

THE BONES OF CONTENTION

**A discussion paper on the management of
Recreational fishing issues in Queensland**

(Issue 1, October 2011)

THIS WORK HAS BEEN INITIATED BY CAREFISH

CAirns REcreational Fishing Industry Stake Holders

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Introduction

There are many issues that recreational fishermen have with fishing and the management of fishing. Almost all fishermen complain about various odd regulations or mismanagement problems but most do nothing, expecting a wise government to fix things.

Some in the community are more passionate and active than others and they make various attempts to set things right. Some watch closely but see the same problems over and over, year after year and eventually give up worrying and put up with the things that seem wrong, or at least they try to get used to them. Some get angry, and some even give up on fishing altogether.

And some of us go to great lengths to present cases to government, often to receive little or no response. The 'rubber stamp rhetoric reply' is a letter well known to most of us. Almost always the concerns remain, not addressed successfully, or at all.

Experience has shown that 'waiting for government to fix things' is a poor and frustrating strategy. Governments tend to follow the community, not lead it. Therefore, it becomes our job, those of us that are concerned, interested and active on fishing matters to show leadership to the government and offer solutions.

In the end we all want a happy healthy fishery. We all want the same things. What we lack is co-ordination. One politician recently said "figuring out what recreational fishermen want is like herding cats!" That can't be good.

This paper seeks to act as a coherent baseline to document the contentious issues from a recreational fishers' point of view. It is designed to be networked throughout the fishing regions of Queensland via those that have stood up and taken active interest in fishing matters.

I invite you to read this document, distribute it, discuss it, fine tune it from your perspective and get it back to me and hopefully we can form a comprehensive working paper in the public forum and most importantly, on the politicians tables.

This is a work in progress, this is the first public release.

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Part 1 RECREATIONAL FISHING ON POLICY DIRECTIONS

The recreational fishing experience in general has suffered a steady decline over the last couple of generations. This same story is heard over and over, up and down and around the coast. The community overwhelmingly attributes this to over fishing by commercial net fishermen. Simple observation can confirm this. Catches of tonnes in commercial fishermen's nets equates to disappointing catches in recreational fishermen's eskies. This is not fair.

It's plain to see that there are large issues in the FQ when it comes to managing the recreational and the commercial sectors. The department and its various Ministers have been lobbied almost continually for many years with no real remedies implemented. Nets are still in the middle of towns and nets still flog the stocks and kill endangered species as we speak. The old school mentality of 'net till there's nothing or someone else will get it' is seen as a right and is furiously protected by government and industry alike. But this must be swept out. It should not be a right, especially not a legal right. Change is needed.

The document titled 'The Review of Concerns Relating to the Offshore Gillnet Fishery in Inshore Waters of the GBRMP' covers many aspects of the problems identified here. I encourage all interested parties to read it. It can be found on the FFC (Fishers For Conservation) website, as can a lot of other relevant information.

NSW fisheries recently announced a major independent review by world class fisheries assessors and advisors and although concerns have been raised about one of these advisors, it was a wise move and it's not the first they've had. Fisheries Queensland does not have the capacity or will to review itself objectively. It is imperative that FQ follow the NSW example and seek competent independent advice and leadership. I believe the University of British Columbia is the world leader in this regard.

To put it simply, nets create imbalance. They create imbalance in the community and they create imbalance in the environment. Nets are indiscriminate in what and how much they catch. This is unacceptable anywhere in Queensland, and especially so in our Marine Parks and World Heritage listed areas as important to us as the GBRMP, the Great Sandy Marine Park and the Morton Bay Marine Park.

The most important issues concerning recreational fishermen are commercial fishing practices, particularly nets, and zones. This is policy direction and this section seeks to address these and other important issues.

ITEM 1 COMMERCIAL PRESSURE IN HIGHLY POPULATED AREAS. 'RECREATIONAL USE ONLY ZONES' or 'NET FREE AREAS'

This is head and shoulders above all other problems. Coastal towns have increased in population considerably over the years. Conflict between the commercial and recreational fishermen has and will continue to increase. Nets are

an anti-social method of fishing, especially when operated in amongst the highly used and prized community waters. The community benefit versus the commercial benefit equation weighs vastly in favour of having a strong recreational fishery. Commercial net caught barramundi for instance currently returns a wholesale price just over \$4/kilo for whole, fresh fish (head on, gut in). The value to the community for this iconic fish, commercially caught, is miniscule in comparison to the value of the same fish caught (and often released) by the recreational fishing community.

Conflict for instance in Cairns is a snapshot of every other urban area where netting is allowed to continue. We know from other co-management area experiments here and interstate that recreational fishing interests DO NOT co-exist happily with commercial fishing interests regardless of how much FQ management tell us that they can. All these similar regions should have their own 'net free area' around their high community use areas. These must include all rivers, creeks etc joining the zones and include a commercial crabbing ban.

There are only about a dozen of these small areas averaging 20 or so kilometres, representing a tiny percentage of the coast which is 6973km mainland length plus an equivalent amount if islands are included. Clearly a vibrant rec fishery would offer tremendous economic and social benefit to those communities. Most highly populated areas up and down the coast have already requested these 'net free zones', that is, lines are on maps, or they're being put in place. This is currently being co-ordinated by SUNFISH. The NT has very successfully employed this strategy and its example should be applauded and followed.

