

INQUIRY INTO COMMERCIAL FISHING IN NEW SOUTH WALES

Organisation: Nature Conservation Council of NSW

Date received: 8 December 2016



Nature Conservation Council

The voice for nature in NSW

The Director
Inquiry into Commercial Fishing in New South Wales
Upper House Committees
Parliament of New South Wales
Macquarie Street
SYDNEY NSW 2000

8 December, 2016

RE: Submission regarding Inquiry into Commercial Fishing in New South Wales

Dear Director,

The Nature Conservation Council of NSW (NCC) welcomes the opportunity to provide comment to the Inquiry into Commercial Fishing in NSW. We represent more than 150 environment groups across NSW. Together we are dedicated to protecting and conserving the wildlife, land and seascapes and natural resources of NSW. We strive to achieve an ecologically sustainable society through advocacy, education, research and community empowerment.

The marine and coastal region of NSW is a huge asset to our community and economy. Commercial fishing is an important part of that picture. However for a long time there have been significant issues raised by the conservation sector regarding the sustainable management of our fisheries. The Commercial Fisheries Reform Process aimed to address some of these concerns but many remain unresolved.

Please find included our submission from 2014 in to the Commercial Fisheries Reform Process which has much relevant content for the current Inquiry.

In addition to the comments in our prior submission, we wish to bring two important issues to the Committee's attention: the inadequacy of publically available information about fish stocks and populations, and the unknown catch and impact of recreational fishing.

Inadequacy of publically available information

The most recent publicly available fisheries status report for NSW was produced in 2008-09. Annually produced status reports are an essential component of sustainable fisheries management. It is very concerning that the Government continually fails to produce publicly available reports on the status of our fisheries. These reports were essential resources for the community interested in the management of our common resources.

We call upon the Committee to recommend the Government commit to delivering comprehensive, annual stock status reports beginning in 2017-18.

Recreational fishing impacts

Recreational fishing is a common past time in NSW and a fantastic way to spend time in nature. As a popular activity along our coastline it is concerning that we have no consistent data collection on the species or quantity of fish taken by recreational fishers, nor the impact that this has on fish populations. We do know from previously published information that it is likely that the catch of many popular recreational species is either higher than the commercial take, or a significant percentage of it. This suggests that our approach to fisheries management which only considers commercial catch is inadequate.

We call upon the Committee to recommend the Government commit to delivering a program to regularly assess the level of take by recreational fishers and integrate these levels in to the total amount of catch allowed in all NSW fisheries, recreational and commercial.

Thank you for the opportunity to provide comment in to the Inquiry in to Commercial Fisheries in NSW, if you would like any further information please do not hesitate to contact me on _____ or _____

Yours sincerely,

Daisy Barham
Campaigns Director
Nature Conservation Council of NSW

Attachment: Submission into Commercial Fisheries Reform Process



**HUMANE SOCIETY
INTERNATIONAL**



NSW Commercial Fisheries Reform Program
PO Box 4291
Coffs Harbour NSW 2450
via: commfish.wg@dpi.nsw.gov.au

30 May 2014

To whom it may concern,

Re: Reform program and options for NSW commercial fisheries

The Nature Conservation Council of NSW (NCC), National Parks Association of NSW (NPA), Humane Society International (HSI) and the Australian Marine Conservation Society (AMCS) welcome the opportunity to comment on the fishing industry reform proposals as described by "General information relating to the reform program and reform options for NSW commercial fisheries", and the associated fishery specific consultation documents.

Broadly speaking the groups support the commercial fishery reform process. Conservation groups recognise that there is a need to address continuing problems with uncontrolled latent effort in a number of sectors and to finalise the outstanding management problems that were created when share management was introduced without formal links to management control. Both these factors create significant risks to fisheries' sustainability and should be a primary focus of the reform process. The need to address these sustainability risks through this process is particularly relevant given the large amount of public funds, approximately \$16.5 million in exit grants, that are being provided to implement these reforms.

