Before considering the current status of commercial fishers and the seafood industry in Queensland, it is important to have an understanding of the status of the industry in the past to give context to the current situation and more readily identify the ramifications of the changes in approaches to fisheries management over the past 20-30 years.

30 years ago, the seafood industry was a busy and prosperous industry with both thriving domestic and export markets and employing a large proportion of coastal community populations, either as fishermen or employees of the many businesses within the seafood industry network. Ports were hives of bustling activity, closed seasons meant busy ports with vessels being re-fitted and maintained ready for the ensuing fishing season and seafood retail establishments provided a large array of diverse seafood products.

Government's role at this time seemed to be one of guiding and assisting industry with great interest in research and development to help with understanding the life cycles and maturation rates, biomass composition and migratory patterns of all species of fish to assist in setting suitable size limits to ensure at least two successful spawning periods prior to being caught for the purposes of having sustainable stocks abundance.

23 years ago in Queensland, we had the "State Government Inquiry into Recreational Fishing[1]", otherwise known as the "Burns Inquiry" in recognition of the avid recreational fishing politician who instigated the inquiry. This report into Recreational fishing produced 75 recommendations, the majority of which were in relation to Managing Commercial Fishing.

However, because the inquiry was into Recreational Fishing, most commercial fishermen did not get involved by way of either attending meetings or submitting their opinions. The report was simply the assessment of the opinions of those recreational fishers who were involved (mostly through their fishing clubs) and did not have general public (consumer) input due to the title of the inquiry. Nor did any of the recommendations have any scientific basis or endorsement.

This marked the beginning of politicising fishing. It was a popularity exercise but ignored the majority of the population because the name of the inquiry was deceptive. Since then most of the recommendations have been systematically applied to the entire approach to fisheries management in Queensland and the seafood industry has been systematically wound down to the satisfaction of avid recreational fishermen.

Many commercial fishermen have lost their jobs and their businesses and had their licences devalued with former endorsements they paid for taken from them with no

[1] http://www.qrfn.org/uploads/1/2/8/3/12837319/burns_inquiry_into_recreational_fishing_1992.pdf

compensation and many other businesses within the Seafood industry network also folded putting thousands of seafood industry workers out of work and ports are now quiet most of the time.

Trained crew is difficult to find and full and adequate training for potential new recruits into the seafood industry is now extremely expensive and difficult to source due to slow uptake due to the lack of incentive to be involved in or to invest into the seafood industry.

The vast array of seafood is no longer available to the population and a small band of avid recreational lobbyists have successfully had the majority of fishing grounds allocated for their exclusive use along with many species as well, in defiance of the fact that our fisheries resources are a food supply belonging to the entire community.

This was all done in the name of "sustainability" based upon the opinions of a few recreational fishermen with no substantial peer-reviewed scientific or other evidence to verify their claims.

Now that the industry has been so greatly impoverished and critical mass drastically reduced,, so that the expenditure of recreational fishers appears to be more than annual industry GVP, the focus has changed from sustainability to economic value with quasi economics applied to comparing the economic values of recreational and commercial fisheries.

It appears very much to industry participants that the welfare and management of the industry has been placed firmly into the hands of industry opponents who have sabotaged every effort by industry to be efficient, effective, productive and profitable.

Dr Walter Starck has drawn some damning comparisons for more recent Australian fisheries production data in comparison with that of other countries with much more heavily exploited fisheries with far less restrictions and which have been exploited for centuries longer than Australian fisheries[2].

1. Australian Fisheries

1.1. Are fish stocks allocated and managed in a way so as to ensure a viable and sustainable fishing sector both now and into the future?

At present, NO.

[2] Starck, Walter "Australia's Unappreciated and Maligned Fisheries" 2012

I. In Australia, fisheries resources are undergoing a major shift at present from shared access between commercial and recreational fisheries to prioritizing access to fishing grounds to recreational fishing.

II. Over the past 15 - 20 years commercial fisheries have been subjected to major restructuring and ever-tightening restrictions and ever-increasing closures all supposedly in the name of sustainability under criticisms directed at fisheries worldwide made by eNGO's around the world. Now that commercial fisheries are actually being recognized as "sustainable" according to the most extreme demands by industry opponents, the issue of sustainability is no longer the catch-cry but rather "economic value" is now being touted as the criteria for access allocation but the seafood industry was systematically and deliberately devalued until it had what is now considered a lesser contribution to the economy than retail sales of goods or services to recreational fishermen.

III. Australia's situation was unlike fisheries in the northern hemisphere and yet Australia's fisheries have fallen victim to the same attitude with little to no regard for the fact that seafood is an important food supply for our population.

IV. There has been too much hypocrisy involved in fisheries management around the world when discussing fisheries stocks abundance or perceived stock losses since the blame for stock losses has always been laid at the feet of commercial fishing operations while discounting other impacts on the abundance of stocks, such as nuclear bomb testing, millions of megalitres of oil spilled into the ocean, pesticidal and tailings run-off from land use, habitat degradation due to infrastructure, port and industrial developments, urbanisation and changing the courses and deltas of rivers, dams built on coastal rivers and pollution.

V. The situation in Australia has been no different. Indeed, any conflicts over access to fisheries resources have always resulted in commercial fishermen being locked out of the fishing grounds and the rights of Australian consumers and visitors to Australia to share in the nations's fisheries resources has been largely ignored.

VI. In the meantime particular environmental issues that threaten stocks abundance are allowed to remain unchallenged with a preoccupation upon allocations of resources between "competing sectors", instead of solving the environmental issues so that there is plenty to share.

VII. This situation would be entirely different if no food was so easily accessible that it is taken for granted.

VIII. Consequently much of our potential economic benefits from fisheries resources has already been lost so that our potential now is much less what it would have been without the unrestricted changes to fisheries habitat of years gone by. Fisheries abundance will only ever be in proportion to the available extent of healthy fisheries habitat. With extensive dam-building on most major coastal rivers and creeks in Queensland, with devastating potential of up to 95% stock losses in comparison with pre-dam building stocks[3], the stocks are obviously nowhere near the abundance of years gone by.

IX. Unfortunately people, academics included have largely overlooked the scale of these impacts and have focussed only on extractive activities, in particular - commercial fishing since they take larger catches per fisher than recreational fishers do. This has led to a situation in which the impacts of commercial fishing have been grossly over-exaggerated and commercial fishers have been continually criticised and vilified and accused of "raping and pillaging".

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[3] Xie, S.; Li, Z.; Liu, J.; Xie, S.; Wang, H. and Murphy, B.R. 2007. Fisheries of the Yangtze river show immediate impacts of the Three Gorges dam. Fisheries 32(7): 343-344.

X. Consequently no management measure has ever seemed to have corrected the problem since the stocks have not flourished to the levels of pre-development days and managers do not defend their work because they don't understand why the management measures don't appear to have made any difference. The problem is that they are not treating the real cause of the problem (the environmental issues that impacted the stocks in the first place. In Australia we have since heard academics say that our stocks are not as abundant as in similar waters overseas because Australia is a dry continent. This doesn't highlight the fact that because of the dams on the estuaries, Australian waters have been placed in almost permanent drought conditions.

XI. In fact for several years it was common to hear reports claiming that every drop of water that made it to the sea was wasted. Nothing could be further from the truth. The situation would be entirely different if critical freshwater flows were allowed to go to sea, if brackish areas of estuaries were allowed to expand to be as lengthy as they once were and if flood events were allowed to go to sea. Since we now have access to various scientific reports and knowledge that explain the intricate balance and important connections within riverine and estuarine conditions, it is important that In the future, potential economic losses arising from such stock losses, need to be considered and included in dollar terms in cost-benefit analyses of any private and public works projects potentially impacting upon fisheries habitats and fisheries resources.

XII. Sincere appreciation for fisheries habitats as the storehouses of valuable, renewable national public assets and raw materials, ie. fish stocks, could change the approach to fisheries management for the better.

XIII. Governments need to realise that healthy fisheries habitats are essential to natural biological processes and wild stocks abundance and they need to prioritise their protection from destructive land-based activities or stock-wastage, rather than managing fisheries by focussing only on commercial fishing while ignoring the environmental impacts of other activities. The impacts of commercial fishing have been grossly over-exaggerated because the fishermen have been made the scapegoats for all of the impacts made by other much more highly impactive activities.

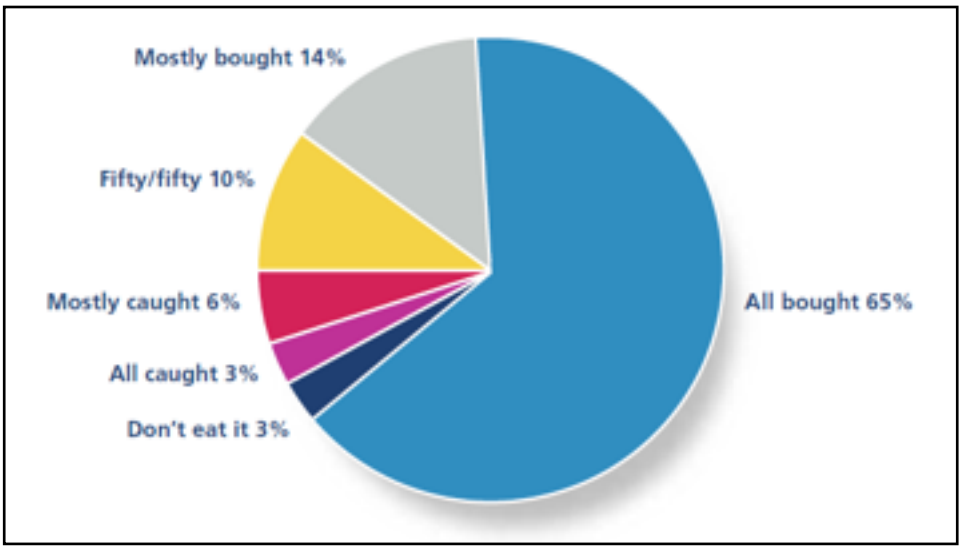
XIV. While governments continue to blame commercial fishing for the losses of the past without considering the full import of other significant factors, there will not be a change in the culture of seeing commercial fishing as a wasteful and destructive activity but continuing to blame fishing also results in no changes to the actual outcomes of those other unregulated and unrestricted activities.

XV. Continually restructuring and restricting commercial fishing businesses impacts upon the viability and sustainability of the fishing sector. It is not good enough to continue down the current path until there is no seafood industry left before acknowledging that the other impactive activities should have been restricted. By that stage, the fishermen, seafood industry extension businesses and commercial fishing knowledge and skills potentially could be gone and an entire food source would no longer be accessible by the general public.

1.2. How should the value of recreational fishing and Indigenous customary fishing be measured and so better inform access allocation decisions?

I. If the realities of the true environmental impacts of other activities which affect water quality and connectivity and fisheries habitat were acknowledged and addressed, there would be no significant concerns with regard to fish stocks abundance so any fishing activity in Queensland fisheries would be insignificant particularly since restrictions on boat sizes and gear and legal lengths of fish allowing them to spawn at least twice before capture, are such that they naturally restrict carrying capacity and catching capacity. In such a case it doesn't matter how

recreational and indigenous customary fishing are valued. These are really irrelevant to the importance of our fisheries and the concept is an artificial construct to justify reallocations of fisheries resources from access by all to access by the few by comparing supposedly "relative values". The fact that the value of an entire primary industry and its network of businesses cannot be compared with a small part of total retail activity which is how recreational fishing is valued. The one creates wealth (Seafood Industry), the other shifts wealth (Recreational fishing purchases) and both sectors have the right to access the resources but for different reasons: the one (Commercial fishermen) to provide seafood for the public in return for earning their livelihoods, the other for their personal enjoyment and for personal supplies of seafood (Recreational fishers).

II. 

[4]

III. Indigenous fishing is generally for traditional use which is not undertaken on a very large scale. We do not consider that traditional indigenous fishing needs to prove a general social benefit to be entitled to continue to catch fish for their own use as they have done for centuries.

IV. Generally the value of recreational fishing has been determined by the estimated expenditure of discretionary income by recreational fishers as reported in voluntary recreational fishing surveys, however there is potentially great discrepancies between the actual expenditure and estimated expenditure and no way of proving the veracity of any dollar values reported so far. In addition the lack of cumulative reliable recreational catch data potentially minimizes the "costs" of recreational fishing impacts on fisheries resources and compromises the integrity of the supposed net benefits to be obtained from recreational fishing. The impacts of recreational fishing is possibly also compounded by the extent of post-release mortality of fish which are caught and released. In reality, decisions to allow recreational fishers to have priority of access to fishing grounds are not really justifiable considering these really unknown and unquantifiable "costs" and net benefits from recreational fishing. In considering the value of recreational fishing there seems to be no acknowledgement that much of the money spent on recreational fishing gear actually goes overseas in paying for imported tackle and fishing gear.

