INTRODUCTION

This submission has used the topic headings provided in the Issues Paper to respond to questions raised by the Productivity Commission (the Commission). The responses in this submission should be viewed from a Queensland perspective. This submission reflects the views of the Queensland Seafood Industry Association (QSIA).

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1. Australian Fisheries	
Commission Questions	**QSIA Response**
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?	• Snapper and Coral trout allocation have historically been allocated to ensure the recreational fishing lobby are not outraged by the allocation. There is no process in place that commercial fisher can rely on being fair or balanced – now or into the future. • Fish stocks are not allocated in a way that takes into consideration the rights of Australian consumers or visitors to Australia to share in the nation's fisheries resources. • Healthy fisheries habitats are essential to natural biological processes and wild stocks abundance and their protection prioritised 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. • A thorough investigation should be undertaken into how Australia's position as a global seafood producer came to be so low in comparison with other seafood producing nations, especially in consideration of the extent of our large exclusive economic zone (EEZ). • From a trawl fishery perspective, these fishers are operating sustainably but their inability to keep their entire catch has an impact on their profitability.
1.2. How should the value of recreational fishing and Indigenous customary fishing be measured and so better inform access allocation decisions?	• The following views focus on the value of the recreational fishing sector: ▪ The value of recreational fishing continues to be overstated and catch levels deliberately under-reported. The existing Queensland boat ramp survey is not recognised by industry yet its results are promoted as an accurate figure of recreational fishing effort. ▪ Recreational fishing is valued according to how much is spent in the pursuit of recreational fishing activities with no consideration of efficiency or value for money. ▪ Recreational fishers are spending discretionary income. An activity they can only participate in while the economy is stable. Tackle suppliers are part of the retail sector and would provide other retail products if there was no interest in recreational fishing. ▪ There is no requirement for fishing clubs to provide their catch data and disposal records for the public record and no catch and disposal records from major fishing competitions are included in "guesstimates" of recreational take. With a major emphasis on recreational "catch and release" fishing to allow recreational fishers to continue fishing beyond their bag limits, and no true acknowledgement of potential rates of post-release mortality, there has been little effort to capture a true indication of the potential impacts of stock losses due to continual recreational effort in once prolific fishing grounds due to catch and release.

1.3. Do the current access arrangements provide for the realisation of the highest economic value from fisheries?	• There has been no public policy debate in Queensland regarding what is more valuable to the community and the economy – a secure, sustainably caught seafood product or recreational fishing. • The most recent net free zone (NFZ) policy alone, initiated the loss of almost 30 per cent of the wild caught barramundi in Queensland and a loss of over 1.2 million serves of fish that would have been sold domestically. Current arrangements are geared to suit political objectives and not fisheries management. • No substantiated, transparent, independent cost-benefit analysis has ever been done to demonstrate the speculated higher economic value of recreational fisheries as claimed by recreational lobbyists and frequently used as rationalisation for reallocating fish stocks from commercial to more politically influential recreational fishers. • In comparing the relative values of commercial and recreational fisheries, in direct opposition to the advice of the Commission, annual GVP value of commercial fishing (wholesale value with no multipliers applied and no acknowledgement of initial investment into the industry) has been compared with the amount spent by recreational fishers (retail values including GST and including retail values of products supplied by the seafood industry) with no acknowledgement of the share of that expenditure which goes overseas to pay for imported tackle and gear. • The estimated value of recreational fishing to tourism does not consider that much of that expenditure would happen regardless of whether they went fishing recreationally or not. Most recreational anglers who fish on their holidays usually use existing supplies of fishing gear and don't spend much on tackle at their holiday venue. In addition, the numbers of recreational anglers actually spending money is masked by the inclusion of children as young as 5 years old, in their numbers. • Commercial fishermen form the nucleus of the whole seafood industry creating an entire network of economic activity. Ignoring initial investment into seafood industry and service provider businesses within that network while also ignoring the flow-on economic benefits from successful seafood industry and its economic and total worth to coastal communities and the overall economy. These anomalies have resulted in dishonest and unrealistic comparisons being made between sectors. As the only truly iconic coastal industry, more should be made of the tourism value of the nostalgia associated with fishing ports as unique places to visit. • Realising the best economic return and potential challenges for commercial fishing fleets may extend beyond • 10 years ago the trawl fleet had approximately 1,800 vessels. The fleet in Queensland is comprised of approximately 300 working vessels yet return for effort has not improved prices for operators. • There is a disconnect between legislation and the management of commercial fisheries and the impacts of legislation on small business operators. • There may also be a range of factors that impact access issues that are not legislation based including (1) fluctuations in fuel prices, (2) little marketing coordination, (3) limited value add to product.
1.4. Is there a reasonable balance between the interests of different users in the current allocations of access to marine fisheries?	• Considering that the majority of the seafood lovers greatly outnumber recreational anglers and are regular customers of seafood industry businesses, they are rarely considered in discussions regarding access allocations so resource allocations are currently greatly disproportionate. The estimated take of many species by recreational anglers is disproportionately higher than the total commercial catch for the majority of the population who rely upon commercial fishermen to provide their share of fisheries resources for their access. • 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. Recreational fishing is a recreational activity, 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.