However, the proposed reforms suffer from a number of deficiencies that must be addressed prior to the program's implementation. Of most concern, is the risk that high quotas and effort allowances (both over the 'interim' period and longer term) will undermine previous work done by the NSW Government and commercial fishers to complete and begin implementation of environmental assessments to improve the environmental sustainability of each of the fisheries, largely by reducing take and increasing the number of protected areas. Failure to adequately recognise these measures risks the health of the marine environment, the economic sustainability of commercial fisheries and Commonwealth accreditation of fisheries under the Wildlife Trade Operation process. This issue is expanded on later in this submission.

Our organisations also have significant concerns about the ability of the Department of Primary Industries – Fisheries (the Department) to implement the reforms given the current lack of resourcing within the Department. This lack of resources hinders the Department's ability to undertake necessary research to support the setting of appropriate quotas and to monitor the outcomes of the reform process in both the short- and long-term. The exit grants must be accompanied by sufficient Departmental funding to ensure the reforms are effective. Our concerns over lack of funding extend to lack of funding for adequate observer coverage in commercial fisheries, and therefore our level of confidence in the accuracy of catch and

bycatch reporting. More investment must be made in ensuring adequate observer coverage throughout NSW fisheries.

The background paper to the reforms states that the reform program “should also help to secure greater community acceptance and support for NSW commercial fisheries”. We believe that many of the current proposals will have the opposite effect. There is no reference to any community stakeholders other than commercial fishers in the documents. There is no evidence that other important impacted parties including local residents, recreational fishers, swimmers, divers, boaters and conservation interests have been considered in the proposals. This is despite the multi-use and recreational nature of many of the locations affected and the impact that commercial fisheries can have on the marine environment. The proposal is wholly focused on economic value for the fishing industry and makes no attempt to balance this with social or ecological values for the wider community.

As a general statement, conservation groups support the strongest links possible between share allocations and catch. The stronger this link, the more responsive a fishery can be to new information and the better the management of species that are taken in more than one sector. In most cases this will mean implementing catch quotas although we recognise that in multi-species fisheries this is not always possible.

Specific comments on each of the fisheries are provided below. Our organisations recognise that a number of the issues raised relate to management of the industry with limited links to the sustainability of the fishery, for example whether quota is allocated based on shares only versus shares and recent participation. This submission focusses only on issues where we believe that industry restructure proposals will potentially affect sustainability outcomes.

General information relating to the reform program and reform options for NSW commercial fisheries (General Information Paper)

At the outset, we note our concern that the General Information Paper starts with the premise that marine parks have been responsible for decline in profitability in commercial fisheries. The Environmental Impact Statements (EIS) for most commercial fisheries in NSW identified for the need for an increase in closed areas to ensure sustainability. The public money used to purchase fishing businesses in areas where marine parks were implemented, not only improved marine ecosystem health but supported initial moves to sustainability and structural adjustment. This was done at a time when many commercial fishers were expressing their concerns about economic viability due to increasing costs of doing business, including fuel prices, management fees, etc. Conservation groups reject the suggestion that marine parks are responsible for the decline in profitability of commercial fisheries and contend that marine parks are in fact vital for long-term environmental, and therefore economic, sustainability.

Setting the Interim Total Commercial Access Levels (ITCALs)

As noted above, conservation groups believe that species catch quotas are generally the most effective management tool and support the share hierarchy described in the ITCAL Paper. We note that it is essential that any quota, whether catch or effort (and therefore allocations per share), and minimum shareholding requirements remain adjustable without the need for compensation of shareholders to ensure sustainability.

Conservation groups are seriously concerned about the proposed method of quota allocation and acknowledge that the logic of using the highest catch or effort data from the last 10-15 years as a default is flawed. The ITCAL Paper notes that it is the belief of the Structural Adjustment Review Committee (SARC) that using high catch or effort limits should not stimulate more fishing activity because effort is not currently limited in this way. This appears to represent a failure to understand the changes to fisheries management that have occurred in recent years, particularly the need identified in the EIS process of reducing effort

in most fisheries to ensure sustainability. The general approach creates a significant risk of increased take in most fisheries with no scientific basis for determining an appropriate level of catch. With limited funding for research on NSW fisheries, and when most research that is conducted uses fishery-dependent data, conservation groups are concerned that full stock assessments necessary for best practice quota setting are not being completed in a timely manner.