V. Considering fisheries resources are public food resources it is hypocritical to expect commercial fishermen to be accountable in their custodianship of fisheries resources while not also insisting that recreational fishers demonstrate responsible custodianship by requiring

[4]Fisheries Research and Development Corporation "Retail Sale and Consumption of Seafood" September 2002 p. 7

them to provide all of their catch data with the inclusion of data for catch and release catches to allow more sufficiently for the potential impacts.

VI. Fisheries resources are a valuable food resource for the population and as such, should be treated with respect and not “played with” with impunity by an exclusive group. This attitude flies in the face of the approach to all other interactions with marine and terrestrial life and zero tolerance for any impact by commercial fishermen.

VII. Apart from charter fishing businesses, generally businesses frequented by recreational anglers do not exclusively supply recreational anglers.

VIII. Realistically, allocations of TAC’s for specific stocks should be determined based upon a suitable proportion of the biomass, of which the allocations should be made fairly reflecting the numbers of servings of fish needed by indigenous, recreational fishers and seafood consumers.

1.3 Do the current access arrangements provide for the realization of the highest economic value from fisheries?

I. This is almost a trick question considering that the concept of highest economic value from fisheries is only now being considered after having already applied extensive restrictions, closures and restructuring on commercial fisheries in the name of sustainability, so that the value of the seafood industry now provides a meagre proportion of it’s former contributions to the national and state economies and our nation is now a net importer of seafood for the first time in history.

II. Australia-wide, many seafood export markets have already been lost due to the contrived inability of most Australian fishermen to provide the scale of volume and continuity of supply required to meet those export markets. This represents a loss of injected funds into the Australian economy from overseas.

III. Recreational lobbyists base their demands for priority of access on the grounds of providing higher economic contributions to the economy based on their expenditure of discretionary income and on speculative injections of funds from overseas purported to be due to “fishing tourism”. No significantly reliable peer-reviewed evidence has been provided in support of either claim, nor in support of recreational fishing as a sustainable use of seafood resources.

IV. The irony is that recreational lobbyists criticise the seafood industry for exporting seafood as if there is no benefit to be gained from doing so This means that on the one hand the importance of funds injected from overseas is acknowledged when discussing recreational fishing but on the other hand the injection of funds from exported seafood has been discouraged and even ridiculed.

V. In the meantime the commercial sector which provides the nucleus of the entire seafood industry - the only truly iconic coastal industry, has been decimated to satisfy arbitrary demands to prove their sustainability without any substantial proof of any real threat as a result of commercial fishing activity as opposed to other activities which have been allowed to continue with very little, if any, restrictions placed upon them.

VI. As the nucleus of a primary industry, commercial fishermen provide employment and a reason to invest into a network of other support businesses. It also provides an important dietary need for the population which cannot put in the time to provide all of their own needs as well as to earn their living. Indeed the environmental impacts in carbon emissions alone, of an entire population needing to supply their own seafood would be counterproductive to the desired objectives of sustainability. It is far more cost-effective and efficient from a macro-economic perspective to allow a smaller number of commercial fishermen to catch the fish for the majority of the population.

VII. Contrary to the advice given by the Productivity Commission at the time of the GBRMPA RAP zoning, the values of recreational fishing and tourism have been directly compared with the GVP for commercial fishing which is like comparing apples with onions.

VIII. GVP is used as an in-house tool for comparing the performance of the industry over time and between financial periods and is entirely different from $ values of retail expenditure of discretionary income into such things as recreational fishing and tourism. To add insult to injury for the seafood industry, a portion of the retail value of seafood industry product (bait and seafood sold to tourists) was included in the valuations of recreational fishing and tourism sectors and compared with the wholesale value of the very same product contained in the GVP.

IX. In addition, discretionary income is a highly volatile basis for assessing any economic activity due to the fluctuations due to a wide range of variables.

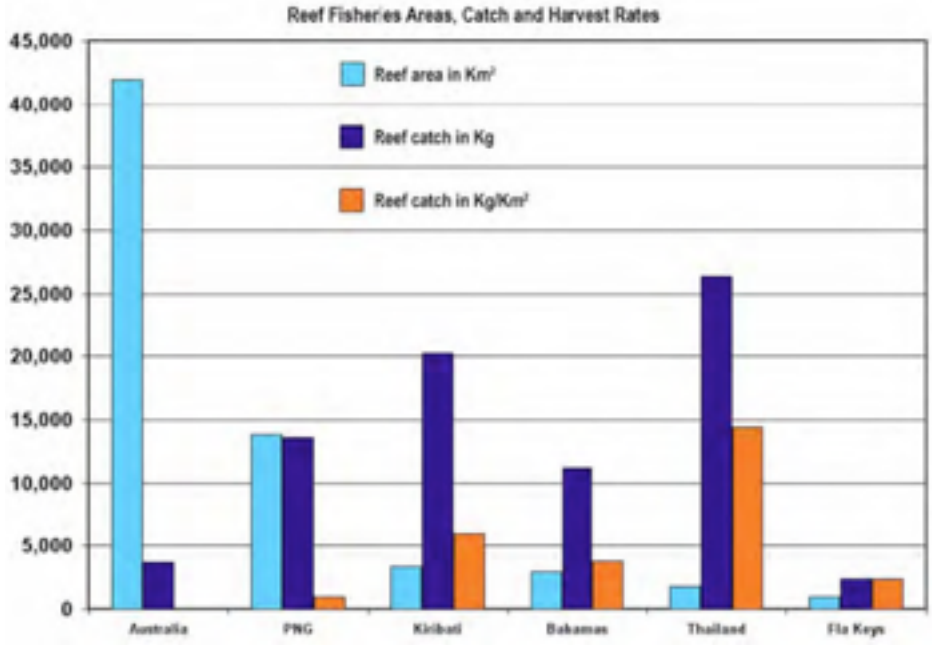
X. Valuing an entire industry according to annual GVP and ignoring initial investment and investment into industry networks as well as the multiplier effects applied when reselling the product until it reaches the end-users (consumers) results in a massive under-valuation of the industry iand is quasi-economics at best. Indeed to separate commercial fishing and value it as an unconnected, individual activity without the full network of other associated businesses is totally an inappropriate valuation because the fishing forms the nucleus of the industry.

XI. With regard to tourism, using the right approach there is no reason why the presence of commercial fishing activities cannot be used to enhance the tourism attraction of coastal destinations .

XII. To fully utilize fisheries resources and obtain the best economic benefits to be derived from them, it is important to establish the level of extraction that can result in the most income generating activity and gainful employment for the economy. While recreational fishermen rightly point out that not all benefits of recreational fishing, (such as rest and relaxation, family enjoyment and so on) are able to be determined in dollar terms, that is also true of the health benefits to be derived from eating regular servings of seafood from waters as clean as most Australian waters, as well as the benefits of avoiding potential health risks that could result from ingesting some lower-quality seafood from overseas, and the benefits of having a small sector provide seafood for the majority of the public.

XIII. This graph shows how little reef fish is caught in Australian waters where we have the biggest reef in the world on the east coast as well as a large reef off the west coast, in comparison with the reef catches of other nations with far less area of reef. Something is drastically wrong if Australia is harvesting so little from the wealth of resources we have. Obviously we are not

fully utilising our resources to obtain anything like the highest economic value we could obtain.



[5]

XIV. (Please note though that we do believe that all individuals should have the right to catch sufficient for their own needs).

1.4. Is there a reasonable balance between the interests of different users in the current allocations of access to marine fisheries?

At present - NO.

I. Commercial fishermen provide food for the public, who are the end-users of the resource caught by commercial fishermen. Commercial fishing is a food producing primary industry and thus provides for an ongoing need of the population.

II. Recreational fishing is one of a wide range of recreational pursuits, participation in which is entirely dependent upon national, economic, climatic and political stability and prosperity and the extent of a participant's discretionary income and time.

III. The term “recreational fishing industry” appears to have been coined to identify those businesses supplying the goods and services desired by recreational anglers, however, they are part of the retail industry and most cater to the wants of many different classes of customers and not exclusively recreational anglers. Only charter fishing operations are set up to exclusively cater to recreational anglers.

IV. While the numbers of commercial fishermen has drastically reduced in Australia over the past 15-20 years, the FRDC has reported that approx. 94% of the population purchase their seafood and the majority of them prefer to buy Australian seafood if it is available. This is in stark contrast to the approximately 15% of the population which engages in recreational fishing, approximately 10% of whom engage on a far more regular basis than the remainder and reportedly take approximately 80-90% of the entire recreational catch. This means that with current laws and restrictions on commercial fishermen with regard to specific species, currently 94% of the population has been allocated a far smaller share, if any at all, of many

[5]Starck, Walter “Australia’s Unappreciated and Maligned Fisheries” 2012, p. 19 http://www.goldendolphin.com/WSarticles/Australia's%20Unappreciated%20and%20Maligned%20Fisheries.pdf

species of fish that are predominantly now accessible only by recreational anglers. This has given exclusive access to a large portion of Australia's seafood resources to approx. 15% of the population with the most access enjoyed by a very small group of avid anglers.

V. Considering recreational anglers can engage in recreational fishing in over 200 areas which are closed to commercial fishermen including freshwater impoundments and rivers and creeks, yellow zones and other areas where commercial fishermen cannot work, as well as the areas fished by commercial fishermen, there is no reason that there need be any competition over fishing grounds accessible to commercial fishermen, however demands are ongoing for more exclusive recreational access eg. "Net free zones", "ROFA's", and line-only catching of particular species. These demands make no apology for taking vast volumes of domestic seafood from the purchasing public who greatly outnumber recreational anglers and are regular customers of seafood establishments. These seafood consumers are rarely considered in resource allocation discussions but for them commercially-provided seafood is their only source of seafood, whether wild-caught or farmed, in Australia or overseas.

VI. Overly zealous concerns about nets being used as commercial fishing apparatus are misplaced since studies have shown that the nets are highly selective and efficient in catching target fish. According to particular government reports, in Queensland alone, prior to the introduction of the most recent net-free zones, approx. 95% of all fin-fish on offer in the markets in Australia were caught using nets. This places net-fishermen as significant and important food producers. Removing net fishing from large swathes of fishing grounds and banning nets as suitable commercial apparatus for catching specific species, significantly reduces the amount of seafood available for the public in the market place. Considering that the studies show that nets are highly selective and do not have the impacts they are so often accused of having, the push to remove net fishing is based more upon a particular ideology being used for political expediency rather than being substantiated in fact.

VII. Considering that fisheries resources are an important source of food, and considering that eNGO's say so much about the need for sustainability of seafood resources it seems that there is something very wrong and hypocritical about applying the precautionary principle to some commercial fishing activities without any evidence of a need for concern while not applying the same principle to catch and release "Playing" with the same resources. This is highly disrespectful and dismissive of those who are dependent upon seafood as an important food and also of those who have done the research in good faith, as well as disrespectful to the stocks themselves - showing a complete disregard for the lives of the fish without using them as a necessary food supply.

VIII. There has been no argument put forward by recreational fishing lobbyists which distinguishes them as consumers more deserving of preferential treatment in the allocation of access to fisheries resources. In fact as a minority of the population, their current exclusive access to so much of Qld's fisheries resources is extremely disproportionate and does not comply with the objectives in the Fisheries Act 1994 to ensure that access is fair "within and between generations" [Div 2 s. 3(b)], nor "making decisions, effectively integrating fairness and short and long-term economic, environmental and social considerations" [Div2, s 3(d)] .

1.5. Is there room to improve the process for determining the allocation of such rights? For example, how might competing interests be better reconciled?

I. The first issue in improving the allocation of fishing access rights is to ensure that the real threats to fisheries abundance are dealt with so that there is greater abundance and so that the problems do not continue unchecked.

II. The second thing to do is to place higher priority on food security and to encourage recreational fishermen to "catch a feed" and go home. Some people simply do not know how to stop. We came across a recreational fishermen who bragged about catching 70 kgs of

prawns with his cast net. When reminded he was only allowed a bucket full he replied that it was ok because he took each bucketful up to his car. Then when asked what he did with them because our whole family would be flat out eating a bucketful, he replied that they all went black so he had to dump them. If he had stopped with his legal bucketful he would have had several feeds of prawns and not wasted anything.

III. The UN FAO's "Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the context of Food Security and Poverty Eradication" actually recommends that small-scale fisheries, including Australian fisheries, be given priority of access to sustainable fisheries resources as important food providers.

IV. Considering that fisheries resources are public resources, to be used for the benefit of the public, giving priority of access to a very small minority of the public is extremely disproportionate allocation of resources. Access allocations in exchange for political favours is an inappropriate use of public resources as well as an inappropriate use of political power - placing the public's access to food at the mercy of political whim.

V. Removing so much access from commercial fishers has also removed affordable seafood from within the reach of less wealthy people because of the effects of supply and demand.

VI. The rights of the population to have ready access to reliable domestic food supplies should be far superior to the wants of politicians in seeking political support. In fact it is the responsibility of governments to ensure that political conditions are conducive to allowing industries to supply sufficient food to meet the dietary needs of the entire population.