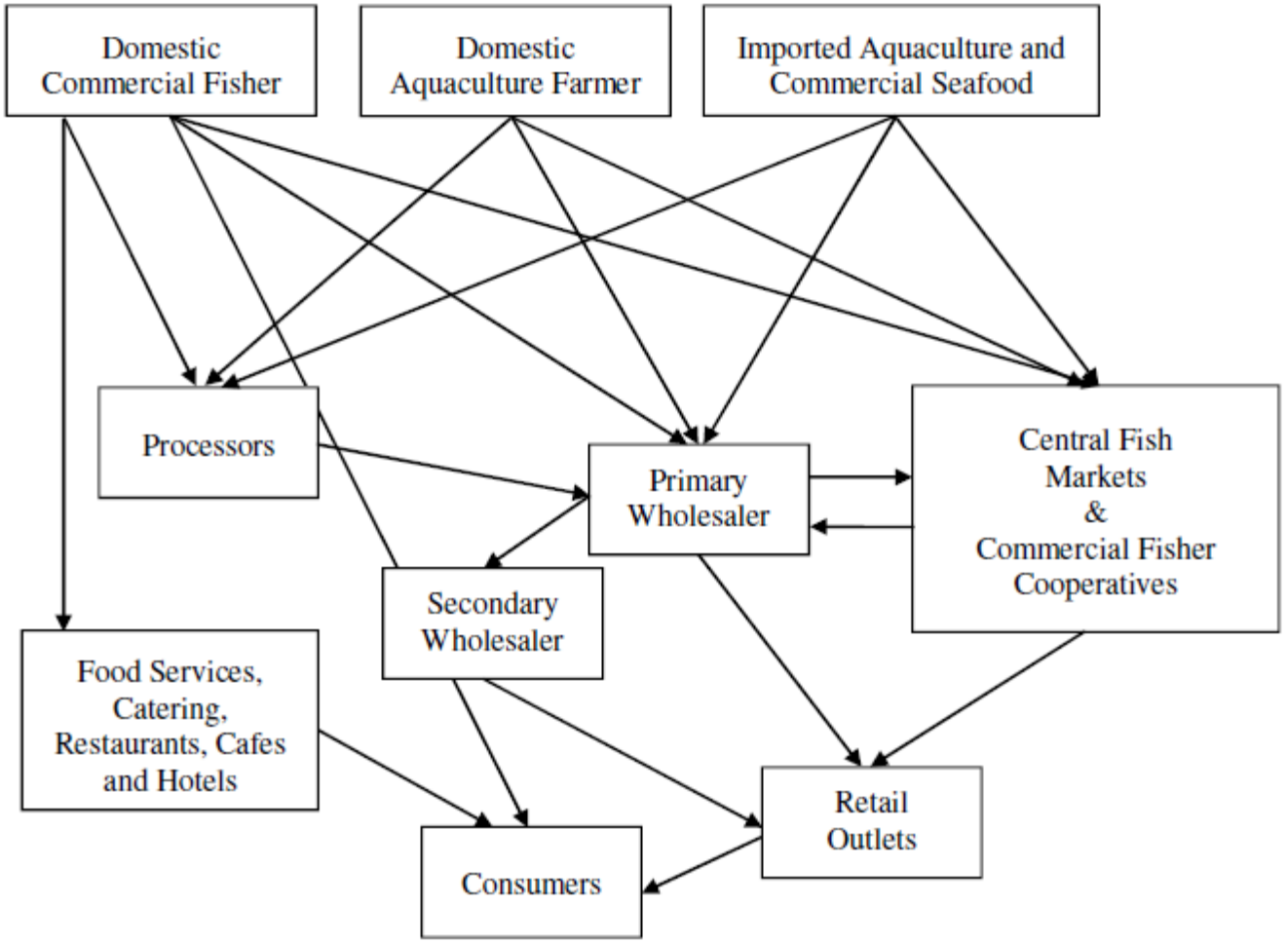


Figure 1. Commercial fishing industry domestic market structure adapted from Ruello (2008) and Spencer and Kneebone (2007).

- Figure 1 provides one conceptualisation of the Australian seafood market structure. Failure of legislation to ensure resource access for commercial fishers for example puts at risk businesses at all levels of the supply web.
  Ruello, N.V. (2008). Queensland seafood supply chain study (Report prepared for Queensland Department of Primary Industries and Fisheries, the Queensland Seafood Industry Association and the Queensland Seafood Marketers Association).