The current fishing management system for these fisheries is based entirely on limiting effort to manage catch levels. If these limits are lifted concurrently with the introduction of high ITCALs there is a high risk of increased effort and increased catch, particularly if these changes occur at the same that share numbers for endorsements change placing financial pressure on fishers to increase their catch. The interaction between these management changes creates a high risk of increased catch with unknown sustainability impacts. It also fails to recognise that while there may be a relatively small number of overfished species, there are a large number of fully fished or data deficient species, meaning any increase effort places these species at risk. Ignoring sustainability in this process risks undermining any benefit of industry restructure as any commercial fishery is doomed to fail if the sustainability of the resource is not the central consideration. Given that the proposed limits are not based on research of specific ecological requirements, these all quota limits should be precautionary.

The setting of high quotas or effort targets is particularly concerning given that the quotas allocated will last indefinitely. The document states that these levels will remain in effect for 3 years or until the resources become available to update them. The SARC recommended that: *“Unless there are sustainability concerns or concerning trends in the data, ITCALs should be set at the maximum catch level over the last 10-15 years”* (p. 7). However, there is no guidance provided as to who will be responsible for determining if there is a concerning trend in the data or on what basis this decision will be made. Similarly, if such trends are reported during the period prior to moving to TACC/TACE, there is no indication of the process by which ITCALs will be reduced. As much fishery data is compiled with a significant time lag, conservation groups are concerned that sustainability issues will not be identified within biologically meaningful time frames. Given the slow pace of change in fisheries management and research, these limits may be in place for many years and so should either be conservative or be based on better research.

Multiple fishery observations

Specific comments on the proposals for each fishery are included in the section on that fishery. However, there are a number of proposals that are consistent across fisheries. This section of our submission applies to each fishery where these issues are raised.

A significant concern for conservation groups is the lack of scientific justification for opening currently closed areas. These closures were put in place either for strong social or environmental reasons and there is no justification provided for re-opening any of the areas. Many of these closures were in place at the time that EIS's were developed and the assumptions about the ability to achieve sustainability in each fishery rely on the presence of these closures. The proposals also make no reference to the wider potential, unintended impacts of the increased fishing activities. These include increased impacts on bycatch, on unique local habitats, and on vulnerable or threatened non-target species; and increased marine debris (included lost or discarded fishing gear). As such, the groups do not support opening any closed areas without a full consideration of the environmental risks created by these proposals.

As stated previously, the groups do not support the use of previous maximum catch or maximum effort as a means of setting quotas. Unless a rigorous scientific analysis is provided justifying each quota, conservative management measures must be applied. The

groups are also concerned about proposals in many effort quota proposals to increase quotas by 5% or 10% to allow extra time for steaming and searching. Given that the effort quota calculations already inherently include time spent travelling and searching this additional allocation to all fishers is an inappropriate addition of effort.

Conservation groups uphold that there is a need to maintain both net and boat registration. We recognise that cost reduction and efficiencies are desirable and believe this process could be improved either by licencing boats or nets for longer periods or having a registration system as part of FishOnline. However, some form of registration must be maintained. Increased boat or net capacity can be a significant contributor to increased catch and the Department must be aware of changes in the industry to ensure appropriate ongoing management. Similarly we do not support removing boat length limits in those fisheries that currently have them. A longer vessel has significantly more effort potential than a shorter one and if neither had to be licenced industry compliance would be at risk.

Relaxation of crewing requirements may be appropriate where quota management is imposed but it risks increasing effort where effort management is used. The Department must closely monitor any changes in use to ensure the effort management goals are being met.

For a number of fisheries, public comment is sought on whether to assign quotas based on share allocations or share allocations and recent participation. The groups do not provide comment on the specific fisheries but as a general rule we note that once quota has been allocated to shares there must be no further adjustment amongst shares, unless it is done by share trading. If recent participation is to be used, it must be clear to the industry that this is a once only measure and that all future catch or effort changes will be based on the advice of expert catch or effort quota committees and changes in allocation between fishers must be based on share trading.