VII. Not only is political control of food supplies a dangerous precedent to be challenged and removed, seeking political expediency is not the best for the health of fisheries resources either. As a matter of national security, domestic food production must be protected from unreasonable and hypocritical demands by eNGO's from overseas nations, the greed of self-serving avid recreational and sports anglers, and dangerous power-seeking political influences.

VIII. For this reason fisheries management and food production must be taken from the sphere of excessive influence for political gain. It is important that decisions made regarding domestic food production be based on relevant substantive evidence.

IX. Political, economic and climatic instability places greater importance upon the need for food security policies to be in place. In consequence of this need, the service provided by commercial fishermen in supplying food for the public at large needs to be valued much more and commercial fishermen should have priority of access to fisheries resources in keeping with the social responsibility to provide food for the population as highlighted by the UN FAO's Voluntary Guidelines in Securing Sustainable Small-Scale fisheries.

X. This does not mean that there is not a place for recreational angling but that, as a communal food resource, there should be greater accountability taken by governments in the roll-out of policies affecting the long-term health of natural fish habitats and stocks and the public's access to adequate domestic seafood supplies through domestic commercial fishermen.

XI. This also means that disproportionate access to fisheries resources whereby certain species and fishing grounds are virtually recreational-only, and "catch and release" fishing as a regular practice need to be discontinued as a matter of urgency.

1.6. Where are there overlaps or conflicts between the rights of access for the different groups of fisheries users? How are such overlaps and conflicts best addressed? How best can the common interests of users be leveraged to improve fisheries outcomes?

I. Perhaps establishing an independent community Food Security governing body to oversee Food producing Primary Industries with strict objectives to protect food production from unsubstantiated attacks by minority groups, and ensuring that fisheries habitats are protected from habitat degradation would help to restore a better balance in the allocation of access to fisheries resources in order to obtain the best community benefit as an important food source to be valued and appreciated.

II. Recreational fishers, as providers of their own seafood supplies, should consequently be encouraged to catch a feed rather than wasting resources through "catch and release" fishing.

2. Commercial Fishing

2.1. Relative to other costs (such as fuel and labour), how significant are the costs of complying with fisheries regulation? Do so called 'input controls' (such as limits on boat size and fishing gear) unduly restrict fishing operations, result in lost opportunities and/or discourage investment within the Australian commercial fishing industry?

I. The "costs" of lost opportunities due to loss of access to fishing grounds is probably the biggest cost to commercial fisheries. For fishermen to be able to work in a sustainable way, gleaning catches from schools of fish and moving on without placing too great a pressure on stocks is an essential attribute they need wide access to productive fishing grounds. Such is no longer the case. With each closure has come the necessity of removing more commercial fishermen to keep a suitable balance in the equation as effort is displaced forcing too much fishing effort onto the grounds that remain accessible. The continual application of closures whether through marine parks or recreational fishing havens as well as areas closed adjacent to infrastructure and increasing port facilities, has led to a downward spiral for once profitable fishing businesses.

II. The extent to which closures have been and are being introduced in Australia is leading to the demise of the seafood industry and unless something changes soon, there will be insufficient critical mass in the industry to allow the necessary network of other related businesses to be also financially viable.

III. Already coastal communities have suffered huge losses of employment and small businesses which were set up to cater to the needs of the seafood industry, although many of those losses during the period since the application of the GBRMPA RAP zoning in particular, have been masked by the proliferation of mining activity in the same time. Now that the mining activity has slowed and many people have already lost their jobs from the mining sector (many having already moved from their original jobs in commercial fishing) coastal communities are starting to suffer since their iconic industry (the seafood industry) has been in a government-enforced winding-down.

IV. Input controls were sensible restrictions to fishing operations - making impacts upon stocks much more controllable from the perspective of commercial fishermen in being able to regulate the size of catches to that which can be more easily handled and suited to the carrying capacity of the vessel. Larger vessels require consistently large catches and good prices to cover the running costs. Current Global indications are that 70% of seafood caught for human consumption is provided by small-scale fisheries.

V. Every imagined fisheries management measure has been imposed upon Queensland fisheries with no appreciation for the natural factors restricting fishing activity such as weather conditions, seasonality of fish migrations and human limitations. In each round of regulatory impositions, there has been no time lapse between the previous round and the ensuing round in order to determine the effectiveness of the previous management measures in achieving desired outcomes, before pursuing the next round of regulatory controls.

VI. Input controls (e.g. boat size) are successful measures of control to help the seafood industry to be sustainable since they are more closely related to the natural limitations (e.g. size of nets, size of boats, etc) thus naturally limiting the number of fishing trips to what can be safely undertaken given prevailing weather patterns and also limiting the size and composition of catches to what is safely and lawfully able to be handled and carried by the vessel.

VII. This is in contrast to allowing huge vessels into our fisheries that need consistent huge catches to pay for the vessel and crew and to make the investment worthwhile although vessel size is dependent upon the seas to be fished eg. large vessels are inappropriate in our inshore waters but suitable for the deep seas further afield. To bring in large vessels, there must be restrictions on their access to inshore fisheries.

VIII. It is interesting to note that the Too Big To Ignore (TBTI)[6] network have reported that globally the small-scale fisheries are the producers of 70% of the seafood for human consumption so while they comprise small businesses, together they have an enormous impact upon the food supplies that are feeding the world's population. Somewhat smaller investments and overheads require smaller catches with less impact on stock biomass to be profitable.

IX. Unnecessary red-tape and duplication cause additional costs which just make fishing businesses less profitable and less-enticing as an investment opportunity – e.g. a commercial fisher license and fishing boat license allowed a commercial fisherman to be able to sell fish. The introduction of the requirement to have safe food accreditation as well as the required licenses just added another tier of licensing with additional costs with no benefit for either fishermen or consumers. Add on to that AQIS requirements for export, and then moves to further impose 3rd party accreditation services in order to supposedly secure markets from unwarranted attacks by green extremists, and the costs become untenable for no significant complementary financial benefits and little return for the extent of investment.

X. A major disincentive to investment in Queensland fisheries have been long-term fisheries-wide investment warnings.

XI. For quota fisheries, there are significant time and cost impositions of having to give phone calls to give prior notices as well as updates on estimated catch data followed by catch disposal records.

XII. The costs of buying enough Quota to operate fishing business and paying annual fees to hold it then having it devalued which then forces us to purchase more which adds to increased costs of operation which adds to uncertainty of business viability. This all leads to unnecessary overcapitalisation. We cannot have even a 5-year vision into the future in commercial fishing.

XIII. Significant costs to industry result from the multi-layered approach to over-regulation of the industry. Every imagined fisheries management measure has been imposed upon Qld fisheries with no appreciation for the natural factors restricting fishing activity such as weather conditions, seasonality of fish migrations and human limitations. In each round of regulatory impositions, there has been no time lapse between the previous round and the ensuing round in order to determine the effectiveness of the previous management measures in achieving desired outcomes, before pursuing the next round of regulatory controls.

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[6] http://toobigtoignore.net/about-tbti/

size of boats, etc. thus naturally limiting the number of fishing trips to what can be safely undertaken given prevailing weather patterns and also limiting the size and composition of catches to what is safely and lawfully able to be handled and carried by the vessel. This is in contrast to allowing huge vessels into our fisheries that need consistent huge catches to pay for the vessel and crew and to make the investment worthwhile. Somewhat smaller investments and overheads require smaller catches with less impact on stock biomass to be profitable.

XV. Other levels of restrictions generally are just overkill - particularly restricting access to productive fishing grounds, limiting potential and unnecessarily restricting catches and profitability, eg. taking endorsements off fishermen and forcing them to have to specialize in catching particular species thus reducing business disaster resilience and the ability to diversify with no benefits to either industry or the economy or the environment and stock levels.

XVI. Unnecessary red-tape and duplication cause additional costs which just make fishing businesses less profitable and less-enticing as an investment opportunity. Eg. A commercial fisher license and fishing boat license allowed a commercial fisherman to be able to sell his fish. The introduction of the requirement to have safe food accreditation as well as the required licenses just added another tier of licensing with additional costs with no benefit for either fishermen or consumers. Add on to that AQIS requirements for export, and then moves to further impose 3rd party 4-tiered accreditation services in order to supposedly secure markets from unwarranted attacks by green extremists, and the costs become untenable for no significant complementary financial benefits and little return for the extent of investment. Insecurity also discourages succession within industry.

2.2. Are there any other aspects of fisheries regulation (such as uncertainty over the permanency of arrangements) that deter investment?

I. Fisheries are consistently managed through the commercial sector with no measures requiring the recreational sector to be accountable to the public for their impacts upon these communal resources. Concerns raised over conflict between recreational and commercial fishers have consistently been “resolved” by removing commercial fishing presence which has resulted in the commercial sector continually being forced into ever shrinking fishing grounds resulting in concentration of effort in smaller fishing grounds due to displacement of effort and further complaints by rec fishers from the areas where commercial fishers are still able to fish.

II. Consequently there is no industry security, no security of access to productive fishing grounds (like having a farm continually being carved up and having more and more land resumed for road construction but expecting the farm to continue to be productive). This presents no incentive for investment. There are no secure commercial-only fishing grounds but many recreational-only fishing grounds.

III. The public's right of access to Australian seafood through the seafood industry is not being taken seriously and catered for.

2.3. What are the major challenges and opportunities facing the commercial fishing industry over the next 20 years? What aspects of fisheries regulation need to change for the industry to best meet those challenges and opportunities?

I. There is no short, medium or long-term vision for Queensland commercial fisheries. Change is a constant issue for commercial fishers and has been for the past 20 years. There have been no periods of stability to assess the benefits/challenges from any f the management measures that have been undertaken. There are no guarantees that regulatory change will remain constant under any government. Wherever possible regulation should be set for the long-term to allow each fishery to adjust to whatever fishing requirements are developed.

II. Secure seafood supplies to the Australian public. Remove political gain from the fishing industry using closures as a vote buying exercise from politicians. Recognise fisheries as a viable food producing industry and recognise science based evidence that supports that the industry is sustainable. Proper management framework around green zones and their effectiveness based on scientific evidence, not political gain. SLO to support structure and management of the industry which will mean security of access to marina resources for all stakeholders not just the biggest and noisiest group which are sport fishers who do not provide seafood (legally) to the Australian public. Current NFZ and green zones only support black-marketing of fish from the recreational sector.

2.4. Are there instances of overcapitalisation in fisheries that is driving returns to fishers down to unsustainable levels? Where such a situation exists, what is the best remedy to return the fishery to long term viability?

2.4. This depends on various factors including government policy on fishery licence availability and the growth of recreational fishing.

I. Successive fisheries departments have advocated for the diversification of symbols and adaptive businesses. In such cases inshore fishers (crab and pot fisheries) may have multiple endorsements to allow seasonal access to a variety of fisheries. Some fishers may draw 40 per cent of their income from net fishing and 60 per cent from crab fishing. This combination will vary from fisher to fisher and season to season and commercial fishing may be one of many sources of income or the sole income of some fishermen who chose to diversify. Historical fisheries management of symbols has allowed for multiple business structures to exist in Queensland fisheries – part time (drawing various levels of income), full time (with dominant effort in one fishery or effort across a number of fisheries).

II. Restructuring licenses by the reduction of fishery symbols, allocation of quotas and consequent requirement for fishermen to buy-back their lost symbols or effort units, has resulted in inordinate amounts having to be re-invested (overcapitalisation) simply to continue to stay in business doing what the fisher always did, with no substantial improvements in license values or any financial benefits to fishermen.

III. The individual decisions of commercial fishing operations and how much capital they choose to invest in is a business decision. More informed capital purchase decisions could be made if Queensland fisheries were not under ongoing investment warnings.

2.5. Are fish stocks managed in way that will ensure a viable and sustainable commercial fishing sector? How effective are harvest strategies, such as the Commonwealth Harvest Strategy, in guiding the management of fish stocks?

I. According to the Queensland State government and the Fisheries Research Development Corporation (FRDC) Queensland fisheries are sustainable.

II. Besides all the input controls, restrictions to license endorsements, etc, extensive green zones were introduced by the State government and the GBRMPA RAP zoning which were supposed to result in greater long-term benefits for industry through "spillover effects" from the green no-take zones but these were not forthcoming. ("Large-scale expansion of no-take closures within the Great Barrier Reef has not enhanced fishery production" by Fletcher, Kearney, Wise and Nash 2015 attached)

III. In the process our Qld fishing industry was decimated in terms of access to productive fishing grounds, industry participants, onshore facilities and productivity. In fact this was probably the biggest contributing factor to regional Coastal Qld economies being in dire straits at present now that the masking effect of the high wages from mining activity in inland areas has

diminished. The seafood industry was an important part of the economic backbone to these coastal communities until all the closures and restrictions were implemented. The above report indicates that the fishing effort in our waters was insufficient for the extent of no-take zoning to have any beneficial effect. How do we now go forward and replace what has been lost? Will the zonings be reduced to allow the industry to be profitable and access more grounds once again? Unless that happens there is little incentive to invest in Qld fisheries.

2.6. Are there regulatory approaches that are better suited to achieving the objectives of fisheries regulation compared to quotas? What, if any, challenges exist in the processes for the initial allocation of quotas (for states) and subsequent determinations of allowable catch? Is quota trading functioning effectively?

