

INDUSTRY CONSULTATION

1. Catch quota reporting – Ocean Trawl

Feedback was sought on the real time catch quota reporting arrangements for the Ocean Trawl fishery.

A total of 5 submissions were received, including from the Professional Fishermen's Association (PFA) and the Commercial Fishermen's Cooperative (CFC) on behalf of their members.

Submissions suggested the following:

- it is impracticable to report to the nearest 100 grams. Rounding to the nearest 500 grams, 1 kilogram or proportional to the size of the catch was suggested.
- support for the pre-landing report, including the requirement to report the estimated quantity of catch on-board, with no submissions objecting.
- it is impracticable to require fishers to remain in the immediate vicinity of their catch until a post-land report is made.
- it is impracticable for boats returning to QLD by sea to make a post-land report of the validated weight on-board. The submission suggested (a) a post-land report before a catch is moved across a state border by land and (b) a pre-land report before a boat crosses a state border by sea.
- unanimous objection to the requirement to do a post-land report within 3 hours of a pre-land report, with one suggesting 6 hours. The issues identified were generally specific to one of three scenarios:

Fish marketed direct to cooperatives: cooperatives are not always open when fishers land their catch, during peak season boats are sometimes queued to offload their catches and, some fishers return to port with fish on-board, rest and then return to sea to fish before returning to unload multiple days catch at once.

Fish packaged for sale: some fishers process or package their catch which takes time, with some travelling some distance to a premise to do this.

Fish moved direct to shipping containers for export: some fishers move large quantities of whiting from their boats directly into refrigerated shipping containers.

DPI Proposal

Implement the arrangements as proposed by DPI with the following changes:

- require a pre-land report of the estimated weight of the catch of quota species before the boat leaves NSW.
- require a post-land report to be made within 6 hours of the pre-land report or before the catch leaves NSW by land, whichever occurs sooner.
- replace the requirement for fishers to remain in the immediate vicinity of the catch with a requirement for fishers to remain in possession (i.e. under your control even if not in physical possession) of the catch.

Risks associated with the integrity of the quota system increase with the increasing time between when fish come off the boat and when the weight of the catch has to be reported.

The DPI proposal caters for the majority of fishers, and aims to maximise the (i) integrity of the catch quota regime and (ii) certainty in the Total Allowable Catch setting process. It also provides for innovation and adoption of new technology.

Important to note is that a pre-land report is only required prior to any catch being removed from a boat.

Alternate arrangements may be considered where it can be demonstrated that barriers exist that prevent fishers from meeting the proposed reporting requirements.

2. Catch quota reporting – line east

Feedback was sought on the real time catch quota reporting arrangements for the line east component of the Ocean Trap & Line fishery.

A total of 5 submissions were received, including from the PFA and the CFC on behalf of their members.

Submissions suggested the following:

- support for the pre-landing report, including the requirement to report the estimated weight of the catch on-board, with no submissions objecting.
- it is impracticable to report to the nearest 100 grams. Rounding to the nearest 500 grams, 1 kilogram or proportional to the size of the catch was suggested.
- the PFA and CFC submissions object to the requirement to do a post-land report within 3 hours of a pre-land report, with one suggesting 6 hours.

DPI Proposal

Implement the arrangements as proposed by DPI with the following changes:

- require a pre-land report of the estimated quantity of quota species on-board a boat before the boat crosses a state border by sea.
- require a post-land report to be made within 3 hours of the pre-land report as proposed or before the catch is moved across a state border by land, whichever occurs sooner.

To maximise the integrity of the catch quota management regime and certainty in the setting of a Total Allowable Catch it is important that catches are measured as accurately as possible. The variable weight of fish boxes and ice can be accounted for, including by taring the scales. Line fishing eastern zone fishers do not take high-volume catches like some of the fishers in the ocean trawl and purse seine fisheries.

3. Catch quota reporting – purse seine

Feedback was sought on the real time catch quota reporting arrangements for the purse seine component of the Ocean Hauling fishery.

A total of 4 submissions were received, including from the PFA and the CFC on behalf of their members.

