations
Control Measure	<ul style="list-style-type: none"> SARDI provides Fisheries Officers details of licence holders who have not lodged periodic returns New entrants are provided education and awareness information of requirements relating to lodgement of SARDI periodic returns. Licence holders are sent Pipi “User Guide’s” in July of each year. Included in the “User Guide” are details in relation to the lodgement of SARDI Periodic Returns. Enforcement action taken – court proceedings commenced, expiation notices issued, caution notices issued Demerit Point Scheme

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PIPI FISHERY RISKS

OTHER Compliance risks identified within the fishery that may occur which will be addressed as they are detected

Potential Risks	<ul style="list-style-type: none">• Biosecurity• Fishing in “non-quota” areas• Failure to lodge accurate SARDI catch and effort returns• Fishing with too many agents• Licence holder not present/ failure to record relief days• Take fish using illegal gear
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		CONSEQUENCES					
		NEGLECTIBLE	MINOR	MODERATE	SEVERE	MAJOR	CATASTROPHIC
		0	1	2	3	4	5
LIKELIHOOD	REMOTE	1					
	RARE	2					
	UNLIKELY	3		Take Undersize (6)			
	POSSIBLE	4		Quota Evasion (8) Quota Management System Integrity (8)			
	OCCASIONAL	5		Fail to supply periodic returns to SARDI (5)			
	LIKELY	6					

LIKELIHOOD DEFINITIONS		CONSEQUENCE DEFINITION	
LIKELY	It is expected to occur	CATASTROPHIC	Local extinctions are imminent / immediate
OCCASIONAL	May occur	MAJOR	Likely to cause local extinctions, if continued in longer term
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Negligible	Low	Moderate	High	Extreme
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