I. Is Quota trading functioning effectively? NO. 30% of Coral Trout Quota has been bought up by investors who are withholding it from the market to create financial gain. Fisheries quota should ONLY be available to active commercial fishers not as an investment commodity. Commercial fishers are being forced to lease back quota from investors due to their own quota being devalued. How can stock assessments be accurate when we are unable to find enough quota to fulfil a full financial year? If we have a bad year with weather or cyclones which has been the case for the past 3 years, our quota is devalued. We finally have a decent year with good weather and tides and catch efforts are up but there us bi quota available to catch.

II. Open some of the closed zones to commercial fishing permanently, or on a rotational basis and reduce the restrictions on fishermen since our catch rate per hectare^2 is far below that of any other country with comparable fisheries and in spite of our extensive EEZ.

III. With regard to quotas, this has been shown overseas to lead to overcapitalisation in exchange for diminishing returns so is not necessarily an effective nor productive management strategy. It has also led to wasting of resources as incidental catches not covered by quota holdings have to be discarded. Quotas only serve the purpose of increasing returns for some investors in the short term with the potential of leading to near monopolistic ownership of quota, hence near monopolistic access to particular fisheries resources.

IV. Initial allocation of quotas in Queensland ignored the contribution that smaller catches of certain fish made to the incomes of fishermen who diversifies their activities over the year's seasons as well as the overall supplies of fish available for the market. Those catches are no longer being caught and therefore are not available in the market place because too few fishermen were able to maintain their right to access those fish by qualifying for the quota in the first place and most of the quota ended up in the hands of a few cashed-up investors who charge to then lease the quota to fishermen who have then to meet the costs of quota leasing as well as initial trip costs prior to being able to make any profit.

V. As a result the benefit to the overall industry was negligible and nearly all of the TAC;s are not actually caught with so many different management strategies in place. In determining TAC's there doesn't seem to be much acknowledgement of the fact that so much area is closed and the fish in those areas don't seem to be taken into consideration, nor the fact that fish can easily swim into those areas and no longer be accessible to fishermen. In the meantime the market remains short of Australian seafood and overseas markets are lost due to an inability to provide continuity of supply of sufficient volumes of seafood to meet the demands of overseas markets. The entire seafood industry in Queensland has had its potential suppressed while there was no definitive evidence that stocks were in such dire peril to warrant such desperate remedial actions in the first place.

2.7. Under what circumstances should regulators place restrictions on the fishing boats, trawlers, fishing equipment and technology that are used to capture wild fish stocks?

I. Under current fisheries regulations restrictions on gear type are to ensure the long-term viability of fishing habitats. With these restrictions in place it is to the point that restrictions should be placed on fisheries only at the request of commercial fishers when there is evidence of problems existing. In other words, implementing regulations should be the identified solution to problems that have surfaced in a fishery which is managed according to best available science along with regular risk assessments.

II. If such an approach were taken, there would be long periods of stability for industry as no regulations would be necessary unless there was an identified need due as identified in a risk analysis. This may also lead to a change in the dynamics and make-up of fisheries management departments with a shift to staff who are more involved in research and development and risk analyses.

III. Fishermen need to be able to be flexible in their operations because they constantly deal with numerous variables in their various fisheries and fishing grounds.

IV. They used to be able to move from area to area or fishery to fishery and had sufficient accessible fishing grounds to allow particular stocks in particular areas to rejuvenate by choosing to voluntarily "rest" various spots either as their own decision or in voluntary agreement with other fishermen. Locking fishermen into smaller and smaller geographical areas has caused more problems than it has solved.

V. Fishermen need to be acknowledged as professionals in their fields of expertise. Lifestyle fishermen have a long-term commitment to their careers and therefore they care about the viability of the fish stocks as well as the recruitment levels since the viability and longevity of their careers also depend upon these factors.

VI. Disputes between commercial fishermen would also mean some intervention may be necessary at times for the good of the environment and stocks. Generally if there is evidence of a problem commercial fishermen understand that some steps need to be taken to guarantee the rejuvenation of the stocks in a given area. Regulators may need to step in when there are instances involving migratory stocks to ensure that the fishermen in adjoining areas along the migratory path all have a fair chance of sharing the bounty without the fishermen in any one area having too much impact upon the stocks.

2.8. How should restrictions be determined (e.g. on scale/size of tool or operations, or with respect to different types of operations, such as 'factory fishing')?

I. Each restriction has a different purpose and desired outcome so restrictions should be determined according to the needs of each fishery and, based on scientific evidence and the existing threats, that it is deemed to be an effective tool in dealing with the specific problem without significant detrimental side effects.

II. Fishermen engaged in specific fisheries already strive to implement practices using specially designed, selective fishing gear to avoid or at least minimise the risks of catching non-targeted fish and animals.

III. Because of their knowledge and ongoing experimentation to refine practices for better results, their input into industry management discussions must be sought after, encouraged and respected. This has rarely happened with non-commercial fishers being given greater say over commercial fishing regulations than the commercial fishermen themselves.

IV. The process should begin with discussions with fishermen to understand their existing practices to determine whether risks are real or imaginary before embarking down a road of greater restrictions.

2.9. How well do current restrictions contribute to achieving the regulatory objectives for fisheries?

I. With infrequent reviews and fisheries managed under political influence it is difficult to make a judgement.
II. At no stage has there been any period allowed to actually assess the effectiveness of any management strategies imposed to achieve specific objectives before the next set of strategies were initiated and implemented.
III. The result that can be readily seen in the overall fisheries report card is that the harvest rate of our EEZ is one of the lowest harvest rates in the world with one of the most extensive EEZ 's. It appears that fisheries management in Qld has been a severe case of overkill and has actually stifled the industry with devastating effects to the overall contribution the industry can make to the regional, State and national economies.

2.10. Is there scope to reduce or get a better mix of input and output controls while achieving the same regulatory objectives?

I. This question is rarely asked of commercial fishers. A reduction in controls will bring pressure from environmental non-government organisations (NGOs).

II. In answer to this governments need to defend their own work and in order to be able to do this they must base their decisions on the outcomes of risk analyses and the best available science rather than basing decisions on speculative political advantages.

III. It must be remembered that industry's performance is a result of the plethora of management strategies that have been imposed on them. Consequently, it is the responsibility of fisheries managers and governments to defend their fishing industry and to demand honesty from those NGO's,and other industry opponents who make accusations and demands, requiring them to show indisputable evidence of the claims they make instead of leaving industry at the mercy of these groups with no chance of a fair defence when they are in fact, victims of the management regime that has been imposed.

IV. Governments must recognise that many of these NGO's are simply organisations which raise money by appealing to public sentiment over causes highlighting perceived injustices, many of which may not necessarily be totally based in fact. In reality, NGO's contribute very little to a nation's economy and very often ignore the real issues that threaten the welfare of fisheries resources by focussing only on fishing activities.

V. In order to determine a better mix, it would be necessary to change the political ethos regarding fisheries and to remove a lot of the restrictions currently in place and allow time to assess the situation to identify any significant problems requiring further restrictions.

VI. It would be necessary for a government to establish a vision of having healthy habitat and abundant stocks and be willing to undo or rectify some of the works that have actually impacted upon fish stocks and place some trust in the seafood industry as fishermen redefine their opportunities and scope of operations.

VII. In fact, most fishermen would be happy enough just to have more versatility by returning to mixed endorsements and by having areas opened up so they could spread out and move around more and of their own volition, allow their favourite fishing spots to rest more regularly.

VIII. Some gear restrictions are ridiculous also, eg. only permitting spotted mackerel to be line-caught when nets are commercial fishing apparatus allowing commercial-sized catches to feed the masses.

IX. The size of the vessel automatically restricts the size of the net and the amount of fish that can be taken, not to mention the natural physical limitations on fishermen who hand-pull their nets.

2.11. Are there tensions between the use of different control regimes in the management of particular fisheries and/or fisheries in proximity to each other? What are the costs and benefits associated with each approach? Is any approach 'superior' in meeting the regulatory objectives with minimal regulatory burden or does a combination of these various approaches work more effectively?

I. There are tensions that arise when fishermen have sought to have exclusive access to particular species but others continue to catch those same species incidentally with their other lawful apparatus, eg. a few line fishermen seeking government assistance to ban the use of nets in catching spotted mackerel. This resulted in net-caught spotted mackerel being wasted due to being caught incidentally in fishing for other allowable species and the total catch of the species dropped dramatically to less than half of the TAC which was set at less than half the average total annual catch prior to the regulations. As a result a flourishing export market was lost and the domestic market was virtually decimated as well. Wasting resources is not an efficient use of resources. With a TAC in place it should not matter which legitimate apparatus is used to catch it.

II. Contrary to popular propaganda, net fishing is efficient at catching certain prolific species of fish which, by their natures, are not so profitable to catch using hook and line or cannot be targeted using hook and line. Reducing net-caught shark TAC's has led to an increase in problems of shark taking line-caught fish. Indications from research overseas are that these sharks are also most likely being fed up by catch and release recreational anglers since the sharks learn there is a ready meal to be had near most boats.

III. Contrary to belief of many recreational fishing lobbyists that "catch and release" is conserving the resource, the increase in shark activity most likely means that increasing the numbers of recreational anglers and the time spent on the water by avid sports fishers, is most likely dramatically increasing the wastage of fisheries resources, which could be why recreational lobbyists are continually complaining of not catching as many fish and demanding more exclusive fishing grounds. In addition this is most likely sabotaging the efforts of commercial line fishermen who, because of their profit motive, necessarily fish differently to recreational anglers who enjoy the challenge of catching a large fish on a lighter line.

IV. Similarly management through quotas can lead to wasted resources due to fishermen having insufficient quota or the wrong quota or no quota but catching the quota'd species incidentally, while targeting other species.

V. Some tensions arise due to the hypocrisy regarding fisheries management by only focussing on fishing activity. Ignoring impacts upon fisheries resources by other projects and public works affecting fisheries habitat and migration routes can have significant impacts upon the sustainability of stock levels but blaming and further restricting commercial fishing does not solve the problems but leads to reductions of the available fisheries resources.

VI. Not factoring in these impacts upon the seafood industry in Dollar terms, into the cost/benefit analyses of these projects understates the true costs to the nation of such projects. Under the circumstances, for many species, net fishing using short soak times provides a more efficient and more viable solution enabling profitable numbers of fish to be caught with less likelihood of them being taken by sharks prior to being extracted from the net.

VII. However, the opposition to using nets is an example of people with little knowledge and understanding of efficient commercial fishing practices attempting to minimise industry catches by seeking to have efficient apparatus removed rather than understanding that restrictions on the lengths, ply and breaking strain of the net easily makes net-fishing more sustainable. It is

certainly to be preferred for many species, than continually losing good fish down the throats of voracious sharks - thus wasting those resources. Seeking to have more species made “line-only” will likely make the problem much worse with very little volume of fish available for the public through the seafood industry and much higher volumes of wasted resources.

2.12. Are current approaches to managing by-catch and discards in commercial fishing effective?

I. All commercial fishermen seek to be efficient and profitable. As a result they are conscientious in striving to reduce the incidence of by-catch and having to discard product. Efforts by fishermen are rarely acknowledged and they are continually subjected to accusations of causing problems because of by-catch or discarding fish while recreational fishing by-catch and discards are completely ignored.

II. In reality, government regulations increased the incidence of some by-catch and discards, eg. Quotas and banning certain catches in specific apparatus ignored the likelihood of incidental catches and led to problems of increased by-catch and discards where most fishermen originally were able to sell whatever they caught that was marketable seafood regardless of apparatus used. The introduction of such tight restrictions leading to involuntary discarding of previously lawful catches, caused headaches for fishermen to try to reduce the incidence of by-catch, but has led to the invention of BRD’s, TED’s and other efforts to also reduce by-catch. Generally, net fishermen strive to avoid by-catch by using mesh sizes specifically suited to the main species being targeted.

III. Fishermen also generally strive to avoid areas known to have resident or regularly frequenting SOCI in order to avoid interactions with such marine animals. Fishermen don’t have to be told to avoid such interactions as it is a wise business decision to reduce the chances of such interactions because of the potential loss of time and potential damage to or loss of product and expensive fishing gear. Commercial fishermen are in business to be profitable - not stupid and wasteful.

2.13. Are these approaches sufficiently focused on preventative measures rather than dealing with by-catch once taken?

I. Commercial fishermen are always more interested in preventative measures since they are in business to be profitable not irresponsible, wasteful nor time-wasting. For too long, people who have little to no experience in actually running a producing business have been able to misinform the public about commercial fishing - giving the strong impression that fishermen simply “rape and pillage with no concern for the damage they do” and this impression has stuck in the minds of the public.

II. While there may have been occasional unscrupulous fishermen who have been irresponsible, by and large the majority have been more concerned for the future and have tried to avoid interactions with non-marketable catches.