Submissions suggested the following:

- support for the pre-landing report, including the requirement to report the estimated quantity of catch on-board, with no submissions objecting.
- weighing of high volume catches that are in ice slurry in 1000 L bins to the nearest 100 grams is not practical. Suggestions included rounding proportional to the size of the catch, rounding the nearest 500 grams in the case of a small catch and consideration of standard bin or box weights. The latter acknowledged there may be complexity associated with the variability in the type and weight of bins and boxes used.
- mixed species in the catch (consisting of other quota managed species or not) is problematic for determining accurate weights.
- unanimous opposition to the proposed 3 hour timeframe between the pre-land and post-land reports, especially where significant time is required to process the catch. Suggestions on what the timeframe should be ranged between 4 hours and 4+ days.

DPI Proposal

Implement the arrangements as proposed by DPI with the following changes:

- require a pre-land report of the estimated quantity of quota species on-board a boat before the boat crosses a state border by sea.
- require a post-land report to be made within 72 hours of the pre-land report or before the catch is moved across a state border by land, whichever occurs sooner.
- replace the requirement for fishers to remain in the immediate vicinity of the catch with a requirement for fishers to remain in possession (i.e. under your control even if not in physical possession) of the catch.

DPI acknowledges the unique operation of purse seine fishing operations that deal with processing high volume catches of small pelagic fish. These catches may be a mixture of quota or other species that are transported and kept in ice slurry to maintain product quality.

Risks associated with the integrity of the quota system increase with the increasing time between when fish come off the boat and when the weight of the catch has to be reported.

The DPI proposal aims to cater for fishers who transport large quantities of catch to a premise for processing or packaging.

Important to note is that a pre-land report is only required prior to any catch being removed from a boat.

Alternate arrangements may be considered where it can be demonstrated that barriers exist that prevent fishers from meeting the proposed reporting requirements.

4. Catch quota reporting – hand gathering

Feedback was sought on the real time catch quota reporting arrangements for the hand gathering component of the Estuary General fishery.

A total of 6 submissions were received, including from the PFA and the CFC on behalf of their members.

Submissions suggested the following:

- post-land report could be done after the catch of pipis or beachworms is delivered to a registered fish receiver. The compliance risk that may be associated with this was acknowledged.
- the weight of the catch should be measured to the nearest 500 grams rather than 100 grams for reasons that included the variable weight of fish boxes and pipis ejecting sand.
- support for reporting the catch of nippers by numbers rather than weight.

DPI Proposal

Implement the arrangements as proposed by DPI.

To maximise the integrity of the catch quota management regime and certainty in the setting of a Total Allowable Catch it is important that catches are measured as accurately as possible. The variable weight of fish boxes can be accounted for by taring the scales.

The Total Allowable Catch of pipis is determined on the weight of the catch taken and not the weight of the pipi catch once it has de-sanded.

5. Effort quota reporting – Ocean Prawn Trawl

Feedback was sought on the real time effort quota reporting arrangements for the Prawn Trawl component of the Ocean Trawl fishery.

A total of 3 submissions were received, including one from the CFC on behalf of its members.

One supported the proposals. Issues identified in other submissions include:

- boats leaving NSW to fish in other jurisdictions (not fishing in NSW).
- boats steaming or anchored within NSW and not fishing.
- boats returning to port due to weather (10% increase to ITCAL insufficient).
- prohibiting possession of prawns if a pre-fishing report has not been made does not account for (a) deepwater prawns taken from the NSW deepwater prawn sector or Commonwealth SESS fishery or (b) king and school prawns taken in adjacent jurisdictions (QLD, Victoria).

DPI Proposal

Pending consideration of alternate technology to add rigour to the integrity of the quota regime:

- require a pre-fish report to be made prior to deploying a prawn trawl net in NSW.
- prohibit taking school and king prawns from NSW if a pre-fish report is not made.
- prohibit possession of school and king prawns taken from NSW if a pre-fish report is not made.

Deploying a prawn trawl net is proposed to be defined as the otter boards or any part of the prawn trawl net being in the water.

The proposal recognises the limitations of the mobile phone reporting system for monitoring the use of gear, and avoids industry disruption pending investigation and implementation of alternate technology.

6. Transfer rules for quota shares and quota – Ocean Prawn Trawl

Feedback was sought on the transfer rules applying to the new effort quota shares and quota for the Ocean Trawl – inshore and offshore prawn sectors.

Two submissions were received, including one from the CFC on behalf of its members.

One did not raise any issues. The other commented that the rules need to support existing fishers to access quota.