Estuary General Fishery

Netting

Conservation groups recommend Option 2 – an effort quota regime, with the addition of a meshing net length management component. However we do not support the proposal that the ITCAL “be taken from the year that had the maximum number of days reported being worked meshing, prawning or category one hauling in the 10 year period 2002/03 to 2011/12” which ignores changes to industry composition in some regions in recent years. Using data from 2009/10 onwards would appear to be more appropriate in this situation. Setting conservative effort quotas is particularly important if the proposed changes to net lengths are introduced. The groups support the implementation of net management but the current proposals to increase net sizes, increase allowable fishing time and relax conditions of use all have the potential to increase effort. These net changes should only be allowed if the total effort quota is appropriately restrained. Using the maximum number of days worked does not achieve this goal. Conservation groups do not support the proposed net changes if the maximum number of days worked is used to determine the effort quota.

Our organisations support the proposal to increase the minimum size of blue swimmer crabs which has historically be recognised as being fully fished but is now considered to be of uncertain status.

We do not support the increased taking of garfish which is currently considered to be overfished. We do not support allowing fish which must currently be released to be kept. If any of these proposals proceed, they should only be allowed after research has been conducted to determine the likely take and whether these extra take is likely to be sustainable. Additional species quota controls would also need to be introduced to ensure that different species are not being deliberately targeted.

Our organisations are extremely concerned about the proposals to open additional areas to netting. The 33 detailed location-level changes proposed will increase fishing pressure in NSW. Most of the species being targeted in this fishery are already fully fished (sea mullet, luderick, yellowfin bream, school prawn, dusky flathead, sand whiting) or their status is uncertain/undefined (blue swimmer crab, mud crab). The protection of key habitat and limited fishing to certain estuaries were identified as necessary actions in the *Estuary General Environmental Impact Statement*. Adding additional fishing pressure with no scientific assessment of these potential impacts is inappropriate.

Several of the locations where mesh netting is proposed fall within National Parks, including Jerusalem Creek, Wapengo Lake, Bournda Lagoon, Wallagoot Lake, Pine Creek and Bonville Creek. These areas should not be subject to commercial fishing. Other areas, such as Merimbula Lake, are home to species listed on the IUCN's red list as 'Vulnerable', such as *Dasyatis fluviorum* stingray, and protected species including seahorses, pipefish and sea grasses. Extensive nets of the size proposed (400 m) cannot be monitored effectively in these locations to ensure that no damage is caused to the habitat or non-targeted marine bird and fish species in the park.

Trapping

Our organisations prefer Option 3 – species quotas, but remain concerned about the proposed quota, particularly for blue swimmer crabs. The ITCAL Paper identifies that blue swimmer crab catch has declined due to an increased in closed areas and a smaller quota than the 10 year maximum is required. However the proposed quota is still higher than any catch since 2002/03. A similar situation exists for mud crabs. A more appropriate quota would appear to be an average in the years since 2007 to appropriate account for industry changes due to closures over the last 10 years.

If the restrictions on hoop or lift nets are to be removed, they must be done in the context of a reporting and research program that investigates the impact on byproduct and bycatch species.

Our organisations do not support the proposal to allow the taking of mud crabs in fish traps or the taking of fish in mud crab traps or the proposals to remove the current trapping fishing closures.

Hand Gathering

Hand gathering is an ideal fishery in which to apply catch quota. Our organisations therefore prefer Option 2 – a catch quota regime but are again concerned about the proposed method of determining the quota. It is proposed to use the maximum weight reported as being landed in the 10 year period 2002/03 to 2011/12 for beachworms, cockles and nippers. A review of the catch data over this period suggests that this is inappropriate. The 2002/03-2011/12 period for nippers takes in a large spike in catch in 2003/04. If this year was removed from consideration using the maximum catch during this period would more appropriately reflect the usual catch in this fishery. The exploitation status of beachworm is undefined but the catch records for the 2002/03-11/12 period show continual declines (with one year as an exception). Given the lack of knowledge about this species status, a conservation approach must be taken and the catch from 2009/10 onward should be used as more indicative of an appropriate catch level for this species. Similarly, cockles are currently listed as undefined but catch is showing a gradual decline. The average catch over the 2002/02-11/12 period would appear to be a more appropriate way to determine quota for this species.