III. Commercial fishermen are in business and conscientious businessmen seek to be efficient and time-effective and minimise waste and they plan for the long term future of their businesses. To fish in the way the eNGO’s have led the public to think they do, defies the logic and all of the principles of good business practices.

IV. There has been no acknowledgement of the professionalism and common sense of commercial fishermen in the process of running their businesses. No commercial fishermen deliberately seeks to catch unmarketable catches that causes him to lose valuable time and possibly product as well. They avoid such scenarios if they possibly can.By insisting on pushing commercial fishermen into smaller and smaller areas, fisheries managers could potentially create a scenario which could have cause problems for commercial fishermen in

not allowing them sufficient geographical access to be able to move to other areas to avoid SOCI which may be prevalent in a specific area. By so doing these negligent and irresponsible fisheries managers would in fact be setting the fishermen up for disaster.

2.14. What are the key influences on, or barriers to, innovation and productivity improvement in the commercial fisheries sector? Where does regulation most affect resource use and incentives to improve? What management settings should be changed or implemented to maximise productivity growth?

I. Key barriers include, regulations that stifle investment die to the prevalent view that industry impacts are enormously more pervasive than they are in reality. Industry should have more input into management settings which would lead to productivity. Growth and confidence in the future of Queensland fisheries.

II. Currently legislation in Qld seems more inclined to give exclusive access to recreational fishing, which has not been proven in any case to be more economically viable a use of resources than commercial fishing. Recreational fishing is by and large only a retail activity whereas commercial fishing is the hub of an entire primary industry around which an entire network of businesses is formed and layered.

III. Recreational fishers are the end-users of the recreational fishing products. Commercial fishers are the beginning of the chain of the entire commercial wild-catch fishing industry. Recreational fishers are really in competition with seafood industry consumers for access to fisheries resources - not commercial fishermen who are merely the agents of supply for the consumers.

IV. Too many industry decisions which should be decided “in house” are subjected to the scrutiny and approvals process by parties who have no practical knowledge or understanding of why a particular practice may be necessary. Subjecting the industry’s practices to approval by industry opponents has possibly set the industry up for deliberate sabotage by industry enemies.

V. In fact too many fisheries regulations are legislated giving no opportunity for commercial fishermen to be proactive in solving in-house industry problems and without the inclusion of clauses that allow for modifications that may allow fishermen to be more efficient, eg. for a long period of time, modifications to trawl nets to allow by-catch to be reduced remained unlawful. This was a ridiculous situation which prevented fishermen from lawfully being able to do what was expected of them - ie. to modify gear to reduce environmental impacts. Such regulations have been significant impediments discouraging innovation in Qld fisheries.

VI. Some years ago, a fisheries manager said in a meeting that, “As fishermen become efficient, it is the department’s job to make them inefficient”. This was deliberate sabotage of the industry by the government department set up to manage fisheries in order to derive the best economic benefits available from the use of the resources while still allowing for sustainability.

VII. In order to maximise productivity growth it is important to:
    a) allow industry to be resilient once more and able to diversify
    b) open more fishing grounds to allow fishermen room to move and access more of the fisheries resources, as it is more sustainable to allow the fishermen to spread out and not fish down the small accessible areas to the degree that is happening with more closures and increased effort shift into the remaining areas.
    c) allow industry to make “in-house” decisions to deal with situations and more easily allow innovation in order to improve fishing practices.
    d) Remove politics out of the arena of fisheries management so that fisheries are managed according to the needs of habitat and stocks rather than political whim to please self-interested minority groups.

3. Illegal Fishing

3.1. What is the scale and scope of illegal fishing? What form does illegal fishing activity most often take?

I. Illegal fishers keep much more fish than they need for personal consumption and sell their excess to offset the costs they incur in participate in recreational fishing. While some brazenly catch more than their bag limits, currently the bag limits per person are so generous that it is easily possible for recreational fishers to lawfully keep more than they need for their own use, especially when there is no cap on the amount of catch per recreational vessel so many cover their excess take by taking young children with them and applying the same bag limit to the children even though the children most likely do not catch the fish purported to have been caught by them.

II. While some illegal fishers sell to unscrupulous seafood retailers, the majority of them sell excess catches to people within their private networks -work colleagues, extended family, friends, fellow club members, mates at the pub, and neighbours. Occasionally people post notices on social media offering seafood for sale.

3.2. Where does illegal fishing activity cause most damage to the environment and detriment to the interests of legitimate fisheries users? Where should monitoring and enforcement actions be focused?

I. Illegal fishing will potentially diminish stocks and impact on the availability of fish for the community. but more commonly it interferes with the market by providing slightly cheaper product available outside of established seafood retail outlets and earning the perpetrator more money than the licensed commercial fisher can earn by selling to wholesalers.

II. These illegal earnings are not declared as taxable earnings of course.

III. Boating and fisheries patrol need greater enforcement and prosecution powers.

IV. The ease with which illegal fishermen are able to get access to fishnets is a real problem that also jeopardises the reputations of professional net fishermen who are not to leave their nets unattended whereas illegal nets are never attended and are a risk to not only removing quantities of fish that are not counted as fish catches but also put SOCI at risk, which subsequently usually gets blamed upon professional licensed net-fishermen. This also encourages increased calls to ban netting.

V. In the past, professional fishermen had to show proof of their fishing license in order to be able to purchase fish net and net-making gear. Removing this requirement has led to increased incidences of illegal net fishing.

VI. No serious black market activity networks are ever disbanded without embarking upon undercover investigations. Unfortunately Fisheries and Boating Patrol officers are unable to participate in undercover investigations in Qld since they must wear their uniforms at all times.

VII. Often the most serious black market fishing is undertaken after hours when it is unlikely that B&FP are working. Investigations need to be undertaken at times and in places when it is likely that people involved in illegal activity are not so readily going to be seen. Sometimes stooges are left in cars at boat ramps to call the one in the boat if the B & FP actually arrive at the boat ramps. Requiring recreational fishers to report when they are going home offers the opportunity for B&FP to actually check the catches.

VIII. Another potential management measure would be to require people to apply for a permit to engage in fishing in particular areas, stating e.t.a. and fishing destination and leaving the permit on the dash of the car left at the boat ramp so B&FP know where the fisher can be located and when to check catches. This would also provide evidence to know which vehicles are at the boat ramps most often and provide an indication of who the ATO could audit to check whether possessions and financial status actually match the spending capacity of incomes reported to ATO in tax returns.

3.3. How could the enforcement of fisheries laws be made more effective without adding to the overall regulatory burden? Should penalty regimes be strengthened?

I. Offences should be ranked according to the actual severity of the offence. At present many trivial offences are still classified as Serious Fisheries Offences, when in fact, they may be simply an act of human frailty. Every mistake by a fisherman is seen as serious but if the department makes a mistake, nothing is said. There seems to be a zero tolerance for human error when it comes to fishermen but everyone else seems to have the right of being innocent until proven guilty. Intent is not considered. Such intolerance and hypocrisy only serves to create a greater rift between the department and fishermen whereas the department should be a support body to help industry to get the extent of their effort right to prevent causing a collapse. There is a difference between being guides and assistants to industry and being overbearing controllers.

II. Assumptions that reports of blackmarket activity and illegal fishing is done by professional fishers and always implicates seafood retailers are wrong. Licensed professional fishers are allowed to sell their catches so there is little incentive to become involved in black market activity apart from possible efforts to evade tax which is up to ATO to investigate rather than B&FP officers since it is really a matter of dishonest reporting.

III. Reports of illegal fishing and black market operations need to be taken seriously and investigated instead of focussing primarily upon the activities of licensed fishers and retailers. B&FP need to realise that such activity is not going to be really evident in front of them when they are easily identified so they must think outside the square in dealing with the problem.

IV. Criminal sanctions – the theft of seafood by illegal fishing reduces the resource for the community. Maximum penalties should include exclusion from Queensland waters for life.

3.4. What sort of role, if any, is there for non-government bodies, such as the Sea Shepherd, in combating illegal fishing?

I. With regard to ”Sea Shepard - it is not an extension of any government agency and represents an environmental non-government organisation (eNGO), so the real question is: who do the public expect to manage fisheries - their elected governments or environmental organisations, not all of whom actually originate in Australia? They are not authorised law enforcers and therefore like any other citizens, have no authority to do anything other than to report any suspected illegal activity to the relevant authorities. They also do not understand all of the various laws and what is and isn't appropriate and law-abiding activities.

II. Unfortunately many of these groups do not simply direct their accusations just against illegal activities - nor do they always justify their accusations with irrefutable evidence. There always seems to be some groups that target legitimate practices simply because they do not understand the challenges of commercial fishing or because they hold on to particular ideologies. Some pursue a course to have practices changed without providing scientific evidence to support the need for change, often using an emotive presentation designed to get public sympathy for their cause - often creating negative repercussions down the track once the change has eventuated.

III. In the best interests of fisheries and our populations' access to nourishing seafood, it is only fair that these organisations actually be required to prove their claims and accusations with documented evidence. Too often, photos and evidence from fisheries in other parts of the world have been used to evoke in the public who know no better, an emotional response against commercial fishing in Queensland. In many instances even in news reports, when discussing a fishery issue, the image that is shown shows a super trawler purse-seining - neither of which is allowed in Qld waters.

IV. Industry is constantly up against false portrayals in the media by either misinformed persons or deliberate campaigns to discredit commercial fishermen and it is difficult for industry to overcome the effects of such misinformation given the propensity for "throwing enough mud so some of it sticks". At times, it seems that bullying behaviour towards fishermen remains unchallenged and gains legitimacy through fear-based inaction on the parts of the regulating jurisdictions. Harassment of fishers need to be condemned - not encouraged.

V. No human or animal activity is without some impact on some aspect of our environment so it is hypocritical to apply zero tolerance to any impact by commercial fishers while accepting much greater impacts by other sectors. Governments need to set the parameters for proposals in such a way that documented, peer-reviewed scientific evidence must accompany proposals for change.

3.5. How best might Australia protect its interests from illegal fishing activity in Antarctic waters? What factors should be balanced against the cost of any increase in effort to reduce illegal fishing in this remote area?

I. What is Australian interest in Antarctic waters? Under UNCLOS if fisheries resources in sovereign waters are not used other nations can access those waters. If Australia does not like this situation then there should be more Australian fishermen in Australian waters and able to report illegal fishing activity instead of having so much area locked up in closed areas where there is no-one looking out for Australian interests.

II. Otherwise offer some other countries the opportunity to pay for a limited license to work in those waters and share the profits from their bounties with Australia and allow them to get maintenance work done in Australian waters.

III. Allowing Australian Fishermen to fish in those waters would increase our productivity as well as benefit our economy.

4. The Management of Fisheries

4.1. Are the underlying objectives of fisheries management regulation clear and widely understood?

I. No. Originally, the Fisheries Act 1994 stated: "s 3.(1)The objectives of this Act include - (a) ensuring fisheries resources are used in an ecologically sustainable way, and (b) achieving the optimum community, economic and other benefits obtainable from fisheries resources; and (c) ensuring access to fisheries resources is fair." Simple to understand and concise.

II. This was amended, to our knowledge, without consultation, to read: "s 3 Main purpose of Act (1) The main purpose of this Act is to provide for the use, conservation and enhancement of the community's fisheries resources and fish habitats in a way that seeks to - (a) apply and balance the principles of ecologically sustainable development; and (b) promote ecologically sustainable development. (2) In balancing the principles, each principle is to be given the relative emphasis appropriate in the circumstances. (3) In this section - ecological sustainable

development means using, conserving and enhancing the community's fisheries resources and fish habitats so that - (a) the ecological processes on which life depends are maintained; and (b) the total quality of life, both now and in the future, can be improved. Precautionary principle means the principle that, if there is a threat of serious or irreversible environmental damage, lack of scientific certainty should not be used as a reason to postpone measures to prevent environment degradation, or possible environment degradation, because of the threat. principles of ecologically sustainable development means the following principles - (a) enhancing individual and community wellbeing through economic development that safeguards the well being of future generations; (b) providing fairness within and between generations; (c) protecting biological diversity, ecological processes and life-support systems; (d) in making decisions, effectively integrating fairness and short and long-term economic, environmental and social considerations; (e) considering the global dimension of environmental impacts of actions and policies; (f) considering the need to maintain and enhance competition, in an environmentally sound way; (g) considering the need to develop strong, growing and diversified economy that can enhance the capacity for environmental protection; (h) that decisions and actions should provide for broad community involvement on issues affecting them; (i) the precautionary principle. Much more difficult to understand what they mean.

III. What we have witnessed is that the inclusion of “the precautionary principle” has allowed fisheries management to become politicised by removing the onus on the department to provide any evidence of a problem and has led to lazy management.

IV. Precautionary principle has only been applied to commercial fishing, presumably because governments wish to avoid a backlash at the ballot box from recreational anglers. Could it be that enemies or competitors of commercial fishermen have been placed in positions of authority where they have been able to sabotage the seafood industry through political circles? Certainly the NFZ process proved that commercial fishermen and the community (with a large, well-supported petition) were not listened to and had no say over the futures of their businesses or their access to seafood in the areas concerned. The implementation of the NFZ's was entirely a political decision devoid of true community engagement which had no scientific or economic justification. [see Principles of ESD (a)(b)(d) (f) (g) (h)(i) quoted above.]