	Spencer, S., & Kneebone, M. (2007). FoodMap: A comparative analysis of Australian food distribution channels. Canberra: Department of Agriculture, Fisheries and Forestry. • Contrary to the case put forward by recreational fishing lobbyists, as end-users of fisheries resources, recreational anglers actually compete for access with seafood consumers who are also end-users of the resources. Not commercial fishers who fish for an entirely different purpose to recreational anglers. By resorting to arguments related to their expenditure on their hobby, recreational fishing lobbyists have focused on their status in the economy as consumers. There has been no argument put forward which distinguishes them from any other consumer as being deserving of preferential treatment in the allocation of access to fisheries resources. • A relative minority of consumers, the current exclusive access by recreational fishers to so much of Queensland's fisheries resources (geographically and by volume) is extremely disproportionate and not in keeping with the recommendations by the *Fisheries Act 1994* to ensure that access is fair "within and between generations" [Div 2 s. 3(b)], or "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?	• There is considerable room for better fisheries allocation given that the resource is a public one yet history has demonstrated that fisheries managers are guided by the government of the day. The existence of over 200 commercial closures that exclude commercial harvesting in favour of recreational harvesting suggests that recreational fishers have an ongoing advantage in the allocation of fisheries resources. • There needs to be a system of allocation that removes political interference or the impact of participant fisheries policy that allocate to one group over another. A fisheries ombudsman or equivalent statutory officer could help decide resource allocation by drawing on the expertise of fisheries stakeholders and decide on scientific evidence and not political which might remove the political lobbying of any sector. • The fisheries resource is unlike any agricultural resource where there are four competing groups (commercial, recreational, Indigenous/subsistence and aquaculture) that expect access to the resource in one form or another. • A change of political priorities is urgently needed with regard to fisheries management. Long-term food security is a significant concern for the future. Political, economic and climatic instability places greater importance upon the need for food security policies to be in place. 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 UN Food and Agriculture Organisation (FAO's) "Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the context of Food Security and Poverty Eradication". • 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 by the recreational angler's providing transparent, more-accurate reporting of recreational catches, particularly in regard to club fishing competitions and general fishing competitions.
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?	• Currently there are no venues for competing interests to air their grievances. • There is no formal mechanism in Queensland but all groups are free to correspond with the Department of Agriculture and Fisheries and/or the Minister. An independent fisheries allocation body could establish consultative forums to allow stakeholder groups to present evidence/scientifically based arguments before making a determination. • Perhaps placing primary industries under the auspices of an independent community food security governing body with strict objectives ensuring that food production be carried out in a fashion that is sustainable for the long-term, thereby protecting terrestrial, riverine, estuarine and marine environments and resources from abuses, would help to restore the balance since

	fisheries resources are by and large, essential and nourishing protein food resources which need to be valued and utilised carefully, out of direct political control to also avoid being subjected to political abuse.

2. Commercial Fishing	
Commission Questions	**QSIA Response**

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?	• From a trawl perspective for example:
	  ▪ There are differing business types and levels of investment - owner operators and owner-investors.
	  ▪ There are sole operators, partnerships and vertically integrated businesses.
	• We are discouraged to invest in the Queensland fishing Industry. 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.
	• 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.
	• 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) 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. Somewhat smaller investments and overheads require smaller catches with less impact on stock biomass to be profitable.
	• Unnecessary red-tape and duplication cause additional costs which just make fishing businesses less profitable and less-enticing as an investment opportunity – 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 secure export markets.

2.2. Are there any other aspects of fisheries regulation (such as uncertainty over the permanency of arrangements) that deter investment?	• 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. • This results in a concentration of effort in smaller fishing grounds due to displacement of effort and further complaints by recreational fishers from the areas where commercial fishers are still able to fish. Consequently, there is no industry security, no security of access to productive fishing grounds. This presents no incentive for investment. There are no secure commercial-only fishing grounds but many recreational-only fishing grounds. • The public's right of access to Australian seafood through the seafood industry is not being taken seriously as there is seems to be no aspect of fisheries regulation to ensure value for the community.
2.3. What are the major challenges and opportunities facing the commercial fishing industry over the	• There is no short, medium or long-term vision for Queensland commercial fisheries. 'Election cycle management' – our fisheries are managed only from one lection till the next. 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 of management measures that

next 20 years? What aspects of fisheries regulation need to change for the industry to best meet those challenges and opportunities?	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. • 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. • Developing lasting social licence to operate 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
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?	• This depends on various factors including government policy on fishery license availability and the growth of recreational fishing. • 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). • Restructuring licenses by the reduction of fishery symbols, allocation of quotas and consequent requirement of fishermen to buy-back their lost symbols or effort units, has resulted in inordinate amounts having to be re-invested 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. • Quotas have led to speculation but values will fluctuate widely when quotas and/or access are managed for 'political' purposes rather than rational, scientific management.
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?	• According to the Queensland government and the Fisheries Research Development Corporation (FRDC) Queensland fisheries are sustainable; see **Attachment A**. • Besides all the input controls, reductions in licenses access, etc, extensive green zones were introduced by the State government.
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	• Thirty percent of Coral Trout quota has been bought up by 'speculators' who are withholding it from the market to create financial gain. Fisheries quota should ONLY be available to active commercial fishers and investors with a real desire for long-term investment in commercial fisheries. • 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 market 'speculators' in the short term with the potential of leading to near monopolistic ownership of quota, hence near monopolistic

of allowable catch? Is quota trading functioning effectively?	access to particular fisheries resources. 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. 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?	• Under current fisheries regulation restrictions on gear type are to ensure the long-term viability of the fishing habitats. • Restrictions should be placed on fisheries at the request of commercial fishers when there is evidence of problems existing and fishermen need to be able to be flexible enough to be able to move from area to area or fishery to fishery with sufficient accessible fishing grounds to allow particular stocks in particular areas to rejuvenate as they used to do by their own choice and in voluntary agreement with other fishermen. • Locking fishermen into smaller and smaller geographical areas has caused more problems than it has solved. • 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 of their careers also depend upon these factors. 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.
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')?	• Each restriction has a different purpose and desired outcome so restrictions should be determined on the needs of each fishery and based on scientific evidence that it is an effective tool in dealing with the specific problem without significant detrimental side effects. • Fishermen engaged in specific fisheries already strive to implement practices using specially designed selective fishing gear to avoid or at least minimise risks of catching untargeted fish and animals and impacting upon the environment. 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.
2.9. How well do current restrictions contribute to achieving the regulatory objectives for fisheries?	• With infrequent reviews and fisheries managed under political influence it is difficult to make a judgement. • 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. The result that can be seen in the overall harvest rate of our EEZ is that we have one of the lowest harvest rates in the world with one of the most extensive EEZ 's it appears that fisheries management in Queensland 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?	• This question is rarely asked of commercial fishers. A reduction in controls will bring pressure from environmental non-government organisations (eNGOs). • In answer to governments need to defend their own work and defend their fishing industry by demanding honesty from eNGO's, and requiring them to show indisputable evidence of the claims they make instead of leaving industry at their mercy with no chance of a fair defence. • Governments must recognise that many of these eNGO's are simply organisations which raise money by appealing to public sentiment over perceived injustices many of which are not based in fact. In reality eNGO'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.
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?	• 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 (e.g. 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. • 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. Reducing net-caught shark TAC's has led to an increase in problems of shark taking line-caught fish. • The opposition to using nets is an example of people with little knowledge and understanding of efficient commercial fishing practices attempting to sabotage industry 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. • 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.
2.12. Are current approaches to managing by-catch and discards in commercial fishing effective	• 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. • Government regulations increased the incidence of some by-catch and discards. 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 by-catch reduction devices (BRDs) and turtle excluder devices (TEDs).
2.13. Are these approaches sufficiently focused on preventative measures	• BRDs are currently in use are preventative in state fisheries which allows for export licences to be maintained.