It is proposed to set the catch quota for pipis on catches from 2006/07. However, this year was still part of the period of decline in the catch. It would be more appropriate to set a quota

from the 2009/10 period unless further information about the pipi population is obtained. Our organisations do not support the removal of the six month pipi closure until it is demonstrated that the pipi population is being managed sustainably.

In relation to mussels and cuttlefish the consultation paper states *“Given negligible reported landings of both mussels and cuttlefish over the past 5 years it is not proposed to set an ITCAL on these species”*. If the fishery proceeds on this basis, there must be a clear trigger for review of this decision if the take does start to increase.

Conservation groups do not support the removal of the Merimbula Lake shellfish fishing closure without scientific justification for this proposal.

Ocean Hauling General

Our organisations prefer Option 2 – day quota as a management option with individual quotas for sea mullet. Again, the groups are concerned about the proposal to add additional effort days for adverse ocean conditions, for example.

Our organisations are concerned about the proposal to base the effort quota on the maximum number of days in each region and then allow trading between region. Tables 5 and 6 of the discussion paper suggest that this has the potential to significantly increase fishing days in some regions of the state. Given that species such as blue mackerel may be subject to localised depletions this shift in fishing effort is a concern. The total number of effort days must take into account the risk of transferring large amounts of effort throughout the state.

Similarly if the maximum number of fishing days are used to define effort than the proposals to allow crew numbers to increase with share holdings also has the potential to significantly increase effort. Such a proposal would be lower risk if shares were tied to catch quota but if effort quota is being used to manage the fishery increasing crew numbers has the potential to undermine attempts to limit efforts to sustainable levels.

Our organisations support the species quota proposal for sea mullet but are again concerned about the use of maximum catch to define this quota. Given the species is recognised as fully fished, the long term average catch would be a more appropriate measure.

Seasonal and weekend closures have historically been implemented to reduce major conflict between the general public/recreational fishers and commercial fishers. The proposals to remove these closures risks re-escalating this conflict and, in the view of conservation groups, is not in the best interest of the industry nor in the interest of sustainability as these areas effectively provide additional protection for the species that inhabit them.

Our organisations do not support removing the restrictions that apply to the take of tailor or including tailor or yellowtail kingfish as conditional target species. Yellowtail kingfish is growth overfished so rather than risk increasing catch, conservative management measures should apply. Tailor is known to be fully fished so adding it as a target species for an additional fishery risks creating excess fishing for this species.

Ocean Hauling Garfish

Our organisations prefer Option 1 – staged implementation of catch quota. However, eastern sea garfish is known to be overfished and the ocean haul fishery is responsible for most of the take of this species. Given this listing remains, despite operating under a recovery plan since 2006, the ITCAL arrangements should be conservative and allow for species recovery. The proposed ITCAL is the average annual catch from 07/08 to 11/12 (excluding 09/10). Take should be based on recovery plan priorities not existing effort. Any consideration of

removing regional boundaries must be done in terms of life cycle of garfish and whether this will risk increasing catches of immature individuals.

Export approval for garfish was based on the commitment “*By April 2009, NSW DPI to implement additional measures identified in the Eastern Sea Garfish Recovery Program or effective alternatives, to halt the stocks decline and further promote the rebuilding of stocks to ecologically sustainable levels.*” Clearly this has not occurred and stronger measures are required. Although variable levels of bycatch have been observed, a direct link between shares and catch is appropriate for the Ocean Haul Fishery but this must be set at a level that will allow recovery of the species. The current proposal appears to fail that goal.

Our organisations are again concerned about the social conflict that may arise from the removal of weekend, public holiday and seasonal closures and the implications for sustainability as these areas effectively provide additional protection for the species that inhabit them.

Ocean Trap and Line

Given the multi-species nature of this fishery, the groups generally support the use of effort quota tied to fishing days with a specific catch quota for kingfish. A number of concerns with these proposals are detailed below.