4.2. What should be the main objectives of fisheries management and regulation?

I. If the *Fisheries Act 1994 (Qld)* main objectives were re-written, they could include:

II. Queensland fisheries are a community resource that should be managed and shared for the long-term benefit of the entire community not sectional fisheries interests;

III. Queensland fisheries are an important source of food for the community that should not be taken for granted or treated with disrespect.

IV. In every instance, the allocation process of fisheries resources should be guided by science and the application of social, environmental and economic benefit

V. The allocation of fisheries resources rests with a Fisheries Ombudsman with the power to make allocation decisions in the best interest of the community without political influence;

VI. Apply and balance the principles of ecologically sustainable development;

a) Promote ecologically sustainable development; and

b) Triple bottom line (ecological, social and economic) objectives underpin the management of fisheries for the ultimate benefit of the community.

VII. Recreational fishing supply businesses should be secondary to a food producing primary industry since food is a Primary need. In recent times, the recreational sector has been given priority in fisheries management to the long-term detriment of commercial fishers, who are the nucleus of an entire primary industry supply chain and business network and the community reliant upon a sustainable, readily available and reliable source of food from the sea.

4.3. If social objectives should be included as objectives of fisheries laws, what priority should they be afforded relative to the other objectives of fisheries regulation?

I. Fisheries Resources are an important source of food that belong to the entire community and to which the entire community has a right of access, be it caught for their own use or caught by commercial fishermen acting as their licensed agents of supply. No group within the community has priority of access rights to these resources over any other groups.

II. While the resource belongs to the public those who fish recreationally should not be given any additional rights over those in the public that do not.

III. Recreational fishers often cite the importance of rest and relaxation and the value of opportunities to spend time with their family and friends.

IV. While these values are important they are no less important for commercial fishers, many of whom also have the added value of carrying on a multi-generational business. Many of them have learnt to ply their trade standing beside their fathers, grandfathers, uncles and brothers. This adds the dimension of a cultural tradition as well. These values are just as important as those expressed by recreational fishers.

V. Unfortunately the misuse of Productivity Commission information by GBRMPA by placing the assessed values of tourism and recreational fishing to the retail industry alongside annual GVP for the commercial fishermen has contributed to the problem by giving the recreational fishing sector the idea that their sector is much more valuable to the economy than the commercial fishing sector. The commission warned against comparing the different values since they reported different information and were actually incomparable but the warning went unheeded.

4.4. For what species, fishing methods and/or in which locations do regulatory overlaps, conflicts and/or duplication arise across Australian fisheries? What costs arise as a result? How might these overlaps, conflicts and areas of duplication best and most cost-effectively be addressed?

VI. Having a Commercial fisher license for which the fisher pays a fee, gives the owner of the license an authority to sell his/her catch.

VII. In Qld, additional legislation was introduced which said that a fisher must now also have safe food Qld accreditation at additional cost before being able to sell the catch, as implied initially by the commercial fisher license.

VIII. To be able to export seafood, an additional tier of accreditation through AQIS, also at a cost, is also required.

IX. On top of that, now there are moves afoot to pressure fisheries into seeking third party accreditation through such bodies as MSC which involves 4 tiers of accreditation at enormous additional cost.

X. Whilst food safety is an important issue, existing unnecessary duplication together with the prospect of additional duplication is placing overwhelmingly high unnecessary costs upon small fishing businesses.

XI. Seemingly in consequence of the apparent duplication, formal training for new commercial fishermen has been done away so that a license no longer recognises adequate and professional training suited to the profession. A commercial fisher license should be attained after obtaining appropriate training in relevant legislation, safe-food handling procedures, responsible fishing procedures and methods, environmental management, O.H&S, Awareness of SOCI, vessel handling and maintenance and responsible conduct, with a suitable business management plan, demonstrating to the community that the holder of the license is a fit and proper professional fishermen to carry on a business of catching fish to provide safe food for others.

XII. This should be enough, thus eliminating the need for all of the other duplication and reduce the need for ongoing additional costs which reduce profitability.

XIII. Yes it is a public resource but recreational fishermen are not required to demonstrate any accountability for their activities in relation to those same public resources.

4.5. Are there too many authorities responsible for Australia's marine fisheries? If so, what supervisory arrangements would be most effective for Australian fisheries?

I. Yes there are too many fingers in the pie. It is an industry that is affected by multiple jurisdictions - Local, state and federal governments, fisheries, environment, small business, tourism, maritime safety, food handling, infrastructure, local government planning, ports authorities, trade.

II. Unfortunately, having a separate recreational fishing section within the Qld department of Agriculture and Fisheries (a predominantly primary industries portfolio) has allowed one part of the department to undermine commercial fishermen. There has been evidence that industry in-house information has at times been leaked to recreational fishing lobbyists, putting specific fishing grounds at risk of increased fishing pressure and consequently affecting profitability of commercial fishers working in those areas in jeopardy.

III. No government has the right to provide industry sensitive and confidential information to industry competitors or enemies allowing them to jeopardise the success of industry participants. That is not impartial governing.

IV. Placing fisheries under the jurisdiction of a body overseeing wild-catch fisheries as part of a larger sustainable food security department would hopefully reduce the opportunity for recreational lobbyists to use political influence to remove public access to fisheries resources.

4.6. Are there other countries that provide useful lessons for governance arrangements in Australia?

I. The UN's FAO "Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication" places an emphasis on prioritising fisheries resources access to small-scale fisheries due to food security .

II. A study of the results of resource sharing (quota management) in British Colombia shows that such management regimes are not in the best interests of industry or industry participants in the long term, hence such management mechanisms are not to be advocated for fisheries management in Australia.

III. Further studies in Australia and overseas have indicated that no-take zones are only effective in fisheries management where fisheries resources aer under significantly greater threat of exploitation than our Australian fisheries, This finding was substantiated by Fletcher, Kearney, Wise and Nash in their report, "Large-scale expansion of no-take closures within the Great

Barrier Reef has not enhanced fishery production" (2015). Consequently, Australia should take notice and amend the situation with fisheries access for commercial fishers in our waters and not implement any more no-take closures.

4.7. How can information and reporting be better shared and coordinated across jurisdictions and fisheries? For example, information on stock assessment and statistics relating to catch, by-catch and protected species? In what other ways could the jurisdictions better coordinate the regulatory effort?

I. Until there is a serious attempt to accurately record recreational fishing catch data there is no reliable way of truly gauging the relative impacts of the two sectors nor of comparing their impacts. If fisheries resources are sensitive enough to requires commercial catch data to be continually recorded, then it seems only reasonable that due to the size of the recreational sector they also should be required to provide accurate records of their catches.

II. At present Sports fishing clubs keep catch data from their competitions but there is no requirement for their data records to be provided for Assessments of Recreational Catches. On the parts of sports fishers, this seems like insincerity in concern over the status of fisheries resources and hypocrisy, particularly when they make such an issue over the reliability of commercial catch data. Is it good enough that the largest (numerical) sector is not required to provide the data they collect but instead to have assessors rely upon voluntary reports by a few in boat ramp surveys and telephone polls and then use a formula to attempt to guess the total recreational fishing take?

III. The department really has no accurate picture of the annual take of fisheries resources while there is no accurate recording for recreational fishers. Is there actually a need for this information? If the fisheries habitats were repaired and stocks flourished once more, with the current restrictions on commercial effort, there would probably be no need for any data reporting with no detriment to the stocks since fisheries are renewable resources.

4.8. What impact do Australia's international obligations have on domestic fisheries?

I. International obligations appear to be mostly to please overseas eNGO's some of which obtain funding from other industries off-setting their environmental impacts by contributing to environmental efforts in other industries which has set up an hypocritical situation promoting a form of environmental prostitution potentially impacting upon other industries with less environmental impacts such as the seafood industry.

II. Increased costs to meet certain "green" demands place an extra financial burden on small businesses. The imposition of multiple layers of accreditation would place far more financial impositions upon these businesses.

III. The hypothetical level playing field has led to inordinate volumes of much cheaper imported seafood (some of it as a result of slave labour) with which Australian seafood has difficulty competing - particularly when these cheaper imports have the benefit of being marketed in the major supermarket chains whereas very little Australian seafood has access to the supermarket chains.

IV. In addition there has been anomalies in accepting seafood of less quality from overseas at times, than our product must meet to be exported.

4.9. What impact does illegal fishing have on domestic fisheries?

Illegal fishing provides the criminal element with a way to profit tax-free, from the sale of seafood without food safety standards or licence fees that allow the government to regulate legitimate sales

of seafood. It also affects the integrity of catch data, impacts upon market prices and demand and jeopardises sincere fisheries management for stocks abundance.

5. Management and Governance Models

5.1. Where and in what circumstances has the co-management of fisheries been particularly effective or ineffective? What are the advantages and disadvantages of the different co-management approaches of the jurisdictions and/or in individual fisheries?

I. Success in co-management relies entirely on the willingness of all stakeholders to work together to find suitable solutions to problems of resources allocation, protection of fisheries habitats, control of inappropriate behaviours and seasonal access adjustments. Incidences of conflict must be planned for with a suitable course of action outlined at the beginning. It only takes one or two individuals who insist on a selfish agenda to undermine the entire process.

II. Education about commercial fishing is needed but should not solely be the responsibility of industry particularly since so many different groups have contributed to ongoing campaigns of misinformation and governments have not defended the industry that has been subjected to various management regimes imposed by government fisheries management that have subjected commercial fishermen to more conflict, eg. the trawl industry has repeatedly been subjected to criticism for by-catch since government regulations forbade them from keeping many marketable products they previously kept. This in effect set them up for public criticism - a situation that has been capitalised on by other anti-commercial fishing lobby groups.

5.2. To what extent do private sector accreditations and certifications overlap with government regulations?

I. Australian fisheries for export accreditation are governed by the EPBC Act and,to an extent, the fisheries under State and Territory jurisdictions. If EPBC accreditation is acceptable in foreign countries and their fisheries markets, it seems overkill to also require additional accreditation and certification, especially when the EPBC Act was modelled after FAO approaches.

II. As explained in 4.4, accreditation and certification schemes are superfluous to our needs as long as suitable training and certification is provided and recognised by the body which is relied upon by the population to ensure our fisheries resources are managed properly, ie. the government. The seafood industry just needs an extended period of stability and a political commitment to prioritising sustainable and secure food production by all levels of government. If this were to happen there would be better chances of succession planning with greater uptake of training courses to provide suitable trade qualifications.

III. Accreditation and certification schemes may not reflect public views on fisheries management nor reflect their market choices. Certain accreditation providers have been heavily engaged in attempting to force a demand for accredited product through establishing agreements with the major supermarket chains. This has led to a hypocritical situation whereby “accredited” seafood from countries with much more heavily exploited fisheries and far less regulatory requirements than Australian fisheries.

5.3. What special value is accorded to private sector accreditations? Could private and government accreditation and certification be better differentiated and aligned?

I. Why should a special value be placed on private accreditation? The use of these systems in the Australian context seem to have been pushed on to commercial fishers through promoting a fear that not adopting a standard (e.g. Marine Stewardship Council – MSC) will lead to

product aversion amongst consumers who might think that non-accredited fisheries are somehow being mismanaged or there are ecological issues.

II. The Commission should not ignore the work undertaken by the FRDC and State and Territory governments to assess the stock status of fisheries. Australian fisheries rank amongst the most managed in the world yet eNGOs and the backers of MSC, WWF, insist that Australian fisheries adopt MSC. For what purpose? Who benefits from such a plan?

III. There is no consensus that third party accreditation through MSC is needed. FRDC and researchers have investigated third party accreditation based on FAO standards and not private sector models.

IV. The Commission should note that the second element of this question assumes there should be alignment. The question this raised for industry is – has the EPBC Act failed and what can stakeholders do to address environmental issues without the need for the costs associated with accreditation and certification on a fisheries-wide scale?

V. Close examination of the criteria for MSC accreditation shows that MSC in partnership with the supermarket chains actually punish commercial fishermen in the market place for impacts over which they have no control. Is this a just situation?

VI. There is evidence that fisheries have been subjected to public criticism and industry vilification by NGO's until such time as an agreement to implement arbitrary improvements in fisheries management subject to NGO satisfaction and payment of exorbitant accreditation fees, after which the industry gains the tick of approval and gains access to the market. This is how some imported product has been accepted onto the shelves of our supermarkets with accreditation without having to meet the same standards as Australian product has to meet while the Australian product does not have access to the same market. Is this just?

5.4. To what extent can third party accreditation be relied on as an alternative to regulation? Are there reasons accreditation schemes should or should not be used as alternatives to regulation?