DPI Proposal

Implement the arrangements as proposed by DPI.

7. Managing catches of quota species in share classes not subject to quota

Feedback was sought on the implementation of some trip limits or take prohibitions for the species that will be the subject of catch quota management.

A total of 8 submissions were received, including from the PFA and the CFC on behalf of their members.

Submissions suggested the following:

- more realistic trip limits for species taken by Ocean Trap & Line – line west and demersal trap fishers. No detail was given on what realistic trip limits may be.
- no limits or prohibitions should apply to the Perches, Gemfish or Silver Trevally taken in the Ocean Trawl fishery to allow for the incidental take of these species. Rather, the landings should be monitored with a certain level of catch triggering a review of management arrangements.
- maintain the current Ocean Perch trip limit (500 – 1000kg depending on the time of year) in the Ocean Trawl fishery.
- the current Gemfish trip limit (50kg) in the Ocean Trawl and Ocean Trap & Line fisheries should be increased to 500kg.
- irrespective of the arrangements that apply (e.g. daily or possession limits) a total catch limit should apply to sectors not subject to catch quota. When the catch limit for a sector has been reached harvesting should stop.

DPI Proposal

To assist ensure the integrity of the new catch quota regimes, implement the arrangements as proposed by DPI with the following changes:

Ocean Trawl perch species: a 500kg (instead of 100kg) daily take and possession limit of Big-eye Ocean, Ocean Reef and Orange Perch (combined) for Ocean Trawl – fish northern zone and deepwater prawn fishers. This acknowledges that these fish are at times taken in quantities exceeding 100kg in these sectors.

Rather than prohibit take, and similar to the arrangements that apply to quota managed species in the Estuary General fishery, allow the retention of the following species by the fishers specified if quota is held to cover the catch:

Gemfish and Silver Trevally by Ocean Trawl – inshore, offshore and deepwater prawn fishers. This excludes fishers using prawn trawl nets south of Smoky Cape being able to take Silver Trevally irrespective of whether they hold quota. The prohibition on taking fish subject to a size limit in a prawn trawl net south of Smoky Cape will remain.

Big-eye Ocean, Ocean Reef and Orange Perch by Ocean Trap & Line – line west and demersal trap fishers.

Fishers will be required to report any quota usage using the FisherMobile system.

8. Priority determinations – Prawn running nets

Feedback was sought on how prawn running net ballots are conducted and priority is determined in region 7 of the Estuary General fishery.

A total of 17 submissions were received, including from the PFA and the CFC on behalf of their members.

Submissions suggested the following:

- some support for the proposed arrangements
- DPI should continue to run prawn ballots rather than industry doing their own
- no support for any changes to the current arrangements that apply in region 4 and 6
- the 140 metre net should be operated by 2 fishers

DPI Proposal

Implement the arrangements as proposed by DPI.

No formal ballot arrangements apply to prawn running nets in region 4 or 6 (i.e. Tuggerah Lake and Lake Illawarra). DPI does not propose to change these arrangements.

DPI proposes that industry take on the responsibility of running prawn ballots and can provide assistance in that regard if required. Any savings for shareholders by industry doing so will be accounted for when the Estuary General fishery transitions to cost recovery.

9. Priority determinations – Prawn set pocket nets

Feedback was sought on how prawn set pocket net ballots are done and priority is determined.

A total of 31 submissions were received, including from the PFA and the CFC on behalf of their members.

Submissions suggested the following:

- some support for the proposed arrangements
- in certain waters a prawn set pocket net should be operated by at least 2 endorsement holders
- it should be 300 rather than 100 additional prawning shares to allow an additional nomination
- DPI should continue to run ballots rather than industry doing their own as the current management fees should cover the associated costs

DPI Proposal

Implement the arrangements as proposed.

The decision to allow an additional prawn set pocket net nomination for each additional 100 prawning shares held above the minimum shareholding was announced by the Government in 2016.

Submissions suggesting that a minimum of two endorsement holders must use a prawn set pocket net did not provide compelling reasons as to why this restriction should exist. Optimum flexibility is delivered by having fishers make their own decisions around fishing operations and assistance from other fishers and crew.

DPI proposes that industry take on the responsibility of running prawn ballots and can provide assistance in that regard if required. Any savings for shareholders by industry doing so will be accounted for when the Estuary General fishery transitions to cost recovery.