ITEM 2 THE NUMBER OF NET LICENSES IN QLD

There are a substantial number of net licenses, both in use and dormant in Qld. It is recognised that many dormant, or latent, licenses have already been bought out or surrendered in the not too distant past. FQ have been attending this and that is good. It is also important and necessary because these licenses are tradable, and it would make sense to purchase back the cheapest ones first, and for reasons other than price. Experience has shown that buying out an operator that's been working an area too hard is pointless if he can simply buy some other license cheaply and continue working, or even buy bigger equipment with the profit.

There are 561 Commercial Fishing Boat Licences that have one or more of the net symbols shown below attached. This figure can change with each search because some individual net symbols can be traded between licences. When excluding bait net symbol (N11), the number of net licences is 477. The number of individual fishing symbols is larger than these figures because many licences have more than one symbol attached.

This represents over 300 km's of gill nets. And add to that bait nets, of which there are 323. There are also 437 crab licenses current and they allow 50 traps each or 21,850 in total. This situation was brought about by governments past and is clearly a problem of government now, although the recreational fisherman is asked to provide the money to repair it. This would seem unfair.

Following is recent FQ data on net licenses....

Symbol	Description	Quantity
K1	Ocean beach seine	2
K2	Ocean beach seine	3
K3	Ocean beach seine	4
K4	Ocean beach seine	2
K5	Ocean beach seine	7
K6	Ocean beach seine	3
K7	Ocean beach seine	5
K8	Ocean beach seine	15
N1	East coast general	162
N2	East coast inshore set mesh net	159
N3	Gulf inshore	87
N4	East coast offshore	6
N9	Gulf offshore	5
N10	Moreton Bay/Great Sandy tunnel net	30
N11	Small mesh (bait) net	323
S	Shark and ray symbol	154

To look to the NT as a shining example, as we do, they report 16.5 km of licensed net for ALL inshore fishing, ALL removed completely between Oct 1 and Feb 1.

ITEM 3 ZONING OF COMMERCIAL LICENSES AND TACC's

At present, commercial fishermen can roam wherever they like. This disrupts the concept of the resident commercial fishermen working their local fishery sustainably. In theory every pro in the state can turn up at any single location and take a complete annual TACC (if there even is one) from that area. This is very poor management. To resolve this there are two plans.

Plan One is for all licenses to be zoned into specific areas and TACC's (total allowable commercial catch) to be worked out into these, and constantly monitored for sustainability at a suitable spacial scale. The TACC applied must take into consideration the social benefit to the community and the peculiar habits of the species it seeks to protect.

These zones have been called for by both the commercial and the recreational sectors for some time. They have been resisted because those commercial fishermen that roam and create the disruption complain that they would be restricted from selling their license to a buyer from outside their allocated zone.

Plan Two is a refinement of plan one to address those commercial concerns. Since zoning is most sought for around the high use urban areas, it would make sense to create the zone exactly there. A permit system could be put in place for those commercial operators with proven history in those zones giving the group an exclusive area to husband. This would give the fisherman the opportunity to prove that he can fish sustainably and also give the community the opportunity to

evaluate each fisherman and buy some or all permits out as required, or negotiate the permit to become a 'grandfather' permit ie non transferable. Need would be the natural moderator here. A TACC within this permit zone should also be applied and adjusted over time.

The rest of the coast could be left as is with roaming netters keeping to more isolated areas, as they should. Of course, larger scale zone based TACC's would still need to be implemented especially on those species peculiar to 'philopatry behaviour'.

ITEM 4 PPV AND FUNDING

This is an interesting subject. PPV (private pleasure vessel fee) is a system (now called RUF or recreation use fee) put in place at the recommendation of the Burns Enquiry of 1992 (if anyone wants this paper in electronic form, I can send). It was designed to get recreational fishers to help pay for additional improvements that was in their interest, that came at additional government expense. This was overwhelmingly meant to buy commercial fishing licenses and increase research. It was agreed on by recreational fisher groups on that condition.

This PPV was applied at a rate of \$7.50 per registrable vessel starting in 1993 and reportedly collected around \$2 million in its first year. This has increased since then, over the years and now costs \$17.50 per pleasure vessel per year. Also the number of boats registered in Qld has increased substantially and the money collected annually now is reportedly about \$4.5 million. This would represent a collection of about \$50 million to date, a tidy sum indeed. Should this in its entirety be applied to the buying back of commercial licenses, I would not be sitting here typing. So, where is the money and what has it been used for? Here's something to look at....

2010/2011 PPV funds breakdown Estimated total \$4,244,054

Marine Habitat Assessment	115,593
Fishway teams	275,137
Non SIP fish stocking and extension	198,393
FRDC Grant	120,000
Suntag Grant	53,000
Sunfish Grant	150,000
Community Projects [LKFD]	58,500
Assessment and monitoring	726,955
Rfish surveys	727,051
Consultation on management	694,877
Fishcare volunteers	121,180
Education and communication	279,127
Rec Fish Unit	352,368
Compliance QBFP	371,873

This shows that a large percentage of this money is used to fund core FQ business and management which is NOT the purpose of the PPV (or RUF).

