Submission No 30

INQUIRY INTO COMMERCIAL FISHING IN NEW SOUTH WALES

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My name is ED. LAMMERINK and I am a region 6 Fisherman, I have been fishing fulltime for almost 30 years. I am 54 years of age and have no other source of income. Having looked at all the D.P.I proposalls and finding them all unworkable, I would like to identify 3 major problems, which in one way or another branch out into more problems.

(1) EQUAL SHARE ALLOCATION.

This problomatic system gives the inactive fisher the same entitlement as an active fisher. For the past decade or so I have been Mesh Netting for around 270 days a year. The equall allocation of Shares (now linked to days fished), gets me 75 days a year. Roughly 1.5 days per week.

On June 5th 2014 senior D.P.I spokesman Doug Ferrell explains on A.B.C Radio's National Country Hour Program, that the "Shares are a Property Right" and anyone with that Property Right gets the same access to the Fishery whether you make money from your Property Right or not. However, in many cases Fishers with minimal participation have recieved massive increases of access. As an example someone who Mesh Netted 20 days a year now gets to work 75 days a year. An increase of over 300%. I personally recieve a decrease of 73%.

Doug Ferrell also admits on National radio and I quote "Its diobolical for the active Fishers". He also admits the initiall allocation of Shares was "bad" and his personall view at the time was, and I quote, "Equall allocation of Shares was not such a good idea" and then added "I'm not saying that the Department dosen't bear the responsibility".

A prime example of the D.P.I's "Bad" allocations of Shares, which now has been admitted, would be the Meshing Shares. The original entry criteria was to have eight monthly Catch Returns with the method of Meshing recorded. Given that there are 30 odd days in each month, only one or two days a month was needed to gain access. No wonder the D.P.I's Doug Ferrell says "this was a dumb way". At the time we were never fully told of the legal ramifications of these Shares or (Property Rights), and that they would be linked to our effort in years to come.

Yet despite all of this, during the formative process of allocation a small group of fishers privilliged to be in the inner sanctum of the D.P.I and supposidly acting on Fishers behalf, were buying up Fishing Businesses with minimal participation (basically inactive) knowing full well that the Property Rights would hold the same value and access as the rest of the Industry. This has paid off bigtime for these few elitists, whilst the rest of the industry slides further into chaos. Especially the Estuary General and Trap and Line Fisheries.

Symptons of Equall allocation (where the rot first set in) include

1. Active Fulltime Fishers having to buy back their own entitlements, be it days fished or catch quota at astronomical cost.
2. The unavailability of Shares (They are simply not there for sale). Nobody wants to exit because they need their job.
3. Investors coming in and buying up business which have been owned for generations.

4. Co/ops closing because active members do not have the Shares to match their current level of effort thereby reducing the amount of product going through the door.
5. Jobs within the Industry lost forever.
6. Less active Fishermen Means less product (period).
7. N.S.W seafood consumers faced with much higher prices at the counter, and thats only if the product is available.
8. Fishers going into debt. Even if fishers can access the low interest government loan (of up to $80,000) and purchase the Shares they need, they will now be operating as usuall except with a massive debt hanging over their shoulder but for what?
9. Inactive entitlements now valuable holding out for the most money
10. The stress and mental heath of Fishers coming to terms with all of this, Fishers mortgaged with families pushed to limit now told how many days they can work or how much they can catch.

(2) Removal of fishers personall Catch History.

All businesses in Australia have paperwork linking their performance with trade and turnover into profit or loss. Nobody buys a business without looking at the books. Fishing Business are no different. Personall Catch History clearly shows the direction at which the business was worked.

Fishermen fill out monthly reports called "returns". These are a signed and dated legal document. The D.P.I know exactly who works the most number of days or the least. They also know which business are active or inactive (see page 2).

Again, Senior D.P.I spokesman Doug Ferrell admits on national radio and I quote "the Ocean Haul fishery and the Lobster Fishery were initially allocated Shares from "Catch History", and those Fisheries arn't having any of the problems like the Estuary General and Trap and Line Fisheries". Which I also refer back to Page 2.

③ RESTRICTION OF TRADE.

The D.P.I have issued me with a Fisheries Business card saying I am the owner of Fishing Business number . I also have an Australian Tax File Number and am G.S.T registered. I pay my Tax quarterly via the B.A.S system and then more at the end of the year if adjustments need to be made. I operate a profitable business, however if I don't purchase the shares I need, (3 more packages equalling 375) the D.P.I will reduce my earning capacity by 73%, (see pages 1-2-3).

At present I need around $200,000 to continue to operate at current level, and thats only if the Shares are available. If I don't purchase the Shares I need and wish to exit the Industry, the D.P.I will give me $20,000 For my Fishing Business Number regardless of how much money I've earn't or what I've caught, (see page 4). The D.P.I's approach is that every Fishing Business Number is worth $20,000.

By forcing you to either going into huge ~~E~~ debt or slashing your earning capacity to send you broke, is to put it quite simply, called extortion. I'm sure that if a private sector company were restricting the trade of a profitable business and extorting them to sell out for a minimall amount, there would be legal charges laid.

 MANAGEMENT SUMMARY.

Since 1994 we fishermen have had to endure inept Fisheries managers and even corrupt Fisheries Ministers. Even now the Minister (Niall Blair) is listening to his D.P.I Bearucrats believing that two thirds of the industry have enough shareholding to continue as normal. Nothing could be further from the truth. N.S.W Fisheries (now the D.P.I) have and always been the biggest problem in the N.S.W Fishing Industry. There has always been this toxic culture where they are unaccountable for some of the horrendous decisions they have made over the years. Bad decisions in fisheries Management are never cleaned up or emended they simply move the goalposts and keep moving forward, leaving the casulties in their wake.

If this is the best model of a fisheries Re-Form they can come up with, then the N.S.W Government needs to look at giving the whole D.P.I a Re-Form considering it was they who created this mess in the first place, see (Page 1 problem 1).

This Fisheries Re-Form has blown up in their faces and now its reached boiling point. Apart from the elite few, see (Page 2) this in its current form will see the demise of the N.S.W inshore fishery.

Nobody seems to be listening to us Fishermen, thinking that its not "that" bad, in fact its worse.

Make no mistake, the D.P.I are fully accountable for this mess, which they admit see (Page 1) Its they who should be either stopping this or putting it on hold before it gets even worse.

Everyone in life is accountable for their actions, including D.P.I Bearucrats.

SOLUTIONS.

At present it seems the only way to clean this mess up is with money. However the D.P.I have said they don't have the type of money needed to do this, hence the Fishermen of N.S.W are expected to pick up the tab.

The 16 million currently on the table comes nowhere close. If the D.P.I want to remove Fishing Business Numbers, then the $20,000 blanket approach needs to be increased massively. A Fishing Business currently catching $100,000 worth of product (as an example) is not going to surrender for $20,000. It's got to be made a lot more attractive for people to sell, so the Shares can get on the market, see (PAGE 4)

The clean up bill would be more like $16 million every year for the next five years

The other alternative would be, re-issue the Shares correctly, according to historic participation, see (Page 1 and 4). This would take the volatility and high demand out of the Share market, cutting some slack for many fishers. Either way its the D.P.I's mess (see page 6) and they are obligated to fix this up, not the Fishermen of N.S.W

3/12/016

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