I. "Australians expect that their elected representatives would manage Australian fisheries resources in the best interests of Australia's food security, marine environment as well as our Australian economy. Can such matters of national sovereignty be safely entrusted to international groups with unknown motives such as NGO's offering private accreditation and certification services while the absence of our commitment to such certification leaves industry subjected to public vilification by those same NGO's in spite of the extent of extreme fisheries restrictions and some of the largest areas closed to commercial fishing as a percentage of EEZ, in the world? "

II. In Queensland, in spite of the extent of fishing grounds which are closed to commercial fishing and in spite of the stringent legislated restrictions against their activities, these fishermen have been discriminated against in the market place by the major supermarket chains agreeing to only stock Australian product which has accreditation. Meanwhile their shelves are full of other products from fisheries around the world which are by far more heavily exploited and less regulated than our own, and arguably, "less sustainable" given the propensity to impose restrictions on commercial fisheries in the pursuit of "sustainability".

III. Much of the criteria for obtaining MSC accreditation is actually outside of the control of commercial fishermen but the fishermen are the ones who are impacted or "punished" by the failure of a fishery to meet the criteria. There is a wide disconnect between the level of performance accepted for a fishery from overseas and the level of performance acceptable from Australian fisheries so that our own fisheries are discriminated against within our own nation. Only those bigger fishing companies who can manage to get government support for the process and who can afford the costs of obtaining accreditation manage to obtain the accreditation. Those smaller operators in states where the governments make decisions impacting upon fisheries habitats and whose ideology does not include successful small-scale

fishing are at an inherent disadvantage in the process of obtaining accreditation in spite of the extent of restriction in the name of sustainability. Is this just?

IV. "The department's current policy of accepting and acting upon claims or accusations against commercial fishermen by eNGO's and other industry opponents without requiring them to be backed up by relevant documented evidence and peer-reviewed scientific studies and reports has left fisheries managers in a position where they cannot adequately and openly defend their own work in spite of the availability of a plethora of reliable reports defending commercial fishing practices." The department's motto should be to manage fisheries according to the best available science rather than managing fishermen according to gossip, as has often happened in recent years - particularly in the recent net-free zones campaign."

V. If this policy were to take the place of precautionary principle as the overriding maxim for guiding fisheries managers, decision-making would be simpler, science-based and irrefutable. If fisheries managers apply the best available science, they can then hold their heads up high and actually defend their own work. This would work in the best interests of the stocks (surely eNGO's would have to be pleased with this outcome) and probably both extractive sectors as well.

VI. Because of the disparity within the accreditation process for developing countries as opposed to that for developed countries, current subsequent promotions of accreditation such as "Sustainable Seafood Day", can actually mislead the public into thinking that MSC accredited seafood is superior in some way because of an agreement to get the accreditation when this is very much not necessarily the case, given the much higher exploitation rates and human rights abuses in some countries while, for example, the much more heavily regulated and much less exploited Queensland fisheries do not have MSC accreditation."

VII. "It can lead to the potential of differentiation between seafood products on the basis of having the "tick" rather than actual proof of genuine quality, provenance, environmental performance and other relevant variables."

6. Cost Recovery in Managing Fisheries

6.1. What groups most directly benefit from the regulation of Australian fisheries? Of those groups, who obtains greater benefits?

I. From a Queensland perspective political parties have been willing to sacrifice commercial fisheries in favour of pleasing recreational fishers who they believe will provide them with the highest number of votes. This has yet to actually be proven but while the belief is perpetuated, there will be little change to the status quo.

II. Queensland has over 200, closures that restrict commercial fishing activity across fisheries but which provide enormous exclusive access to recreational fishers.

III. At present recreational fishers in Qld have exclusive access to inland fisheries and almost exclusive access to a number of species as well as exclusive access to yellow zones in the GBRMPA and EPA Marine parks zoning as well as fresh and estuarine rivers and creeks, areas adjacent to infrastructure, and many other areas that are closed to commercial fishermen due to various other regulations. In surface area, recreational anglers certainly have priority over those who catch to provide the public with fish.

6.2. What aspects of fisheries management costs are and should be recoverable from users? How well targeted and administered are current cost-recovery arrangements? Are there better cost recovery approaches than others in this area?

I. At present the commercial fishers are the only contributors to cost recovery, paying significant license fees as well as fees for other services.

II. Apart from boat registrations (Transport dept revenue) to contribute to the cost of roads and boat ramps and contributions for restocking dams to which they have exclusive access, recreational fishers are not contributing to cost recovery in fisheries management in exchange for having been given priority of access to fisheries resources.

III. Non boating anglers pay nothing at all.

IV. Some cost recovery should be introduced and collected from the recreational sector through a licence or permit system particularly in a way that reflects the extent of participation by various individuals to reflect that some put much greater effort on stocks than others.

V. In short the current situation is that commercial fishers are paying for their access to fisheries resources to be taken from them and given to recreational fishers who pay nothing for access.

VI. An ideal approach would be to perhaps offer monthly or weekly car dashboard permits indicating when and where and how many individuals are planning to fish to provide an element of accountability for law enforcement purposes as well as opportunities to identify recreational hotspots and the most avid recreational anglers - all valuable and important information from a fisheries management perspective.

6.3. Should there be a charge on the use of fisheries to provide a return to the community from the use of marine resources?

I. The public used to benefit from the use of marine resources in the provision of the wide array of seafood products made available for their access. With each decision that further limits commercial fishing access to resources and specific seafood, the public obtain less access to a smaller array of seafood. Currently commercial fishermen pay for their master fisherman's license fees, commercial fishing boat licence fees, seafood accreditation, and upcoming AMSA compliance costs in order to access fisheries resources.

II. Recreational fishers do not have the sole right to this public resource for free. They too should pay through some form of license to access what belongs to all Australian residents. They should also demonstrate a degree of accountability to the public in relation to their use of public resources, in reporting their catches and what they do with those catches as well as any "catch and release" activity they engage in.

7. Meeting Environmental Objectives

7.1. Is the Precautionary Principle adequately defined and consistently applied within the context of Australian fisheries?

I. No it is not - It needs to have very specific parameters set for when it should be used since we believe it has been misused in Queensland fisheries management where it has led to inappropriate management through being used as an alternative process other than to base decision-making and fisheries management on the best available science.

II. We believe the purpose for including the precautionary principle was to provide a temporary intervention to allow time to thoroughly investigate an identified situation of concern to determine the level of risk associated with the potential threat, and whether a course of action is necessary and what course of action should be taken, without allowing the situation to worsen through a natural delay due to the time it takes to fully assess a situation and enact the required solution.

III. The need to apply the precautionary principle instead of applying the best available knowledge actually indicates a deficit in the available knowledge and should be a followed by a firm commitment to undertake the obligatory research as a matter of some urgency as a normal risk mitigation procedure.

IV. A limit on the duration of its application should apply thus providing a time-limit to encourage the situation to be fully assessed and resolved as quickly as possible. If a situation warrants the application of the precautionary principle, it should indicate that a more detailed assessment is necessary and a suitable resolution needs to be identified and applied.

V. The use of the precautionary principle should not be applied after the decision to implement a particular strategy in the absence of any sound justification for applying the particular strategy. In Queensland precautionary principle has been used particularly to apply restrictions to commercial fishing in the absence of any scientific justification for applying the restrictions and was applied in the recent net-free zone campaign.

VI. It has not been applied to the recreational take in the Coral Reef Fishery, or in any other fishery. If this principle was being used, there would be a boat limit put on the recreational catch.

VII. Nor has the precautionary principle been applied to any other activity in regard to impacts upon fisheries habitats or stocks other than commercial fishing. Projects having environmental impacts upon fisheries habitat still get approved sometimes even in spite of clear evidence of high risks of negative impacts.

VIII. The popular “catch and release” approach to recreational fishing has been allowed and recently promoted on the government’s website as environmentally sustainable in spite of legitimate concerns over significant evidence of extremely high risks of post-release mortality in many species due to injury, exhaustion and ready predation by opportunistic predators educated in new ways of obtaining free meals. Again, in spite of the threats, the principle has not been applied.

IX. At this stage, the precautionary principle is only being used in managing the commercial catch and has allowed commercial fisheries to be further restricted with no scientific justification for the restrictions.

X. According to the principle of fairness, it should be applied across all sectors as well as applied to other human activities in relation to the health and well-being of fisheries habitats and stocks, if applied at all.

7.2. Where is there overlap between Commonwealth and state/territory environmental regulations with respect to wild catch fisheries? How well is the overlap managed and what are the consequences where it is not managed well?

I. There is an overlap in the inshore net and crab fishery where commonwealth yellow zones meet state yellow zones at an imaginary line at the mean low tide mark. In some areas, commercial crabbers are allowed to run 50 pots in the state waters and only 4 in the Federal waters. This is impossible to police.

II. Fishermen in the Bundaberg region are affected by both the Federal GBRMP and the State Great-Sandy Marine Park where neither jurisdiction really takes into consideration, the needs of commercial fishermen in comparison to the extent of commercial access to productive fishing grounds in the other Marine Park while making decisions regarding the marine park under their own jurisdiction. The needs of commercial fishermen seems to be placed very low on the list of access priorities.

7.3. Is the process that fisheries are strategically assessed separately under the EPBC Act efficient and effective? If not, how could it be improved - for example, is there merit in and scope for AFMA and/or state/territory fisheries managers to be delegated assessment and approval functions in relation to Part 10 of the EPBC Act, with the Department of the Environment's role then becoming one of monitoring compliance with requirements?

I. EPBC is supposed to provide certainty in export accreditation except that accurate reporting of catch by the recreational sector in all fisheries in Queensland is not happening. For instance - the "estimated" recreational catch of mud crabs in Queensland is far more than the reported commercial catch. The same applies to other species eg. the catch of tailor, winter whiting and spotted mackerel. - EPBC cannot continue to tick these fisheries off as well managed unless there is accurate data from all sectors in all fisheries. These are further examples of situations where management of another sector has implications for commercial fishermen, just as they do in assessments of the criteria for attaining third party private accreditation - leaving the commercial sector punished in the market place for something over which they have absolutely no control.

II. It is important though, that a failure by governments o deal with other environmental factors impacting upon fisheries should not be used to punish the commercial sector. The environmental factors causing problems should carry with them implications for those responsible - not commercial fishermen.

III. Basically the problem lies in the inconsistency with which the principles are followed and applied.

7.4. Are assessments made under the EPBC with respect to export of produce and interactions with listed species efficient? If not, how could they be improved? What other pieces of Commonwealth regulation govern the environmental impacts of fisheries?

Yes they are efficient.

I. However, there is an inconsistency in requiring other industries to meet standards consistent with the requirements for commercial fishermen to have nigh on zero impacts on non-targeted species. The Gladstone harbour debacle was a very serious example of allowing other industries to continue impacting with no impediment while zero tolerance was the sought after outcome for dealing with "assumed" unforeseen impacts or interactions by commercial fishermen. Questionable water testing practices were allowed to continue long after commercial fishermen were stopped from fishing while marine life continued to die. It wasn't until a change in government that the truth finally was revealed.

II. The situation continues in regard to modifications to river mouths and deltas, dams on rivers and the provision of connectivity in waterways - particularly those flowing to the sea. Ineffective fish ladders, culverts and other barrages continue to be restrictive to fish movements essential to their life cycles and naturally inhibitive to stocks abundance.

III. Defective infrastructure continues to cause regular fish kills due to land-locking schools of fish, with no determination or political will to commit funds for reparation of fish habitats or to ensure abundant healthy fisheries stock recruitments. Holding state governments responsible

for being consistent in environmental care for fisheries habitats across jurisdictions rather than expecting commercial fishermen to unfairly shoulder all of the responsibility for the health of fisheries habitats and stocks abundance while allowing other activities to have unlimited impacts would go a long way to restoring industry faith in fairness in management. To do this, fisheries managers cognisant of the needs of aquatic animals need to be able to voice their concerns about existing problems or their objections to development proposals where risks occur, free of political pressure. Are governments sincere about meeting their responsibilities and commitments under the provisions of the fisheries Act to protect fisheries habitats?

7.5. For fisheries located in state or territory waters, are the environmental regulations effective? If not, in what ways could they be improved?

I. Environmental regulations are effective at keeping stocks at present levels. Recent DAF report on the health of Qld seafood stocks as being under no threat of overfishing and are at sustainable levels, whilst ignoring the inadequacies of recreational catch data, attests to the fact that current environmental regulations are sufficient at this point in time if we are only interested in keeping the status quo.

II. If however, we consider that building dams and barrages on estuaries has resulted in up to 90% original stock losses, there seems to be a greater responsibility to undertake reparation works to help to restore stocks to the greatly abundant status they had in years gone by.

III. Fisheries resources will only ever be as abundant as the existing healthy fisheries habitat allows. Removing healthy fisheries habitat naturally reduces the volume of fisheries resources, Take, eg. the Burnett River. This river is reported to be in a highly modified state and has a very low grade on the report card for river health in Queensland. There are over 30 dams and barrages on this river alone, and the closest barrage to the river mouth was built in a completely unsuitable position within the natural tidal flow and, to compensate and attempt to force a stronger flow out of the river, the delta was modified to form a single channel ("gun barrel theory"), destroying the natural flows into the vitally important delta fisheries habitat and nursery area. Some of this delta and other local wetlands have been buried under dredge spoil since regular dredging is required at enormous expense to do what the original natural water flows did - rectify siltation at the mouth.