Clearly it's the responsibility of the State government to adequately fund this department via revenue collected from the many other taxes and fees extracted from our pockets when we have anything to do with fishing. The question has to be asked, how much out of the \$50 odd million collected from this extra fee agreed to by us has been spent on buying back commercial effort?

Whilst we're asking these questions, let's look at how much we pay government to go fishing...

PPV (or RUF)	4,244,054
Stocked impoundment Fee	850,000
Commercial License Fees	4,800,000
Dept of Trans rego (boat and trailer ex PPV)	20,000,000
GBRMPA EMC and permit fees	?????
GST	?????

GBRMPA collects somewhere less than a million dollars from various recreational charter operations and GST on sales associated with our sector would be 10% of the approximate one billion. Road tax on fuel used by boats is another point. And let's not forget income tax which states receive a portion of via budget allocations to run the state, including its fisheries.

So, who should be paying for the much needed license buy back? The problem was created by government, there's no question of that, so the lions' share of the responsibility for fixing it sits squarely with them. If the PPV that recreational fishers have been paying for 17 or 18 years now hadn't been tampered with, then this problem would already be mostly resolved, so that entire ledger needs a thorough and transparent investigation, and a much better system put in place to keep an eye on that cheque book, starting today.

Who stands to benefit from less commercial effort? To start with the recreational fisherman would seem the one to come out of this the best. But what about the benefit to the commercial fisherman? Certainly the removal of pressure would allow for the increase in fish stocks, and that would make his job easier. It would allow him to harvest on a more sustainable basis, without worrying about other nets turning up in his area in competition. It would remove the weekend 'smash and grab' brigade.

Who else? The support industries to the recreational fisherman would certainly benefit, since more would go fishing as the prospects of catching a fish increased. These are the tackle trade, the boat sales and servicers and the fishing media, as interest revived. Fishing tourism (which is way underestimated) ie the guides and charter operators not to mention those accommodation and meal providers, would all do well. Ask them if they'll be employing more and sacking less? As people get more active their health issues reduce, families get back a simple but effective building block and anti-social behaviour gets an alternative and constructive outlet, like putting good food on the table!

And I'm sure that if you asked the dugong, turtle dolphin and whale representatives if they'd like to see a large reduction in nets, you'd get a predictable answer.

It would seem that everyone would be set to get something out of this. So who should pay for it? That is a good question. I think that it is already answered.

First we need to know how much effort needs to be removed, and how much that would likely cost. Then we need a bank account dedicated to the task and PPV (as adjusted in arrears) being the first deposit. The commercial fishers, second. The list of contributors should be long.

If funds cannot be adequately raised from these sources, then the subject of a saltwater recreational fishing license must be raised and thoroughly discussed. This all gets down to a question of money.

There is another question this all raises. Where does the fish come from for the market? We know that line fishing is a much preferred method of harvest. Line fishermen have proven that they're well capable of taking care of the market. Take Spanish mackerel for example, the staple of the 'fish and chip' trade. They were made a non net species not too long back and quickly the line caught catch increased to completely fill the gap.

Aquaculture also produces significant tonnage, especially barramundi which currently supplies around 80% of requirements, and this is rising.

ITEM 5 NETTING OF AGGREGATING STOCK, BOTH PRE SPAWNING AND SPAWNING, AND FLOOD AFFECTED

Netting of aggregations is contrary to sustainable and plentiful stock abundance at any level of thinking. It might be easy money to the commercial netter, but it is extremely disruptive to stocks. This must cease. Fingermark, mackerel, tropical salmon, barramundi, trevally and queenfish are all prime examples in the north and bream, whiting, mullet tailor to name a few in the south.

Some species exist only in isolated groups in smaller spatial regions along the coast and don't migrate or move around much at all. These species deserve special consideration because when netted heavily, the stock can falter or even fail since it is not replenished by others in the species from elsewhere. This in effect becomes a mini extinction of the age old 'family'.

This is well documented in the literature and the Bowen grey mackerel story is just one. Snapper Island near Port Douglas and Llewellyn near Sarina are another two. Threadfin as well are a fish that's bound by small areas even to the bay scale. The name for this behaviour is 'philopatry' and is explained extensively in the work 'The Review of Concerns Relating to the Offshore Gillnet Fishery in Inshore Waters of the GBRMP'.

This condition should be of prime importance to FQ when making their management decisions. Applying a state wide TACC would seem foolish when these species require special consideration at a much smaller scale.

Also, the netting of the mouths of systems in flood is another way to put massive strain on any local stock that has to funnel through a small and predictable area. Barramundi, queenfish, trevally and even crabs cop a hammering, especially when 'out of town' nets turn up, or the activation of otherwise dormant (latent) nets get involved, putting the operators into fierce competition with each other at the expense of the fish, and the recreational fisherman, and the community.

Add to this, the effect of a sudden large increase in supply to market and the predictable consequence occurs of driving down prices, making this practice even less valuable to the general community.

ITEM 6 NETTING OF MACKEREL SPECIES

All four larger mackerel species should be line fished only. Spotted and Spanish already are due to their vulnerability to over netting when aggregating. Grey and school mackerel are exactly the same and must also be added to this list. The Bowen, Sarina and Snapper Island situations are well known and obvious examples of serial stock depletion of grey mackerel. Line caught mackerel more than adequately fill the need for the Queensland 'fish and chip' trade.