rather than dealing with by-catch once taken?	• Commercial fishermen are always more interested in preventative measures since they are in business to be profitable not irresponsible. • 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 seek 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 species of conservation interest (SOCI) which may be prevalent in a specific area.
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?	• Currently legislation in Queensland 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. 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. • 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; and 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	
Commission Questions	**QSIA Response**
3.1. What is the scale and scope of illegal fishing? What form does illegal fishing activity most often take?	• Illegal fishing is a problem across the Queensland coast. Illegal fishers should be a fifth user of the resource as illegal fishing is taking place along the Queensland coast. There is little doubt that illegal fishing is one the rise as factor of increasing population. • While some illegal fishers sell to unscrupulous businesses. • QSIA members have indicated that in their experience the majority of black market operators 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?	• Illegal fishing will diminish stocks and impact on the availability of fish for the community. Boating and fisheries patrol need greater enforcement and prosecution powers. • The ease with which illegal fishermen are able to obtain 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. 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. • No serious black market activity networks are ever disbanded without embarking upon undercover investigations. Unfortunately, Fisheries and Boating Patrol (B&FP) officers are unable to participate in undercover investigations in Queensland since they must wear their uniforms at all times. • 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. • 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?	• 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. • Assumptions that reports of black market 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.

	• 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.
3.4. What sort of role, if any, is there for non-government bodies, such as the Sea Shepherd, in combating illegal fishing?	• Fisheries in Queensland are managed by three key government agencies that have a regulatory and business level impact on commercial fishing businesses: a) DAF (fisheries management); b) Department of National Parks, Sport and Racing (DNPSR – conservation managers and State marine park management of marine zones and by default zoning restrictions on fishing areas); and c) Great Barrier Reef Marine Park Authority (GBRMPA – conservation managers and management of the GBR and management of marine zones and by default zoning restrictions on fishing areas). • Most government initiated work groups include eNGOs as a representative of the community. This function could surely be undertaken by DNSPR or the environment department. • eNGOs already hold too much influence in fisheries management and assigning monitoring or quasi-fisheries management roles is not appropriate.

4. The Management of Fisheries	
Commission Questions	**QSIA Response**
4.1. Are the underlying objectives of fisheries management regulation clear and widely understood?	• 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. • This was amended, to our knowledge, without consultation, to read: "s3 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. • What has been 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 poor management outcomes. Interestingly, the precautionary principle has not 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 and the popular "catch and release" approach to recreational fishing has been allowed to be promoted as environmentally sustainable in spite of legitimate concerns over significant evidence of extremely high risks of post-release mortality due to injury, exhaustion and ready predation by opportunistic predators educated in new ways of obtaining free meals. • The implementation of the NFZ's for example 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?	• If the *Fisheries Act 1994* (Qld) main objectives were re-written, they could include: ▪ 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; ▪ Queensland fisheries are an important source of food for the community; ▪ In every instance, the allocation process of fisheries resources should be guided by science and the application of social, environmental and economic benefit; [either remove precautionary principle or provide very specific parameters for when it should be used]; ▪ 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; ▪ Apply and balance the principles of ecologically sustainable development; ▪ Promote ecologically sustainable development; and ▪ Triple bottom line (ecological, social and economic) objectives underpin the management of fisheries for the ultimate benefit of the community. • Ecological objectives: Manage fisheries assets consistent with the principles contained in the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), keeping in mind that humans are also part of the environment and our need for iodine in our system relates to our need as omnivores to be reliant upon food from many different sources.