IV. While local commercial fishers have devised possible solutions to provide some limited flows to help restore some of the delta area as well as modifications to the Ben Andersen Barrage to allow the highest tides to overflow the barrage for better fish migrations, they have been ignored and there exists no political will to rectify the damage to fisheries habitat and resulting reductions in fish stocks abundance.

V. In the meantime, local commercial fishermen continue to be blamed by local recreational anglers for the state of the stocks in the region. In this case, if the EPBC Act applied to government management of fisheries across all jurisdictions, there may have been some attempts to fix the situation and demonstrate that fisheries management is not as hypocritical a venture as it presently is shown to be.

7.6. How well does current scientific and research effort support the environmental and ecological objectives of fisheries management?

I. It is difficult to ascertain due to so many of the studies actually being shelved rather than being applied to management.

II. Many of the studies are important and applicable and provide important insights into fisheries issues however there have been repetitions of studies about public perceptions of commercial fishing but no study to help industry actually overcome this and no study that has actually identified the real problem, ie. that commercial fishermen are being blamed for the enormous

impacts of environmental factors and the implications for management that go with this recognition.

III. If fisheries could be managed according to the available science and regular risk assessments, any potential of future problems would provide opportunities to identify suitable research to be undertaken.

IV. The FRDC manages research funding in collaboration with industry, anglers and researchers. QSIA has worked with the GBRMPA.

V. While much research is useful and interesting, unfortunately there have been criticisms that the selection process for approvals for funding research projects has compromised the opportunities for some projects to get off the ground and also, the integrity of some project reporting because of the influence of anti-commercial recreational lobbying interests on the selection panel. It is important that the board be comprised of people without conflicts of interest.

VI. While there is such strong influence exerted over the political system by anti-commercial fishing interests while food security remains a low priority, particular research topics which may give negative findings regarding recreational fishing or positive outcomes regarding commercial fishing activities, are likely to be avoided. This is not in the interests of open and transparent research in fisheries matters and doesn't show sincerity with regard to good fisheries management.

7.7. How effectively is scientific or research information (and developments in such information) 'translated' or incorporated into policy or regulatory settings?

I. In Queensland, very poorly. Scientific research seems to be archived and ignored, with some researchers effectively gagged by transfers in the past. There appears to be no transparency with regards to research findings in Queensland. If the reports are pro-commercial fishers in any way, they are shelved.

II. The only thing incorporated into policy is politically motivated "hearsay" science working negatively towards the commercial sector.

III. Research and reports regarding the ineffectiveness of recreational only fishing zones to reduce conflict over fisheries access, the un-sustainability of recreational fishing, and the effective selectivity of net fishing operations, were simply dismissed in the recent political campaign to reallocate fisheries access to the recreational sector in three regional coastal areas with the implementation of the most recent Net-free zones.

7.8. What is the best way for regulators, fishers and other stakeholders to work together to ensure optimal outcomes from fisheries research?

I. That all stakeholders are included at the inception of projects with a commitment to the welfare of our fisheries resources and the public's ongoing access to supplies of seafood, where the members of the selection panel have no conflicting interests and the have the united intention of applying the outcomes to provide better and more effective fisheries management.

II. That more attention is paid to the extension and adoption of research for industry.

III. This is an ongoing challenge for industry.

7.9. Are arrangements for funding ongoing research in the fisheries area satisfactory?

I. Queensland has provided a proportion of the funds it collects from commercial fishers to the FRDC This proportion means Queensland industry misses out on matching research funding from the Commonwealth.

II. Queensland fishermen are paying for research that is not applied to provide them with critical help in their industry. Because there is no commitment by state governments to refer to the best available scientific information in managing fisheries, there is little value for money currently seen in action.

III. Does the recreational sector contribute to FRDC research?

7.10. How effective are arrangements for sharing information? Is there scope to improve the planning and/or collection of data to better achieve commercial, community and policy objectives?

The commercial seafood industry has extensive information networks amongst commercial fishers, industry bodies, researchers and the FRDC. Industry magazines provide avenues of sharing.

7.11. What effects - or likely effects - is climate change having on wild catch fisheries? If these effects are substantial, what management techniques are being, or could be, used to mitigate or adapt to negative impacts?

The state government must accept some responsibility to provide the necessary opportunities for commercial fishermen to be resilient and able to make the necessary decisions to adapt. Severe restrictions on commercial fishing and the extent of areas closed to commercial fishing could be shown to exacerbate the impacts of climate change on wild-catch fisheries by limiting the extent to which commercial fishers are able to be resilient, if fishers must move or change fishing methods to have access to migrating schools of fish as they change their habits to also adapt to changing conditions.

7.12. Aside from climate change, are there any developing environmental, technological or socioeconomic trends likely to impact on fisheries over the next 20 years?

I. Environmental pressures due to more coastal development proposals (including more extensive port developments and increased shipping),

II. Ongoing artificial droughts at sea resulting from minimal natural flows from rivers and streams.

III. More dams, weirs proposed, inefficient fish transfer devices on these barriers impact greatly on the breeding cycle of our native fish species.

IV. Imported fish species (European carp) infestations (429 introduced or cryptogenic marine species had been reported in Australia by 2008. There is little doubt that in Australia, unlike the effects of fishing, these invasive threats are extremely difficult to control and that the impacts of invasion are often irreversible."[7])

V. Development is stifled through uncertainty within industry (access).

VI. Similar to the current situation with the Murray River, potentially more coastal rivers could be affected by toxic algal blooms with greater population growth.

8. Marine Parks and Reserves

[7]Kearney, R., et al. Australia's no-take marine protected areas: Appropriate conservation or inappropriate management of fishing? University of Canberra, 27 Feb 2012

8.1. How effective and efficient are regulatory arrangements covering marine parks and reserves? How well coordinated and consistent have the jurisdictions been in designating their respective marine parks? What are the economic, environmental and social impacts of marine park areas?

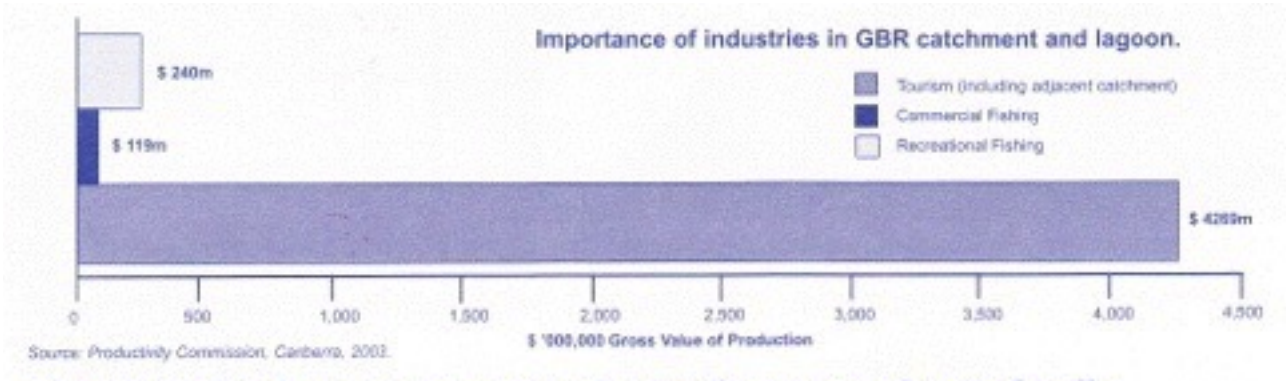
I. The process of developing the marine parks did not adopt an optimal triple bottom line approach. The overriding concern has been ecological at the expense of the social and commercial values of the marine reserves.

II. Commercial fishers in Queensland and other States have consulted at every opportunity and provided sound, evidence based arguments for maintaining industry access.

III. Fisheries in Queensland have experience of multiple marine park processes. The very nature of developing marine parks is a mix of triple bottom line concerns, eNGO pressure to lock up almost all marine reserves to any form of commercial or recreational fishing activity. Add to this the political pressure exerted on members of various State and Federal legislatures and the final zoning process is more based on 'political science' rather than evidence.

IV. There are commercial fishers that have lived through the GBR and Moreton Bay marine park zoning processes that can provide first-hand accounts on the imbalance in marine park zoning processes.

V. During the GBRMPA RAP zoning a misleading graph which reported, side by side, the supposed relative values of recreational and commercial fishing and tourism activities in spite of the Productivity Commission's clear warning that the values were not comparative values since the value of commercial fishing was at wholesale value with no recognition of the entire seafood industry built around the nucleus of commercial fishing while recreational fishing and tourism were values based on the expenditure at retail values by recreational fishers and tourists, including the retail values of products supplied by the seafood industry.



[8]

VI. By ignoring the warning by the Productivity Commission, this appears to have been a deliberate attempt to convey a message that the Queensland seafood industry was of significantly lower value than the other activities and therefore expendable in pursuing the outcomes sought by the zoning plan. The stark reality is that if the information needed to be so blatantly misrepresented to achieve the desired outcomes, the desired outcome was not for the greater good. It is possible that they knew it would not have been agreed to by the public if the truth was made manifest.

[8] GBRMPA "Consultation Draft for Public Review" 2003

VII. Despite confident assurances of the benefits to industry as a result of the spillover effect of the green no-take zones, prior to their implementation, over ten years later there is still no evidence of any benefits to industry. In fact the decline in industry production is in proportion to the closures and there has been no improvement. Various reports have indicated that this simply verifies the findings overseas that no-take zones are only effective when they are not too extensive and when the fisheries are highly exploited. Australia's fisheries were hardly exploited at all and the zones are too large in surface area.[9] [10] [11] [12] [13] [14] [15]

9. Fish Processing, Wholesale and Retail

9.1. How effective and efficient are regulatory arrangements covering downstream seafood processing, wholesale and retailing businesses including: food safety; labelling; environmental management and other regulations?

I. Labelling laws need to change with regard to restaurants and seafood retailers of cooked seafood to show country of origin and wild caught or farmed. For some reason there seems to be an unexplained reluctance to carry this forward.

II. Processors are safe food accredited

III. Environmental management of waste products is effective at the local government level.

9.2. Can fisheries regulation in these areas be improved to increase processing productivity?

Fishing regulations are for catchers of the resource. Processing productivity is the responsibility of individual businesses.

9.3. How burdensome are monitoring and enforcement requirements for downstream processors? Has monitoring of seafood held by downstream processors been an effective adjunct to the enforcement of fishing regulations? Is there scope to achieve the same (or a better) outcome in a way that imposes less burden on downstream processors?

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[9]Kearney, R., et al. Australia's no-take marine protected areas: Appropriate conservation or inappropriate management of fishing? University of Canberra,

[10]Buxton, Colin D., et al. When Is Spillover from Marine Reserves Likely to Benefit Fisheries? Fisheries Aquaculture and Coast Centre, Institute for Marine and Antarctic Studies, U. T. Tasmania

[11]Hilborn, R, et al. When can marine reserves improve fisheries management? School of Aquatic and Fishery Sciences, USA 2004

[12]Sale, Peter F., et al. Critical Science gaps impede use of no-take fishery reserves University of Windsor, Ontario, Canada

[13]Fletcher, W. J., Kearney, R. E., Wise, B. S. and Nash, W. J. Large-scale expansion of no-take closures within the GBR has not enhanced fishery production Ecological Applications, 25(5), 2015, pp 1187-1196 2015 Ecological Society of America

[14]MRAG Asia-Pacific "Adjustment Assistance for Public Good Marine Conservation: A review of past Australian practice and implications for future measures to offset impacts on the seafood industry" August 2010 National Seafood Industry Alliance

[15]Taylor-Moore, Dr N. "Great Barrier Grief: A Case Study of the Socio-Economic Impacts of the Representative Areas Program for the Great Barrier Reef Marine Park on the Queensland Seafood Industry http://www.fishallocation.com/papers/pdf/papers/NoelTaylor-Moore.pdf

I. Monitoring and enforcement requirements for downstream processors would not even be necessary if it was not for the extent of illegal sales of recreational catches by unlicensed fishers. By and large the quality of the seafood is what should sell the product to the community. If a retailer/processor has a good reputation for good quality product, consumers will visit again and again.

II. The monitoring by downstream processors has been only as effective as the extent to which illegal sales were made to or through commercial seafood retailing premises. Illegal private sales of recreational catches to friends, family, neighbours and work- or other recreational-mates are not picked up by any reporting by downstream processors.

III. The potential for recreational licenses and telephone catch reporting just might reduce the incidence of black market sales unless bag limits are still too high.

IV. If more commercially caught Australian seafood was available in the shops through commercial fishers because of some lessening of government regulations, might lead to less of a ready market for black marketed seafood.

V. Making it a significant offence and advertising it as such, to purchase seafood other than from licensed fishermen or licensed seafood retailers would provide a second tier of punishment and some deterrent value similar to the anti-piracy laws and ads for sound recordings and movies.