It is simply impossible to target the net species without catching the non net species since they swim together or at least they're in the same areas. Throwing back dead Spanish mackerel is not wise management and the temptation to rot must be considered seriously. Common sense should prevail here. Ban the netting of ALL the mackerel species. Also refer to Part 3 item4 on "incidental catch"

ITEM 7 REVIEW ALL RIVERS AND CREEKS CLOSED TO COMMERCIAL FISHING

Many isolated creeks and rivers are closed to commercial fishing but oddly, creeks and rivers in the middle of towns are open. This does not work with the community, and needs a sensible and urgent review. Commercial fishermen much prefer to be out of the public gaze. We prefer that too.

ITEM 8 NETTING MOUTHS OF CLOSED RIVERS AND CREEKS

The stocks of rivers and creeks are at certain times concentrated at the mouths. This is for various reasons namely spawning and flooding. These stocks are particularly vulnerable to netting at these times. A large percentage of the fish and crabs resident to that system can be removed in short order. This defeats the reason for having the system protected in the first place. All rivers and creeks closed to commercial netting should include a zone of at least one nautical mile (or two km) radius from their entrances. QB+FP signs could mark these positions.

ITEM 9 CRAB LICENSES

In Cairns at least, as many as ten crab license holders can turn up after a flood and work the flats and creek mouths. This can mean over 500 crab traps are deployed at one time and is reported by some in the industry to be as many as 1000. This is not pretty.

Many crab licenses are only used a few times a year, and at such times when the crabs are forced into relatively small and exposed areas such as they are during and straight after flooding events. This has obvious detrimental effects on the local crab populations. Crabs are almost as important to recreational fishers as the iconic barramundi and this abuse must be curbed.

There are calls from the rec sector and from within the commercial fishing industry to remove completely, or at least dramatically, these 'weekend' licenses. To sort this out, crab licenses should be able to show a minimum history of 750 kg take per annum. Those that don't should be surrendered. The count of licenses currently is 437, which represents somewhere between 10 and 20 for every coastal town, so plenty of work needs to be done on this.

There is no shortage of conflict when one bloke can have 50 traps and his next door neighbour can have 4. And you can predict that there will be 10 times that when 10 blokes turn up with 500 traps.

It is widely reported by those that have worked in this sector that many license holders have more crab traps deployed than their license allows, some even several times more. Because of the hidden nature of these traps inspectors have almost no chance of proving this. Therefore ALL pro crab traps should be clearly marked by a specially coloured and FQ numbered buoy allocated to the license holders trap, therefore all traps can be clearly identified.

ITEM 10 THE DEPARTMENT OF SPORT AND RECREATION

The department of sport and recreation does not define recreational sport fishing to be either a sport or a recreation. This is ludicrous and that department must take some ownership of the recreational fishing sector, especially since the FQ has failed in this regard almost continuously for years. The DPI ownership of rec fishers never worked because of a 'tonnes and taxes' mentality. Main Roads seems another odd choice, although the minister seems engaged, time will tell.

The plain fact is that recreational fishing IS A RECREATION at least and should be attended to, supported and encouraged by this appropriate department. Kids days and family comps are perfectly suited to this part of the system.

ITEM 11 COMMERCIAL FISHING IN YELLOW ZONES

Yellow zones should be closed to commercial take. They are designed to give a higher level of protection to the area. Commercial bait netting is still allowed in these areas. Bait nets don't just catch bait due to manipulation of the regulations

and yellow zones are a target, against the original intent of the zone which was to provide the area with a higher level of protection. Bait nets take all sorts of juvenile species en masse.

Commercial line fishermen are restricted to a 'one dory' rule in these zones to restrict their impact. But instead of working five dories over the reef for the day, they leave one dory there for the week, and hop the other dories over adjacent yellow zones. They actively 'work the yellows'. The commercial impact is no different from a blue zone so the area gets no increased protection whatsoever.

The yellow zone in much of the Great Sandy Straights is a fruitless experiment in futility. It's a yellow zone with red crosses on it. This means that commercial activity can continue as before. What is the point of that? The community there screamed for a yellow zone for years and were given one eventually. With red crosses on it! When they complained they were told they were beyond pleasing! Obviously, this is outrageous.

ITEM 12 FISHWATCH AND OTHER 'HOTLINES'

Currently the 'Fishwatch' phone number is the 'hotline' for reporting illegal fishing practices. There is a different one for dugong, turtle, dolphin and whale. There's another one for mangrove destruction, yet another two for marine pollution depending whether it's coming from a registrable boat or not) and there's probably more. Finding these numbers to begin with is no easy task, especially from a mobile phone 'in the field'. And if you ring the wrong one the operator does not know the correct number and won't or can't transfer you.

The public does not understand or really care which department attends to which species. For instance an injured dugong is DERM's responsibility. They often do not answer their phone on weekends (although I'm told this has been remedied with RSPCA now picking up the phone and yes, they have changed the number). This is very distressing to the community, let alone the dugong.

There should be a '000' type number for all marine connected issues that require reporting. Here's an answer and these numbers are currently available 13 MARINE and 1300 MARINE ie MARINE = 627463

Alternatively, all the 'hotlines' need to be able to co-ordinate for the other various 'hotlines'. And staff that answer the numbers in general need to be briefed properly to handle the calls. This is not the case at present. Recently I was asked to report a chemical spill. I was in my office and spent an hour trying to find the correct department. I even rang the correct department and was told it was the wrong department. No department knew which department was the correct one.