	• Social objectives: The recreational and Indigenous use of fisheries are linked to the social benefits derived from them (e.g. time with family fishing or cultural use). This objective is important but not more important than any other objective. • Economic objectives: The economic management of Queensland fisheries should be focused on commercial fishing business and the supply chains that rely on their existence. • The economic objective is often complicated by fisheries management and/or government by suggesting that the business that supply recreational fishers are just as critical. The growth of recreational fishing supply businesses should be secondary to the growth of a food producing industry since food is a primary need. In recent times, the role of the recreational sector has taken a dominant place in fisheries management to the long-term detriment of commercial fishers, supply chain businesses 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?	• 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 over any other groups. • While the resource belongs to the public those that recreational fish should not be given any additional rights over those in the public that do not. With Queensland fisheries being predominantly domestically focussed and seafood purchased by locals. • Queensland is the only Australian jurisdiction that does not have a licence for recreational fishing. • The Commission should note that the ascendency of the recreational fishing lobby in Queensland, New South Wales and Victoria underlies a greater issue that is exacerbated by regulation. Until fisheries are separated from political influence commercial fisheries will continue to (1) lose access to resources and (2) deny those who cannot recreationally fish access to the choice of fresh local seafood.
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?	• 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. In Queensland, additional legislation was introduced which said that a fisher must now also have Safe Food Production Queensland accreditation at additional cost before being able to sell the catch, as implied initially by the commercial fisher license. • To be able to export seafood, an additional tier of accreditation through AQIS, also at a cost, is also required. • Industry is aware of moves to pressure fisheries into seeking third party accreditation through such bodies as MSC which involve 4 tiers of accreditation at enormous cost to industry. 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. • 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, OH&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. 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.
4.5. Are there too many authorities responsible for Australia's marine fisheries? If so, what supervisory	• With a split in fisheries management along State and Commonwealth fisheries there has been no articulation of centralised fisheries management. There would be no guarantee that zealots in the recreational fishing movement would not band together and target politicians to manage fisheries for their benefit.

arrangements would be most effective for Australian fisheries?	
4.6. Are there other countries that provide useful lessons for governance arrangements in Australia?	• We are led to believe that Australia is leading the world in governance and sustainability arrangements. Other countries probably follow our lead on fisheries management. • Under 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. 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. Further studies overseas have indicated that no-take zones are only effective in fisheries management where fisheries resources are 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?	• In the Queensland Coral Reef Fin Fish Fishery, it is essential that Government starts gathering actual catch data from the recreational sector through compulsory phone recording and/or logbooks. This fishery cannot be continually managed through commercial catch data when there has been an explosion of recreational craft fishing the reef since bag limits were introduced in conjunction with the Coral Reef Plan introduced in 2004. • Logbooks have been used against commercial fishers in the past. There is little faith in the system as it has been used to remove productive fishing areas (zoning of the GBR and zoning of the Moreton Bay marine parks. Recreational fishers should be required to provide accurate catch efforts via log book reporting system also not just the commercial sector.
4.8. What impact do Australia's international obligations have on domestic fisheries?	• International obligations appear to be mostly 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 a hypocritical situation promoting a form of environmental prostitution potentially impacting upon other industries with less environmental impacts such as the seafood industry. • Impacts from this are felt all through the supply chain and a result of this is increased costs to businesses to meet green group obligations. Political gain is another fringe benefit for some when agreeing to international regulatory pressure.
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	
Commission Questions	**QSIA Response**
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?	• The basis for co-management is a willingness of all fisheries users to work together to find mutually acceptable arrangements for the allocation of the resource, areas open to recreational versus commercial and mechanisms to assist stakeholders with grievances. • The process also requires open and transparent dialogue and a willingness to take a leadership role in how fisheries are managed. There are examples when final allocation decisions are needed recreational fishers have typically walked away from the negotiation process. • Commercial fishers have been targeted in the communities in which they live by those opposed to co-management. • Education on resource allocation and demystifying commercial fishing is needed but should not solely be funded by industry particularly since so many different groups have contributed to ongoing campaigns of misinformation and single-minded propaganda for their own ends and governments have not defended the industry that has been subjected to management regimes imposed by government fisheries management (e.g. 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. • Co-management reduces the resources required by government to manage fisheries and they have some responsibility to providing the public with information on the sustainability of commercial fishing.
5.2. To what extent do private sector accreditations and certifications overlap with government regulations?	• This question presupposes that accreditation and certification processes have the same standing as government regulation. Australian fisheries are governed at one level by the EPBC Act and on another by State and Territory fisheries legislation. • 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. • The seafood industry 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 accredited qualifications. • Accreditation and certification schemes are developed for many reasons but are often the products of NGOs with agendas that may or may not reflect public views on fisheries management.
5.3. What special value is accorded to private sector accreditations? Could private and government accreditation and certification be better differentiated and aligned?	• 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: a) A real fear that not adopting a standard (e.g. MSC) could lead to a fear amongst consumers that non-accredited fishers are somehow being mismanaged or there are ecological issues. b) Has the EPBC Act failed and subsequently are all fisheries managers managing failed fisheries? The MSC standard should not be more onerous than EPBC Act or jurisdictional requirements. c) A push for certification by large supermarket chains is simple transference of risk for ecological management in their stores from them to the commercial seafood industry. • Australian fisheries rank amongst the best managed in the world yet eNGOs and the backers of MSC, WWF, insist that Australian fisheries adopt MSC.

	• There is no consensus that third party accreditation through MSC is needed. • 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? • There is evidence that fisheries have been subjected to public criticism and industry vilification by eNGO'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.
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?	• 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 the economy. • The Australian and State governments can draw on best practice in terms of fisheries management from the FAO and other jurisdictions. Using accreditation and certification shifts the fisheries management takes more to industry than government and other stakeholders. • According to the FAO analysing, or generalising about the potential costs of different forms of certification and branding, is extremely difficult because of: ▪ The different scale and complexity of fisheries and companies involved in certification. ▪ The private nature of previous certification and branding processes, and the corresponding and associated lack of documentation on costs. ▪ The differing levels of effort and resources that can be deployed when initiating and implementing a branding exercise. Link: http://www.fao.org/docrep/010/ai002e/AI002E05.htm • The philosophical perspective behind certification systems need to be scrutinised so that industry can be fully aware who has developed the scheme and for what long-term outcome.