Fish Trapping

Our organisations do not support adding 10% extra quota to account for steaming and searching time etc. This proposal adds a premium for an activity that is already accounted for by the using the previous fishing days as an effort indicator. The groups also oppose the proposal that holding an additional 40 shares could give shareholders access to 10 additional traps (in excess of the existing 30 trap maximum). This increases the risk that effort in this fishery will not be adequately managed.

Line Fishing Western Zone

Our organisations do not support adding 10% extra quota to account for steaming and searching time etc as this is already accounted in the recent fishing effort. The groups support the addition of a kingfish quota for this region. As a growth overfished species, stricter management requirements are necessary.

Line Fishing Eastern Zone

Our organisations recommend an effort management regime be implemented in addition to the proposed catch management quotas.

In relation to the specific quotas recommended, we note that as these are deep water species and as such the sustainability of any quote for these species is questionable. Quotas must be conservative if they are to be permitted at all. As such we make the following comments:

- Bass groper – using a maximum catch over a 15 year period includes a significant spike in catch in 2003/04 and 2004/05. These years should be removed from consideration when determining the catch quota.
- Gemfish – Our organisations do not support allowing any quota for gemfish.
- Hapuku – given the large fluctuations in catch, it would be more appropriate to use average catch over the past 15 years for setting quotas.
- Pink ling - given the concerns about sustainability and the large fluctuations in catch, a much smaller quota, if any, should be implemented for this species.

Our organisations do not support the proposal to allow an additional 40 shares to allow shareholders access to 1,200 additional hooks. Strong effort control should be maintained by limiting shares to quota days.

Our organisations believe the banded rock cod limits must be maintained, there should be no take of gemfish allowed and quotas with stronger limits must be placed on the catch of deep sea species.

Boat length restrictions must be maintained.

Stronger limits must be imposed on shark catches.

Targeted shark fishing

We note that the current review does not comment on the shark fishing permits that have recently been available in this fishery. Our organisations re-iterate our concerns that this option may be retained within the OTLF. These permits must be removed from the fishery. To the best of our knowledge, this sector of the fishery has been inactive since 2010. As one of the intentions of the NSW fisheries reform program is remove latent effort in order to improve the long-term viability of the NSW commercial fishing industry, serious consideration should be given to permanent closure of the targeted shark fishery sector of the OTLF.

Our previous comments relative to this issue are reproduced below.

The status of all shark species targeted in this fishery is classified as “undefined” in the ‘*NSW Status of Fisheries Resources in NSW 2008/09*’. This includes the whalers (sandbar, bronze, bull, dusky, silky and spinner sharks), common blacktip, sawshark, hammerhead, tiger and mako sharks. We note that information on many of these species is not provided in the summary of the 2011-12 Review. In addition, the CSIRO Review of shark catches in the NSW OTLF highlighted a lack of knowledge of the status of populations targeted as well as a paucity of historical catch data (Bruce, Feb 2010). This report clearly stated that no information was available to support the sustainability of any increase in harvest over historical levels (c.76 tonnes). Given that this fishery targets large, mature sharks that are extremely vulnerable to overfishing, and that sandbar and dusky sharks have declined in other fisheries in Australian waters (summarised in Woodhams, Vieira & Stobutzki (eds) 2012), this lack of data is of great concern.

There are indications that localised stock depletion has occurred as a result of targeted shark fishing, though it is unclear over what timeframe and how severe. For example, data highlights a decline in catches of sandbar shark, which are the dominant individual species taken in the fishery, from 73t in 2007/08 to 26t in 2009/10. It is clear that the precautionary principle is not in place in the setting of TACCs in this fishery – which currently sits at 126.5 tonnes compared to the 76 tonnes figure suggested by CSIRO as the point beyond which sustainable harvesting could not be demonstrated. In addition, NSW has failed to implement the prescribed WTO Condition 5 to implement a scientifically robust observer program, which would have been possible despite a lack of fishing. In light of the lack of shark fishing permits issued in 2011/12 and surrounding issues we would urge that the option to purchase permits be removed until such time as sound science is available to support the determination of a sustainable quota setting. The fishery has not set maximum size limits for shark species as per Condition 8 of the NSW OTLF Export Approval Conditions (NSW DPI 2013). The CSIRO review raised concerns that the stock may already have been depleted due to the focus of effort on large sharks (with large fins), particularly sandbar and dusky whalers. The QLD East Coast Inshore Fin Fish Fishery that shares the stock is restricted to a maximum size limit of 1.5 metres. Because no shark fishing permits were taken up, the NSW DPI made no movement on the WTO condition to set maximum sizes, so no measures are in place currently should fishers take up shark permits. This is of significant concern to

our organisations, providing further rationale as to why the shark fishing permits should be excluded from any approval for the fishery.