Also every report made by the public should be followed up with a courtesy call back to that person as to the action taken by the various department involved. This is simple PR.

ITEM 13 THE FISHERIES OBSERVER PROGRAM AND LOG BOOKS

Fisheries inspectors must be able to observe the catch of all net hauls at all times without fear of harassment from the crew or owners. They should not require the permission of the master or the license holder. This should be a condition of the license. All information collected should be accessible by the public and the commercial in confidence rule should not apply. Observers must be able to board and inspect net contents at short notice ie just prior to a haul to ensure the data is of quality.

The alternative to this is to locate 'at call' GPS enabled video cameras on all boats with drum haulers fitted at least. The technology is available, reliable and cheap. This would go a long way to tidying up log books and protected species interaction reporting.

Quality data is vital to the management of the Marine Park, and to fisheries in general. Log book records are a far cry from this and I was told recently that the checking of these log books was not a priority of QB+FP. Endemic in the industry is the manipulation of these books, for whatever reason be it tax, or moving effort into an area where a buy-out seems likely, or to cover going over quota. One local fisherman reckons he hasn't filled his out for two years. It would seem the imperative to do so is lacking on a large scale.

ITEM 14 SHARING OF INFORMATION BETWEEN DEPARTMENTS AND TO THE PUBLIC

The public pays for government as a whole to manage their marine resource and they expect it to be done efficiently. Interdepartmental information sharing is dubious at best, and even kept secret, particularly between the FQ, DERM and GBRMPA. This must be repaired. GBRMPA absolutely should know exactly what gets extracted if they are to manage the Marine Park competently and successfully. DERM also must involve GBRMPA more satisfactorily regarding marine mammal strandings. The latest DERM annual report on marine mammal strandings was 2007. This needs timely updating (see DERM website). The issue of dead dugong, whales and turtles is of great interest to the public. This all needs reviewing by highly competent advisors.

ITEM 15 REVIEW OF PENALTIES

Penalties should be upgraded to include loss of license and possible surrender of equipment for serial and blatant abuse of regulations. Professional fishermen have NO excuses for not knowing these regulations. These should include the following:

- 1/ Fishing in green or restricted zones.
- 2/ Targeting spawning or pre spawning aggregations.
- 3/ Not reporting dugong etc (protected species) entanglement.
- 4/ Black market sales (both comm and rec should be a most serious offence).
- 5/ Live finning of sharks.

- 6/ Crabbers using unregistered traps or 'subcontracting' those with them.
- 7/ Sale of illegal size or species fish or crabs.

ITEM 16 SHARK FIN

Ban the sale and taking of all shark fin. Simply, there is too much temptation to rot this and 'finning' sharks is disgraceful but by all reports is rife, common sense should dictate this.

ITEM 17 QB+FP TO BE ADEQUATELY FUNDED AND STAFFED

It is common knowledge in the community that Fisheries Queensland has a very limited budget. Staffing levels are dropping and reportedly no overtime is permitted. This knowledge is gold to any that seek to conduct illegal activities. This must be addressed as a matter of urgency. The community expects and demands a robust fisheries watchdog.

ITEM 18 INDEPENDENT REVIEW OF FISHERIES MANAGEMENT

Fisheries Queensland should be audited and analysed by an independent expert as in the recent NSW examples. Fisheries Queensland does not have the capacity or will to review itself objectively. It is imperative that FQ follow the NSW example or similar and seek competent independent advice and leadership. I believe the University of British Columbia is the world leader in this regard.

ITEM 19 GILL NETS

The recreational fishing sector does NOT support commercial netting particularly gill netting. Beach seine is equally despised. All gill and beach seine netting activities in Queensland should be given an investment warning advice with the view that they will be phased down in the foreseeable future. Certainly NO new licenses should be created whatsoever. A cheaper and more equitable way to remove the excessive numbers of nets is to attach an effort indicator to the license based on history, like the WA Fisheries example. The license then is worth the addition of effort units it has earned from the past.

The sale of gill nets to the general public is quite legal now but it is not wise. Gill nets should be made a restricted item, available only to commercial net fishermen, and an amnesty be put in place for nets handed in. Multi filament nets are illegal in Qld but freely available on the internet. The penalties for any non licensed person found in possession of any gill net should reflect the public sentiment and act as a substantial deterrent.

The micro-dotting of commercial nets would prove ownership of any 'loose' nets in the environment and the community.

ITEM 20 NO TAKE ZONES

No take zones are of massive concern to a very high percentage of the community as they affect individual lifestyles and even the spirit of entire communities. The consensus view is that the commercial sector must bear the overwhelming responsibility for overfishing. Nets are the obvious main culprit and industrial fishing in marine parks and local waters is seen as a foolish and greedy way to manage both a marine park and a fishery. Banning everyone from catching a fish because of commercial overfishing in any area is a divisive strategy and cause for much public anger.

The general public are sick of lock out zones. If commercial overfishing is the main contributor to stock depletion, then restrict or remove the commercial pressure.