6. Cost recovery in managing fisheries	
Commission Questions	**QSIA Response**
6.1. Cost recovery	• From a Queensland perspective recreational fishers continue to benefit from politically managed fisheries. Queensland has over 200, and rising, closures that restrict commercial fishing activity across the line, trawl, pot and net fisheries. • Queensland commercial fisheries are managed in lock-step with the State election cycle. • Until this changes, recreational fishers will continue to use the threat of casting votes against the government of the day in order to gain more and more commercial fishing closures; these grounds are typically shared with recreational fishers but this does not stop a minority of recreational fishers from pushing commercial fishers out of productive fisheries. • Recreational fishers in Queensland 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 GBRMP 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.
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?	• Commercial fishers are the only contributors to cost recovery, paying significant license fees as well as fees for other services. Apart from boat registrations (Transport department revenue) and contributions for restocking dams, recreational fishers are not contributing to cost recovery in fisheries management in exchange for having been given priority of access to fisheries resources. Non boating anglers pay nothing at all. 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. • 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?	• Current DAF license fees, seafood accreditation, upcoming AMSA compliance are some of the financial burdens, commercial fishermen carry to access marine resources. 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	
Commission Questions	**QSIA Response**
7.1. Is the Precautionary Principle adequately defined and consistently applied within the context of Australian fisheries?	• No it is not - when it comes 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. Nor is it applying to the popular recreational practice of "catching and releasing". At this stage, the precautionary principle is only being used in managing the commercial catch but should be used across all sectors. • Precautionary principle has not been applied to any development proposals that impact upon fisheries habitats and stocks abundance which has unfairly caused the seafood industry to become the scapegoats in all matters of fisheries management.
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?	• 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 - impossible to police. • 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 seem 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?	• The EPBC Act is not functioning effectively as they are not demanding accurate reporting of catch by the recreational sector in all fisheries in Queensland. • For instance - the "estimated" recreational catch of mud crabs in Queensland is far more than the reported commercial catch - EPBC cannot continue to tick these fisheries off as well managed unless there is accurate data from all sectors in all fisheries. The same applies to other species e.g. the catch of tailor, winter whiting and spotted mackerel. • This is an example of a situation where management of another sector has implications for commercial fishermen, ie. in assessments of the criteria for attaining third party accreditation, leaving the commercial sector punished in the market place for something over which they have absolutely no control.
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?	• 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 development 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. • 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. 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 or not?
7.5. For fisheries located in state or territory waters, are the environmental regulations effective? If not, in what ways could they be improved?	• Environmental regulations are effective at keeping stocks at present levels. Recent DAF report on the health of Queensland seafood stocks as being under no threat of overfishing and are at sustainable levels 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. 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. 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, e.g. 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. • 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 fish habitat and resulting reductions in fish stocks abundance. 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?	• 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. • 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 expected to give critical 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?	• From feedback gained from QSIA members, very poorly. Scientific research seems to be archived and ignored, with some researchers effectively gagged by transfers in the past. The only thing incorporated into policy is politically motivated "hearsay" science working negatively towards the commercial sector. 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 NFZs.
7.8. What is the best way for regulators, fishers and other stakeholders to work together to ensure optimal outcomes from fisheries research?	• That all stakeholders are included at the inception of projects with the intention of applying the outcomes to provide better and more effective fisheries management. That more attention is paid to the extension and adoption of research for industry can only benefit industry in the long-run. This is an ongoing challenge for industry.
7.9. Are arrangements for funding ongoing research in the fisheries area satisfactory?	• 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.
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.
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?	• QSIA has been working with the GBRMPA on industry adaptation. Funds are needed to develop business level tools and processes to help predominantly micro-businesses to adapt to the impacts of climate change. • 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?	• Environmental pressure. Coastal development threat (including more extensive port developments and increased shipping), natural flow from rivers and streams, more dams, weirs proposed, inefficient fish transfer devices on these barriers impact greatly on the breeding cycle of our native fish species. Imported fish species (European carp) infestations go on unchecked and immense pressure is applied to native species to compete for any available food source. Technological development is stifled through uncertainty within industry (access). • As evident by the processes affecting the Murray River, potentially more coastal rivers could be affected by toxic algal blooms with greater population growth.

8. Marine Parks and Reserves	
Commission Questions	**QSIA Response**
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?	• 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. • Commercial fishers in Queensland and other States have consulted at every opportunity and provided sound, evidence based arguments for maintaining industry access. • 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. • There are commercial fishers that have lived through the GBR and Moreton Bay and Great Sand marine park zoning processes that can provide first-hand accounts on the imbalance in marine park zoning processes.

9. Fish Processing, Wholesale and Retail	
Commission Questions	**QSIA Response**
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?	• Labelling laws need to change and have historically been ineffective. • Environmental management effective through local council regulations for waste water disposal, seafood refuse disposed at council waste disposal centres.
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?	• 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. • 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. • 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. • 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. • 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.

10. Possible Solutions

1) True value of commercial fishing sector
Assessing the value of the commercial fishing sector is an ongoing issue and developing useful metrics has never been a government priority in Queensland which is reflected in the current values reported by fisheries management. The figure reported reflects a 'beach price' and not the value of commercial fishing along the supply chain.

The value to the State and national economies of commercial fishing (i.e. wild harvest and aquaculture) in terms of the retail, wholesale and restaurant/special seafood shops is not assessed so remains unknown. The true value of commercial fishing might also include the expenditure of commercial seafood business for services amongst freight, fuel and other direct service providers.

