

**Submission
No 86**

**INQUIRY INTO COMMERCIAL FISHING IN NEW SOUTH
WALES**

Name: Mr Gary Braithwaite

Date received: 9 December 2016

Garry Braithwaite

The Chair
The Hon. Robert Brown MLC
General Purpose Standing committee No 5
Parliament House Macquarie Street
Sydney NSW 2000

Re:Commercial Fishing inquiry

Dear Sir / Madam

I own an Ocean Trap & Line Fishing Business 1447 with 40 Shares in Line East, Line West , Trap & School & Gummy endorsements with an 9.14m long OG1 endorsed Licenced Fishing Vessel (LFB) 396 Delta II and 20 in Ocean Haul crew and a Commonwealth Eastern Tuna & Bill fish Minor Line.

My fishing business also was given an recognised fishing operation static (RFO)

As you can see my fishing business is very diverse as I have been involved in the commercial fishing industry since the age of 12 and left school in Fifth Form (year 11) to start my long fishing career and now at 62 years of age find that if I wish to continue fishing I will have to go into debt just to do what I am doing how.

For every \$1000.00 I incur to buy more shares to do what I am doing now and stay in the commercial fishing I will have to kill \$2000.00 + worth of fish to purely cover cost.

Our Fishing rights since the introduction of Share Managed Fisheries were granted in Perpetuity. All fishing rights in the OT&Line Fishery have been fully allocated. We have been told these reforms will give us more secure property rights and make us more profitable but I have not seen ANY proof of this claim nor do I believe it.

With any right granted in perpetuity if that right is taken away compensation must be paid and as we have lost many of our fishing grounds to; Marine Parks, Grey Nurse Shark closure, increased size limits on fish species and trip numbers on fish species caught outside 3 nautical miles. Collectively these reforms have not and will not make me more profitable. Proof of this is the number of fisherman that have dropped as a consequence in regional areas many Co-ops have closed .

My co-op at Bermagui had 27 members we are down to 9 after the Marine Parks buy back and after these reforms go through we may be down to 6 members.

The infrastructure needed to conduct commercial fishing in regional areas is mainly supplied by coop's e.g. transport to markets, cool rooms, ice. Fuel is costly and as our numbers dwindle the cost per fisher rise but our prices for product are at the mercy of the market. If we lose many more fishers from regional areas commercial fishing in those areas will cease. The flow-on effects to

infrastructure providers will be immediate.

Going back a step your committee should be made aware of a few facts that DPI Fisheries may not made you aware of. I have attached a letter that I started to write to Minister Baird but became too depressed and to put it bluntly "pissed off" with the way DPI was bull-doing these reforms through and a comment from one of the members of the SARS committee who said "do not count on promises made in the past being kept in the future". In addition an email from Dep Director General Geoffrey Allen dated 2/12/2016 that this inquiry will not halt the reforms process brings me to the conclusion that I cannot take any promise made in the future to be kept by DPI or the Minister. To further strengthen my distrust of DPI is the constant use of Disclaimers by DPI. See attachment.

DPI has now classed Fishing Business as Active and inactive, there is NO requirement for a fishing Business to be active in the Fisheries management Act, Fisheries management Plan or the Fisheries management Strategy for my fishery the Ocean Trap & Line Fishery. In fact as of the introduction of Restricted Fisheries we were told that there was no reason to catch as much fish as you could to make sure you would get entry into fisheries in the future as what you did in the past would what you could do in the future as per your validated catch history 1986 to 1993.

In 1991 the Offshore Constitutional Settlement between NSW and the Commonwealth was signed giving NSW management of Minor Line Fisheries from 3nm out to approx .80nm off the coast. We were told that this would make it more cost effective and simpler for management of these fisheries. There were a number of guarantees given to the fisherman who would now come under NSW management. The two main guarantees were that we would not be discriminated by the change and that as a minimum we would be afforded the same rights as we would have had under Commonwealth control.

NSW has taken a number of rights that we would have had if we were still under Commonwealth control, those being:

1. removal of Management Advisory Committees(MAC) for each Fishery. Our democratically elected MACs were denied to hold meetings as per the Act for 18 months so as the Seafood Industry Advisory Council SIAC could push these reforms through with NO interference from the MACs as they would have made many changes that DPI did not want. Then they were disbanded. It should be noted that SIAC held meetings when their tenure had ceased and put forward decisions made at these meetings as being from SIAC when SIAC no longer existed. Would that not be fraudulent as the Chair had been made aware the all members tenure had lapsed?
2. A business charter for DPI Fisheries as the Australian Fisheries management Authority so as DPI had to answer correspondence as AFMA has to.

Some times it takes months for DPI to answer letters or not reply to them at all and return phone calls in a timely manner.

I was a member of the Ocean Trap & Line MAC until it was disbanded by DPI /or Minister and a member of SIAS so I can make accurate statement of what went on at meetings of these bodies.

I hope to be a witness at one of your hearings as I find it easier for me to put my submission by a face to face meeting.

Yours sincerely
Garry Braithwaite
OT&Line FB 1447