Any zones put up for 'no take zones' must come to the public with comprehensive and plausible scientific study and recommendations and be completely transparent to scrutiny by the public.

The community must be consulted closely on these proposals. The recent 'Pew proposal' is a very good example of how to mismanage the community on these types of issues, leaving fear, anger and resentment to boil for far too long. .

ITEM 21 SURVEYS

It is widely acknowledged throughout the fishing community and academia that past fishing surveys are flawed. Loading survey questions and manipulating statistics causes great public aggression and anxiety and must be stopped.

Any future surveys should be designed and conducted in conjunction with a marine based university and SUNFISH, and SUNFISH should be resourced appropriately to be able to competently comply. All results and data collected must be made completely transparent to the public for scrutiny.

ITEM 22 SCIENTIFIC PAPERS AND REPORTS

There is great concern in the caring and interested recreational fishing sector as to the reliance within the department to base management decisions on dubious scientific reports. Some even appear to be tailor made to support a decision already made before the report was even commissioned. This must stop. The public catch up on these sooner or later and this is much to the detriment of relations. FQ has a terrible public image and needs to be repaired as a matter of urgency. And please don't cite Renae Tobin's recent survey including the public's perception of FQ as it targeted the youngest fisher person in the family (all respects to Renae). The point is, the information is likely correct, it's how it's interpreted and presented that's not correct.

The so called 'Halliday Report' (The effects of net fishing: addressing biodiversity and bycatch issues in Queensland inshore water) is another and should be rerun with a different set of parameters. For example it claims that the barramundi net fishery is very selective with only 16% bycatch. But at a closer look the figures show that only 39% of the total caught was barramundi, which means that 61% was bycatch (or bi-product).

So how could this data be so far out? Well, it includes anything marketable as catch, and that includes **CRAB BAIT!**. What's not crab bait? Undersize and otherwise illegal fish, that's what. This is very misleading and reprehensible in my opinion.

It also claims that 152 turtles were seen in the area of one net investigation. And all of them were released unharmed! Again, this is misleading and discredits more than just the data.

The Qld fishery needs repairing, and spin will not serve anything but cover-ups and resentment.

ITEM 23 TOTAL ALLOWABLE COMMERCIAL CATCH (or TACC)

There are serious concerns amongst the experienced recreational fishing community, and many commercial fishermen, regarding the level of TACC implemented over certain species. These past decisions seem to have been made behind closed doors to suit only those short sighted players in commercial sector. This does not sit well with those watching from the outside of these decision processes.

TACC's are put in place as a management response to over fishing concerns, whether they are factual or precautionary. It would seem unwise then to introduce a TACC higher than is currently taken. They are NOT designed to allow for a growth industry.

Dubious TACC's currently in place are...

Grey mackerel TACC is currently 250 tonnes. This was introduced recently as a precautionary measure in response to the heavy netting and the resulting conflict occurring at several locations along the coast. SUNFISH recommended 100 tonnes to coincide with approximate maximum historical recorded take. If this is the case then the TACC of 250 tonnes is useless or even worse, may encourage heavier effort by a 'use it or lose it' theme. This species is clearly 'philopatric' in behaviour so the TACC should also be divided up into zones as discussed previously, and watched carefully.

Coral trout TACC is currently 1280 tonnes. This is largely made up of live traded fish where the target size is about 1 kg, ie plate size. This count therefore starts to look at over one million fish per annum! Talk from within the line fishery suggests that this is way unsustainable and should be closer to 600 tonnes. This would also keep the sector targeting the smaller fish, leaving the larger ones to breed.

ITEM 24 PINGERS ON NETS

Commercial net fishermen that make use of pingers claim they no longer have entanglement issues with dugongs. Private 'off the record' discussions with net fishermen that don't use pingers claim to each kill about two a year. One claimed six.

From discussions with leading researchers in this field, one could only agree that all nets should employ adequate pingers. In fact one researcher stated at a recent LMAC meeting in Cairns that "no net should be deployed without pingers if the safety of protected marine mega fauna is considered important".

Clearly the safety of protected marine mega fauna is considered important. So why are pingers not already mandatory? It would seem there's some disagreement between scientists. This needs to be resolved.

Empirical evidence from the beach safety shark net programme shows that whales respond absolutely to pingers of a certain frequency and strength. Dolphins as well, but they require a different range. And dugongs according to those that use them. Different animals respond to different frequency pingers, so at the risk of appearing simple, perhaps a multi-frequency device could be developed. This would not protect all though, as turtles at least do not respond in the least to the devices. As to manta and other rays, crocodiles, groper etc, I have no idea, but I do know they all get in nets.

If the statement can be made that nets are dangerous to all marine animals, the question must be asked, what is acceptable to us? Do we knowingly allow protected and sometimes endangered animals to be killed or injured in nets? A net with no pingers obviously presents this case. A net with current pinger technology can only alert one species, leaving the rest at risk. Even if a multi frequency device could be developed, it would only at best protect three species.

Part 2 RECREATIONAL FISHING ON REGULATIONS

The recreational fishing sector is heavily regulated. Some regulations are well accepted as just and proper, some not so. There is a need to fine tune a few regulations.