2) Resource Allocation Policy
QSIA supports a resource allocation policy that is:

- Transparent;
- Is developed by the commercial seafood industry and government;
- Is free of political influence; and
- Decisions open to review and amendment.

3) Investment Landscape – Developing Long-Term Fishing Plans
There is no incentive for commercial fishing operators to reinvest in their businesses in Queensland as all wild harvest fisheries are under a blanket investment warning. Banks and other financial institutions are hesitant to offer financial products to wild harvest fishing businesses because of the uncertainty created by investment warnings and no security over access to the marine resource.

A way to improve the system could include the development of long-term fishing plans (10 to 20 year) documents that commit all resources users to the fair allocation of the resource and the development of the policy and legislative framework to allow businesses to operate with security of access.

4) State review of all closures to commercial fishing
Industry is continually facing closures and there has never been an economic, social an environmental assessment of the 200+ closures in Queensland.

Net Free Zones Policy

Outcome of a dysfunctional legislative environment

Queensland Seafood Industry Association
www.queenslandseafood.com.au

The net free zone (NFZ) policy was introduced by the current Queensland government as an election commitment. At no stage did the Queensland Seafood Industry Association (QSIA) identify any economic modelling or sustainability issue to justify a resource reallocation from the commercial fishing to recreational fishing sectors.

This component of the QSIA submission provides some context in which the legislative and regulatory framework in which Queensland commercial fishers is flawed and needing an overhaul that removes political interference with fisheries management. The ongoing political interference in fisheries management puts at risk a viable food producing sector.

The value of the Queensland commercial seafood harvest in 2012-13 (latest figures) has been estimated at approximately $277 million per year[1]. This figure excludes the value of seafood once it travels through its supply chain to restaurants, small fish & chip shops, retail and wholesale outlets.

1. Failure to allow public scrutiny of 'Sustainable Fishing Policy'

Industry expected an opportunity to scrutinise government policy in an open and transparent manner. The outcome included:

- The release of a 'Sustainable Fishing Policy' on 29 January 2015, two days before the State election, see **Attachment B**.
- No time provided for industry or public scrutiny of the policy.
- No economic modelling was ever provided to the community or industry.

2. Poor Consultation Process

A Survey Monkey survey was composed by the government that was promoted as a means to consult with the community. The Survey instrument was focussed solely on commentary on zone boundaries not the merits of the policy.

The online poll attracted fewer than 6,000 responses in favour of the Government's plan – this is less than 1% of Queensland's 600,000 recreational fishers and a minuscule percentage of Queensland's total population of 4.7 million residents.

The survey did not have demographic filters so that it is impossible to know if non-Queensland residents expressed views on the policy. It was also impossible to assess how many times responses were duplicated.

Extensive industry-level investigations have revealed there was no discussion or engagement with any representative sector of the commercial fishing sector or the businesses that rely on the continuing supply of fish and seafood.

[1] Australian Fisheries and Aquaculture Statistics (2013, p.18).

3. Poor Policy Justification

The primary arguments used by the government to support the policy included:

- Ecological Sustainability;
- Building Recreational Fishing, Tourism and Charter Fishing Businesses; and
- Linkage to 2050 Reef Plan.

In terms of 'Ecological Sustainability' there is substantial evidence that sustainability is a spurious argument. Data compiled by the Australian Bureau of Agricultural and Resource Economics and Sciences and the DAF indicates that commercial species in Cairns, Mackay and Rockhampton are sustainably harvested by the commercial sector. Equally importantly, most of the commercial target species were NOT the target of the recreational sector; refer to **Attachment A**.

Questions of sustainability only arise for species where there is insufficient control over the recreational take. Using ecological sustainability as a foundation for removing viable, family owned business does not make sense, when the control of recreational fishing is virtually self-managed, if managed at all.

In terms of 'Building Recreational Fishing, Tourism and Charter Fishing Businesses' Queenslanders are becoming more aware that there are no regulatory obstacles to any type of tourism or charter business establishing in Cairns, Mackay or Rockhampton now or ever. No evidence has been produced to suggest that the introduction of NFZs will lead to new tourism, recreational or charter related businesses being established.

Attempts to link the introduction of NFZs to the listing of the GBR as endangered are totally unfounded. The inclusion of the NFZ points in the 2050 Reef Plan was entirely the work of the Queensland Government and not by any means a requirement of the Australian government. Three undertakings were made by the Federal and State governments including[2]:

- Establishment of an 80% reduction in pollution run-off in the property by 2025 and the commitment of an initial additional investment of $200M to accelerate progress in water quality improvements;
- Confirmation of protection of greenfield areas by restricting major new port development in and adjoining the property, thereby limiting capital dredging for the development of new or expansion of existing port facilities to within the regulated port limits of the major ports of Gladstone, Hay Point/Mackay, Abbott Point and Townsville, excluding Fitzroy Delta, North Curtis Island and Keppel Bay from future port development and ensuring consistency with the 2003 Great Barrier Reef Zoning Plan; and
- The commitment toward a five-yearly evaluation of the plan performance and adaptation of its actions and targets on the basis of the results of future Great Barrier Reef Outlook reports.

[2] UNESCO – Convention concerning the protection of the world cultural and natural heritage World Heritage Committee, Thirty-ninth session. Bonn, Germany 28 June – 8 July 2015. UNESCO response which does not mention commercial fishing impacts at any level nor does it recognise or place any importance on the proposed net free zones. Full transcript: http://whc.unesco.org/archive/2015/whc15-39com-19-en.pdf

The NFZ policy was never endorsed by the Federal government; the need to respond to UNESCO and the final inclusion of the NFZ policy in the 2050 Reef Plan never equalled bi-partisan support.