School and Gummy Shark

As stated previously, our organisations do not support targeted shark fishing in NSW. We note that school shark is currently considered to be overfished and gummy shark is considered to be fully fished. Therefore, if targeting shark fishing is allowed there must be a strong link between catch and shares to allow the catch levels to be adjusted as required. Conservation groups prefer Option 1, quota management for gummy sharks as this provides the best link to management action and uses the same system as that used in Commonwealth waters allowing for more integrated management of the fishery in the future. Given that gummy shark is currently fully fished the average level of catch, rather than the maximum catch over the last 15 years should be what is allowed. We note that school shark does not have a quota management proposal, despite being listed as conservation dependent. Additional quota management proposals to ensure adequate and integrated management of the school shark component of the fishery should be developed. Our organisations do not support the proposal to allow “an additional 40 shares could give shareholders access to 1,200 additional hooks”. As mentioned previously, boat length restrictions in this fishery should be maintained.

Spanner Crab

Our organisations support the proposal for a state wide catch quota for this species (Option 1). Despite not using the 15 year average, the quota proposed by DPI is still higher than any catch in the last 10 years. Given this species is currently fully fished, the average catch since 2004/05 would be a more appropriate quota if this can be shown to be sustainable when considered in conjunction with catches in other sectors and in Queensland.

Estuary Prawn Trawl

Our organisations prefer the net length day management option (Option 2). Conservation groups do not support adding 5% extra quota to account for lost time as this is already accounted for by using maximum number of fishing days in the effort calculations.

Our organisations do not support opening currently closed areas or removing restrictions on boat size or nets.

Measures that are proven to reduce bycatch should be mandatory.

Groups do not support adding species to the permitted bycatch list in any estuary.

Ocean Trawl

Overall, our organisations believe that all sectors should have minimum shareholding, hull unit day effort quotas and catch quotas for relevant species.

Northern Fish Trawl, Inshore Prawn Trawl and Offshore Prawn Trawl

Despite capping the effort quota at two times recent effort levels for the inshore and offshore prawn trawl, the proposed effort quota fails to take advantage of the effort reductions associated with marine park buyouts. A major recommendation of the Ocean Trawl Environmental Impact Statement was the need to significantly reduce effort in many parts of the fishery. Some of this reduction has effectively been achieved through the marine park buyouts so to use effort levels that occurred before these buyouts undermines the benefit to the fishery of public funds contributing to management goals. An average of the effort from 2008/09 would be a more appropriate effort quota. Our organisations do not support adding 10% extra quota to account for lost time as this is already accounted for by using maximum number of fishing days in the effort calculations. This is particularly relevant if net length

restrictions and boat length restrictions are removed. The groups do not support removal of these restrictions unless it can be demonstrated that the removal will not lead to an increase in effort.

Deepwater Prawn Trawl

Our organisations believe that any deepwater prawn trawl is likely to be a high risk activity from an environmental management point of view. The groups believe that there must be strong management measures in place for this fishery and that a catch or effort quota system would be appropriate. The proposal to only manage minimum shareholdings in this fishery merely delays reform.

Catch Quotas

Our organisations support the implementation of catch quotas for relevant species but believe that there should be a zero take of gemfish.

Our organisations welcome the opportunity to provide comment on the proposed fishing industry reforms. Please do not hesitate to contact Daisy Barham of the Nature Conservation Council of NSW on [redacted] for further detail on any of the recommendations or comments made in this submission.

Yours sincerely,

Daisy Barham
Marine Campaigner
Nature Conservation Council of NSW