ITEM 1 REMOVAL OF PECTORAL FIN ON REEF FISH

This is an annoying and useless regulation that has no influence on its intended target, namely black market recreational caught fish sales. The persons carrying out their illegal activities now simply fillet their fish first, thereby increasing their payment, and makes every other law abiding fisherman that forgets, a crook. This was implemented without public consultation and is flawed and should be removed.

ITEM 2 ONE LINE RULE IN YELLOW ZONES

This was implemented by GBRMPA to give a higher level of protection to resident or demersal reef fish by implementing a one line one hook rule and that's fine.

The standard method of fishing is to fish on the bottom for these reef fish and to have a float line out the back to hopefully catch a passing pelagic fish, namely mackerel. The one line rule prohibits this. As pelagic fish have no residence and swim wherever they wish, it makes no sense to prohibit this activity.

This regulation should be amended to 'one bottom line or hook arrangement per person'.

ITEM 3 STANDARDISING FISH SIZES AND BAG LIMITS

The current regulations on fish sizes need yet another review. Firstly, some fish don't fit the bill with their 'size of first spawn' being much larger than the minimum size of catch which goes against the standard principle. Mackerels and fingermark are prime examples. Having said that, by having multiple sizes on single species doesn't work either due to the confusion of identifying the sub species. Mackerel, coral trout, whiting and flathead are on top of the list. Some fisheries inspectors and even marine biologists have difficulty identifying which is which so the general public has no chance.

Bag limits are also all over the place. Introducing regulations to confuse hundreds of thousands of everyday fishermen to stop a few individuals does not work and only makes normal people into crooks or worse, makes them give up the activity of fishing altogether as being too hard. Standardising these into 3 groups would be better. Bag of 3, a bag of 7 and a bag of 12.

Some suggestions follow;

Coral trout: all minimum size 380mm, bag limit 7, no upper size limit (ciguatera risk comes into play anyhow).

Mackerel: Spanish and grey 750mm, bag limit 3, spotted and school minimum size 600mm bag limit 7

Fingermark: min size to coincide with size after first spawn, bag limit 3

Flathead: one size and bag (7) for all species

Whiting: one size and bag (12) for all species

ITEM 4 FILLETING AT SEA

In the past, some recreational fishers have taken undersized fish and filleted them before returning to port. This makes it difficult for compliance to prove. The regulation introduced to require all fish with a fillet length of less than 40cm to remain intact, ie not filleted, makes it easier for compliance to police. It does not make it easier for the vast majority of fishers that comply with minimum sizes to store their fish or dispose of the frames and heads.

This is compounded in the large proportion of the state that has crocodiles in the habitat. For obvious reasons, we cannot fillet at the boat ramp because of the danger of attracting crocs. That's why there are no filleting tables there.

A 40cm fillet is a big fillet. By the time the head, tail and tail wrist is taken into account a fish would have to be over a metre long to support a 40cm fillet. The best place for a frame to be disposed of is to where it was caught, not in a garbage bin back home.

This requirement gets even more ridiculous when using fresh fish baits. As it stands, one cannot use a bit of fillet as bait unless it's 40cm long! And since a fish cannot be filleted on the water unless it's of that length, what does that mean in reference to using fish frames and heads in crab pots? This needs clarification.

A sensible solution would be to allow fillets to be removed provided the fish was 100mm or more over the min legal size. This would remedy most of the problems.

ITEM 5 MANDATORY INSURANCE ON BOATS OVER 15 METRES

This new regulation is another one introduced without public consultation and should be scrapped. It discourages ownership of larger boats and discourages the cruising yacht trade. This reg has no merit.

The commercial fishing industry is also heavily regulated, but there appears to be many incorrect, outdated or manipulated rulings applied to this sector. The reading of the Fisheries Regulations 2008 is a confusing one. It should not be. Legislation should be crystal clear and simplified constantly whenever grey areas surface. The general public should be able to understand it. It should not be 'open to interpretation' with a different interpretation coming from 'depending who you ask'.

ITEM 1 IN ATTENDANCE

There are inconsistencies and inadequacies in the Regulations for the distance set for attendance for operators deploying different symbol nets, as well as the definition of what 'in attendance' actually is.

The 'in attendance' ruling is to ensure an operator keeps within a useful distance of a net in the water should an animal become entrapped in that net that shouldn't be. The response time is important and is related to the proximity from the net. This distance changes depending on where on the coast they're set and what symbol they are. Under most net requirements the operator must be within 100 mtr of the net which would seem about right. Some circumstances allow a distance of 200 mtr which seems a bit long.

But under N2 the operator only has to be within 800 mtr. This is way too far for an operator to be able to even see an endangered animal, let alone release it unharmed. And that's not the end to it. The operator can have up to 3 nets at any one time within one nautical mile and still only be required to be within 800 mtr of any part of it allowing him to be a ridiculous 2652 mtr away from one point quite legally. Clearly, this is not good for the protected animal struggling away in the net.

The 'in attendance' is defined as being 'on a boat, on the water'. There is no requirement to actually be 'attending' the net. This needs immediate attention as being asleep in a bunk is currently perfectly acceptable.

Nets are dangerous to anything in the water. Protected species must receive protection.