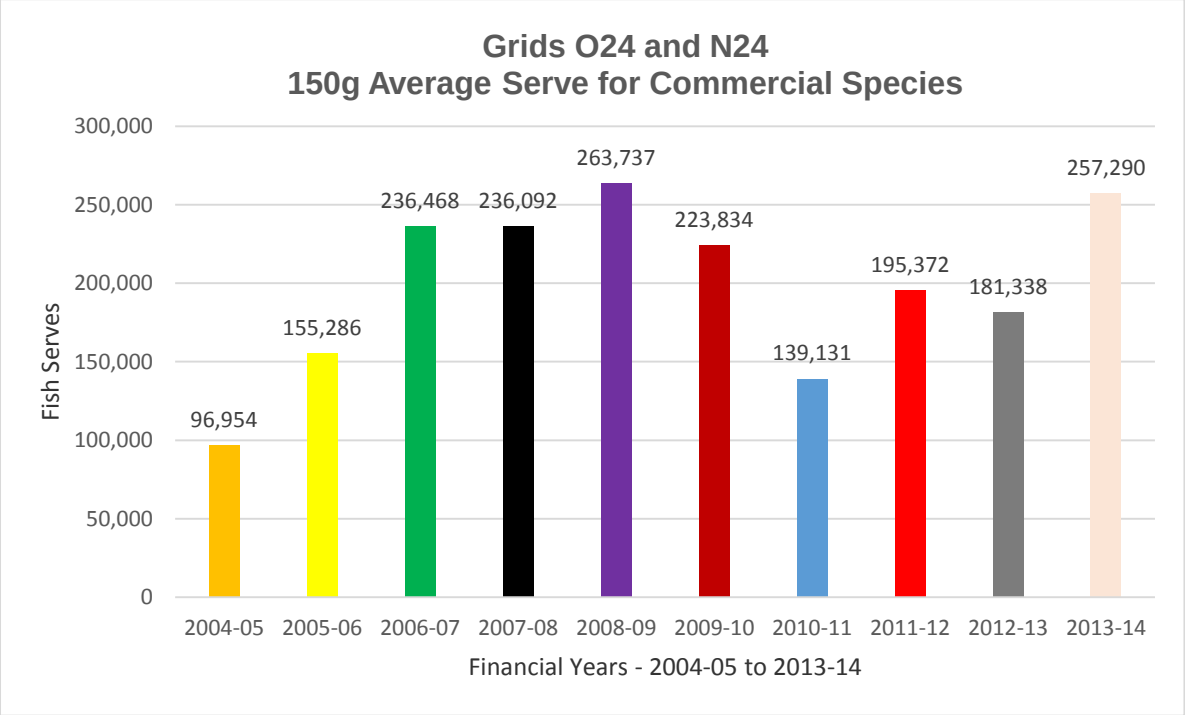
4. Outcomes

The introduction of the NFZs continues the use of closures as a means of managing commercial fisheries in Queensland. It is a crude but politically useful tool for governments that do no not want to anger the recreational fishing lobby. What should be understood is that the loudest elements of the recreational fishing sector do not represent the 'mum's and dad's' that fish but a vocal minority who have the means and discretionary income to spend on their hobby.

With the loss of the NFZs Queensland consumer have lost access to many net caught fish species including: Barramundi[3], Bream, Flathead, Grunter, Grey Mackerel, Mullet, Queenfish, Shark, Blue and King Threadfin.

Outlined in Figure 1 are commercial fishing Grids O24 and N24 cover the Mackay region and historic catches of multiple, net caught species and the loss of fish serves.

Figure 1. Average Fish Serves



Source: Qfish website[4], data contained at **Attachment C**.
Notes: Each year represents the total number of 150g serves of fish for Barramundi, Bream, Flathead, Grunter, Grey Mackerel, Mullet, Queenfish, Shark, Blue and King Threadfin.

[3] One third of commercially caught Barramundi has now been denied to the Queensland domestic market to the benefit of local recreational fishers.

[4] The QFish website Queenslanders to analyse and present Queensland commercial and recreational fisheries data through the use of cubes (interactive tables) and maps. QSIA has used this publicly available data to create the tables and excel spread sheets linked to Grids O24 and N24. Link: http://qfish.daff.qld.gov.au/

The data in Figure 1 only represents the loss of fish from the Mackay region. Cairns and Rockhampton increase the loss of fresh caught, local fish by commercial net fishers.

5. Summary of Failures

The legislative framework has failed commercial fishers in Queensland. This failure is the culmination of multiple issues, including:

- Political influence and advocacy of a small but vocal group of recreational fishers;
- Ongoing influence of environmental non-government agencies and their influence of commercial fisheries policy;
- Diminishing budget situation facing Fisheries Queensland limiting their capacity to undertake fisheries management;
- Ongoing investment warnings in every Queensland fishery;
- Lack of political leadership;
- Fisheries managed on commercial fishing data alone;
- Limited understanding of the cumulative impact of recreational fisheries;
- Suspect controls on recreational take (i.e. bag limits); and
- No long-term vision for any Queensland fishery.

The NFZ were never developed to address sustainability issues. In the decade before its introduction commercial and recreational fishers were able to enjoy the benefits of a sustainable fisheries in Cairns, Mackay and Rockhampton.