ITEM 2 DEPLOYING NETS AWAY FROM HIGH TRAFFIC SITUATIONS

Nets are not only dangerous to whatever goes under the water but to what goes on the water as well, therefore nets are not allowed to be deployed near navigation channels or jetties or wharfs. It would seem prudent to assume that the distance away from these areas would be imposed to reduce risk to boat traffic. It is therefore difficult to understand why one type of net has a lesser distance applied to it than others. N2 again is the peculiar one with a distance from a wharf or jetty being 200 mtr when others are 400 mtr.

And if the safety of the passing boat traffic is the reasoning behind this distance, then why are other areas not given the same level of safety? Boat ramps, marinas, bridges, mooring areas all have a high or restricted traffic flow as well as the mouths of creeks and rivers.

ITEM 3 BARRAMUNDI NETS USED IN THE CLOSED SEASON

N2 once again comes to our attention. Nearshore netting is primarily designed for the taking of barramundi. The net used is mostly about 165 mm (or 6") and one part of it has to be set in less than 2 mtr of water. The net must not be used during the barra closed season Nov 1 to Feb 1. Obviously the spawning barra should not be netted but rather protected. BUT the operator IS allowed to work the same area provided the net is now no more than 115mm (or 4"). Obviously this net still catches barramundi left, right and centre which is quite legal provided they're released. The trouble is they're generally quite dead which is not really protecting them.

Also to compound this, the smaller net catches smaller fish thereby killing many juvenile barra as well.

ITEM 4 DISPLAY NET SYMBOL IN USE

et symbol carries its own set of regulations. Many net operators have access to more than one symbol. Knowing which symbol the net is deployed under by displaying the symbol would reduce confusion to compliance and the observing public as well as closing various loopholes that the operator can exploit.

ITEM 5 INCIDENTAL CATCH

Some species are not permitted to be caught by nets already. There are various reasons why they were made that way but the common theme has been over exploitation of the stock. The net fishermen have had the right to take the fish removed from them because they didn't look after them. This always occurs because recreational fishermen have watched the decline of the stock in question and then set about convincing QF of the case. This usually takes a great deal of time and usually only gets done via some political wheeling and dealing. Almost never has QF led the community on this, with the obvious exception of the recent snapper issue, which ended up a debacle, and a back down and is ongoing.

After a species is closed to the nets, the lobbying begins by the netters to have them returned. This starts with the allowance of an 'incidental catch'. It is no joy to watch otherwise perfectly good fish thrown overboard dead. The trouble is that the fish becomes economically viable again and becomes targeted again. This has just occurred with spotted mackerel. 5 fish were allowed until recently. Without consultation or notice 50 fish are now allowed which at average 6kg or more adds up to over 300kg, certainly marketable and obviously back as a target.

Recreational fishers are against this and here is another reason to make all 4 mackerel species non net species, once and for all.

Part 4 RECREATIONAL FISHING ON INFRASTRUCTURE

Infrastructure in the Cairns area is at best average with some facilities excellent and others poorly maintained and in some cases dangerous. Recently, a survey was conducted by GHD on behalf of the Dept of Main Roads. In Cairns this was attended by Paul Aubin, Keith Graham and Les Marsh. Recommendations were made, drawn up and submitted by Paul Aubin and sent out into the community for comment.

It would seem prudent to assign each boat ramp or other fishing infrastructure to a category in line with its usage (if this is not already in place). For instance isolated and rarely used ramps may be fine as a dirt entry graded every now and then with no other facilities, and this may be a 'category 10' ramp for instance, however the main ramps would warrant multiple lanes, adequate parking, toilet, shower, garbage, wash down and lighting facilities. These may be a 'category 1' ramp.

ITEM 1 ARTIFICIAL REEFS CLOSE INSHORE

This is one for GBRMPA. Most population hubs up and down the coast are situated near a headland, giving varying levels of protection from the prevailing south easterly winds. We have a magnificent barrier reef off our coast but this is not accessible to the vast majority of boat owners due to the distance to get there, generally more than 70 kilometres each way, and the weather. There's only so much risk one should take.

It would make sense to allow for the creation of environmentally friendly artificial reefs to be constructed within easier reach of the coast. These rapidly become fish havens therefore removing a great deal of the risk which is often undertaken by the smaller boat owners' intent on catching a fish.

There are a lot of boat wrecks already up and down the coast and they all hold substantial fish stocks. The accessible ones are extremely popular. A couple more in the the right places would increase the fishing public's level of satisfaction and take some effort off the reef proper.

The Cairns area could easily support at least three of these within a couple of kilometres of the coast. GBRMPA are the controlling Authority on this and have at present a draconian procedure in place that must be complied with. The application fee is over \$80,000 for a start and stops any further proposition dead in its tracks. This should be reviewed.

ITEM 2 BOAT RAMPS

I believe SUNFISH has recently made a detailed submission state wide as part of the GHD survey for Main Roads ten year plan. (A comment or attachment please from SUNFISH). Areas that missed out should be brought to our attention and comment in general is sought, so please do.

ITEM 3 PUBLIC JETTIES

I'm not sure about other areas but Cairns harbour has NO public jetty. This is a product of turning harbour authorities into corporations, If there's not a buck in it, they're not interested. But this does reflect on the community where boats have nowhere to tie up for short periods to get supplies or pick up passengers without being harassed by overly zealous harbour security. I think Townsville has the same situation. All town harbours should have a free to use public jetty with a light, water and power. They all used to.